

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. STEELE] now offers an amendment.

Mr. ROBINSON, of Massachusetts. I suggest it would be better for the gentleman from Indiana to pass his bill as a separate bill. There would be no objection to it.

The SPEAKER *pro tempore*. The Clerk informs the Chair it is impossible at this moment to find the bill referred to by the gentleman from Indiana.

Mr. STEELE. Then I offer as an amendment that 1,000 tents—

The SPEAKER *pro tempore*. The gentleman will have to send up his amendment in writing.

LEAVE TO PRINT.

Mr. MANNING, by unanimous consent, obtained leave to have printed in the RECORD certain remarks in addition to those he submitted this evening in support of his amendment in reference to the National Board of Health. [See Appendix.]

NATIONAL BANK AT WEST GREENVILLE, PENNSYLVANIA.

Mr. MILLER. While the gentleman from Indiana [Mr. STEELE] is looking for his bill or preparing his amendment there is a bill on the Speaker's table which has passed the Senate that I should like to have taken up.

Mr. BUTTERWORTH. Do you allude to the bonded bill? [Laughter.]

Mr. MILLER. No, sir. The bill simply strikes the word "West" out of the name of a bank in Pennsylvania. It has passed the Senate, and a similar bill is recommended by the Banking and Currency Committee.

Mr. ANDERSON. Does it develop American labor?

The SPEAKER *pro tempore*. The gentleman from Pennsylvania [Mr. MILLER] asks unanimous consent to take from the Speaker's table for present consideration a Senate bill, which the Clerk will read, subject to objection.

The Clerk read as follows:

A bill (S. 2490) to change the name of the First National Bank of West Greenville, Pennsylvania, to the First National Bank of Greenville, Pennsylvania.

Be it enacted, &c., That the name of the First National Bank of West Greenville, Pennsylvania, shall be changed to the First National Bank of Greenville, Pennsylvania, whenever the board of directors of such bank shall accept the new name by resolution of the board, confirmed by a vote of two-thirds of the stockholders, and cause a copy of such action duly authenticated to be filed with the Comptroller of the Currency; *Provided*, That such acceptance be made within six months after the passage of this act, and that all expenses incident to the proposed change, including engraving, shall be borne and paid by said bank.

Sec. 2. That all the debts, demands, liabilities, rights, privileges, and powers of the First National Bank of West Greenville shall devolve upon and inure to the First National Bank of Greenville, Pennsylvania, whenever such change of name is effected.

There being no objection, the bill was taken up, read three several times, and passed.

Mr. MILLER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LOAN OF TENTS, ETC., BY THE SECRETARY OF WAR.

The SPEAKER *pro tempore*. The Clerk will now report the amendment proposed by the gentleman from Indiana [Mr. STEELE] to the joint resolution introduced by the gentleman from Ohio [Mr. CONVERSE].

The Clerk read as follows:

Resolved further, That the Secretary of War is hereby authorized to loan to the Grand Army of the Republic, to assemble in the city of Denver in August next, 1,000 tents, under such rules and regulations as he may prescribe, upon the execution of a sufficient bond for the safe return of the property without expense to the United States for transportation and for the compensation of the Government for any of said property not returned in like good order as when received from the Government.

Mr. CONVERSE. I have no objection to that amendment.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

Mr. CONVERSE moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HOLMAN. I now insist upon the regular order.

The SPEAKER *pro tempore*. The regular order is the motion of the gentleman from New York [Mr. HISCOCK] that the House now adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 5 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BRENTS: Memorial of the Legislature of Idaho Territory, relative to the services rendered by certain volunteers in the Nez Percé Indian war; also in relation to the construction of a military road—severally to the Committee on Military Affairs.

By Mr. G. R. DAVIS: The petition of Hon. W. M. Eagan, C. W. Elphicke, and 30 others, marine underwriters and vessel-owners of Chicago, protesting against the transfer of the revenue-marine, Life-Saving, and Marine Hospital services to the Navy Department, and also against the establishment of a mercantile bureau in the Navy Department—to the Committee on Commerce.

By Mr. HELLMAN: The resolutions adopted by the Legislature of Indiana, asking an extension of the arrears-of-pension act—to the Committee on Invalid Pensions.

By Mr. HOUK: The petition of Alfred Harrison and others, for an appropriation for the improvement of Clinch River in Tennessee—to the Committee on Commerce.

Also, the petition of C. W. Hall, of Knox County, Tennessee—to the Committee on Claims.

By Mr. HUTCHINS: Two petitions signed by citizens of New York, asking the passage of the resolution to repeal article 11 of the amendments to the Constitution of the United States—severally to the Committee on the Judiciary.

By Mr. LADD: The petition of citizens of Bangor, Maine, protesting against the transfer of the revenue-marine service to the Navy Department—to the Committee on Commerce.

By Mr. LYNCH: The petition of P. B. S. Pinchback, for allowance of expenses of contest in the Forty-third Congress—to the Committee on Claims.

By Mr. WASHBURN: Memorial of the Legislature of Minnesota, asking that the headwaters of the Minnesota River be embraced in the reservoir system—to the Committee on Commerce.

By Mr. WEBBER: The petition of merchants, owners, and masters of vessels at Muskegon, Michigan, protesting against the transfer of the revenue-marine service to the Navy Department—to the same committee.

The following petitions and other papers relating to tariff legislation were presented, and referred to the Committee on Ways and Means:

By Mr. BAYNE: The resolutions adopted at a meeting of workmen of Pittsburgh, Pennsylvania.

By Mr. ERRETT: The resolutions adopted at a meeting of workmen, held at Arsenal Park, Pittsburgh, Pennsylvania.

By Mr. N. J. HAMMOND: Of Mack Gardner and others and of Thomas Spear and others, of Georgia.

By Mr. HEPBURN: Of C. H. Cappellar and 79 others of Farragut, Iowa.

By Mr. MONEY: Of citizens of Noxubee County, Mississippi.

By Mr. O'NEILL: Of John Wannamaker, of Philadelphia, Pennsylvania.

SENATE.

WEDNESDAY, February 21, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The PRESIDENT *pro tempore*. The Journal of yesterday's proceedings will be read.

Mr. HOAR. I understand the Journal is very long; it is full of details which are printed in the RECORD. Probably no Senator would object to dispensing with the reading.

Mr. HAWLEY. But I do not think we should be ready to do business if the reading should be suspended.

Mr. HOAR. Petitions, &c., can be presented.

The PRESIDENT *pro tempore*. The Senator from Massachusetts [Mr. HOAR] moves to dispense with the reading of the Journal. Is there objection? The Chair hears no objection, and the reading is dispensed with.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Patents asking an appropriation of \$1,000 to make inquiries concerning the public use or sale of inventions; which was referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS.

Mr. SEWELL presented joint resolutions of the General Assembly of New Jersey relating to the fisheries on the seacoast of that State; which were read, and referred to the Committee on Foreign Relations, as follows:

Joint resolutions to Congress asking relief and protection to citizens along the seacoast of New Jersey from steam-yacht menhaden fishing with purse-seines.

Whereas the inhabitants along the seashore of New Jersey have been in the habit of catching, in addition to other food-fish, large quantities of menhaden or mossbunkers, used by many for food; and

Whereas the menhaden are naturally inclined to draw toward the beach, and being a principal "feed" for other and better grades of food-fish the latter naturally follow the "feed," thereby affording those residing contiguous to the ocean favorable opportunities for securing the means of subsistence, and also of furnishing the home market, with its increasing demands along the entire coast as well as that of the country and cities, with a very important article of food; and

Whereas the said citizens, residing aforesaid—especially those accustomed to

the occupation of fishing in the ocean adjacent to the beach—have been and are being greatly injured in their business by men fishing with steamers and purse-seines from other States and Territories, who operate their machinery within a few hundred yards of the beach, by which means the life-time business and dependence for subsistence of a worthy, useful, and needy class of citizens are being destroyed, the people deprived of a luxury and needed article of food and the eastern section of the State of its natural sources of revenue and income; and while the aforesaid citizens neither ask nor seek any special immunities or franchises they are not willing to concede under similar circumstances to citizens of any other State, and realizing that they have no means of competing with or protecting themselves against so formidable an enemy, they feel compelled to seek relief and protection from the power they believe can render it: Believing, therefore, as we do, that the General Government exercises jurisdiction over the waters of the Atlantic Ocean a sufficient distance from the beach to answer all practicable purposes: Therefore

1. *Be it resolved by the senate and general assembly of the State of New Jersey*, That our Senators and Representatives in Congress from this State be, and they are hereby, respectfully and urgently requested to use their influence and best endeavors for and urge such action as it may be the prerogative and right of Congress to adopt in order to afford the necessary relief and protection to the aforesaid citizens of New Jersey, by prohibiting the mode and means of fishing referred to for a reasonable distance from the beach, that the natural rights and privileges enjoyed by said citizens for time immemorial may be continued and guaranteed to them.

2. *And be it resolved*, That his excellency the governor of this State be, and he is hereby, respectfully requested to transmit to each of our Senators and Representatives in Congress a certified copy of the foregoing preamble and resolutions.

Mr. McPHERSON. I present the same resolution of the General Assembly of New Jersey, which I have received, and move its reference to the Committee on Foreign Relations.

The motion was agreed to.

Mr. BLAIR. I present a remonstrance of citizens of Portsmouth, New Hampshire, merchants, ship-owners, and a large number of leading citizens, George T. Vaughan, William H. Sire, John H. Broughton, and many others, representing the business interests immediately concerned, remonstrating against the transfer of the revenue-marine service to the Navy, and stating their reasons at considerable length. I move the reference of the memorial to the Committee on Commerce.

The motion was agreed to.

Mr. SHERMAN presented a petition of citizens of Zanesville, Ohio, favoring the passage of the Tariff Commission bill; which was ordered to lie on the table.

Mr. VEST presented a petition of the Sherman Grange, No. 1539, of Harrison County, Missouri, and a petition of the Chilly Grove Grange, No. 180, of Schuyler County, Missouri, asking the establishment of a secretary of agriculture; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MILLER, of California, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 5674) for the relief of Edward Bellows, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 6683) to authorize the construction of bridges over the Ogeechee, Oconee, Ocmulgee, Flint, and Chattahoochee Rivers, in the State of Georgia, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2485) to authorize the construction of a bridge across the Missouri River at the most accessible point within five miles below and five miles above the city of Kansas City, Missouri, reported it with amendments.

Mr. CAMERON, of Wisconsin. I am instructed by the Committee on Claims, to whom was referred the bill (H. R. 7321) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department, to report it without amendment. I will submit a written report to-morrow morning. I have it not at my desk now.

The PRESIDENT *pro tempore*. Leave will be granted to the Senator to submit a report to-morrow.

PRINTING OF EULOGIES.

Mr. ANTHONY. The Committee on Printing, to which was referred the joint resolution (H. Res. 347) for the printing of certain eulogies delivered in Congress upon the late Godlove S. Orth, have instructed me to report it favorably and without amendment. I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ANTHONY. From the same committee I report back the joint resolution (H. Res. 349) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. R. M. A. Hawk, of Illinois, without amendment, and with the recommendation that it pass. I ask for its present consideration.

The joint resolution was considered as in Committee of the Whole, reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE NEWBURGH CENTENNIAL.

Mr. HAWLEY. The Committee on Military Affairs, to which was referred the joint resolution (S. R. 138) concerning the erection of a memorial column at Washington's Headquarters, at Newburgh, New York, have instructed me to report it favorably and without amendment, and I request its immediate consideration.

The committee unanimously reported the resolution. It is in alteration of a resolution passed last July, which appropriated \$25,000. So we are not asking for any more money. Ten thousand dollars of it was to be devoted to a monument and the remainder to the purchase of certain ground and the expense of the celebration. The committee of Congress charged with a partial supervision of the matter thought it better to devote the whole \$25,000 to the monument and leave the expense of the celebration and the other local matters to the State of New York and the Newburgh local committee. That committee and the Congressional committee in conference with the Secretary of War decided upon this division of the labor. We recommend that the entire sum given last July be devoted to the monument, and New York State and the city of Newburgh will then take care of the local purchases and of the celebration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OATH OF NAVAL RECRUITS.

Mr. MILLER, of California. I am instructed by the Committee on Naval Affairs, to whom was referred the bill (S. 2486) to authorize the requirement of an oath as to age from recruits for the Navy before enlistment, and in the case of minors, from their parents or guardians, and to empower certain officers of the Navy to administer such oaths, to report it with an amendment. The committee recommend the passage of the bill as amended, and I should like to have it passed now, if possible.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that recruits for the Navy may be required, before enlistment, to make oath or affirmation as to their age, to the best of their knowledge and belief; and, in the case of minors, certificates of consent may be required from parents or guardians, with oath or affirmation as to date and place of birth. These oaths may be taken before any commissioned officer of the Navy authorized to enlist recruits.

The amendment reported by the Committee on Naval Affairs was to strike out lines 8 and 9, as follows:

These oaths may be taken before any commissioned officer of the Navy authorized to enlist recruits.

And insert in lieu thereof:

Any commissioned officer of the Navy authorized to enlist recruits is hereby empowered to administer all such oaths or affirmations and certify the same, with the same effect as if administered and certified by a civil magistrate.

The amendment was agreed to.

Mr. SAULSBURY. I should like to inquire of the gentleman in charge of the bill if it would not be proper to put in a proviso here, that where minors are enlisted in the service contrary to the provisions of the law, without the consent of their parents, they shall be discharged on the application of their parents?

Mr. MILLER, of California. That does not properly come within this bill, because this is merely to authorize a Navy officer to administer the oath, which lays the foundation for the enlistment.

Mr. ANTHONY. A minor enlisted without the consent of his parents is always discharged.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2500) to regulate the sale of grape-sugar and glucose, and to prevent the adulteration of sugar, molasses, and sirup, the product of beets, sorghum, or sugar-cane; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BECK asked and, by unanimous consent, obtained leave to introduce a bill (S. 2501) relative to the Southern exposition to be held in the city of Louisville, State of Kentucky, in the year 1883; which was read twice by its title, and referred to the Committee on Finance.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes.

The message further announced that the House had passed the following bill and joint resolution:

A bill (S. 2490) to change the name of the First National Bank of West Greenville, Pennsylvania, to the First National Bank of Greenville, Pennsylvania; and

Joint resolution (S. R. 137) to print certain eulogies delivered in Congress upon the late Benjamin H. Hill.

The message also announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for

the fiscal year ending June 30, 1884, and for other purposes, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. L. B. CASWELL of Wisconsin, Mr. E. J. NO. ELLIS of Louisiana, and Mr. JOSEPH G. CANNON of Illinois, managers at the further conference on its part.

The message further announced that the House had passed the following joint resolutions; in which it requested the concurrence of the Senate:

Joint resolution (H. Res. 357) authorizing the Secretary of War to loan tents to the Soldiers and Sailors' Association at Columbus, Ohio, and to the Grand Army of the Republic at Denver, Colorado; and

Joint resolution (H. Res. 358) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. John W. Shackelford, of North Carolina.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BECK submitted an amendment intended to be proposed by him to the bill (H. R. 7482) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the bill (H. R. 7595) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

IMPROVEMENT OF THE MISSISSIPPI RIVER.

Mr. GARLAND. I offer a resolution, and ask that it be read.
The Acting Secretary read the resolution, as follows:

Resolved, That a committee of five Senators be appointed by the President to examine into the works now in progress for the improvement of the Mississippi River below Cairo, and the methods employed in making such improvements, and the contracts touching the same, and the application of the appropriations made by Congress for that purpose.

Also, all matters pertaining to and the feasibility of the outlet system for the improvement of said river.

Also, in the improvement made at the mouth of said river, the system of jetties, and the extent to which the same have facilitated the navigation of the river to the Gulf, their permanency, and the method now employed in the improvement thereof, and into all matters touching said improvement, the methods and effects thereof, and contracts touching the same.

The said committee may hold its sessions during the recess of Congress at such places on said river or elsewhere as may be necessary for full inquiry into the matters above referred to, may send for persons and papers, examine on oath any of the persons employed on the Mississippi River improvement commission, or by the same and others if deemed necessary, including all river men and river residents.

The said committee shall report to the Senate the result of such inquiries at the earliest day practicable of the next session of Congress.

A sum not exceeding \$5,000 out of the contingent fund of the Senate may be applied by the Secretary to the payment of the actual expenses of said committee, including clerk and witness fees. But the Secretary is only authorized to pay such expenses on vouchers therefor, duly certified as correct by the chairman of the committee and specifying in detail the items thereof. But the entire expenses of said committee shall not exceed the sum above mentioned and no other expenses shall be incurred.

Mr. GARLAND. The Senate is very thin at this time, and I shall not ask action on the resolution now; but as it will go over it is probably well enough for me to state the views I have about it, so that Senators may look into the subject by the time the resolution is considered to-morrow.

The House of Representatives at the last session appointed a committee of nine of this character, a committee as I am informed by the public prints who have made some examination of the work contemplated in the resolution, but they have made no report, and no legislation has been had in reference to the subject at this session of Congress, and as a matter of course none will now be had. What the scope of the examination of the House Committee was, or what their views of the matters suggested may be, no one knows; at least I do not.

It is important that a committee of this sort should be appointed. It has now become more so in view of the overflow that is about to take place in that country of all that portion of the Mississippi River designated in the resolution between Cairo and the mouth. The expense is limited, possibly it is too much limited, to the sum of \$5,000. Perhaps upon reflection that will have to be increased somewhat. For one, I am anxious that an investigation be had, and that legislation take place at the next session of Congress, which will be the regular session, that shall settle this matter in some permanent and practical way. I believe myself there was an error in providing for a commission without some members of Congress being placed upon it. If the original Mississippi River Commission had been composed partly of members of Congress action of this sort would be unnecessary, because their reports when made to Congress could be explained by the members who were on the commission representing the one House or the other. In that way information as to the reports could be had from persons on the floor who knew the facts.

I think there can be no reasonable objection urged to-morrow to the passage of this resolution. Of course I am willing to accept any amendment or any proposition that will reach the same purpose and accomplish the same end. I ask that the resolution may lie over; I shall call it up to-morrow.

The PRESIDENT *pro tempore*. Does the Senator wish it printed?

Mr. GARLAND. Yes, sir.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over.

Mr. HOAR. I suggest to the Senator that he put in his resolution the authority to employ a stenographer. It is important that the testimony taken before the committee should be preserved.

Mr. GARLAND. I will do that.

Mr. HOAR. Perhaps before it is printed the Senator had better modify it in that way.

Mr. GARLAND. Very well, I shall do so.

CHILI AND PERU.

Mr. VAN WYCK. I offer a resolution, which I ask may lie over and be printed; I will call it up to-morrow, or as soon as it can be printed.

Resolved, That the President be respectfully requested, if not in his judgment incompatible with the public interest, to communicate to the Senate any information in his possession touching an alleged joint agreement between the ministers of the United States, of Great Britain, of France, and of Italy, now serving at Lima, or Peru, to make a joint effort to bring about peace between Chili and Peru, and to inform the Senate whether the minister of the United States has been instructed to invite or accept the mediation of European powers in the settlement of a purely American question.

The PRESIDENT *pro tempore*. The resolution will be printed and go over.

PRINTING OF INTERNAL-REVENUE AND TARIFF BILL.

Mr. MORRILL. I desire to make a motion that the revenue bill as passed by the Senate be printed—1,000 copies. Several Senators want a copy, and it will be wanted by members of the House. It will not be printed in the House until it shall be taken up for action. It will be convenient, I think, for both Houses to have it.

The PRESIDENT *pro tempore*. The bill will go to the House to-day.

Mr. MORRILL. I know; but I ask to have 1,000 copies of the bill printed for the use of the Senate.

The PRESIDENT *pro tempore*. Can 1,000 extra copies be printed without referring that question to the Committee on Printing?

Mr. MORRILL. Yes; that will not cost \$500, nor half of it.

Mr. ANTHONY. The printing of the usual number can be ordered without a reference. It is better to print the usual number.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont [Mr. MORRILL].

The motion was agreed to.

EXECUTIVE SESSION.

Mr. HOAR. If there is no further morning business I desire to make a motion. I understand that it is desirable to have a very brief executive session at some time to-day, and that it would be more agreeable to the Senator who has charge of the appropriation bill to have it now than to interrupt that bill. I move, therefore, that the Senate now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened.

MAJOR WILLIAM LUDLOW.

Mr. HAWLEY. The Committee on Military Affairs, to whom was referred the joint resolution (H. Res. 355) to authorize Major William Ludlow, United States Army, to accept a civil position, have directed me to report it favorably and without amendment. I ask for its immediate consideration.

Mr. EDMUNDS. We ought not to take up bills and resolutions reported to-day. It is not fair.

Mr. INGALLS. I call for the regular order.

Mr. HAWLEY. If gentlemen will allow me to make a brief statement, I think this is a measure to which no possible objection will be made.

The city of Philadelphia is under the absolute necessity of beginning some great improvements in its water-works. Major Ludlow has been for six years on duty around the Delaware River and all about there, in charge of the river and harbor improvements. Philadelphia is unable to find elsewhere the proper man. With extraordinary unanimity on the part of both political parties they have selected Major Ludlow. He is needed immediately. They wish to put him in charge of the new system of works. This resolution will grant him a two years' leave of absence, but it is probable, if he proves acceptable, that he will resign from the Army before that time. It is without pay. His pay ceases the moment he accepts the position. He would be entitled now, if he had the benefits of the leaves of absence he has saved, to some fourteen months' absence. The Secretary of War approves it in a letter which states the facts clearly. The councils of Philadelphia ask it; the citizens ask it; here is a petition to Congress asking it which embraces the strongest names possibly of all parties in that city. It is no injury to the public service. It is particularly needed, and it will be a great benefit to that city. I ask for the immediate consideration of the joint resolution.

Mr. EDMUNDS. It is undoubtedly a very important matter, but I have reported a good many very important bills which if I could get them up would be disposed of in five minutes; but I can not do it. I

propose to take what time there is for the things on the Calendar when we can get at them. This is not fair play.

Mr. HAWLEY. It is in accordance with public justice. It is nothing more than fair to the people of that city. It is fair to the service. It does not interfere with anybody's promotion. He loses his pay from the day he goes on this duty. He is needed now.

Mr. EDMUNDS. I am not on the point of the merits of the resolution; I am on the point of doing the important business of the Senate first.

Mr. HAWLEY. If the Senate had heard the letter of the Secretary of War they would have passed the bill before this time, but if objection is made—

The PRESIDENT *pro tempore*. If objected to the resolution has to go over.

Mr. HAWLEY. I move to take up the resolution.

Mr. EDMUNDS. That will not do, as it is now reported.

Mr. HAWLEY. Then I withdraw the demand at present, but I shall renew it at the first favorable opportunity.

ARMY APPROPRIATION BILL.

Mr. LOGAN. I move to postpone the Calendar and all prior orders, for the purpose of taking up the Army appropriation bill.

The PRESIDENT *pro tempore*. It is moved to postpone the Calendar.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Illinois moves to take up the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes.

Mr. LOGAN. I move to dispense with the formal reading of the bill, and that the amendments of the Committee on Appropriations be acted on as they are reached in the regular reading.

And then, after they are acted on, amendments offered by Senators not on the committee will be in order.

The PRESIDING OFFICER (Mr. GARLAND in the chair). If there be no objection to the course suggested by the Senator from Illinois it will be taken.

Mr. MAXEY. I understand the suggestion of the Senator from Illinois is that the amendments offered by the committee shall be taken up and disposed of in the order in which they are reached.

Mr. LOGAN. Yes, sir.

The PRESIDING OFFICER. If there be no objection that will be considered the sense of the Senate. The bill will be read.

The Acting Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, in line 7, to increase the appropriation "for expenses of the commanding general's office" from \$1,500 to \$2,000.

The amendment was agreed to.

The next amendment was, in line 10, to strike out "twenty-five" and insert "ten;" so as to read:

For expenses of recruiting and transportation of recruits from rendezvous to depot, \$110,000.

The amendment was agreed to.

The next amendment was, after line 16, to insert:

For salaries of one hundred and seventeen civilian clerks, at not exceeding \$1,000 each per annum, for the Adjutant-General's Department, at the headquarters of military divisions and departments, \$117,000: *Provided*, That this sum shall be in full for all clerical expense of the Adjutant-General's Department at the headquarters of military divisions and departments: *Provided further*, That soldiers rendering the clerical services above provided for shall be restored to duty with their respective companies.

Mr. LOGAN. The committee authorize me after a reconsideration of that to substitute for that amendment the following:

For salaries of one hundred and seventeen civilian clerks, namely, ten clerks at not exceeding \$1,500, and one hundred and seven clerks at not exceeding \$1,200 per annum each, in lieu of the general service men on duty at the headquarters of military divisions and departments, \$143,400.

Mr. PLUMB. I suggest whether that should not be amended by adding to it the last proviso of the amendment as it originally stood:

Provided further, That soldiers rendering the clerical services above provided for shall be restored to duty with their respective companies.

And that ought to be followed by "or mustered out." Some of these men are what are called general-service men, who really, while enlisted as other soldiers, were enlisted with the understanding that they were to render clerical service, and have never been on duty with their companies. They ought to have an opportunity of being mustered out if they so desire. Some others should be returned to their companies.

Mr. LOGAN. I have no objection to add the last proviso there at the end of the amendment. I think that would be better.

Mr. PLUMB. Then add "or discharged from the service."

Mr. LOGAN. Very well.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois [Mr. LOGAN], as modified, to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the

Committee on Appropriations was, under the head of "Pay Department," in line 38, before the word "aids-de-camp," to strike out "twenty" and insert "thirty-seven;" after "aids-de-camp," in the same line, insert "in addition to pay in the line;" and after the word "line," in line 39, to strike out:

And on and after the 1st day of July, 1883, the Lieutenant-General may have two aids-de-camp, to be selected from officers of the line below the rank of lieutenant-colonel; that each major-general may have two aids-de-camp, to be selected from the captains or first lieutenants of the line; that each brigadier-general may have one aid-de-camp, to be selected from the first lieutenants of the line: *Provided, however*, No officer shall remain absent from his regiment on such duty for a longer period than three years: *And provided further*, That such officers so detailed for staff duty shall not have or receive any additional rank or pay over and above their regular rank and pay by reason of such detail or assignment to such staff duty.

And insert in lieu of the words stricken out:

Provided, That no officer shall remain absent from his regiment on duty at Washington city, or on the staff of a major-general or a brigadier-general, for a longer period than three years at any one time; but this provision shall not apply to officers on the staff of the Commanding General of the Army.

Mr. BAYARD. That amendment is obnoxious to the provisions of Rule 29. It proposes general legislation, which can not be done on an appropriation bill. The rule is:

No amendment which proposes general legislation shall be received to any general appropriation bill.

I submit that point of order.

Mr. LOGAN. If the Senator would only have waited until I made the suggestion that I am authorized by the committee to make, it would have saved him perhaps the trouble.

Mr. BAYARD. The Senator tried to interrupt me before I stated my point.

Mr. LOGAN. I wanted to say that is all stricken out by order of the committee.

Mr. BAYARD. Are the words in Italics stricken out?

Mr. LOGAN. All is stricken out from line 39 down to and including the word "duty," in line 52, which is the first part of the amendment. I would rather have a vote taken on that first, and then on the insertion of the proviso inserted by the committee, and the Senate will see what it means.

Mr. HARRIS. Will the Senator state how the committee propose to amend the proviso?

Mr. LOGAN. The committee propose to amend it so as to read:

Provided, That no officer shall remain absent from his regiment on duty at Washington city for a longer period than three years at any one time, but this provision shall not apply to officers on the staff of the Commanding General of the Army, nor to the officer in charge of the publication of the records of the war of the rebellion, or detailed to work on the Washington Monument.

Mr. HARRIS. I had offered an amendment which I had printed, but I see the committee has covered the point in respect to the war record office.

The PRESIDING OFFICER. The Chair thinks the question should be divided. The first question will be on the amendment striking out "twenty" and inserting "thirty-seven" in line 38.

Mr. HARRIS. I ask the Senator from Illinois if it would not be wise—it is a subject which I have not considered in every view—that the Army officers who are detailed and on duty in the Signal Bureau should be excepted from this general provision, it being a specialty that they are peculiarly qualified to fill, and they would have to educate new men if they were sent off to their commands and others detailed for that service.

Mr. LOGAN. I want the Senate first to vote on the proposition of the committee to strike out from line 39 down to and including the word "duty" in line 52. Then that other question will come up.

Mr. MAXEY. I agree with the Senator in charge of the bill that the true policy of the Senate at this stage is to act on striking out the lines proposed to be stricken out as an independent question. Then there are a good many questions about the words in Italics which I should like to be heard upon as well as others.

Mr. LOGAN. That is what I propose.

Mr. MAXEY. I think the committee is right in the striking out; I agree with the committee on that, but I disagree about the matter to be inserted.

The PRESIDING OFFICER. The question to be acted on is the amendment in lines 38 and 39. The Secretary will report the amendment distinctly to the Senate.

The ACTING SECRETARY. In line 38 it is proposed to strike out "twenty" and insert "thirty-seven," and in the same line, after "aids-de-camp," to insert "in addition to pay in the line;" so as to read:

Thirty-seven aids-de-camp, in addition to pay in the line.

The amendment was agreed to.

Mr. MORGAN. I should like to know why it is necessary to raise the number of aids-de-camp.

Mr. LOGAN. I will explain to the Senate in a moment. The House in putting in these words cut off part of the aids-de-camp to general officers.

Mr. MORGAN. Cut off seventeen?

Mr. LOGAN. Yes, sir; and by this amendment we restore them. It is necessary to put in "thirty-seven," because that is the number,

and it is necessary to insert "in addition to pay in the line" to include the extra pay which was stricken out by the House.

Mr. MORGAN. It leaves the law as it is?

Mr. LOGAN. Yes, sir.

Mr. MAXEY. It leaves the law as it is. That particular provision underwent the supervision of the Committee on Military Affairs. That committee recommended striking it out, so as to leave the law as it is.

Mr. LOGAN. The Committee on Military Affairs instructed me to make this report to the Committee on Appropriations, and the Committee on Appropriations agreed to it.

The amendment was agreed to.

The PRESIDING OFFICER. The next question is on the amendment to strike out the words beginning on line 39 and ending with line 52.

Mr. HARRISON. Is the question to be taken upon the proposition to strike out and insert?

The PRESIDING OFFICER. It is to be taken first on striking out.

Mr. LOGAN. If the point of order can be raised on the proviso first, then perhaps the vote had better be taken on striking out and inserting. If the Senator from Delaware proposes to raise the point of order, I do not propose to have the clause stricken out on the point of order.

Mr. CAMERON, of Wisconsin. The point of order undoubtedly can be raised.

Mr. BAYARD. It will be.

Mr. LOGAN. Then I would rather have the matter submitted in that way.

The PRESIDING OFFICER. Then the question will be on striking out the words indicated by the committee and inserting the proviso from line 53 to line 57, inclusive.

Mr. BAYARD. Does the Chair rule that the words in italics are connected with the cancellation above, from line 39 to line 52?

The PRESIDING OFFICER. The Chair holds that striking out and inserting comes up as one question.

Mr. BAYARD. Then I raise the point I did before, that the amendment is obnoxious to Rule 29, as it is providing general legislation on an appropriation bill.

Mr. LOGAN. Does the Senator mean the whole amendment, the provision by the House and the proviso proposed by the committee? Does his point go to the provision of the House bill and the amendment of the Senate committee?

Mr. BAYARD. The amendment is an amendment of the Senate Committee on Appropriations to substitute this language in italics for the matter stricken out. I should suppose the two things were separable, that we could concur in striking out and afterward vote on the insertion of the proviso. I ask the Chair, as a matter of parliamentary law, whether the vote is not separable upon the striking out the cancellation of the words from line 39 to line 52?

The PRESIDING OFFICER. If the rule is insisted upon, a motion to strike out and insert is not divisible.

Mr. BAYARD. My objection is that the effect of striking out these words and inserting the proviso in italics would be to receive an amendment which is obnoxious to the provision of Rule 29. That is the effect of it. That rule prevents a proposition of general legislation to be received on any general appropriation bill.

Mr. MAXEY. The lines stricken out by the committee are general legislation on an appropriation bill. They come from the House, and according to the theory we can not control their rules, and therefore we are bound to keep them on the bill because it is not amenable to our rules; but when we endeavor to correct that and strike that out, and as an amendment insert something different, that is amenable to our rules, and we can not avail ourselves of the benefit of legislating on an appropriation bill although we are bound to take legislation from the House however bad it may be, because we can not control their rules. That is the effect of the point precisely.

Mr. PLUMB. I should like to make a suggestion to the Senator from Delaware that the amendment shall be perfected according to the sense of the Senate reserving the point of order, and perhaps it may be when the provision is perfected that no member of the Senate may care to make the point of order and the occasion for it may entirely pass away. In the mean time it seems to me that in regard to the matter about which the House has legislated we should not, if we can avoid it, put ourselves in the negative position of simply striking out what they have put in, taking the chance of being obliged to restore it in conference. We ought to perfect it and see if we can not get it in such a shape that the Senate will be willing to agree to it, and, whatever the parliamentary law may be, not resort to the point of order.

Mr. LOGAN. I should like Senators to state their objections to this proviso. I think the Senate would generally agree to strike it out if the reason for doing so was stated to them. I do not see any objection to the proviso reported by our committee, but if there are objections I should like them to be stated; and if I can not answer them, then I will agree that it shall be stricken out.

Mr. HARRISON. I will state to the Senator from Illinois, in response to that suggestion, that it seems to me the proviso is subject to this objection: that the result of it will be to order presently back to their regiments the officers on duty in the Signal Corps. Now, with-

out bringing up for discussion here at all—for I do not consider that it is before us—the general question of the present organization of that corps, or the question as to how its organization may be improved, or the broader question whether it should be kept in contact with the War Department at all, I simply suggest that it is there now, and that we ought not in this indirect way to destroy it. We ought to meet the question of its transfer to another bureau or Department of the Government, or the question of its reorganization upon some permanent basis, with officers of its own, as a distinct issue upon a bill presenting that question. That would be open to amendment, and not subject to the limitations which attach to an appropriation bill coming to us from the House of Representatives.

Now, I am free to admit that some views which I have held upon that subject have undergone modification; but it must be, at least until the next session of Congress, that whatever is done in the way of weather observations and reports during that interval must be done by the Signal Corps as now organized. If, therefore, we are presently to return to their regiments all officers there on detail who have acquired valuable experience in connection with that work, it is practically to uproot and destroy the organization.

I would therefore suggest, if this amendment is to be considered and the point of order withdrawn, that the exception which is made as to the officer in charge of the Monument and as to the officer in charge of the compiling of the records of the rebellion should be extended to the officers on duty here in the Signal Corps, in order that at the next session of Congress, after an investigation that seems to be likely is made, we can reconsider this whole question, and meet the subject of the reorganization of the Signal Corps or its transfer to some other Department in a fair way, when our powers of dealing with it will not be circumscribed.

I say, then, in response to the Senator from Illinois, that as at present advised if this substitute is to be voted upon—and I trust the Senator from Delaware will not insist on the point of order, for it is simply tying our hands to deal with this question—if we are to deal with the subject I think that exception ought to be made for the present. In saying that to the Senate I do not mean at all to commit myself even to views already expressed on the question as to whether there may not be a better organization of this bureau.

The PRESIDING OFFICER. Does the Senator from Delaware reserve the question of order, or insist on it now?

Mr. BAYARD. I think the whole provision ought to go out.

The PRESIDING OFFICER. A request was made by the Senator from Kansas [Mr. PLUMB] that the question of order be reserved for the time being.

Mr. BAYARD. I have no objection to that.

The PRESIDING OFFICER. The Senate then will proceed to consider the amendment, the question of order being reserved.

Mr. CONGER. I wish to inquire whether if the point of order is not insisted upon now it will be available after this proviso has been amended?

The PRESIDING OFFICER. The point of order can be reserved by the Senator from Delaware and he can make it at any future time. The request made by the Senator from Kansas was that the clause should be perfected first in the absence of the point of order. The Senator from Delaware may reserve his point of order until afterward.

Mr. CONGER. I do not know what the rule is here; but if this should be amended or any action taken upon any of its parts, can the point of order then be made against it?

The PRESIDING OFFICER. The point of order can be made under the rule at any time.

Mr. CONGER. If it could not, I should wish to make the point of order now.

Mr. HOAR. I understand that the effect of the whole proceeding is that nothing can be done except what meets the unanimous consent of the Senate.

The PRESIDING OFFICER. The point of order can be made at any time before the bill gets out of the Committee of the Whole.

Mr. MAXEY. I wish in a very few words to state what I think about this proposed legislation. So far as the amendment we have adopted in lines 38 and 39, striking out "twenty" and inserting "thirty-seven," and adding "in addition to pay in the line," is concerned, I voted very cheerfully for that for the reason that it leaves the law precisely as it is; it does not attempt to legislate upon an appropriation bill, but simply makes an appropriation to meet existing law. So far so good, and I think we are just right in voting that way.

I also favored the striking out of the lines from 39 to 52, inclusive, for the same reason, that while they did not come from the Senate they are nevertheless legislation upon an appropriation bill, and usually that kind of legislation is not submitted to the trained and experienced committee having charge of the special matter to which it relates. Hence on such special legislation the Senate can not be so well advised as it would be if it had the benefit and skill of the committee specially charged with that kind of legislation before it came to this body for consideration.

Then we come to the lines from 53 to 57:

Provided, That no officer shall remain absent from his regiment on duty at Washington City or on the staff of a major-general or a brigadier-general for a

longer period than three years at any one time, but this provision shall not apply to officers on the staff of the Commanding General of the Army.

There are two or three objections that I desire in a very few words to present to that proposition.

There is not a Senator on this floor who has had command of large forces of men who is not aware (and no one knows it better than the Senator from Illinois in charge of this bill) that the staff officers of a general are confidential officers, and he ought to have the privilege of selecting them. Every officer in command of troops has his own methods of proceeding. When he trains his staff to understand him and he understands them and has them well prepared to carry out his wishes, it does seem to me that it is a privilege in the interest of the United States, of good order, and military discipline that you should not part that relation between the commanding general and his staff officers by such legislation as this bill proposes. I understand from the Senator from Illinois that so far as that particular point is concerned, in the amendment which he is authorized to make by the Appropriations Committee as a substitute, that difficulty is removed. Unquestionably there is no Senator on this floor who has commanded men in the Army but knows the importance of retaining that privilege. The generals should be left to make their own selection of staff officers, and that relation should not by force be broken up so long as it is satisfactory to the general and his staff officers.

Now, I come to another point. This amendment strikes down and removes and carries back to their regiments the officers who are detailed with the Signal Corps. That is the necessary effect of it. At the last session of Congress a bill was introduced for the purpose of reorganizing the Signal Corps. That bill was reported by the Senator from Indiana [Mr. HARRISON], and is now pending on the Calendar, reported favorably from the Committee on Military Affairs. The purpose of that bill is to make a permanent signal corps service and stop all this trouble, and it is a great trouble which necessarily must exist between the Chief of the Signal Service and the General of the Army and the division and brigade commanders and regimental commanders, because a general or colonel who has a first class officer is derelict in duty in my judgment if he will voluntarily give up that first-class officer to anybody if he can keep him. In other words, when you have good men you want to keep them. Equally so the signal officer wants to get the best men that he can get. That is perfectly natural, and he is doing his duty in doing that. There is trouble and collision necessarily between the signal officer, who is seeking the best men, and the division, brigade, and regimental commanders, who seek to retain the best in their own commands.

While that bill is pending, and it is not yet disposed of, there is a temporary provision going on whereby certain officers are assigned to duty in the Signal Corps, and the more experienced those officers are the better for the Signal Service. As a matter of practical fact, my judgment is, and I think I shall be sustained by nearly all Senators here or by most of them at least, that the public demand of this country is that the Signal Service should not be stricken down. You pass this bill as it is and require all these officers who have been away from their commands for three years on duty in Washington city in the Signal Corps to be sent back to their commands, and you strike down instantly the Signal Service. The people of this country do not demand that; but in every way that information can come, I happen to know—no one knows it better than the Senator from Connecticut [Mr. HAWLEY], the Senator from Indiana [Mr. HARRISON], and myself, for it became our duty as a sub-committee of the Committee on Military Affairs to investigate all this vast volume of testimony in regard to the Signal Corps, coming from every portion of this country—that the people of this country want that corps upheld and maintained. That is my judgment about it. But we can not act upon that bill at this session of Congress, because the time now allotted to other questions will not allow. So we have temporarily to leave the Signal Corps where we find it, with a general in command of the Signal Corps and five or six lieutenants at the foot end of the service with the rest of the detailed officers taken from various portions of the Army.

If they are sent back you strip that corps of all its vitality; you take from it all its energy; it at once becomes a helpless machine if you bring in new men who have no experience in the Signal Service and place them there between the Chief Signal Officer and the lieutenants. I believe none of the men in that corps proper are above the rank of second-lieutenant. Take out those who are detailed and send them back to their regiments and take new men and place them there, and you at once destroy the efficiency of the Signal Corps, and you do a thing which the American people do not want done, and which in my judgment would be a grievous blow at the best interests of our country, commercially and agriculturally, as well as at the interest of having proper signal service and signal stations along our great frontier and in the Indian Territory and everywhere else where the service is now operating so beneficially.

Nothing, in my judgment, could show the evil of legislation on appropriation bills more than hasty action of that kind, when the Senate has charged a committee with the investigation of that business and that committee charged a sub-committee with it, and that sub-committee, as I know, has worked for weeks and months in trying to perfect a bill and bring it here which would save the Signal Service, and present it

in such a way as to meet the approbation of the Senate and House and of the country; and while that is pending we want simply to let the corps go on as it is with those officers detailed doing duty, and if this proviso is adopted you send these officers back to their commands and you destroy the Signal Corps.

Mr. LOGAN. There is nothing that demonstrates more fully to my mind than the arguments which have been made here this morning that nothing can ever be done to improve anything connected with the Army, no matter what efforts may be made. I notice in reference to the tariff bill and in reference to every other bill that comes before the Senate that if Senators object to any provision of a bill they try to make it better, if it is a proper provision; but if any provision appears in the Army bill which in the slightest degree affects any corps or individual of the Army the provision is always attacked without attempting to substitute anything that makes it better.

Mr. MAXEY. The Senator from Illinois will allow me to state that I ought to have given notice that on the 6th of February I proposed an amendment at the end of line 57, after the word "Army," to insert the words "nor to officers of the Army on duty with the Signal Corps;" so as to read:

But this provision shall not apply to officers on the staff of the commanding general of the Army, nor to officers of the Army on duty with the Signal Corps.

At the proper time I propose to offer that amendment.

Mr. LOGAN. I suppose it has gone all over the country that I am attacking the Signal Corps. You would think from the arguments here this morning that my intention is to destroy the Signal Corps. I have no desire to do that; I have never attempted to do it, and I will offer a proposition here before I sit down, and I want to see whether Senators who are so interested in not having this corps touched at all think it fair or not.

Now, I say to the Senator from Texas and the Senator from Indiana that I understand the Signal Service to be like any other service, except in this: The officers learn signaling, and that signaling taught in the Signal Corps applies to the whole Army, and every officer in the Army ought to have an opportunity to learn it. The Senator from Texas is an old Army officer, and I ask him if that is not true? Is it not a fact that the signaling for the Army is a service that ought to be taught to all the Army?

Mr. MAXEY. I so regard it. I do not wish to take up the Senator's time, but the Signal Corps does an immense amount of work of importance to commerce and agriculture.

Mr. LOGAN. I understand that; I understand that it does an immense amount of service outside of what it was intended for. For instance, there has been a report referred here to the Committee on Printing on the entomology of Alaska made by the Signal Corps. What has it got to do with that, will you tell me? What part of its service is it performing when it is doing that at the expense of the Government, when other bureaus are authorized by law to perform that service? Will you tell me what right it has to give the destruction and overflows, &c., of the Mississippi and other rivers after they have gone by, when we have a commission for that purpose? And yet it does it. It expends the Government money in reaching out and extending beyond the duties that are given to it under the law, as the Senate well knows.

I introduced a bill in the early stages of this session to divide the Signal Corps; that is, to leave the Signal Service to perform its duties as Signal Service officers, and the civil department of that corps to be assigned to a civil department to perform its duties in the civil department where it belongs. But the very moment I did that I was attacked in the newspapers all over this country. I was astonished at it, for I could not understand it. I was astonished to find editorials in leading newspapers in the country attacking me, saying that I was trying to destroy the Signal Service; but I will say to the Senator from Texas that afterward I found these editorials all inclosed to me in a letter. After I had read them, a letter was written to me stating that these editorials were written in the Signal Office.

Mr. PLUMB. I should like to ask the Senator from Illinois a question. I ask if he thinks that a new detail of officers would be able to write just as good editorials—if he does not think that kind of work can be better done by men who have been there seventeen or eighteen years?

Mr. LOGAN. I will answer the Senator.

The Signal Service, I do believe, if properly managed is a good service to the country; I do not wish to destroy it, but I wish the officers of the Army to have an equal chance in learning that which belongs to it if it is valuable to the Army; and if it does not belong to the Army, let it go where it does belong. If the examination that I have referred to of the entomology of Alaska belongs to the Army, well enough; but it does not, as all know. If the duties they perform belong to the civil department, not to the Army, why shall they be performed by the Army? If they are necessary, why not give the general officers of the Army a chance to understand these things? Is it to be a secret locked up in the breast of a few men? Is that the object? If the object is because you detail an officer of the Army to this service and after he is detailed and has learned it then he must stay there as long as he lives, because you say he is more efficient than anybody else you can detail

at this time, then why put it upon an establishment; why not make it an establishment of itself, and make the officers permanent and not take them from the Army? Let them belong, then, to a permanent establishment; let them belong to a civil establishment; and do not detail men from the Army to a position to perform duties in the Army and keep them there for life. You have officers in the Signal Service to-day who have been there twelve years, detailed from the Army.

Mr. PLUMB. Eighteen years.

Mr. LOGAN. I say, and the Senator well knows it, that no officer of the Army should be detailed on certain duties for eighteen years, depriving others of his service, when others can perform it just as well.

Now, I propose to offer this amendment before I sit down, that of these officers, I think twelve in number, three shall be returned to their regiments within the year 1883, and others detailed in their places; that three shall be returned to their regiments in 1884, and three shall be returned to their regiments in 1885, and others detailed in their places. Will not that give time enough for others to learn signaling? Is that trying to destroy the Signal Corps, or is it an attempt to give officers of the Army an opportunity of learning this service so that it may be taught elsewhere? I intend to make that proposition, or change "three" to "four," in order to get the twelve back to their proper positions in three years. I will insert "four," so as to have one-third go out each year, leaving four of them there for two years, so that others may learn it. Take the ones who have been here the longest and send them to their regiments; others who have been here eight or nine years are certainly sufficiently proficient to perform their duty.

It will not do for Senators to stand on the floor here at the dictation of a circular letter that has been sent around to them by the chief of that service telling them these officers ought not to be sent back because they are necessary here. There is no man who ever has been in the Army but knows that the statement is false that it is necessary to keep a man fifteen or eighteen years away from his command because nobody else can learn the duties he is performing, and therefore you must keep him here for life. Suppose they should all die with cholera, what would become of the Signal Service? Nobody could be detailed; no man would know anything about it. This argument that is made here in the Senate Chamber time and again in reference to men performing duties here that nobody else can perform is absurd. A lieutenant was kept in the War Department for eighteen years away from his command, and finally he became so necessary to the Government, the Government could not run without him, that the Senate and House passed a bill making him a major. What were his duties? To examine accounts. Nobody could do it but him. No man had the capacity to examine accounts and see whether they were correct but him. He had sufficient influence with the Congress of the United States to keep him there eighteen years. Finally a provision was adopted in an Army bill that sent him back to his regiment.

That is about the condition of things; that is about the way Congress acts in reference to men who want to stay always in Washington city. If a man gets here once, no matter what his duties may be in the field, you never can get him away; the Government will go to pieces if he is sent back to his regiment. The whole thing should stop. You could not get an account of how fast the Mississippi River is rising if three of these officers were sent back to their regiment! I do think that the influence that is brought to bear on Congress by a few men who do nothing but lobby Congress in Washington city is absolutely saying to the country that Congress has not capacity enough to run itself.

I agree with the Senator from Texas in reference to the aids-de-camp on General's staff, and I voted in committee to strike that out; but in striking out all that provision which was put there by the House we certainly thought we ought to put some proviso to it, and to at least carry out in some way a part of the proposition of the House. So we provided that officers should not remain in Washington city over a certain length of time except certain persons that it made no material difference whether other officers learned their duties or not. As far as the rebellion records are concerned, that is not a matter that somebody else wants to learn; that is not a matter that is going to have some influence on the Army as the Signal Service has. It is a mere matter of examining records, and inasmuch as the man is there and it is unnecessary to send him to his command, we said let him remain for the reason that he is not learning there anything that belongs to the science of war. So in reference to the officer in charge of the monument, where nothing is learned that belongs to the science or art of war. But where things are taught that are connected with and are part of the learning of the Army or Navy it is necessary that details should be made at different times.

So, then, instead of the words—

That no officer shall remain absent from his regiment on duty at Washington city or on the staff of a major-general or a brigadier-general for a longer period than three years at any one time, but this provision shall not apply to officers on the staff of the Commanding General of the Army—

I propose to say this:

And that officers on duty in the Signal Corps shall be ordered as follows: Four of said officers to be returned during the year 1883 to their regiments; four to be returned to their regiments during the year 1884; four to be returned to their regiments during the year 1885, and other officers detailed in their places.

That is what I shall propose.

Mr. MAXEY. I wish to call the attention of the Senator from Illinois to one intimation that I thought was rather unpleasant, that I or any other member of the Military Committee or any other Senator was acting in this matter on the dictation of anybody. I beg to say to the Senator that in my action here I am controlled by what I believe to be the best interests of the country. My motives, as I think, are as good as those of men generally.

Mr. LOGAN. I did not question the Senator's motives.

Mr. MAXEY. The ideas of men outside or newspaper articles that the Senator from Illinois refers to do not control my action.

Mr. LOGAN. I did not refer to those newspaper articles as controlling anybody's action here. I referred to them to show that these officers were engaged in matters which certainly do not pertain to their army duties. I do not wish to go into that discussion just now; but I will say to the Senator that officers in the Signal Corps have been sent through deception to far away cities under the pretense that they were going there for purposes necessary to the Signal Corps, when in fact they were sent there to get up resolutions against the action of members of Congress, against what they were attempting to do, to influence Congress in another direction. That the Senator can not deny. If that is the object of these gentlemen and what they are engaged in I think they had better go back to their regiments and let somebody else try to do regular signal work.

Mr. MAXEY. So far as my observations are concerned they are the results of my own examination and without regard to the dictation of any mortal man on earth. I have made my statement to the Senate according to what I believe to be the truth.

Mr. LOGAN. I will ask the Senator, does he not believe that by making these changes gradually, letting the men now here run on for a year, it would be as well for the service?

Mr. MAXEY. I believe that the best thing on earth we can do is to let the matter lie until the bill which is in charge of the Senator from Indiana is taken up and deliberately considered by the Senate, and in the mean time, let the Signal Service go on for the benefit of the country.

Mr. LOGAN. I have heard that speech made in the Senate Chamber now for many years. I have introduced several bills trying to reorganize the Army, in a certain sense benefiting it and for the benefit of the country, and I never could get the bills acted upon. I have been told always, "It is too late; we cannot do it now." And when I have tried to do the same things in bills that came from the House, where we had a right to put them, that were absolutely necessary for the benefit of the Army, the point of order has always been raised, and I have been always told, "Wait until next Congress and we will get the bill through." That is always the argument.

Mr. HARRISON. Mr. President, I said when I addressed the Senate before that I did not understand that the question of what the probable permanent status of the Signal Corps was or should be was involved in this question at all. I repeat that declaration. In the very amendment which the Appropriations Committee have proposed they recognize the propriety of exceptions from the operation of this general rule, to the wisdom of which I agree, namely, that officers should not be detached from their regiment for a longer period than three years. They make two exceptions. They say that the officer in charge of the construction of the Washington Monument shall not come within the rule, and they say that the officer in charge of the publication of the records of the rebellion shall be made an exception to the rule.

It seems, then, that the committee and the Senator from Illinois recognize the principle that there may be special duties to which officers of the Army have been assigned here, and in which they have acquired peculiar skill that would make it to the detriment of the work in their charge to make them subject to this rule and send them back within three years to their regiments. The proposition I make is to extend the principle that the committee have admitted; and the only proper subject of discussion here is whether the exception which I propose comes within the spirit of the other exceptions which have been proposed by the committee.

Mr. President, this Signal Corps organization is an anomalous organization. The Senator from Illinois says that all the officers of the Army ought to learn this duty of signaling. They are taught army signaling proper, that is, the use of the flag to communicate messages at distances in the field. They are taught that at West Point; they are taught it at the school at Fortress Monroe; they are taught it, I believe, at the school at Leavenworth; but I am free to say for one that if this were the only duty to be discharged by that corps I should be for its entire abolition. It is an insignificant thing. With officers trained in the use of the flag in communicating messages, in any war that we might have, it would be entirely possible in three weeks to train men to use the flag.

In my judgment the business of the Signal Corps simply as an organization in connection with army signaling proper could not be justified. But there have grown up in connection with that the weather reports, observations of the weather; and however the usefulness of this service may be exaggerated, or however undue compliments may have been stimulated by the impertinent interference of any officer, as the Senator from Illinois suggests, it will not be denied by him, it will not be controverted by any Senator here that there is among the people, the

commercial classes, our marine, and among our farmers a very general impression that this business of reporting by telegraph from day to day the weather and the coming of storms is of great advantage to our marine as well as to our agricultural interests. It may be—there seems to be evidence indicating what the Senator from Illinois said to be true—that many of these impressions have been stimulated in a way that is not creditable.

If that has been done, I say to the Senator from Illinois that no one would condemn more strongly than I that conduct. I agree, again, that there is no possible natural connection between reports of the weather and the military arm of our service. It does not matter to a soldier; the Senator from Illinois would not care to know particularly, if he were ordered to march to-morrow, whether it was going to rain or shine; he would march anyhow. I agree with him that that function of the Signal Service is a civil function, and if it was an original question here to-day submitted to me as a Senator where that corps should be attached, where that weather observation should go, I should say at once, in some civil department of the Government, for it is purely civil. But I have been met, and was met as a member of the sub-committee of the Military Committee, with the fact that it was already established, that it had its roots in the Army organization, that the men who had become skilled in it were Army officers, and the question was whether we should presently transplant it to another Department. At that time my own opinion, as the Senator knows, was decidedly against it, and it may be that I should not have that opinion at the next session of Congress. It may be that some plan can be devised by which this service can be transplanted from the military to one of the civil Departments of our Government without injury to the service, but I do not believe that can be done now.

The practical question before the Senate this morning is, during this interval that must elapse, as the Senator's proposition seems to contemplate a continuance of this organization here, shall we send back to their regiments men who, if they have ordinary capacity and ordinary faithfulness, must in the nature of things be better able to do this duty than any fresh men who could be sent from any place in the Army? Shall we take them right up to-day and send them back, or shall we take time to consider this question? There is a bill on the Calendar proposing a permanent organization by which the officers shall be detached from their regiments, those that remain; but new appointments shall be made either from civil life or from the graduates of the Academy, and the appointments shall be made upon competitive examination, so that access to the Signal Corps will be open to any bright young man, a graduate of any of our colleges, on terms of equal competition with graduates at West Point.

I am not prepared to say in the light of recent events that that bill ought not to be modified. I will meet the Senator from Illinois in an effort to remedy (by a reorganization of the corps or by a transfer of it if that shall be deemed best) the difficulty which now exists and which he has not exaggerated. That difficulty is that men are taken from their proper relations to their companies and regiments and are brought here. I know as he does, and as he has said, that when once here they do contend and use such influences as they can to be retained here. I profess and say to the Senator from Illinois that I am not speaking to-day from the standpoint of any one of these officers; I do not think the report I made before on the bill that is on the Calendar met the wishes of any of these officers; but I do speak for a certainty that I believe the service will be seriously crippled if the amendment as proposed is allowed to pass.

As to the proposition of the Senator one word further. It is that three officers shall go back this year, and three the next, and three the following year. We ought not to allow this thing to remain as it is or adopt any amendment that contemplates that it shall remain as it is. It ought to be made a separate corps in the Army, having its own officers, having no attachment to any regiment in the service, or it ought to be taken out of the Army, one or the other; and I believe at the next Congress one or other of those courses will be taken. To one or the other I am already pledged. In this interval which is to elapse before action can be taken upon the bill or upon any substitute for it, I do not believe that it would be best either to send all this back or to enter upon a system that in the very nature of it would recognize the continuance of the service.

Mr. LOGAN. I want to say that the proposition in the bill does not mean what Senators claim for it. It is not an attempt to abolish the Signal Corps. I am very glad to hear the Senator from Indiana say what he has said. I have believed ever since the Signal Corps attained the proportions that it has for the last few years, and before, that it was improperly organized. I have ever believed that the military part of it, so far as signaling is concerned, should be one branch, and the civil part of it, so far as the meteorology of it is concerned, should be another branch. Not only that, but to-day, and the Senator well knows it and so does the Senator from Texas, with all that is said about retaining these officers because they have attained competency, they have attained competency in what? I suppose they mean competency in making calculations. That is what they are employed for. Is it not a fact that Professor Abby is employed at a salary of \$4,500, I believe it is \$4,000 any way, to make these computations? If these

Army officers are absolutely necessary, and they understand this service and are so competent, why do we appoint as a professor a civil employé and pay him \$4,500 for the purpose of making the calculations, I should like to know?

Mr. HARRISON. The Senator is right in saying there is a civil employé and a man there entirely skilled in the calculations, but he is wrong in saying, if he meant to say so, that none of the officers employed at the Signal Office in Washington are competent. In fact they have been trained to it, and do make the computations of the weather, the reports and prognostications.

Mr. LOGAN. I do not doubt that, but I say if they are absolutely necessary, and if they have become so proficient that their duties can not be dispensed with by detailing another person, why do you employ a civil employé at so large a salary?

Mr. HARRISON. Simply because one man can not do it all.

Mr. LOGAN. Then why not detail another Army officer in place of the civilian? It would not cost so much.

Mr. HARRISON. As to that I understand the fact to be that the professor who is employed there, who is connected with the service and has been connected with it for a great many years, has a very peculiar and special adaptation to that service, and has instructed all others who are brought there, and his services are exceedingly valuable and can not be dispensed with.

Mr. LOGAN. "Exceedingly valuable and can not be dispensed with." Then no other man in the United States could do it. I think some other person could do just what he does after a little practice, at any rate. The argument is made that the service of these officers can not be dispensed with, and at the same time that a civil employé can not be dispensed with. In other words, nobody can be dispensed with; no one else in this country can perform that duty. I pity the educational men in this country, I pity the colleges, I pity everything connected with a high order of education if no man can be found to make the computations except the gentlemen who are there in the Signal Office. I pity the service.

Mr. HARRISON. The Senator must not misrepresent my position. He would not do that intentionally.

Mr. LOGAN. Of course I would not.

Mr. HARRISON. Other persons could be found, but there is no provision of law to find them except by details from the Army.

Mr. LOGAN. If there is a provision of law to find them by details from the Army, if that is the way to find them and you have found competent men, why must you have a civil instructor for the Army officers who have been there from twelve to eighteen years? Is not eighteen years long enough to learn this science, if it is a science? Must we keep these officers on service there for eighteen years and then pay high salaries for professors outside?

Mr. HARRISON. If the Senator from Illinois thinks that the professor can be dispensed with it would have been very appropriate for him to have reported an amendment to the bill not appropriating the salary for him.

Mr. LOGAN. I do not know whether the gentlemen up there can dispense with him or not. The aid seems to be asked for from that quarter. I will only say to the Senator that I did not propose to report a bill to dispense with a civil employé performing the duties that ought to be performed by a civilian. I think these duties ought to be performed by civilians; and therefore I introduced a bill to turn that part of the bureau over to a civil department, because it to-day is under the head of a civilian and not under the head of an Army officer, except that an officer is detailed merely to give orders and this man performs the duty. I think it ought to be in a civil department. For that reason I reported a bill to do it; but I did not get the aid of the Senator when I reported it.

Mr. HARRISON. No, sir; the Senator did not.

Mr. LOGAN. I hope I shall hereafter.

Mr. HARRISON. That I have explained already.

Mr. LOGAN. I hope I shall have the very valuable services of the Senator hereafter in this direction. I hope Senators will come to the conclusion finally that I am nearer right than they thought I was at first.

Mr. HARRISON. The Senator is often right, but I would not be willing to pledge myself now to such a judgment upon his opinion.

Mr. LOGAN. I do not ask any pledges. I was in hope that the Senator's mind had got a little different turn from what it had before.

Mr. HARRISON. Yes; I have got some light.

Mr. LOGAN. Whether this amendment is agreeable to the Senator or not it certainly has brought out some reasons from Senators here in reference to this very valuable service. I do not say it is invaluable; I say it is a valuable service to the farming community, and to shipping, &c. But while I believe that I do not think it ought to be so expensive a service. I do not think it ought to be made to appear before the country that there is some secret about it so that nobody can perform the duties except certain persons who have already been there a great length of time, detailed from the Army, from the duties that belong to them there. I hope that at least to some extent has been demonstrated.

I want to say in conclusion that I think it is bad policy to keep men detailed from the Army, from the line of their duties, for a great length of time.

Mr. HARRISON. Yet, as I have said to the Senator, he agrees to make an exception of Colonel Scott, who is in charge of compiling the records of the rebellion.

Mr. LOGAN. I do.

Mr. HARRISON. That must be upon the idea that Colonel Scott is so experienced in the work that no one else could do it.

Mr. LOGAN. Not at all. The Senator has entirely a wrong impression. I said that these two exceptions were not in the performance of anything that was educational belonging to army service, and therefore there was no necessity for one in the Army to know the duty; there was no reason why anybody else should learn it, because it ends there. It is not a continuous duty; it is not a duty that belongs to the Army. Hence there is nothing in it to learn that would be beneficial to the rest of the Army. That is the reason why I am for that; but in this other work there is much to operate beneficially in the military branch of it to the whole Army.

Mr. HARRISON. I was just going to ask the Senator what it was that the officers would learn in connection with the Signal Service that would be beneficial to them as army officers, and how it is that he insists on the statement that the whole duties are civil and ought to be performed by civilians.

Mr. LOGAN. I hope the Senator will at least be moderately fair in his statement.

Mr. HARRISON. I attempt to be so, undoubtedly.

Mr. LOGAN. I did not suppose it was necessary for me to keep repeating what I said in order that the Senator might comprehend. I said in the commencement of my argument that a number of these duties belong to the Army.

Mr. HARRISON. The Senator means the signaling?

Mr. LOGAN. Yes, sir; the signaling.

Mr. HARRISON. May I ask the Senator whether that is not taught to every army officer?

Mr. LOGAN. Not to every army officer. It is taught to all army officers who graduate at West Point, and it is taught to all army officers who attend the Artillery School.

Mr. HARRISON. It is taught at Leavenworth also?

Mr. LOGAN. Yes, sir.

Mr. HARRISON. Is there any officer of the Army who is not brought into contact sooner or later with one of those three schools?

Mr. LOGAN. Yes, sir; plenty of them. The Senator is mistaken. In the first place, all the officers of the Army do not go to West Point and therefore do not get the teaching there. In the second place, no one goes to the Artillery School unless he has a preference and is detailed for it. Only one from a regiment goes to the school at Leavenworth.

Mr. HARRISON. But is not that detail from the regiment usually if not invariably of those officers who have not had the advantage of the West Point school, so that officers from civil life are sent there?

Mr. LOGAN. But there is only one from a regiment who can be detailed. There is not one officer in twenty in the Army to-day who has had the advantage of those teachings.

Mr. HARRISON. They have had the chance to get it in the Signal Service.

Mr. LOGAN. But why give that opportunity to a few? The details are made for the school at Fortress Monroe every two or three years, I do not remember the time. They are made, say at Fort Leavenworth, and the advantage is given to all they can by making details, but the details do not apply to all the officers of the Army who have not had the advantage of West Point. So I said that that part of the Signal Service which pertains to military duty ought to be taught, and officers ought to be detailed for it, and the rest of it ought to belong to a civil department of the Government, because it is not a part of the duty of the Army, and never has been, until by just such legislation as has been obtained at different times from the Congress of the United States, by one line or two lines, they have got this organization until now it reaches out and attempts to grasp nearly everything.

To illustrate the character of legislation we have had, it has not been very long since the Commissary Department and the Quartermaster's Department of the Army were both open to civilian appointees, because as good quartermasters and commissaries as the Army ever had were by appointments from civil life, but by one line being inserted in an appropriation bill a few years ago civilians were cut off from such appointments. So it goes until you are locking the doors against every man in this country almost getting into these bureaus who has not had the opportunity to get a military education. Step by step it is being done.

Mr. HARRISON. The Senator has heard me already say that in the bill providing for the reorganization of the Signal Corps entrance into the service was distinctly made open to competitive examinations to all persons in civil life.

Mr. LOGAN. We are not discussing that bill at this time. We are discussing a proposition to give an opportunity to these men to go back once in three years, and other men to come here for the purpose of learning to perform the duties that are performed by them.

Mr. President, I have said all that I desire to say. It is a matter of no consequence to me whether the amendment is adopted or not. It is a great deal better for the Army, it is a great deal better for the coun-

try, that we should have at least a little rotation in these things than that we should have them permanently in a few hands.

Mr. BECK. Mr. President—

Mr. CAMERON, of Wisconsin. I suggest to the Senator from Kentucky to allow the proviso as it is proposed to be amended by the Senator from Illinois to be reported.

The PRESIDING OFFICER. The Secretary will report the original amendment and as proposed to be amended.

The ACTING SECRETARY. It is proposed to strike out from line 39 to line 52, inclusive, in the following words:

And on and after the 1st day of July, 1883, the Lieutenant-General may have two aids-de-camp, to be selected from officers of the line below the rank of lieutenant-colonel; that each major-general may have two aids-de-camp, to be selected from the captains or first lieutenants of the line; that each brigadier-general may have one aid-de-camp, to be selected from the first lieutenants of the line: *Provided, however*, No officer shall remain absent from his regiment on such duty for a longer period than three years: *And provided further*, That such officers so detailed for staff duty shall not have or receive any additional rank or pay over and above their regular rank and pay by reason of such detail or assignment to such staff duty.

And to insert in lieu thereof:

Provided, That no officer shall remain absent from his regiment on duty at Washington city or on the staff of a major-general or a brigadier-general for a longer period than three years at any one time, but this provision shall not apply to officers on the staff of the Commanding General of the Army.

The PRESIDING OFFICER. The Senator from Illinois proposes an addition, which will be read.

The ACTING SECRETARY. It is proposed to add:

And that officers on duty in the Signal Corps shall be ordered as follows: Four of said officers to be returned during the year 1883, four in the year 1884, and four in the year 1885, and others to be detailed in their places.

Mr. LOGAN. I will supply the words to make that plain. It should read "returned to their regiments."

Mr. MAXEY. I wish to state that on the 6th of February I gave notice that I should propose to add "nor to officers of the Army on duty with the Signal Corps." I ask if I can offer that amendment now to be considered?

Mr. HARRISON. That would be an amendment in the third degree, I suppose.

The PRESIDING OFFICER. That would not now be in order as an amendment to the amendment offered by the Senator from Illinois.

Mr. MAXEY. I propose to offer it whenever it is in order. I do not know when that will be.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. BECK. Mr. President, I have not been able, owing to engagements on this floor on another important bill, to attend the meetings of the Committee on Appropriations quite as much as I have been in the habit of doing. But this debate has developed, I think, conclusively, the importance of having as little general legislation upon appropriation bills as possible. We have had for many years, indeed ever since I have been in Congress, more trouble in regard to legislation placed upon appropriation bills than in regard to anything else; and there has been a good deal of crimination and recrimination between the respective parties growing out of the character of legislation so placed upon appropriation bills. I think it is the feeling of the Committee on Appropriations of the Senate, as far as they possibly can, to divest their appropriation bills of all general legislation, and I believe that at this session we have endeavored more closely to adhere to that rule than we have ever done before.

Mr. BAYARD. That has been done in the case of the naval appropriation bill.

Mr. BECK. In the naval appropriation bill the Senator from Maine [Mr. HALE] having charge of that stripped it as clean or as nearly so as he could, and the Senator from Illinois, in charge of this bill, when you come to look over it, has stripped it of a great deal. I am only sorry that he did not content himself with striking out what the House had done, because it is not subject to a point of order, and allow these complicated questions to come up in bills from the Military Committee, of which the Senator from Texas [Mr. MAXEY], the Senator from Indiana [Mr. HARRISON], the Senator from Connecticut [Mr. HAWLEY], and himself are distinguished members.

I confess my utter inability to grapple with those questions. There are four or five of us on the Committee on Appropriations who are very well qualified, I think, and I claim to be, to attend to the general matters of appropriations for carrying out existing law. The Senator from Iowa [Mr. ALLISON], the chairman of the committee, so far as he ever has developed himself, knows but little about army matters. I do not think the Senator from Massachusetts [Mr. DAWES] is a warrior; I know that it is the case with neither the Senator from West Virginia [Mr. DAVIS] nor myself. As to the Senator from Maine [Mr. HALE], who is also a member, I do not know what his capacities are in that way. The others have been soldiers, and I admit that a portion of the committee know a good deal about war; but there are four or five of us who do not know anything about such things.

I only rose to protest against going into these questions now. If there is anything wrong about the Signal Service let it come up in an

orderly way. If there is anything wrong about officers being allowed to remain at any one place, let that come up on a proposition from the Committee on Military Affairs. I do hope that the Senate, as we have only nine more days remaining of the session, and as we have the sundry-civil bill, the legislative, executive, and judicial bill, and quite a number of important bills to pass, and there will have to be much conference with committees of the other House, will keep complicated questions out of this bill.

I repeat that in all the action of the Committee on Appropriations the Senator from Illinois has seemed as anxious to keep clear of general legislation as any of us, and I do hope that he will, in this instance, when he sees what trouble it is making, let it go.

Mr. LOGAN. Of course I take all the criticism that may come from any person in reference to this provision. The House proposed to strike generally at all staff officers and included every officer on detail, providing that all should be returned to their commands within three years. They struck down the staff officers of the generals of the Army. We modified that and thought we were doing as little as possibly could be done, so as to make some medium between the House and Senate, by striking all that out and putting merely that portion in which is now before the Senate. We thought that was as little as we could do. I would much rather have seen the bill come from the House without any legislation on it. I did not provoke or suggest this legislation. What I did was to try to modify the proposition, which I thought a very harsh one, that came from the House.

Mr. BECK. Mr. President, only one word more and I am done. I believe that if we advise the gentlemen of the House that under our rules we are prohibited from placing any general legislation upon appropriation bills, when under the rulings of the Senate we are hardly allowed to amend even the legislation that they send to us, they will generally acquiesce in allowing provisions of general legislation to go out, especially as an extra session of Congress will be inevitable if some of these important bills fail, and we have made fair provisions for carrying out all the provisions of existing law. I believe it would be stronger to take the ground that we can not consider general legislation on appropriation bills, especially at this time, in view of the great delay that has been had in both Houses over the tariff bill, by striking it out altogether, than to present it in a modified form when the controversy comes up between the House and Senate as to which is the better, because it will be conceded that something has been done in the way of general legislation. I think we had better have none and defend ourselves for striking it all out than to argue the question between the modified form presented by the Senate and the still more objectionable form presented by the House. I hope the Senator from Illinois, when he sees the trouble we are getting into, will see that it is best to let this matter go, perhaps for this session.

Mr. HALE. Mr. President, the Senator from Illinois will remember that when this question came up in committee I reserved the right to oppose the amendment in the Senate. The more I think of it, the more objection I have to this clause. I do not think that the Senate, especially upon an appropriation bill, is prepared or has the knowledge requisite to take wise action on this subject of administration. It is purely a question of administration as to what officers shall be sent to one duty or to another duty, as to what officers shall be kept in Washington and how long they shall be kept here. Something must be trusted in this matter of administration to the Department that has charge and jurisdiction of any service or any corps.

It looks now as if there was an evil in the way of favoritism as to officers remaining long in easy and comfortable places; but I know enough about the subject to know that in many cases there may be special duties that require an Army officer to be kept in Washington more than three years. In fact I know enough about it to believe that there are some cases where, for the good working of the service, it is better that an officer should stay here three, six, nine, or even twelve years, or without limit. All of that should be largely left, I repeat, to the Department as a matter of administration. If it is to be revised, then I agree fully with the Senator from Kentucky that the Military Committee, with the Senator from Illinois at its head, should take up deliberately the whole subject-matter of the Signal Service, its relation to the Army, its relation to the reports upon the weather, of so much value to the industrial interests of the country, and frame a bill, and then let us consider the matter upon such a bill and upon such a report.

Mr. LOGAN. Will the Senator allow me to interrupt him?

Mr. HALE. Certainly.

Mr. LOGAN. I do not like to have the assertion made so often that the Military Committee should consider these questions and report upon them. I have introduced bills at every Congress that has met since I have been in the Senate on these subjects, and I have never been able to have one considered yet. To-day, on the table of the Senate are bills coming from the Military Committee on these very subjects that have never been permitted to be considered. I do not like to have that said all the time in view of the fact I state.

Mr. HALE. I am not in any way finding fault with the duties and the industry of the Military Committee, but certainly somewhere there

has got to be a set and determined opposition to appropriation bills being made the vehicle for general legislation. My experience at the last session led me to believe, as I do now, that the committee itself must take that step; that it must resist legislation upon appropriation bills. Otherwise other committees will become remiss and will depend upon putting their provisions upon appropriation bills, and not only will that be the evil, but in the end the Appropriations Committee itself, which has great duties legitimately intrusted to it, will be broken down. The fact that committees report and can not get their bills upon the Calendar considered ought not to be any reason why at last they should be tacked upon appropriation bills.

Mr. LOGAN. This provision was not tacked upon an appropriation bill by the committee. This is a proposition that came from the House and which was modified by the Committee on Appropriations. The Senate had nothing to do with putting it on the bill.

Mr. HALE. The Senator has made it a great deal better than the House made it. He has, as he says, simply modified the House action. In the naval appropriation bill, where the Senator was with me on the sub-committee, we not only did that but we went further; we not only struck out every particle of legislation that the House had put upon that bill, but we refused to report in any manner that legislation, simply putting ourselves upon the ground that we would report a bill to maintain the naval establishment and to build up a new Navy. There is not another thing upon the naval appropriation bill as reported but that. I wish the Army bill was just like that. The Senator has gone very far toward it, but not quite far enough, I think.

Mr. PLUMB. Mr. President, as I consented to perhaps all these various forms of amendment in committee, I feel as though I ought to say something about the reasons which justified me in that consent. I will say, however, that my proposition goes further a great deal than that made by the Senator from Illinois. I believe in absolutely cutting off all details at a certain time, and I believe in doing that as a matter of legislation, because the legislation must control as it ought to control the Army, because in a time of peace it needs that control more than it does in time of war. It assimilates itself more and more in peace to the civil department of the Government and ought to come more directly under legislative control, when we do not need the autocratic control of one man, whom we make responsible for the movements and the operations of the Army, and must give him power in accordance with his responsibility.

In the first place, I was in favor of this proposition for the very reason that it is going to take men out of the Signal Service Corps, not because I dislike that corps, but because they are among the most conspicuous examples as I think of the evils of the system of continuous detail. There are men in that corps who have been there for seventeen or eighteen years. I do not know a single one of them; I do not know that I am familiar even with their names. I mention that to show that there can be no suspicion that I have any personal ill-will toward any one of them.

I want to say in regard to the head of the bureau, that he is a man who, as a soldier, was entitled to, as he has received, the plaudits of his countrymen. No reputation, I think, is fairer than his, and the only thing that his country has ever done that I think was against him was putting him at the head of the Signal Corps. He came here fresh from service in the field, from the command of an army, and was put at the head of a bureau insignificant in its ordinary and local scope, comparatively speaking, and ill suited to a man of the active habit which had characterized General Hazen during all the years of his manhood. From that has grown up the incongruity of the bureau itself as a branch of the military establishment—and the question as to what its duties were—the mere perfunctory kind of duties properly lodged with it, and the fact that it embraced civilians in its office as well as enlisted men and a few officers all contributed to that, out of which has grown a mess humiliating to this able and gallant man, humiliating to some extent to all of us, in that it has involved in the way it has done the administration of that bureau.

Certain things that have recently come under my observation lead me to believe that these men should be taken away and sent to their companies, where in the contemplation of the law they are needed, without in any way impairing the efficiency of the service. I have in my hand a joint resolution which I will ask the Secretary to read. I will preface the reading by stating that the resolution was drawn, I am informed by good authority, in the Signal Service Bureau, and I offer it now for the purpose of showing something of what that bureau is doing and of the men who are in its employment and where they have been employed.

THE PRESIDING OFFICER (Mr. HARRIS in the chair). The Secretary will read the joint resolution.

The Acting Secretary read as follows:

Resolved by the Senate and House of Representatives, &c., That the Public Printer be, and he is hereby, authorized to print and bind, for the use of the Signal Office, 2,000 copies of a report on the meteorology, geography, botany, and zoology of Alaska, by Lucian M. Turner; also, 2,000 copies of a report on the same subjects and on the ethnology of Alaska, by E. W. Nelson; and 2,000 copies of a report of observations on Mount Whitney relative to the absorption of the sun's heat by the earth's atmosphere, by Professor Langley; and he is also authorized to contract for the illustrations.

Mr. PLUMB. It appears from that, on the face of it at all events,

that these eminent scientific civilians are in the employ of the General Government, and that they have had so much time that the *personnel* of that establishment is so much in excess of any requirement necessary to report the weather in the sections of the country where agriculture exists, where the people raise crops, where they sail ships carrying the commerce of this country, that they have been in Alaska, not reporting, I take it, the weather out in that country, because that would be a matter of very minor consequence, but working up the ethnology, the botany, the meteorology, and so on of that remote and I have no doubt very interesting section of country. That is in no way as I think cognate to the service, and in no way embraced within the proper purview of its duties. More than all that, it is traversing the direct line which is being traversed by another Department of the Government. If it is true that these three men could be detailed for duty in Alaska, if they are of that eminent character which would appear from their characterization by the Department in the draft of this joint resolution, then certainly they could safely be brought home and put upon some duty here that they are qualified to fill, and these Army officers could be sent back to the companies which they have not seen for fifteen or eighteen years, and where according to the theory of the law they are necessary, or the places which they have so long abandoned would have been abolished by law.

I believe in short details where details are necessary, on account of the regard I have for the Army itself, for what I believe is its best interest, and I am unwilling that we should keep up an Army as a basis either for existing operations of a military kind or as a foundation to be built on hereafter in the case of an emergency if the country shall need great bodies of troops, and then constantly deplete it and break up its organization by detailing men for the performance of civil duty upon any theory whatever.

I do not believe it is possible that there will be found within the limits of the Army, well officered as it is, any men so well qualified for the discharge of any duty but that some person in civil life equally well qualified can be found. If he is well qualified, then the Army has the more need of him, for he possesses the special qualifications fitting him for the duties which he is discharging in the Army and he should be kept there in order to make the Army, which is to be our reliance in case of need, all the better for his presence there. If we draw them out we are constantly depreciating the value of the Army.

I believe that these Army officers should be detailed for some purpose outside, but when they have made their tour of duty they ought to go back, in order that the Army may have the benefit of that tour of duty and of the enlargement of their faculties by reason of it. I think that detailing officers for a long time begets in them the idea that they are not a proper part of the military establishment. It begets in them the idea, which to some extent has been made manifest recently, that they are an integral part of the Government in a sphere so important that the Government can not get along without them.

I do not believe that there is anything that these men are doing but what could be done as readily or nearly as readily by an abundance of men already in the service of a much lower rank. The information which we rely upon for the purpose of telling of the existence or the coming of storms is after all transmitted to this central bureau by the enlisted men of that corps, some five hundred in number, and by men on duty at the various posts throughout the United States which have been made signal stations, where the meteorological conditions of any particular moment made necessary are transmitted to the office at Washington, where the functions are to gather them up and retransmit them to all portions of the country and make certain deductions from them which may be said to convey some indication of coming conditions of the weather.

I do not believe that this generally requires the exercise of any very great ability. I would say if I were not somewhat modestly inclined that I believe some officers who have gone into that corps within the last two years are as well qualified to discharge the highest functions of it as some of those men who have been there for fifteen years. I believe if the average Army officer should be drawn in there he would become quite as familiar with what is necessary to be done as a corps of intelligent civilians, that we do not get rid of at all, who are there constantly; and the corps is constantly increasing.

The general question having been touched on, I desire to say that I think it is an anomaly to have an institution of this kind connected with the War Department. I hope the time will never come in this country when we shall have an army enlisted and kept up for the purposes of place, when we shall have the agents of destruction waiting as hand-maids upon the interests of production, when the question of the course of storms and of the meteorology which affects the growing crops and all the great and vast civil interests of this people shall be dealt out to them by the man with the musket. I want the Army kept within its true limits, and in the performance of its true functions in time of peace, taking a back seat and coming to the front only when there is fighting to be done.

This bureau ought to go to the Department of Agriculture. It is the hand-maid of agriculture and of commerce. While I think its benefits have been extolled more highly than they deserve, at the same time it is probably a growing science. We are probably upon the threshold of discoveries in connection with it which are of the greatest importance.

At all events it is an interesting and valuable field; we can afford to enter upon it and to spend considerable sums of money for the development of this science and for the record of current events which throw light upon it, in the interest, however, of commerce and of agriculture, not for the purpose of making a place for anybody, not for the purpose of providing easy berths for Army officers or anybody else, but all the time keeping it within the performance of its true functions.

The joint resolution prepared, as I said, by the Signal Corps illustrates the inevitable tendency of things, which can only be corrected by legislation. Here is a bureau performing duties already of the Agricultural Department. I am informed that some time since one of the civilians in that corps applied to the Secretary of War for transportation to attend a forestry convention at Cincinnati, and on being asked why he desired to go to that forestry convention as a member of the Signal Corps he replied that forestry was intimately connected with the science of meteorology or that meteorology was intimately connected with forestry. Thus at one single step this institution was proposing to grasp to itself one of the most important and useful functions of the Department of Agriculture.

Mr. HALE. Will the Senator let me ask him a question?

Mr. PLUMB. Certainly.

Mr. HALE. The Senator calls attention to what undoubtedly is an abuse, the stretching out of a bureau or department and seeking to aggrandize itself and to take to itself subjects-matter that do not belong to it. I agree with him fully that the Signal Service ought not to have anything to do with experiments in Alaska and in other places to which he has referred; but he says that that shows illustratively the need of legislation. Let me ask him whether the remedy is not by legislation, but by refusing to appropriate money? The remedy, I agree with him, is with the Committee on Appropriations. If this bureau or any bureau goes outside of its proper vocation and seeks to build itself up at the expense of taking from others, the remedy is in our refusing to appropriate money, confining them in the sums that we appropriate to what will be sufficient to perform their legitimate duty, and we do not need any legislation. To cut off the supplies will cure that trouble.

Mr. PLUMB. As the Senator from Maine suggests, that undoubtedly is the most obvious way of reaching it, and I cheerfully admit that the proposition of the Senator from Illinois is only an incident to this main one; but the discussion has taken a wide range. We have discussed the Signal Corps, and for the purpose of opposing the amendment or putting it before the Senate in such a way that it should not be adopted, that corps has been applauded and the work of those men has been sought to be put in such a position of importance as that they are not to be touched. I reply to that simply by saying that this department is doing what it ought not to do; that it has got more agencies already than it ought to have; and that therefore if we propose to take away some of the men who are detailed to it we are not in any way infringing upon its lawful prerogative.

The answer of the Senator from Illinois to the question about legislation, it seems to me, while perhaps not entirely conclusive in taking this proposition without the rule, is justified by the fact that the House sent us a proposition touching upon the general subject. Two methods were left open to the committee in treating it. One was to take it out entirely either upon the ground that the legislation proposed was totally unwise, or upon the ground that if possible no legislation should be permitted upon an appropriation bill; the other was that it should be amended so as to make it conform to the views of the committee, in the hope that those views might in time become the views of the Senate in regard to the subject-matter. That is a question in which I agree in the main with the Senator from Maine. I think there is no dissent from it, but I call his attention to the fact that the most effectual way of reaching propositions of this kind is through a money bill.

In many ways we are compelled to touch upon them. There is a world of detail in legislation which will never be incorporated by substantive bills, by bills introduced for that particular purpose. There are things that come to the attention in investigations subsidiary or connected with the appropriation of money which themselves would not constitute the substance practically of a separate measure, but which being grouped with other measures and put together make a bill having form and substance and dimensions sufficient to attract the attention of the Senate, which considered in a separate measure would lead to a world of discussion, and the Senate would lose itself in the matter of detail merely, and thus nothing would be accomplished. Many things will necessarily be touched upon in this way which could not be touched upon otherwise.

Mr. McPHERSON. Will the Senator from Kansas yield to me for a question for information, as he is a member of the same committee?

Mr. PLUMB. Certainly.

Mr. McPHERSON. I wish to know something about the present status of the business in the Signal Corps. May I inquire of that Senator whether there is not the authority of law now for the transference of officers who are to-day conducting the affairs of that department to other fields of duty? If the superintendent of the Signal Service is placed there as such superintendent, does it carry with it the idea that he is to be a permanent officer located there, and that he is not subject to transference?

Mr. PLUMB. As I understand it, the Secretary of War, who origi-

nally made these details upon the request of the Chief of the Signal Service, has the same power to turn them into their regiments that he had to put them there. This is a direction to him to do that which he has now authority by law to do.

Mr. MCPHERSON. Was he not also appointed and confirmed by the Senate as the superintendent of that particular corps?

Mr. PLUMB. The Chief Signal Officer is beyond the power of removal of anybody except in the manner provided in the Articles of War.

Mr. MCPHERSON. If I do not interfere too much with the Senator from Kansas, I wish to say that I was very much impressed with the logic of the Senator from Illinois. It does seem to me that the history of that department is such that the argument of the Senator from Illinois ought to be very convincing. The idea that a man being placed at the head of that department occupies a position that no other man on earth could fill is to my mind a very peculiar idea. We have had the experience in the father, so to speak, of the Signal Service, the man who originated it, who had done everything for it almost to build it up. He has since died and somebody else has been appointed in his stead, and we have no knowledge that the business of that office is not progressing and proceeding in a very satisfactory way.

But there are other things connected with it. There are scandals that have grown up, defalcations have occurred, and some of the Signal Service officers are to-day fugitives. I believe that if the recommendations of the Senator from Illinois were carried out we should have less defalcation; we should have less scandal; we should have new blood, new officers with new ideas, if you please, to take the place of the older ones who have been there long enough to engineer and to originate schemes of plunder which the experience of the past has shown to have taken place in that department.

Therefore it is that I believe the proper place to make this legislation is where you are appropriating money for that department, and it should be moved right here upon this bill.

Mr. PLUMB. I did not care to enter into the question suggested by the Senator from New Jersey, nor had I any reason to suppose that there was anything wrong in the administration of the department so far as it affected the integrity of its chief or any of his subordinates.

Mr. MCPHERSON. I know that, and I referred to it to show that it has not lost its virtue and its intelligence because one man had died and another had been put in his place.

Mr. PLUMB. That is a very fair consideration. I do not believe the bureau would lose if its entire *personnel* should be changed in six months; but I say now, in regard to the question of where this legislation should be done, we are confronted with a condition of things in which we are to do something or nothing at the close of a short session of Congress, and we shall continue to be confronted with conditions of this kind hereafter. It has been found almost impossible, in many of these minor things at least, where legislation should be had, to secure it except in connection with appropriation bills.

It is probably proper that the Military Committee should consider this question, but why the Military Committee more than the Agricultural Committee, or why the Agricultural Committee more than the Public Lands Committee? On various propositions they should go first to the Agricultural Department, then to the Interior Department, and so on. The Military Committee, as I happen to know from my service on it, finds its time almost wholly taken up in the consideration of personal grievances, bills to restore officers to rank which they have lost, to positions which in some way have escaped them, to rectify all that body of evils, which these people see more clearly than anybody else, which affect their rank or their pay. I venture to appeal to every member of that committee if three-quarters of his time is not occupied, and necessarily occupied according to the rules and requirements of the Senate, in the consideration of matters which affect not the administration of the Army at large in its organization, but simply the grievances of its *personnel*. And unless we can have a thorough understanding that this class of cases shall take the background, and that the Military Committee shall address itself to matters of Army organization and the Naval Committee to matters of naval organization, to the exclusion of these quarrels and bickerings about rank and grade, actual and relative, the Military Committee will never originate any bill which will pass the Senate reorganizing the Army or introducing any reform in it; neither will the Naval Committee do a similar service for the Navy, and so on all around, more or less, we come to concern ourselves about those things which are personal and not general; and until we turn our backs upon the whole policy it will be left to the last moment to put legislation of importance upon appropriation bills or simply to say that by reason of the arbitrary enforcement of the rule (founded in reason, it is true) we shall submit to evils that we labor under rather than attempt to cut them off by violating a rule of the Senate, wholesome of course as it is, but at the same time liable in its enforcement to lead to unjust results.

Mr. BAYARD. If the point of order that I suggested is to be sustained, this debate is simply superfluous.

Mr. HAWLEY. I hope the Senator will waive the point for a few moments. I wish to submit a few considerations.

Mr. BAYARD. Very well.

Mr. HAWLEY. Mr. President, as a member of the sub-committee

of the Committee on Military Affairs which has been referred to by the Senator from Texas, it has been my duty to consider this subject more or less at intervals for several months; and there is upon the Calendar, as we have been reminded already, a bill substantially reorganizing the Signal Corps, a bill that in its general features I heartily approve.

There is no doubt whatever that the status of that corps requires thorough investigation and definite establishment. It is in a somewhat anomalous condition. It has two classes of duties which need not be conjoined. One of them pertains alone to the conveyance of intelligence by signals, by flags by day and by lights by night. There is nothing in that which requires the establishment of a separate corps or a separate school of instruction. All that can be taught at the several military establishments at West Point, at Leavenworth, and at Fortress Monroe, and it also can be taught in the field or at the leading garrisons, and bright young men can learn in a very few weeks to make excellent signal officers. The two things ought to be detached.

It is not a question just now upon this bill and upon this special amendment as to what ought to be done. We know very well what ought to be done. The two should be separated, and the observations of the weather and prophecies concerning it ought to be made an entirely separate branch. They might be retained in an organization that would make a sort of wing of the Army, a semi-detached wing of the Army, and they might be put in one of the civilian departments of the service.

But the range that the discussion has taken shows that it is utterly impossible to reach the real roots and merits of this service upon an appropriation bill, and we are touching only one of the small minor evils of which complaint has been made, and are not meeting the necessities of the case. It is more or less an embarrassment that a young subaltern officer should be detached from his company or regiment and sent away for a very considerable time on a business, no matter what it is, scientific or otherwise, but it is comparatively speaking a small evil, because if there be a captain of artillery in the Signal Service now, those of us who have had experience know that in time of peace his duty at any one of the artillery posts along the shore can be perfectly well performed by a lieutenant of his company.

In objecting to the amendment in question, I do it not for the good of these young men, however excellent they may be in character, however meritorious; not in respect to their record; I do it for the sake of a great establishment of inestimable value to the whole country, commercially and agriculturally, for the pending amendment would return to his regiment or to his command every single officer of the Signal Service Corps who for several years has made one of its daily observations.

There is a civilian professor to whom reference has been made. For several years he has not made a weather prediction. He is a man of great scientific acquirements in his particular way and is considered of inestimable value in the Signal Corps, but he does not make the weather observations. I repeat, and I ask the few Senators who take an interest in this subject to remember, that the passage of this amendment would detach from that service and return to some local command away from Washington every officer who for many years has made one of the weather observations. It is quite useless it seems to me, I do not say ridiculous, to assert that anybody can learn these things in a few days.

Mr. LOGAN. It is not proposed to return them all at once.

Mr. HAWLEY. That was the bill.

Mr. LOGAN. I beg pardon.

Mr. HAWLEY. I know the Senator from Illinois has offered a modification of that; but I am referring to the amendment as it stands in the printed bill. It certainly does not accord with any man's experience in any business in the world to say that a young man can be brought here and taught this business in a very short time. It can not be done. It is not alone a matter of taking the record of the barometer and thermometer and of the wind-gauge and all that every day; it is the rapid and simultaneous collection of these observations from points all over the country, and upon them, after long study and long experience, basing some sort of estimate of what the weather is likely to be within the next eight or twelve or twenty-four hours. As to the value of this service the testimony is utterly incontestible and overwhelming.

Reference has been made to the resolutions passed favoring the continuance of the corps by various boards of trade and chambers of commerce, &c., as if they had all been stimulated by letters written from the headquarters of the corps. They come in abundance, freely given. I know it has been disclosed that some of these officers have of themselves asked that these things be said, but they have been said by boards of trade and others with entire heartiness and perfect unanimity and have been sent without solicitation or suggestion; and any man who desires to know what the opinion of the commercial world is about this service can very easily obtain it by a very little correspondence.

Of course there are minor abuses; of course there have been evidences of lack of tact and skill. The disclosure of personal errors upon the part of some of these officers has nothing to do with the great value of the general service.

Reference was made by the Senator from Kansas to a resolution referred to the Committee on Printing for the publication of certain reports upon the entomology, &c., of Alaska, as if (one was compelled

to infer from his remarks) an officer salaried by the Government had been detailed from his natural duties in the Signal Corps to go to Alaska to make these inquiries. Now, these are the very simple facts: The Smithsonian Institution inquired whether at a signal station in Alaska there were not men qualified to make some of these inquiries, or they may have been sent there upon ordinary duty; they were privates in the corps; and it was at the request and suggestion of the Smithsonian Institution that these young men wrote these treatises and did this work.

Whether those things should be printed or not is a matter for the Smithsonian Institution to judge. It had better take them and print them as part of its own work. If it is part of its own work it is not part of the Signal Service business either to collect that kind of information or print it; but inasmuch as the duties of the private at stations require him only a portion of the day, and require exact, faithful, perfect performance of his duty at that time and full reports upon it afterward, there is no harm whatever, but, on the contrary, good, if this young man has a taste for some of the natural sciences, in having him record his observations at the same time. There was no neglect of duty, and there was no special detachment, as I have been informed, for this matter came before the Printing Committee some time ago, and I have heard about it at different times. There was no neglect of duty and no special detachment in the performance of the service.

Mr. PLUMB. Will the Senator allow me to ask him a question? I did not hear all his statement, but I think I understand the scope of it. Then I understand this proposition is simply to print something which the Senator thinks was properly acquired?

Mr. HAWLEY. I think there was no harm in these young men, stationed where they were, devoting a part of their time to the study and accumulation of information of that description.

Mr. PLUMB. If I wanted to make an adverse criticism on this corps, I would take the Senator from Connecticut's and not my own, because this information having been obtained entirely apart from their Signal Service duty it becomes necessary to have a lot of it printed for the use of the Signal Corps.

Mr. HAWLEY. I do not think it was. My opinion is that resolution sleeps and will sleep in the Committee on Printing, and if the information should be printed, the Smithsonian Institution will have to attempt it within its own proper sphere. That shows, I think, that there was no abuse of the service in that particular matter. We have pending a bill which goes over all this subject, and if that bill can not be acted on now, it would not be a bad thing to require some small committee to look into the whole subject during the vacation and present a bill, for there is a demand and a desire that this corps should be put upon its proper foundation and permanently and definitely organized. It is now in an unsatisfactory condition, because it gives rise to various dissatisfactions and grumbings and criticisms. Any corps, I do not care what it is, will have some man who is unwise in it at times, who will bring criticism, but these criticisms, undoubtedly arising from real defects, extend over that which is of itself meritorious and ought to be continued.

Mr. MAXEY. I ask the Senator from Connecticut if in the investigation which the sub-committee made of this service the fact of evils growing out of the long details was not taken into careful consideration by that committee and attempted to be provided against in the bill reported?

Mr. HAWLEY. Certainly; but I do not know that I will go further. I do not know but that I would organize a corps in such a way as to contemplate permanency of service in it just as we do in the Engineer Corps. You might as well say you could detail men from time to time to serve as engineers. So you could, and they would do something, but they would make a botch of it. Every army in the world, as a matter of pride, has classes of very high scientific attainments in certain special lines; and it is quite right we should do it. We should have eminent engineers, but I am not quite sure that the Signal Corps ought not to be entirely detached from the line of the Army, so that when a man was put there, either by appointment or promotion, from a sergeant (as is now provided for to a certain extent; two a year are allowed to go from sergeants, to be examined and be made second-lieutenants) he should stay. The whole of them should be drawn by selection from civil life or by detachment from the Army, if they like this service and are attached to it, so as to make them entirely independent. I would organize them as a special branch, and leave no possibility of complaint hereafter about detaching men from their several regiments.

But I beg the Senate not to make this bureau entirely useless by this amendment, certainly as was originally reported by the committee, or to inflict a serious injury upon it by the requirement even of these detachments from year to year. You might almost as well tell me that my old and venerable friend, Dr. Peters, now at Clinton, New York, where he has been many years mapping out the stars and where he has discovered more asteroids than any other astronomer, could be very well replaced by some young student.

After that young man had pursued the same kind of work for ten, fifteen, twenty, or twenty-five years, he might, or he might not, be as good as Dr. Peters. You can not avoid acknowledging that there is such a thing as special qualification and an inestimable value in long

study and devotion to a subject, and this matter of weather observation may be worth 50 in the 100, or it may be worth 80 in the 100, as it is now, or it may be worth 90 in the 100, but if you are in the habit of changing men frequently it will be worth no more, or hardly as much, as a good old farmer's guess, because he has been all his life long looking at the winds and clouds, and makes a good estimate for his locality of the weather for the next twenty-four hours. If you are to cover a wide region and have it done with any scientific accuracy at all you must devote men to it.

I shall therefore, certainly with a view to the good of this branch of the service, and not because I have any pets or care for the purposes of the public service what becomes of or to what sphere of duty these young men go, but because I regard the public benefit, oppose any interference whatever with that corps upon this bill, and I will be ready tomorrow to take up the bill on the Calendar for its reorganization.

I will add just one word more, which I always say when I have an opportunity, that I am the unyielding opponent of general legislation upon appropriation bills. It is the *delenda est Carthago* which I shall always utter when this question comes up.

Mr. BAYARD. Mr. President, about four years ago the President of the United States interposed his negative to the passage of an Army appropriation bill, and the reason given in his veto message was that it contained features of general legislation. I thought then and think now it was an unwarranted exercise of his power; it was a criticism upon the form of legislation, a matter with which, I think, he ought to have nothing to do; but notwithstanding it was beneficial in this respect, that it pointed at a vicious form of legislation. An appropriation bill ought to be nothing but the machinery to find money to carry out existing laws. That is all that it is intended to be, and the rule of the Senate, I think, will sustain the point in this case that this is a violation, this being a general appropriation bill, because it proposes general legislation which, the rule says, shall not be received upon an appropriation bill. I therefore think it is not worth while to delay by debate on this subject.

This apparently will take from those who administer the Army and control it all discretion as to the permanence of any officer in his place of duty in the Departments at Washington. It makes it mandatory that they shall be removed after a certain period. Now, as far as I know, the common sense of mankind has digested the wisdom of good government into a very common phrase, to get the right man in the right place; and how can you get him there without testing him and trying him, and when he is found there he certainly ought not to be disturbed. This amendment proposes to unship all details not only for the Signal Service, of which I know very little of the merits or demerits of the individuals concerned, but also for the Engineer Corps, and there may be others of which I know nothing, but the principle which includes the one ought to be applicable to the others.

I do not think an appropriation bill is the proper vehicle for a change of the legislation on this subject. I would not have uttered my own judgment against that of Senators of more experience in respect to the wisdom of rotation in station by officers of the Army, but it certainly is new legislation which makes very wide and sweeping changes without the proper notification which should accompany it. Therefore I have raised the point of order. It has been before the Chair to decide since I did raise it, and why it has been debated I can not tell, though I have no special objection to debate.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The Chair understood the Senator from Delaware to withdraw the point of order for the time being. That was the cause of the discussion progressing. If the Senator now makes the point of order, the Chair will dispose of it.

Mr. LOGAN. I should like to be allowed to say a few words in reference to what has been said.

Mr. BAYARD. The point of order is made on the amendment of the Senator, and then I trust the Senate will sustain the committee in striking out the words they have proposed to strike from the House bill.

Mr. LOGAN. Just one word. I did not expect this to go through without opposition. I do not know that anybody will vote for it; that is a matter I care very little about. I have done my duty in reference to it. I have reported several Army bills to the Senate, and I notice that whenever legislation is on an Army bill that is in the direction a Senator thinks right there is no objection made to it; but if there is a proposition on an Army bill that is in a direction where some Senator thinks it strikes somebody that probably he would rather not have touched, then there is objection to it because it is on an appropriation bill.

Now, I desire to answer the argument of the Senator from Delaware in a very few words. He says that the experience of mankind has proven that where you find the right man in the right place he must be kept there. The experience of monarchies has found that to be their decision, but the experience of republican forms of government has not found that to be correct. According to that theory the Senator, being an eminently wise man, would remain in the Senate forever, for experience has shown that he is qualified to perform the duties. According to the theory of the Senator a President of the United States who suits the

people should be permitted to remain in that position during life. You can not apply one principle to the Army and insist that it is right and not apply it elsewhere. I totally disagree with the doctrine that no man is qualified to perform the duties of an office except somebody who has been tested. It is repugnant to the doctrine of equality of men and equal rights among men to perform these duties whenever they are selected to do it if they are qualified to do it.

I have nothing further to say except that this is a fair proposition to let these men go out after serving three years and let somebody else come in in their place. A part of them would be there over twenty years under this amendment. Those who have been there seventeen years would remain three years longer, and if twenty years is not long enough to make a detail from the Army, in God's name I want you to tell me how long you want them detailed for.

Sensors on the right insist upon a bill that they have on the Calendar which will die on the 4th of March. That, they think, should be investigated and passed. Everybody in the Senate knows it will never be touched; it will never be reached; it will never be called up; and the Senators themselves will not call it up, for they will not have the opportunity. Every one knows that.

There is not a Senator here who can say that rotation in reference to this branch of the service ought not to exist, and the Senator from Delaware is entirely mistaken in reference to this amendment applying to the Engineer Corps. It does not apply to the Engineer Corps at all. Men are not detailed in Washington city from the Engineer Corps as contemplated in this bill. They are operated under a very different law, a law organizing them, making them a permanent establishment. They are detailed under an entirely different branch of the law from this.

Now I am ready to have the decision of the Chair in reference to this amendment.

The PRESIDING OFFICER. The Senator from Delaware has raised the point of order upon the amendment offered by the Committee on Appropriations that it is objectionable to Rule 29. The Secretary will read the first paragraph of Rule 29.

The Principal Legislative Clerk read as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill.

The PRESIDING OFFICER. Under that the Chair holds that this is general legislation to a general appropriation bill, and therefore the point of order is well taken.

The committee propose to strike out from line 39, commencing with the word "and," to the word "duty," in line 52, inclusive. That amendment is in order. The question is on the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 82, after the word "men," to strike out:

And section 1306 of the Revised Statutes is hereby so amended as to strike out the word "fifty," where it occurs in said section, and in lieu thereof inserting the word "five."

The amendment was agreed to.

The next amendment was, after line 86, to insert:

Provided, That commissioned officers of the Army not above the rank of captain may make deposits with any Army paymaster, not to exceed for any one year one-half of their annual salary; said deposits, on sums not less than \$50, to draw 3 per cent. interest, payable when withdrawn: *And provided further*, That any officer making deposits may draw the same on his check whenever the accumulations shall amount to a sum equal to one year's salary.

The amendment was agreed to.

The next amendment was, in line 95, after the word "shortest," to strike out "through" and insert "usually traveled;" and in line 96, before the word "thousand," to strike out "seventy-five," and insert "eighty;" so as to read:

For mileage of officers of the Army for travel, over shortest usually traveled routes, not to exceed \$120,000.

The amendment was agreed to.

The next amendment was, in line 98, after the word "shortest," to strike out "through" and insert "usually traveled;" so as to read:

And from and after the passage of this act mileage of officers of the Army shall be computed over the shortest usually traveled routes between the points named in the order, and the necessity for such travel in the military service shall be certified to by the officer issuing the order and stated in said order.

The amendment was agreed to.

The next amendment was, in line 103, before the word "contract," to strike out "fifty" and insert "not exceeding eighty;" so as to read:

For miscellaneous expenses, to wit: Hire of not exceeding eighty contract surgeons and one hundred and sixty hospital-matrons.

The amendment was agreed to.

The next amendment was, in line 104, after the word "hospital-matrons," to insert:

Provided, That the office of assistant surgeon-general of the Army is hereby abolished.

Mr. BAYARD. That amendment is obnoxious to Rule 29, and I raise the point of order on it.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. LOGAN. I do not object to the Senator's raising the point of order; of course I have no right to do so; but I should like to give to

the Senate the reason. Objection being made to the bill as recommended here, it is taken for granted that I have put something very obnoxious in it. I notice the Senate passed over three or four amendments that were legislation that the Senator did not object to. It only shows what I said a while ago that where legislation happens to strike at something that is unfavorably considered by Senators they object to it, and where it does not they do not. The reason for this I will give in a very few words.

The Medical Department of the Army has in it to-day—

Mr. BAYARD. May I say to the honorable Senator that it is not a question of the merits or demerits of the proposition? It is that upon an appropriation bill this amendment is not proper. In the language of the rule, it "shall not be received." It would be pertinent upon a bill to reorganize the Army. Then I should listen with a great deal of respect to the opinion of the Senator upon such subjects; but my objection is to the form of the proposition.

Mr. LOGAN. I see what the Senator's objection is. I was only astonished that he did not make the point on other items, where legislation much more important than this was on the bill and was adopted.

In the Medical Corps of the Army, with a very few officers there is one brigadier-general and there are six colonels. There is not a corps and never was and never will be again with such rank as belongs to the Medical Corps of the Army, and such an expensive organization. The office of assistant surgeon-general is conceded by every one who has any knowledge of the corps to be absolutely without any reason. It is now vacant, and for the purpose of saving the Government \$4,000 a year we thought it proper to let the office not be filled, and that is all there is of it. It does not turn anybody out of office. It merely abolishes the office and leaves one brigadier-general and five colonels in the Medical Corps.

There is one vacancy. We thought to save \$4,000 where there was no necessity whatever for the office as the Secretary of War and everybody else admits who has any knowledge on the subject. There is no necessity for it whatever. We thought it would be a saving to the Government and would be in the line of economy to abolish it and not appoint anybody to fill the place. If there is any vicious legislation in that, which is saving something to the Government by not filling an office that there is no reason for in the world, I should like to know it.

I wish to say further that I have a letter in my possession now written, not to me but to a high official, a man whose name was sent to the Senate to fill this office to be called assistant surgeon-general, saying that he is willing to reduce his rank from a colonelcy, which he has had for six years, to a colonelcy to commence now without any increase of pay. It does not increase him; it does not promote him; it degrades the man and cuts him off six years by his appointment now. We thought it was a proper thing to abolish the office. There is considerable question in reference to the law governing this case and whether he can be appointed at all. He wrote a letter to a certain gentleman in this city asking him to select some Senator who was his friend and ask that Senator to make an objection to this Army appropriation bill. I do not know whether that Senator was chosen or not; but he makes the objection. I have got that letter in my possession.

The PRESIDING OFFICER. The Senator from Delaware [Mr. BAYARD] submits the point of order on this amendment. The Chair will hold the point of order well taken.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in lines 113, 114, and 115, to strike out:

For commutation of quarters to commissioned officers at places where there are no public quarters.

The amendment was agreed to.

The next amendment was, after the word "quarters," in line 115, to insert:

For the officer in command of the military prison at Fort Leavenworth, Kansas, in addition to his pay in the Army for the next fiscal year, \$1,000.

The amendment was agreed to.

The next amendment was, in line 118, to increase the total amount of the appropriation for the Pay Department of the Army from \$11,800,000 to \$12,000,000.

The amendment was agreed to.

The next amendment was to strike out the following proviso between line 131 and line 150:

Provided further, That disbursing officers shall be required to give bonds, with sufficient sureties, in such amount as the Secretary of War may direct and approve: *And provided further*, That whenever a vacancy occurs in the office of Paymaster-General, assistant paymaster-general, deputy paymaster-general, or paymaster in the Army, by death, dismissal, resignation, retirement, or other cause, the same shall not be filled by appointment or otherwise; and whenever the force in the Pay Department shall not be sufficient for the due payment of the troops, the Secretary of War is authorized and required to detail, under such regulations as he may prescribe, an officer or officers in the Quartermaster's Department to supply the deficiency; and when the paymasters have all died, been dismissed, resigned, or been retired, as hereinbefore stated, the payment of the Army shall be wholly transferred to the Quartermaster's Department, under such regulations as the Secretary of War may prescribe. Whenever, however, a vacancy occurs in the office of the Paymaster-General, the duties of that office shall devolve on the next officer in rank in the Pay Department.

And to insert in lieu thereof:

Provided, That vacancies that may hereafter occur in the Pay Corps of the Army by reason of death, resignation, dismissal, or retirement, shall not be filled by

original appointment until the Pay Corps shall by such vacancies be reduced to forty paymasters, and the number of the Pay Corps shall then be established at forty and no more.

Mr. LOGAN. On line 152, after the word "the," the second word in that line, I wish to insert "grades of colonel, lieutenant-colonel, and major;" so as to read:

Provided, That vacancies that may hereafter occur in the grades of colonel, lieutenant-colonel, and major in the Pay Corps of the Army, &c.

The amendment to the amendment was agreed to.

Mr. CONGER. Colonel, lieutenant-colonel, and major?

Mr. LOGAN. That is all there are, I will explain to the Senator.

Mr. CONGER. In regard to the part stricken out, it seems to be based on the idea that you shall transfer the paying department to the purchasing department and leave no check on the quartermasters.

Mr. LOGAN. The Senator misunderstands it entirely. We strike out that whole thing. The proposition of the House was to turn the Pay Corps over to the Quartermaster's Corps, which I have no strictures to make on now, because the thing strikes me as being so absurd that I do not suppose anybody would want it. We strike that out and then provide that the Pay Corps as it exists now shall not have any new appointment made in it until it is reduced to forty. That is all.

Mr. CONGER. There is no provision in this for filling the offices of major and lieutenant-colonel.

Mr. LOGAN. The Senator is mistaken. He does not understand it. It provides that there shall be no original appointments in these vacancies; that is, no outside man shall be appointed. It does not stop promotion. There shall be no more appointments in the corps, but they can be moved up to the higher grade until the whole number gets to forty, and no more. That is the meaning of it.

Mr. EDMUNDS. I make the point of order that this is legislation, as has been before ruled. I think what the gentleman in charge of the bill says as to the fitness of it is undoubtedly correct; but I wish to stick to the principle of no legislation on appropriation bills, and that forces me to make the point of order.

Mr. LOGAN. Will the Senator withdraw the point of order for a moment, until I give my reasons?

Mr. EDMUNDS. With pleasure.

Mr. LOGAN. My own judgment is that the objection being made to the proviso which we have introduced here the result is exactly putting the bill in such a condition that we can not agree to it. The House undertook to consolidate the Pay Corps with the Quartermaster's Corps, when there is no more relation between those two corps than there is between anything a person may imagine and another.

Mr. EDMUNDS. They ought to be a check on each other.

Mr. LOGAN. Instead of being a check on one another they have fixed it so that they will be together. For instance, a captain in the Quartermaster's Corps to-day if a major should die would fill a major's place without any promotion, making the thing, I will not say absurd, but making it very strange at least.

We called the Paymaster-General before us and asked him the number of paymasters he could get along with. He said he could get along with forty. There are fifty-four now. I have drawn up this provision that in the rank of colonel, lieutenant-colonel, and major of the Pay Corps there shall be no original appointment till the total comes down to forty. That does not interfere with the promotion of those now in, but there shall be no further appointments made to this corps from the outside until by retirement, death, and so forth, the corps shall be reduced to forty, and that it shall remain there. I think that is a wise provision. I have a letter here from the Paymaster-General. When he was before us I asked him to write out his views in reference to this matter, and he did so. His views conform precisely with the views of the committee in this provision, and I shall be very sorry to see it stricken out. I shall be sorry to see it stricken out for the reason that if we do that the House will insist on its proposition. I believe if we put this proposition in the House will agree to it, but if we strike it all out the House will insist upon its proposition, and then what kind of an amendment are you going to get? I think this is a better one than we shall get if we strike out the clause. That is my judgment about it.

Mr. CONGER. The House has followed out that universal feeling in the Army to shut out all civilians from any participation whatever in any civil service in connection with the Army.

Mr. LOGAN. Certainly; that is true.

Mr. CONGER. And it throws together into the hands of the purchasing officer the payment of money without any check. It throws civilians out of any opportunity for service in the civil branch of the military establishment.

Mr. LOGAN. True; but that is what we strike out. I am opposed to it just as much as the Senator is, and for the same reason.

Mr. CONGER. Now, until there is some bill reorganizing the Army in all its branches that shall meet the approval of Congress, I object to making a difference of ten or twelve officers in the Paymaster's Corps. I do not care what the present Paymaster-General says; it has been reported time and time again that there were not paymasters enough personally and individually to perform the duties of paymasters and pay all the scattered troops of the United States on the different coasts

and frontiers easily or safely. I suspect all these measures that seek to get into the military ring only those who have come from West Point and to shut out those citizens of the United States who from their ability and from their tact as business men may desire and their friends may desire that they shall have an opportunity even in the Army to perform the duties of civilians.

There is too much of that feeling of encroachment in the Army and in the Navy to-day. There is a kind of feeling among all the people of the United States and the young men of the United States that there is no admission to any position either in the military or civil part of the service of the Army or of the Navy unless it is through West Point or Annapolis, and there is a growing feeling that notwithstanding our theory that there shall be no title of honor and continual heredity of places of trust, we make the laws so as to make effectual classes in our Government and open the doors only to peculiar classes of our people. That will result in the destruction of the Army organization and the Navy organization whenever the representatives of the people come here with the feeling that all the people of the United States are excluded by our laws and that only privileged ranks shall have opportunities to engage in that service. When that comes to be understood, it will destroy the whole, and deservedly. I would guard against that.

Mr. PLUMB. Will the Senator permit me to ask him a question?

Mr. CONGER. Certainly.

Mr. PLUMB. While I sympathize with him in regard to this exclusion, I trust he will not descend to put himself in the position of saying he would create unnecessary places to give persons outside of the Army a chance.

Mr. CONGER. Not at all. I have already answered that. I have said that from year to year, and up to within the last year, when it was proposed to cut down on some former occasion the number of paymasters, statements were made here officially and authoritatively that with our troops scattered as they have to be, and moving as they have to move all through the Western country, a few here and a few there, a small squad in this direction and troops in the field in another, it was impossible for the paymasters we had to personally attend to the payment of the troops and perform their duties, and therefore the number was not decreased.

Mr. PLUMB. The number of garrisons has been largely reduced, and it is the policy of the Government to continue that reduction by reason of settling the Indian difficulties on the frontier. So, even if that were true a few years ago it is no longer true, and the number of paymasters in the Army now is more than one-third of the number of garrisons, and I will venture to say that there are at least half the corps who do not do five days' work in a month.

Mr. CONGER. I do not know how much work they do. If they do but one day's work in a month, there must be so many to pay and take care of the money of the Government. If a less number will not do it, let them work what time they are required to. But the fact that garrisons and establishments are closed and reduced simply means that you throw off squads all over without garrisons, who camp on the plains in winter and summer as your record shows and watch on the mountains and on the prairies. You divide up a garrison into twenty squads, and they stay months and years wandering about separated from the garrisons.

Mr. PLUMB. That kind of service is not to be carried on any more.

Mr. CONGER. It has been carried on and every newspaper records it.

Mr. PLUMB. Not a single bit of service of that kind has been rendered during the last twelve months, and probably none will be in the next ten years.

Mr. CONGER. I would rather take the reports we see daily in the papers that our soldiers are pursuing Indians in this direction. Continual accounts come to us of their achievements this very winter in camps where human beings could scarcely be expected to live. There are in this city now young men whose health has been destroyed for life by exposure in tents and without tents in the pursuit of Indians this very winter and in watching and guarding our frontier.

Mr. PLUMB. I was not questioning that, but I was questioning their being away a time from the post. I say that kind of service is not carried on.

Mr. CONGER. Some of them have not been at a post for a month.

Mr. PLUMB. The garrisons are changed. It sometimes happens they go into tents. I know that is a very exposed and dangerous service, but it is very acceptable I have no doubt. I am very sorry for these men who are suffering so much more than soldiers ever suffered before or ever will again; but the fact is the paying is done at stations, as it properly would have to be done. The paymasters do not accompany detachments into the field; they do not have to be gone except on scouting parties more than a week at a time generally. It is very rare that any man goes out for a month anywhere. I do not think the Senator can find a sufficient statement that will substantiate the fact he states.

The Secretary of War concurred with the Paymaster-General in saying that the number of forty paymasters is abundant. It has been abundant any time within the last few years. One paymaster is stationed now at Boston, who pays only a company stationed in Boston Harbor, when he has the capacity and could just as well pay those stationed at New York, Charleston, Norfolk, and a dozen other places by going backward

and forward, and it would not exhaust all his time to do that. That is, of course, proper enough as long as the number is kept up as it is now.

Mr. CONGER. Those are not the class of men who ought to be reduced. Those spoken of now are not the class of men who are taken and scattered off in the West. Those who have nice places in the cities are there for some peculiar reasons. I am talking about the men scattered over the Western country.

Mr. PLUMB. But this question of vacancies touches all alike. It is proposed here when vacancies occur that they are not to be filled until the number is reduced to forty.

Mr. CONGER. And to make additional liability, additional duty, on the men who perform service on the frontier. It will not affect the men who are at desks here.

Mr. LOGAN. The point of order, as a matter of course, if insisted on, is well taken. There is no doubt about that.

Mr. EDMUNDS. I must insist upon it on principle.

Mr. LOGAN. I merely ask to put on record in reply to the Senator from Michigan the reasons why it is proposed in this bill to insert this provision.

The House proposed, as I said, to merge the Pay Corps and the Quartermaster's Corps. That I do not think good legislation. I do not think that that would advance the interest of the country or of the Army in the slightest degree, but it would be a great disadvantage.

The two corps are entirely dissimilar. If the House had proposed to place the Quartermaster's Corps and the Commissary Corps together and merge them there would have been some good reason for that, because they are both purchasing corps. The Quartermaster's Corps furnishes all the transportation for the Army and purchases clothing and things of that kind. The Commissary Department furnishes rations and things of that kind for the Army. One furnishes that which hauls the other, and therefore if these two corps were put together, as one buys and the other furnishes transportation, there would be some reason in that; but there is no reason for putting the Pay and Quartermaster's Corps together, nor has it ever been considered a wise thing to do by any officer of the Army having great experience.

The evidence of General Sherman, of General Sheridan, of General Hancock, and of all the leading officers of the Army is entirely against a proposition of this kind, and I have the evidence herein my hand.

I desire to call the attention of the Senator from Michigan to a point which he does not seem to have understood exactly as I do, that this proposition made by the Committee on Appropriations of the Senate is a modification of the proposition made by the House in this bill, in this, that instead of merging the Pay Corps and the Quartermaster's Corps together we strike that all out and provide for the Pay Corps as it now exists, except that we say when it is reduced to forty by retirement, death, or resignation it shall not be increased beyond that number. That interferes with no one now in the Pay Corps; it retains them all; but when the number is reduced by casualties to forty the corps shall not be increased beyond that number. We base that, as I said, on the evidence of the Paymaster-General. He says that he can get along with that number. He does not say that he prefers the number that now exists, but in answer to our question he says he can get along with forty, and gives the reasons for it. He says the railroad facilities and the concentration of troops, as was suggested by the Senator from Kansas, in large bodies gives him facilities for paying that he did not have before and that no other Paymaster-General had prior to this time. It being reduced to that number, he thinks he can get along with forty paymasters by the time this reduction would take effect; not now, but by the time that by death, resignation, and retirement the number should be reduced. The calculation shows that it would be several years before that can be done, the number being fifty-four now, unless some great calamity should strike that corps. He thinks by that time he can get along with forty when it is reduced to forty.

But, as I said, the proposition to insist that nothing shall go into this bill except that which legitimately belongs to it takes this out.

I think it is a much better provision than the provision of the House, and I will ask that the letter of the Paymaster-General, with the evidence of these general officers on the subject, be printed as a part of my remarks, so that the case may be in the RECORD, that everybody can see it if the question should arise again.

The PRESIDING OFFICER. That will be done if there be no objection.

The documents submitted by Mr. LOGAN are as follows:

PAY DEPARTMENT, UNITED STATES ARMY, January 8, 1883.

SIR: In reply to your private note of this date I have the honor to state that during the five months ending November 30 the payments on account of mileage to officers of the Army amounted to \$73,868, as against the sum of \$103,642 for the corresponding period in 1881, showing a saving of about \$30,000.

It is believed that the amount appropriated for the current fiscal year (\$180,000) will be sufficient to cover all demands against that appropriation.

Referring to the House amendment for the gradual decrease of the Pay Department and its ultimate transfer to the Quartermaster's Department, allow me to say there are abundant reasons why this department should remain separate and distinct from any other.

On account of the increase of railroad mileage each year, making distant posts more accessible, the increased facilities for traveling and the consequent concentration of troops at large posts and the abandonment of small posts, I would recommend that no more paymasters be appointed until the number is reduced by retirement, death, and resignation below forty majors.

To hasten this reduction I recommend that those paymasters who are incapable of performing active service shall be placed upon the retired list at once, and that the law be so amended as to compel all officers of the Pay Department upon reaching the age of sixty-two years to retire from active service.

This change in the law would effect a reduction of ten paymasters within the next five years, as follows:

One paymaster-general, two assistant paymasters-general with the rank of colonel, and seven paymasters with the rank of major.

The safety of the public money is of the first importance. The present system of accountability is as near perfect as can be, and the liability to loss is reduced to the minimum.

The cost of paying the Army is found to be a fraction less than 2½ per cent. on the amount disbursed during the past fiscal year. The cost for the past five years has been but 2½ per cent.

The percentage will, of course, be reduced as paymasters go out of service.

The Browne amendment in the House bill contemplates the payment of the Army by the acting assistant quartermasters at posts. Of these there are over two hundred in the Army. Each one is a subaltern of the line, who, for the time being discharges the duty of quartermaster for the post where he may be serving with his company.

He is not bonded, nor is it practicable that he should be. His duties are principally the receipt, custody, and issue of quartermaster stores and property to the command. He has usually little or no money responsibility. His detail is temporary, and may be revoked at any time. To thrust a large money responsibility on such a young officer at a frontier station, away from a depository, compelling him to keep his funds in his personal possession, not subject to weekly examination by report from depositaries, is placing a temptation where it should be a duty to protect.

National bank depositories are not to be found in the midst of camps.

The amount required for the payment of a muster period can not be accurately estimated in advance; an excess is usually asked—hence a balance will remain on hand to be held for casual payments. Against this balance there is no check.

Again, these balances though small in themselves in the aggregate withdraw a large amount from the active funds available for disbursement, and owing to the limited appropriations, which leave a narrow margin, makes it very difficult to distribute the funds to so many officers.

These officers must have currency to pay the troops. Checks would leave them at the mercy of post traders and seriously impede if not destroy the present beneficial system of deposits.

To obtain currency, from five to eight officers would have to make the journey now made by one. There is therefore no safety nor economy gained by the adoption of such a system.

If it is proposed that the bonded officers of the Quartermaster's Department shall pay the Army, what advantage is there in substituting one officer for another?

Has the Quartermaster's Department a surplus of officers? If not, the quartermaster must perform the duties of both. He must shut up his storehouse, from which daily issues are required and to which daily receipts are coming, while he is absent for weeks paying troops. It would be difficult to hold a quartermaster or his sureties liable for losses which might occur under such circumstances.

Again: it is doubtful whether his bond, given as a quartermaster, could be held for funds not accounted for as a paymaster.

The wisdom of the law giving the Executive the power of selecting the chief of the staff departments from the junior officers is so apparent that it needs no argument. The chief of a department should be above suspicion and be able to show a clear record.

The Pay Department as now organized has stood as severe a test as may be expected ever can be applied to it. It is capable of expansion in case of war and of contraction in time of peace. The proposed plan is not an experiment, for it was tested in the earlier history of our Army and found wanting.

Attention is respectfully invited to the accompanying memoranda.

I am, very respectfully, your obedient servant.

WM. B. ROCHESTER,
Paymaster-General United States Army.

Hon. WILLIAM B. ALLISON,
Chairman, &c., United States Senate.

The proposition to merge the Pay and Quartermaster's Departments as proposed by the amendment of Mr. BROWNE (if it should become a law) will set aside and abolish a system of Army payment which years of experience have tested, both in peace and war.

It is safe to say that no system can be devised equal to the present one, which can be made to combine the advantages of prompt payment, safety of the public money, accurate and prompt accountability, with the least possible expense and liability to embezzlement or corrupt defalcation.

As the law is now construed, it requires the express authority of the Secretary of War to enable any officer of the Pay Department to hold funds in his personal possession at places on the frontier distant from designated depositories. This authority is personal to the officer and has to be renewed whenever he may change his station. As the acting assistant quartermaster of the post is generally a lieutenant these changes would be frequent and tend to interrupt and postpone the regular and prompt payment of the troops.

It is not believed that any one officer could perform the duties, make all the returns now required by law and the regulations of the Pay and Quartermaster's Departments, and do it satisfactorily. This performance of duty under widely different systems would produce confusion in the disbursements and would inevitably tend to inaccuracy, as past experience has demonstrated.

I refer to the long exploded system of regimental, battalion, post, or company paymasters. The official records show the following striking facts in the history of Army payments:

"First. From 1808 to 1811, before the war, the average annual loss by the defalcation of regimental and battalion paymasters amounted to 1.58 per cent. on the amount disbursed, and the annual average expenses for paying the Army to 3.10 per cent."

"Second. From the beginning of the war to 1816, under the same system, these averages were: Defalcations, 2.98 per cent., and the expenses, 4.36.

"Third. From the date of the reorganization, in 1821, on the new plan (the present one), to 1825, the average defalcations were twenty-two one-hundredths, little more, it will be perceived, than the one-fifth of 1 per cent., which was finally paid into the Treasury; expenses for the same period, 2.13." The results during the Mexican war were better still, as not one dollar was lost by defalcation and the average expenses reduced.

"Fourth. From 1825, after the new system had been well established, not one dollar of defalcation, and the total average expenses reduced to 1½ per cent."

General B. W. Brice, in his annual report for the fiscal year ending June 30, 1866, uses the following language:

"I am enabled to reiterate the unprecedented result that since July, 1861, in the expenditure of \$1,083,000,000, disbursed by this department in minute sums, and surrounded by difficulties and hazards, the total cost to the Government in expenses and losses of every character can not, in the worst possible event, exceed three-fourths of 1 per cent."

Is there an instance on record of public disbursement so cheaply performed? And this under the present organization and system of Army payments.

It was asserted that it costs 4 per cent. of the amount disbursed to pay the Army now. The actual cost of paying the Army for the fiscal year ending June 30, 1882, was 2½ per cent.

To abandon the present system, and call in officers of the Quartermaster's Department to make payments to the Army would be practically a return to the old system, so long tried and found wanting, for at almost all the military posts in this country a lieutenant of the line is detailed to do the duty of both quartermaster and commissary; these officers are not under bonds; the question arises, could they get bondsmen? if they could, would they? Most of the bonded officers of the Quartermaster's Department are stationed at the headquarters of the divisions, departments, and depots; their property responsibility being such as to confine them to their stations. They are not subject to the provision of law which requires paymasters to renew their bonds every four years. This provision preserves an active, reliable bond upon which recovery may be had.

If you pay through the post quartermaster and the quartermaster of each detachment and detail of troops, funds must be conveyed to them and the expense thereof must be paid. As it is now, a paymaster who is familiar with laws and regulations and decisions governing payments carries funds to the place of payment, settles on the spot all questions, places the money in the hands of the soldier, receives such sums as may be deposited by them, returns to his post, and places his surplus funds in a United States depository. If the practice of leaving funds in the hands of any officer at a post for the payment of troops absent from the pay-table when the paymaster pays, as was asserted, it must prevail to a very limited extent, as such payment is illegal and the paymaster responsible for repayment. The Paymaster-General's Office knows of no such practice. If the Pay Corps is too large reduce it by providing that there shall be no more appointments until the number is reduced within a certain limit.

The question of consolidation of the Pay, Quartermaster, and Subsistence Departments was made the subject of careful investigation by the Military Committee of the House at the third session of the Fortieth Congress, the first session of the Forty-fourth Congress, and the second session of the Forty-fifth Congress. The weight of testimony was strongly against the merging of the Pay Department with the Quartermaster and Subsistence Departments, or with either of them, and I call your special attention to what was said on the subject by a few of the many officers who gave testimony:

General SHERMAN: A staff system that has admitted of an increase of the line of the Army from the mere nucleus of 1890 to a million of men, and its reduction back to the present standard, without confusion, and with the most perfect accountability as to property and money, at all times providing for the Army abundantly, is entitled to our respect.

Lieutenant-General SHERIDAN: Of course they can be consolidated; but I doubt whether you can get as good a result as you have now. I do not believe in tearing things down, especially when they have done well. They have certainly done well as they are, and I do not know that any great saving is to be made by consolidation. I am not prepared to recommend anything of the kind.

Major-General HAXCOCK: It would be "practicable" to consolidate the Quartermaster's, Commissary, and Pay Departments into one corps, but the operation would be difficult and attended with no great advantage or economy. All or most of the persons who now constitute the separate corps would appear in the consolidated corps, and they certainly would not act any more efficiently or economically on account of the consolidation.

A careful examination of all the views expressed will not only show that the weight of evidence is against the consolidation of these corps, but that the opposition to it has decidedly increased, and that while some who at first favored it now either oppose or do not support it, there are no changes of opinion in the other direction.

General HOWARD: But careful inquiry will, I am confident, discover grave difficulties in the way of such consolidation. Our Army, though not now very large, is very widely scattered. There would be a liability of overtaxing a single officer at Washington; and confusion in accounts would be inevitable, unless a clear distinction was kept up in all papers, and books and reports, corresponding almost exactly with that now kept by the Quartermaster, Commissary, and Pay Departments.

General MCLELLAN: You ask my opinion as to the proposed consolidation of the three corps (Quartermaster, Commissary, and Pay) into one. I don't like the idea at all, and, had I the power, would prevent it.

If this consolidation scheme is carried out, experience will prove that some individual interest was at the bottom of it, and that no real benefit inured to the service; and before long the old order of things will be restored.

It seems almost superfluous for me to say that our peace organization should be such as to enable us to increase the Army rapidly in time of war. Any disinterested soldier knows what this means with regard to the number of staff and line officers in peace.

Major-General MEADE: I can not say that, after reading all that has been written and said, I am prepared to advocate consolidation. I have had a fair opportunity to observe the workings of the present system, both in time of war and peace. It has always worked well.

Major-General THOMAS: I do not think that it would be advisable to unite them, either one with another or to unite the whole three together. Their duties are separate, and I think they are very wisely divided as they are.

General FOSTER: The paymasters have, again, an entirely different duty to perform, in which great care and responsibility are required. At many posts the officers who perform the quartermaster's duties could not furnish the requisite bonds for the security of the public money, now furnished by every paymaster.

The public money for the payment of the Army is safer in the hands of the paymasters than in the hands of quartermasters, who have to follow the movement of troops, and thus, to a certain degree, endanger its safety, especially in time of war.

General LONGSTREET: The duties of the Quartermaster's, Commissary, Pay, and Medical Departments are sufficiently burdensome and complicated when kept as separate departments. Consolidated, an officer of higher grade would be chief, while the organizations would virtually remain as before. The only good reason that I can give in favor of consolidation is that a place may be made for some distinguished and meritorious officer.

General TOWNSEND: The question of paying the troops is a very difficult one. It does not so nearly affect the number of desertions as is generally supposed. Steady discipline and good treatment of soldiers by the officers is the best remedy for that crime, together with an adequate punishment and proper places of confinement. Payment by company commanders would involve the frequent changing of funds from hand to hand, great multiplication of accounts, and corresponding increase in clerical force of the Treasury to settle them; and more than all, frequent and serious losses to the Government from want of secure places of deposit at most of the military stations. Large supplies of funds must be sent to the officers in the full before communication is cut off with many posts. Agents, whose expenses must be paid, must carry them, for there are no banking facilities at hand. At the posts, a safe, a trunk, or a chest will be the well-known deposit, inviting to frequent robberies. The officers would not be under bonds, and might often be defaulters; or from want of capacity for keeping such intricate accounts, might often make serious mispayments. Suppose the remedy be applied of requiring bonds. Not many officers could get bondsmen without leaving their post, if they could at all. Moreover, where a man is required to give

bonds for any duty, he should have the liberty of accepting or declining the duty rather than give the bond. Another objection would be a removal of check against paying wrong accounts, for the officer who made up the soldier's statements would likewise pay him. Now, the paymaster first examines and corrects the accounts before he pays them, and he is charged with mistakes if the soldier can not be reached to rectify them. Then, after all, provision must be made for payments of soldiers discharged away from their commands, and of officers at posts. The opinion is deliberately entertained that any other mode of payment than the present must necessarily be more complicated, and subject the Government to immensely greater risk of loss.

General McDowell says:

"I do not recommend the consolidation of the Pay Department with the ordinary supply departments. On the contrary, I would increase it and keep it utterly distinct from them, and favor the plan of extending its payments to include that of all money due on contracts for either material or services, in all branches of the service; making it the military chest, the cashier of the Army, having nothing whatever to do with the creating of obligations, but confined to the duty of discharging them, as is now done in the case of the muster and pay rolls of the troops and officers' accounts for pay, and, recently, for traveling expenses, where the account or demand is made by one set of officers and discharged by another. I think this division, when once under way, would tend to afford additional guarantees to the Treasury, and much simplify the business of the Army."

General Terry says:

"I think that to consolidate the Quartermaster's, the Subsistence, and the Pay Departments into one corps would be to disregard a principle which underlies all modern progress—the principle that the best results are obtained by the division of labor; that the best work is done by specialists—a principle that is of quite as much importance in military organizations as it is in civil life. The Quartermaster's Department is already loaded down by the multiplicity of subjects over which it has control; to add to its duties would, I think, impair its efficiency."

"That the Pay Department should not be consolidated with the other two, or with either of them, seems to me to be shown by the fact that paymasters must travel from post to post, paying troops, while the duties of quartermasters and commissaries require them to remain stationary. Should a legal union of these departments be effected it would not be a union in practice. The officers of the new organization would, of necessity, be assigned to special duties, some to the duty now performed by quartermasters, some to that which is now performed by paymasters, &c. I think that the change suggested would be merely nominal; that it would lead to no economy."

General Grover says:

"I do not think it would be advisable to consolidate the Quartermaster's, Commissary, and Pay Departments in one."

General Getty says:

"It would be practicable; but to consolidate the three corps into one would not, in my opinion, be for the best interest of the service."

General Dodge says:

"I think it will be a very great mistake to consolidate the Quartermaster's, Commissary, and Pay Departments."

General Kelton says:

"The Pay Corps can not be incorporated with the Supply Corps for the reasons—

"First. Their duties and accounts are utterly dissimilar.

"Second. Their duties require them to be absent from any one station the greater part of every two months."

General Marcy says:

"For the reason that each of the departments named in question 8 has all the work it can efficiently perform now, and as the chiefs of those departments have abundant occupation in properly administering the affairs of their separate departments, I think the consolidation indicated would diminish their efficiency."

Expenses of Pay Department, United States Army, for the fiscal year ending June 30, 1882.

Pay of paymasters.....	\$180,274 56
Commutation of quarters to paymasters.....	22,634 80
Pay of clerks.....	64,800 00
Pay of messengers.....	14,426 66
Mileage of paymasters and actual traveling expenses of their clerks.....	37,255 26

Total expenses..... 318,801 28
Total disbursements for fiscal year ending June 30, 1882, \$13,613,257.41; per cent. of expenses to disbursements, 2.32.

Mr. HOAR. I sympathize with the general object of the Senator from Vermont in insisting upon the rule; but suppose this point of order be sustained, as it appears to be, and then suppose the House non-concur in the Senate amendment striking out their legislation, then the bill goes to a committee of conference. That committee of conference report that the Senate recede from its amendment striking out the House text of the bill, and adopt the House text with a certain amendment, which they agree on in conference. Is that liable to the point of order also?

The PRESIDING OFFICER. In the opinion of the Chair it would be.

Mr. HOAR. Because if not, the only effect of insisting on the rule at this time is to send our committee into conference with no knowledge whatever of the opinion of the Senate. That is a very important and serious question. If that point of order lies to a conference report that is all right, because then we can stand where the Senate now stands.

The PRESIDING OFFICER. In the opinion of the Chair the point would then lie. Does the Senator from Vermont renew his point of order?

Mr. EDMUNDS. Yes, sir; I insist upon it.

The PRESIDING OFFICER. The Chair sustains the point of order, as he has on two different occasions already on the same question.

Mr. EDMUNDS. Then the question is on striking out. The committee has recommended to strike out.

The PRESIDING OFFICER. The question is on striking out the lines from 131 to the word "department," in line 151.

The motion to strike out was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the Subsistence Department, in line 161, before the words "contract surgeons," to strike out "fifty" and insert "not exceeding eighty."

The amendment was agreed to.

The next amendment was, in line 164, after the word "hundred," to strike out "thousand five hundred and" and insert "and twenty-six thousand one hundred and twenty;" so as to read:

For subsistence of 25,000 enlisted men, 120 additional half-rations for sergeants and corporals of ordnance, 1,830 civilian employes, not exceeding 80 contract surgeons, 160 hospital matrons, 37 military convicts, and 500 prisoners of war (Indians); in all, 10,126,122 rations, at 22 cents each.

The amendment was agreed to.

The next amendment was, in line 171, after the word "guides," to strike out "one million nine" and insert "two million three;" so as to read:

For difference between cost of rations and commutation thereof for detailed men, and for enlisted men and recruits at recruiting stations, and for cost of hot coffee and cooked rations for troops traveling on cars; for subsistence stores for Indians visiting military posts and Indians employed without pay as scouts and guides, \$2,300,000, of which amount \$300,000 shall be available from and after the passage of this act for the purchase of stores necessary to be transported to distant posts in advance of the 30th of June, 1883.

Mr. PLUMB. Before that is adopted I wish to call the attention of the Senator from Illinois to a fact that I think he will recall, that there was a miscalculation at that point whereby that amount was increased more than was intended. It will be remembered that in making the calculation there was a little confusion between "rations" and "dollars," and that amount I think ought to be "\$2,000,000" in place of "\$2,300,000."

The PRESIDING OFFICER. Does the Senator offer an amendment?

Mr. PLUMB. I move to amend the amendment by striking out "300,000" in line 172.

Mr. LOGAN. I have no objection to that.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the appropriations for the Quartermaster's Department, in line 268, after the word "services," to strike out the following proviso:

Provided further, That for the better accomplishment of the object of the acts authorizing the construction of the railroads hereinafter referred to, and the better to secure to the Government the use and benefit of the same, all acts authorizing the building and construction of those railroads which have received, in addition to land grants, Government aid by loan or guarantee of bonds by the United States, and all other acts, parts of acts, and provisions having relation thereto, are hereby so altered, amended, and modified that, hereafter the compensation paid or allowed for the carrying and transportation of the property or troops of the United States by such railroad companies, or their assigns or successors, shall not exceed 50 per cent. of the amount paid by private parties for the same kind of service.

Mr. HOAR. I should like to inquire in regard to the two hundred and sixty-fifth and following lines which are not struck out, is that the present law applicable to these railroads?

Mr. LOGAN. Yes, sir.

Mr. HOAR. So that in all events we are bound to allow them as much as the rate here stated, 50 per cent.

Mr. LOGAN. That is the measure of settlement.

The PRESIDING OFFICER. The question is on the amendment striking out the lines which have been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 290, to increase the appropriation "for construction and repair of hospitals, as reported by the Surgeon-General of the Army," from \$70,000 to \$125,000.

The amendment was agreed to.

The next amendment was, in line 302, before the word "thousand," to strike out "thirty" and insert "forty;" so as to read:

For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, to be expended under the immediate orders of the Secretary of War, \$40,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Medical Department," in line 306, after the word "depots," to strike out "pay of employes;" so as to read:

Medical Department: For purchase of medical and hospital supplies, medical care and treatment of officers and enlisted men of the Army on duty at posts and stations, expenses of purveying depots, advertising, and other miscellaneous expenses of the Medical Department, \$200,000.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 303, to insert:

Provided, That civilian employes of the Army stationed at military posts may, under regulations to be made by the Secretary of War, purchase necessary medical supplies, prescribed by a medical officer of the Army, at cost, with 10 per cent. added.

The amendment was agreed to.

The next amendment was, in line 315, to reduce the appropriation "for the Army Medical Museum, and for medical and other works for the library of the Surgeon-General's Office," from \$10,000 to \$5,000.

Mr. BAYARD. A gentleman in no way connected with the Army, but a medical man of very high scientific grade and who takes a great deal of interest in the Army, suggested to me that this was a diminution of the appropriation and expressed his great regret. If the Senator having charge of the bill has no especial reason why the appropriation should be diminished, I should be very glad to see it restored to

the amount the House fixed. This is the only national medical library, and it is so important in every respect that I hope the Senate will not concur with the amendment, but will adopt the House measure unless there shall be some positive reason given for reducing the amount. The amount is not large and medical books are all copyrighted and we should have them in all languages and from all countries.

Mr. LOGAN. I will not discuss this elaborately. I would like sometimes when gentlemen oppose propositions in a bill, that they would give some reason other than that somebody has asked them to do it.

Mr. BAYARD. This was really from a man who is very competent to speak, who is thoroughly disinterested about the matter, and who knows, I think, the wants of the higher medical education in this country. It was for that reason he spoke, and he would have authority with me, and I am sure he would with the Senator if I mentioned his name.

Mr. LOGAN. Almost anybody would have influence with me in reference to it that knew more about it than I do. I pretend to know but very little about it. The Army appropriation bill has regularly contained an appropriation of \$10,000 for ten years for the Medical Museum. That is \$100,000, and it ought to buy a pretty good lot of books.

Mr. BAYARD. Has it not been money well spent?

Mr. LOGAN. I am not saying as to that. I only want to know from the Senator when he opposes an amendment are we to go on for one hundred years this way? In every appropriation bill there is \$10,000 for the Medical Museum. Does the Senator understand that it has been spent for books?

Mr. BAYARD. It must be for a library devoted to medical and surgical purposes.

Mr. LOGAN. Now, I will tell the Senator why it was cut down. It was cut down at my suggestion. I sent for the gentleman who has charge of that Museum, and I asked him for what that money was expended. What do you suppose he told me? He said part of it was expended in purchasing books, and the balance of it was expended for repairs, &c., on the building. If the Senator wants it put in there that so much shall be expended for books I will agree with him; I have no objection to spending money for books; but when money is appropriated for books I do not want it spent for repairs and for employing janitors and other persons to attend to their duties.

Mr. BAYARD. Suppose we strike out the words "Army Medical Museum" and let it stand "for medical and other works for the library."

Mr. PLUMB. Under the custom of the Department this sum is divided into three parts, substantially, one part going to the Army Medical Museum for pay of employes and the care of specimens there found and the accumulation of others; another part goes to the purchase of books and pay of employes in the library, and a portion of the money is used now, as the Senator from Illinois has stated, for repairs of the building. There are two objects in the appropriation, the Army Medical Museum and the medical library of the Surgeon-General's Office, so that practically there is \$2,500 for each of those objects.

Mr. BAYARD. This amendment apparently is not for the expense of taking charge of the library of the Surgeon-General's Office, but expressly "for medical and other works for the library," and is also "for the Army Medical Museum." It would seem to me a very obvious misappropriation to spend the money upon salaries of janitors or for repairs, as the Senator from Illinois has suggested, of a building when it is expressly for the purpose of works for the library. I supposed that we were building up by these appropriations a valuable medical library, and I can understand few things of more value to the Army and, through the Army, to the country, than to have an appropriate library here of a medical character. It seems to me that if they have, under such a clause as this, to spend money otherwise than really for the Medical Museum and for the medical library, it has been a very great impropriety.

Mr. HARRISON. I wish to ask the Senator from Illinois a question as to this library. Does he understand that this is for a library which is maintained in connection with the Surgeon-General's Office here?

Mr. LOGAN. Yes, sir.

Mr. HARRISON. I had an impression, derived, I think, from accidental conversation with the purveyor-general of the Army, that these medical books purchased were passed about; that they were sent, for instance, to the medical officer at a certain post a certain length of time, many of the new publications in connection with medicine and surgery; that he had an opportunity to read them, and they were passed on, in that way constituting a sort of circulating library through the Medical Department of the Army. I do not know whether I am right about it, but I have that impression.

Mr. LOGAN. That may be so or may not be so; I do not know anything about that; but that would not change it. I inquired and found it has been the universal practice—I did not know it before; I do not think any of our committee knew it—to get a \$10,000 appropriation and use part of it for books and to expend the balance of it for something else. We concluded we would stop that other expenditure and let it go where it belonged, and this \$5,000 is more than or as much as they have ever used for books. We propose to appropriate \$5,000 for that purpose, and give the officer notice—at least I did give it—that if any

of the money thus appropriated was used for any purpose except books he would be held responsible for it. This is as much money as they have ever used. I did not know before, and I suppose no one in the Appropriations Committee knew, that part of this appropriation had always been used for either purpose. I looked upon it—I will not say as a fraud, but as a clear violation of the law, and therefore we reduced it to the amount of money that he said they used for books.

Mr. HAWLEY. Let me ask the Senator whether he gives anything for the Army Medical Museum now?

Mr. LOGAN. No, sir. I regard the Army Medical Museum as belonging, as far as repairs are concerned, to the Quartermaster's Department, and they have money appropriated for repairs of building and everything of the kind.

Mr. BAYARD. There is not a word in this clause about repairs.

Mr. LOGAN. Of course not; but the appropriation is used for that and has been. I regard part of the money appropriated to the Quartermaster's Department for repairs as belonging to repairs of the museum.

Mr. CONGER. The museum should either be stricken out or allowed a part of the appropriation. There are continual expenses for the Army Medical Museum which are not provided for anywhere else in this bill. To leave it without any appropriation is not proper. Here are two distinct objects for an appropriation, one for the Army Medical Museum, and an appropriation has always been given for that, and I have never heard that the money was misappropriated or used improperly. I consider it a very valuable addition to the medical service.

Mr. LOGAN. I consider it a valuable addition, too, but you do not want to appropriate \$10,000 for books and have half of it expended in something else.

Mr. CONGER. The clause does not say it shall be for books for the Army Medical Museum any more than, if it said "for buying a horse," it must all be applied to that purpose.

Mr. LOGAN. Will the Senator suggest an amendment that will make it say that? It is very easy to find objections, but let us have some suggestion that will make it mean what you want.

Mr. CONGER. I would suggest:

For the Army Medical Museum, \$5,000, and for medical and other works for the library, \$5,000.

Mr. LOGAN. Very well, move that as an amendment.

Mr. CONGER. I do; I move that amendment.

Mr. PLUMB. Pending the consideration of that amendment I have a letter from the Secretary of War, the Surgeon-General, and Surgeon Billings, of the Army, directed to the Surgeon-General, which I ask may be read in connection with this matter. I was very much of the opinion of the Senator from Illinois in regard to this appropriation, and do not know that I have fully changed my opinion now, but I confess that the reading of these documents, which came under my observation after the bill was reported, modified at any rate the opinion which I before had.

The PRESIDING OFFICER. The letters sent to the desk by the Senator from Kansas will be read.

The Acting Secretary read as follows:

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., February 2, 1883.

SIR: I have the honor to invite your special attention to the inexpediency of the reduction of the usual annual appropriation for the museum and library of this office, which is proposed in the Army appropriation bill as reported to the Senate from the Committee on Appropriations.

As regards the library, its usual share of the annual appropriation, namely, \$5,000, is not sufficient to purchase the new medical books and journals published during the year; \$2,500 per year are required to obtain the medical journals and transactions alone. At present the library is taking every medical journal or transaction published in the world, about seven hundred and sixty in all. It is extremely desirable that these subscriptions should not be cut off, in part because such periodicals if not obtained at the time of their publication are extremely difficult to obtain at all; in part because they are needed to make the index catalogue of the library, now in course of publication, as complete as possible.

It must be remembered that this is the only medical library approaching completeness in the United States; that by its means the medical writers and teachers of this country are put on an equality with those of the Old World, so far as access to the literature of their profession is concerned, and that the comparatively small sum required to keep it fully supplied with the latest literature is all that the General Government is asked to contribute for the benefit of medical education and of the medical profession.

The good effects of this library with its index catalogue extend to the patients of every physician who subscribes for a medical journal and keeps himself acquainted with the latest discoveries in medical science.

The demands upon the library for information and books are steadily increasing, and there is not a week during which some books are asked for which it does not possess. During the past year, under the regulations which permit of the loan of books to other responsible libraries, books have been loaned to Boston, New York, Philadelphia, Baltimore, Chicago, Cincinnati, Saint Louis, and other places, for use by physicians in those places.

The annual appropriation for the library alone should be \$10,000, for the United States should have in its national medical library a copy of every new medical book as soon as published, and to secure this would require the sum named. As it is, selections for purchase must be made, and it is impossible to assure the inquiring physician that he can see in this library any recent medical publication which he requires.

In view of these facts and of the special and irreparable injury which must result from reducing, during the course of publication of the index catalogue, the amount allowed to the library, it is sincerely hoped that the usual appropriation will be allowed.

Very respectfully, your obedient servant,

JOHN S. BILLINGS,
Surgeon, United States Army.

General C. H. CRANE,
Surgeon-General, United States Army.

WAR DEPARTMENT,
Washington City, February 3, 1883.

SIR: I have the honor to inclose herewith a letter of the 2d instant and accompanying papers from the Surgeon-General of the Army inviting attention to the proposed reduction of the appropriation for the Army Medical Museum and for the library of the Surgeon-General's Office, in the Army appropriation bill, as reported to the Senate, wherein the sum which has been annually appropriated for these purposes, \$10,000, is now reduced to \$5,000.

In view of the facts set forth in the accompanying statements of the curator of the museum and the librarian of the Surgeon-General's Office in regard to the injury which would result should the proposed reduction be made, I concur in the recommendation of the Surgeon-General that \$10,000 be appropriated as heretofore for the objects stated.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,
Secretary of War.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations,
United States Senate.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., February 2, 1883.

SIR: I have the honor to invite your attention to the proposed reduction of the appropriation for the Army Medical Museum and library of the Surgeon-General's Office, in the Army appropriation bill as reported to the Senate, January 27 (page 14, lines 313, 314, and 315), wherein the sum which has been annually appropriated for these purposes (\$10,000) is now reduced to \$5,000.

A similar reduction was made in the bill as reported to the House of Representatives, but the amount was promptly restored in debate. (An extract of the remarks on the subject is inclosed.)

I have also the honor to submit statements made by the librarian of this office and by the curator of the Army Medical Museum showing in what manner the appropriations have been expended in the past eighteen months, and would respectfully request that these statements be forwarded to the chairman of the Committee of the Senate on Appropriations, with your recommendation that the sum of \$10,000 be appropriated for these purposes as heretofore.

I am, very respectfully, your obedient servant,

C. H. CRANE, Surgeon-General.

To the honorable SECRETARY OF WAR.

"For the Army Medical Museum, and for medical and other works for the library of the Surgeon-General's Office, \$5,000."

Mr. BUTTERWORTH. In regard to that item I will state to the committee that it was reduced by the sub-committee on appropriations from ten thousand to seven thousand five hundred dollars, and we had such a storm raised about our ears because of the fact that this is the pet of the whole medical profession, that after we had reduced it to that sum I moved to restore it to the amount of the estimate. The Committee on Appropriations, the whole committee, instructed, however, that this should be reduced to \$5,000. It has heretofore been \$10,000. It relates to the collections made during the war and stored in the Army Medical Museum, and for works of reference for the Surgeon-General's Office; and I believe it is the finest collection possibly in the world. They insist that a larger sum is necessary. How it is necessary, however, was not made to appear, and the committee instructed this reduction to be made.

Mr. TOWNSHEND, of Illinois. Let me ask the gentleman if any consideration was given to the construction of a fire-proof building for the museum?

Mr. BUTTERWORTH. Yes. I will say to my friend this, that a part of the public building proposed to be erected for a library would be devoted exclusively to this museum and to the articles there gathered together with the library.

Mr. TOWNSHEND, of Illinois. I have received communications from many persons who speak of the library and museum as of great value and of the necessity for the erection of a fire-proof building for their preservation.

Mr. BUTTERWORTH. There is no doubt of it. The gentleman is correct. It is asserted by many doctors to be one of the most valuable collections in the world; and it is now stored in what you might almost say is a mere tinder-box, liable to be destroyed by fire at any time. That is one of the reasons the committee deemed it unnecessary to add materially to the collection while it is in that building, but deemed it proper to withhold appropriations until a more suitable building was secured.

Mr. TOWNSHEND, of Illinois. Do the committee make any recommendation upon the subject?

Mr. BUTTERWORTH. The committee believe that a part of the new library building might be necessary for this museum.

Mr. TOWNSHEND, of Illinois. Does the gentleman think that it would be wise to separate the library from the museum? In my judgment they ought to be together.

Mr. BUTTERWORTH. The proposition was to set apart a section in the new library building to be devoted to the museum and its library.

Mr. HEWITT, of New York. Permit me to say that the amount, \$10,000, appropriated last year, was not, in the judgment of many eminent in the medical profession, sufficient. That I suppose the gentleman from Ohio understands. Five thousand dollars is entirely inadequate.

This library is the most complete library in the world on medical subjects. The object is to complete it and keep it complete. Five thousand dollars a year will not purchase the new publications necessary to keep it up to its present standard. I think this is perhaps the wisest expenditure of money we can possibly make with reference to disease.

Mr. BUTTERWORTH. If the gentleman from New York will yield to me, I beg to state I will move to increase the appropriation to \$10,000.

Mr. HEWITT, of New York. That is right.

Mr. TOWNSHEND, of Illinois. I desire to say a word, unless the gentleman from New York [Mr. HEWITT] wishes to retain the floor.

Mr. HEWITT, of New York. I have finished what I had to say.

Mr. TOWNSHEND, of Illinois. I think true economy would require we should make provision for the preservation of the library and museum and that a mere increase of the appropriation is not sufficient. I would suggest to the gentleman from New York [Mr. HEWITT] or the gentleman from Ohio [Mr. BUTTERWORTH] to bring in a provision here for the erection of a fire-proof building for the preservation of the museum and library.

Mr. BUTTERWORTH. I do not think that would be proper in this bill, although I agree with my friend from Illinois it is something which ought to be done.

The question being taken on the amendment of Mr. BUTTERWORTH to strike out "\$5,000" and insert "\$10,000," it was agreed to.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., February 1, 1883.

SIR: I have the honor to report that the proposed reduction of appropriation, in so far as relates to the Army Medical Museum, will prove most disadvantageous to that collection.

There are now on exhibition in the museum over 22,000 specimens relating to and illustrative of military surgery and the diseases of armies; this number is being constantly augmented by contributions from members of the Medical Corps of the Army and from members of the medical profession at large, who

thoroughly appreciate its importance and value, until the collection has become to be regarded as one of the best, if not the best, of its kind in the world.

Its usefulness is becoming more apparent year by year in the increased number of visitors who come to Washington especially for the purpose of the study of specimens included in the collection, and by the constant inquiry made in reference to matters pertaining to medical and surgical science. Hardly a work on surgery is now issued from the press of this or foreign countries which has not abundant illustrations from and references to this valuable museum.

The annual amount appropriated for this museum and library (\$10,000) is divided between the two, and heretofore has been made sufficient to keep the collection in good order and to enable a limited purchase of material proper and necessary for a collection of its character.

Latterly, owing to the constant deterioration of the building in which the museum is placed, an unusual draft has been made upon the appropriation for necessary repairs. All the manual labor required in cleaning rooms, shelves, and cases, as well as all the additions for the safe-keeping of specimens on exhibition and for the innumerable demands of such a collection, are paid for, as will be seen by the accompanying statement, out of the appropriation.

An increased appropriation could be well and judiciously expended in enhancing the value and usefulness of this collection, which should be, as it is, the pride of the medical profession of America.

I am, very respectfully, your obedient servant,

D. L. HUNTINGTON,
Surgeon United States Army, Curator Army Medical Museum.

To the SURGEON-GENERAL, United States Army.

Extracts from medical reviews with regard to the index catalogue.

(From the Medical News, Philadelphia, October 7, 1882.)

We have just received the third volume of this extraordinary work. We have so often commended it, and so often urged its support by liberal Congressional appropriations, that it is but iteration to express any opinion. Not only has no such work ever been attempted before, but probably none ever will be again for a century at least, for this work is monumental and complete. It is indispensable for every medical writer and investigator.

(From the Medical Record, New York, November 4, 1882.)

To such as may only know of the index catalogue of the Surgeon-General's Office by what may be written of successive volumes as they appear can form no adequate idea of the immensity of labor involved in its preparation, nor of the amount of material upon which such labor is based.

These catalogues are making available to the wants of the working medical men an amount and variety of medical literature which has never been collected together in any similar library in the world, nor probably ever will be. We are not surprised to hear that the use of the library is increasing with medical men over the country. Its direct influence in encouraging research must in the end exert its influence upon our medical literature and through it elevate the tone of medical education. We have repeatedly said that the American medical man is as much a worker as the physician of any other country if the opportunities are offered him for so doing. The different volumes of the index catalogue of this great library are some of the essential means to that end in directing his studies, and in indicating to him the proper lines to follow.

(From the North Carolina Medical Journal, Wilmington, 1882.)

Nothing has done more to give American medicine a reputable position among the nations of the world than the impetus which has radiated from the greatest medical library of modern times.

(From the American Journal of the Medical Sciences, Philadelphia, 1883.)

It is a very pleasant task to notice the successful progress of this great work. It is a proper subject of pride to the medical profession that such a record can be made exhibiting the greatness of our work; and a matter for national congratulation that the conception and carrying out of so grand a plan should belong to America. The scope of the work is enormous, and the execution of it, so far as it has gone, is everything which can be desired.

But nothing we can say will add to the value of the book. It needs no commendation. It is its own only fitting commentary. While laying no claim to originality, it is in point of fact most original, and so far as we know stands alone.

Mr. HAWLEY. Does the Senator from Kansas desire to have the paragraph remain as it came from the House?

Mr. PLUMB. I consented as I said to a limitation of this amount to \$5,000. The reading of these letters which came under my observation accidentally a day or two ago in the committee-room has satisfied me that whatever propriety there may be in a division of the appropriation the sum total ought not to be reduced.

Mr. HAWLEY. I hope, then, the Senator from Michigan will modify his motion.

Mr. PLUMB. There is a schedule there which states exactly how the money was spent last year. Perhaps that had better be read also.

Mr. HAWLEY. I hope the \$10,000 will be divided between the museum and the library if it is necessary to specify the details.

Mr. CONGER. I am perfectly willing to do that. I simply did not like to leave the Army Medical Museum without any appropriation whatever.

The PRESIDING OFFICER. The Senator from Michigan moves to insert after "Museum" "\$5,000."

Mr. CONGER. It has been stated that it was divided equally, \$5,000 heretofore for the museum and \$5,000 for the library.

Mr. PLUMB. I stated that as an impression, but I think the documents I sent up show that it was never that way. I ask the Secretary to read the statement of amounts.

The Acting Secretary read as follows:

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D. C., February 2, 1883.

Statement of expenditures on account of the library of the Surgeon-General's Office during the year ending June 30, 1882:

	Total cost.
For books, medical—number, 4,241	
For medical journals—volumes, 1,190	\$7,543 76
And from July 1, 1882, to January 31, 1883:	
For books, medical—number, 1,816	
For medical journals—volumes, 285	2,611 53

Statement of expenditures on account of the Army Medical Museum during the year ending June 30, 1882:

For microscopical and photographic section.....	\$795 34
For museum collection.....	574 78
For repairs to and care of building and appurtenances.....	681 20
For office furniture.....	250 42
For stationery.....	102 70
For rent of telegraphic instruments and telegraph service.....	51 80
	2,456 24

Statement of expenditures on account of the Army Medical Museum from July 1, 1882, to January 31, 1883:

For microscopical and photographic section.....	\$408 43
For museum collection.....	212 42
For repairs to and care of building and appurtenances.....	728 51
For stationery.....	70 00
For rent of telegraphic instruments and telegraph service.....	25 50
	1,444 89

Mr. CONGER. Then I modify my motion, "For the Medical Museum, \$3,000, and for the medical library, \$7,000."

Mr. LOGAN. They have never spent \$7,000 yet on the library.

Mr. CONGER. Oh, yes; they report that they spent more than that last year—\$7,500.

Mr. LOGAN. I am not going to oppose the amendment of the Senator from Michigan. Whatever the Senate desires is agreeable to me, but I notice one thing, that all the information that can be given about this Medical Museum is always given to somebody else except myself, although I have charge of the bill. I examined the surgeon in charge of it and he told me exactly what I have said, and the very letter there shows that this money is not properly expended. I am perfectly willing that all the physicians in the United States should have access to this library, but when the Surgeon-General notifies the Senate that the books of the library are sent around to physicians in Boston, Chicago, and New York, and not sent to the army medical surgeons all over the United States, I do not think it is exactly the thing.

I have no objection to the amendment of the Senator from Michigan, but I just want to put on record what I have said, that that is not the way for the Government money to be used, buying books to be distributed around over the country for the use of other people. If they want them let them go to the library and examine them. I do not think the Government should be engaged in that kind of business, and this appropriation has not been conducted properly. We have appropriated \$10,000 every year for about ten years, and without the knowledge of Congress part of the appropriation has been used for repairs and other purposes, when Congress thought all the time they were appropriating it for books.

Mr. CONGER. That is not the meaning of the language.

Mr. LOGAN. I understood it so. It has always been so understood. No one understood it differently until it was explained to me. Then I said the money appropriated should not go for repairs of the museum. It is a building that belongs to the Quartermaster's Department and the money should be appropriated there for repairing buildings, and not let money be appropriated in the hands of everybody to be used to repair buildings as he chooses and take it out of the hands of the Department to which it belongs. That was the objection I had to it. I was willing to put in the \$5,000 for books, because it was agreed that that was enough for books; but I have no objection to the proposition of the Senator from Michigan.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan [Mr. CONGER] after "museum," in line 313, to insert "\$3,000," and in line 315, to strike out "5" and insert "7."

The amendment was agreed to.

The PRESIDING OFFICER. This supersedes the committee's amendment to this clause.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the "Engineer Department," in line 323, after the word "chemicals," to strike out "professional books for library;" and in line 325, after the word "thousand," to strike out five hundred;" so as to make the clause read:

For incidental expenses of the depot, remodeling ponton-trains, repairing instruments, purchasing fuel, forage, stationery, chemicals, extra-duty pay to enlisted men employed as artisans, and ordinary repair, \$3,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Ordnance Department," after line 340, to insert:

For transporting, mounting, proving, and testing guns, including small-arms constructed at private expense, said expenditure to be made in the discretion of the Secretary of War, \$15,000.

The amendment was agreed to.

The next amendment was, in the clause making appropriations for the "United States testing-machine," after the word "dollars," in line 377, to insert:

Provided, That the tests of iron and steel and other materials for industrial purposes shall be continued during the next fiscal year, and report thereof shall be made to Congress: And provided further, That in making tests for private citizens the officer in charge may require payment in advance, and may use the funds so received in making such private tests, making full report thereof to the Chief of Ordnance; and the Chief of Ordnance shall give attention to such pro-

gramme of tests as may be submitted by the American Society of Civil Engineers, and the record of such tests shall be furnished said society, to be by them published at their own expense.

Mr. EDMUNDS. I have looked at this amendment. In one respect it is possible that it is subject to the point of order, and if so I would have made it, only it is a very trivial one. It seems to me to merely regulate the expenditure of money. I call attention to it in order that if it can be subject to the point of order it shall not be drawn into precedent as a piece of legislation. I doubt if it is subject to it possibly. I merely mention it in order that it shall not be said that we have legislated.

Mr. HAWLEY. I thought that the clause when it was adopted last year became permanent legislation. I should like the attention of the Senator from Vermont to the clause which reads:

And provided further, That in making tests for private citizens the officer in charge may require payment in advance, and may use the funds so received, &c.

I ask him whether that is not permanent legislation. I desired to have it so. It was passed last year in the act, inserting this language, and I thought then it was a permanent provision.

Mr. EDMUNDS. I do not think it is. I think it regulates the cost of making the tests now.

Mr. HAWLEY. I hope it will remain, because it is absolutely essential.

Mr. EDMUNDS. I did not make a point on it; I merely called attention to it in order that it should not be drawn into a precedent hereafter.

The amendment was agreed to.

The PRESIDING OFFICER. The amendments of the Committee on Appropriations having been gone through with, the bill is still as in Committee of the Whole and open to amendment.

Mr. LOGAN. I wish to return to line 373. I intended to offer an amendment there. I move in that line to change "guns" to "gun" and to insert "a" after "of," so as to make the proviso read:

That not more than \$50,000 of this amount may be expended by the Secretary of War in the manufacture or purchase of a magazine-gun selected by the board of officers heretofore appointed by the Secretary of War.

A board of officers was appointed to examine magazine-guns. They were at it for a long time, and they reported in favor of three guns. It is very evident that we do not want three different kinds of magazine-guns; we ought to have but one. These guns should be tested thoroughly, and the one that is the best gun should be selected, and the money should be appropriated for that particular gun and not for three of different kinds. I ask that the amendment may be made so that it shall be understood by the Secretary of War when the money comes to be expended that it shall not be for buying three guns of different kinds, but for buying the gun, after testing it, that proves to be the best. The amendment will confine it to one gun.

Mr. HARRISON. I ask the Senator from Illinois whether this appropriation is not intended for the purchase of several guns?

Mr. LOGAN. The board have reported three guns. I want them to try the three guns, and the best one I want the Secretary of War to select and have the money appropriated for.

Mr. HARRISON. My inquiry is whether it refers to guns of a particular class or to a single gun.

Mr. LOGAN. I mean by "gun" a class. As a matter of course I do not mean a single gun.

Mr. HARRISON. Then I think the language adopted by the Senator would not be correct. It would limit the expression to a single gun. The word "gun" must be in the plural.

Mr. LOGAN. I will modify the amendment so as to read "magazine-guns from one of the class selected by the board of officers."

Mr. CONGER. I should like to ask whether the object of this appropriation is not to test all three classes? How can they tell which is the best unless there is an appropriation made to purchase and test the three?

Mr. LOGAN. That is exactly what I want to do.

Mr. CONGER. But it confines it to one class before they have the test.

Mr. LOGAN. It confines the purchase to one class.

Mr. CONGER. But they want to test all three.

Mr. LOGAN. They have already manufactured the three guns and they have reported three. They are to be tested, and this appropriation of \$50,000 is to purchase guns after testing.

Mr. HARRISON. There is an appropriation in another part of the bill for testing?

Mr. LOGAN. That is appropriated for in another place.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. LOGAN] as modified.

The amendment was agreed to.

Mr. HALE. I wish to call the attention of the Senator from Illinois to lines 114 and 115. I was called out at the time they were being considered. What was done with the amendment there?

Mr. LOGAN. It was agreed to.

Mr. HALE. Is that right?

Mr. LOGAN. What objection has the Senator to it?

Mr. HALE. The clause stricken out reads:

For commutation of quarters to commissioned officers at places where there are no public quarters.

I am not very well versed in military law, but I understand that the law now gives to Army officers commutation for quarters where there are no Government buildings which they can occupy; that if we do not appropriate for that we thereby so much reduce their pay; and that it falls with special hardship upon those officers who are placed upon the frontier at garrisons and posts where there are no Government buildings for them to occupy. I know the Senator from Illinois does not in any way wish to interfere with that class of officers, because he is looking out for them. It seemed to me in examining the matter that an injustice might be done in making that amendment. Would it not be better to let the clause remain and give them what the law gives them now?

Mr. LOGAN. They get what the law gives them now.

Mr. PLUMB. If the Senator from Illinois will permit me, I will call attention to what occurred about that matter. The clause at line 114 is a change of law from what it has heretofore been; that is to say, those words were inserted. We were informed on good authority that that would enlarge the operation of the present law in such a way as to give commutation of quarters to retired officers and officers on leave. Whether the intention to strike out those words was subsequently enlarged so as to strike out all that referred to quarters I do not know; but speaking for myself, the design was to get out that particular interpolation which would enlarge the provision of existing law.

Mr. HALE. Why not meet it, then, by passing it in this form:

For commutation of quarters at places where there are no public quarters, where the same may now be allowed by law.

Mr. PLUMB. It will not be necessary to put in those qualifying words.

Mr. HALE. I do not think it will.

Mr. PLUMB. Simply leaving out "to commissioned officers" will accomplish the purpose.

Mr. LOGAN. I do not think it makes any difference at all; but I am perfectly willing to strike out "to commissioned officers" and to insert "for commutation of quarters for officers on duty without troops."

Mr. HALE. Would you have it "on duty without troops" or "on duty where there are no public quarters?"

Mr. LOGAN. "On duty without troops." Officers are not entitled to commutation of quarters when serving with troops, under the law.

Mr. HALE. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. LOGAN].

The amendment was agreed to.

Mr. PLUMB. After line 185 I move to insert:

And not more than \$105,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employees in the Subsistence Department of the Army; and the clerks employed in said department shall be graded as to compensation at \$1,600, \$1,400, \$1,200, and \$1,000, respectively, and the number to be employed in each grade shall not exceed those employed in the corresponding grades in the force as now employed.

Mr. LOGAN. I think that amendment ought to be adopted.

Mr. HARRISON. I should like to inquire whether the Senator from Kansas intends to move a like amendment to the provision in relation to the Quartermaster's Department?

Mr. PLUMB. I intend to move similar amendments to all departments of the Army in which there are civilian employees.

Mr. HARRISON. There is on the Calendar of the Senate a bill reported from the Military Committee on this subject. I believe the fact is now that the clerks in the Paymaster's Department are the only class of stated clerks who have any connection with the Army whose pay is regulated by law. That is regulated by Department order; and there it ranges from \$1,000 to \$2,000. I understand the Senator from Kansas makes his grades from \$1,000 to \$1,800.

Mr. PLUMB. From \$1,600 down to \$1,000.

Mr. HARRISON. I see the report of the Military Committee was to make the grades as proposed by the Senator from Kansas.

Mr. LOGAN. I will say to the Senator from Indiana that these amendments apply to all of them. We apply the grades in this bill to the Adjutant-General's Department, and these amendments are to follow on and make the grades the same all through. The matter was considered by the committee and it was agreed that the amendments should be offered.

Mr. HARRISON. I think it not unlikely that there may be a few of these clerks for whom the compensation of \$1,600 provided will not be enough; but I shall not undertake to antagonize the chairman of the Military Committee.

Mr. EDMUNDS. I make the point of order that this amendment is legislation in all the last part of it. It proposes to fix a permanent grade of clerks by law.

Mr. PLUMB. If the Senator will permit me, it only provides for the method of expending the money which we appropriate here in gross.

Mr. HALE. It is a limitation on the expenditure.

Mr. PLUMB. It is a limitation of the expenditure of money. There

is no law fixing the salary of any civilian employed in the Quartermaster's Department, the Subsistence Department, or the Medical Department, but in point of fact, as we learn by tables sent to us from the office of the Secretary of War, persons are being paid various rates of compensation, ranging from \$75 a month up. It is proposed simply to say that as to this money, so far as it is used in the payment of civilian employes, it shall be used in a certain way.

Mr. EDMUNDS. If the Chair will allow me to make a further suggestion, if there is no objection to it (of course the Chair must rule without debate), I should like to reply to my friend for a moment.

I think as to the first three lines, that part of the amendment would be clearly in order, because that merely regulates the application of the money appropriated. Then you come to an affirmative paragraph that has no limitation, and that as I think will stand as the law until it is repealed by Congress. It is:

And the clerks employed in said department shall be graded as to compensation at \$1,600, \$1,400, \$1,200, and \$1,000, respectively, and the number to be employed in each grade shall not exceed those employed in the corresponding grades in the force as now employed.

That appears to me, with great respect, to be a permanent provision of legislation. The statement that it does not change existing law because there is no law about it does not exactly answer the rule. It is making law, and if there is no law now it is just as much open to objection. It may be very good; but I only make the point of order on the principle of keeping these bills free from legislation.

Mr. PLUMB. Let me ask the Senator from Vermont if his purpose, with which I sympathize, would not be accomplished by putting in the express words of limitation applying to this particular appropriation? He seems to anticipate that this would outrun the present appropriation.

Mr. EDMUNDS. I think it will.

Mr. HARRISON. If the Senator from Kansas will allow me, I think it best now not to make a classification that is to be limited to the particular appropriation for this year. Had we not better wait until we can reach that question and regulate it by a general law such as is proposed in the bill we have on the Calendar?

Mr. HALE. The trouble with that is that we are confronted with the necessity of furnishing the money. It is not new legislation. It is one of the existing, continuing, running needs of the Department. We are now to furnish the money at any rate. Nobody objects to that; nobody expects that it will be cut off. All that is sought to be done here is, it seems to me, not new legislation, but simply breaking up and subdividing the sum of money that we grant into several parts and pieces. We say it shall be spent in no case beyond \$1,600 a year for a clerk, or \$1,400, or \$1,200, or \$1,000. It seems to me in that regard it is not subject to the point of order, it being clear, closely, accurately a method of expending the money, and a limitation upon it clear through, not only in the amount, but in the designated ways in which it shall be spent.

Mr. EDMUNDS. The fact is, as this thing stands, that next year if we appropriate for these classes of clerks, just as if they were in the Treasury, to carry out the provisions of existing law, we shall be obliged to make appropriations in exact conformity to this regulation, as my friends call it. That is the trouble; and therefore I think it is a pretty permanent classification of a salary for these officers.

Mr. PLUMB. I will amend the amendment then, with consent, by saying that during the continuance of this appropriation or as applied to this appropriation they shall be graded so and so as to compensation. That is simply saying that a certain person shall receive a certain amount of this money as compensation for clerical work.

Mr. HALE. And next year you may appropriate in gross if you want to?

Mr. EDMUNDS. Not with this modification.

Mr. HALE. We only say that this year it shall be so spent.

The PRESIDING OFFICER. The amendment as modified by the Senator from Kansas [Mr. PLUMB] will be reported.

The ACTING SECRETARY. After the word "department," in line 5 of the amendment, it is proposed to insert "during the next fiscal year;" so as to make the amendment read:

And not more than \$105,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employes in the Subsistence Department of the Army; and the clerks employed in said department during the next fiscal year shall be graded as to compensation at \$1,600, \$1,400, \$1,200, and \$1,000, respectively, and the number to be employed in each grade shall not exceed those employed in the corresponding grades in the force as now employed.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas as modified.

The amendment was agreed to.

Mr. PLUMB. At the end of line 288 I move to insert what I send to the Clerk's desk. I have modified the amendment that I intended to offer at that point.

The PRESIDING OFFICER. The amendment will be reported.

The ACTING SECRETARY. At the end of line 288 it is proposed to insert:

And not more than \$1,600,000 of the sums appropriated by this act shall be applied to the payment of civilian employes in the Quartermaster's Department of the Army, including those heretofore paid out of the funds appropriated for regu-

lar supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage; and the clerks employed in said department during the next fiscal year shall be graded as to compensation at \$1,600, \$1,400, \$1,200, and \$1,000 per annum, respectively, and the number to be employed in each grade shall not exceed those employed in the corresponding grades in the force as now employed.

Mr. EDMUNDS. I am satisfied that I yielded too suddenly to my friend from Kansas before about these changes of the law for the fiscal year. That certainly does change the law. I am afraid the former did, to which I did not object when he modified it.

Mr. LOGAN. The Senator is mistaken about its changing the law. There is no law on the subject.

Mr. EDMUNDS. Making a law when there is no law on the subject, changes the law, because it makes a law different from what existed before.

Mr. LOGAN. There was no law before.

Mr. EDMUNDS. That is exactly what makes it law; and that is what is legislation.

Mr. LOGAN. I wish to make a suggestion to the Senator to illustrate the manner in which clerks have been paid. In one of the Departments a clerk would be getting, for instance, \$1,200 a year. There would be a vacancy where \$1,200 would be allowed, and instead of employing a clerk at \$1,200 they would take two clerks and divide it. Wherever they could get two clerks they would be appointed, taking the salary provided for one clerk. It is for the purpose of correcting that practice as far as possible that this proposition is offered.

Mr. EDMUNDS. Why did not the committee report that thing?

Mr. LOGAN. They have reported it.

Mr. EDMUNDS. It is not in the bill.

Mr. LOGAN. It is not in the bill because it was not drawn up at the time the bill was reported. We were getting the information, and the Senator from Kansas took charge of it in connection with the clerk, to draft it with the agreement that it was to be offered in the Senate.

Mr. EDMUNDS. Undoubtedly it is very good to correct all abuses, but if you undertake to correct all abuses on an appropriation bill it is rather a dangerous piece of business, not in respect of that particular abuse, but in the way legislation goes on. Therefore, I feel obliged, although I let the former one go, supposing it was the end of it, as a small favor, now to make the point of order that this is completely within the rule of legislation, and I make it.

Mr. PLUMB. Will the Senator be kind enough to put the form of language in the amendment which would qualify it?

Mr. EDMUNDS. I should want to think of it.

Mr. HARRISON. I hope the Senator from Vermont will not agree to do as requested by the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Vermont has made a point of order which is not debatable unless he withdraws it.

Mr. HALE. Will the Senator withdraw it for a moment that I may make a suggestion?

Mr. EDMUNDS. Yes.

Mr. HALE. I should like to have the rule read.

The PRESIDING OFFICER. It was read a few moments ago. The Secretary will read the first paragraph of Rule 29.

The Acting Secretary read as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. HALE. That is enough. It seems to me that the one point to be decided here is not whether this is new legislation, not whether it corrects something that has not existed before, because every appropriation is new legislation. Every provision in an appropriation bill for the expenditure of money thereby creates a right and endows somebody with a right to spend money that did not exist before, and therefore it is new legislation.

The question is whether this is general legislation. I contend that it is clearly not general legislation. It is confined to the scope of the bill, the year in which it runs. It deals only with the expenditure of money given; it breaks it up and declares how it shall be expended; and in no respect is it general legislation. It does not travel outside into that domain, but confines itself closely and unerringly to the way that the money shall be expended, without making any general legislation upon it. Certainly if you can not limit and provide for the expenditure of money covered by an appropriation bill in this way, your purpose and object in the appropriation bill may fail.

Mr. HARRISON. Will the Senator allow me to ask him whether he understands that the words "general legislation" relate simply to duration of time?

Mr. HALE. Not necessarily so.

Mr. HARRISON. And whether you might cover the whole subject of appropriation bills?

Mr. HALE. I will tell the Senator precisely what I mean by general legislation: any legislation that is so broad and sweeping and general, to use the term in the rule, that it applies to subject-matters outside of the expenditures of the particular money granted.

Take an appropriation of \$100,000 for some particular purpose, for a public building; clearly it can be determined in the appropriation in what months of the year it shall be spent; clearly it can be provided upon what story of that building it may be expended. Take an appro-

priation of \$100,000 for clerk-hire, which has been general heretofore, which has been unlimited, which has been uncontrolled. The committee report an amendment declaring that the money which is to be appropriated shall be spent in such a way for the year. If that is general legislation, then you can not make a provision that is not.

Mr. EDMUNDS. I renew the point of order.

The PRESIDING OFFICER. The point of order made by the Senator from Vermont is sustained by the Chair.

Mr. PLUMB. I now move the same amendment with the part classifying the compensation to be paid stricken out.

Mr. EDMUNDS. Let us hear it read.

The PRESIDING OFFICER. The Secretary will read the amendment as modified by the Senator from Kansas.

The ACTING SECRETARY. After line 288 it is proposed to insert:

And not more than \$1,600,000 of the sums appropriated by this act shall be applied to the payment of civilian employes in the Quartermaster's Department of the Army, including those heretofore paid out of the funds appropriated for regular supplies, incidental expenses, barracks, and quarters, army transportation, clothing, camp and garrison equipage.

Mr. EDMUNDS. I think that is enough.

The amendment was agreed to.

Mr. PLUMB. After line 374 I move to insert:

That not more than \$65,000 of the money appropriated for the Ordnance Department, in all its branches, shall be applied to the payment of civilian employes in all of its departments.

The amendment was agreed to.

Mr. HARRISON. Will not the Senator from Kansas modify his first amendment to correspond with the amendments just agreed to?

Mr. PLUMB. I will make them all correspond so as not to make any distinction between them.

Mr. EDMUNDS. As to lump sums?

Mr. PLUMB. Not as to the sums, but as to the grading of compensation so as to leave them all alike. I will modify the first one. After line 312 I move to insert:

And not over \$34,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employes in the Medical Department.

Mr. CONGER. I do not know that anybody understands how this is limited, whether a half or a quarter or a third, except the gentleman who makes the motion. Unless there is some reason for making the distinction, some abuse of the money, I can not see, without some further information, why these propositions should be made.

Mr. PLUMB. I ought to have said, and it probably would have answered a portion of the purpose of the Senator from Michigan, that these amendments were agreed to in the committee, so that they have not been adopted without consideration. Besides that they have been exhibited in quarters where the question of the administration of the Army is the first consideration, and so far as they relate both to amounts and classification as they originally appear they were entirely satisfactory. They are a reduction of about \$10,000 in the sums now appropriated for the purpose of paying civilian employes in the Army.

Mr. CONGER. I think there has been great care taken here that civilian employes of the Army stationed at military posts away from the opportunity of procuring what they want may, under regulations to be made by the Secretary of War, purchase necessary medical supplies prescribed by a medical officer at cost with 10 per cent. added. I object to that 10 per cent. which is drawn from these civilians for additional money on their pills and salts.

Mr. PLUMB. If we had succeeded in getting in salt free probably these people could have got along with less compensation.

Mr. HALE. It does not reduce the compensation.

Mr. CONGER. Still you charge them 10 per cent. additional for medicine. I think it is a pretty small business to require a man employed in the Army, with the certificate of a medical officer that he needs medicine, provided as well for soldiers as other employes, to get it at a little 10 per cent. added to the cost, which includes everything up to that time; and I do not know who the 10 per cent. is for.

Mr. LOGAN. The Senator will allow me to say that I am very sorry when an attempt is made in a bill to provide for men who are not provided for in the law that this character of criticism should be made. Under the law as it exists to-day the civilian employes in the Army can not have medicine furnished at all by the Medical Department.

Mr. CONGER. It is a disgrace to the service that they can not. I would strike out the "10 per cent."

Mr. LOGAN. The law only applies to medicine to be administered to the soldiers and officers of the Army and their families. It excludes civilians who are employed by the Army; but for their benefit, to prevent them from having to go a long distance and employ a physician, we provide that they may purchase medicine at cost with 10 per cent. added. If the Senator will examine the law he will find that every dollar's worth of provisions that is purchased by an Army officer, sergeant, or soldier from the Commissary Department is purchased at 10 per cent. advance, and we use the civilian exactly as the soldier is used when it is applied to medicine. It is a fair and proper thing put in here for his benefit, and I do not like to see a criticism of this kind made upon such a proposition intended for the benefit of individuals and not for their injury.

Mr. CONGER. This must apply to teamsters. It must apply to

those who are just as necessary to the movement of the troops and to the service as the soldiers themselves. The cost includes transportation, purchase-money, everything.

Mr. LOGAN. If the Senator desires this stricken out, and is in favor of not allowing the civilian employes of the Army to purchase their medicines at all, inasmuch as it is new legislation, let him make the point of order on it and strike it out.

Mr. CONGER. I want to strike out "10 per cent. added." That is all I care to strike out.

Mr. EDMUNDS. That has nothing to do with the pending amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PLUMB].

Mr. CONGER. I do not know but that it has something to do with the pending amendment. It follows, it is connected with it. It deducts 10 per cent. on the wages of these men, and in the same clause, if adopted, taking 10 per cent.

Mr. PLUMB. I hope none of these employes will use all their compensation in buying medicine from the Army in order to be cheated out of 10 per cent. That seems to be the logic of the Senator.

Mr. CONGER. It is a little thing, and the very triviality of it makes it ridiculous in this body.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PLUMB].

The amendment was agreed to.

Mr. CONGER. I move to strike out the words "with 10 per cent. added."

Mr. EDMUNDS. That has been voted in.

The PRESIDING OFFICER. Under the rule that motion is not in order, as the words have been agreed to by the Senate as in Committee of the Whole.

Mr. CONGER. There is no objection, I suppose, to striking them out. Nobody has raised the point of order.

The PRESIDING OFFICER. It is not a question of order. The Senator may reach his purpose by moving to reconsider. The Senator from Michigan can make the motion when the bill gets into the Senate, if he desires.

Mr. EDMUNDS. When the question is on concurring in the Senate in the amendments made as in Committee of the Whole the Senator can move to amend as he has indicated.

Mr. CONGER. I think everybody approves it, and I have no doubt it will be struck out by unanimous consent. We might as well finish it here. I ask unanimous consent that those words be stricken out.

Mr. LOGAN. I object.

The PRESIDING OFFICER. The Senator from Illinois objects. The Senator from Michigan can bring up the matter when the bill gets into the Senate.

Mr. PLUMB. After the word "hostilities," in line 131, I move to insert the following proviso:

Provided, That in the execution of so much of the act approved June 30, 1882, making appropriations for the support of the Army for the fiscal year ending June 30, 1883, and for other purposes, as provides for the honorable discharge of supernumerary officers, it shall be deemed lawful and within the intent and scope of said provision, and in the fulfillment of its purpose, for the President, in his discretion, to discharge honorably as supernumerary officers, in the manner and subject to the conditions prescribed therein, such first lieutenants of artillery in excess of the number of fourteen of that grade to each artillery regiment as may request the same. The places thus made vacant shall be abolished.

Mr. EDMUNDS. I make the point of order that that is legislation.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. HARRISON. Will not the Senator from Kansas modify the first amendment?

Mr. PLUMB. I will, by unanimous consent, modify the first amendment so as to correspond with the later ones that were agreed to.

The PRESIDING OFFICER. There being no objection, the modification will be made.

Mr. LOGAN. I move the following to come in at the end of the bill as an additional section:

SEC. —. That hereafter, in time of peace, all offenders in the Army charged with offenses now punishable by a regimental or garrison court-martial shall be brought before a summary court, which shall consist of the commissioned officer second in rank in the line at the post or station of the offender, and who shall hear and determine the offense, and adjudge the punishment that shall be inflicted; and shall also make a record of his proceedings and submit the same to his post commander, who, upon the approval of the proceedings in the case, shall order the execution of the sentence, and shall forward the record to the department headquarters for examination and file in the office of the judge-advocate of the department: *Provided, That the punishment in such cases be limited to that authorized to be inflicted by a regimental or garrison court-martial.*

Mr. EDMUNDS. I make the point of order that that is clear legislation.

The PRESIDING OFFICER. The point of order made by the Senator from Vermont is sustained.

Mr. LOGAN. I do not see any chance to get any legislation on any bill that will improve the Army anywhere.

Mr. EDMUNDS. Not until you bring in a bill for that purpose.

Mr. LOGAN. I have brought in a bill and I have tried to get it before the Senate, and I have failed to do so.

I desire to amend the bill in one particular, and I hope the Senator

will not object to it when I state it. It is to fix a punishment on persons who invade the Indian Territory whom the Army are required to arrest.

Mr. EDMUNDS. I shall make the point of order on it.

Mr. LOGAN. Very well. I move to add the following as an additional section to the bill:

Sec. — That section 2148 of the Revised Statutes be, and the same is hereby, amended by adding thereto the following words: "Or to imprisonment in a penitentiary for a period not to exceed one year, or by both."

That is to cover offenders like the man Payne who has led his company time and again to the invasion of the Indian Territory. It is to cover offenses of that character where the military authorities are required to arrest and they can only arrest. This is for the purpose of fixing a punishment to that class of offenders. Of course it is subject, as I know, to the point of order, but I was in hope that this might be permitted at least to be adopted; it is a provision that is so necessary and so much required.

Mr. EDMUNDS. This may be necessary, and it may be that a careful inspection of the law would show that there are means of reaching the thing now. It is true that the power of the Army is to remove intruders from the Indian Territory. That there is no law for the punishment of such intruders under a different branch of the Government at this moment, I am not so sure. That is a subject that a committee charged with the matter, the Committee on Indian Affairs, or the Committee on Territories, or somebody, should properly investigate. I therefore am not willing to waive this point of order for that purpose, more especially as all these points of order are upon the principle of having the appropriation bills appropriate money to carry out existing laws and to stop there. They then become easy and proper subjects of consideration and can be easily disposed of, and it saves one committee, the Committee on Appropriations, from the necessity of absorbing all the legislation—civil, criminal, political, foreign—that belongs to the whole Government by putting these things on the appropriation bills. So I feel perfectly justified in insisting on the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. LOGAN. I move to add as an additional section to the bill:

Sec. — That fuel in kind only shall be issued to the officers of the Army without cost by the Quartermaster's Department, in quantities as prescribed by the Army regulations and general orders.

That can not be out of order, because it is only making a regulation.

Mr. EDMUNDS. That is legislation. I make the point of order upon it.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. EDMUNDS. I am going to stick and see if we can not have a clean bill.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

Mr. EDMUNDS. Has the Senator from Kansas corrected the former amendment to make it conform to those afterward agreed to?

The PRESIDING OFFICER. That has been done.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. Shall the vote be taken *in solido* or separately upon concurring in the amendments made as in Committee of the Whole?

Mr. LOGAN. Let it be taken in gross.

The PRESIDING OFFICER. The Senator from Michigan can now get at the question he desired to bring up in Committee of the Whole.

Mr. CONGER. In line 312, after the word "cost," I move to strike out the concluding words of the paragraph, "with 10 per cent. added," so as to read:

Provided, That civilian employes of the Army stationed at military posts may, under regulations to be made by the Secretary of War, purchase necessary medical supplies, prescribed by a medical officer of the Army, at cost.

Mr. SHERMAN. That I know ought not to be done, because the same rule applies to all officers of the Army or employes or soldiers.

Mr. HARRISON. Not as to medicine.

Mr. SHERMAN. Not as to medicine. I know the general rule authorizes soldiers and officers to procure certain supplies from the Quartermaster's Department, and the 10 per cent. is added, as it is supposed, to cover transportation. There may be some difference in this provision from other provisions, but it seems to me that in the case of civilian employes, whose pay is larger than that of soldiers, because they have to pay all their expenses, there ought not to be a discrimination in their favor. Not only that, but the addition of 10 per cent. does not equal the transportation. They get it at cost to the Government, and it is all that could reasonably be required.

Mr. LOGAN. Ten per cent. is added on everything that is purchased by the Army from the Quartermaster's or Commissary Department. Medicine of course is issued to all soldiers and officers. It is the only thing that these men are prohibited from purchasing by law; they can not do it, and we change that so as to allow them to purchase it and pay the 10 per cent. the same as officers pay on commissary supplies for transportation, as the Senator from Ohio says, and that is what it includes and covers.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. CONGER].

The amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. PLUMB. I move to change some totals made necessary by the adoption of the amendments which I proposed as in Committee of the Whole. In line 339 I move to strike out "and ten," so as to make the amount "\$100,000" in place of "\$110,000."

The amendment was agreed to.

Mr. PLUMB. In line 308, after the word "Department," I move to strike out "200" and insert "190," so as to read "\$190,000."

The amendment was agreed to.

Mr. PLUMB. In line 256 I move to strike out "500" and insert "475," so as to read "\$3,475,000."

Mr. EDMUNDS. That is to make the total according to the amendment?

Mr. PLUMB. It is to correspond with the reductions made.

The amendment was agreed to.

Mr. PLUMB. In line 231 I move to strike out "700" and to insert "650," so as to read "\$650,000."

Mr. EDMUNDS. That is to conform to the items?

Mr. PLUMB. Yes; these are all for the purpose of making the items correspond.

The amendment was agreed to.

Mr. PLUMB. In line 201 I move to strike out "\$3,000,000" and to insert "\$2,840,000."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE COMMUNICATION.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a letter from the Secretary of War, dated the 19th instant, inclosing one from Major George L. Gillespie, Corps of Engineers, dated the 15th instant, reporting the insufficiency of the sum (\$39,000) appropriated by the sundry civil bill of August 7, 1882, for building the sea-wall on Governor's Island, New York Harbor, together with an indorsement of the Chief of Engineers showing the necessity for an additional appropriation of \$15,000 for the purpose.

The Secretary of War recommends that said additional sum of \$15,000 be appropriated at the present session of Congress for the object stated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 20, 1883.

The PRESIDING OFFICER. The message will be referred to the Committee on Appropriations.

Mr. CONGER. It should be referred to the Committee on Commerce.

Mr. HALE. Is not that a Government work?

The PRESIDING OFFICER. It is a Government work.

Mr. HALE. Then it should be considered in connection with the sundry civil appropriation bill.

Mr. CONGER. I withdraw the suggestion.

The PRESIDING OFFICER. The message will be referred to the Committee on Appropriations.

HOUSE BILLS REFERRED.

The joint resolution (H. Res. 357) authorizing the Secretary of War to loan tents to the Soldiers' and Sailors' Association at Columbus, Ohio, and to the Grand Army of the Republic at Denver, Colorado, was read twice by its title, and referred to the Committee on Military Affairs.

The joint resolution (H. Res. 358) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. John W. Shackelford, of North Carolina, was read twice by its title, and referred to the Committee on Printing.

POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, having met, after full and free conference have been unable to agree.

P. B. PLUMB,
W. B. ALLISON,
JAS. B. BECK,

Managers on the part of the Senate.

L. B. CASWELL,
J. G. CANNON,
E. JNO. ELLIS,

Managers on the part of the House.

Mr. PLUMB. I will state for the information of the Senate that the material differences between the conferees of the House and Senate relate to the amendment by the Senate to the House bill providing for what is known as fast-mail facilities, the amendment of the Senate striking out the amendment of the charters of the Union Pacific railways, and the amendment of the Senate making the 2-cent postage provision take effect on the 1st day of July.

Mr. EDMUNDS. All of which are legislative provisions.

Mr. PLUMB. The Senator from Vermont says that these are all

legislative provisions. We happen to have had the decision of the ranking officer of this body to the effect that the last named was not a legislative provision, and upon that I will rest, at least for the purposes of this discussion.

Mr. EDMUNDS. In a military point of view.

Mr. PLUMB. I move that the Senate further insist on its amendments and accede to the request of the House for a new conference.

Mr. EDMUNDS. We have not heard the message of the House read.

Mr. PLUMB. I thought it had been read yesterday; I am not sure.

Mr. EDMUNDS. Let it be read again, whether it was read or not. The PRESIDING OFFICER. The Secretary will read the message of the House of Representatives.

The Acting Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 21, 1883.

Resolved, That the House agree to the report of the committee of conference on the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, and that it further insist upon its disagreement to the amendments of the Senate to said bill and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. CASWELL, Mr. CANNON, and Mr. ELLIS be the conferees on the part of the House.

Mr. PLUMB. I now move that the Senate further insist on its amendments and accede to the request of the House for a further conference.

The motion was agreed to; and by unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. PLUMB, Mr. ALLISON, and Mr. BECK were appointed.

FORTIFICATION APPROPRIATION BILL.

Mr. HALE. I move to take up the fortification appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes.

Mr. HALE. I have sent for the Senator from Massachusetts [Mr. DAWES] who has charge of the bill, who will be here, and who desired me to move to bring it up. I now give notice that to-morrow morning as early as possible I shall try to get up the naval appropriation bill, and I hope that we shall pass it to-morrow.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The Secretary will proceed with the reading of the bill, and the amendments of the Committee on Appropriations will be acted upon as they are reached in the reading.

Mr. DAWES. Perhaps it would be well enough for me to state the condition of this bill before the amendments are reported.

The total in the bill as it came from the House is an appropriation specified in the bill of \$325,000 only. The estimates for fortifications were \$1,000,000. The appropriations for the last year were \$380,000. In this bill the appropriations as they came from the House are less than the estimates \$675,000. The bill is less than the appropriation of last year \$55,000; \$50,000 of that reduction is in the appropriation for torpedoes for harbor defenses, and \$5,000 was a special appropriation for heavy guns to be loaned to the militia of the States, which it was not necessary to repeat.

The bill makes no appropriation for the enlargement or construction of fortifications in any of the harbors. It simply appropriates enough to preserve and to keep in repair, in the condition they are now, any of the harbor defenses. The Committee on Appropriations on the part of the Senate propose certain amendments to the bill, which are printed of course in *Italics*. They are first in the matter of appropriations for torpedoes for harbor defenses. They restore the amount appropriated last year, which was \$100,000 and which is the same as the estimate. They then offer amendments resulting from the determinations of a special committee of the Senate upon the subject of heavy ordnance, which are printed in the report of that committee, and which the chairman of the committee, himself being of the Committee on Appropriations, will more intelligently explain to the Senate than I should be able, if I should undertake to do it. When those amendments are reached, therefore, I will leave them entirely to him.

The Acting Secretary proceeded to read the bill, and read to line 18.

Mr. HAWLEY. There is a motion to be made in regard to the matter on line 16. Perhaps I ought to wait until the Secretary has read the matter in *Italics*.

The first amendment of the Committee on Appropriations was, in lines 16, 17, and 18, to strike out the words:

And for machine guns, including the conversion of smooth-bore cannon into rifles, \$1,000.

And to insert:

And for conversion of 10-inch smooth-bore cannon into rifled guns, making and testing two 12-inch cast-iron rifled cannon, in lieu of such of the guns the construction of which has not been commenced as were provided for by the "act making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1881, and for other purposes," approved May 4, 1880, making and testing two breech-loading steel guns, one 8-inch and one 10-inch, making mortars and gun-carriages, mounting three hundred 15-inch guns, making and testing two guns banded or wrapped with wire, testing devices for breech-loading guns, testing projectiles, &c., in accordance with the report of the select committee of the Senate on the subject of heavy ordnance and projectiles, \$450,000: *Provided*, That section 3709

of the Revised Statutes is hereby amended so that its provisions which require that purchases shall be made from the lowest bidder after advertisement shall not apply to ordnance and their carriages, to projectiles, gunpowder, or other war explosives, or to the materials entering into the manufacture thereof, or to whatever is requisite in military experiments with them; but all contracts for such material shall be made by the Secretary of War.

Mr. SHERMAN. I raise the question of order so far as the proviso is concerned, not as to the rest. That clearly changes the well-established law.

Mr. LOGAN. If the point of order is raised I will not say whether it is well taken or not, but I am very sorry that it is; and I will state the reason to the Senator if he will hear me.

Mr. SHERMAN. I have no objection to withholding it, but I shall insist on the point of order after the Senator gets through.

Mr. LOGAN. We provide in the bill for the manufacture and fabrication of two steel guns and for the making of projectiles, powder, &c. It is a well-established fact that in this country we can not produce the character of steel that is absolutely necessary for the manufacture of guns. That article has to be purchased from abroad, and so it is with many of the things connected with the Ordnance Department. If under the law we have to advertise for all the materials which are necessary for the fabrication of these guns and the different articles which can not be procured in this country, that stops the making of them entirely.

Mr. EDMUNDS. A foreigner can bid under our laws as well as anybody else.

Mr. LOGAN. But a foreigner can not, as a matter of course, bid for the character of steel he would propose as low as the character of steel that would be proposed by American manufacturers. Therefore I say it entirely puts a stop to the making of the guns, unless this can be changed so that the Ordnance Department can have the opportunity of making the purchases without the ordinary advertisement.

Mr. EDMUNDS. Suppose we can not make this kind of steel—which I suppose a Pennsylvanian or a New Yorker would deny—grant that, and therefore it is necessary to have foreign steel. If the War Department describes precisely the kind of steel that is necessary and our people have not got it, then the foreign manufacturer has the monopoly of the bidding and he can make his bid and will get his contract, and we shall have the steel; but that is not the point of course. The point is to endeavor to free these bills from any kind of legislation.

The PRESIDING OFFICER. The Senator from Ohio [Mr. SHERMAN] makes the point of order on the part of the bill indicated. The Chair sustains the point. The question is on the amendment of the committee, omitting the proviso.

Mr. HAWLEY. I hardly know how to make the proper motion in the case, but I desire to leave the words in line 16, "and for machine guns," where they are. I will therefore modify the pending motion, which is to strike out those words. I move that the motion be so amended as to strike out only the words "including the conversion of smooth-bore cannon into rifles, \$100,000."

The PRESIDING OFFICER. The Chair understands the Senator from Connecticut to ask for a division of the question.

Mr. HAWLEY. Yes, sir.

Mr. DAWES. The Senator will observe the forty-third and forty-fourth lines.

Mr. HAWLEY. I see there is an independent appropriation in those lines of \$15,000 for the purchase of machine guns. I only desire to leave it as the Ordnance Department originally left it in gross, so that if the Chief of Ordnance desires to purchase \$15,500 worth of machine guns or \$18,000 or \$20,000 he will not be restricted. The original bill read for ordnance, &c.; "and for machine guns * * * \$100,000." Now they have it for ordnance, &c., \$450,000, and a separate \$15,000 for machine guns.

Mr. DAWES. The Senator would leave the Chief of Ordnance at liberty to purchase the gun he likes, I suppose.

Mr. HAWLEY. But I shall move when we come to the \$15,000 to make it \$25,000. I would give him some leeway.

Mr. DAWES. The Senator will get what he desires in an amendment to that amendment; but if the Senator leaves the other phrase in, then, in addition to what may be that amendment, the Chief of Ordnance might expend the whole \$450,000 for these guns.

Mr. HAWLEY. The way the bill came here originally you might say he could expend \$100,000 for machine guns.

Mr. DAWES. We moved to strike it out for the very reason that it was possible for him to spend the whole sum for machine guns.

Mr. HAWLEY. If the Senator thinks it is really necessary—

Mr. DAWES. I do not think the Senator desires to have more than one kind of machine guns, and that is the latest improvement.

Mr. HAWLEY. That is what I desire.

Mr. DAWES. Does the Senator want any other kind?

Mr. HAWLEY. No.

Mr. DAWES. I understand the Senator would not want any other kind but the latest improvement. If the Senator thinks the amount we have set apart for that purpose is not enough, he can move to make it \$25,000 or \$30,000, but to leave a specific appropriation for the purchase of the latest improvement and then leave an appropriation for the purchase of machine guns generally, in a general appropriation of \$450,000, the Senator sees would not do.

Mr. HAWLEY. I perfectly comprehend what the Senator is at. I was willing myself to leave the Chief of Ordnance to make his selection, but if the Senator thinks it better to make a restriction in this paragraph I shall not make any further contest about it. I was going to move to strike out lines 43 and 44, for the words "machine guns" were left in the original bill. If the Senator really objects to that, I will move to add \$10,000 to the item in lines 43 and 44.

Mr. DAWES. I would not object if it seemed to me wise, but I have no doubt about it. It seems to me wise to have the Chief of Ordnance restricted to one machine gun and for us to determine how much he may expend for the machine gun.

Mr. HAWLEY. It did not occur to me it was objectionable in the way it read at first, namely:

For the armament of seacoast fortifications, including heavy guns and howitzers for flank defense, carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun construction while employed in Ordnance Bureau, and for machine guns, including the conversion of smooth-bore cannon into rifles, \$100,000.

Mr. LOGAN. We struck that out; and I will state the reasons that actuated me at least in regard to this appropriation of \$15,000. We had the evidence before our committee when we examined this question. I do not remember the number—perhaps the chairman does—but over two hundred machine guns have already been purchased by the Government of the United States, and the evidence shows that there is not one of them to-day that is not laid aside.

Mr. DAWES. There are about one hundred of one particular kind, the inventor of which is a wonderful inventor, and he has now made an improvement on that gun which the Ordnance Department think never can be improved upon further.

Mr. HAWLEY. May I make a correction there?

Mr. DAWES. That is the Gatling gun that we propose to purchase. We do not propose to purchase a great number of them to lay up, because we think it is possible that the Ordnance Department may be mistaken in the idea that there never can be any more improvement to it.

Mr. HAWLEY. Those already on hand are not laid aside in one sense. They are still an extremely valuable gun and the same that are still used in the European armies of a particular make; but he has made an advance on them and the purchaser of course would not think of taking an old one.

Mr. LOGAN. We had the inventor of those guns that we laid aside before us, and we questioned him. Every year there was an appropriation for purchasing machine guns and there was no restriction until we have two hundred that are laid aside, because a new invention makes much better guns. I asked this inventor if the guns we had could not be changed, and he said no. He insisted that the only thing to be done was to buy the new gun. Now, for fear there might be a change in the new gun again in order to get a new sale, we concluded that we would restrict the Ordnance Department to \$15,000, and I think it was a very wise thing.

Mr. EDMUNDS. How much did you pay for the old guns?

Mr. LOGAN. About \$1,000 a piece. We have two hundred of them now useless in consequence of new inventions.

Mr. HAWLEY. They are not useless. They do not fire at high angles so easily.

Mr. LOGAN. I am using the word that the gentleman who appeared before us used. I do not invent the word "useless," but he said it. He said they could not be changed to this character of gun. We thought it would be a good idea if they could be changed, but he said no, and we concluded it would be proper to restrict the seller and the purchaser, so as to see what kind of a gun could be had.

Mr. HAWLEY. I withdraw my amendment.

The PRESIDING OFFICER. The question is on the amendment of the Committee on Appropriations.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, after line 42, to insert:

For the purchase of machine guns of the latest improvement, \$15,000.

Mr. HAWLEY. Has the previous paragraph been ruled out?

The PRESIDING OFFICER. The proviso has been. The other part has been agreed to.

Mr. HAWLEY. It is quite useless to argue on the wisdom of the proviso, I think.

The PRESIDING OFFICER. The question has been determined, and debate on it is out of order. The question is on the amendment which has just been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, in line 48, after the word "application," to strike out "50" and insert "100;" so as to read:

For torpedoes for harbor defenses, and the preservation of the same, and for torpedo experiments in their application to harbor and land defense, and for instruction of engineer battalion in their preparation and application, \$100,000.

The amendment was agreed to.

The next amendment was after the word "provided," in line 49, to strike out:

That the money herein appropriated for torpedoes shall only be used in the establishment and maintenance of torpedoes to be operated from shore stations for the destruction of an enemy's vessel approaching the shore or entering the channels and fairways of harbors.

And insert in lieu thereof:

That one-half of this sum may be used in the purchase of torpedoes of the latest improvement.

The amendment was agreed to.

Mr. LOGAN. On line 20, before the word "rifled," I wish to insert the word "breech-loading."

Mr. EDMUNDS. Those words should have been in.

Mr. LOGAN. They ought to have been in; it was neglected. It will then read:

Two 12-inch cast-iron breech-loading rifled cannon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

NIORARA MILITARY RESERVATION.

Mr. EDMUNDS. I move, understanding that there is no appropriation bill ready until morning on account of the papers not being got together, that the Senate take up for consideration the joint resolution (S. R. 123) providing for the termination of the fisheries part of the treaty with Great Britain, a measure of great public importance that ought to be passed on.

Mr. LOGAN. I have no objection, but will aid the Senator in any way to get that matter up; but there is a conference report that was laid aside yesterday to be taken up to-day which will take but a minute. If the Senator would not object, I should like to call it up.

Mr. EDMUNDS. Very well.

The PRESIDING OFFICER. The conference report will be read. The Secretary informs the Chair that the conference report was read yesterday.

Mr. LOGAN. Yes, sir, and was laid aside at the request of the Senator from Nebraska [Mr. VAN WYCK], to be taken up to-day. I ask that the report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report on the bill (H. R. 2997) granting right of way to the Fremont, Elk Horn and Missouri Valley Railroad Company across the Niobrara military reservation in the State of Nebraska.

The report was concurred in.

BRITISH FISHERIES TREATY.

The PRESIDING OFFICER. The question now is on the motion of the Senator from Vermont [Mr. EDMUNDS].

The motion was agreed to; and the joint resolution (S. R. 123) providing for the termination of articles numbered 18 to 25, inclusive, and article numbered 30 of the treaty between the United States of America and her Britannic Majesty, concluded at Washington May 8, 1871, was considered as in Committee of the Whole.

The joint resolution was reported from the Committee on Foreign Relations with an amendment, which was to strike out all after the resolving clause and insert:

That in the judgment of Congress the provisions of articles numbered 18 to 25, inclusive, and of article 30 of the treaty between the United States and Her Britannic Majesty, for an amicable settlement of all causes of difference between the two countries, concluded at Washington on the 8th day of May, A. D. 1871, ought to be terminated at the earliest possible time, and be no longer in force; and to this end the President be, and he hereby is, directed to give notice to the Government of Her Britannic Majesty that the provisions of each and every of the articles aforesaid will terminate and be of no force on the expiration of two years next after the time of giving such notice.

SEC. 2. That the President be, and he hereby is, directed to give and communicate to the Government of Her Britannic Majesty such notice of such termination on the 1st day of July, A. D. 1883, or as soon thereafter as may be.

SEC. 3. That on and after the expiration of the two years' time required by said treaty, that each and every of said articles shall be deemed and held to have expired and be of no force and effect, and that every department of the Government of the United States shall execute the laws of the United States (in the premises), in the same manner and to the same effect as if said articles had never been in force; and the act of Congress approved March 1, A. D. 1873, entitled "An act to carry into effect the provisions of the treaty between the United States and Great Britain, signed in the city of Washington the 8th day of May, 1871, relating to the fisheries," shall be and stand repealed and be of no force on and after the time of the expiration of said two years.

Mr. EDMUNDS. In section 3, line 2, there is a clerical error. It now reads:

That on and after the expiration of the two years' time required by said treaty, that each and every of said articles, &c.

The word "that," before "each," should go out as a mere matter of grammar.

The PRESIDING OFFICER. The amendment will be so amended.

Mr. BAYARD. Is this the regular notification under the treaty?

Mr. EDMUNDS. This is the regular notification under the treaty.

Mr. WINDOM. I wish to ask the Senator from Vermont whether section 3, which repeals "an act to carry into effect the provisions of the treaty between the United States and Great Britain, signed in the

city of Washington the 8th day of May, 1871, relating to the fisheries," will repeal the act under which goods are imported in transit through American territory. It says "relating to the fisheries," but the Revised Statutes seem to indicate that it covers the question of transportation in bond.

Mr. McMILLAN. That is section 2866 of the Revised Statutes.

Mr. EDMUNDS. I will look at the statute.

Mr. WINDOM. While the Senator is looking for the statute I desire to say that I am very unwilling to repeal those clauses of the treaty and those laws which relate to transportation in bond through this country, because it is a very large business and a very great interest would be injured if it should be done. I am very willing to give notice of the termination of the fishery part of the treaty, and I do not know but that article 29 of the treaty would cover the transportation question. The question is whether the law which is here proposed to be repealed affects transportation.

Mr. EDMUNDS. The twenty-ninth article of the treaty provides, not for the fishery subject or the transportation between the two countries of things in bond from the ports of one country to those of another, but it provides for complete transit from the sea, for instance at Portland to Quebec, and from Port Huron, in Michigan, to Buffalo, for another illustration, reciprocally. That is the twenty-ninth article.

Mr. WINDOM. Would that provide for transportation, for instance, through Minnesota, of goods brought and carried to Manitoba.

Mr. EDMUNDS. Certainly it would; it covers all that thing. Article 30 would not provide for that.

Mr. WINDOM. But article 29—

Mr. EDMUNDS. Article 29 provides, I think, for that, because it says not only New York, Boston, and Portland, "but any other ports of the United States," and then reciprocally the other way in exactly the same terms, so that article 29 would cover things from Manitoba coming across the Territories of the United States for the British provinces; all that would come under article 29. Article 30 is an entirely different thing, which provides really for the British having the benefit of the coasting-trade of the United States, and the United States having the benefit of the coasting-trade on the lakes. That is the sum and substance of it, stated briefly.

Mr. FRYE. No notice is given as to article 29.

Mr. EDMUNDS. Oh, no. The only question is whether this repealing clause of the act of 1873 is to operate as repealing the provisions that have been made to carry out article 29; but article 29 did not require any legislation about it; it executed itself. I will look now at the act of 1873, and see if it did provide for carrying out article 29.

Mr. McMILLAN. I think the Senator will find it did.

Mr. EDMUNDS. It may be, but it was not necessary.

Mr. FRYE. Even if the Senator finds that it did, there is ample time to amend it at the next session of Congress.

Mr. WINDOM. Yes, but we would rather amend it now.

Mr. EDMUNDS. It can be arranged in a moment, if it is necessary. I do not think it is, for it says "relating to the fisheries;" but we can fix it in a word.

Mr. FRYE. I said to both Senators from Minnesota that it did not interfere at all with the rights and privileges which were of advantage to us under the treaty. I refer to the twenty-ninth article, which was not repealed, and not to the legislation which the resolution undertakes to repeal, for I did not have in my resolution any such reference to legislation.

Mr. McMILLAN. This is an express repeal of legislation.

Mr. EDMUNDS. To guard against all possible misconstruction about it, I move to amend the amendment of the committee, page 3, after the end of the description of the title of the act, after "fisheries," partly in line 13 and partly in line 14, to insert:

So far as it relates to the articles of said treaty so to be terminated.

So that we repeal the act only that far.

Mr. McMILLAN. I think that covers it.

Mr. WINDOM. I am sure it does.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment of the Committee on Foreign Relations as amended.

The amendment as amended was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

SUPPRESSION OF BIGAMY.

Mr. EDMUNDS. As no appropriation bill is yet ready, I move to take up the Utah bill.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate proceed to the consideration of what is called the Utah bill. It will be reported by title and number by the Secretary.

The ACTING SECRETARY. "A bill (S. 2238) to amend an act entitled 'An act to amend section 5352 of the Revised Statutes of the

United States, in reference to bigamy, and for other purposes,' approved March 23, 1882."

The PRESIDING OFFICER. Is there objection to considering the bill?

Mr. CALL. I object.

The PRESIDING OFFICER. Objection being made, the question is on the motion of the Senator from Vermont to proceed to the consideration of this bill.

Mr. CALL. I hope very much that bill will not be taken up at this time. It involves very serious constitutional questions, and we have but a few days left of the session, and there are a good many matters of very great importance to the current business of the country that have not been able to be considered at all. We shall be occupied long with this question in regard to the condition of things in the Territory of Utah if we go into it. It occupied a great deal of time last session. I think it is impossible to consider it at the present moment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Vermont.

Mr. BROWN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. MCDILL (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR]. Otherwise I should vote "yea."

The roll-call was concluded.

Mr. HILL. I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I do not know how he would vote on this question, and I withhold my vote.

Mr. MITCHELL (after having voted in the affirmative). I withdraw my vote. I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. WINDOM (after having voted in the affirmative). I voted, forgetting that I am paired with the Senator from West Virginia [Mr. DAVIS]. I withdraw my vote.

Mr. ROLLINS. The Senator from Maine [Mr. FRYE] is paired with the Senator from Tennessee [Mr. JACKSON].

The result was announced—yeas 23, nays 17; as follows:

YEAS—23.

Anthony,	Garland,	Logan,	Rollins,
Blair,	Hale,	McMillan,	Sawyer,
Cameron of Wis.,	Harrison,	Mahone,	Sewell,
Conger,	Hawley,	Maxey,	Van Wyck,
Dawes,	Hoar,	Miller of Cal.,	Voorhees.
Edmunds,	Ingalls,	Miller of N. Y.,	

NAYS—17.

Barrow,	Camden,	Jonas,	Saulsbury,
Bayard,	Coke,	Jones of Florida,	Williams.
Beck,	Groome,	Pendleton,	
Brown,	Hampton,	Pugh,	
Call,	Harris,	Ransom,	

ABSENT—36.

Aldrich,	Ferry,	Kellogg,	Plumb,
Allison,	Frye,	Lamar,	Saunders,
Butler,	George,	Lapham,	Sherman,
Cameron of Pa.,	Gorman,	McDill,	Slater,
Cockrell,	Grover,	McPherson,	Tabor,
Davis of Ill.,	Hill,	Mitchell,	Vance,
Davis of W. Va.,	Jackson,	Morgan,	Vest,
Fair,	Johnston,	Morrill,	Walker,
Farley,	Jones of Nevada,	Platt,	Windom.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2238) to amend an act entitled "An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March 23, 1882.

The bill was reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That in any proceeding and examination before a grand jury, a judge, or a United States commissioner, in any prosecution for bigamy, polygamy, or unlawful cohabitation under any statute of the United States, the lawful husband or wife of the person accused shall be a competent witness and may be called and may be compelled to testify in such proceeding, examination, or prosecution, without the consent of the husband or wife, as the case may be.

SEC. 2. That in any prosecution for bigamy, polygamy, or unlawful cohabitation, under any statute of the United States, whether before a United States commissioner, judge, a grand jury, or any court, an attachment for any witness may be issued by the court, judge, or commissioner without a previous subpoena, compelling the immediate attendance of such witness, when it shall appear to the commissioner, judge, or court, as the case may be, that there is reasonable ground to believe that such witness would unlawfully fail to obey a subpoena issued and served in the usual course in such cases.

SEC. 3. That any prosecution for bigamy, polygamy, or unlawful cohabitation may be commenced at any time within five years next after the commission of the offense; but this provision shall not be construed to apply to any offense already barred by any existing statute of limitation.

SEC. 4. That every ceremony of marriage, or in the nature of marriage, in any of the Territories of the United States, whether either or both or more of the parties to such ceremony be lawfully competent to be the subjects of such marriage ceremony or not, shall be certified in writing by a certificate stating the fact and nature of such ceremony, the full names of each of the parties concerned, and the full name of every officer and of every person in any way taking part in the performance of such ceremony, which certificate shall be drawn up and signed by the parties to such ceremony and by every officer or person taking part in the performance of such ceremony, and shall be by the officer, priest, or other person solemnizing such marriage or ceremony, filed in the office of the probate court, or, if there be none, in the office of the court having probate power.

ers in the county or district in which such ceremony shall take place, for record, and shall be immediately recorded. Such certificate shall be *prima facie* evidence of the facts required by this act to be stated therein, in any proceeding, civil or criminal, in which the matter shall be drawn in question. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment not longer than two years, or by both said punishments, in the discretion of the court.

SEC. 5. That every record and entry of any kind concerning any ceremony of marriage, or in the nature of marriage, made or kept by any officer, clergyman, priest, or person performing civil or ecclesiastical functions, whether lawful or not, in any Territory of the United States, shall be subject to inspection at all reasonable times by any officer of justice appointed under the authority of the United States, and shall, on request, be produced and shown to such officer by any person in whose possession or control the same may be. Every person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment not longer than two years, or by both said punishments, in the discretion of the court. And it shall be lawful for any United States commissioner, judge, or court before whom any proceedings shall be pending in which such record or entry may be material, by proper warrant, to cause such record or entry and the book, document, or paper containing the same to be taken and brought before him or it for the purposes of such proceeding.

SEC. 6. That nothing in this act shall be held to prevent the proof of marriages, whether lawful or unlawful, by any evidence now legally admissible for that purpose.

SEC. 7. That it shall not be lawful for any female to vote at any election hereafter held in the Territory of Utah for any public purpose whatever, and no such vote shall be received or counted or given effect in any manner whatever; and any and every act of the governor and Legislative Assembly of the Territory of Utah providing for or allowing the registration or voting by females is hereby annulled.

SEC. 8. That the existing election districts and apportionments of representation concerning the members of the Legislative Assembly of the Territory of Utah are hereby abolished; and it shall be the duty of the governor, Territorial secretary, and the United States judges in said Territory forthwith to redistrict said Territory and apportion representation in the same in such manner as to provide as nearly as may be for an equal representation of the people (excepting Indians not taxed) being citizens of the United States, according to numbers, in said Legislative Assembly, and to the number of members of the council and house of representatives, respectively, as now established by law. And a record of the establishment of such new districts and the apportionment of representation thereto shall be made in the office of the secretary of said Territory, and such establishment and representation shall continue until Congress shall otherwise provide; and no persons other than citizens of the United States otherwise qualified shall be entitled to vote at any election in said Territory.

Mr. HOAR. I move to strike out the seventh section.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the motion of the Senator from Massachusetts [Mr. HOAR].

Mr. EDMUNDS. I will state the reasons on which the committee inserted the seventh section which deprives for the time being females in the Territory of Utah from voting. According to the information that we received from the commissioners appointed under the previous act of Congress and from other sources, it appeared that female suffrage in that Territory was so far as it relates to the Mormons a suffrage of servitude, that the females vote exactly as their lords and masters require them to do, be they many or few; and that counts to keep up in this hierarchy and polygamous really governed Territory as it has been, the power of those guilty of the crimes that we wish to repress.

Accordingly, we felt justified without any reference to the question of the general propriety of female suffrage, in proposing that for the time being female suffrage exercised as it is in that Territory should be suspended. We do not, by proposing this clause, undertake to express any opinion as to the general question of female suffrage; but in order to accomplish the end, and to put the political power in that Territory in the hands of the people who are in accord with the laws and sentiments of the United States. This was one of the things that was thought to be necessary to that end.

Mr. VAN WYCK. Allow me to ask one question for information. I did not hear all the statement of the Senator from Vermont. I lost the authority he had for saying that the females in the Territory voted as their lords and masters directed. I suppose he stated on what authority he said so, but I did not hear it.

Mr. EDMUNDS. We saw all or all but one of the gentlemen who were commissioners under the former act, who spent some months in that Territory. This observation that I have made does not apply to the Gentile women as they are called there, very few of whom I understand really exercise this right of suffrage; but it refers to the other class of females under the domination of the Mormon Church, for there is no disguising the fact that the Mormon government of that Territory is a government of the most exclusive and powerful hierarchy that exists on this continent.

Mr. MORRILL. If the Gentile women did vote one wife would not counterbalance six.

Mr. EDMUNDS. That is true enough; but our information drawn from these gentlemen who spent months there, and from all other sources that we can get by letters and so on, convince us that the political power of this Territory is now largely influenced in respect of its being kept in the hands of the people who defy the laws of the United States, by force of their casting the solid votes of their females in the direction that I have named. We therefore thought that the greater good of breaking up this great crime would justify the suspension for the time being of female voting in the Territory, without any reference, I repeat, to the general question of female suffrage.

Mr. HOAR. Mr. President, it seems to me that the Senator from Vermont to any legislator accustomed to be governed by general con-

stitutional principles has stated very strongly the objection to the section which he proposes in his bill. Here is a criminal law, a law aimed at the offense of polygamy and prescribing the method of proving with a view to the punishing a certain crime. In that law he includes a general provision in regard to the right of suffrage, and he undertakes to make a general provision in regard to the right of suffrage prohibiting all women from exercising a right they now enjoy and taking from the people of a particular Territory the right to determine the qualifications of electors in that Territory, accorded to all other people and accorded to them in all other respects, by saying that a certain class of women whom the Senator thinks are in a majority will not vote as he thinks they ought to vote.

That is the whole of this proposition as he states it himself, translated into plainer and clearer language so far as disclosing the purpose goes. I do not mean to compare my general capacity for making a clear proposition with that of the learned chairman of the Judiciary Committee. He says that the Gentile women, the unmarried women, the women who are the sole lawful wives of lawful husbands, shall all be prohibited from the exercise of a right which they now enjoy, and which for the purposes of his present argument he does not deny they ought to continue to enjoy, because certain other women have voted or are likely to vote in a way that we do not want they should for the wrong candidate or because they are constrained by domestic or other influences into voting a particular way.

Now, suppose we may take it for granted (though the Senator cites no authority except that of certain commissioners who have not been out of Salt Lake City) that the women who have so far become adherents or disciples of Mormonism as to live in polygamous connection with Mormons would be likely to cast their votes in the interest of that church and that institution; I should like to inquire of the Senator from Vermont why, if he excludes all the women of that Territory from the right to vote because of the action of the majority of women, he does not exclude all the men of that Territory from the right to vote because of the way in which the majority of the men vote in that community? If he excludes the Mormon wife because of casting her vote in accordance with the will of her husband, why should he not exclude the husband who casts his vote under the domination of the same hierarchy?

It seems to me, Mr. President, that this is really doing what the author of this section, I will not say flinched, but shrank from doing, and from avowing in regard to men. Why not meet this question fairly and say that Mormons shall not vote, that persons under the influence of the Mormon hierarchy shall not vote, or at any rate that persons living in polygamous marriage, male or female, shall not vote? That is what the Senator undertakes to accomplish; and if he has a right to do what he proposes, he has a right to do that.

But I suppose that whoever drew this section and that the chairman of the Judiciary Committee in proposing this section thought that would be a violation of general and sound constitutional principles. He was not prepared to say even to a Mormon, "You shall not vote because of your religious or pretended religious principles;" he was not prepared to say even of Mormons, "We will punish a certain class of offenses against society and against the marriage relation as it is conceived and understood by Christians with the deprivation of the right of suffrage," because whatever evils the exercise of the right of suffrage by this class of persons may operate in the particular class, the assertion of the right by the Government to control the suffrage with a view of making that control a lever or instrumentality in regard to certain opinions, however erroneous they might be, was the assertion of a vicious and most dangerous general principle, worse, if anything could be worse, than Mormonism itself. I will not say that; not worse than Mormonism itself, because Mormonism itself is a destruction of that most sacred tie which lies at the foundation of the home and of society itself.

Now, the Senator from Vermont says that he does not put this proposition upon any general objection to female suffrage. Whatever his opinion may be on that question he is not governed by that opinion here, but he puts it simply on the ground that the suffrage of a particular class of women preponderating in numbers over others in a particular community is exercised in favor of a vicious system or under the control of a vicious hierarchy. If that be the reason, it seems to me, with great respect to a Senator for whose conclusions I have so great respect always, whom almost always I delight to follow in public questions, that that is a bad reason in principle.

I hope, therefore, whatever may be done with the bill, which I shall be glad to support without this clause, that the section will be stricken out.

Mr. EDMUNDS. Mr. President, the question of suffrage is a political question within the control of the political power at all times. I believe everybody agrees to that. All that the Senator has said respecting the opinions of Mormon women is entirely apart from this bill. That is motive merely; it is not law.

In the next place, if we could get at the real opinions of the Mormon women, and give them the free exercise of those opinions, desirous of breaking up as I am these practices in that Territory, I would say if the Mormon women could not now vote they should have the right to vote, because if you can get at their real opinions (as these commission-

ers did from many of them in private interviews, &c.) we should find that the very nature of woman in general—the very nature of every virtuous woman—revolts at the notion of polygamy and of all its influences; but they are like the women of Central Asia at this present moment; they are dominated by the lords of creation, who wish to keep up a government which is opposed, as my friend and myself agree, to everything that is good as we understand it in this world, and that we all agree in desiring to put down.

That is the way it stands. Therefore we do not invade any principle of law or constitutional government in arranging the political affairs of a Territory over which we have supreme dominion. If the argument of a learned citizen of the State of Pennsylvania, said to have been delivered to a committee of the House of Representatives, and a copy of which has been sent to me, is sound, then we have no right to legislate about any of the transactions in the Territory of Utah at all, and Utah is entitled to the same powers of self-government by its people that a State is. But I do not propose to go into that question; I dismiss it as one to which no Senator, or very few Senators, will agree at all.

Then having the political power of arranging the suffrage in that Territory, and being determined to put down the practice of polygamy there and to abolish this anti-republican hierarchy which is founded on that alone, I think we are justified in taking any step that protects equal rights, necessary to that end. The motive is not to make a distinction in respect to opinions, but the motive is to liberate these women from the duress under which they keep up a government there which is injurious to their own fortune, their own honor, their own prosperity, and their own instincts of female virtue. That is it, and that is all of it.

My learned friend inquires why we do not exclude the men too. On constitutional principles of course we must make general rules. We have not undertaken, and I do not wish to undertake, and I do not think it right to undertake, and I doubt if it is constitutional to undertake—I will not say I doubt; I am sure it is not constitutional—to disfranchise any man on account of an opinion that he has, or any woman. Persons must be disfranchised on some other legal ground.

Everybody, I suppose, except Judge Black, agrees that in point of law we can confine voting in any Territory or in the District of Columbia to property-holders of \$100,000, and that would reduce the government of the District to probably one hundred men; we can confine it in the Territories to \$100,000, and that would reduce the whole Territory to one hundred men very likely; we can say that nobody who has a dollar in the world shall be entitled to vote; we can say that nobody who has any amount of property shall be entitled to vote, and that all those who have no property at all—the paupers—shall be the sole voters in a Territory over which we have dominion or in the District of Columbia, if we think it wise to do it, because we make a general classification.

If you say exclude the Mormon men as well as the Mormon women, you must exclude the Gentile men as well, as we do by this bill the Gentile women, and then you have nobody to vote in the Territory at all. So with the motive, which I avow with the utmost plainness, of diminishing this power and relieving these Mormon women from the slavery and duress under which they now cast their votes in a certain way, it is right and proper to do this thing. That is the whole of it.

Now, if my friend from Massachusetts is so stirred up with his admiration and desire for woman suffrage that he is unwilling to take every step possible lawfully to repress polygamy and this hierarchy founded on it in that Territory; that he prefers to have polygamy with woman suffrage than to have no polygamy without it for the time being, that, of course, will account for his position.

Mr. HOAR. Why does not the Senator abolish suffrage there altogether, allow me to ask him?

Mr. EDMUNDS. I will state that.

Mr. HOAR. We have the same right to do it.

Mr. EDMUNDS. We have the same right to abolish suffrage altogether. Then what are you going to do? You must govern that Territory then just as you govern the District of Columbia, by a steady and constant act of Congress like a legislature, which is impracticable. Some people, a considerable number of the Gentiles in that Territory, were angry last year when we passed the former bill, to which this is merely a supplement drawn out by circumstances and in aid of it, and extremely desirous that we should abolish suffrage altogether and put the government of that Territory into a commission and give the commission, as practically we must, if we do it at all, legislative powers.

I do not believe the Congress of the United States ought to give any commission anywhere legislative powers. You can give them executive powers; but you must yourself exert the legislative power and we know with the way Congress is blocked up with business that we can not provide local legislation from day to day and from time to time for that Territory. It can not be done; and the committee thought, considering that part of the question, that it was improper as the thing now stands to undertake to govern that Territory by a commission that should be invested with the necessary legislative powers for the proper government of it. So we can not do that.

Then we go just as far and as fast as the Constitution will allow us in every way to accomplish the end that I suppose we all have in view, and

so far as the thing stands in point of law there can be no question of our right to regulate suffrage in that Territory, I suppose. When you come to the question of motive then my honorable friend is entitled to make the argument he has made, that this motive may apply just as well to men as to women. So it might; but we apply it both to the Gentile women who are willing and glad to suffer this deprivation in order to accomplish this great good, and to the Mormon women alike. If we apply it to the Mormon men we must apply it to the Gentile men alike, and then we shall have nobody to elect a Territorial Legislature and make a government.

Mr. HOAR. I want to ask the Senator a question, but I want to found it, if he will allow me, on the reading of a passage from the last act. The Senator, as I understood him in what he first said, stated that these women acted under duress of their husbands. For that reason he wished to exclude them. The present law is this section 8 of the act of March 22, 1882:

That no polygamist, bigamist, or any person cohabiting with more than one woman, and no woman cohabiting with any of the persons described as aforesaid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be eligible for election or appointment to or be entitled to hold any office or place of public trust, honor, or emolument in, under, or for any such Territory or place, or under the United States.

So you have already excluded every bigamist or polygamist, man or woman, every woman cohabiting with any polygamist or bigamist; and this is a proposition merely to extend to all women this disqualification without extending it to all men. The Mormon man in carrying his principles into practice is not excluded. Now, I wish to ask the Senator from Vermont why it is that finding certain men not guilty of crime but only entertaining bad opinions, and certain women not guilty of crime but some of them as he supposes entertaining bad opinions, he makes a law applicable to the Territory of Utah by which he excludes all women from the franchise they now possess and refuses to exclude not only all men but even the men entertaining those opinions?

Mr. EDMUNDS. I have answered that already. I have said that your law must be equal and is equal as applied to classes. Nobody doubts, my friend from Massachusetts does not doubt that wherever we have legislative jurisdiction, like a State has or like Congress has over the District of Columbia or a Territory, we may classify the people who are entitled to the exercise of political rights by age, by sex, by property, or the want of property, or any other such thing that is general in its application. Now in order to accomplish the object we have in view, one great and necessary step in it is to diminish the political power of the polygamous Mormon Church, because that is what it is, and that is what it is alone, as it is now constituted, although it is an ingrafted contrivance on the original Mormon faith.

Now how are you going to do it? I have answered that already. You can do it by excluding all men in the Territory if you please and leave it to all women; but inasmuch as three-fourths of the women there are under the domination of the men who wish to keep up this polygamous church, they vote just as they are compelled to whether they are plural wives or not, because the power of the church extends entirely beyond the mere polygamous relation. It extends to almost all the female people of that church as well as the male people, and they vote almost solid in one way in order to maintain this central power of the kind that I need not take time to describe. That is the reason, and therefore having the power to make this classification under the law and not having the power to abolish it entirely with any safety for the government of the Territory, for we cannot put it in a commission with legislative powers, we must do this or do nothing; and it really comes back to the question whether you prefer polygamy to suspending for the time being female suffrage in that Territory and relieving these poor women who are far more vastly sinned against than sinning, from the domination that forces them to uphold by their votes this institution that we are trying to get rid of.

Mr. BLAIR. Mr. President, I believe in what is called manhood suffrage; that is, the right of partaking in the sovereignty on the part of every human being of mature powers, whether male or female. I admit that the power to regulate the exercise of suffrage is in the political organization as it exists, and that the extension of the suffrage is at its will, not as a matter of right but as a matter of power, because there is no other way to obtain the extension unless it be exercised by force and violence, which is revolution. Wherever in any republican community or in any community where the republican form of government prevails this right has been extended to all to whom it belongs by nature, I never will consent by any act of mine to see any class despoiled of the exercise of that right; and if in the Territory of Utah woman has acquired it, I will so far as my action is concerned incline always to vote in such way as to enable her to continue rather than to restrict her in its exercise. But without entering upon the general question of the right of female suffrage, I wish to confine what little I have to say now to the specific provisions in this bill.

The exact state of the law seems to be this: By the statute of the last session we deprived every polygamist and bigamist of the right to vote and to hold office. I suppose we would consider that they have the right to continue the exercise of suffrage and the right of office-holding until tried and convicted of the crime mentioned according to law, and

it is because we can not inflict this pain and penalty, for certainly the deprivation of the right of partaking in the suffrage is punishment, because we can not deprive them until after conviction by due course of law, that the Mormon men still retain the right of suffrage. Therefore they can still vote. Mormon women can vote still. Both can vote until they are convicted of the crime specified in the act of last session. Now, this bill comes to us and reads as follows:

That it shall not be lawful for any female to vote at any election hereafter held in the Territory of Utah for any public purpose whatever, and no such vote shall be received or counted or given effect in any manner whatever; and any and every act of the governor and Legislative Assembly of the Territory of Utah providing for or allowing the registration or voting by females is hereby annulled.

It does not touch the matter of office-holding, it does not attack the right of suffrage in the hands of any but women, and it makes no distinction among women. The Senator from Vermont brings in this bill with this section because certain of the women in the Territory of Utah believe in polygamy and vote in accordance with their belief, or if he does not place it upon that ground he says it is because these women are practically enslaved and vote in accordance with the will of their husbands or their masters.

That is a question of fact, and his proof of that question of fact is, I think, liable to be controverted. To be sure he says that certain commissioners who went out there and spent a few months come back and say so. I do not know in what authoritative way they have ever said so; but I do know that all the accounts I have ever heard from the Territory of Utah are overwhelmingly to the point that the women are as much attached to the institution as are the men in that Territory, and I think that is the fact.

I happened to be the last Gentile who conversed with Brigham Young before his death. I was in the Territory at that time. It was on a Monday evening, and he died the next Thursday. In conversation with him and in conversation with many other leading men, and from observation that I had the opportunity of making at a public festival and at other public gatherings and assemblies which I witnessed while there, I was thoroughly satisfied that the women as a whole were as strongly attached to the institution as were the Mormon men, and I believe such to be their opinion to-day. I believe that if the Mormon women vote for sustaining that institution, they do so as a rule as freely as do the Mormon men. So upon the question of fact I should need a great deal of evidence to satisfy me that the position of the honorable Senator is correct.

But assuming that he is correct in that regard and that his object is to place the control of the Territory in the hands of those who are opposed to polygamy—for that after all is the only practical reason that can be urged in this strange and otherwise violent and tyrannical legislation; nothing but the good purpose involved can possibly justify it—it is a question whether the best purpose, that is the destruction of polygamy, the destruction of the Mormon system, can justify a violation of the constitutional principles that have been the result of the toil and development and struggle of six thousand years. Assuming that the purpose, itself a worthy purpose, may be attained by the means which are brought into use in this section of this bill and other provisions of the bill which certainly seem to me to be very severe and violent and only to be justified by stress of the most important circumstances—assuming that, however, to be so, does the Senator attain his end?

Is it not a matter of common notoriety that the Territory of Utah is in the hands of the Mormons at least four to one, and in the hands of Mormon women also? Of what avail is it to strike at the suffrage in the hands of Mormon women even if they do vote unintelligently or as slaves, casting the ballots of their masters and husbands? If you disfranchise these women there are four Mormons to every Gentile to vote for the system, not four polygamists it may be, but four who entertain this same Mormon opinion, and who have the right to vote, and if every male polygamist in Utah was convicted of the crime as contemplated in the law of the last session, and if therefore he was deprived of the right to vote legally and judicially as a part of the sentence to be affixed to conviction, there would be at least three Mormons remaining who are not in the practice of polygamy to retain by their voting in their own hands the sovereignty of that Territory; for from all the undisputed information I have ever heard from any source there are at least three, if not four, unmarried male polygamists in that Territory who upon the provisions of all the bills suggested will still have the right to vote and who will control the Territory at the ballot-box.

So then this bill goes far short of any remedy for the evil there, and there is no necessity whatever of this continuous violation of our constitutional ideas and our constitutional rights. This other provision here, which commences by placing a witness under arrest before the ordinary means have been put in motion to secure his attendance, before there is any contempt of court, seems harsh. There is no necessity, I say, of adopting these violent measures, unless you go a great deal further than the Senator from Vermont feels justified in doing and deprive the unmarried Mormon male polygamist of the right of suffrage. Nobody proposes to do that, and the bill will be an utter failure for that reason, and we shall find ourselves precisely where we were in the commencement.

Mr. President, there are other reasons, strong, general reasons, that I could state why I am opposed to this principle of the deprivation of any human being who has it of the right of suffrage. I do not believe the remedy for this evil lies in that direction, and the proposed remedy I had almost said is worse than the evil itself.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. HOAR].

Mr. EDMUNDS. I am satisfied that as the Senate is very thin and I should like a full vote on this question, it is better to now adjourn. I move—

Mr. BLAIR. If you are going to move an adjournment, I wish to offer an amendment.

Mr. EDMUNDS. Very well.

Mr. BLAIR. I wish to offer an amendment to this section, that it may be printed.

The PRESIDING OFFICER. The Senator will send his amendment to the desk.

Mr. BLAIR. I wish to read it first. I propose to amend the seventh section by striking out the word "female" wherever it occurs and inserting the word "person;" also after the word "whatever," in the fourth line, to insert:

Provided, That such person shall have been tried and convicted of the crime of bigamy or of polygamy according to the law.

And also to insert the word "such" between "by" and "female," in the seventh line.

Mr. EDMUNDS. Now, Mr. President, I move that the Senate adjourn until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 6 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 21, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

ORDER OF BUSINESS.

Several MEMBERS. Regular order!

Mr. CALKINS. I desire to ask unanimous consent to pass a bill—

The SPEAKER. The regular order is called for, and cuts off all requests of that kind.

PENSION APPROPRIATION BILL.

Mr. O'NEILL. I am directed by the Committee on Appropriations to report back the bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes, with the Senate amendments thereto, and to recommend that the amendments of the Senate be concurred in.

The amendments of the Senate were read, as follows:

Page 2, line 16, after the word "dollars," insert "and of this sum \$5,000 shall be immediately available;" so that the clause will read:

"For contingent expenses of pension agencies \$10,000, and of this sum \$5,000 shall be immediately available."

Page 2, after line 16, insert the following:

"That section 4745, title 57, of the Revised Statutes of the United States is hereby amended to read as follows:

"SEC. 4745. Any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; and any person who shall pledge, or receive as a pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension or pension certificate which has been, or may hereafter be, granted or issued, or who shall hold the same as collateral security for any debt or promise, or upon any pretext of such security or promise, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$100 and the costs of the prosecution; and any person who shall retain the certificate of a pensioner and refuse to surrender the same upon the demand of the Commissioner of Pensions, or a United States pension agent, or any other person authorized by the Commissioner of Pensions or the pensioner to receive the same, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$100 and the costs of the prosecution."

The amendments of the Senate were concurred in.

Mr. O'NEILL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING OF EULOGIES UPON SENATOR BENJAMIN H. HILL.

Mr. HAMMOND, of Georgia. I ask unanimous consent to take from the Speaker's table for consideration at this time Senate joint resolution No. 137, to print certain eulogies delivered in Congress upon the late Benjamin H. Hill.

The SPEAKER. The joint resolution will be read.

The Clerk read as follows:

Resolved, *etc.*, That there be printed 12,000 copies of the eulogies delivered in Congress upon the late Benjamin H. Hill, a Senator from the State of Georgia, of which 4,000 shall be for the use of the Senate and 8,000 for the use of the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of said Benjamin H. Hill to accompany each copy of said eulogies; and for the purpose of defraying the expense of engraving

ing and printing the said portrait the sum of \$600, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

There being no objection, the joint resolution was taken from the Speaker's table, read three several times, and passed.

Mr. HAMMOND, of Georgia, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MEMORIAL ADDRESSES ON HON. JOHN W. SHACKELFORD.

Mr. VANCE, by unanimous consent, introduced a joint resolution (H. Res. 358) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. John W. Shackelford, of North Carolina; which was read a first and second time.

Mr. VANCE. I ask that this resolution be put upon its passage now.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That there be printed 12,000 copies of the memorial addresses delivered in the Senate and House of Representatives upon the life and character of Hon. John W. Shackelford, late a Representative from the State of North Carolina, together with a portrait of the deceased; 9,000 copies thereof for the use of the House of Representatives and 3,000 copies for the use of the Senate; and a sum sufficient to defray the expense of preparing and printing the portrait of the deceased for the publication herein provided for is hereby appropriated out of any money in the Treasury not otherwise appropriated.

There being no objection, the House proceeded to the consideration of the joint resolution; which was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

Mr. VANCE moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

POST-OFFICE APPROPRIATION BILL.

Mr. CASWELL. I rise to make a privileged report from the committee of conference on the Post-Office appropriation bill.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, having met, after a full and free conference, have been unable to agree.

L. B. CASWELL,
J. G. CANNON,
E. JNO. ELLIS,
Managers on the part of the House.
P. B. PLUMB,
W. B. ALLISON,
JAMES R. BECK,
Managers on the part of the Senate.

The statement accompanying the report was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments to the Post-Office appropriation bill submit the following statement in explanation of the report submitted:

The conference having failed to agree leaves the bill and amendments in the same condition as when last considered in the House.

L. B. CASWELL,
J. G. CANNON,
E. JNO. ELLIS,
Managers on the part of the House.

Mr. CASWELL. I ask that the House insist on its non-concurrence in the amendments of the Senate and ask a further conference.

The SPEAKER. If there be no objection it will be so ordered. The Chair hears no objection. The Chair announces as the managers on the part of the House in the further conference the gentleman from Wisconsin, Mr. CASWELL, the gentleman from Illinois, Mr. CANNON, and the gentleman from Louisiana, Mr. ELLIS.

Mr. CASWELL. Inquiry is made of me as to what are the points of difference. If there is any wish on the part of the House to be indicated at this time in reference to any particular amendment I would be glad to hear it.

The SPEAKER. The subject is not now before the House.

Mr. CASWELL. I will say, Mr. Speaker, that the substantial differences between the Senate conferees and those of the House were in reference to the appropriation of \$185,000 for special mail facilities and the provision fixing the rates of compensation for land-grant railroads. Upon those two points mainly the conferees differed. I think there would be no difficulty in agreeing on the other points.

The SPEAKER. The Chair does not understand that there is any question before the House in regard to the Post-Office appropriation bill.

ADDITIONAL CHAIRS AND DESKS IN THE HALL.

Mr. BLACKBURN. Mr. Speaker, I desire now to call up the report and accompanying resolutions submitted by the Committee on Rules some days ago, and which went over upon the request of the gentleman from Iowa [Mr. KASSON] and others. The report relates to the rearrangement of the seats in this Hall for occupation in the next Congress.

The Clerk read the resolutions, as follows:

Resolved, That the Clerk of the House be, and is hereby, directed to procure thirty-two additional desks and chairs of the same size, style, and material as

those now in use, in order to accommodate the increased number of Representatives in the next Congress, said desks and chairs to be placed upon the present platforms.

Resolved, That to this end the railing now in position on the south side of the Hall be removed; and that the Architect of the Capitol is hereby directed to make room for an additional desk at the south end of each platform.

Resolved, That the payment for the desks and chairs, and for label frames and plates for the former, be made out of the miscellaneous item of the contingent fund.

Mr. BLACKBURN. Mr. Speaker, I have no disposition to go further in the discussion of these resolutions than I went on the day of their submission, which, if my memory serves me, was Friday last. I merely wish to say that the Committee on Rules in presenting these resolutions express the conclusion which they have reached upon consultation with the Architect of the Capitol and after the discussion of very many different suggestions and plans looking toward the accommodation of the thirty-two additional members who will come in with the next Congress. The Committee on Rules, having been charged with the duty of inquiring into and reporting upon the best method to provide for the accommodation of those additional members, have submitted this report as the result of the best and closest inquiry and investigation they could make. The Supervising Architect of the Capitol and the Clerk of the House have been conferred with. A diagram has been submitted. The space has been measured; the thirty-two additional seats have been calculated for.

Among the various propositions submitted was one looking to the removal of all the desks from the Hall. The committee declined to agree to this, remembering that some years ago that method was attempted. The desks were all cleared out and nothing but seats left; but after a trial of the experiment for a very short time it was by an almost unanimous vote repudiated and the desks were ordered to be put back. Another proposition was to remove the intervening walls and extend the Hall to the outer wall on the south side of the Capitol. There were grave objections to this suggestion.

Among others we learn from the Architect of the Capitol that the weight of this building rests on the wall intervening between this and the surface wall, and that project could not be carried into execution without endangering the permanency of the structure itself, for the corridors all rest on the wall immediately beyond the Hall here on the other side or the south side of the lobby.

After the most careful consideration the committee could give, it reached the conclusion it would probably meet the views of the House to recommend as it has recommended, that seven seats shall be supplied on the right and left of the Speaker's stand on the south front of the Hall, the remaining eighteen to be supplied by the insertion of desks and chairs in each of the blind aisles of the House, gaining from two to five by sections.

As I stated on the day when this report was made to the House, actual measurement made by the Architect of the Capitol shows conclusively that it will not cramp the members more than they are cramped to-day, except in each of the blind aisles of the House, by which I mean those aisles which run from the circumference but do not reach down here to the point in front; not the aisle in which I am standing, but the adjoining one. That is, one tier would have to be occupied, and where there are now three tiers running there would be but two left. One will be occupied by the insertion of another desk and another chair; and you will have the same amount of room for each desk you have now, except that this rail here on the south front of the Hall will have to be removed and that space will have to be occupied by chairs and desks, affording seven seats on either side. It will not interfere with the walk-way of the Hall, but will simply necessitate the removal of the rail which we have now in the House.

The committee did not know and were not able to find or have suggested to them any method which would less disturb the present arrangement of the Hall and at the same time afford equal convenience and facility to each member and to the additional thirty-two who are coming in.

The plan submitted, as I stated the other day, does not carry a single seat in this Hall any further back toward the rear. Nor does it trench in the slightest degree on the vacant space in area in front. Nor does it disarrange the semicircular disposition of seats.

Mr. ANDERSON. I wish to make an inquiry of the gentleman from Kentucky, if he will permit me.

Mr. BLACKBURN. Certainly.

Mr. ANDERSON. And that is whether that wall between the body of this Hall and the outside lobby is at all involved in the support of the building?

Mr. BLACKBURN. Does the gentleman refer to this wall here to the left?

Mr. ANDERSON. I do.

Mr. BLACKBURN. I answer and say no. My opinion and that of the committee, as we got it from the Architect of the Capitol, is that it is not this wall, but the wall immediately across that Hall, between this and the lobby-room of the House.

Mr. ANDERSON. Let me ask the gentleman another question. If this wall may not be removed, did the committee take into consideration the reduction of that space; that is, reducing the width of that gallery, say two, four, or six feet?

Mr. BLACKBURN. In answer, I wish to say the committee took all

that into consideration, and the result of the suggestion, if suggestion it is, that comes from the gentleman's question was it would necessitate two things: the taking away of the gallery above the Speaker's desk and the making of an entrance into that main lobby-room of the House at either end, by doors opening from the transverse hall, for of course there could be no hallway through a portion of the House itself. This wall might doubtless be removed with impunity so far as the structure is concerned, but you would then have the lobby of the House left without any wall in front of it at all and no way to enter except by doors from this and the corresponding transverse hall at the several ends, and you would do away with the gallery we now have over the Speaker's chair in the south front of the hall.

Mr. ANDERSON. One more suggestion, and that is whether that wall might not be removed four feet and still leave a narrower lobby, and in that way provide more room for seats; not taking this gallery, not doing away with that gallery, except that you will take one seat out of it, and in that way get room for seats, leaving the reporters' gallery as it is and still having the convenience now afforded by the blind aisles.

Mr. BLACKBURN. I state to the gentleman from Kansas it seems to me his suggestion would mar the symmetry of the Hall, while materially impairing and impinging on the convenience of members in this Hall. We would then have the seats provided on the south front, I take it, in tiers, and would throw the occupants of those extreme southern tiers behind the Speaker instead of at his side as now, leaving the reporters' gallery as it is, as that can not be disturbed. In that event you will have one if not two of these rows of seats actually in the rear of the Speaker's desk.

Mr. ANDERSON. No; only one.

Mr. BLACKBURN. And let me say further, Mr. Speaker, that this suggestion would involve—that is, the suggestion of the gentleman from Kansas—a very considerable expenditure, while at the same time it would be merely experimental and might not be satisfactory nor afford such a satisfactory arrangement as we would be willing to continue. On the contrary, the report of the Committee on Rules and the recommendation that they make involves an expenditure of only the purchase of thirty-two additional desks and chairs, costing perhaps in the aggregate, with such slight alterations in the Hall as will be rendered necessary, not more than \$2,000.

I might say further that it was proposed and urged in committee that it would be wise to bisect the Hall and reduce it in space one-half, removing every desk now here and inserting benches for the use of the members; and also to provide retiring-rooms where members might go to transact business or carry on their correspondence. Several such radical changes were suggested. Other suggestions as radical in their features were submitted without number to the committee; but we believe the plan we propose to be the most conservative course that can be pursued, both as to the amount of money involved and also to the character of the work done, which is, as must always be the case, more or less experimental. They thought it would commend itself to the judgment of the House, and leave future arrangements of a more permanent character to such time as, after the new Congress shall have convened, this plan may have been fairly tested, and we will have more opportunity or leisure to discuss the alterations or make the proposed changes.

Mr. COX, of New York. Mr. Speaker, I know that there are only about one-half of the members present who are interested at all in the question of the arrangement of this Hall for the accommodation of the next Congress, and as a consequence many gentlemen present do not care in particular what arrangement may be made for the accommodation of the next House. I do not doubt that the Committee on Rules did their best and recommended the most economical measure that could be suggested. But I say this, sir, that every member of this House who occupies a seat on the last three tiers of seats in this present Hall will bear me out in the assertion that we are making the House, if possible, still more inconvenient even than it is now, although perchance it may be done in what is claimed to be the interest of economy. By making the additional seven seats on the south side of the Hall, on either side of the Speaker's chair, we shut up practically those passageways now running between the rows of seats and the south wall. By filling up these blind aisles, as suggested by the committee, with seats and desks, we compel members who may occupy seats on these lines to drag themselves along through fifteen members in these narrow, crowded transverse aisles, between the chairs and the desks, before they can get access to the main or other aisles, or else they will have to sit still and remain in their seats, which is perhaps a valuable thing sometimes in public life. [Laughter.] And I repeat, sir, that if this proposition of the Committee on Rules be adopted in its present form its effect will be to disqualify at least one-half of the members of this House both from hearing what is taking place or taking an active part in our deliberations.

Mr. HASKELL. What better can be done?

Mr. HAZELTON. What would the gentleman himself suggest?

Mr. COX, of New York. I made some observations while I was traveling, if I may be allowed to refer to it, which I seldom do, and I took occasion to visit the parliamentary houses of Holland and Belgium, Sweden and Norway, Germany, the Cortes in Madrid, the French

Assembly chambers, and other parliamentary bodies, and after making some little notes and observations and looking carefully over the ground I think the best thing we can do is not to have benches, for we tried that some fifteen years ago and found it to be a failure, but to do as they do in the Spanish Cortes, and if you please in the French Assembly, and that is to provide smaller desks and smaller chairs, which will be equally convenient for the members occupying them, and we will have far more room and better accommodations in the Hall. I can now make a desk from what I have seen which will give us as much accommodation certainly, if not more, than the present desks, and can furnish a chair or bench which will be as comfortable as those we now use and which will occupy very little more than one-half of the space that is now taken up by the present chairs and benches.

But, Mr. Speaker, I do not complain of gentlemen on the Committee on Rules for the recommendation they have made; nor that they have not examined further into the matter, although they have had a plain proposition submitted to them. But I would suggest a plan and submit a resolution providing that a special committee of this House and the next be appointed, after we shall have rejected the present plan of the committee for temporary purposes, to make a more full and thorough investigation of the subject, and let that special committee go on and inquire whether we can not make a more commodious and better arrangement before the meeting of the next Congress. I think it would be a good idea to put some benches in front of the desks or in front of the seats, as is the case in the Spanish Cortes, on which members could lay their papers. In the British Parliament, as we all know, they have no desks at all. They have only benches for the accommodation of the members, and the members of Parliament are not permitted to write or to take notes during the sessions of the Parliament, except in a very limited manner. They write on the tops of their hats, and sometimes, as I have seen ministers near the bench, they reach over and get paper from it, and write on their knees.

Mr. DUNN. The trouble is we do not all wear plug-hats.

Mr. COX, of New York. And we can make the same arrangement here that is made in the British Parliament, in part at least, with satisfaction and comfort to the members. I would not do away with the desks altogether, and I would perhaps put some of them in the corner for the convenience of members who desire to carry on their correspondence. We tried, as I have said, some years ago to do away with the desks altogether, but the difficulty was in securing the attendance of members who were engaged writing letters in the corner at the desks provided for that purpose, and in a few weeks we gave them up. My present idea is that we should combine a smaller desk with smaller seats, to provide suitable accommodations for members, so that we may be able to do some writing and something else besides merely listening in our seats.

Mr. KASSON. Will my friend from New York permit me to say, I suppose there is no doubt except upon one or two points. One method might be instead of blocking up these short aisles to put some rows of seats in the corners in the rear. Another is the suggestion the gentleman from New York now makes as to diminishing the space occupied by desks and chairs. I think these doubts are of sufficient importance to be a reason for the appointment of a select committee, as the gentleman now suggests, and which I suggested the other day. I know the embarrassment of the Committee on Rules in recommending anything else than is embraced in their report without the sanction of the House. I think their report is the best off-hand report that could have been made on the subject.

Mr. COX, of New York. I believe if we would reduce the space occupied by the seats we would have plenty of room in this House to do our business properly. But as it is now, I believe more than half the members of the House do not understand what is going on. I have to leave my seat always and come over here to understand what is going on from the Speaker's chair. And the gentleman from Kentucky [Mr. BLACKBURN], who has the most magnificent voice in this House, frequently can not be heard by gentlemen in that corner on the last two rows of seats, unless he speaks from some commanding position; and he can not always obtain that position. Even the Speaker can not always be heard in those remote parts of the Hall.

Mr. BEACH. Let me ask my colleague whether that is not owing to the confusion which prevails in this House, and whether members would not be better heard if better order were preserved?

Mr. ANDERSON. There will always be confusion here.

Mr. COX, of New York. As long as our country is what it is, and when we have in this Hall three hundred and twenty-five members, there will be confusion more or less. What is to be aimed at is to diminish the confusion as much as possible by bringing the members closer together, in the interest of business.

I know something about this matter. With all modesty I say it; I made the first speech in the Hall. It had an attentive auditory—not from what I said, but because men were watching the acoustic properties of the Hall. I have survived a good many long, wearisome debates in this House in spite of all the confusion. I have been placed in the outer rim in one corner; I have drawn seats all round the Hall; and I know the interest I take in legislation depends greatly on where I am in the House. If I had the choice of a seat in this House I would

choose the Speaker's chair. [Great laughter.] But I can not always have that. [Mr. BLACKBURN rose.] Will my friend from Kentucky allow me to offer my resolution?

Mr. WHITE. I desire to offer a substitute.

The SPEAKER. Does the gentleman from New York [Mr. Cox] propose to offer an amendment?

Mr. COX, of New York. I offer an amendment which I think will perhaps be accepted.

The SPEAKER. The Clerk will read the proposed amendment.

The Clerk read as follows:

That a committee of five members be appointed to consider whether any other arrangement than that proposed by the Committee on Rules can not be made; and that said committee be authorized to so arrange the seats of the Chamber as to give better accommodation for the transaction of the business of the House.

Mr. COX, of New York. That is in addition to the resolution of the committee.

Mr. BLACKBURN. I desire simply to say we have but nine working days left, I believe, of this Congress. It seems to me impracticable to adopt the suggestion of the gentleman from New York in the form of the substitute he offers.

Mr. COX, of New York. I do not offer it as a substitute, I will say to my friend, but as an addition to his resolution.

Mr. BLACKBURN. That would necessitate the change contemplated by the report made from the Committee on Rules; then the sitting here during the long session of the Forty-eighth Congress under that arrangement. And it seems to me that the time during the six or eight or nine months of the session will be ample to consider any radical changes.

Now that the gentleman from New York has offered his amendment, desiring to get the sense of the House, and having tried as fairly as I could to state the reason which induced the committee to make this report, I will test the sense of the House by demanding the previous question.

Mr. COX, of New York. I do not wish to antagonize the report made by the gentleman from Kentucky.

Mr. BLACKBURN. My demand for the previous question does not shut out the amendment of the gentleman from New York. I agree to let it come in.

Mr. WHITE. I ask my colleague from Kentucky to allow me to offer a substitute.

Mr. BLACKBURN. If it is the only one, I shall be glad to do so.

The Clerk read Mr. WHITE's proposed substitute, as follows:

Resolved, That the Clerk of the House be, and is hereby, directed (before the convening of Congress in December, 1883) to remove the desks and chairs now in use in this Hall of Representatives, and substitute therefor the same chairs, or those of a more convenient style and pattern, if such can be obtained, attached to the right arm of which shall be a rest or table on which to write, with a small drawer or receptacle underneath for holding writing materials; such chairs to be placed in their present circular form, maintaining the space now existing in front of the Speaker's table; the present desks, or, in lieu of them, counting-house or library tables, containing drawers, and presenting writing spaces sufficient to accommodate the Representatives and Delegates elect to the Forty-eighth Congress, so that each person may have a drawer and space for his exclusive use, the desks or tables to be placed in the open space behind the chairs, and separated therefrom in the most convenient manner.

Mr. BLACKBURN. Desiring a fair expression of opinion from the House upon this question, I am glad the substitute of my colleague from Kentucky is offered. I ask for the previous question, so as to get a vote first on his substitute, then upon the amendment of the gentleman from New York [Mr. Cox], and then upon the report of the committee.

Mr. WHITE. Will my colleague allow me two minutes to explain my substitute?

Mr. BLACKBURN. I shall be glad to hear the gentleman.

Mr. MILLS. The gentleman can give his explanation after the previous question shall have been ordered.

Mr. BLACKBURN. I am only afraid it may involve further discussion.

Mr. WHITE. I do not desire to debate this matter to any extent, but merely to explain my proposition for two minutes.

Mr. BLACKBURN. Let us have the previous question ordered, and then the gentleman can go on.

The SPEAKER. There will be no debate after the previous question.

Mr. BLACKBURN. Very well; I will yield now.

Mr. WHITE. What the gentleman from New York [Mr. Cox] has said must certainly strike every one as the fact, especially those of us occupying seats in the remote parts of the Hall. What we need is some arrangement by which we can hear what is going on.

My colleague [Mr. BLACKBURN] has a magnificent voice, but I think I can safely say that not one-half of the members present here this morning have been able to hear what he has been saying. For that reason I have offered this resolution, to enable the members of the House with weaker lungs to be heard when they have something to say.

My proposition is to take out these desks and put them behind the outer railing, or to have substituted instead proper counting-house tables, in which there shall be a lock-drawer, so that any member who

may want to write a letter, read a paper, or smoke a cigar can go outside of the railing, while those who desire to stay here can understand what is going on.

It is not necessary that each member shall be allowed all the space which is now assigned him for a chair and desk. Five feet square of space is allowed here now to each member. In order to do that for the few who are fortunate enough to draw seats near the front, the rest of us are obliged to sit farther back. That is not fair to those members.

Mr. REED. I do not know that it is necessary for me to say anything on this subject; but if the House will indulge me a moment, I desire to say a few words.

I think the idea of the removal of these desks and the substitution of seats is absurd, except upon one plan or purpose, and that is to divide this Hall into two parts and use only one-half of it for purposes of legislation. If we have made up our minds that we want to make that radical change, then we can have a space for desks and have another portion of the Hall reserved in which members can be heard.

But to put desks in the middle of this ten-acre lot in which we are now doing business would be the greatest mistake in the world. It would do neither the one thing nor the other; it would neither give an opportunity to do private business to the exclusion of the public business, nor an opportunity to do public business to the exclusion of private business.

As an individual I might be in favor of dividing this Hall into two parts, and taking one-half of it for legislative purposes, so that every member, whether he has a "magnificent voice" or not, can be heard when he addresses the House. But I do not believe the House is ready for any such radical change, and therefore the wisest thing for us to do is to make the slight change which is recommended by the committee.

I do not believe in having a select committee to attend to this business on the heel of the session. If it is desired to make radical changes in this regard, then let them be begun at the commencement of the next session of Congress, when we can have full opportunity for discussion and when we can arrive at some conclusion to which we will stick thereafter.

Mr. BLACKBURN. I now call the previous question.

The previous question was ordered.

The SPEAKER. The first question is upon the amendment offered by the gentleman from New York [Mr. Cox].

The amendment was not agreed to, upon a division—ayes 18, noes not counted.

The SPEAKER. The question now recurs on the substitute offered by the gentleman from Kentucky [Mr. WHITE] for the resolutions reported from the Committee on Rules.

The substitute was not agreed to.

The resolutions from the Committee on the Rules were then agreed to.

Mr. BLACKBURN moved to reconsider the vote by which the resolutions were agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FERDINAND MULLAN.

Mr. URNER. I am instructed by the Committee on Accounts to report back the resolution which I send to the Clerk's desk, and to ask that the committee be discharged from its further consideration and that the same be referred to the Committee on Claims.

The resolution was read, as follows:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay out of the contingent fund of the House to Ferdinand Mullan, administrator of Charles N. Mullan, deceased, late an employé of the House of Representatives during the Forty-fourth Congress, a sum not exceeding \$173 for funeral expenses of said deceased, and that the same be immediately available.

Mr. ATKINS. I would inquire of the Chair whether if this resolution should be referred to the Committee on Claims at this late period of the session it would not be an end of the matter?

The SPEAKER. The Chair thinks so.

Mr. ATKINS. Then I suggest that it be referred to the Committee on Appropriations.

Mr. URNER. Very well; I will make that motion.

The motion was agreed to; and the resolution was referred accordingly.

ORDER OF BUSINESS.

Mr. HISCOCK. I move to dispense with the morning hour.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. HISCOCK. I now propose to move that the House resolve itself into Committee of the Whole for the further consideration of the sundry civil appropriation bill. Before making that motion I will move that all debate upon the pending paragraph and all amendments thereto be limited to twenty minutes.

The SPEAKER. The question is upon the motion to limit debate.

Mr. HISCOCK. In deference to the Committee on Military Affairs, from which committee was reported the pending amendment in Committee of the Whole, I will change my motion so as to limit debate to thirty minutes.

Mr. ATKINS. I would suggest ten minutes.

Mr. HISCOCK. I think it is due to the Committee on Military Affairs, from which the pending proposition came, to allow thirty minutes.

The motion to limit debate to thirty minutes was agreed to.

DAMAGE BY FLOODS TO MISSISSIPPI IMPROVEMENTS.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a copy of a telegram from Captain W. L. Marshall, Corps of Engineers, in partial response to the resolution of the House on the 17th instant, calling for information in regard to damage by flood or otherwise to improvements on the Mississippi River at Plum Point Reach or Lake Providence Reach.

Mr. PAGE. I submit that this communication should be referred to the Committee on Commerce.

Mr. ROBINSON, of Massachusetts. Did the Chair mean to refer the resolution to the special or the standing committee?

Mr. HISCOCK. It ought to go to the special committee, as they have asked for this information.

Mr. ROBINSON, of Massachusetts. The special committee appointed at the adjournment of the last session.

The SPEAKER. If there be no objection, the communication will be referred to the special committee relative to appropriations for the Mississippi River.

Mr. PAGE. It seems to me that as the special committee have made their report—

Mr. ROBINSON, of Massachusetts. They have not; they are waiting for this very information.

The communication was referred to the Select Committee Relative to Appropriations for the Improvement of the Mississippi River.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HISCOCK. I now move that the House resolve itself into Committee of the Whole House on the state of the Union to resume the consideration of the sundry civil appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. KASSON in the chair, and resumed the consideration of the bill (H. R. 7595) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes.

The CHAIRMAN. By order of the House all debate on the pending paragraph and all amendments thereto has been limited to thirty minutes. The pending amendment will be read.

The Clerk read as follows:

At the end of line 823 add the following:

"That all lands reserved for military purposes which, in the opinion of the President, may be no longer desirable for such purposes, or so much thereof as he may designate, shall be placed under the control of the Secretary of the Interior to be disposed of: *Provided*, That said lands shall not be placed under the control of the Secretary of the Interior until the direction of the President therefor shall have been filed in the Interior Department: *Provided also*, That said lands shall not be subject to location by warrant or scrip of any description nor to the homestead or pre-emption laws of the United States: *And provided further*, That said lands shall not be sold until they shall have been surveyed and platted under the direction of the Secretary of the Interior and appraised by three competent men to be appointed by him and their appraisal approved by the President of the United States. And said lands shall be sold at public sale to the highest bidder for cash, and shall not be sold at less than their appraised value and in such subdivisions as may be most advantageous to the Government, no subdivision to exceed one hundred and sixty acres."

Mr. PAGE. I make the point of order—

The CHAIRMAN. The Chair will state to the gentleman from California that this amendment was offered last evening by the Committee on Military Affairs. A point of order was raised upon it; but the amendment was decided by the Chair to be in order. The proposition is now open to amendment and further debate in connection with amendments, as debate under the rule has been exhausted.

Mr. HENDERSON. There ought to be some understanding in regard to the division of the time.

Mr. PAGE. I do not wish to debate the question at all, but merely to ask a question of the gentleman who reported this amendment from the Committee on Military Affairs. I wish to inquire whether this provision does away with the necessity for special legislation in reference to restoring to public entry lands formerly occupied as military reservations?

Mr. MCCOOK. I assume that it does.

Mr. PAGE. One further inquiry. There are instances where persons have entered upon these reservations which have been abandoned for military purposes. I desire to ask whether there is any provision that persons entering in this way shall have the first right in regard to these lands?

Mr. MCCOOK. I will gladly answer the gentleman; but I understand this does not come out of the regular time.

The CHAIRMAN. This is in the time of the gentleman from California [Mr. PAGE].

Mr. PAGE. I yield to the gentleman the remainder of my five minutes that he may answer the question.

Mr. MCCOOK. I can only answer the question in this way: I assume that if any man who has entered on a military reservation has a legal claim this provision, if it should become a law, will not affect his rights. If he is a squatter—has taken possession of land to which he had no more right or title than I have—I assume that his so-called rights will not be protected.

Mr. PAGE. Suppose he has entered upon the land in good faith?

Mr. MCCOOK. The question of good faith we can not determine. He had no right to enter until the land was formally abandoned under an act of Congress and restored to the public domain.

Mr. WASHBURN. I desire to offer an amendment.

Mr. HENDERSON. I think we ought to have some understanding as to the division of time.

Mr. MCCOOK. I would like, if it be not contrary to the rule, to have fifteen minutes assigned either to the gentleman from Illinois [Mr. HENDERSON] or myself, so that we may distribute that time as we please.

The CHAIRMAN. If there be no objection the Chair will recognize the gentleman who offered the amendment [Mr. MCCOOK] to dispose of the fifteen minutes on that side, and perhaps the gentleman from Minnesota [Mr. WASHBURN] to assign the remainder of the time.

Mr. WASHBURN. I submit the amendment which I send to the desk.

The Clerk read as follows:

Strike out the words "homestead or" in the second proviso of the amendment; so as to make the proviso read:

"*Provided also*, That said lands shall not be subject to location by warrant or scrip of any description, nor to the pre-emption laws of the United States."

Add to the second proviso the following:

"*And provided*, That the rights of actual settlers entitled to the benefits of the homestead laws of the United States who now occupy in good faith any portion of the lands embraced within the said reservations shall not be interfered with, but shall date from the day of their actual settlement thereon; and in perfecting their titles thereto under the homestead laws the time such settlers have occupied and improved their said lands shall be allowed."

Mr. VALENTINE. Let me suggest to the gentleman that he say "such reservations abandoned," &c.

Mr. WASHBURN. Mr. Chairman, I agree fully with the general purposes of the amendment offered by the Military Committee and accepted by the Committee on Appropriations, having for its purpose the disposal of the military reservations for which there is no further use for military purposes. I am not, however, in favor of turning our backs upon the policy of the last twenty-four years, whereby the public domain has been opened up to settlement and dedicated to the use of the actual settler. This wise and beneficent policy has done too much for my State and the States in that portion of the Union to be abandoned at this time. So far as these reservations are concerned, my observation teaches me they are very little different in value from the other lands of the public domain in the same localities. There are few of them which have any special value more than the rich, broad acres which have belonged to the general public domain. Such is the case I know in my own State.

While I have been in Congress two of these military reservations have been abandoned, and in both instances the provisions of this amendment of mine has been adopted in reference to their disposal and in protecting the rights of the actual settler. Actual settlers have gone upon these reservations years and years ago, in the expectation and belief that they were ultimately to be restored to the public domain, and in my judgment they should be allowed to perfect their homestead claims and secure a preference that a residence on such claims would give them.

There is no good reason, so far as my observation has gone, why these particular reservations should be taken out from the operation of the general policy of the Government so far as the disposal of the public domain is concerned. There may be some rare instances where possibly a portion of a reservation is of special value, but under the power given to the President and Secretary of War such portion can be withdrawn from the operation of the law opening up the lands to homestead claimants.

Now, sir, I hope our friends on this side of the House will not forget that as a party we have been pledged to the principle of the homestead law from its very inception, and we should not forget that its effect has been most beneficent. It has done, Mr. Chairman, more than any other act of legislation to settle up and develop the great empire of the West and Northwest. Let us not turn our backs on it. Let us not forget that the actual settler who has gone out to these public lands in good faith and when he believed he could perfect his right to his home, let us, I say, not forget him, but see to it that he shall have the right to secure his homestead right in preference to the land speculators and sharks who swarm through the country. The amount the Government will receive by the sale of these lands will not be large. The Government does not rely on the sale of its public lands to fill its Treasury. There is no necessity for it. By putting these lands up at public sale the result will be that men of capital, speculators and adventurers, will take up these reservations, and the actual settlers will be compelled to take them second-hand at an advanced price. I hope my amendment will be adopted.

Mr. SPARKS. Mr. Chairman, for several years the War Department has been commending to the consideration of Congress the propriety of disposing in some way of the useless military reservations of the country. And I take it there is no man on this floor who does not feel the importance of so doing. The Committee on Military Affairs of the House, having charge of matters of this sort, with perfect unanimity have agreed on a policy to dispose of this public property, and have recommended that it be appraised and sold without being subject to location by land-warrants, land scrip, homestead exemption, or anything else of that kind. That committee proposes, by the amendment which the gentleman from New York [Mr. McCook] has by its instruction offered to this bill, a plan by which this valuable property may bring a considerable revenue to the Government by disposing equitably and fairly of these public lands.

The objection made to it, and the only one I have heard, is that made by the gentleman from Minnesota [Mr. WASHBURN], who proposes to amend so that these lands shall be subject to homestead entry, &c. For a moment, sir, let us look at the effect of this modification of the Military Committee amendment. How are you to subject these lands to homestead exemption without doing injustice to the people of the country? It is plain that it would be impossible to do so without the guard thrown around them by the clause in the committee amendment, subjecting them to fair sale to any and all persons, and excluding any special privileges to this army of camp-followers and squatters, who having followed the army for speculative purposes would be sure to secure and gobble up the most valuable of these lands and thus deprive *bona fide* actual settlers, who will desire them for purposes of cultivation and improvement, from getting them.

We are told that some of these lands have already been squatted upon. By whom, and who are they? They certainly had no right to do so. Sir, I know of no man on this floor or in this country who is not in favor of the homestead law, of opening the public lands to actual settlers and allowing them to perfect their homestead entries. The public domain has been open under liberal and just laws to pre-emption and homestead entries for many years, and will I hope remain so; but military reservations are no part of what is popularly known as the public domain. They have been taken out from the public domain and have been specially reserved and used by the Government for specific military purposes. They are much of them very valuable. Now, when the Government has ceased to use them and no longer wants them for the purposes for which they were originally reserved, should they not in common fairness to the whole people be disposed of for the reasonable price they would bring by being thrown open to public sale?

Now, I do not know whether my friend from Minnesota has any friends among these camp-followers, who have without authority squatted on any military reservation in his State and who would like to gobble up these valuable lands or not. I do not know nor insinuate any such thing. But I do know that they ought to be opened to the people of the whole country without reservation. They ought to be opened fairly to every man who will buy and build up his home upon them under the law. What right had these camp-followers to locate upon these reservations if any of them did so? Can it be that they did so in good faith for the purpose of making homes upon them? No, they could not have done that, because it was notorious that these reservations were not subject to be taken possession of under the homestead laws. They like all others could have gone upon the public lands (not reserved) where in fact they were invited generally to do so; but they had no invitation nor right to go upon reservations. Hence if there is anybody upon these reservations they are, as I have said, a class of men who have no legal authority under the homestead or other laws to do so. They followed the camp for speculative purposes and if they made locations in its neighborhood they acquired no legal nor equitable claim upon the lands, for they knew that the homestead laws did not apply to them. It would now be unfair to the people of the whole country and unjust to the actual settlers upon the public lands generally, who have gone there in pursuance of the law, to permit these parties to hold valuable lands under such circumstances. Justice demands just such a law as that proposed by the amendment offered by the gentleman from New York, which comes from and is the unanimous report of the Committee on Military Affairs, having charge of the matter, that these lands shall be promptly appraised, duly advertised and sold, and the proceeds turned into the public Treasury as they ought to be.

[Here the hammer fell.]

Mr. DUNNELL. I now yield five minutes to the gentleman from Nebraska [Mr. VALENTINE].

Mr. VALENTINE. I wish to ask the gentleman from Minnesota [Mr. WASHBURN] to permit the following words to be inserted after the word "reservation" in his amendment:

Now abandoned or not used for military purposes.

Mr. MAGINNIS. I hope the gentleman will not accept that amendment, because there are many of these reservations where if that amendment is incorporated the very purpose and object of the proposition of the Military Committee will be destroyed.

Mr. VALENTINE. It has been the custom, as my friend knows, after

a reservation has been abandoned, for these persons to move on to it and take possession of the land. Now, this makes provision—

Mr. MAGINNIS. Let the amendment be again read.

The CHAIRMAN. The Clerk will report the amendment to the amendment suggested by the gentleman from Nebraska.

The Clerk read as follows:

Amend by inserting after the word "reservations" "the words "now abandoned or not used for military purposes;" so that it will read:

"Who now occupy in good faith any portion of the land embraced within the said reservations now abandoned or not used for military purposes, shall not be interfered with, but shall date from the day of such actual settlement," &c.

Mr. VALENTINE. The gentleman will see that I wish to confine this provision to these abandoned reservations.

Mr. MAGINNIS. That is all right. I have no objection to that. I misunderstood the amendment of the gentleman.

Mr. VALENTINE. I offer this amendment to the amendment suggested by the gentleman from Minnesota, and hope he will not object to it.

Mr. WASHBURN. I accept that modification.

Mr. VALENTINE. Now I ask the attention of the committee for a moment. I can refer to a small reservation in my own State, Fort Hartsuff, which was originally only one or two sections, a small reservation, a two-company post, which was used about eight years for military purposes. It has now been abandoned for some four or five years. They found it necessary to have more territory within that reservation than was originally selected for wood and hay purposes, and consequently they took in some five or six additional sections surrounding it, and took in thereby some actual settlers who were upon adjacent surveyed lands, in accordance with the land laws of the United States; men who had actually settled upon the surrounding lands under the law.

Mr. MAGINNIS. That is a common practice in extending reservations, to take in the surrounding settlers.

Mr. VALENTINE. These people, to whom I refer, are prohibited from proving up on their entries if this amendment shall prevail without the modification I have suggested. And if this amendment of the gentleman from Minnesota [Mr. WASHBURN] prevails without such a modification it will prevent these actual settlers from doing so. Now, they ought to be protected. I can well see the force of the proposition suggested by the gentleman from New York as applied to reservations lying within the Eastern States. I think it entirely right and proper with reference to these lands, for they have become very valuable and should only be disposed of in the manner prescribed in the proposed amendment of the Military Committee. But, Mr. Chairman, there are reservations lying in many of the Western States and Territories that should be excepted from its general provisions, as in the case of the one to which I have just referred. I think the amendment offered by the gentleman from Minnesota amply covers and protects these actual settlers with the modification I have suggested upon reservations lying in the Western States and Territories; and I hope, therefore, as modified that it will be agreed to by the committee.

If I have any time remaining I yield it to the gentleman from California [Mr. BERRY].

The CHAIRMAN. The gentleman from California has one minute.

Mr. BERRY. Now, Mr. Chairman, I wish to say that some such amendment as that offered by the gentleman from Minnesota should prevail, and I must say that I am somewhat surprised at the remarks of the gentleman from Illinois [Mr. SPARKS], for he ought to know that in many instances reservations have been declared where there never was a military post established. The settlers have gone and occupied these lands that are simply military reservations in name; and if some such amendment as is suggested by the gentleman from Minnesota and the gentleman from Nebraska does not prevail, the actual settlers who built their homes on these lands will be deprived of the opportunity to secure titles.

Further, Mr. Chairman, military reservations have been declared where Government troops were only stationed for one winter, perhaps; or where they have occupied quarters for only a few months in some instances. In these cases we have settlers who have gone and occupied the lands, who have made their entries and their surveys, established their homes, who will be deprived of all opportunity of proving up their titles if this amendment proposed by the Military Committee shall prevail.

[Here the hammer fell.]

Mr. HENDERSON. There ought not to be, Mr. Chairman, it seems to me, any question in regard to the adoption of this amendment which has been offered by the direction of the Military Committee.

Mr. VALENTINE. There will be no objection, I think, if you let proper modifications be made to it.

Mr. HENDERSON. I understand perfectly well the effect of the amendment of the gentleman from Minnesota [Mr. WASHBURN]; and if I believed, Mr. Chairman, that any *bona fide* claimant of lands was to be protected by such amendment I would be in favor of it. But I do not believe there is any *bona fide* claimant that is to be protected by that amendment.

So far as California is concerned, as long ago as 1853 it was expressly provided by law that no person should make any settlement or location

upon any tract or parcel of land selected for a military post, or within one mile of such post. How can a man in California in the face of this law come now and say he is claiming in good faith any part of a military post or reservation?

Mr. BERRY. Will the gentleman allow me now to make this statement—

Mr. HENDERSON. I can not allow it out of my time.

The CHAIRMAN. It must come out of the gentleman's time. The gentleman from Illinois declines to yield.

Mr. HENDERSON. I believe this amendment ought to be adopted as reported by the Military Committee, from the fact that these military posts have usually been established on the very best lands of the United States, as was stated last night by my colleague on the committee [Mr. McCook] who has charge of this amendment. I know that some of them have valuable improvements upon them because the report of the Secretary of War so informs us, and it seems to me that in view of that fact we ought not now to open up these military reservations and subject them to the homestead and pre-emption laws.

There is not a very large quantity of these lands; there are less than 600,000 acres of these lands, as I understand from the report of the Secretary of War, and where the land has been made valuable and held in reservations for so long a time it seems to me just that the Government should adopt this policy instead of allowing it to be jumped or squatted on by any person who may go there in anticipation of its becoming vacant with the intention of stealing it; as is often the case, I fear.

I am in favor of the homestead exemption law. I am an earnest advocate of it. But my faith in it was greatly weakened by a visit last summer to Dakota, when I found that Territory covered all over with claims so that an honest citizen going there with the honest intent of seeking a homestead for himself and family had to purchase a right from some speculator who seemed to have lands in some way to dispose of.

Mr. WASHBURN. Those fraudulent claims are not under the homestead law, but under the pre-emption law, which this House, if it does justice to itself and the country, will repeal before we adjourn.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DUNNELL. Has the time been occupied on the other side?

The CHAIRMAN. Yes, and five minutes remain on the side of the gentleman from Minnesota [Mr. DUNNELL], who is now recognized.

Mr. DUNNELL. I yield one minute to the gentleman from Kansas [Mr. RYAN].

Mr. RYAN. I think enough has been disclosed by the discussion to demonstrate that no general law can be passed here that will be just in its application to all these forts. The conditions vary in almost every case. In the case of some forts the property has become valuable; settlements have sprung up all around such a fort; it has been a fort for years; that ought to be appraised and disposed of at auction with certain restrictions.

One word more. It has been the practice of the Government to treat each of these reservations in the disposition of them upon its merits and pass a law for its disposition. [Here the hammer fell.] I want to add one word with the permission of my friend from Minnesota [Mr. DUNNELL]. I observe by an examination that during the last ten years we have disposed of seventeen of these reservations, and every one of them has been disposed of under the homestead and pre-emption laws excepting four.

Mr. DUNNELL. I yield one minute to the gentleman from Dakota [Mr. PETTIGREW].

Mr. PETTIGREW. Mr. Chairman, in the Territory of Dakota there are several abandoned military reservations. These reservations were established shortly after the Minnesota massacre in 1862, and they were so far beyond settlement that they were no more valuable than the surrounding public lands. These reservations have since been abandoned by the War Department, and as the settlers have come in and filled up that country a few of them have settled upon these reservations. The land is no more valuable than the surrounding land taken by their fellow-settlers; and these people who occupy these reservations are not camp-followers, but have everything they possess in the world upon these lands. And for Congress to pass any act depriving them of their improvements and rights would be unjust.

[Here the hammer fell.]

Mr. RYAN. They are the kind of camp-followers that have settled up the entire West.

Mr. DUNNELL. I am surprised to hear the gentleman from Illinois [Mr. SPARKS] speak of these men settling upon these reservations as camp-followers. A gentleman representing a Western State ought to know better than to affirm that the men squatting even, if you please to use that term, upon reservations or public lands in the great West are to be denominated camp-followers. They are the very men that lead in the development and growth and prosperity of these sections of the country. It was said here last night by the gentleman from New York [Mr. McCook] that the War Department was desirous of creating a new policy as to the disposition of these reservations. I find

here that the Secretary of War proposes to transfer these lands to the Secretary of the Interior "for sale after appraisal or for a disposition under the general land laws."

Heretofore, as I stated last night, we have disposed of every military reservation from the beginning of the Government down to the present time by special act, and in all cases where there have been lands proper for entry under the homestead and pre-emption laws those lands have always been given up to settlers under those laws. It is now proposed to establish an entirely new policy.

There are involved in this proposition a half million acres of land, the great bulk of which is no better than the outlying lands. It is proposed to sell those lands and have the proceeds go into the public Treasury.

I am opposed to this, not because I represent any lands within any military reservation, but because, from my service on the Committee on Public Lands and as representing a land State, I know very well that the old policy we have pursued has been in harmony with the liberal and beneficent homestead policy of the Government which has been in vogue now for so many years.

Mr. HISCOCK. I rise to favor the amendment offered by my colleague.

Mr. MCCOOK. I think the Committee on Military Affairs should be allowed some chance to be heard.

Mr. HISCOCK. I will yield to my colleague.

Mr. MCCOOK. The Committee of the Whole may as well understand distinctly that if the amendment suggested by the gentleman from Minnesota [Mr. WASHBURN] shall be adopted it will destroy absolutely the effect and purpose of the proposition submitted by the Committee on Military Affairs.

Mr. DUNNELL. Good.

Mr. MCCOOK. The Committee on Military Affairs have nothing whatever to disguise in regard to the action which they propose. Their proposition is that the military reservations of this country, not those abandoned, as the gentleman from Minnesota [Mr. DUNNELL] suggests, but those from which the troops have been withdrawn, shall be sold to the highest bidder at auction after due appraisal and due advertisement.

As I stated last night, the proposition is carefully guarded so as to prevent combinations, and it prohibits the sale of any subdivision of land containing more than one hundred and sixty acres. When you talk about the rights of the men who have located on these military reservations, I will say that they are simply trespassers, and in my judgment are entitled to no consideration from the Congress of the United States.

Almost from the beginning of the Government to the present time the President of the United States has by proclamation declared certain of the public lands military reservations, and that authority has been affirmed time and time again by Congress. Judicial decisions have been rendered to the effect that when those lands have been once declared by the President to be military reservations they can not be afterward abandoned for any purpose whatever except by authority of Congress. I therefore again repeat that when any man in the vicinity of a military reservation, no matter whether he goes there in good faith or bad faith, takes possession of any portion of the land embraced within such reservation, he is a trespasser and has no legal or equitable rights before the Congress of the United States.

I deny again that it has always been the policy of this Government, as the gentleman suggests, to open these military reservations to pre-emption or homestead settlement. The military lands of the State of Florida have all been sold, and the proposition reported from the Committee on Military Affairs practically follows the language of the statute in that case, with additional guards and checks thrown around it.

As I understand the law, up to 1858 all of these lands were sold, and then the law was modified. The present Secretary of War, as did also his predecessor, asks us for some general law in regard to the matter, some law which we in our wisdom, if we have any, may suggest.

The Committee on Military Affairs, who had the right to consider this matter, after taking into consideration the value of these lands and also the fact that the men who have gone upon them are trespassers, have come to the conclusion that it is due to the Government of the United States that these lands should be sold at public auction, to the highest bidder, for cash.

As I said before, if the amendment of the gentleman from Minnesota [Mr. WASHBURN] shall be adopted, the action of the Committee on Military Affairs will be rendered nugatory and the whole matter will be left at sea. I hope, therefore, that his amendment will not be adopted, and that the action of the Committee on Military Affairs will be sustained.

Mr. DUNNELL. I would like to ask the gentleman a question. It is if under the execution of our land laws a settler has gone on a military reservation whose boundaries are unknown, and there carved out a home for himself and family, does the gentleman think it a wise and generous policy for the Government to oust him from that home?

Mr. MCCOOK. I suppose I am as good-natured as the gentleman from Minnesota, and I perhaps would not "oust" him any sooner than

he would. But I am not discussing that question; I am discussing the rights of the Government.

The CHAIRMAN. The time allowed for debate upon this subject has expired. The first question is upon the amendment of the gentleman from Minnesota [Mr. WASHBURN] to the amendment offered by the gentleman from New York [Mr. McCook].

The amendment of Mr. WASHBURN was read, as follows:

Strike out the words "homestead or" in the amendment; and add to the amendment the following:

"And provided, That the rights of actual settlers entitled to the benefits of the homestead laws of the United States, who now occupy in good faith any portion of the land embraced within the said reservations, now abandoned or not used for military purposes, shall not be interfered with, but shall date from the day of their actual settlement thereon; and in perfecting their titles thereto under the homestead laws the time such settlers have occupied and improved their said lands shall be allowed."

The question was taken upon the amendment of Mr. WASHBURN; and upon a division there were—ayes 18, noes 65.

Mr. WASHBURN. I call for tellers.

Mr. HISCOCK. I trust the gentleman will not take up time in doing that.

The CHAIRMAN. The question is upon ordering tellers.

The question was taken, and tellers were not ordered.

Mr. WASHBURN. I raise the point that no quorum has voted.

The CHAIRMAN. The Chair would remind the gentleman that the proper order is to make the point of no quorum before calling for tellers. But the Chair will appoint tellers.

Mr. WASHBURN. I will withdraw my call for tellers.

So the amendment of Mr. WASHBURN was not agreed to.

Mr. RYAN. I move to amend the pending amendment by adding what I send to the desk.

The Clerk read as follows:

Subject, however, to the provisions of an act entitled "An act to provide additional industrial training schools for Indian youth, and authorizing the use of unoccupied military barracks for such purpose," approved July 31, 1882.

Mr. RYAN. If debate were in order, I could explain this amendment so that no one would object to it.

The CHAIRMAN. Debate has been closed.

Mr. HENDERSON. Does the gentleman say that this is in pursuance of law?

Mr. SPARKS. I make a point of order on the amendment.

The CHAIRMAN. The Chair is of opinion that the amendment is in order, as it simply proposes to reserve from the operation of the amendment provisions of existing law in regard to training schools for Indian youth.

The question being taken on agreeing to the amendment, there were—ayes 20, noes 35.

Mr. RYAN. For the purpose of obtaining tellers, I make the point of order that no quorum has voted. I understand that there is no objection on the part of the Military Committee to this amendment.

Mr. SPARKS. There is objection.

Mr. McCOOK. I object to it.

Mr. RYAN. I withdraw the call for tellers.

The amendment was not agreed to.

Mr. VALENTINE. I desire to offer an amendment which merely protects the rights of settlers lawfully acquired in these abandoned reservations.

The CHAIRMAN. The Chair will remind the gentleman from Nebraska [Mr. VALENTINE] that debate is closed. The Clerk will read the amendment.

The Clerk read as follows:

Add to the pending amendment the following:

"Provided, however, That Fort Hartsuff military reservation, in the State of Nebraska, be, and the same is hereby, vacated and made subject to entry under the land laws of the United States, reserving priority of entry to any person who has made lawful settlement thereon. Also, that the purchaser or purchasers of Government buildings on said reservation shall have the right to purchase the tract of land upon which said buildings are located, not to exceed one hundred and sixty acres, at such price as shall be fixed by the Secretary of the Interior."

Mr. SPARKS. I make a point of order on that amendment.

The CHAIRMAN. The Chair thinks that a point of order does not lie against the amendment. It is simply a modification of the amendment already ruled in order and debated.

Mr. SPARKS. It is identical with the proposition voted down a moment ago.

The CHAIRMAN. This is limited to a single reservation.

Mr. STEELE. It is certainly special legislation.

The amendment was not agreed to.

Mr. PETTIGREW. I move to amend the amendment by adding what I send to the Clerk.

The Clerk read as follows:

Provided further, That the settlers now residing upon the Fort Rice and that portion of the Fort Randall military reservation east of the Missouri River, in the Territory of Dakota, shall be allowed to enter the land upon which they reside under the homestead and pre-emption laws.

Mr. SPARKS. I make a point of order on this amendment.

The CHAIRMAN. On what ground?

Mr. SPARKS. That the subject-matter has already been voted upon. It makes no difference that this amendment embraces but a part of the general proposition; the whole proposition has been voted down. An amendment was offered subjecting all these lands to homestead entry; that amendment was rejected. Now I take it an amendment can not come in which proposes the same provision in regard to single reservations. The whole matter has been defeated.

The CHAIRMAN. The Chair will remark in reply to the gentleman that because the Committee of the Whole has refused to apply the provision to all the reservations *non constat* it is unwilling to apply it to one. The Chair overrules the point of order.

The amendment was not agreed to.

Mr. WASHBURN. I move to amend the amendment by inserting, after the words "appraised value," near the close of the amendment, the words "which in no case shall be less than \$1.25 per acre;" so that the language will read "shall not be sold at less than their appraised value, which in no case shall be less than \$25 per acre."

Mr. RYAN. If we are going to sell these lands, that limitation ought to be inserted.

Mr. MAGINNIS. The gentleman from New York [Mr. McCook] had better accept this.

Mr. McCOOK. All right; let it go.

The amendment of Mr. WASHBURN was adopted.

Mr. HERBERT. I move to amend the amendment by adding the proviso which I send to the desk.

The Clerk read as follows:

Provided, That persons who may at the time of the passage of this act be in possession of any of the lands in Alabama heretofore reserved for military purposes shall be authorized to purchase the same at such valuation as may be put upon the same by the Secretary of the Interior, if such persons shall make application within six months after the passage of this act.

The amendment was not agreed to.

Mr. WASHBURN. I wish to submit as a further amendment a provision which is usual in regard to all these public sales, and to which I think the committee will not object. I move to add to the amendment a proviso which I ask the Clerk to read.

The Clerk read as follows:

And provided further, That no sales shall take place until notice of the same shall have been published for at least ninety days, once in each week, immediately prior to such sale, in at least two daily newspapers, such papers having a general circulation in the State or Territory.

Mr. McCOOK. I do not particularly object to that, so far as I am concerned.

Mr. WASHBURN. Let us have a division on my amendment.

Mr. McCOOK. Strike out the word "daily" and I do not think there will be any objection to the gentleman's amendment to the amendment.

Mr. WASHBURN. Very well; I will modify my amendment by striking out the word "daily."

Mr. SPARKS. The question then is on the amendment of the gentleman from Minnesota as modified. Now I wish to say a word on it.

The CHAIRMAN. Debate is exhausted.

Mr. WASHBURN's amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment as amended.

Mr. CONVERSE. Where is this sale to take place?

The CHAIRMAN. Debate is exhausted.

Mr. CONVERSE. I move to amend by providing for the sale at the reservation where the land is situated.

Mr. HISCOCK. I do not think that should be done.

Mr. McCOOK. The sale is to take place under the general law, and if the checks and guards are not sufficient the committee are willing to accept any additional ones that may be necessary.

The CHAIRMAN. Debate is not in order.

Mr. CONVERSE. No debate has taken place on my amendment.

The CHAIRMAN. There can be no further debate under the order of the House. Does the gentleman insist upon his amendment?

Mr. CONVERSE. I do not.

Mr. SPARKS. Let the amendment of the committee be reported as it has been amended.

The amendment as amended was again read.

Mr. CARPENTER. I offer the following amendment:

That any settler who was in actual occupation of any portion of any one of these reservations prior to the location of the reservation, and continued such occupation to the present time, shall be entitled to locate under the homestead law the land upon which he lives, not to exceed one hundred and sixty acres.

Mr. SPARKS. I raise the point of order against that amendment.

The CHAIRMAN. The Chair suggests the words "provided further" should be prefixed.

Mr. MAGINNIS. I hope the committee will agree to that amendment.

Mr. SPARKS. I do not choose to discuss it. [Cries of "Vote!"]

The CHAIRMAN. The gentleman from Illinois will state his point of order.

Mr. SPARKS. My point of order is this, and I will do no more than

state it: If I understand the reading of the amendment it is nearly identical with the amendment of the gentleman from Minnesota, offered in the beginning of this discussion, and enables parties located on these reservations to perfect their homesteads. The opposite of that is the object of the committee.

The CHAIRMAN. The Chair will state to the gentleman from Illinois the distinction is this: This limits the application to the homestead settler who came on after its abandonment as a military post.

Mr. VALENTINE. The amendment protects only those who went onto the land prior to its being reserved for military purposes, and who went there under the homestead law.

The CHAIRMAN. Debate is not in order. The Chair will now hear from the gentleman from Illinois on the point of order.

Mr. SPARKS. I say the amendment offered is, in my judgment, nearly identical with the amendment offered either by the gentleman from Minnesota or the gentleman from Nebraska. It is nearly in the same words. It makes provision for parties locating on these lands, or who were located on them, to perfect their homesteads.

The CHAIRMAN. The Chair should have stated that the effect of the amendment is to limit its application to those who had entered upon the lands prior to their becoming military reservations. The Chair overrules the point of order.

The committee divided; and there were—ayes 39, noes 16.

So Mr. CARPENTER's amendment to the amendment was agreed to.

Mr. VALENTINE. I move, after the word "dollars," in line 817, to insert the following words:

At Fort Niobrara, Nebraska, \$24,000.

The CHAIRMAN. Was not that offered on yesterday?

Mr. VALENTINE. No; \$25,000 was offered on last night and this is for \$24,000.

The amendment to the amendment was rejected.

The amendment as amended was then adopted.

The Clerk read as follows:

Pay: For pay of one brigadier-general and ten second lieutenants, \$19,500; for pay of one hundred and fifty sergeants, thirty corporals, and three hundred and twenty privates, including payments due on discharge, \$200,000; for mileage to officers when traveling on duty under orders, \$5,000; for pay of contract surgeons, \$3,600; for commutation of quarters to commissioned officers at places where there are no public quarters, \$7,000; in all, \$235,100. And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps, not to exceed eight commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law.

Mr. BELTZHOVER. I desire to raise the point of order on the section just read, from line 878 to 892, inclusive. And my point is this: It provides for an appropriation not authorized by law, and is an increase of expenditure. The provision in this section is for the payment of one brigadier-general and ten second lieutenants and others who are already provided for in the regular Army appropriation bill. It is an addition to the amount already appropriated, and which this House deemed sufficient for the service as now constituted. That is all I desire to say on the point of order.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. HISCOCK. What is it?

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that it makes provision not authorized by law.

Mr. HISCOCK. I deny that as a question of fact.

The CHAIRMAN. What particular paragraph is it to which the gentleman makes the point of order as not authorized by law?

Mr. BELTZHOVER. The appropriation made by this House for the support of the Army embraces this provision substantially.

The CHAIRMAN. But the Chair requests the gentleman to state the clause of this bill which he declares subject to the point of order.

Mr. BELTZHOVER. I refer to the whole section, from line 878 to 892, inclusive, the entire paragraph.

The CHAIRMAN. That the appropriations here made are not provided for by existing law?

Mr. BELTZHOVER. That is one point; and also that it necessarily increases expenditures.

The CHAIRMAN. The point then, as the Chair understands it, is that there is no existing law authorizing this appropriation?

Mr. BELTZHOVER. Yes, sir.

The CHAIRMAN. The Chair will hear the gentleman from New York on the point of order.

Mr. HISCOCK. All I can say in reference to that point of order is, that these officers indicated in this paragraph are the regular Army officers detailed for this purpose, who, according to law, are entitled to the compensation provided in this section.

The CHAIRMAN. The Chair is somewhat embarrassed by the indefinite statement of the point of order. We have always appropriated for those employed in the Signal Corps.

Mr. HISCOCK. In reference to this matter I wish to say further, that this is for the purpose of enabling the committee to see precisely the amount of money which is appropriated to the support of the Signal Service; and for that purpose we have eliminated from the Army appropriation bill an amount equal to the amount which has been here-

tofore expended in the payment of these officers specified in this section and incorporated it here. Every man, every officer, every private indicated in these paragraphs, commencing with "pay," in line 878, has been paid out of the Army appropriation bill, and have been paid for the same services under that bill. This is simply a change in this respect, that they are provided for here instead of in that bill. The committee have simply separated that service so far as it was paid out of the Army appropriation bill by making specific appropriation for it here. And I repeat that there is no man on this list, neither officer nor private, who has not been heretofore paid on the Army bill the amount that is covered by this clause.

Mr. BELTZHOVER. I am very heartily in sympathy with the purpose of the committee in separating the appropriations for the Signal Bureau from the Army bill; and I will say when we come to discuss an amendment that I shall offer that they have done all that they could to reduce expenditures in this direction, as far as the Signal Bureau is concerned.

But I beg, Mr. Chairman, to call the attention of the Chair now to the admission made by the gentleman from New York in charge of this bill, that the Army appropriation bill has hitherto provided for every officer and soldier named herein in the regular Army appropriation bill; and this year in that same Army appropriation bill provision has been made for the payment of every brigadier-general, and every lieutenant, and every private in the Army, which would necessarily embrace the payment for the officers assigned to this Signal Corps Service and specifically mentioned in this paragraph of the pending bill.

The CHAIRMAN. The Chair did not understand the gentleman from New York to make that assertion, but the reverse.

Mr. BELTZHOVER. I beg the Chair to understand that I took the language of the gentleman from New York to convey a very different idea from what the Chair has suggested. But that there may be no mistake on my part I will ask the gentleman the question: Do I understand that in the Army appropriation bill you excepted the provision for the pay of a brigadier-general?

Mr. HISCOCK. We did.

Mr. BELTZHOVER. And the pay of ten lieutenants detailed for this service?

Mr. HISCOCK. We did.

Mr. BELTZHOVER. Specifically?

Mr. HISCOCK. No, not specifically; but we reduced the amount which the various appropriation bills carried to pay these officers and put their pay into this bill in the provision now before us. Further on in the bill a provision will be found which provides that no money may be expended for the service except what is now covered by this bill, with this one exception, that the Secretary of War is authorized to detail certain commissioned officers to this service. We have kept upon the Army bill their pay, because it was preferred to have them upon the rolls of the Army.

The CHAIRMAN. The Chair is ready to rule upon the point of order upon the statement of the gentleman from New York, unless the gentleman from Pennsylvania desires to be further heard.

Mr. BELTZHOVER. Mr. Chairman, I made no captious point of order, and upon the statement of the gentleman from New York I withdraw the point.

I now ask to offer an amendment to this paragraph.

The CHAIRMAN. The amendment of the gentleman will be read.

The Clerk read as follows:

Strike out all after the word "dollars," in line 888, down to and including the word "law," in line 892, the words:

"And the Secretary of War is authorized in his discretion to detail for the service in the Signal Corps not to exceed eight commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law."

Mr. BELTZHOVER. I desire to be heard very briefly upon that amendment.

Mr. CALKINS. Before the gentleman proceeds, let me ask a question of the gentleman in charge of this bill.

Mr. BELTZHOVER. Not if it is to come out of my time.

The CHAIRMAN. It must come out of the time of the gentleman from Pennsylvania.

Mr. BELTZHOVER. I beg, then, not to be interrupted.

I have recently given considerable attention to the Signal Service. I have studied to some extent its history and organization and the legislation on which it is based. I believe it is a purely civil and wholly unmilitary institution and should be transferred to some civil department of the Government. I gave my reasons for this transfer in a speech which I printed in the RECORD some days ago. I have not time even to epitomize the argument, and it would be of no avail if I should—the bill for that purpose is not under consideration. I also presented at the same time a careful analysis of the estimates which were made for the bureau for the coming fiscal year to show its enormous and extravagant demands. All that I said has been seconded beyond all my expectations by the action of the Appropriations Committee. In the present bill they have cut down the estimates for the Signal Bureau about \$600,000, and have reduced the appropriation several hundred thousand dollars below what it was for last year. This reduction has been wisely and judiciously made, and I print herewith a table show-

ing the last year's appropriations, the estimates for this year, and the amount which has been allowed:

	Estimates.	Appropriations.	
	1884.	1884.	1883.
SUNDRY CIVIL BILL.			
Observations and report of storms.....	\$310,000	\$235,500	\$283,835
Military telegraph lines.....	108,000	30,000	40,000
Observations in Arctic Sea.....	33,000	33,000	33,000
Pay: Signal Service.....	322,511	235,100	238,228
Subsistence.....	182,079	164,779	142,000
Regular supplies.....	69,476	57,051	55,000
Incidental expense.....	30,842	1,475	20,000
Transportation.....	57,010	10,275	22,254
Barracks and quarters.....	86,144	85,908	80,879
Clothing, camp equipage, &c.....	20,034	23,485	10,000
Medical department.....	5,700	5,700	5,000
Ordnance stores.....	2,500		
Printing.....	35,000	35,000	35,000
	1,269,299	917,273	965,196
LEGISLATIVE BILL.			
Salaries at Signal Office.....	116,890	50,660	
Superintendent of building at Signal Office.....	250		
Rents at Signal Office.....	8,540	7,000	
Building for Signal Office.....	150,000		
ARMY BILL.			
Expense at chief Signal Office.....	10,500	5,000	
Totals.....	1,555,449	979,933	\$1,045,685

*Many of the items which make up this sum are taken from statements of the Chief Signal Officer. It is believed the amount is below the true aggregate of the cost of the bureau.

There remains nothing, therefore, that I can do in this discussion except to try to present such facts as shall tend to secure to the Signal Bureau such an administration as will justify the belief that the large sum we give for the promotion of science and commerce and agriculture will be honestly expended for that purpose. I do not believe this can be expected under the present management of the bureau. I gave some plain reasons for this belief in my printed speech, which were criticised because they had not been enunciated on the floor of the House. In order that there may be no misunderstanding on this subject I have formulated my statements into certain plain and perspicuous propositions which I will now repeat. In this way I will make it clear and plain and easy for General Hazen and his friends.

1. The administration of the Signal Bureau under Howgate was the most corrupt, profligate, and dishonest which has ever existed in the annals of government, civil or military.

2. Howgate's method of operation, among other things, was characterized by the employment of the Signal Service force, and particularly its higher officers, as electioneers and log-rollers to influence Congress directly by personal importunity and indirectly by securing resolutions and indorsements from boards of trade, chambers of commerce, &c., and procuring puffs from newspapers all over the country, to influence public sentiment and thereby induce Congress to pass legislation for the bureau. In order to show that this was one of Howgate's methods I will print in an appendix a number of letters from that distinguished fugitive to his subordinates.

3. That while apparently expending the full appropriations and apparently keeping up the efficiency of the service, Howgate was stealing hundreds of thousands of dollars. I have had an estimate from an intelligent gentleman that fixes the amount of the larcenies at over \$600,000.

[Here the hammer fell.]

Mr. BAYNE obtained the floor and yielded his time to Mr. BELTZHOVER.

Mr. BELTZHOVER. I am very much obliged to my colleague.

4. That while these corrupt and felonious operations were in progress in the Signal Bureau Howgate was surrounded by a large number of intelligent, educated, and well-paid Army officers and civil employes, who were either marvelously stupid in not noticing his thefts or criminally culpable in not disclosing them.

5. That no investigation of any kind has ever been made to ascertain and determine the nature, character, and extent of these great frauds; nor has the perpetrator thereof, with all the power of the Government to aid the pursuit, ever been brought to trial. There is some reason for this which some persons around the Signal Bureau somewhere know better than anybody else in the world.

6. That W. B. Hazen, in charge of the Signal Bureau, with a full knowledge of every preceding fact which I have stated, has never brought Howgate to justice, but has kept every single officer, employe, and clerk of Howgate's in as full and complete control of the affairs of the Signal Bureau as they were under Howgate.

Mr. HENDERSON. Will the gentleman from Pennsylvania—

Mr. BELTZHOVER. I can not be interrupted in my five minutes. Let the gentleman take his own time.

Among these it is as clear as sunlight that there are those who are too stupid or too dishonest to be Government employes. In this connection I ask leave to print with these allegations a number of letters from Howgate and a list of the officers and employes of the Signal Service Bureau when Howgate left, and those who are now employed in that bureau.

Mr. EZRA B. TAYLOR. Mr. Chairman, is it necessary for me now to object to the gentleman's printing anything but what he says in reference to this subject? I object.

Mr. BELTZHOVER. Mr. Chairman, I will not find fault with any friend of General Hazen for fearing to allow me to print these things; and if the gentleman will not let them be printed I beg to assure him I will not take up the time of this House by reading them.

7. That Hazen not only failed to bring Howgate to justice and retained all his aids and assistants in place, but he adopted precisely the methods of Howgate in using the officers, clerks, and employes of the Signal Bureau to scour the country, under the pretext that they were in the interest of commerce and agriculture, to work up boards of trade, chambers of commerce, and other public institutes, and to importune prominent men and wheedle newspapers into giving careless and improvident indorsements of the Signal Bureau for the purpose of influencing Congress to pass legislation which Hazen then had pending before it.

8. That Hazen not only adopted and followed the methods of Howgate in improperly working up public sentiment in the interest of legislation before Congress, but he enlarged upon this subject by practicing false pretenses upon the War Department to procure the detail of Army officers to be used for that purpose. The official request of Hazen of the War Department for the detail of Story, Powell, Allen, and Kilbourne, and the letters of Hazen himself, and the letters or official reports of three of these officers form one of the most disgraceful chapters in the annals of attempts to lobby through personal legislation.

[Here the hammer fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. EZRA B. TAYLOR].

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed the bill (H. R. 5538) to reduce internal-revenue taxation, with amendments, in which he was directed to request the concurrence of the House of Representatives.

INTERNAL-REVENUE TAXATION.

Mr. KASSON. I ask unanimous consent that the bill just returned from the Senate be printed with the Senate amendments.

The SPEAKER. The Chair is informed that copies of the bill with the amendments have been printed for the use of the Senate.

Mr. CALKINS. I make no objection to an order for the printing of the bill with the amendments, it being my understanding that the House waives no right by consenting to that.

Mr. KASSON. Certainly.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Iowa that the bill with the Senate amendments be printed, and it is so ordered.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. BELTZHOVER. I ask the gentleman from Ohio [Mr. EZRA B. TAYLOR] to yield to me that I may request three minutes more.

Mr. EZRA B. TAYLOR. Not one moment.

The CHAIRMAN. The gentleman from Ohio declines to yield, and will proceed.

Mr. EZRA B. TAYLOR. The gentleman from Pennsylvania [Mr. BELTZHOVER] asked leave to print, to which I objected. I read his speech printed in the RECORD of the 8th of February in regard to this matter, and, as I can judge of it, he is not entitled on this subject to say anything except what he says with a full responsibility in this House; and I object to his printing anything upon this subject except what he says here. I hope every member of this House has read that speech said to have been delivered here on the 3d day of February. If they have, and if they know anything of the history of this country, they will know that the whole speech is founded on incorrect information; it may be inexcusably incorrect information. This morning, under the pretense of an amendment to this bill, the gentleman makes another assault upon a man that he does not know, a man that I do know.

Mr. BELTZHOVER. I do not want to know him.

Mr. EZRA B. TAYLOR. You ought to want to. It would help you infinitely if you knew him well and he would recognize you as his friend.

And the burden of his speech this morning is that General Hazen

did not prosecute Howgate. Is the gentleman a lawyer? Is he anything by virtue of which he can give information to this House? General Hazen prosecute Howgate! What has he to do with that prosecution, when the prison doors were opened and Howgate went free? It is an unjust charge; it is an unreasonable charge; it is without foundation, and, like the whole tirade of this morning and of the speech which the gentleman has printed, it is founded on false information.

I say to the gentleman that I do know General Hazen, and knowing him I am glad to be acquainted with him. In the speech to which I have referred the gentleman from Pennsylvania charged General Hazen, the chief officer of the Signal Bureau, with being "a general without a battle; a commander without a history." If that gentleman knew the slightest rudiments of the history of his country he would know that General Hazen has been under fire as many times as any officer in our service; that he has been as faithful as any other officer. And yet the gentleman makes that charge.

In connection with it the gentleman from Pennsylvania says that General Hazen "struts upon the stage and wears the muniments of war, shorn of all that makes it honorable and that justifies a soldier's life." Now, I do not know what General Hazen wears; but if he wears "the muniments of war" he wears something that no other general ever wore. [Laughter.] "Wears the muniments of war!" And this gentleman who talks that kind of language is a gentleman instructing this committee what to do about anything. "Muniments of war" and "the muniments of war shorn of all that make it"—what? "Make it honorable or that justifies a soldier's life." My God! what grammar and what dictionary does the gentleman use?

Mr. ATHERTON. Give us the weight of the matter instead of criticising the grammar.

Mr. EZRA B. TAYLOR. "Criticising the grammar!" I say that the only foundation for the charge is that General Hazen has not prosecuted Howgate. How can General Hazen as the Chief Signal Officer of the Army prosecute Howgate, or prosecute anybody? That is my answer, and if my colleague from Ohio [Mr. ATHERTON] wants to know any other facts in regard to him let him inquire.

Mr. ATHERTON. Why are you talking, if not for the instruction of the House?

Mr. EZRA B. TAYLOR. I am talking because I please to talk, as everybody else talks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALKINS. Mr. Chairman—

Mr. MCKINLEY. I will take the floor and yield my five minutes to my colleague [Mr. EZRA B. TAYLOR].

Mr. HISCOCK. I move that the committee rise.

Mr. MCKINLEY. I trust the gentleman from New York [Mr. HISCOCK] will allow me to yield five minutes to my colleague, as the gentleman from Pennsylvania [Mr. BELTZHOVER] had ten minutes.

Mr. HISCOCK. I move that the committee rise.

The question was taken upon the motion that the committee rise; and upon a division there were—ayes 37, noes 47.

So [no further count being called for] the motion that the committee rise was not agreed to.

The CHAIRMAN. The Chair will recognize the gentleman from Ohio [Mr. MCKINLEY], who proposes to yield his time to his colleague [Mr. EZRA B. TAYLOR].

Mr. HISCOCK. I think gentlemen voted on my motion under the impression that I proposed to close debate on this subject. I simply asked that the committee rise for the purpose of getting from the House an order fixing a reasonable time for the debate.

Mr. BELTZHOVER. I would ask the gentleman from New York how long he proposes to give us on this side to answer what may be said on the other side?

Mr. HISCOCK. I said a reasonable time; such time as may be satisfactory.

Mr. BERRY. Say thirty minutes.

Mr. HISCOCK. I am willing to give thirty minutes; perhaps more.

Mr. BELTZHOVER. To be divided so as to allow fifteen minutes on each side?

The CHAIRMAN. The gentleman from New York [Mr. HISCOCK] asks that debate upon the present paragraph be limited to thirty minutes; fifteen minutes to be allowed to gentlemen on each side. Is there objection?

There was no objection, and it was so ordered.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania [Mr. BELTZHOVER] to dispose of the fifteen minutes on that side of the House; and the gentleman from Ohio [Mr. EZRA B. TAYLOR] to dispose of the fifteen minutes on that side.

Mr. CALKINS. I do not want to be deprived of my five minutes.

Mr. HISCOCK. I shall want five minutes myself. I will ask that the time be made thirty-five minutes, and that I be allowed five minutes.

The CHAIRMAN. If there is no objection, the time for debate will be limited to thirty-five minutes, of which the chairman of the Committee on Appropriations will be allowed five minutes, and the other thirty minutes will be equally divided. The Chair will now recognize the gentleman from Ohio [Mr. EZRA B. TAYLOR].

Mr. EZRA B. TAYLOR. I will reserve my five minutes, if I may do so, until I have heard the debate on the other side.

The CHAIRMAN. The Chair will then recognize the gentleman from Pennsylvania [Mr. BELTZHOVER] for five minutes.

Mr. BELTZHOVER. I would rather reserve my five minutes until later.

The CHAIRMAN. Will the gentleman indicate any one to whom he would yield?

Mr. BELTZHOVER. I will yield to any gentleman who desires it.

The CHAIRMAN (after a pause). If nobody on that side of the House desires the floor for five minutes, the Chair will ask the gentleman from Ohio [Mr. EZRA B. TAYLOR] to whom he will yield for five minutes?

Mr. EZRA B. TAYLOR. I will yield five minutes to the gentleman from Indiana [Mr. CALKINS].

Mr. CALKINS. I desire to direct what few remarks I may make upon the proposition before the committee to two phases of it. I do not care to enter into any discussion with reference to General Hazen personally, except to say that those of us who knew him in the army know him to be a very brave soldier and a very honorable man. That is as far as I care to enter on any discussion with reference to him.

But with reference to the charge that the officers of this bureau were sent around improperly for the purpose of working up a sentiment in favor of the Signal Corps I wish to submit a statement of fact which is well known, or ought to be well known, to every member of the House. There are five officers now in the Signal Corps who are competent to and do make the reports for the Weather Bureau. They have been in that corps almost since its organization. They have made the business of the corps a careful and painstaking study, and have thus become qualified to make these weather reports for the country. These are the captains and lieutenants in that corps, and the provision for these the amendment now pending proposes to strike out.

In the course of the inspection which some of these officers were called upon to make in the Signal Service, they did stop to see some of the boards of trade in the country. Why? For any improper purpose? No. They were endeavoring to have this branch of the service organized into a separate corps, and they called the attention of the boards of trade and of other people interested to their work, which they had a right to do; they asked attention to the great service they were performing.

Mr. REED. Does the gentleman think it is proper that the money of the Government should be spent by officers traversing this country for the purpose of getting up public sentiment to influence legislation?

Mr. CALKINS. If anything of that kind was done it would not be proper. But there was not anything of the kind done; and when it is charged that there was the charge, in my judgment, is without foundation. The fact is that in the course of the discharge of their duties some of the officers did stop and call the attention of the different boards of trade to the value of the services performed by this corps and the measure which they thought would make it more efficient. They did as everybody else does when anything is wanted at the hands of Congress. They asked for it. If the corps had been useful that fact should be made known, and there was no harm in it. That is all the foundation for the charge of spending Government money.

Mr. Chairman, for myself I do not care whether the Signal Corps remains a part of the Army or be instituted into a civil branch. I rather incline to the latter plan. But the fact remains that if this amendment be adopted the only men competent to make the reports now recognized as so valuable by the country will be sent from this Signal Corps to their respective regiments, and the corps will be stripped of its usefulness.

One word further. So far as regards the attack which has been made upon the lieutenants, and I believe one of the captains in that corps, I say that I do not know any of these gentlemen except one; and as to him I know there is not a more honorable gentleman in the whole country. I am glad to bear testimony to his high character and worth.

Mr. WILSON. Who is he?

Mr. STEELE. Lieutenant Allen.

Mr. CALKINS. If I have any time remaining I yield it to my friend from Maryland [Mr. URNER].

Mr. URNER. Mr. Chairman, I shall not undertake to throw any light on this subject by debate; but I hold in my hand and will ask the Clerk to read a paper from the president and secretary of the Maryland Academy of Science. These are gentlemen of the highest character for integrity and scientific knowledge.

The Clerk read as follows:

MARYLAND ACADEMY OF SCIENCE.
Baltimore, Md., February 19, 1883.

Considering the concerted attacks against the military organization of the Signal Service, indicated by certain bills lately presented in Congress urging the transfer of its meteorological work to the Interior Department, as decidedly injurious to its efficiency and unmindful of the laborious efforts of those who have brought the service to its present well-recognized condition of excellence, we, the members of the Maryland Academy of Science, desire to respectfully submit the following as our unbiased judgment:

1. That the Signal Service has, in the field of practical and scientific meteorology, made rapid progress and achieved results of the highest importance.
2. That it is hardly possible in a civil organization, even under the most favorable circumstances, to successfully perform the peculiarly exacting duties consequent upon the multiform and extended operations incident to the observation

and report of storms over a vast extent of country such as the United States present.

3. That the short record of the past twelve years, compassing the existence of the Signal Service, presents in its achievements results the influence of which have called forth the appreciation not only of this country but that of European nations. Progress is necessarily slow in a science where the factors entering each determination suffer such an endless variety of change as in the field of meteorological research.

4. In view of the above statements we take pleasure and much earnestness, as a scientific body engaged in allied work, to urge that Congress refrain from passing any measure that will either destroy or seriously impair the present existence of the Signal Service.

Approved unanimously.

P. R. UHLER,
President Maryland Academy of Science.
EDWARD STABLER, JR.,
Recording Secretary Maryland Academy of Science.

Mr. BELTZHOVER. Mr. Chairman, I desire to inquire how much time the other side has consumed?

The CHAIRMAN (Mr. POUND). Seven minutes.

Mr. BELTZHOVER. And I still have my fifteen minutes?

The CHAIRMAN. Fifteen minutes.

Mr. BELTZHOVER. Now, I desire to inquire whether, having the affirmative of the proposition to strike out, I am not entitled to close the debate?

The CHAIRMAN. That must be a matter of agreement, the Chair presumes.

Mr. BELTZHOVER. I do not claim it by virtue of any agreement, but as a right.

The CHAIRMAN. The Committee of the Whole is now proceeding under the five-minute rule.

Mr. BELTZHOVER. I desire to reserve ten minutes of my time to conclude and to answer gentlemen who may speak on the other side.

The CHAIRMAN. Under the rule, as the Chair understands, the gentleman will be permitted to speak only five minutes.

Mr. BELTZHOVER. Oh, no.

The CHAIRMAN. We are proceeding under the five-minute rule.

Mr. BELTZHOVER. But I have control of fifteen minutes.

Mr. EZRA B. TAYLOR. There will be no objection to the gentleman speaking ten minutes.

Mr. BELTZHOVER. In conclusion?

Mr. EZRA B. TAYLOR. Now.

Mr. BELTZHOVER. In conclusion.

Mr. EZRA B. TAYLOR. I would object to that.

Mr. BELTZHOVER. I ask the ruling of the Chair on the question. I have moved an amendment; the debate is limited to one half hour, fifteen minutes on each side; the other side has occupied the first five minutes, and in alternating I shall be entitled to the last five minutes.

Mr. EZRA B. TAYLOR. There can be only five minutes for each speech.

The CHAIRMAN. As the Chair understands, each speech must, in conformity to the rule, be limited to five minutes.

Mr. BELTZHOVER. I beg to differ with the Chair on that point. Nobody on this side of the House desires to speak on this question but myself, and therefore there is nobody else to consume the time which belongs to this side.

Mr. EZRA B. TAYLOR. The gentleman's time is being consumed now.

Mr. BELTZHOVER. The discussion of the point of order can not be taken out of my time.

The CHAIRMAN. The Chair decides that each speech must be limited to five minutes under the rule.

Mr. BELTZHOVER. I can yield the floor to another gentleman who can yield it back to me. I will now consume five minutes of my time and reserve five minutes for reply.

The CHAIRMAN. The gentleman has already consumed two minutes of his time. [Cries of "Oh!" on the Democratic side.]

Mr. BELTZHOVER. That can not be taken out of my time, as it was in reference to the order of business. I do not want any unfairness in this matter.

The CHAIRMAN. The gentleman from Pennsylvania will proceed.

Mr. BELTZHOVER. I will resume the point at which I was interrupted by the expiration of my time.

9. That Hazen has by vicious rider legislation run up the expenditures of this bureau until he asks double what it cost under Howgate, without any apparent increase in the efficiency of the service. He demands this year over \$1,555,000, and accompanies his demands by precisely the same recitals of the great exigencies and importance of the service, as Howgate did. He follows Howgate in this respect. The Appropriations Committee have decided that there shall be no surplus for the further pursuit of Howgate's methods in spending the public funds.

Mr. EZRA B. TAYLOR. I say it is less than what Howgate spent.

Mr. BELTZHOVER. I beg the gentleman not to interrupt. If he has anything to say let him say it in his own time.

10. That Hazen's petty frauds are even more bold and infamous than Howgate's. His very latest act is to issue a foolish compilation embracing about ninety-three pages and to charge the men in his service \$2.50 for the book, which costs him only 27 cents, and to add tyranny to the petty imposition he exacts of each poor subordinate the onerous task of com-

mitting the whole thing to memory. Who gets the difference between 27 cents and \$2.50? Belknap's post-traderships are not a circumstance to this little private speculation of Hazen.

11. Some of the other petty frauds of Hazen, I am credibly informed, are: paying 2,000 francs to publish a fulsome puff of his Department in a journal called *Nature*, in France; the printing of all these innumerable resolutions and puffs and editorials, &c., at the expense of the Government and mailing them at the expense of the Government in penalty envelopes; the employment of a paid editor at \$1,500 a year, whose sole business is to varnish up the "shop" resolutions, &c., which are issued from the bureau; the sending of his favorites to college in America and Europe at great expense.

12. That Hazen was found, practically and morally, guilty by the Hazen-Stanley court-martial, composed of those distinguished officers, Hancock, Augur, Pope, King, Vogdes, and Brown, of base cowardice; and the records of the War Department and the testimony of prominent and reliable persons taken before a tribunal under oath and on file prove that he was also guilty of fraud and dishonorable conduct as a soldier and is therefore not qualified by his standing and character in the Army to be the chief of the important military bureau which he now controls.

The Philadelphia Evening Telegraph of February 20, 1883, says:

In answer to this, Secretary Lincoln expresses surprise and regret that General Hazen should feel that justice could not be done him by means of a court of inquiry and intimates very plainly that if the Chief Signal Officer does not ask for such a court he, the Secretary, will lay the matter before the President and will ask him to appoint a court. At the same time General Hazen in reality has excellent reason for his evident dislike of military courts. His reputation was very far indeed from being bettered by the proceedings and findings of the last military court before which he figured, and the results of his controversy with General Stanley were so decidedly damaging as to make his nomination by the President and his confirmation by the Senate for the office which he now holds a scandalous performance on the part of all concerned in it. It is no wonder, therefore, that General Hazen should prefer to be investigated by a committee of Senators rather than by a military court. The chances of his having his preference, however, are apparently not particularly brilliant.

13. That Hazen's management of the Signal Bureau has not only been profligate and extravagant almost beyond parallel, but it has been utterly without adequate results either to science or commerce and agriculture. It has not only not given any contribution to meteorology either by discovery or treatise, but it has not added to the knowledge of storms and hurricanes so as to help commerce.

For these reasons, sustained by what I believe to be clear and convincing testimony, I do not think that this House should hand over a million of dollars for disbursement to such an administration.

I now reserve the balance of my time for reply.

[Here the hammer fell.]

Mr. EZRA B. TAYLOR. I move to strike out the last word, and will give three minutes of my time to my colleague [Mr. CONVERSE].

Mr. CONVERSE. Mr. Chairman, I dislike very much to take any part in any personal controversy. My acquaintance with General Hazen is limited, but I deem it a duty to make some suggestions of what I know and have learned of his public character.

The gentleman who has just taken his seat [Mr. BELTZHOVER] speaks of General Hazen's cowardice. A man who carries a musket-ball in his body received in honorable warfare ought not to be lightly spoken of. In General Hazen's case the ball that broke his wrist passed through his body and lodged near his spine, causing a wound apparently as dangerous as that of the late President. Yet he survives and is arraigned and traduced by a man who never saw a battle.

Why, if I wanted proof I could appeal to the gallant General WHEELER who has a seat on this floor. On more than a dozen hotly-contested battlefields he could, and if called on would, testify to the gallantry and bravery of General Hazen, who stood in his front and led the opposing forces. I could appeal to his war record as it stands in the War Office to-day, written by other hands, for bravery, energy, long and active service. That record will show that he has few equals in the Army.

What is the meaning of all this clamor and vilification of General Hazen, who is not here to answer for himself? I can tell gentlemen what it means. It is the remnant of a quarrel that began years ago when a colonel of the Army was brought before an investigating committee of this House and dared to give testimony in relation to a matter which convulsed the whole country and threw from the highest military seat in the United States, save one, the man who occupied it. That quarrel has been continued from that hour to this. General Hazen has never seen a day of peace or of rest from the time he gave that testimony before the investigating committee of this House. He has been pursued in a most disreputable manner by vilification, insult, and falsehood.

And I believe for that reason, on the recommendation of General Garfield, he was by President Hayes removed from the immediate charge of the Army and put in the place which he now occupies, where it was supposed he would have some rest and some peace and comparative independence. But how has it been since the change? Spies have surrounded him; they have gone into his very office. Scavengers have been employed to go into his spittoons and into his waste-basket to pick out and paste together even the remnants of paper which have been used in lighting his cigars to see if something could not be discovered against him. The eavesdropper, the common informer or spy maintains an honorable character in comparison to such creatures.

A great deal of this stuff that has been printed and scattered broadcast to the country against General Hazen comes from no more honorable source than I have indicated. This work has been done largely by persons who have been themselves under charges.

A single word more, Mr. Chairman. So far as the Signal Service is concerned that service ought not certainly to suffer on account of anybody's ancient personal quarrels. If General Hazen has not honestly administered the moneys which were appropriated for the support of that service then gentlemen should ask an investigation. Why do they not do it? Why do they not ascertain, as in honor bound to do, after using such terms as they have, whether he has spent a dollar improperly? If he has done so let him be properly punished for it. But give him a chance to vindicate himself from the foul aspersions cast upon him. Scandalous charges, without at least an effort to investigate and an opportunity given for him to respond, ought not to be indulged in here, because General Hazen can not be heard in response to them upon this floor. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Ohio has expired. The gentleman from Pennsylvania is recognized.

Mr. BELTZHOVER. I would prefer to hear from the other side, and reserve my ten minutes until after they conclude.

Mr. EZRA B. TAYLOR. I think, Mr. Chairman, that he is bound to use his five minutes now, and I insist upon it.

Mr. BELTZHOVER. Then I will use five minutes of my time now and will still have five minutes to reply to the gentleman from Ohio.

The CHAIRMAN. Proceed.

Mr. BELTZHOVER. Mr. Chairman, I will not detain this House to criticize the reply of the gentleman from Ohio who has just taken his seat to the remarks which I have already submitted. It is said to be the best defense of some lawyers when they have a very bad case to abuse the counsel on the other side. The information upon which I based the charges made in my speech, as printed in the RECORD of this House, is derived largely from record and from documentary evidence, and from evidence and information which I have every reason to believe to be true. The justness of the conclusions that I drew from the letters and other matters and from the record evidence in this case every gentleman can test for himself by an examination of my speech and the appendix. When I charged that General Hazen had been guilty of cowardice I did not call to testify a gentleman like General WHEELER, who was referred to by the gentleman from Ohio, who is a noble and gallant man, but certainly knows more about the conduct of General Hazen's troops in the fight than he knows about the courage of General Hazen himself.

I adduced the record of the Hazen-Stanley court-martial, on which I based my statement. I found that that distinguished court-martial had been presided over by an officer of the high rank, character, and standing of General Hancock, and was composed of the most distinguished and gallant officers of the Army, who, after full investigation, although not technically, yet practically and morally, found General Hazen guilty of cowardice at the battle of Shiloh.

Mr. EZRA B. TAYLOR. I ask the gentleman from Pennsylvania if he is now undertaking to cite the findings of that court-martial?

Mr. BELTZHOVER. I beg to say to the gentleman from Ohio that I am speaking from my understanding of the record and with it before me.

Mr. EZRA B. TAYLOR. I say, in response, that there is no such record.

Mr. BELTZHOVER. I am speaking from the record itself.

Mr. EZRA B. TAYLOR. And I claim that there is no such record.

Mr. BELTZHOVER. I printed it in my former speech. And the gentleman who charged General Hazen with cowardice is well known in the Army of the United States as a man against whom cowardice has never been even insinuated—I refer to General David S. Stanley, one of the fighting officers of our Army. And I beg gentlemen to remember that the records of that court-martial are open to the inspection of every living man. Before that court General Philip Sheridan and other witnesses charged General Hazen, and swore to it, with taking two pieces of artillery at the battle of Missionary Ridge and keeping them until they were taken from him by force; and General Hazen sat under that charge and in the face of that court as mute as the grave.

Mr. EZRA B. TAYLOR. Two pieces of artillery captured from the rebels, and I suppose he would not give them back. [Laughter.]

Mr. BELTZHOVER. Now, Mr. Chairman, in the face of the finding of such a court as that, and in the face of such testimony as that, I repeat that the conclusion of every intelligent man must be the same. The finding of that court-martial must be accepted as true. There is an adjudication on the subject and no one can fairly deny that General Hazen was guilty of the charges alleged against him.

Now, a word in reply to the gentleman from Ohio, the colleague of the preceding gentleman. Does he mean to say that either that distinguished and gallant officer, General Hancock, who presided at that court-martial, or the General of the Army, or the President of the United States, or the Secretary of War, are in a conspiracy to break down a poor little colonel of infantry because he made the charges which brought Belknap to trial?

Mr. CONVERSE. Will the gentleman allow me to answer him now?

Mr. BELTZHOVER. Certainly.

Mr. CONVERSE. Then I will say in response to the gentleman that I have never made such charges as he repeats here; but I do believe that men have been set upon General Hazen's track to use foul words and foul means in order to drive him into a fight and get into a difficulty so that they might kill him.

Mr. BELTZHOVER. Mr. Chairman, so far as the gentleman's beliefs are concerned he is welcome to them. In the investigation I know no man living but one sergeant, who was formerly at General Hazen's headquarters; no one. I have had no consultation with the Secretary of War or any of the gentlemen that the gentleman from Ohio [Mr. CONVERSE] insinuates I have conferred with.

Mr. CONVERSE. I would ask the gentleman from Pennsylvania is he not in consultation with a man who has been discharged and was under arrest? And does he not get all these facts from that man who lives in his neighborhood?

Mr. BELTZHOVER. I am glad to answer the gentleman's question. I got some of the information from a gentleman who has been in General Hazen's employ and whom he arrested and incarcerated in a dungeon for twenty-six days on the bare suspicion that he had criticised his superior. [Here the hammer fell.] I reserve the remaining five minutes.

Mr. EZRA B. TAYLOR. I yield five minutes, the balance of my time, to the gentleman from Ohio [Mr. BUTTERWORTH].

Mr. YOUNG. I would like to ask the gentleman from Pennsylvania [Mr. BELTZHOVER] a question.

The CHAIRMAN. The gentleman from Ohio [Mr. BUTTERWORTH] is recognized.

Mr. BUTTERWORTH. I had anticipated that some assault would be made on the Signal Service; but I little dreamed it would take this form. I little thought that the head of that service, who has struck more blows for his country than his assailants have spoken words, would be subjected to such gross assaults as these.

The quality of the service has not been assailed. That it is needful to the country is not questioned. But a gentleman rises in his place here and testifies, not in the interest of the public, whose servant he is, but in the interest of a clan and faction who have dedicated themselves to the work of hunting down the superintendent of the Signal Service. If it be true, as the gentleman from Pennsylvania has asserted, that General Hazen has been guilty of peculation, he has been derelict in the discharge of his duty in not rising in his place before this House and the country and presenting formal charges against that officer, and thus afford him an opportunity to make answer and be judged according to what he has done or omitted to do, and not solely in the light of the *ex parte* statements against him made in a place, at a time, and in a manner which precludes him from making defense.

The value of the testimony of a witness depends very largely upon whether he testifies solely in the interest of truth or whether he is enlisted in an uncharitable service which has its promptings in malice and malignant hate of the man against whom the testimony is borne. I assert that my friend from Pennsylvania places himself in no enviable light before this House and before the country in speaking of a gallant officer, who is not here to answer for himself, as if he were a common thief instead of presenting to the House and to the country charges properly formulated and ask to have them investigated.

Now, Mr. Chairman, so far as General Hazen's bearing as a soldier is concerned, there are men around me and men who fought upon the other side against him who are here to bear testimony to his gallantry, which was conspicuous. The gentleman from Pennsylvania talks about the larceny of two cannon. Does he know the history of that of which he bears witness? It happened in a certain engagement during the late war that under the gallant leadership of General Hazen eighteen cannon were captured from the enemy. It occurred that a division fighting by the side of General Hazen's claimed that they were entitled to the honor of having captured two of the eighteen cannon, and about this a dispute arose, Hazen insisting that his troops had made that capture. And the gentleman from Pennsylvania is prompted to say that in making that claim General Hazen was guilty of the larceny of two cannon.

Mr. EZRA B. TAYLOR. That is it.

Mr. BUTTERWORTH. That is the whole of that transaction. That is all there is of it. And more than that, I am just reminded by a gentleman who was in the battle where those cannon were captured, an officer who bore himself with admirable courage, an officer who did not fight upon our side, who is present upon this floor, that he can testify to the gallant bearing of General Hazen on that occasion.

Mr. EZRA B. TAYLOR. That was at Missionary Ridge.

Mr. BUTTERWORTH. Yes, at Missionary Ridge. And I wonder that my friend from Pennsylvania, under the guise of an amendment which would ruin a meritorious service, avails himself of the opportunity which that amendment affords to assault that man. It is worthy of note that although he has been pregnant with this information for a long time he has hesitated until the last hour, until the sun is about to set on this Congress, before he makes the assault, and then under the license granted to him by this House to publish some remarks. He

does not stand on this floor and proclaim these charges, but publishes them in the RECORD and sends them broadcast to the country.

I hold that common fairness to this service requires that if the gentleman has aught to charge against the officer in charge of it he shall put it in tangible shape or present it to the House in such manner as to enable the officer to make his defense. If he has been guilty of any misconduct I shall not defend him.

I wish to say in conclusion the amendment offered is simply to ruin the service; not because the service is not worthy; not because it is not needed; but because of the gross assaults upon General Hazen of a gang of malcontents one of whom while a member of the Signal Corps deemed it dishonor to march with his troop down Pennsylvania avenue to attend the inauguration of James A. Garfield, and having refused was commanded by the officer in charge to take his place in the ranks. For that he became disgruntled, and is now one of the sources from whence the gentleman from Pennsylvania is filled with pent-up indignation. [Applause.]

[Here the hammer fell.]

The CHAIRMAN (Mr. KASSON). The gentleman from New York [Mr. HISCOCK] is now entitled to five minutes.

Mr. BELTZHOOVER. Have I five minutes remaining?

The CHAIRMAN. Thirty minutes of the time allowed for debate has already been exhausted, and the remaining five minutes is assigned to the gentleman from New York.

Mr. BELTZHOOVER. I beg the pardon of the Chair; I understood I was to have five minutes to close the discussion.

The CHAIRMAN. The Chair will state that by unanimous consent the committee agreed that the entire debate upon the pending paragraph should be limited to thirty-five minutes. Of that time thirty minutes have been consumed.

Mr. BELTZHOOVER. While the present occupant of the chair was out of it for a few moments, some five or ten minutes' time was consumed in desultory debate on a point of order.

Mr. BAYNE. I desire to state that but ten minutes of the fifteen minutes allowed to my colleague [Mr. BELTZHOOVER] have been occupied by him, and he still has five minutes remaining.

The CHAIRMAN. If there is no objection the Chair will take it as the understanding of the committee that the gentleman from Pennsylvania [Mr. BELTZHOOVER] be allowed five minutes.

There was no objection.

Mr. BELTZHOOVER. I do not believe that gentlemen have apprehended clearly the witten allegations which I read in their hearing. I did not charge General Hazen with cowardice any further than is justified by the Hazen-Stanley court-martial, which I have published in full in the appendix to my former speech on this subject.

I sought the floor to-day to enunciate the propositions contained in my printed speech, partly for the reason that I had been criticised because I published it without having spoken it. Sir, I never published anything in my life, and do not believe I ever will, that I am afraid to utter in the face of the whole earth.

General Hazen is not unrepresented here on this floor to-day. On the contrary, I, who got this information only two or three days before the 8th of the present month, have been myself confined to the investigation unaided and alone, and not a single gentleman on this floor has been apprised of the facts so as to aid me now, except perhaps some one who may have done me the honor to read my speech, as the gentleman from Ohio seems to have done. General Hazen is not now unrepresented here, but he is well represented, ably represented, by four or five of the oldest members of the House.

As to the declaration of the gentleman from Ohio that the Hazen-Stanley court-martial does not sustain what I said about General Sheridan's testimony, I beg to say to him that I am not mistaken, but if he thinks otherwise let him get the testimony and print it. I have given it as I believe it to be on the best information which any man could have.

I did not hesitate until the expiring hours of the session to make these charges. I made them at the very earliest moment that I believed I was justified in making them. I printed my speech because I anticipated just this contingency: that we would have no time to make an elaborate presentation of anything in the expiring hours of Congress.

The very day after my speech was printed I called on the Secretary of War for the records, and they were delivered to me only yesterday. I intended to present a resolution for an investigation, and if we had time enough remaining of this Congress to give the remotest hope on earth of a full and fair investigation by Congress, the gentleman can be assured that he would have investigation to his utmost satisfaction.

When I saw the Secretary of War he said that a correspondence was pending between him and General Hazen, and he begged me to desist for a day or two. That correspondence is before the country. Why does not General Hazen ask for a court of inquiry or court-martial? This gallant man, who confines one of his subordinates in a dungeon, a poor, consumptive, dying man, a man who perhaps will never see the apple-blossoms again; this man General Hazen put in a dungeon under military law on suspicion—

Mr. EZRA B. TAYLOR. What is his name?

Mr. BELTZHOOVER. His name is Van Heusen—put him in a

dungeon on suspicion of criticising General Hazen, his superior officer. And yet this gallant man, that thus incarcerated a poor subordinate under military law, does not dare to ask for a military trial of himself. [Here the hammer fell.]

Mr. YOUNG. I was going to ask the gentleman a question, but did not want to interrupt him.

Mr. BELTZHOOVER. I am much obliged to the gentleman, and will answer him if I have time.

MESSAGE FROM THE SENATE.

The committee rose informally; and the Speaker having resumed the chair, a message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed without amendment joint resolutions of the House of the following titles:

Joint resolution (H. Res. 347) for the printing of certain eulogies delivered in Congress upon the late Godlove S. Orth;

Joint resolution (H. Res. 349) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. R. M. A. Hawk, of Illinois; and

Joint resolution (H. Res. 356) accepting the invitation of the Regents of the Smithsonian Institution to attend the inauguration of the statue of Joseph Henry.

The message further announced that the Senate had passed, and requested the concurrence of the House in, a bill and joint resolution of the following titles:

A bill (S. 2486) to authorize the requirement of an oath as to age from recruits for the Navy before enlistment, and in the case of minors from their parents or guardians, and to empower certain officers of the Navy to administer such oaths; and

Joint resolution (S. R. 138) concerning the erection of a memorial column at Washington's Headquarters at Newburgh, New York.

SUNDRY CIVIL APPROPRIATION BILL.

The Committee of the Whole House on the state of the Union resumed its session.

Mr. BELTZHOOVER. How much time have I remaining?

The CHAIRMAN. None. The gentleman from New York [Mr. HISCOCK] is entitled to the remaining five minutes allowed for debate upon the pending paragraph.

Mr. HISCOCK. I hope I may be pardoned for calling the attention of the committee to the real question now before it. The vice in the Signal Corps, if there be a vice there, is not and has not been owing to the management of General Hazen. It has consisted in this alone, that for the last six years at least, and I do not know but for all the time this service has existed, Congress has been accustomed to make appropriations in gross for that service. The result of that has been that year after year the service has reached out to grasp power and to grasp jurisdiction.

What is true of this service is true of many others in the Departments here at Washington? So far as General Hazen is concerned, while I have devoted very much time to the investigation of the management of his office, I must certainly bear witness to the fact that there is nothing I can criticise in its management except that he, like his predecessor, has reached out for power in order to extend this service beyond the limits intended, as I believe, by Congress.

We have been accustomed year after year to give a million dollars and upward to this service. In order to popularize it, it has invoked the aid of boards of trade and institutions of learning, which, I believe, gave encouragement to it thoughtlessly. Yet this was not criminal on the part of the gentleman who had charge of this service or any of those associated with him. It was the business of Congress to make specific appropriations for the service, and to see precisely how the money was expended.

The Committee on Appropriations has gone carefully over this question this year. Last year it attempted to possess itself of all the facts in connection with this service; but it failed for want of time. We have carefully eliminated from the service the performance of that work which in our judgment does not properly belong to this bureau. We have to a large extent circumscribed the jurisdiction which this bureau has heretofore assumed; but I believe under the organization which we have perfected in this bill it will do a work which the country requires to be done and that there will be no abuse either of power or of the public money.

I am opposed to transferring this bureau to any other branch of the Government. I believe that in many respects it is best that the bureau should be under military discipline. I believe also that General Hazen or any other officer who may be detailed to take charge of the service can do quite as good work, so far as the executive branch of it is concerned, as any scientist who might be placed at the head of it. As a matter of course, in this service as in others the officer in charge has been compelled to surround himself with men who are proficient in the scientific knowledge which is called for in the work of the bureau; and this is all that is necessary for the proper execution of the work.

The CHAIRMAN. The time for debate as limited by order of the committee has expired. The question is on the amendment of the gentleman from Pennsylvania [Mr. BELTZHOOVER], which the Clerk will read.

The Clerk read as follows:

Strike out in lines 888 to 892 the following:
"And the Secretary of War is authorized, in his discretion, to detail for the service in the Signal Corps not to exceed eight commissioned officers, exclusive of the second lieutenants of the Signal Corps authorized by law."

The amendment was not agreed to.

Mr. HISCOCK. I move to amend by inserting at the end of the paragraph the provision which I send to the desk.

The Clerk read as follows:

Provided, He may in his discretion make a further detail of officers for service in the Arctic Sea expedition.

The amendment was agreed to.

The Clerk read as follows:

Incidental expenses: For horse and mule shoes, and so forth, \$500; blacksmiths' tools, and so forth, \$550; veterinary supplies, \$300; fire apparatus, disinfectants, and so forth, \$125; in all, \$1,475.

Mr. BELTZHOVER. I move to amend by striking out the words "and so forth" wherever they occur in this paragraph. I beg to be heard one moment in support of this motion.

Mr. HISCOCK. I consent that those words be struck out.

Mr. BELTZHOVER. The courts have held that they amount to nothing at all; and there is no use of their being in the paragraph.

Mr. HISCOCK. The estimates came in in this form; that is the reason the language found its way into the bill.

The CHAIRMAN. If there be no objection, the phrase "and so forth" will be struck out in the two places where it occurs. The Chair hears no objection.

The Clerk read as follows:

Barracks and quarters: For commutation of quarters to enlisted men of the Signal Corps, \$84,108; work and supplies at Fort Meyer, Virginia, \$1,800; in all \$85,908.

Mr. BAYNE. I move to amend by inserting after the paragraph just read the following:

For extra-duty pay to 220 enlisted men, at 35 cents per day, \$28,105.

I understand that this pay has always been allowed heretofore—

Mr. SPRINGER. I make a point of order on this amendment.

Mr. BAYNE. This has always been allowed.

Mr. SPRINGER. That does not make any difference; I make the point of order it is not authorized by law. It is extra pay, and is so stated on the face of the amendment.

Mr. HISCOCK. I have no doubt that the point of order is well taken. I will state the facts as I understand them in reference to this extra-duty pay. It has been the custom—I believe without warrant of law—to give to these men what is called extra-duty pay, the amount being fixed arbitrarily and not by statute, and the payments being made to whomever the officers please. We declined to insert a provision of this kind in the bill. I do not believe there is any law which warrants it.

Mr. BAYNE. The Army law of last year goes on to recite among other items for which appropriations are made, "extra-duty pay to enlisted men in hospitals" and for paymaster's clerks and veterinary surgeons, &c.

The difficulty is that heretofore Congress has made appropriations in the Army appropriation bill for the Signal Service, and the particular objects to which the appropriations were to be applied have not been indicated. They are indicated in the present bill. It has been the practice heretofore to authorize this appropriation. It has been the practice to pay for the extra service to these employes. I am told by some of them that unless this appropriation is made some of the best will have to resign and leave their positions.

The CHAIRMAN. The Chair would like to call the attention of the gentleman from Illinois [Mr. SPRINGER] who makes the point of order to the act of June 20, 1879, which seems permanent in its character. It is there provided that Signal Service men shall not receive extra-duty pay unless specially directed by the Secretary of War. This would imply they might receive extra-duty pay when so authorized by the Secretary of War.

Mr. SPRINGER. The Secretary of War could not make payment beyond the appropriation for the purpose, and if there is no appropriation to pay these men, of course we may be assured there is no law for it.

Mr. BAYNE. The authority is given by the previous law, and this merely proposes to make an appropriation to pay in accordance with that law.

Mr. SPRINGER. The Secretary of War pays out of the existing appropriation and by the law he is not authorized to grant this extra pay beyond appropriations for that purpose. The amendment of the gentleman from Pennsylvania can authorize the Secretary to pay these extra-duty men but it can not be done otherwise. It is in violation of existing law; it increases the amount covered by this bill; it increases the salaries of those who are now in the service at a fixed salary. On all these grounds I insist the point of order is well taken.

The CHAIRMAN. The Chair is inclined to the opinion it is authorized by law under the permanent provision of the act of 1879, which implies authority in the Secretary of War to allow extra-duty pay. Of course he would not do it unless the money was appropriated for it. The question is whether there is existing law authorizing the object for which this money is appropriated. If so, it comes within the rule.

Mr. SPRINGER. The Chair must observe the amount appropriated for the Army and the Signal Corps are here made as prescribed by law.

The CHAIRMAN. The point is whether there is previous authority of law for the appropriation.

Mr. SPRINGER. There is no authority within the existing appropriation.

The CHAIRMAN. The Secretary of War can not pay the Army their regular pay unless the money is appropriated therefor. The question here is, Is there authority of law authorizing this extra-duty pay?

Mr. BELTZHOVER. Yes; there is authority for it.

Mr. SPRINGER. The question is whether the Secretary has authority to make this expenditure unless the amendment of the gentleman from Pennsylvania is passed. Unless that is done the Chair knows he could not do it.

The CHAIRMAN. The Chair also knows that he could not pay anything to the regular Army officers unless there was an appropriation to authorize him to do so. If there is provision of law for it it is in order, if not it is not.

Mr. SPRINGER. There is no law authorizing the expenditure of this particular money covered by this amount.

The CHAIRMAN. The Chair will hold under the authority already referred to that there is authority of law for it, and overrules the point of order.

Mr. BAYNE. Mr. Chairman, I am told by some persons who are employed in this service that the present pay is \$57 a month, and that if this amendment should pass it would be about \$67 a month, or an aggregate amount of \$804 a year.

These men to whom this extra-duty pay is given do important work. They are telegraphers. One has charge of telegraphic matters going from the city of Washington, and others at other points do similar work. They are highly educated men, who do to-day very valuable work. I fear the Committee on Appropriations, when it seeks to retrench in every way it can, will make a mistake if it tries to reduce the wages of men of this kind, as such men will either be driven out of the service or prevented from living comfortably on their pay.

The chairman of the Committee on Appropriations said a short while ago during the progress of his speech it was not required that the Chief of the Signal Service should be versed in the technicalities and science of the work over which he presides, because he had competent and capable subordinates under him. He draws a large salary, and it is for these subordinates I now appeal that they may receive this extra-duty pay.

I think that if the chief of the bureau does not understand his business, does not know all of the details of the business, and is unfamiliar with the scientific operations conducted and executed by those under him, it would be a gross injustice to pay him a very much larger salary for exercising merely a military discipline over those subordinates who are under him than it would be to cut down their pay from \$804 a year to the rate of \$57 a month as proposed by this bill. I do not think it is right to do so; and I believe it is but due to these men who render this service which is so efficient and valuable to the Government that they should be paid an amount equal to the high order of work which they are called upon to perform. I think that this bureau ought to be under the charge of some scientific expert who has made a study of the subject; and I am amazed at my friend from New York who submits the proposition here for the adoption of this committee that because the subordinates in that Department know their business, it makes very little difference whether the chief of the bureau knows anything about it or not. I entirely disagree with him in that conclusion. I think the chief ought to be the best qualified man in the whole service; and he ought not to receive high compensation for performing a duty for which he is not fit or qualified by education. I believe that is a species of favoritism, and I have no doubt that in many instances incompetent men have been placed in high positions in the service of this Government, not because they are qualified to perform the duties of the offices to which they are assigned, but because of the fact that political pressure has been brought to bear in their behalf, in which cases subordinates are required to do the work while the chief gets the pay.

Now let us vote and declare by our votes here that the subordinates who are required to do the work shall receive something like an adequate compensation for their services, especially in view of the fact that these men at the head of it receive some seven or eight thousand dollars a year, I believe, simply because they are placed at the head of the department or bureau, when the men who confessedly do the scientific work receive only about \$600 under the provisions of this bill. I hope, therefore, my friend from New York will not object to this amendment. It is a duty which we owe to a deserving class and we ought to vote it in. I do not think it is fair or just that discrimination should be made against these men and in favor of the heads of these bureaus.

Mr. HISCOCK. Mr. Chairman, what I said and to which the gentleman from Pennsylvania has called the attention of the committee was that in a service of this kind executive talent, executive ability, is of about as much consequence as scientific education or technical ability in that direction. This Signal Service is an army in itself. It is organized as an army; it is organized entirely upon the plan and theory of a military service. I would hesitate a long time before I would

turn the service over to a scientist, no matter how able he might be in that regard, until I had some positive assurance of his executive ability. Without that his scientific attainments would be of very little value in the management of that bureau.

Now, the Book of Estimates came in carrying, I believe, \$1,200,000 for this service. I think for the first time the estimates were given in detail. The service has been accustomed to cost the Government a million to a million and two hundred thousand dollars during the last four or five years. Last year we reduced it to about a million of dollars. I find in the Book of Estimates this item, not for the number of men as I understand that the gentleman from Pennsylvania indicates, but for two hundred and twenty men—

Mr. BAYNE. That is my amendment.

Mr. HISCOCK. The Book of Estimates provides:

The extra-duty pay to two hundred and twenty enlisted men, at 55 cents per day, \$28,103.

Mr. BAYNE. That is the identical amendment I have offered.

Mr. HISCOCK. We struck that estimate out and refused to put it into the bill. Now I ask the gentleman from Pennsylvania if he knows how much these men are getting to-day?

Mr. BAYNE. I know what they tell me they are getting.

Mr. HISCOCK. Let me say to the gentleman that they are getting precisely the same amount that enlisted men get under the War Department and which in the past they have been accustomed to receive. But these were not entitled to any extra-duty pay at all. They get commutation of quarters and they get their regular pay. They get allowance for rations, or commutations of rations, until it runs their pay up to an ample compensation for the service, as I believe. The Committee on Appropriations in preparing this bill did not intend to cripple or pinch these men in any manner. We made what we believed to be a fair allowance for the service. I may be permitted to say that I sat down with a not illiberal man, and in no illiberal spirit myself we made up this part of the bill, and I do not believe we should change the compensation or allowance that we have fixed by the bill in this case.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Pennsylvania.

The amendment was not agreed to.

The Clerk read lines 955 to 965, as follows:

Medical department: For medical attendance and medicines for officers and enlisted men of the Signal Corps, \$3,500; medical attendance and medicines for officers doing duty in connection with the Signal Service, \$100; medical and hospital supplies at Fort Meyer, Virginia, \$900; medicines furnished to officers and enlisted men from purveying depots and Army dispensaries, \$1,000; materials for repairs of hospitals at Fort Meyer, Virginia, \$200; in all, \$5,700.

Mr. BELTZHOVER. I move to amend by striking out of this paragraph the words in lines 955 to 959, from the word "department" to the word "dollars," namely, these words:

For medical attendance and medicines for officers and enlisted men of the Signal Corps, \$3,500; medical attendance and medicines for officers doing duty in connection with the Signal Service, \$100.

I beg to be heard for one moment. This is not a captious amendment. I think the appropriation in the clause I move to strike out is a duplication of an appropriation in lines 884 and 885, where an appropriation is made—

For pay of contract surgeons, \$3,600.

Now, when you come to the lines I have moved to strike out you give \$3,500 and \$100, making \$3,600, exactly the same amount. And there is nothing in the bill in any way to indicate they are not for exactly the same thing.

Mr. HISCOCK. I do not profess to remember everything with critical accuracy. But as I remember the item to which the gentleman has called attention, it is to cover the pay of surgeons who were on the Arctic expedition; and this is to cover the force which is located here in Washington. And I am quite sure I am right about it.

Mr. BELTZHOVER. I call the gentleman's attention to the fact—

Mr. HISCOCK. I know I am right about it.

Mr. BELTZHOVER. I call his attention to the fact that the committee have been very careful and explicit in making the appropriations. And I do not want to make any captious exceptions; but if it is for the medical attendance in the Arctic expedition, I think he should go back and insert the words "for the Arctic expedition." For the difficulty with the appropriation heretofore has been that it has been in bulk, and the Chief Signal Officer has had a fund of hundreds of thousands of dollars that he could appropriate at his discretion. And the object of the committee is to limit him so as to compel him to pay the amounts to the specific objects for which they were appropriated.

Mr. ATKINS. I think the chairman of the Committee on Appropriations had better examine that a little.

Mr. HISCOCK. I know I am right about it. I have no doubt about it.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. ATKINS] offer an amendment?

Mr. ATKINS. No, sir. I rose simply to call the attention of the chairman of the Committee on Appropriations to the fact that on page

37 of the bill he will find the item, "for pay of contract surgeons, \$3,600," in addition to the amount to which the gentleman from Pennsylvania [Mr. BELTZHOVER] has called attention. Then here on page 40 is an appropriation for contract surgeons again. Now, may not the gentleman from New York be mistaken? Why repeat it twice?

Mr. HISCOCK. What lines does the gentleman refer to?

Mr. ATKINS. I refer to lines 884 and 885 on page 37 of the bill:

For pay of contract surgeons, \$3,600.

Now, on page 40 of the bill are the lines to which the gentleman from Pennsylvania referred:

For medical attendance and medicines for officers and enlisted men of the Signal Corps, \$3,500.

Mr. HISCOCK. Where else do you find it?

Mr. ATKINS. Then it is to be found again at the point alluded to by the gentleman from Pennsylvania.

Mr. HISCOCK. That is what he alluded to.

The CHAIRMAN. The gentleman from Pennsylvania applied his amendment to the lines on page 40 of the bill.

Mr. HISCOCK. There are only two items in this connection. I have no doubt I am right in my recollection.

The question being taken on Mr. BELTZHOVER's amendment it was not agreed to.

The Clerk read lines 966 to 974, as follows:

And there shall not be expended from any moneys appropriated by the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes," approved —, 1883, any money for the support of the Signal Service or Corps except the pay of such commissioned officers as the Secretary of War may detail for service in that corps.

Mr. HISCOCK. I ask permission to recur to the paragraph commencing on line 802, appropriating for the building for the State, War, and Navy Departments, that I may offer an amendment at that point. There was no objection.

Mr. HISCOCK. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 807 insert the following:

"And so much of the appropriation for furniture, carpets, file-cases, and shelving for the north wing of said building contained in the sundry civil appropriation act, approved August 7, 1882, as shall remain unexpended June 30, 1883, is hereby reappropriated for the same purpose."

The amendment was agreed to.

Mr. ATKINS. I ask the gentleman from New York whether in line 970 the blank should not be filled by inserting the date of the law?

Mr. HISCOCK. The act there referred to has not become a law yet; that is the trouble. It is an appropriation bill which has passed this House but has not yet become a law; and we can not fill the blank in this bill until the Army appropriation bill has become a law.

The Clerk read lines 976 to 980, as follows:

For national cemeteries: For maintaining and improving national cemeteries, \$100,000, not more than \$1,000 of which shall be used in constructing a wharf at Chalmette national cemetery, New Orleans.

Mr. DIBRELL. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 980 insert the following:

"To complete the road from the city of Chattanooga to the national cemetery near that city, \$2,500, or so much thereof as may be necessary to finish said road."

Mr. DIBRELL. The officer in charge estimated it would take \$15,000 to finish the road. Ten thousand dollars was appropriated. The committee last session refused to give more than \$5,000. The work has gone on and the road is not completed. I am told it will take at least \$2,500 to finish it. I think there is not a gentleman on the floor who would vote against a proposition of that kind. There are 15,000 soldiers buried there.

Mr. HISCOCK. What communication does the gentleman from Tennessee have to show that \$2,500 more is required?

Mr. DIBRELL. From citizens of the city.

Mr. HISCOCK. There is no estimate from the War Department for anything of the kind.

Mr. DIBRELL. In the amendment are the words "or so much thereof as may be necessary." If the whole of the amount is not necessary it will not be expended. It will do no hurt to make the appropriation. We want the road finished. Friends of the dead buried there want to visit the cemetery and it is almost impossible to get there until this appropriation is made to finish the road.

Mr. HISCOCK. I do protest against moneys being put on the bill to be expended on public highways beyond the limit of law already fixed, without any estimate from a Department, or from any officer of the Government that any such sum of money, or any sum of money, is required.

Mr. DIBRELL. In answer to that I want to say to the gentleman that he himself assured me at the last session of Congress, when the \$5,000 was appropriated for this purpose, that that was all we would ever get. I notified the authorities of Chattanooga that they could not expect any more. But the officer in charge of the work has gone on and expended the \$5,000, and the Board of Trade of Chattanooga has asked me to try to get an additional appropriation. Now, I am as much opposed as the gentleman from New York to wasting money; but I am also opposed

to seeing the work on this road stopped. If it had been let to the lowest bidder, I have no doubt it would have been done within the amount of the appropriation.

Mr. HISCOCK. It is not a question of wasting money, but of repairing a public highway which has not been asked for by any officer of the Government or by any Department of the Government.

Mr. ATKINS. Will my colleague [Mr. DIBRELL] inform me whether this was not originally estimated for?

Mr. DIBRELL. Yes; \$15,000 was asked for.

Mr. ATKINS. And the estimate sent to Congress?

Mr. DIBRELL. It was sent to Congress at its last session, but only \$5,000 was appropriated.

Mr. ATKINS. The fact that this is not called for in the estimates sent to this session of Congress I do not think is a good reason for refusing to make this appropriation. Gentlemen are very well aware that estimates are being constantly sent in here almost daily by the Department. The Department has simply neglected to send in this estimate. I do not doubt that had the attention of the Secretary of War been called to this matter he would have sent in the estimate for completing this road. I think it is important that the road should be completed.

The question was taken upon the amendment of Mr. DIBRELL by a *recess* vote, and the Chair announced that the ayes appeared to have it. Mr. HISCOCK. I call for a division on that vote.

The committee divided; and there were—ayes 53, noes 10.

So (no further count being called for) the amendment was agreed to. The Clerk resumed the reading of the bill, and read the following:

Miscellaneous objects:

Survey of northern and northwestern lakes: For printing and issuing charts for use of navigators, electrotyping copper-plates for chart-printing, and completion of office-work, \$3,000.

Mr. ROBINSON, of New York. I move to amend by inserting after the paragraph just read that which I send to the Clerk's desk.

The Clerk read as follows:

For seventy-five copies of Hunter's Port Charges of the World, for the use of the principal consulates of the United States, \$1,875.

Mr. HISCOCK. I make a point of order on that amendment.

The CHAIRMAN. The Chair will hear the gentleman from New York [Mr. ROBINSON] on the point of order.

Mr. ROBINSON, of New York. I ask permission to make a remark or two. The Secretary of State last year, as he has done this year, requested authority to purchase only seventy-five copies (although it is supposed a greater number ought to be purchased) of this work for the guidance of shippers and our consuls abroad.

This is a very elaborate work, prepared by a learned gentleman of Brooklyn. It has been submitted to the leading merchants of New York and to scientific and literary men, and they say it is a work of absolute necessity to all our principal consulates. By a single glance at this work, which is nearly as large as Webster's Unabridged Dictionary, any shipping merchant can tell exactly what he can obtain at any foreign port for a cargo back, everything connected with port charges, and a mass of information such as has never been before collected together.

The CHAIRMAN. Will the gentleman refer the Chair to any existing law authorizing what is proposed by his amendment?

Mr. ROBINSON, of New York. I would refer the Chair to the item last read, and also to the one immediately following. They are of the same nature as the amendment I have offered, making appropriations for the publication and distribution of works which are not half so necessary as this.

But allow me to conclude what I have to say. The Secretary of State requested this from the last Congress, and he now requests it from the Senate. The request made at the last session is in possession of the gentleman from New York [Mr. HISCOCK], and the Secretary of State has at this session written to the Senate asking that this provision shall be put in the appropriation bill, as this is most valuable information for consulates of the United States. I have no doubt that if my amendment is not allowed here it will be allowed in the Senate.

The CHAIRMAN. The question submitted to the Chair is whether the proposed amendment is one in order under the rule. The Chair finds nothing in any existing law authorizing the purchase of such a book or document. Unless the gentleman can point the Chair to some existing law authorizing the purchase and distribution of this work, the Chair will be obliged to sustain the point of order. If the point of order is withdrawn, of course the Chair will submit the question to the committee.

Mr. ROBINSON, of New York. I beg the Chair to state whether any authority can be found for the paragraphs already in the bill any more than for the amendment I have proposed.

The CHAIRMAN. There is a law authorizing the making and distribution of charts, &c. The Chair is obliged to sustain the point of order, without referring at all to the merits of the proposition.

MESSAGE FROM THE PRESIDENT.

The committee rose informally; and the Speaker having resumed the chair, a message in writing from the President of the United States, by

Mr. PRUDEN, his Secretary, informed the House that the President had approved and signed bills and joint resolutions of the following titles:

An act (H. R. 5380) supplementary to an act approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River and to prescribe the dimensions of the same;"

An act (H. R. 7050) making appropriation for the support of the Military Academy for the fiscal year ending June 30, 1884, and for other purposes;

Joint resolution (H. Res. 109) to admit free of duty a monument to General Washington; and

Joint resolution (H. Res. 335) to provide for the binding of the Compendium of the Tenth Census.

SUNDRY CIVIL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The Clerk resumed the reading of the bill, and read the following:

For continuing the publication of the official records, and printing and binding, under direction of the Secretary of War, of a compilation of the official records, Union and confederate, of the war of the rebellion, so far as the same may be ready for publication during the fiscal year, \$36,000.

Mr. THOMAS. I move to amend by adding to the paragraph just read the following:

For the collection, preparation, and printing of the orders of General Anthony Wayne, \$1,000.

This amendment is offered at the instance of the Adjutant-General of the Army, who informs me that the orders issued by General Anthony Wayne during his famous campaign in the Northwest have only recently been discovered, having been lost for a long time. A single copy of these orders, in manuscript, is now in the library at West Point. These documents are rich in historical interest to the States of Ohio, Illinois, Indiana, Michigan, and Wisconsin—the territory affected by the military operations of General Wayne after the defeat of General St. Clair. All who have looked into American history remember how completely the whole country was prostrated by St. Clair's defeat, and how, under the leadership of Wayne, hope dawned upon the American people and success crowned his military operations.

There is but a single copy of these orders in existence. That is in manuscript, and is in an insecure building at West Point. These documents ought by all means to be printed and distributed to the historical societies of this country, so that if the original papers should by any accident be destroyed these interesting historical materials will not be lost.

I have offered this amendment at the instance of the Adjutant-General of the Army, who informs me that there is no appropriation out of which these papers can be printed. I hope the amendment will be adopted.

The amendment was agreed to.

The Clerk read as follows:

For appliances for disabled soldiers: For providing surgical appliances for persons disabled in the military or naval service of the United States and not entitled to artificial limbs, \$2,000.

Mr. HOGE. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 1036:

"For payment of the amount reported by the Chief of Engineers to be due from the United States to James Allender, \$2,350."

Mr. HISCOCK. I make a point of order against this amendment. In the first place, I do not see how it is germane to the pending provision, and I do not know any law which authorizes this payment. I ask that the amendment be again read.

The Clerk again read the amendment.

Mr. HISCOCK. That amendment certainly has no place on this bill. There is no law which authorizes the payment; and there is a bill before the House for the same purpose and carrying the same amount.

Mr. HOGE. As I understand the point of order, it is that there is now pending in this House a bill for the same purpose as that contemplated by this amendment.

Mr. HISCOCK. That is one point.

Mr. HOGE. And that the amendment is not germane. Is there any other?

Mr. HISCOCK. That it is a private claim.

The CHAIRMAN. The Chair understands the additional point of the gentleman from New York to be that there is no law authorizing this appropriation.

Mr. HOGE. Now, the point which I wish to make is one which has not been ruled upon, so far as I know, at any time in this House. There is a bill embracing this proposition—not pending in the House at all, for the reason that the Committee on Commerce having favorably considered the application of Mr. Allender for relief, have reported back the bill to the House; and on their recommendation it has been referred to the Committee on Appropriations for the purpose of making an appropriation of the sum named. The bill is now in the hands of the Committee on Appropriations. It is not on any calendar. It can not be reached in any way except upon a report of that committee, because under the instructions of the House it is in their possession.

This is not a claim. This matter was submitted to arbitration, and the award which was made in favor of Mr. Allender would have been

paid but for the single fact that there was no appropriation out of which compensation for these damages could be made. In the course of the improvement of the navigation of the Monongahela River by the Government, under a river and harbor act, Mr. Allender's mill property was, in the language of Major Merrill, the officer in charge of the work, "drowned out by the construction of a lock and dam." The engineer in charge of the work at once entered into an arbitration to determine the value of the property, and the arbitrators reported \$2,350 as the amount of the damages. But the Engineer Bureau was unable to make payment because the law prohibits using for a purpose of this kind the appropriations made for that bureau. Ten years ago this man was driven from his property and his home. Every Department of the Government that has examined the case and every committee of Congress which has considered it during a period of eight or ten years has reported upon it favorably. A bill for the payment of this money was once passed by the House; and in this Congress the Committee on Commerce has reported that the amount should be paid, and the bill has been referred to the Committee on Appropriations that provision might be made for payment.

The CHAIRMAN. The Chair does not understand that there is any denial of the statement of the gentleman from New York that a bill covering the substance of this amendment is pending before the House.

Mr. HISCOCK. It is simply a claim against the Government.

The CHAIRMAN. It appears also to be in the nature of a private claim for the payment of which there is no authority of law. The Chair is obliged to sustain the point of order.

Mr. HOGE. The bill was referred to the Committee on Appropriations and is not before the House.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

For the support of the National Home for Disabled Volunteer Soldiers, as follows: For current expenses, including construction and repairs, at the Central Branch, at Dayton, Ohio, \$853,945.81.

For current expenses, including construction and repairs, at the Northwestern Branch, at Milwaukee, Wisconsin, \$160,933.57.

For current expenses, including construction and repairs, at the Eastern Branch, at Togus, Maine, \$142,191.13.

For current expenses, including construction and repairs, at the Southern Branch, at Hampton, Virginia, \$150,017.52.

For out-door relief and incidental expenses, \$15,000; in all, \$1,122,088.03.

Mr. BROWNE. I offer the following amendment to come in at the end of line 1131:

That section 2 of the act of February 26, 1881, be so amended as to read as follows:

"SEC. 2. All pensions payable, or to be paid under this act, to pensioners who are inmates of the National Home for Disabled Volunteer Soldiers shall be paid to the treasurer or treasurers of said home upon security given to the satisfaction of the managers to be disbursed for the benefit of the pensioners without deduction for fines or penalties under regulations to be established by the managers of the home. Said payment to be made by the pension agent upon a certificate of the proper officers of the home that the pensioner is an inmate thereof and is then still living. Any balance of the pension which may remain at the date of the pensioner's discharge shall be paid over to him; and in case of his death at the home the same shall be paid to the widow or children, or in default of either, to his legal representatives. And in such case, and in cases where pensions which heretofore have been paid to the treasurer of said home for the benefit of inmates of the home who have since been discharged or have died at the home or on furlough, any balance of the pension remaining at the date of such discharge or death shall be paid over to the pensioner, or in case of his death to the wife, children, or legal representatives."

Mr. HISCOCK. I reserve the point of order on that amendment until I can understand precisely what it is.

Mr. BROWNE. While the amendment is somewhat long, Mr. Chairman, yet it changes the existing law only in one particular. If the committee will pay attention to the original section of the bill it will be seen that the treasurer of the home is required to pay the pension to the representatives of the deceased soldier only in case he dies at the home. That is the language of the law. I will read it:

Any balance of the pension which may remain at the date of the pensioner's discharge shall be paid over to him; and in case of his death at the home, the same shall be paid to the widow or children, or in default of either, to his legal representatives.

If he died on furlough or after his discharge away from the home the balance of his pension still remains in the hands of the treasurer at the home; and the board of managers hold under the law they are not bound to pay the pension over to the widow or children or the legal representatives. That is all the change which is proposed.

Mr. HISCOCK. I ask the gentleman from Indiana what they do with it?

Mr. BROWNE. I do not know further than they do retain it at the home. I am frank to say, while this amendment is to be general, there is a case exactly in point. The pension was paid to the authorities of the home. The soldier lived at Evansville, in my State, and was allowed to go to his State on furlough and while there died. Not at the home, but absent from the home on furlough. And now they hold that under this law they are not required to pay the balance of his pension over to his widow.

Mr. HISCOCK. I have such an abiding faith in the judgment of the gentleman from Indiana on these matters I will not insist on any point of order against the amendment.

Mr. BROWNE. That is all there is of it.

The amendment was agreed to.

The Clerk read as follows:

That from and after the passage of this act the board of managers of the National Home for Disabled Volunteer Soldiers shall apply the excess above \$5 monthly of the pensions of all inmates of the National Home for Disabled Volunteer Soldiers to the support and the objects and purposes of said home: *Provided, however,* That the above provision shall not apply to any inmate of said home who, having at the time of his admission to said home, wife, minor child, or parent dependent upon him for support, shall apply the excess of his pension above said \$5 each month to said support. The said board of managers shall annually report the amount of pension-money received by them under the above provision: *Provided,* That in addition to the persons now declared by law to be entitled to admission to the National Home for Disabled Volunteer Soldiers, any person who served during the war of the rebellion in the Navy of the United States and was honorably discharged therefrom, who is not otherwise provided for by law, and who is incapacitated by reason of wounds incurred in the line of duty or disease contracted during his said service from earning his own support, may be admitted to said home in the same manner and under the same conditions as volunteer soldiers. And section 2 of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1882, and for deficiencies, and for other purposes," approved February 26, 1881, is hereby repealed.

Mr. DAWES. I make the point of order that that changes existing law and does not retrench expenditures.

Mr. HISCOCK. I think I can cite a decision on that point of order which will be all-controlling. I believe the present Chairman of the Committee of the Whole House on the state of the Union, presiding when this sundry civil bill was under consideration at the last session, ruled that this was in order.

The CHAIRMAN. The Chair would like to know whether the gentleman from New York sustains that decision?

Mr. HISCOCK. I believe the decision at that time was right.

Mr. DAWES. My attention was called away and I did not hear what the gentleman from New York stated.

The CHAIRMAN. The Chair does not recollect the decision referred to; but the precedent is a good one if verified. [Laughter.]

Mr. DAWES. I make the point that this provision does not retrench expenditures, either by a reduction of the number or salary of officers of the United States nor by the reduction of the compensation of any person paid out of the Treasury of the United States. For, sir, a pension is not a compensation; it is a gratuity, and has been so held by the courts. Nor is it a retrenchment of expenditure by the reduction of the amount covered by this bill. It goes beyond it. This bill carries the full amounts of the estimates made for the purposes of the home. It is clearly repugnant to the point of order.

The CHAIRMAN. If there is a precedent the Chair will be glad if the gentleman from New York will refer him to it.

The Chair will ask the gentleman from New York if this changes the existing law?

Mr. DAWES. It repeals existing law.

Mr. HISCOCK. I did not catch the question of the Chair.

The CHAIRMAN. The Chair will ask the gentleman from New York in what way this provision changes existing law?

Mr. HISCOCK. Substantially it changes existing law, as will be seen in the first five lines of the paragraph on page 47, in the following words:

That from and after the passage of this act the Board of Managers of the National Home for Disabled Volunteer Soldiers shall apply the excess above \$5 monthly of the pensions of all inmates of the National Home for Disabled Volunteer Soldiers to the support and the objects and purposes of said home.

That is a provision which radically changes existing law.

The CHAIRMAN. In what respect does it retrench expenditures?

Mr. BROWNE. Why, if the gentleman from New York will permit me to answer, under existing law the Government of the United States maintains the homes and pays the pensions of the soldiers in addition. There is an expense for keeping up the homes outside of the payment of the full pension. This will do away with that expense.

Mr. HISCOCK. The adoption of this provision must reduce the amount the bill carries for the support of the homes. Of necessity it must work out the result of reducing the aggregate to be appropriated for the purpose of keeping up these homes.

Mr. DAWES. It changes the whole system of the pension laws. It repeals the bill, the title of which is given in lines 1154 to 1159, being an act making appropriations for the payments of invalid and other pensions of the United States for the fiscal year ending June 30, 1882, and for deficiencies, and for other purposes. It changes the existing law completely.

Mr. DEUSTER. I desire to be heard for a few moments.

The CHAIRMAN. On the point of order?

Mr. DEUSTER. Yes, sir. On page 43, beginning with line 1154, we find this clause:

And section 2 of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1882, and for deficiencies, and for other purposes," approved February 26, 1881, is hereby repealed.

This is the last clause of the paragraph just read. I refer here, as the Chair will perceive, to the repeal which this bill contemplates of an act for the payment of invalid and other pensions, which is the repeal of an existing law. I believe therefore that according to the provisions of Rule XXI, section 3, which provides "nor shall any provision in any such bill or amendment thereto changing existing law be in order," that this provision is entirely out of order on this bill.

The CHAIRMAN. The Chair finds the decision made at the last Congress to which reference has been made, but has not had time to examine what provision of the bill was then under consideration when that decision was made. He deems, however, that the provision in contemplation at the time tended to retrench the expenditures of the Government, or the amount covered by the bill. The Chair will take the assurance of the gentleman from New York that the material point at issue is the same.

Mr. HISCOCK. It was precisely the same as the present paragraph of this bill, as the Chair will find upon examination, or rather I should say the same point was at issue.

The CHAIRMAN. The Chair, in view of that precedent, will rule on the assurance that it relates to the same point and effects a retrenchment in the expenditures of the Government, that the provision is in order, and therefore overrules the point of order made by the gentleman from Ohio.

Mr. DAWES. Instead of appealing from the decision of the Chair I shall offer the amendment which I send to the desk.

The Clerk read as follows:

Insert after the word "provision," in line 1144, the following words:
"Provided also, That the foregoing provision shall not apply to any inmate of said 'home' who is drawing a pension for the loss of one leg, one arm, one hand, or one foot, or who draws a pension at any rate over \$24 per month."

Mr. DAWES. Mr. Chairman, I have followed, as will be seen in the language of this amendment, the \$40 law passed by the unanimous vote of this House, a law which proposes to give a pension of \$40 per month to every soldier who has lost a leg or a foot, a hand or an arm in the service, and including beyond that, that class of pensioners who draw over \$24 per month. Now, the effect of this provision, if adopted without my amendment on this class of pensioners, is this:

The boards of managers of these homes will be authorized to retain for the uses of the homes of the pension drawn by the soldier all of the amount to which he is entitled, excepting \$5 a month. Now, there is a great class of pensioners who draw from \$8 a month to \$10 or \$12 a month; and a great number of the inmates of the homes who draw no pensions at all. But here is a class who draw \$18 and upward because of such disability as entitles them to it. They are mulcted by this provision—the man who draws a pension of \$18 to the amount of \$13. The pensioner who draws \$24 a month is mulcted \$19 a month, and the man who draws \$8 a month for chronic diarrhea is mulcted but \$3 a month. This is an outrageous discrimination against that class of men who have lost a leg or an arm in battle, or been utterly disqualified from manual labor.

The Legislature of the State of Ohio has unanimously adopted a resolution approving of this \$40 bill, and it meets also the unanimous approval of the sentiment of the country. That, however, is a bill that can not pass in this Congress. Here is an appropriation bill that will inevitably pass; and if the Congress of the United States really desires to do anything for this class of pensioners here is an opportunity, instead of adopting a provision which takes away from them almost their entire income.

And worse than that, there is another class disqualified from manual labor whose pension is mulcted \$45 a month. There is another class of pensioners who draw \$72 a month because they are entirely helpless and require the attendance of another person. They will be mulcted \$67 a month.

The existing law is this, that the managers of the home can hold for these pensioners all of their pensions, but hold them for their own benefit. They still remain their property. And if the pensioners are drunken "dead-beats" as some gentlemen seem to think they are, and some of them no doubt drink too much liquor, the existing provisions of law enable the managers of the home to regulate and control all that matter and preserve the soldier's money for him instead of pouring it into the coffers of the Government, which does not need it and does not want it. The law now takes care of the property of the soldier and maintains the discipline of the home by enabling the managers of the home to withhold the pension from the soldier, but not confiscate it to the uses of the home.

[Here the hammer fell.]

Mr. HISCOCK. The argument for this provision of the bill is found in the provision itself. It is proposed to take the money of the pensioners and apply it to their support; and the very class of pensioners that the gentleman from Ohio [Mr. DAWES] refers to are those that it is intended by the amendment to reach—those who receive the larger amounts.

Mr. DAWES. Those with their legs shot off.

Mr. HISCOCK. They are cared for; they are supported by the Government. And it is the intention of this bill that they shall continue to be cared for. What would the gentleman from Ohio have done with their money?

Mr. DAWES. I would have it given to them or kept for them.

Mr. HISCOCK. Where would it go? To what purpose would it be devoted?

Mr. DAWES. It would go to their heirs or legal representatives after their death.

Mr. HISCOCK. We are not here legislating for their heirs unless their heirs need this money. And if a soldier has a widow or minor children he is safe from the operations of this law. We have taken

great care of the heirs and of the widows in this bill. The exception is made in their favor; but I am frank to say when you reach out beyond the dependent relative to the collateral heirs of the pensioner, the appeal of the gentleman does not touch my argument.

This provision is recommended by the managers of the home. I certainly should not have reported it here unless the most eminent soldiers in the land had recommended it; those who are as careful of these men as fathers are of their children. In the interest of the Government, in the interest of the home, in the interest of the soldier himself, it was proper this amendment should be incorporated in the bill. And the love of those men for the soldier and their fidelity to their comrades in arms the gentleman from Ohio will not question. The trustees of the Soldiers' Home are men who stand too high to have either their patriotism or their loyalty to the soldiers questioned.

Now, Mr. Chairman, another thing is sought in this provision. The effect of this provision will be this: There are scattered all over the country soldiers that do not receive a pension, soldiers that are not entitled to admission to this home. They were referred to the other day upon the floor. There are soldiers that to-day are in the poor-houses and are supported as paupers, and the effect of this provision may be to open the door of the home to that class of people dependent on public charity for support. And, sir, I confess I have as much sympathy for them as I have for the soldier that received a pension sufficient to support him.

Another class will be introduced into the home possibly if this amendment prevails. Thus far these homes have been closed to the volunteer sailors. This may have the effect to make vacancies in the homes, and we have provided that these vacancies may be filled from that service. And are they not equally entitled to this bounty being extended to them? Are they not equally entitled to be cared for and supported by the nation? We are not, Mr. Chairman, attempting here to strike down this system of public homes in the interest of naked, bare, mean, niggardly economy, but are simply seeking to take in a larger class of people and extend the scope of the benefits of the institution.

[Here the hammer fell.]

Mr. DEUSTER. Mr. Chairman, I move to strike out the last word.

I was opposed to this virtual confiscation of pension-money last year, and I am still opposed to it now, although the confiscation is to be only a partial one hereafter, while last year it was proposed to re-enact the old scandal of stealing pensions in the shape of fines and penalties. The reasons for which I was opposed to this robbery are as valid to-day as they were then. We are fishing in very shallow water when we propose, after appropriating over \$1,000,000 for the support of these institutions, to make almost in the same breath poor invalids unwilling contributors to the support of "national" institutions which a "generous country" has so "liberally" provided for its defenders in their decrepitude and infirmity.

Thousands of pensioners are to-day in the employ of the Government, some in very high positions; but no one is so unreasonable or unjust as to demand that they should give up their pensions because they are salaried employes of the Government or give one cent for the maintenance of these homes out of their pensions. On the contrary, the law provides that they shall have, when honorably discharged soldiers, a preference over others. Yet these crippled, often hopelessly diseased, invalids, who are, one and all, slowly tottering toward the grave, shall be robbed of their pension-money, which these unfortunates in many instances apply for the purpose of paying transportation and expenses in visiting their families and friends who live at a distance. If this money is taken from them the hope of ever getting home to see their friends would be cut off. Again, the pensioners of the homes pay, as I am informed, for all the clothing they draw—tobacco, stationery, postage, and, in fact, nearly everything they obtain from the home. Besides, the pension is their just due, granted them under a contract that would be considered too sacred an obligation by any just government under the sun to be violated in such a mean, roundabout, penny-business way.

Do not let us forget that these veterans who shall be robbed of their pension-money are a part of the men, the armies, whose gallant deeds will live in a thousand songs in the history and hearts of our people so long as the praise of valor and heroism will re-echo in the warm hearts of our youth. And it is too much like robbing Peter to pay Paul if we take his meager pension from one invalid in order to assist another one. If we can not support these institutions altogether, let them go under; but if we can, we ought to support them in such a manner that such small business need not be resorted to. I think we can support them as we ought to do; and if the number of applicants is too large for their present capacity, and worthy soldiers are unable to gain admittance, then let us establish two or three new branches; but no necessity can ever serve as defense for so gross an injustice as the curtailment of the pensions of these poor men would be. We have no more right to touch their pension-money than we have to cut down the national debt; the payment of both is made in accordance with obligations which admit of no cavil at this late day and which ought to be held inviolable. I enter my protest against such injustice now, as I have done before, and I hope the proposition will not receive the sanction of this House.

Mr. BROWNE. I hope the committee will look at this question dispassionately. The Government of the United States have provided pensions for those who have become disabled in its military service. It pays or intends to pay a sum equal to the disability. In addition to the payment of pensions it has provided palatial homes to which a certain class of soldiers are admitted; and when admitted, the Government not only furnishes them with homes, not only furnishes them with shelter, but furnishes them with clothing and food and everything. The inmates of the Soldiers' Home—and nobody complains of it—have what that term "home" implies—everything that is necessary for their comfort and convenience. A large portion of those that are admitted receive no pension whatever from the Government. Now, the present law does this, and here is the inequality and injustice of it to a certain class of pensioners in this country.

I have two neighbors; each of them has been disabled by the loss of an arm, and each is drawing a pension of \$24 a month. One of them remains at home and does what he can with his remaining arm for the support of himself and family. He supports himself and family by his own exertions, excepting so far as he is assisted by the \$24 a month pension given him by the Government. The other is in a national home for disabled soldiers, and the Government of the United States supports him—furnishes him with a home, with fuel, wearing apparel, food, medical attendance, and everything necessary for his comfort, and in addition to that gives him a pension of \$24 a month.

Now let me ask if that is fair? That is what the law does as it now stands. It pays the pensioner who is in one of these homes his pension and supports him besides.

Mr. DAWES. Will the gentleman permit me to ask him a question?

Mr. BROWNE. Certainly.

Mr. DAWES. Why not make it a uniform rule? If you are going to make a charge against the pension of a soldier for his support, then make a uniform rule.

Mr. BROWNE. The gentleman asks why not make a uniform rule? I say this, that a pension is given by the Government in lieu of a support as a support, to enable the pensioner to support himself. That is what the pension is given for. The home is provided for the same thing; but if you give the disabled soldier a pension and a home, too, you give him a double support.

Mr. DAWES. Not more than he deserves.

Mr. BROWNE. Now, there is no law compelling a person to go to one of these homes. A soldier may draw his pension and remain with his family and among his friends; or under the provisions of the law he may go to a home and have a maintenance there and \$5 a month of his pension besides.

Mr. MAGINNIS. And the effect of that is to exclude others who have no pensions and no means of support.

Mr. BROWNE. As the gentleman from Montana [Mr. MAGINNIS] very properly remarks, are we to fill our homes with a class of persons who receive pensions, giving them the benefit of the home besides, and in that way fill up these homes and exclude worthy persons from their benefits who have no pensions at all?

I would not be in favor of this proposition if I did not believe it was absolute justice. It is generous to the soldier and is but just to the people of the United States. If we provide a home with all the necessities of life for the soldier, that is enough. If we are to help the soldier in a home, let it be done there; if we are to help him by means of a pension, let it be done by the pension. Let us give the soldier the choice of the pension or the home, but not both.

The CHAIRMAN. The time of the gentleman has expired, and the time for debate upon the pending amendment has been exhausted.

Mr. DEUSTER. I withdraw my *pro forma* amendment.

Mr. DAWES. I renew the amendment. I want the House to understand exactly what this amendment is, and then we can see how the argument of my honorable friend from Indiana [Mr. BROWNE] applies to it.

It affects only soldiers who draw \$18 a month, \$24 a month, \$50 a month, or \$72 a month. I believe I have stated all the classes. A soldier draws \$18 a month pension for the loss of an arm below the elbow or a foot below the knee, and \$24 a month for the loss of an arm above the elbow or a leg above the knee.

Now, if this provision is enacted into a law without my amendment the effect of it will be to drive out of these homes, and that is the purpose of it, as the chairman of the Committee on Appropriations [Mr. HISCOCK] has admitted, not these men who draw \$8 and \$10 and \$12 a month—

Mr. HISCOCK. It is not my purpose to drive anybody out of these homes.

Mr. DAWES. That is the effect of the provision, and I understood the gentleman to state that it would make room for sailors or somebody else.

Mr. HISCOCK. I said that if it did have the effect of driving any out of these homes it would make room for those of another meritorious class.

Mr. DAWES. Yes; but not for the men who have lost a hand or a foot or those who, because of extreme disability, received \$50 a month, as being totally disabled for manual labor, or those who receive \$72 a

month because they are so disabled as to require constant personal attendance.

By a unanimous vote of the House of Representatives, including the votes of the chairman of the Committee on Appropriations [Mr. HISCOCK] and of the gentleman from Indiana [Mr. BROWNE], these soldiers so disabled were to receive \$40 a month. Now, it would be unjust to them to adopt this provision and refuse to adopt my amendment.

Mr. BROWNE. Will the gentleman allow me to ask him a question?

Mr. DAWES. Certainly.

Mr. BROWNE. I want to know if it is justice to the hundreds of thousands of pensioners who are out of these homes to be allowed simply their pensions, while you give another class of pensioners the benefits of these homes and a support and their pensions besides?

Mr. DAWES. This great nation has a surplus in its Treasury of \$150,000,000. Let us build homes enough for our disabled soldiers; we are abundantly able to do so. Do not vote on one day to give these disabled soldiers \$40 a month and let the proposition go to the Senate, where it may be defeated, and then on an appropriation bill place a provision which will take away from them the pension which Congress has given them.

The CHAIRMAN. The question is upon the amendment of the gentleman from Ohio [Mr. DAWES].

The question was taken; and upon a division there were—ayes 5, noes 34.

Mr. DAWES. No quorum has voted, and I call for tellers.

Tellers were ordered; and Mr. DAWES and Mr. HISCOCK were appointed.

The committee again divided; and the tellers reported—ayes 15, noes 92.

So the amendment was not agreed to.

Mr. BAYNE. I move the amendment which I send to the desk.

The Clerk read as follows:

After the word "rebellion," in line 1148, insert the words "in the Army or;" so as to read, "any person who served during the war of the rebellion in the Army or in the Navy of the United States," &c.

After the word "soldier," in line 1154, insert the words "are now admitted."

Mr. HISCOCK. I have no objection to that amendment.

The amendment was agreed to.

Mr. BISBEE. I move the amendment which I ask the Clerk to read.

The Clerk read as follows:

After the word "support," in line 1141, insert the words "or shall, after such admission, become dependent upon him for support;" so that it will read, "having at the time of his admission to said home wife, minor child, or parent dependent upon him for support, or shall after such admission become dependent upon him for support."

Mr. BISBEE. Mr. Chairman, the pending paragraph contemplates that all pensions exceeding \$5 a month, payable to inmates of the National Soldiers' Home, shall be applied by the managers for the support of the home, subject, however, to this proviso:

Provided, however, That the above provision shall not apply to any inmate of said home who, having at the time of his admission to said home wife, minor child, or parent dependent upon him for support, shall apply the excess of his pension above said \$5 each month to said support.

Now, this proviso as it reads would prevent the soldier from contributing from his pension to the support of his wife, minor child, or parent in case that wife, child, or parent should become dependent on him after his admission to the home. As the provision now stands his right to contribute to their support is limited to the case in which they are dependent upon him at the time of his admission. If at that time they are by reason of their own exertions or by the aid of friends or because of the possession of property not dependent upon the soldier, he can not contribute to their support if subsequently, on account of loss of property, loss of friends, or (in the case of the wife or parent) by reason of old age, they should become unable to support themselves. The only effect of my amendment will be to enable the inmate of the home to make contribution for the support of his wife, child, or parent, no matter at what time they may become dependent upon him for support.

Mr. HISCOCK. Mr. Chairman, this provision, after having been carefully prepared when the last bill was under consideration, was submitted by the Committee on Appropriations to the Board of Managers of the Soldiers' Home. It was also submitted to other gentlemen standing high in the confidence of the soldiers. It was submitted to gentlemen upon the committees of this House who have this matter specially in charge. This particular clause excepting from the operation of the general provision a soldier having a wife, minor child or parent, dependent upon him for support was the result of deliberate consideration.

A MEMBER. Is this paragraph agreeable to the soldier?

Mr. HISCOCK. As the question is asked, I will say that I have not the least idea in the world that it is agreeable to the soldier. We were told that these soldiers have passed the period of life when they are likely to have parents dependent upon them for support, and that there is no difficulty so far as minor children are concerned. We were told, however, that there is a certain percentage—I do not say a large percentage—of these soldiers who are and ever have been the victims of

designing women; and if you include in this provision the language proposed by the gentleman from Florida [Mr. BISBEE] you offer a premium to designing women to fasten themselves upon these men, to marry these soldiers in order to get the benefit of their pensions, the last women in the world to whom this Government would wish to extend its bounty. A gentleman near me, and a soldier, too, says that he knows this to be true. I had hoped that I might not be called upon to make this explanation. It is an unpleasant duty for me to discharge. But "I tell the tale as it was told to me." This provision should be preserved as reported in the bill if you would save these men—I will not say from what.

The CHAIRMAN. Debate is exhausted.

Mr. BISBEE. I move to amend the amendment by striking out the last word. I wish to say in reply to the gentleman from New York [Mr. HISCOCK] that so far as this amendment applies to the parent or child of an inmate of this home it certainly can do no harm, and if a parent or child should become dependent upon him after his admission to the home he should be enabled to contribute to their support.

In regard to the provision for wives who subsequently become dependent upon these soldiers by reason of misfortune or otherwise, the amendment does not contemplate enabling any soldier to contribute any portion of his money to the support of any woman who may become his wife after his admission to the institution. A careful reading of the amendment will show that on this point I am correct. If at the time of his admission to the home the soldier has a wife not then dependent upon him, but who subsequently by misfortune or otherwise becomes dependent upon him, he ought to be permitted to contribute to her support.

Therefore the amendment is not obnoxious, nor is it subject to the criticism made by the gentleman from New York upon it.

Mr. BROWNE. May I ask the gentleman from Florida a question?

Mr. BISBEE. Certainly.

Mr. BROWNE. These soldiers are discharged frequently from the homes, and can again be readmitted. There is no difficulty about procuring an order of readmission. Now, suppose that one of them who is not now married procures a discharge from the home, and while out on the discharge gets married. Subsequently he makes application for readmission to the home. Would he not in that case come within the conditions suggested by the gentleman from New York?

Mr. BISBEE. In answer to the gentleman from Indiana I will suggest to him that it can be provided for by law, giving the same discretion and power of admission to the board of managers in this case that is given in other cases.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Florida.

The amendment was not agreed to.

Mr. DEUSTER. I desire to offer another amendment.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Strike out all from line 1132 to line 1160, inclusive.

The CHAIRMAN. The Chair is under the impression that that motion has been decided once.

Mr. DEUSTER. I think not.

The CHAIRMAN. The Chair was of the impression that the gentleman from Ohio had made a similar motion.

The motion, however, will be submitted to the committee as in order.

The amendment was not agreed to.

The Clerk read as follows:

To pay the expenses and services of the civil commissioner and the incidental expenses of the commission appointed by the Secretary of the Navy under the provisions of the act of August 5, 1882, to report upon the question of advisability of sale of any of the navy-yards, \$2,500; and the Secretary of the Navy is hereby authorized to report to Congress at its next session such part of the lands of the United States, if there be any, upon which the New York navy-yard is situated as is not needed for public purposes, together with an appraisal of the value of the same, such appraisal to be made in such manner as in his judgment will give a true estimate of the market value thereof.

Mr. HARRIS, of Massachusetts. I move to amend by the insertion of what I send to the desk.

The Clerk read as follows:

At the end of line 1194 insert the following:

"And said commission shall also report in reference to each navy-yard the sale of which is not recommended by them, whether it is in their opinion specially adapted for any specific purpose, and whether it should be retained in active operation or otherwise used; whether it is fully equipped and provided with all necessary appliances for the prompt and economical execution of such work as may be required, and if not, in what respect it is defective, and what will be required to place it in proper and effective condition for any probable demands in time of war, and the estimated cost of any additional requirements; and also whether, in their opinion, improvements can be made in the system of performing work at the navy-yards which will promote efficiency and reduce expense."

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard upon the amendment?

Mr. HARRIS, of Massachusetts. Only for a few moments. I desire to state as briefly as possible the purposes and objects contemplated by this amendment.

This amendment is offered for the purpose of obtaining from the commission now authorized by law to make an examination of these navy-

yards in efficient form the information they have obtained with reference to these yards in the manner suggested by this proposition.

Mr. HISCOCK. I desire to reserve the point of order upon the amendment.

The CHAIRMAN. The Chair thinks it is a little late.

Mr. HISCOCK. What is the proposition?

The CHAIRMAN. It appropriates no money.

Mr. HARRIS, of Massachusetts. It provides no additional expense in connection with the commission already authorized by law to examine into the condition of these various navy-yards. It simply calls upon the commission to report more fully than the law now requires them to do.

Mr. HISCOCK. I have no objection to that.

Mr. HARRIS, of Massachusetts. I shall not detain the committee further, as I believe this amendment will commend itself to their judgment.

The amendment was agreed to.

Mr. HARRIS, of Massachusetts. I now offer a further amendment, which I send to the desk.

The Clerk read as follows:

That the Secretary of the Navy shall cause to be laid out in convenient lots for building and commercial purposes, with convenient streets, avenues, and wharves in substantial accord with the recommendations and report made and submitted by Commodore John H. Upshur, all that land in the Wallabout Bay, in the State of New York, included within the present limits of the Brooklyn navy-yard and the United States naval hospital grounds which is bounded and described as follows:

Parcel A, containing about thirty-three and one-quarter acres, beginning at the northwest corner of Washington and Flushing avenues; thence westerly along the line of Flushing avenue 818 feet; thence northerly along a line parallel to the line of Washington avenue to the north line of the property of the United States, being about 1,900 feet; thence easterly along the line of the property of the United States to Washington avenue, being about 940 feet; thence along the line of Washington avenue to the point of beginning.

Parcel B, containing about twenty-four and a half acres, beginning at the northeast corner of Washington and Flushing avenues; thence northerly along the line of Washington avenue to the northerly line of the property of the United States fronting on Kent-avenue basin; thence easterly along the line of the property of the United States parallel with Kent-avenue basin to the easterly line of Hewes street extended; thence southwesterly along the easterly line of Hewes street extended about one hundred and fifty feet; thence westerly on a line parallel to the course of Flushing avenue west of Ryerson street to a point five hundred and twenty feet from Washington avenue; thence southerly to Flushing avenue, seven hundred feet; thence westerly along the line of Flushing avenue, five hundred and twenty feet, to the place of beginning.

And the Secretary shall cause the said lots, when so laid out as aforesaid, to be appraised by three appraisers of experience and competent knowledge, to be selected by him, and after said appraisal he shall advertise the same for sale at public auction in such manner as he may deem for the best interests of the Government, either at one sale or at several different sales, at not less than the appraised value of each, subject to such reservations and limitations as to use as he may deem best; and he is hereby authorized and empowered to make and execute, in the name of the United States, deeds of such lots to the purchasers, upon the payment of the purchase-money in full; and at such sale or sales he may give to the purchasers of any single lot the election to take at the same price per square foot any number of unsold lots within the same block or square. After deducting the cost of all surveys, plans, appraisal, advertisements, and sale he shall pay or cause to be paid into the Treasury of the United States the proceeds of said sale: *Provided*, That the city of Brooklyn may purchase, at not less than the appraised value thereof, so much of the northerly end of parcel A, hereinbefore described, as said city may desire for market purposes, the southerly line of said purchase to extend from Washington avenue westerly to the westerly line of said parcel, and in a line parallel to Flushing avenue.

Mr. ATKINS. I reserve the point of order on that amendment.

Mr. HARRIS of Massachusetts. Mr. Chairman, in this bill, in lines 1195 to 1202, inclusive, the Secretary of the Navy is authorized—

To report to Congress, at its next session, such part of the lands of the United States, if there be any, upon which the New York navy-yard is situated, as is not needed for public purposes, together with an appraisal of the value of the same; said appraisal to be made in such manner as in his judgment will give a true estimate of the market value thereof.

I have moved to strike that out and insert the amendment which has been read for the reason that the information called for in that provision of the bill has already been obtained.

Yesterday, during the debate upon this question, I rose to ask the privilege of publishing certain letters, upon which the Chair remarked I was somewhat out of order; but I have been permitted to publish them for the information of the House. There is a letter from Commodore Upshur, commandant at that yard, giving careful estimates of the value of the property, and stating that out of one hundred and ninety-three acres of land connected with the New York navy-yard there are fifty-four acres which might be as well sold as kept, and better. And he returns with his report made to the Secretary of the Navy carefully prepared maps, showing the manner in which this property may be cut up and sold. He estimates that property, now utterly worthless to the Government, would bring \$1,500,000.

I have myself been over that land, and the condition of it is simply this: There lies east of the navy-yard and between that and the naval hospital this large vacant tract of land for which the Government has no use. It lies absolutely in front of the city of Brooklyn, between that city and the city of New York, and is certainly a great obstruction to communication between the two cities. It is worthless to the Government. It always will be. It will bring a million and a half of dollars, and some say \$1,600,000. It is recommended to be sold. Estimates have been made and the plans are here.

I understand the chairman of the Committee on Appropriations, after the Committee on Naval Affairs gave notice of the amendment I now offer, wrote to Mr. HEWITT, of New York, that he might have ample

information; and Mr. HEWITT wrote him a letter, which is published in this morning's RECORD, which any gentleman may read. This amendment was reported by the Committee on Naval Affairs, having the subject under charge by reference of the bill introduced by the gentleman from New York; and the result is in obedience to that bill. I now yield my time to the gentleman from New York [Mr. BLISS].

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. BLISS] in his own time.

Mr. BLISS. Mr. Chairman, in view of the recommendations of the Committee on Naval Affairs of this House and the acceptance on the part of the Appropriations Committee of it as an amendment to their bill, I do not think it will be necessary for me to enter into a lengthy explanation to show the wisdom of the adoption of this provision, but at the suggestion of the chairman of the Committee on Naval Affairs I will briefly give the history of the matter and the reasons why I think the amendment should be adopted.

The Government has long held possession of a tract of land in the city of Brooklyn adjoining the navy-yard proper, which, so far as the requirements of the public service are concerned, is utterly worthless.

In the Forty-fourth Congress I introduced a bill providing for the appointment of a commission to investigate and report to the Secretary of the Navy and to Congress the propriety of selling this unoccupied property to the city of Brooklyn for market purposes. The bill was passed, the commission appointed, and its findings and recommendations in favor of the disposal of the property are on the files of this House.

Bills subsequently introduced by me in the Forty-fifth and Forty-sixth Congresses to confirm the sale recommended by the commission failed to pass; in one instance because there were opposing influences and there was not time to thoroughly discuss it, and in the other instance because under the new rules of the House it never was reached during that session.

The proposition now made, Mr. Chairman, will, if adopted, be not only of benefit to the third city in the Union, with its population of nearly seven hundred thousand people, but a positive advantage to the General Government.

According to a survey made some time since, under direction of Government officers, there are fifty-three acres of ground adjoining that part of the yard in active use that can be sold with advantage to the Government. During the late war, at a time when the naval stations of the Government were taxed to their utmost capacity, the land which it is now proposed to sell was never used. A large part of it lay under water, the localities adjoining were unhealthy, and the commercial interests of the city of Brooklyn at that time were not such as to require its use.

It is not now probable, if the local authorities of Brooklyn should decide to establish a public market on the property recommended to be sold, that more than fifteen or twenty acres would be required for that purpose. The remainder, according to the amendment, would be sold, under proper restrictions, to the highest bidders, to private parties, and the total amount realized from the sale of the entire tract would not, in my opinion, based upon the judgment of experts, be far from \$1,000,000.

The improvements that would be immediately put upon the property by the city of Brooklyn would greatly enhance the value of the navy-yard adjoining, and not only would the sanitary condition of the yard and of that portion of the city be improved but their commercial worth would be greatly advanced.

It may be asked if the condition of affairs has not changed since the first proposition to sell this property was made. In answer I have to say that as the commission appointed under the original bill introduced by me recommended the sale of the land in question, so the present commandant of that yard, Commodore Upshur, and the Secretary of the Navy are agreed that it is the wisest thing to do. The mutual advantages of the proposed transaction are conceded by all who have fairly and thoroughly investigated the matter.

This is a practical way of doing something in support of the proposition to cut down the expense of maintaining our numerous navy-yards and for the improvement of the Navy, as it not only lessens the expenses largely at that point but it would furnish a sufficient amount of money to construct and equip a new model fast steel cruiser.

The land referred to in the bill is not now and never will be required for navy-yard purposes, and its sale in the manner proposed would be not only of great advantage to the commercial interests of two of the largest and most important cities in the Union, but will lessen very considerably the expenses of the Government and place a large sum of money in the Treasury of the United States.

Mr. ATKINS. I reserved the point of order because I did not hear the amendment very distinctly, and I think now it is liable to the point of order. I shall not make that point. But I ask the gentleman who has offered the amendment if he has provided in it that these lots shall be sold at public auction? And is there not—I heard the amendment indistinctly—a proviso that where any one shall buy a lot he may duplicate his lot or take other lots on the same basis?

Mr. HARRIS, of Massachusetts. I will say that in the first place it was recommended that a portion of this land be exchanged for other lots that the city of Brooklyn might be allowed to purchase for market

purposes under an appraisal. But the Committee on Naval Affairs determined to do nothing of that kind, but to require that the whole property be divided into lots and that the lots be sold for cash.

Where the property is divided into squares, supposing that possibly the city of Brooklyn might desire to purchase for certain market purposes more than a single lot, it was thought advisable to provide that a purchaser of one lot in a square might, if he chose, take four lots at the same price.

Mr. ATKINS. The city of Brooklyn or any other corporation or person can do that.

Mr. HARRIS, of Massachusetts. Yes. Then we provide that the entire sum shall be paid into the Treasury after deducting the expenses. We permit the city of Brooklyn to take a piece on the north end of one square for the purposes of a market, for instance, at the appraised value, but it is obliged to conform the lines to those established for the streets.

The amendment was agreed to.

Mr. MORSE. I move to insert that which I send to the Clerk's desk.

The Clerk read as follows:

And the Secretary of the Navy is hereby authorized and directed to sell at public auction, in such manner as he may deem for the best interest of the Government, either at one sale or at several different sales, the property known as the naval hospital at Chelsea, Massachusetts, with the grounds thereto belonging. And the Secretary shall cause the said property to be appraised by three appraisers of experience and competent knowledge to be selected by him; and after said appraisal he shall advertise the same for sale, subject to such reservations and limitations as to use as he may deem best. And he is hereby authorized and empowered to make and execute in the name of the United States deeds of lots to the purchasers upon the payment of the purchase-money in full. And at such sale or sales he may give to the purchaser of any single lot the election to take at the same price per square foot any number of unsold lots within the same block or square. After deducting the cost of all surveys, plans, appraisals, advertisements, and sales, he shall pay or cause to be paid into the Treasury of the United States the proceeds of said sales; and, further, that \$50,000 of the sum so realized shall be placed to the credit of the Navy Department for the selection of a new site and the erection of a suitable building thereon, if thought advisable.

Mr. HISCOCK. I will reserve all points of order on that amendment.

Mr. MORSE. This proposition is on the same principle as the one just adopted by the Committee of the Whole. I have a petition here [unrolling a petition down the middle aisle of the Hall] signed by a large number of the people of Chelsea, where this property is located. It is signed by the mayor, the aldermen, the councilmen, and all the prominent men of the town to the number of several hundred. They state that their interests require that this property shall be sold.

I have the authority of the Committee on Naval Affairs to offer this amendment, and I have the indorsement of the Secretary of the Navy to the effect that it will be in the interest of the Government to sell this property. I ask the Clerk to read a letter which I send to his desk, and which will complete, I think, about all that is necessary to be said on this subject.

The Clerk read as follows:

NAVY DEPARTMENT,
Washington, February 21, 1883.

SIR: This Department has the honor to acknowledge the receipt of a resolution of the House of Representatives passed February 10, as follows:

"Resolved, That the Secretary of the Navy be requested to inform this House, as soon as practicable, whether or not in his judgment it would be in the interest of the Government to sell the naval and marine hospitals and grounds at Chelsea, Massachusetts, and whether any injury would be done to the service by such sale."

In reply to the above resolution the Department has the honor to state that the United States hospital grounds at Chelsea were purchased September 22, 1823. There were originally one hundred and fifteen acres; thirty acres are occupied by the Ordnance Bureau for a naval magazine, ten acres were transferred to the Treasury Department for a marine hospital, so that about seventy-five acres remain for the use of the naval hospital. The hospital building was completed and occupied January 7, 1836, and a wing was added in 1855.

It is the judgment of the Department that it would be for the interest of the Government to sell the naval hospital grounds and that no injury would be done to the service by such sale. The institution engrosses many acres of valuable land constituting a very large portion of the area of Chelsea. The land is too valuable to be thus withheld from the market, and the naval hospital might be wisely transferred to a less expensive spot. Any bill authorizing the sale should be carefully guarded so as to secure full prices to the Government, and if the whole land is to be sold provision should be made for reserving enough of the proceeds to purchase a new site and erect another hospital thereon.

The views of the Treasury Department as to the sale of the marine hospital are not known to this Department.

Very respectfully,

WM. E. CHANDLER,
Secretary.

To Hon. J. WARREN KEIFER,
Speaker of the House of Representatives.

Mr. CANNON. I would like to ask the gentleman one question.

Mr. MORSE. Certainly.

Mr. CANNON. If I understood the amendment as it was read, it provides that the purchaser of one lot may take any amount of additional square feet at the appraised value.

Mr. MORSE. In the same square or block.

Mr. HISCOCK. I will not insist upon my point of order. I think it probable that if this property can be fairly and honestly sold, it will be for the interest of the Government to sell it.

Mr. TOWNSHEND, of Illinois. I renew it. I am opposed to the Government selling its property in such manner as this. As stated in

the letter of the Secretary of the Navy, any proposition presented for this purpose should be carefully guarded.

Now, here by an amendment to an appropriation bill it is proposed that we shall sell seventy-five acres of land near the city of Boston. I find as a general rule that when the Government sells its property it gets but a small price for it, but if it wants to purchase land it must pay two or three times its value.

Mr. HARRIS, of Massachusetts. This property if sold will bring half a million of dollars, probably ten times what it originally cost the Government. It is comparatively of no use to the Government now, and if it can be properly sold, as it will be under this amendment, it will yield a valuable consideration to the Government.

The proposition is to appraise and sell this land at not less than the appraised value, the money to be paid directly into the Treasury, with the exception of \$50,000 to be reserved, if thought desirable, for the erection of another hospital on a better location.

Mr. TOWNSHEND, of Illinois. The very reason given by the gentleman from Massachusetts [Mr. HARRIS] I think should lead us to be very cautious in this matter. This property is very valuable, and, as the Secretary of the Navy intimates, we should be very careful and guarded in any proposition to dispose of it.

The CHAIRMAN. The Chair has a little hesitation upon the point of order. When a point of order has been reserved and then withdrawn after considerable debate, and another gentleman renews the point of order and then goes on to debate the merits of the proposition, it occurs to the Chair as questionable whether the point of order should be entertained.

Mr. TOWNSHEND, of Illinois. Does the Chair hold that a point of order can be prevented by one gentleman making it and then withdrawing it?

The CHAIRMAN. Certainly not. The Chair holds that any member of the committee at the proper time can raise a point of order. What the Chair calls attention to is this: This point of order was reserved, and then not pressed by the gentleman reserving it, and the gentleman from Illinois [Mr. TOWNSHEND] renewed it after it was withdrawn, and then proceeded to debate the merits of the bill. The Chair always desires to preserve the right of any member of the Committee of the Whole to make a point of order; but that right should be restricted within reasonable limits.

Mr. TOWNSHEND, of Illinois. Does the Chair hold that the point of order is made too late?

The CHAIRMAN. Not yet.

Mr. HARRIS, of Massachusetts. I desire now to call attention to the decision made yesterday upon a similar proposition submitted by the gentleman from New York [Mr. McCook] to sell military reservations belonging to the Government. The Chair in that case overruled the point of order.

The CHAIRMAN. In that case the amendment came from the Committee on Military Affairs.

Mr. HARRIS, of Massachusetts. And this is offered by the authority of the Committee on Naval Affairs.

The CHAIRMAN. The Chair did not hear it so stated until this moment. As the Chair is now informed, this amendment is reported from the Naval Committee under the proviso of Rule XXI.

Mr. MORSE. It is.

The CHAIRMAN. The Chair trusts that under the circumstances he will not be obliged to rule upon this point of order.

Mr. TOWNSHEND, of Illinois. If gentlemen of the Committee on Appropriations desire that the point shall not be made, I will not press it; but it strikes me this is an unwise way of disposing of Government property.

The question being taken on the amendment, it was agreed to, there being—ayes 50, noes 3.

The Clerk read as follows:

The Potomac Steamboat Company is authorized to bring suit against the United States in the Court of Claims, to establish and recover actual damages, if any, sustained by their steamboat Excelsior, in consequence of an alleged collision with the United States tug Fortune, in Hampton Roads, Virginia, on the 4th day of December, 1882.

Mr. URNER. I rise to offer an amendment.

Mr. HOLMAN. I make the point of order on this paragraph, that it is new and independent legislation, and out of place in a general appropriation bill.

Mr. HISCOCK. I think it altogether probable that the provision is subject to a point of order. The facts of the case are substantially stated in the provision itself—that one of the vessels of the Potomac Steamship Company was run into by a Government vessel and destroyed. There is no question about the facts. If there had been but a partial loss of the vessel the amount of the damage would probably have been paid by the Department from the contingent fund, without troubling Congress with the question at all. I understand that such payments have in times past been made to some extent.

The CHAIRMAN. The Chair understands that the gentleman from New York [Mr. HISCOCK] is now addressing an appeal to the gentleman from Indiana [Mr. HOLMAN].

Mr. HISCOCK. Yes, sir; I am appealing to the gentleman from Indiana. This vessel was a total loss. In the first place, a provision was

prepared authorizing the Secretary of the Treasury to investigate the matter fully; but afterward the committee unanimously thought that, in view of the peculiar circumstances of the case, we should let this party go to the Court of Claims.

Mr. HOLMAN. I would yield to the gentleman's appeal with great pleasure but for the fact that several gentlemen having claims of the same character against the Government are insisting that a discrimination should not be made against them. That is the trouble in putting private claims upon an appropriation bill. Other citizens having like claims which had not received the same treatment feel that injustice is done to them. I think that all matters of this kind should be provided for by some general enactment. I must therefore insist upon the point of order.

Mr. HISCOCK. If the point of order be insisted upon, I have no doubt it must be sustained.

The CHAIRMAN. The Chair sustains the point of order. The amendment sent to the desk by the gentleman from Maryland [Mr. URNER] will now be read.

The Clerk read as follows:

And that the petition of George H. Plant for damages sustained by the Lady of the Lake, in 1874, by a collision with the United States steamer Gettysburgh, be, and is hereby, referred to the Court of Claims, with power and jurisdiction hereby conferred on said court to entertain the same; that said court ascertain whether said collision was in consequence of any fault of the Lady of the Lake contributing thereto, and if not that they allow the petitioner the actual damages done to his vessel, if any, caused by the fault of said steamer Gettysburgh, but no damages for loss of business or trade.

Mr. HISCOCK. I make a point of order upon this amendment.

The CHAIRMAN. This amendment must be ruled out for the same reasons applicable in regard to the paragraph.

Mr. URNER. I wish to state that this is the identical language of a bill now on the Speaker's table. I was induced to offer it as an amendment at this time because I saw that the Committee on Appropriations had included a similar provision in this bill.

The Clerk read as follows:

For improving the Capitol grounds: For continuing the work of the improvement of the Capitol grounds, including permanent approaches to the House and Senate wings, pay of landscape architect, one clerk, and wages of mechanics, gardeners, and workmen, \$65,000.

Mr. WILSON. I move the amendment which I send to the desk.

The Clerk read as follows:

Strike out the words "work of," in line 1227, and the words "of the Capitol grounds, including," in same line and line 1228.

Mr. WILSON. Mr. Chairman, my object in offering this amendment is to stop this eternal work on the Capitol grounds. The despoiler has been here for ten years to my knowledge. The beauty and symmetry of these grounds have been in a great measure destroyed. Those who have carried on these so-called "improvements" have removed the most beautiful forest there was about the city of Washington—a forest containing shade-trees which can not be replaced in less than a quarter of a century. In winter and in summer, in spring-time and in fall these grounds are being dug up, trees cut down, and changes everlastingly made. This damage to the public grounds around the Capitol has been going on for a series of years. I think any man of taste must fail to discover that any improvement has been made, though thousands of dollars have been expended.

The amendment of Mr. WILSON was not agreed to.

The Clerk read as follows:

For contingent expenses of the office of the surveyor-general of Minnesota: For fuel, books, stationery, pay of messenger, and other incidental expenses, \$1,000.

Mr. DUNNELL. I move to amend the clause just read by striking out "\$1,000" and inserting "\$2,000," which I understand was the amount appropriated last year, and certainly these contingent expenses will not be less for the coming year than for the present.

Mr. HISCOCK. This item carries precisely the same amount as the law for the current year. I will say frankly that I have never been able to see how fuel, books, stationery, and incidental expenses at one of these offices can require more than \$1,000.

Mr. DUNNELL. I made the motion under the impression that we appropriated last year \$2,000 for this purpose.

Mr. HISCOCK. My memorandum is otherwise.

Mr. DUNNELL. I have not time to refer to the statutes. I withdraw the amendment.

The Clerk read as follows:

For expenses of agents employed in adjusting claims for swamp-lands, and for indemnity for swamp-lands, \$15,000.

Mr. RYAN. I ask, by unanimous consent, that the following paragraphs relating to the survey of the public lands be passed over for the present, and we proceed to the consideration of the paragraphs under the heading of "Indian affairs," with the understanding that we shall return to the preceding paragraphs when the bill is concluded.

Mr. HISCOCK. That takes all the paragraphs from line 1338 to line 1377. When the bill is concluded we can return to these paragraphs for the survey of the public lands.

The CHAIRMAN. The Chair hears no objection, and it is ordered accordingly.

The Clerk read as follows:

INDIAN AFFAIRS.

That the Secretary of the Interior is hereby authorized to expend a sum, not exceeding \$2,500, out of the accumulated fund in the Treasury belonging to the Winnebago tribes in Wisconsin, for the purpose of completing the census provided for in the act approved January 18, 1881.

That \$1,000 is hereby appropriated to pay the expenses of presenting the question of jurisdiction to the United States Supreme Court, by habeas corpus proceedings, in the case of the United States against an Indian called Crow Dog, convicted in the first judicial district court of the Territory of Dakota for the crime of murder, in the killing of another Indian called Spotted Tail, including costs of transcript, printing the same, printing briefs, and counsel fees for said defendant.

Mr. CASWELL. I move the following amendment, to come in after line 1394.

The Clerk read as follows:

That the modification of the treaty and the agreement made with the Sioux Indians under the act making appropriations for the sundry civil expenses of the Government, approved August 7, 1882, is hereby approved, and the sum of \$100,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated to enable the Secretary of the Interior to enter upon the execution of said treaty: *Provided*, That the title to lands for railroad purposes heretofore surveyed and paid for under agreements with said tribe, approved by the Secretary of the Interior, is confirmed in said companies.

Mr. HOLMAN. I make the point of order against that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HOLMAN. I was not able to hear clearly the first portion of the amendment, and I ask that it be again read.

The amendment was again read.

Mr. HOLMAN. I will reserve the point of order. If this is a continuation of any public work, that is to say, a continuation of legislation heretofore enacted, I presume it will be in order. Waiving the point of order for the present, I hope information will be given to the committee as to the nature of that treaty. I was unaware it had even been published.

Mr. CASWELL. I will with great pleasure give the gentleman the information he asks so far as I have been able to obtain it.

The CHAIRMAN. Inasmuch as the point of order is pending the Chair hopes it will be applied to it, showing this is in continuation of such public work as is already in progress.

Mr. CASWELL. Do I understand the point of order is pressed?

Mr. HOLMAN. I wish to reserve it until I have some information as to the nature of this treaty.

Mr. CASWELL. I wish to state to the committee that if gentlemen understood the exact situation of this treaty there is not one on this floor who would raise the slightest objection to this amendment.

Indeed, it is of vast importance that this treaty should be confirmed. At the last session of Congress we made a small appropriation authorizing the Secretary of the Interior to negotiate this treaty with these Indians in Dakota Territory. There are about 25,000 Indians. They occupy a large tract of country right in the center of Dakota, a tract twice the size as the State of Indiana, being some 34,000 square miles. We authorized a commission to make a treaty with these Indians as between the tribe and the Government. There are five bands of these Dakota Indians. They are broken up, discordant, and quarreling among themselves. Each desires to be settled on separate portions of this reservation. They have ceded under this treaty to the United States about one-half of that reservation, leaving to themselves some 17,000 square miles of land, equivalent to about three-quarters of a section for each soul. They cede a like quantity to the United States. Surveys have been made. The several tracts of land have been set off (as will be seen by the colored portions of this map) which are to be occupied by the different bands of Indians. This treaty is said by the Secretary of the Interior to be very beneficial both to the Indians and to the Government.

Mr. HOLMAN. What are the main purposes of the treaty?

Mr. CASWELL. That the Indians shall settle on their separate portions of the reservation in severalty. There are five bands of them.

Mr. HOLMAN. There are to be five reservations, then?

Mr. CASWELL. Yes; five reservations. The Government of the United States is to pay to them for these lands 25,000 cows, to be delivered in that country where they are herding cattle, and a thousand bulls, with a view to leading them to engage in stock-raising, and if possible to civilize them. No money is to be paid to them. These cows are to be purchased from time to time and delivered to them as they settle down. It is thought to be very beneficial.

Unless this treaty is ratified all this labor will be lost, and these Indians will be left roaming over this vast tract of country without making settlement. In addition let me say this tract of country lies in the center of Dakota. It is excellent land, nearly all of it. Railway companies have already projected lines across it to Deadwood, a distance of one hundred and eighty miles. They have already selected their right of way.

Mr. HISCOCK. If the gentleman from Wisconsin will allow me for a moment I will make this suggestion: That as there are two points in this bill which will doubtless involve considerable discussion, and also the question of a quorum, one being in reference to the surveys of the public lands and the other the pending clause, that the committee now rise informally, and that the order of the House providing for a recess

to-night at half-past 5 o'clock until 7.30 be rescinded, and then we will sit until 6 o'clock and go on with the balance of the bill; in the meantime to recur to those clauses after the remainder of the bill is concluded.

Mr. CASWELL. Let me complete one sentence and make a single statement first.

The CHAIRMAN. The time of the gentleman from Wisconsin is nearly exhausted.

Mr. CASWELL. I merely want to add that this matter came before the Committee on Appropriations at the request of the Committee on Indian Affairs, and, as I understand it, has their unanimous approval. Hence we took it in hand.

Mr. HISCOCK. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having taken the chair, Mr. KASSON reported that the Committee of the Whole House on the state of the Union, having had under consideration the sundry civil appropriation bill, had come to no resolution thereon.

Mr. HISCOCK. Mr. Speaker, I now ask unanimous consent that the order providing for a recess to-night from half past 5 o'clock until half past 7 be rescinded for this day.

There was no objection, and it was ordered accordingly.

Mr. HISCOCK. I now move that the House resolve itself into Committee of the Whole House on the state of the Union to further consider the pending bill.

The SPEAKER. The Chair desires, before submitting the motion, to lay before the House a letter from the National Academy of Sciences and some executive communications.

NATIONAL ACADEMY OF SCIENCES.

The SPEAKER, by unanimous consent, laid before the House the following letter from the National Academy of Sciences:

WASHINGTON, D. C., February 14, 1883.

SIR: In conformity with the requirements of the act of incorporation approved March 3, 1863, I have the honor to submit herewith a report of the operations of the National Academy of Sciences during the past year.

Very respectfully, your obedient servant,

O. C. MARSH,

Acting President of the National Academy of Sciences.

To the honorable THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The SPEAKER. The Chair is in doubt whether this communication, which is accompanied as stated with the report of the National Academy of Sciences, should be first referred to the Committee on Printing, or whether under the law it can now be ordered to be printed.

Mr. VAN HORN. Under the law it should be ordered to be printed.

Mr. SPRINGER. No, I object to that; let it be referred.

The SPEAKER. The Committee on Printing can examine into the matter later for the purpose of determining that question. The letter and accompanying papers will therefore be referred to the Committee on Printing.

PRECIOUS METALS, UNITED STATES.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting the report of the Director of the Mint upon the statistics of the production of precious metals for the year 1882; which was referred to the Committee on Mines and Mining, and ordered to be printed.

TEST OF CERTAIN INVENTIONS, INTERIOR DEPARTMENT.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Interior, recommending an appropriation of \$1,000 to enable inquiries to be made concerning certain inventions; which was referred to the Committee on Appropriations, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York that the House do now resolve itself into Committee of the Whole House on the state of the Union to further consider the sundry civil bill.

The motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. KASSON in the chair.

The CHAIRMAN. The question is on the pending amendment offered by the gentleman from Wisconsin, on which the point of order has been made.

Mr. HISCOCK. Now, Mr. Chairman, I ask that the portion of the bill to which this amendment is offered be passed over informally to be returned to hereafter, and that we proceed to that part of the bill making appropriations for the Geological Survey.

Mr. MAGINNIS. Before that is done, I have an amendment which I would like to offer and have printed in the RECORD upon that part of the bill which it is now proposed to pass over informally. I ask that the amendment to which I refer may be printed in the RECORD in connection with some letters accompanying it.

There was no objection, and it was ordered accordingly.

The amendment proposed by Mr. MAGINNIS is as follows:

Add as a new section to the bill:

"For this amount, or so much thereof as may be necessary to enable the Secretary of the Interior to appoint a commission to examine into the grievances and to reconcile the differences of the various Indian tribes in the Territory of Montana, and to make such modifications of existing treaties or agreements and to make such new agreements as may be deemed desirable by the various tribes of Indians in Montana on the one side and the Secretary of the Interior on the other, \$10,000: *Provided*, That any such agreement shall not take effect until ratified by Congress.

The communications referred to by Mr. MAGINNIS are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 15, 1883.

DEAR SIR: I inclose a letter to the chairman of the Committee on Appropriations, transmitting with my approval the report of the Commissioner of Indian Affairs recommending the appointment of a commission to settle the grievances and differences of the Montana Indians. I should be glad to have you lay these papers before the committee.

Very respectfully,

H. M. TELLER, *Secretary*.

Hon. MARTIN MAGINNIS,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
Washington, February 15, 1883.

SIR: I have the honor to transmit herewith copy of report from the Commissioner of Indian Affairs, recommending an appropriation in the sum of \$10,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to appoint a commission to examine into grievances and to reconcile the differences of the various Indian tribes in the Territory of Montana and pay the expense thereof; also inclosing a draught of an item to be included in the sundry civil bill providing for that purpose.

The measure has my approval, and the appropriation requested is respectfully recommended.

Very respectfully, your obedient servant,

H. M. TELLER, *Secretary*.

Hon. FRANK HISCOCK,
Chairman House Committee on Appropriations.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, February 15, 1883.

SIR: I have the honor to acknowledge the receipt, by your reference, of a letter from Hon. MARTIN MAGINNIS, dated the 13th instant, in which he states that it is absolutely necessary to take immediate action looking toward a permanent settlement of the Indians in Montana, and to reconcile difficulties which may result in serious trouble, and with that end in view he requests that the necessary steps be taken for the appointment of a commission for the purpose of negotiating with the several tribes in that Territory.

If the Indians desire to enter into negotiations for the modifications of existing treaties and agreements, I know of no objections to such proceedings.

I inclose a draught of an item to be attached to the sundry civil bill providing for the appointment of a commission for the purpose indicated, and appropriating the sum of \$10,000, or so much thereof as may be necessary, to pay the expense incident thereto, with the recommendation that the same be transmitted to Congress with the request for favorable action thereon.

The letter of Mr. MAGINNIS is herewith returned.

Very respectfully, your obedient servant,

H. PRICE, *Commissioner*.

The honorable THE SECRETARY OF THE INTERIOR.

Mr. VANCE. I wish to offer an amendment to this portion of the bill.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Add at the end of line 1400:

"That the Commissioner of Indian Affairs shall cause to be sold all the lands now belonging to the North Carolina Eastern Band of Cherokees outside of the boundary known as the 'Quella Boundary,' situate in the State of North Carolina. And that the proceeds of such sale shall constitute a fund in the hands of said Commissioner of Indian Affairs to be devoted to the use of said Eastern Band for educational and such other purposes as their situation, necessities, and expenditures may require."

Mr. HISCOCK. I make the point of order against that amendment.

Mr. VANCE. If the gentleman from New York will hear a statement, I think he will not press the point of order.

Mr. HISCOCK. I am very sure that I will. I have investigated this Cherokee matter thoroughly.

Mr. VANCE. This has nothing to do with the Western Cherokees. It is a local matter recommended by the Commissioner of Indian Affairs, the Secretary of the Interior, and the Indian Committee. It is a matter of great importance to these people.

Mr. WILSON. As this part of the bill is to be informally passed over, let the amendment go into the RECORD, and we can examine it hereafter.

Mr. VANCE. Very well; I have no objection to that.

Mr. HISCOCK. The point of order is still reserved against it.

It is understood that the point of order is still pending against the amendment proposed by the gentleman from Wisconsin?

The CHAIRMAN. The Chair understands that the point of order has not been withdrawn. It was reserved by the gentleman from Indiana.

If there be no objection, that portion of the bill relating to the Indian affairs to which the gentleman from New York refers will be informally passed over, to be returned to after the remainder of the bill shall have been completed.

There was no objection, and it was so ordered.

The Clerk read lines 1401 to 1417, as follows:

UNITED STATES GEOLOGICAL SURVEY.

For the United States Geological Survey: For the Geological Survey and the classification of the public lands and examination of the geological structure,

mineral resources, and products of the national domain, and to continue the preparation of a geological map of the United States, including the pay of temporary employees in the field and office, to be expended under the direction of the Secretary of the Interior, \$250,000. And there may be expended therefrom for the engraving of maps (in order that they may remain in the possession of the Government) and the necessary expenses thereof, \$25,000; and for the engraving of illustrations on wood and the necessary expenses thereof, \$6,000, said work of engraving to be done by the Bureau of Engraving and Printing.

Mr. HISCOCK. I offer the amendment which I send to the desk. The Clerk read as follows:

In lines 1409 and 1410 strike out "\$250,000" and insert "\$240,000."

Mr. HISCOCK. I offer this amendment because the amount given by this bill is about that difference in excess of the estimates.

Mr. BAYNE. I think the gentleman is mistaken about that.

Mr. ELLIS. I do not understand that to be the fact.

Mr. HISCOCK. I am willing to give all the estimate calls for.

Mr. ELLIS. If the gentleman will do this, if he will change every clause of these paragraphs so as to give the whole estimate, I will agree with him.

Mr. HISCOCK. My motion is about right. It simply reduces the appropriations to the aggregate of the estimates as contained in the Book of Estimates. Let it be at the amount of the estimates. Do not put it above that.

Mr. ELLIS. I will consent very cheerfully if the gentleman will give the estimates throughout in all the paragraphs.

Mr. HISCOCK. I say we have got in this bill the aggregate of the estimates. It is put in a different form from what is contained in the Book of Estimates, because our appropriations are made in detail.

Mr. ROBESON. That is so.

Mr. BLACKBURN rose.

Mr. HISCOCK. I think the gentleman from Kentucky [Mr. BLACKBURN] will allow this to be done with the view of perfecting the text by reducing the amount so as to make it \$240,000.

Mr. BLACKBURN. I will not agree to that, because I want this Committee of the Whole, before it goes further, to understand it is dealing with a matter on which—although I attribute no such purpose to the gentleman from New York—it is very liable to be misled.

Mr. HISCOCK. I do not want any one to be misled.

Mr. BLACKBURN. I said you did not.

Mr. HISCOCK. And no one will be misled by me. I want simply to reduce the amount covered by the bill to the amount of the estimates as the text of the bill, and then let amendments be predicated upon that.

Mr. BLACKBURN. And that I do not want to agree to, because I want to reduce the amount \$100,000 more.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. HISCOCK].

The amendment was agreed to.

Mr. BLACKBURN. I now offer a further amendment to this clause to strike out the figures just inserted, which I ask the Clerk to read, and to insert \$222,000.

The CHAIRMAN. The Clerk will report the gentleman's amendment.

The Clerk read as follows:

In lines 1409 and 1410 strike out "\$240,000" and insert "\$222,000."

Mr. BLACKBURN. In support of that amendment I desire to say but one word. If gentlemen of this committee will notice carefully, under the very innocent phraseology employed in this paragraph in lines 1405 and 1406 they will find covered appropriations which year by year are swelled until there is not a gentleman upon this floor who can tell whether it takes \$50,000,000 or \$100,000,000 to meet the demands. The words to which I call attention run as follows:

And to continue the preparation of a geological map of the United States.

When the sundry civil bill was pending last year a proposition was made to authorize the carrying of the geological survey into all the States of the Union. It was resisted upon various grounds. First the enormous expense that would necessarily attend the effort. Secondly, the absence of any authority whatever to authorize such a work excepting in two States where the United States Government held public lands. The proposition was pressed and it was beaten. And the very thing which I have quoted from this paragraph of the bill was then resorted to under which, as a guise, the authorities in charge have claimed since the passage of that bill to be authorized to carry the geological survey into every State of this Union whether the public domain was there or not; and that in the face of the express declaration of the officer in charge of it made to the committee of conference when it was in dispute, that such was not the purpose and would not be the construction of the law.

Now, if you mean to make a complete geological survey of the thirty-eight States in this Union I speak inside the mark when I say \$50,000,000 will not do it and one hundred millions of money will scarce suffice. I appeal to you and demand of you to show me the warrant and the authority in the Constitution of this country for such an appropriation as that. I grant you that you have the right and it is your duty to make a survey of the public domain in this country. But you have neither the authority nor the warrant, nor in my humble judgment will the ob-

ject justify you, in undertaking to enter upon a gigantic expenditure like this.

I find that for the present fiscal year the sum of \$222,000 was appropriated. The estimate for this year is \$389,000. The proposition as it reads in the text of the bill originally is to appropriate \$323,000. Reduced by the amendment of the gentleman from New York the amount will be \$304,000. I ask now, why jump nearly \$100,000 over the bill of the present year in this paragraph except it be explained upon the theory that it is a concession of \$100,000 increase as compared with the present year for the illicit purpose that has been introduced into that paragraph, carrying the geological survey into every State in this Union without regard to the location of public domain under the specious guise of preparing or continuing the preparation of a geological map of the United States?

I warn this committee that trouble with the Senate is coming if they do this. For the conferees who met us from the other end of the Capitol have already told me since this bill was prepared to report to the House that it was an imposition, bad faith, and a repudiation of an implied if not an express agreement. You see the first fruits of it in an increase of \$100,000 in round numbers, as compared with the act for the present year, when you come to consider the recommendations of the bill I hold in my hand.

If this Congress is prepared or this country is prepared, without warrant or authority either in Constitution or law, to undertake the gigantic and stupendous work of making a full geological survey of all the States in this Union without regard to public or national domain being located there, if you are ready to inaugurate that system which is to be counted by millions if not hundreds of millions of expenditure, then I simply ask that you will be fair enough to come out from under cover and state upon the face of your bill what it is you propose to do with the money.

Mr. ROBESON. The Committee on Appropriations by a very large majority voted to put this full amount in the bill. To-day we have agreed without dissent to reduce the amount to the estimates made by the proper Department. This sum is necessary, if this work is to go on; \$240,000 is not a large sum.

Mr. BLACKBURN. Three hundred and four thousand dollars.

Mr. ROBESON. Two hundred and forty thousand dollars. I thought my friend was working from a wrong standpoint.

Mr. BLACKBURN. I took the figures as I heard the amendment of the gentleman from New York [Mr. HISCOCK].

Mr. HISCOCK. The aggregate of all the appropriations is about \$303,000.

Mr. BLACKBURN. Then I am not incorrect. I am exactly correct.

Mr. ROBESON. Does all this come out of my time?

The CHAIRMAN. It certainly comes out of the gentleman's time.

Mr. ROBESON. The amount appropriated for all the purposes of the survey in this bill is \$303,000. The amount originally recommended in this paragraph of the bill for the doing of this work is \$259,000. We have put it down to \$240,000.

Now, the objects of this survey are, first, to establish accurately and beyond the power of dispute the initial lines and standpoints from which the surveys of the public lands are to be made, from which the boundaries of States, the lines of counties, the lines of townships, and from that point the lines of individual possessions are to be fixed by accurate and lasting surveys. That one object would far more than repay to this country and to this people all the expenditure contemplated by this clause.

The second object is to give to the country the topography of these lands. That includes the possibility of their settlement, the lines of their streams, the altitudes of their mountains, the possibilities of penetrating into these lands by railways and by roads.

Mr. BLACKBURN. Will my friend from New Jersey allow me a question?

Mr. ROBESON. Certainly.

Mr. BLACKBURN. How does that apply to a State within whose borders the Federal Government does not hold a foot of land?

Mr. ROBESON. If my friend will pardon me, I will reach that part of the subject directly.

We determine the condition of these lands and their status; we determine their topography; we determine their availability for settlement, and for the purposes of the great progress of the country. We determine their geological structure and show their mineral wealth.

[Here the hammer fell.]

Mr. SPRINGER. I move to strike out the last word, and yield my time to the gentleman from New Jersey.

Mr. ROBESON. I thank the gentleman. We determine their geological structure, showing what they will produce under cultivation, for what the soil is adapted, what mineral wealth is beneath that soil, where the coal, the iron, the gold and silver are to be found.

Mr. DUNN. And where the fertilizers are.

Mr. ROBESON. Yes, where the fertilizers are. Then, after having determined all that and ascertained the means of entering them, the streams that flow over them, we can determine their value. This is for the benefit of that civilization which follows the sun across our continent and which, when it shall cease, I hope will go down with all the glories of the declining orb of day.

I will say that there are certain States in this Union which have public lands within their borders for which these surveys are to be made. Those public lands are within the scope of this survey and properly so, and the gentleman from Kentucky [Mr. BLACKBURN] will not deny it.

There are other States which have not these public lands, but they were original proprietors of public lands, and do not desire to be deprived of the benefits of this great national enterprise merely because they have given up their public lands for the purpose of national improvement.

If I properly understand it, this is about the best appropriation contained in this bill for the interest of the progress and development of this country. It not only will contribute to the general sum of human knowledge by the researches which will be made, will make this addition to science and to learning, but it will reveal to us what our country is worth, give to us all these riches of the present, and all these possibilities of the future.

When I look upon this appropriation of \$240,000 to be applied to this great work, I can but recall the story which Macaulay tells of that Eastern dervish who gave up willingly the camels loaded with gold and silver to his more greedy but less thoughtful comrades and reserved to himself only that box of mysterious use which revealed to his knowledge all the hidden treasures of the world.

What is the sum of \$240,000 compared to the practical application of the scientific knowledge and investigation which will reveal to us and to our children all the wealth which God has bestowed upon this great country?

[Here the hammer fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HISCOCK].

Mr. BLACKBURN. Allow me just one moment.

Mr. HISCOCK. I want to say a word now.

Mr. BLACKBURN. I only want to submit some figures. As the gentleman from New York has had his time extended, I take it for granted I will not be denied time to reply.

Mr. HISCOCK. The gentleman will have full time. When this question was before the committee last year I discussed it upon its merits, and I must say I was surprised that the committee voted to increase the sum recommended by the Committee on Appropriations for this purpose.

I can understand a theory which will spend the money of the Government for the purpose of developing the resources of the country; I can understand the philosophy which would appropriate the public money to investigate the mineral resources which belong to the United States; but I could not then, and I can not now, understand, or at least I can not appreciate as a member of this House the wisdom of the policy that would take the money of the Government and apply it to the purpose of investigating the lands of private individuals in order to find out how much hidden wealth is contained in them.

I concurred last year most heartily in the views expressed upon this floor by the gentleman from Kentucky [Mr. BLACKBURN]. Although I have been beaten upon this question in Committee of the Whole, and also in the Committee on Appropriations, yet I have not been convinced. It is well to talk about the wealth which we may discover for our posterity and the posterity of our neighbors and friends, but I believe that corporations and individuals that own private property which would be benefited by the expenditure of this appropriation if left to themselves would discover that wealth for their own posterity.

It is barely possible that we may be justified in the expenditure of public money to develop private property under certain circumstances, upon the theory that there is to be a large benefit to the United States derived from it. But those circumstances involve this fact: that it would not be developed without such expenditure of the public money.

I, for one, am thoroughly convinced that if not a single dollar of this appropriation was voted private capital and private enterprise would explore the bowels of the earth and exhibit to the sunlight all the wealth that will be developed by means of the expenditure of this appropriation.

There is only one thing that reconciles me to this—I withdraw the word "reconcile"—I am not even for that cause reconciled to it. There is but one thing in connection with it that renders it humorous to me; that is, that gentlemen on the other side of the House, almost without exception, save the distinguished gentleman from Kentucky, are in favor of this proposition. They are ready to abandon their own doctrine of State rights, to repudiate their own theory that the public money should not be expended for private or even for State purposes; and now they come here trampling their old theories under foot and crying out for an appropriation of the public money to develop their own private interests.

[Here the hammer fell.]

Mr. BLACKBURN. Mr. Chairman, for one I thank the chairman of the Committee on Appropriations [Mr. HISCOCK] for what he has said.

Mr. HISCOCK. I would say more if I had another five minutes.

Mr. BLACKBURN. The gentleman can have my time if he wishes.

Mr. HISCOCK. If I had more time I would not fail to say that I honor and shall continue to honor the gentleman from Kentucky [Mr. BLACKBURN] that on this question he stands by the principles which have guided him in the past.

Mr. BLACKBURN. Mr. Chairman, I threw the gage down fairly and asked that any advocate of this proposition would cite to us any

warrant or authority in the Constitution for such an expenditure of the public money. The able gentleman from New Jersey [Mr. ROBESON] saw fit to answer in doubly extended time; but that proposition he never yet has deigned to notice. If you have the right to take money from the Federal Treasury for the—

Mr. ROBESON. If the gentleman will permit me I wish to say that I did not forget to answer. The real answer which I meant to give was in asking the gentleman whether the currents of rivers, the veins of coal and other minerals, and the ledges of precious metals are bounded by State lines?

Mr. BLACKBURN. That is no answer to my proposition. The gentleman from New Jersey is not to be blamed for such an answer; for with all his astuteness, all his culture, all his recognized professional ability as a constitutional lawyer, neither he nor any other man can answer the question successfully. There is no warrant to be found in the Constitution for this raid upon the public Treasury to make geological surveys of States in which this Government does not own one foot of land, so that the expenditure must inure to the benefit of States or individuals—no one else.

I thank the gentleman from New York [Mr. HISCOCK] for having stated, and stated better than I could, the grounds upon which we place our objection to this appropriation, and for having called the committee back to the figures embraced in this bill.

I have offered no radical amendment. I have not sought to cripple this service in the slightest degree. I have simply moved to adopt as an amendment the provision of the law to the present fiscal year. The estimates made for this service for last year's bill amounted to \$389,700. The appropriations made in that bill were \$222,000. That was the aggregate for this service. The recommendation of the present bill is \$323,000, which, reduced by the amendment of the chairman of the Committee on Appropriations, stands on record now for adoption by the Committee of the Whole at \$304,000, as against \$222,000 carried in the sundry civil appropriation bill for the current fiscal year. I ask, whence this increase? For what purpose do you ask it? To what purpose do you propose to appropriate it? No man, from the officer who made the estimate down to the lowest clerk in his division—no man upon this floor—can offer any explanation except that the money appropriated in the clause I have read—lines 1405 and 1406—is to be used "to continue the preparation of a geological map of the United States." That language is meaningless; it bears upon its face nothing to guide this House as to the purpose of the appropriation.

[Here the hammer fell.]

Mr. HISCOCK. Mr. Chairman, I ask that we may now agree on the time to which this debate shall be limited.

The CHAIRMAN. The Chair is endeavoring to pass from side to side in the recognition of members; but will now recognize the gentleman from New York [Mr. HISCOCK], who rises, as the Chair understands, for the purpose of limiting debate.

Mr. ANDERSON. I would like to offer an amendment.

Mr. HISCOCK. I ask unanimous consent that debate—

Mr. ATKINS. You can not get unanimous consent now to cut off debate.

Mr. HISCOCK. I only want to fix a time. I will be liberal. How much time does the gentleman from Tennessee want?

Mr. ATKINS. I do not know that I want any.

Mr. HISCOCK. Mr. Chairman, I ask unanimous consent that the debate be limited to thirty minutes.

The CHAIRMAN. The chairman of the Committee on Appropriations requests that by common consent debate be limited to thirty minutes. Is there objection? The Chair hears none.

Mr. ELLIS. I object.

The CHAIRMAN. The gentleman did not object in time. The Chair was waiting for objection, but the conversation among gentlemen went on.

MESSAGE FROM THE SENATE.

The committee rose informally, when a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2997) granting right of way to the Fremont, Elk-Horn Valley and Missouri River Railroad Company across the Niobrara military reservation, in the State of Nebraska, and authorizing the sale of a portion of said reservation.

The message further announced that the Senate insisted upon its amendments disagreed to by the House to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, agreed to the further conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. PLUMB, Mr. ALLISON, and Mr. BECK.

SUNDRY CIVIL APPROPRIATION BILL.

The Committee of the Whole on the state of the Union resumed its session.

The CHAIRMAN. Debate on the pending amendment is in order. Mr. HISCOCK. I understand the debate is limited on the paragraph and all the amendments thereto to thirty minutes.

The CHAIRMAN. By order of the committee.

Mr. ELLIS. I objected to that and objected in time.

The CHAIRMAN. When the Chair asked whether there was objection to limiting the debate to thirty minutes he made the usual pause, and as there was no objection at that time he said it was ordered accordingly. The gentleman from Louisiana and others were engaged in conversation. No objection was made at the time.

Mr. ELLIS. I distinctly said I do not consent to it.

The CHAIRMAN. The Chair understood the gentleman to say that after the order had been entered. If the gentleman now states that he objected before the Chair will recognize him.

Mr. ANDERSON. I heard him.

Mr. ELLIS. I said so before the arrangement was made.

Mr. BELFORD. I understood the Chair recognized me.

Mr. ELLIS. If you agree to make it forty minutes I will not object.

Mr. HISCOCK. I will if you will go on with it to-night.

Mr. ATKINS. We do not wish to go on with it to-night.

The CHAIRMAN. Is there any agreement?

Mr. HISCOCK. I suggest that all further debate on this paragraph and pending amendments be limited to forty minutes.

The CHAIRMAN. Is there objection to that proposition. [After a pause.] The Chair hears no objection, and it is ordered accordingly, and debate on the pending paragraph and all amendments thereto is limited to forty minutes.

Mr. ATKINS. I rise to a parliamentary inquiry. Does that contemplate adjournment at 6 o'clock, and going on with this in the morning, or finishing it to-night?

The CHAIRMAN. It is subject to the rising of the committee.

Mr. BLACKBURN. I take it that the forty minutes will be used now, or, if we should now rise, when the committee is again in session.

The CHAIRMAN. It does not affect the power of the committee to rise. The Chair understands the *pro forma* amendments are withdrawn.

Mr. ANDERSON. I move in line 1404, after the word "mineral," to insert the words "agricultural and other industrial," so it will read:

UNITED STATES GEOLOGICAL SURVEY.

For the United States Geological Survey: For the geological survey, and the classification of the public lands, and examination of the geological structure, mineral, agricultural and other industrial resources and products of the national domain, and to continue the preparation of a geological map of the United States, &c.

Now, Mr. Chairman, it seems to me that amendment is so perfectly fair when the public domain is under consideration that it ought to be accepted by the chairman of the committee. If but one-fifteenth part of the benefits result from this Geological Survey which the gentleman from New Jersey indicates, then it is certainly well the bill itself should define that this survey shall inform us as to the agricultural and other industrial resources of the public domain. I am frank to say I have a glimmering idea there is a great deal of altitudinous poppycock about this Geological Survey business. If what the gentleman from New Jersey has stated be taken as a fair indication of the true work of this Geological Survey, then the word "geological" is a misnomer, because a survey of the geological resources of the country can not fairly and properly include one-half of that information which he suggests as sought to be obtained by this survey.

Furthermore, if it is intended to build up a new department, which new department shall have for its purpose a survey of the resources of the States, then that is another thing. If that is sought to be done, it should not be adopted under the guise of a geological survey of the public domain. But if this survey is really to be of the public domain, then, in addition to the geology of the public domain and as being of infinitely greater moment than the geological structure underpinning the public domain, should be information as to agricultural capacity, as to water-power, as to the mineral resources, or, in other words, something practical. A geological survey carries with it high scientific ideas in contradistinction to that class of information which men in a new territory look for in respect to the capacity of that territory.

Mr. Chairman, this is intended to be one thing or the other. If it is intended to be a *bona fide* survey of the public domain, then these men should be compelled to give us information as to the agricultural and other industrial resources of it. If on the other hand it is intended to be a geological survey of the States, it has no business to be here, in my judgment, before this committee. If that is the point, I am ready to vote to strike the whole thing out for the simple reason that the States of the Union can do that for themselves.

The State of New Jersey has money enough to burrow down under its sand and mosquitoes and get to the general geological structure under-running it.

The State of Pennsylvania has money enough of its own for this purpose. If this is to be a geological survey of States, then let gentlemen say so and I shall vote against it. If it is to be a survey of the public domain of this country, then in the name of common sense, in addition to that geological information, in addition to that high scientific duty which you are going to impose upon the men that you here provide for, let them also examine and give to these people who have gone there and developed this western country, let them give to the frontiersman, to the homesteader, the man who develops the milling resources of the

West, some of the information which they need to enable them to be properly guided.

And, Mr. Chairman, I can not forbear calling attention to this one contrast, that when there was asked a hundred additional clerks in order to turn out your contested cases in the General Land Office the Committee on Appropriations failed to give that number or to make any provision for any of them because, forsooth, they would have to hire another building. But when you come here asking for a geological survey they largely overrun the estimates. You did not give an additional clerk in the Land Office, but you gladly overrun the estimates for the Geological Survey; and I call the attention of this committee and the country to the contrast between these items in the bill.

[Here the hammer fell.]

Mr. BELFORD. Mr. Chairman, I always admired an agricultural statesman. He is generally on one side of the field when we discuss tariff and free trade; but he is always in the middle of the field when his special interests are concerned. That may be regarded, I suppose, as disinterested patriotism. [Laughter.]

What is the object and the subject of this paragraph in this bill? It is, sir, to survey the public lands of this country; to ascertain their worth and wealth in coal and iron, in gold and silver, in copper and in nickel; and yet this distinguished gentleman from Kansas who has just addressed the committee, who seems to float on the top of a spear of oats or to smell the aroma of a head of wheat in all of his expressions upon this floor, is voting for their interest in this House.

I desire to say something that has grown out of my own practical experience and personal knowledge of affairs in connection with this matter in the West. I know that these geological surveys have been of vast, of immeasurably vast, of infinite advantage to the pioneers who have made great States and built up thrifty communities where a desert has heretofore existed. I know that the hardy miner who has been covered with buckskin has taken the map issued by the Government of the United States and indicated upon its face the location of these mines, and from that and in the light of this "science," as the gentleman from Kansas calls it, he has gone on into the wilderness and discovered mines that have poured into the lap of the people of this country treasures untold, millions and millions of dollars. That is what these hardy pioneers of civilization and the march of progress in the West have done.

I have no objection, Mr. Chairman, to ascertaining the amount of water supply in that country. We have unfortunately an immense amount of it at Cincinnati now, and a large surplus at Cairo and other points on the rivers there. I said the other day here that for the last four weeks I was paying 40 cents a barrel for water. I got a letter from one of my little kids the other day and he said that it had gone up to a dollar a barrel. [Laughter.] I would like to extend this thing up to the point at least of ascertaining the possibilities of getting water on the arid plains of this region. There is a vast region of country there that may not now be occupied by man or animal because of the want of water, but this is still a region that must in time be occupied by the citizens of this Republic. It is a vast, an immense country in itself, where the highest statesmanship of this Republic must center in the solution of the great question of bringing the empty hands and the empty lands together.

But when these surveys have been so advantageous in the development of the mineral interests of the country and in the advancement of all of its material prosperity, I say that we should stand solidly by the recommendations made by the Committee on Appropriations, and say God speed to the achievements of science and to the victories of the General Government whose beneficent influence contemplates the advancement of all of its individual citizens. [Applause.]

Mr. HISCOCK. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BLACKBURN having taken the chair as Speaker *pro tempore*, Mr. KASSON reported that the Committee of the Whole House on the state of the Union having had under consideration the sundry civil appropriation bill had come to no resolution thereon.

Mr. TOWNSHEND, of Illinois. I move the House do now adjourn.

The SPEAKER *pro tempore*. The Chair desires to submit a report from the Committee on Enrolled Bills.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill and joint resolutions of the following titles; when the Speaker signed the same:

A bill (S. 2490) to change the name of the First National Bank of West Greenville, Pennsylvania, to the First National Bank of Greenville, Pennsylvania;

Joint resolution (S. R. 137) to print certain eulogies delivered in Congress upon the late Benjamin H. Hill;

Joint resolution (H. Res. 347) for the printing of certain eulogies delivered in Congress upon the late Godlove S. Orth;

Joint resolution (H. Res. 349) to provide for the publication of the memorial addresses delivered upon the life and character of Hon. R. M. A. Hawk, of Illinois; and

Joint resolution (H. Res. 356) accepting the invitation of the Regents of the Smithsonian Institution, to attend the inauguration of the statue of Joseph Henry.

SEA-WALL, GOVERNOR'S ISLAND.

The SPEAKER *pro tempore* also laid before the House the following communication from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a letter from the Secretary of War, dated the 19th instant, inclosing a copy of one from Major George L. Gillespie, Corps of Engineers, dated the 15th instant, referring to the insufficiency of the sum, \$39,000, appropriated by the sundry civil bill of August 7, 1882, for building the sea-wall on Governor's Island, New York Harbor, together with a copy of the indorsement of the Chief Engineer, showing the necessity for an additional appropriation of \$15,000 for this purpose. The Secretary of War recommends that said additional sum of \$15,000 be appropriated at the present session of Congress for the object stated.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 20, 1883.

PRE-EMPTION AND HOMESTEAD LAWS.

Mr. RYAN. I ask unanimous consent that the bill (H. R. 4993) to repeal the laws allowing the pre-emption of the public lands and amending the homestead law be taken from the House Calendar and referred to the Committee on Appropriations, with power to report it with or without amendments as an amendment to the bill making provision for the sundry civil expenses of the Government. The bill is for the purpose of preventing frauds in connection with the public lands.

Mr. ELLIS. I suggest that the bill had better be read.

Mr. RYAN. It is the same that we have reported.

Mr. ELLIS. I do not insist on the reading.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kansas?

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. TOWNSHEND, of Illinois. I move the House do now adjourn. The motion was agreed to; and accordingly (at 6 o'clock and 10 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By the SPEAKER: The petition of dealers in butter and cheese of the city of New York, for passage of bill to regulate the exportation of articles made in imitation of butter and cheese—to the Committee on Ways and Means.

By Mr. J. C. BURROWS: Two petitions, signed by the keeper and crew of life-saving station No. 10, and of merchants, owners, and masters of vessels of Saint Joseph, Michigan, protesting against the transfer of the revenue-marine service to the Navy Department—severally to the Committee on Commerce.

By Mr. S. S. FARWELL: The petition of Joseph M. Carriere; of Elisha Andrews; of T. J. Bird; of A. H. Castille, administrator; of F. C. Dewilliers, jr.; of Andrew D. Mayer; of William G. Knox; of Wesley Steen; of Charles C. Pickett; of A. J. Norwood and Joseph E. Norwood; of James Ray, administrator; of John Posey, administrator; of John Fahey; of Clement Hollier, jr.; of Joseph P. Colamb; of Francis L. Petre, administrator; of Charles Bertrand; of Saint Anne L. Fontenot; of Louis Guidry, administrator; of Adolph Stagg; of Agnor Sessassior, administrator; of Philip Stagg; of H. Fontenot, administrator of O. L. Petre; of D. P. Lafleur; of Henry Young, sr., administrator; of Henry Young, sr.; of A. L. Petre; of Andrew Meche; of Julia G. Wikoff, administratrix; of John B. Ardoin; of Etienne Daigle; of John Roy; of Edgar T. Vanhille; of Jacob Lyons; of L. Guillory and Q. Q. Guillory; of Theo. S. Richard, administrator; of Jesse Behm; of M. Lafleur, jr., administrator; of Joseph E. Daigle; of Francois Mourland; of Joseph Rayon; and of Alex. Burnet—severally to the Committee on War Claims.

By Mr. FLOWER: The petition of the Maritime Association of New York, protesting against the proposed transfer of the Signal Service from the War Department to the Department of the Interior—to the Committee on Military Affairs.

Also, the petition of the Board of Trade and Transportation Company of New York, asking for repeal of all internal-revenue taxation, except on tobacco, beer, and distilled spirits—to the Committee on Ways and Means.

By Mr. HARDENBERGH: The resolutions adopted by the Legislature of New Jersey, for relief and protection to citizens along the seacoast of New Jersey from fishing with purse-seines—to the Committee on Commerce.

By Mr. H. S. HARRIS: The resolutions adopted by the Legislature of New Jersey, asking for relief from steam-yacht menhaden fishing with purse-seines along the coast of New Jersey—to the same committee.

By Mr. LORD: The petition of 75 citizens of Michigan, for the enactment of a general bankrupt law—to the Committee on the Judiciary.

By Mr. R. M. McLANE: The petition of the Maryland Academy of

Science, protesting against the transfer of the Signal Service from the War Department to the Department of the Interior—to the Committee on Military Affairs.

By Mr. PRESCOTT: Paper relating to the pension claim of Orinel Gillette—to the Committee on Invalid Pensions.

By Mr. ROSS: The resolutions adopted by the Legislature of New Jersey, asking relief from steam-yacht menhaden fishing with purse-seines along the coast of New Jersey—to the Committee on Commerce.

By Mr. VANCE: The petition of D. B. Ford and others, for the establishment of a mail-route—to the Committee on the Post-Office and Post-Roads.

Also, the resolutions adopted by the Legislature of North Carolina urging the return of certain taxes collected from the State in 1865-'66—to the Committee on Ways and Means.

Also, the resolution of the Legislature of North Carolina protesting against the transfer of the revenue-marine service to the Navy Department—to the Committee on Commerce.

Also, the resolutions of the Legislature of North Carolina urging the improvement of Bay River, North Carolina, &c.—to the same committee.

By Mr. WATSON: The petition of J. D. Smith and 8 others, protesting against the extension of the Roberts torpedo patent—to the Committee on Patents.

The following memorials and petitions relating to tariff legislation were presented and referred to the Committee on Ways and Means:

By Mr. W. R. COX: The resolutions adopted by the Legislature of North Carolina.

By Mr. ERRETT: Of workmen employed in iron and steel works at Pittsburgh, and of certain lodges of amalgamated iron-workers of Pittsburgh, Pennsylvania.

By Mr. HUMPHREY: Of L. Smith and others, citizens of Douglas County, Wisconsin.

By Mr. TUCKER: Of citizens of Lynchburg, Virginia.

By Mr. VANCE: The resolutions adopted by the Legislature of North Carolina.

SENATE.

THURSDAY, February 22, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE SESSION.

Mr. KELLOGG. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 8 minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

Mr. SLATER presented a memorial of the Legislative Assembly of Oregon; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House joint memorial No. 5.

To the honorable the Congress of the United States:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully ask your honorable body to make the necessary appropriation for the erection of a light-house at the mouth of the Umpqua River, in the State of Oregon.

Your memorialists represent that the mouth of the Umpqua River affords a safe and commodious harbor for vessels of the capacity annually employed in the carrying trade of this coast, as your memorialists believe; that it is of easy access from the head of the Umpqua Valley, being but thirty-five miles from the railroad and Umpqua Valley to the navigable waters of the said river. That the distance is traversed by a wagon-road, through a comparatively level pass in the Coast Range of mountains, by means of which the river and the valley have a close and constant intercourse, and, in the judgment of your memorialists, this natural outlet to the waters of the Pacific is destined to become one of the principal highways for the commerce of the Umpqua Valley.

There are a large number of small vessels running upon the coast of this State carrying valuable lives, and during every winter season many of them are wrecked and missing, and, in the opinion of your memorialists, these dangers and losses might be greatly lessened by the erection of light-houses at suitable points. Vessels that are caught in the terrible gales so frequent here during winter are compelled often to ride the storm or go to the bottom, when a beacon to mark the entrance to this river would enable them to find shelter.

To vessels going up and down the coast a light-house at this place would be of incalculable benefit. These are often beset by fogs and drifted by currents and gales from their course, and under such circumstances the mariner can truly appreciate how good it is to see a light.

Your memorialists would further represent that there are two large steam saw-mills near the mouth of said Umpqua River, and several salmon fisheries, and to carry the products of which there is a line of vessels continuously plying between San Francisco and the said mouth of the Umpqua River.

Your memorialists therefore most earnestly pray that such an appropriation as may be necessary for the erection of a light-house at the mouth of the Umpqua River may be made by your honorable body.

Adopted by the house October 9, 1882.

GEO. W. McBRIDE,
Speaker of the House.

W. J. McCONNELL,
President of the Senate.

Concurred in by the senate October 9, 1882.

Mr. SLATER presented a memorial of the Legislative Assembly of Oregon; which was referred to the Committee on Railroads, and ordered to be printed in the RECORD, as follows:

House joint memorial No. 1 praying for aid to encourage a railroad company to construct a railroad from the seaboard to The Dalles, commencing at Crescent City, at the seaboard, thence to Rogue River Valley, Jacksonville, Jackson County, thence to Prineville, thence to The Dalles, in Wasco County.

Resolved by the house (and senate concurring), That the annexed memorial be directed to the Senators and Representatives of Oregon in Congress assembled, and that they be instructed to urge upon Congress early action thereon:

To the honorable the Congress of the United States:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that Southern and Eastern Oregon and the northern portion of California, a country that has been settled for nearly thirty years, shut out from any market or outlet for their produce, a large agricultural and stock and mining country, with large and rich valleys, rich in their productions, while the mountains are covered with forests of cedar, fir, spruce, sugar pine, maple, ash, and oak, and possess vast deposits of coal, iron, and cinnabar of value beyond estimate, it is absolutely necessary for a railroad to begin at the seaboard, at Crescent City, Northwestern California, thence to The Dalles, in Oregon, which would be one of the most useful railroads on the Pacific coast, running through and over a rough, mountainous country, which is near six hundred miles in length and expensive road to build. That while we respect the efforts being made to retrench upon public expenditures, yet we fully believe a liberal appropriation and donation to encourage a company to take hold of said line to construct a railroad would cause thousands of acres of Government lands to be settled that never will be unless there is a railroad built. To take mines and other resources into consideration, the money thus appropriated would soon be repaid back to the Government for its aid. We earnestly pray Congress to donate every odd section of Government land for five miles on each side of the road line, so that it may be ten miles wide, including the odd sections only, and nothing in the memorial to be so construed as to apply to land that has been settled and held under the homestead and pre-emption laws of the United States at the time of the commencement of the construction of the railroad; and we further ask Congress to appropriate \$70,000 to be used in constructing the work of the road.

Trusting to the justice of our petition, your petitioners will ever pray for a favorable and speedy consideration of the same.

Adopted by the house September 25, 1882.

GEO. W. McBRIDE,
Speaker of the House.

W. J. McCONNELL,
President of the Senate.

Concurred in by the senate October 9, 1882.

Mr. MORRILL. I present a memorial of writers of books, remonstrating against the reduction of the existing tariff of 25 per cent. laid on books, signed by E. V. Smalley, H. E. Scudder, and by Edmund C. Stedman, the latter of whom says: "In the absence of an international copyright law, I am compelled to sign this." As the bill has passed the Senate, I move that the memorial lie on the table.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. CAMERON, of Wisconsin. Yesterday I reported from the Committee on Claims the bill (H. R. 7321) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department. I submit a report now upon that bill.

The PRESIDENT *pro tempore*. The report will be printed under the rule.

Mr. ANTHONY, from the Committee on Naval Affairs, to whom was referred the bill (S. 2471) to authorize the Secretary of the Treasury to appoint Dr. A. Sidney Tebb as an assistant surgeon in the United States Marine-Hospital Service, asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

BILLS INTRODUCED.

Mr. KELLOGG asked and, by unanimous consent, obtained leave to introduce a bill (S. 2502) to extend the provisions of the act of March 2, 1855, to lands selected as swamp lands by the State of Louisiana under the act of March 2, 1849; which was referred to the Committee on Public Lands.

Mr. McPHERSON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2503) to change the name of the steam-tug Zouave to that of William Hogencamp; which was referred to the Committee on Commerce.

AMENDMENT TO A BILL.

Mr. CALL submitted an amendment intended to be proposed by him to the bill (H. R. 7631) making appropriations for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes; which was referred to the Committee on Commerce, and ordered to be printed.

FISH AND FISHERIES REPORT.

Mr. ANTHONY submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the report of the Commissioner of Fish and Fisheries for the year 1882 be printed.

Mr. ANTHONY submitted the following resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That 10,000 additional copies of the report of the Commissioner of Fish and Fisheries for the year 1882 be printed, of which 2,000 copies shall be for the use of the Senate, 6,000 copies for the use of the House, 1,500 for the use of the Commissioner of Fish and Fisheries, and 500 copies for sale by the Public Printer at a price equal to the additional cost of publication and 10 per cent. thereon added.