

## PETITIONS, ETC.

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

By Mr. T. M. BROWNE: Petition of 84 citizens of Connersville, Ind., on the subject of polygamy in Utah—to the Committee on the Judiciary.

By Mr. J. E. CAMPBELL: Petition of Hon. James M. Smith and 60 others, citizens of Lebanon, Ohio, for legislation upon the Mormon question—to the same committee.

By Mr. DEUSTER: Memorial of the Legislature of the State of Wisconsin, in reference to sorghum machinery and improved methods of making sugar—to the Committee on Agriculture.

By Mr. ERMENTROUT: Petition of John A. Sibbald, against House bill 7004 repealing pre-emption and timber-culture laws—to the Committee on the Public Lands.

Also, petition in favor of construction of bridges across Staten Island Sound between New York and New Jersey—to the Committee on Commerce.

By Mr. EVANS: Petitions of citizens of Bucks and Montgomery Counties, and of Harrisburg, Pa., praying for the education of the Indians and their volunteer citizenship, &c.—to the Committee on Indian Affairs.

By Mr. EVERHART: Petition of the Woman's National Indian Association of Delaware County, Pennsylvania—to the same committee.

By Mr. GOFF: Petition of J. T. Stancher and 43 others, asking for pensions to disabled soldiers and the repeal of arrears act—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. JAMES: Petition of Isaac N. Judson and 54 others, citizens of Brooklyn, N. Y., asking for early action on the Mormon question—to the Committee on the Judiciary.

Also, petition of James Cruikshank and 26 others, men and women, citizens of Brooklyn, N. Y., asking for early action on the Mormon question—to the same committee.

By Mr. B. W. JONES: Memorial of Wisconsin State Legislature, for aid to experiments in sorghum culture—to the Committee on Agriculture.

By Mr. J. K. JONES: Papers relating to the claim of George W. Hughes, of Tulip, Dallas County, Arkansas—to the Committee on War Claims.

By Mr. KING: Joint resolution, appropriating \$10,000,000 for prosecution of works on rivers and harbors in the United States—to the Committee on Rivers and Harbors.

By Mr. LONG: Memorial of the American Woman Suffrage Association, for an amendment to the Constitution conferring suffrage on women—to the Committee on the Judiciary.

By Mr. LOWRY: Petition of Mrs. Lovey Helper, of Ontario, Ind., for an increase of widows' pensions—to the Committee on Pensions.

By Mr. A. HERR SMITH: Petition of 29 citizens of Lancaster County, Pennsylvania, in favor of checking the evil of Mormonism; especially for the passage of certain bills now pending in Congress—to the Committee on the Judiciary.

By Mr. SINGLETON: Petition of J. R. Phillips, of Lauderdale County, Mississippi, asking reference of claim to the Court of Claims for rehearing under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. STEPHENSON: Memorial of the Legislature of the State of Wisconsin, in reference to sorghum machinery and improved methods of making sugar—to the Committee on Agriculture.

By Mr. J. M. TAYLOR: Petition of John J. Burrow, of Carroll County, Tennessee, asking reference of claim to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WASHBURN: Petition of citizens of Saint Paul, Minn., inviting attention to the importance of early action upon the so-called Mormon question—to the Committee on the Judiciary.

By Mr. WEAVER: Petition of George T. Crissman and 87 others, citizens of Omaha, Nebr., asking Congress to take action on the Mormon question—to the same committee.

By Mr. WEMPLE: Petition of citizens of Johnstown, N. Y., asking Congress to take early action on the Mormon question—to the Committee on the Judiciary.

By Mr. YOUNG: Petitions of A. B. Carter and of C. M. Ayers, widow of Tredwell S. Ayres, deceased, of Shelby County, Tennessee, asking reference of their claims to the Court of Claims for rehearing under the provisions of the Bowman act—to the Committee on War Claims.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. KEIFER: Of George P. Mulford and 45 others, of Urbana, Ohio.

By Mr. LACEY: Of Wallace E. Wright and 16 others, of Coldwater, Mich.

By Mr. RANDALL: Resolutions of the General Assembly of the Commonwealth of Pennsylvania, in relation to the Mexican pension bill.

## SENATE.

FRIDAY, February 27, 1885.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

Mr. VAN WYCK. I suggest, while we are waiting for those members of the Senate who occupy most of the time of it while in session—

The PRESIDENT *pro tempore*. The Senate is not yet called to order. The Chair will, however, call the Senate to order.

Mr. VAN WYCK. I was suggesting whether this might not be an opportune time, while waiting for members of the Senate who generally occupy most of the time of the Senate while in session, to ask for the consideration of a bill which will provoke no discussion. Therefore I ask unanimous consent—

The PRESIDENT *pro tempore*. Nothing is in order at this time except the reading of the Journal, and that is not in order until a quorum has appeared. [After a pause.] The Chair will now direct the Journal of yesterday's proceedings to be read.

The Journal of yesterday's proceedings was read and approved.

## SUPPLIES TO MINNESOTA SIOUX INDIANS.

Mr. CAMERON, of Wisconsin. I move that the House of Representatives be requested to return to the Senate for further consideration the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent for leave to move at this time that a message be sent to the House of Representatives requesting the return of the bill named by him. Is there objection to receiving the motion of the Senator from Wisconsin? The Chair hears none. The question is on agreeing to it. If there be no objection it will be agreed to. It is agreed to.

## ORDER OF BUSINESS.

Mr. HALE. I ask unanimous consent to take up now the naval appropriation bill, which is ready for the Senate. I will state the reason why I make the request at the present time. I do not anticipate that the bill will take much time in the Senate. I do not think the trouble with the bill will be here; but Senators know how for the last two years much time has been consumed in conference between the two Houses on the naval appropriation bills, and therefore it is very desirable that the bill should be sent to the House as soon as possible. If I can get it through this morning I should hope to get a conference to-morrow; and if there are protracted conferences we shall be able at least to bring the disagreements in conference before the Senate.

Mr. DAWES. Will the Senator from Maine allow me to make a report from the Committee on Indian Affairs?

Mr. HALE. Certainly.

Mr. DAWES. I ask consent at this time to make a report.

The PRESIDENT *pro tempore*. Does the Senator from Maine withdraw his request?

Mr. HALE. Certainly.

The PRESIDENT *pro tempore*. The Senator from Massachusetts.

## ROUND VALLEY INDIAN RESERVATION.

Mr. DAWES. The Committee on Indian Affairs, who were instructed by the Senate to investigate the condition of affairs in the Round Valley Indian reservation in California, have attended to that duty, and instruct me to submit a report in writing, which I ask may be printed.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent to submit a report from the Committee on Indian Affairs at this time. Is there objection? The Chair hears none. The Senator submits a report in writing on the subject referred to the committee named by him, which will be printed and placed on file. The Senator from Maine is now recognized.

## ORDER OF BUSINESS.

Mr. BOWEN. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from Maine yield to the Senator from Colorado?

Mr. HOAR. I suggest to the Senator from Maine to yield for morning business.

Mr. HALE. I am very desirous, for the reason I have given, to get the naval appropriation bill through the Senate early to-day.

Mr. VAN WYCK. I trust the Senator from Maine will not press that bill, at least until committees have had an opportunity to make their reports.

The PRESIDENT *pro tempore*. It only requires a single objection. Mr. VAN WYCK. Then I shall have to object at this time, because the appropriation bills can force themselves before the Senate for consideration at any time.

The PRESIDENT *pro tempore*. Objection is made.

Mr. HALE. Will the Senator withhold his objection for a moment?

Mr. VAN WYCK. Yes, sir.

Mr. HALE. Of course I am entirely aware that at this time, except by unanimous consent, I can not get the naval appropriation bill before the Senate. I want Senators to realize the almost intolerable position the Senate is put in on appropriation bills, in the last five or six days of a session with the great bills appropriating for the uses of the Government tumbling in upon us to be considered by the Appropriations Committee, after having been passed under a suspension of the rules elsewhere, and it is essential in the largest degree to the comfort of the Senate and in order to save an extra session that every possible advancement shall be given to the appropriation bills. I know that Senators are desirous of going through with the routine business and making their reports and getting them off their hands; but if Senators believe, or if any one Senator believes, that that is more important now than to dispose of the naval appropriation bill, of course I can not go on. If the objection is made now, I give notice that at the end of the routine morning business I shall move to take up the bill; and with that, of course, I leave it to the Senate.

Mr. BOWEN. Mr. President—

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Maine?

Mr. VAN WYCK. I object.

Mr. BOWEN. Mr. President—

The PRESIDENT *pro tempore*. Objection is made. As objection is made it implies the regular order of morning business, which is not yet commenced, and with the permission of the Senator from Colorado the Chair will lay before the Senate certain communications from the Executive Departments.

Mr. BOWEN. I do not wish to be understood as objecting to the request of the Senator from Maine.

The PRESIDENT *pro tempore*. The Chair did not understand the Senator from Colorado to object. The Senator from Nebraska [Mr. VAN WYCK] objected.

Mr. BOWEN. I merely wish to present an amendment to the deficiency appropriation bill when I can get the floor for that purpose.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from the Secretary of State, for the relief of Sampson P. Baily, late United States consul at Palermo; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from the Secretary of the Navy, for completing the ordnance of the new steel cruisers; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an appropriation estimate, received from the Secretary of the Navy, for the repairs of the stone dry-dock at the Brooklyn navy-yard; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of State recommending an appropriation for the compensation of William Schuchardt for services rendered in procuring testimony to be adduced before the United States and Mexican Claims Commission; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a joint resolution of the Legislature of Minnesota; which was read, and referred to the Committee on Commerce, as follows:

##### STATE OF MINNESOTA.

[Twenty-fourth session. S. F. No. 294. Introduced by Mr. Billson, February 5, 1885.]

A joint resolution urging upon Congress the immediate enlargement of the lockage of the Sault Saint Mary's Canal.

Whereas it appears from the report of General O. M. Poe, Chief of Engineers, United States Army, that the commerce through the Sault Saint Mary's Canal, at its present rate of increase, will within four years outgrow the utmost capacity of the lockage system of said canal:

Be it resolved by the Legislature of the State of Minnesota, That we hereby respectfully urge upon Congress the necessity for immediate and liberal appropriations for the enlargement of the lockage of said canal.

Resolved, That the secretary of state forward a copy of these resolutions to the President of the United States Senate, the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress.

C. A. GILMAN,

President of the Senate.

JOHN L. GIBBS,

Speaker of the House of Representatives.

Approved February 20, A. D. 1885.

STATE OF MINNESOTA, Department of State:

I hereby certify that I have carefully compared the foregoing with the original now on file in this department, and that it is a true and correct copy thereof and of the whole of the same.

Witness my hand and the great seal of the State this 24th day of February, A. D. 1885.

[SEAL.]

FRED. VON BAUMBACH,

Secretary of State.

Mr. McMILLAN. I present a joint resolution of the Legislature of Minnesota of the character just read from the desk, and I will ask its proper reference.

The PRESIDENT *pro tempore*. Does the Chair understand it to be identical with the one presented by the Chair?

Mr. McMILLAN. Yes, sir.

The PRESIDENT *pro tempore*. Then the joint resolution will be referred, without reading, to the Committee on Commerce.

Mr. MILLER, of California, presented a memorial of the Board of Trade of Los Angeles, Cal., remonstrating against the ratification of the proposed Spanish reciprocity treaty; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented the petition of Albert Bouldin, Martha Bain, H. W. Hinkle, Henry Klinge, and M. A. Triplett, of Washington, D. C., praying compensation for damages to their property resulting from public improvements in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HARRISON presented a petition of Presley Smith and 87 others, citizens of Morgan County, Indiana, praying for the repeal of the act limiting arrears to those who applied for pension prior to July 1, 1880, and that Congress pass other legislation favorable to the soldiers of the late war; which was referred to the Committee on Pensions.

Mr. PLUMB presented two petitions of citizens of Kansas and other States, praying for the construction of a wagon-road from Caldwell, Kans., to Wichita Falls, Tex.; which were referred to the Committee on Appropriations.

#### REPORTS OF COMMITTEES.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 1618) to provide for the construction of a court-house and post-office at Clarksburg, W. Va.;

A bill (H. R. 2123) for the erection of a public building at Wichita, Kans.;

A bill (H. R. 870) to provide for the erection of a public building at Aberdeen, Miss., for use as a post-office, United States court, and for United States internal-revenue officials, and for other Government purposes;

A bill (H. R. 3593) for the erection of a public building at Chicago, Ill.;

A bill (H. R. 3343) for the erection of a public building in the city of Auburn, N. Y.

A bill (H. R. 1321) for the erection of a public building at Reading, Pa.;

A bill (H. R. 4067) to change the limit of appropriations for the public building at Louisville, Ky.; and

A bill (H. R. 2949) for the erection of a public building at Port Townsend, Wash.

Mr. MAHONE. Now I hope that it will be the pleasure of the Senate to take these bills up and pass them. I ask unanimous consent that they may be now considered.

The PRESIDENT *pro tempore*. Is there objection?

Mr. HALE. I must object.

The PRESIDENT *pro tempore*. Objection is made. The bills will be placed on the Calendar.

Mr. MAXEY, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6089) for the relief of Moses F. Carleton; and

A bill (H. R. 6533) for the relief of Dr. Thomas J. Jones.

Mr. CULLOM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2975) granting a pension to Marion D. Egbert;

A bill (H. R. 200) granting a pension to Thomas Jeffries;

A bill (H. R. 1866) granting a pension to Calvin L. Knick;

A bill (H. R. 6357) granting a pension to Christian Bauman;

A bill (H. R. 8189) granting a pension to Mrs. F. M. Norton;

A bill (H. R. 7485) granting a pension to Alexander Weide;

A bill (H. R. 7718) restoring John Snyder to the pension-roll; and

A bill (H. R. 2607) granting a pension to Mary B. Holmes.

Mr. CULLOM, from the Committee on Pensions, to whom was referred the bill (S. 2528) for the relief of James McKinley, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2421) for the relief of John Snyder, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CULLOM. I am also instructed by the Committee on Pensions, to whom was referred the bill (H. R. 1862) for the increase of the pension of James Buchanan, to submit an adverse report thereon, and to state that the party claimant since the bill was introduced has died, and that the widow of the claimant is now seeking a pension through the regular channel in the Pension Office. I move that the bill be indefinitely postponed.

The motion was agreed to.



Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (H. R. 8069) granting a pension to Catharine Helton;
- A bill (H. R. 7434) granting a pension to Sylvester Greenough;
- A bill (H. R. 7000) for the relief of Clark G. Maine;
- A bill (H. R. 7938) granting a pension to Amanda Allen;
- A bill (H. R. 7502) granting a pension to Richard W. Barnes;
- A bill (H. R. 7803) granting a pension to L. W. Pitts;
- A bill (H. R. 4216) granting a pension to David N. Bryan;
- A bill (H. R. 1901) for the relief of Harrison Mitchell, late of Company K, Forty-eighth Indiana Volunteers;
- A bill (H. R. 8090) granting a pension to Albert Harper; and
- A bill (H. R. 839) granting a pension to John Boyle.

Mr. WILSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

- A bill (H. R. 7805) granting a pension to Capt. Vincent Phelps; and
- A bill (S. 1323) to increase the pension of David I. Whitman.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy;
- A bill (S. 1811) granting a pension to Anne T. Dicks;
- A bill (S. 2359) granting a pension to M. Louise Butler;
- A bill (S. 2448) for the relief of Sally C. Mulligan;
- A bill (S. 2654) granting a pension to Charles F. Hildreth;
- A bill (H. R. 5998) granting an increase of pension to Jonathan C. Harrison;

- A bill (H. R. 1710) granting a pension to George W. Bean;
- A bill (H. R. 7810) granting a pension to Rosanna Riley;
- A bill (H. R. 5330) granting a pension to Octavia A. Newhall;
- A bill (H. R. 7853) granting a pension to Margaret Flaherty;
- A bill (H. R. 8048) to increase the pension of Ferdinand Hercher;
- A bill (H. R. 5378) granting a pension to Henry Milkey;
- A bill (H. R. 8082) granting a pension to Lina J. Stearns;
- A bill (H. R. 5309) for the relief of Charles Milk;
- A bill (H. R. 3947) granting a pension to Joseph Raible; and
- A bill (H. R. 4393) for the relief of Lieut. Nathaniel Johnson Coffin.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2661) granting a pension to Miss — Gill, reported it with an amendment, and submitted a report thereon.

Mr. BLAIR. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 7533) granting an increase of pension to Mary F. Blake, to report it adversely; and I submit the views of the minority favoring the passage of the bill. I ask that it be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee, and, if there be no objection, the views of the minority will be received and printed.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the petition of Mrs. Ann Atkinson, granddaughter of George Mason, of Virginia, praying for an increase of pension, submitted a report thereon accompanied by a bill (S. 2665) granting increase of pension to Ann Atkinson; which was read twice by its title.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported adversely thereon and moved their indefinite postponement; which was agreed to:

- A bill (S. 144) granting a pension to George W. Bean;
- A bill (S. 1894) granting a pension to Octavia A. Newhall; and
- A bill (S. 2193) granting a pension to Ferdinand Hercher.

Mr. VAN WYCK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

- A bill (H. R. 7177) granting a pension to William H. Kinman;
- A bill (H. R. 7178) granting an increase of pension to John O. Gardner;
- A bill (H. R. 7503) for the relief of Daniel McAlpin;
- A bill (H. R. 2085) granting a pension to Joseph McIntosh;
- A bill (H. R. 8187) granting a pension to Chancy G. Darrah;
- A bill (H. R. 4458) granting a pension to Harlan Jackson; and
- A bill (H. R. 7340) granting a pension to John Sperr.

Mr. VAN WYCK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;
- A bill (S. 2620) granting a pension to Thomas H. Boaz; and
- A bill (S. 2619) granting a pension to Martha Hughes.

Mr. VAN WYCK. I desire to say in connection with these reports that immediately after the naval appropriation bill, which will be called up this morning, shall have been acted upon, I shall ask that the Senate bills reported favorably from the Committee on Pensions may be considered, for the reason that the House Committee on Pensions will meet this afternoon for the purpose of considering Senate bills so that they may be passed to-night in the House, and this will probably be the last and

only opportunity to pass the few Senate bills which are reported from the Committee on Pensions this morning. I will ask the clerks to retain the Senate bills and not send them to the Printer, so that they may go into the hands of the House committee after their passage by the Senate.

Mr. FAIR, from the Committee on Claims, to whom were referred the following bills, reported adversely thereon; and the bills were postponed indefinitely:

- A bill (S. 1452) for the relief of B. Reinhart & Co.; and
- A bill (H. R. 4380) for the relief of A. H. Herr.

Mr. HAMPTON. I am instructed by the Committee on Military Affairs, to whom was referred the bill (H. R. 4684) for the relief of certain citizens of Marion County, Tennessee, to report it favorably. I call the attention of the Senate to the fact that this bill is reported without amendment. By a typographical error one word was left out which the committee has interpolated. Will that be treated as an amendment?

The PRESIDENT *pro tempore*. It must be so treated. The bill will be placed on the Calendar.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the petition of Miss Herrmine Thomson, praying that she be permitted to pre-empt one hundred and twenty acres of the reservation at Camp Independence, California, submitted an adverse report thereon, which was agreed to; and the committee were discharged from the further consideration of the petition.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (H. R. 7933) granting a pension to Henry Biederbick;
- A bill (H. R. 5191) granting an increase of pension to Augustus Jones;
- A bill (H. R. 4055) granting a pension to Sarah Tyler;
- A bill (H. R. 6982) granting a pension to W. H. H. Coleman;
- A bill (H. R. 2645) granting a pension to Esther Hudson, mother of William H. Hudson, deceased, late of Company G, Twenty-sixth Regiment Pennsylvania Volunteers, and Company E, One hundred and ninety-first Regiment Pennsylvania Volunteers;
- A bill (H. R. 838) granting a pension to Mrs. Lydia S. Huggins;
- A bill (H. R. 8229) to grant a pension to James Dye;
- A bill (H. R. 7169) granting a pension to Elizabeth Kaler;
- A bill (H. R. 383) granting a pension to Creet H. Dougherty;
- A bill (H. R. 8091) granting a pension to David Sears;
- A bill (H. R. 4605) granting a pension to Ellen Edmiston;
- A bill (H. R. 3556) granting a pension to Mrs. Lucretia G. Ripley;
- A bill (H. R. 7572) granting a pension to Amos McDowell;
- A bill (H. R. 5148) granting a pension to Jacob Lefferty;
- A bill (H. R. 7836) for the relief of Mrs. Ida P. Belcher;
- A bill (H. R. 1235) granting a pension to Annie E. Bailey; and
- A bill (H. R. 5554) granting a pension to Sarah Parry.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (S. 2569) granting a pension to Mrs. Lydia S. Huggins, submitted an adverse report thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1308) to grant arrears of pension to the widow of Milton Searle, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MITCHELL. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint, to report it with a favorable recommendation and to ask the Senate to consider it at this time. The bill is very brief and it ought not to take five minutes to pass it.

The PRESIDENT *pro tempore*. Is there objection?

Mr. HALE. I ask for the regular order.

The PRESIDENT *pro tempore*. Objection is made.

Mr. MITCHELL. Then I shall ask the Senate to take up the bill and consider it in connection with the Senate pension bills this afternoon.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 342) to authorize the printing of 400,000 copies of the annual report of the Commissioner of Agriculture for the year 1885, to report it with certain amendments, and I ask for its present consideration.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HALE. I must call for the regular order.

The PRESIDENT *pro tempore*. Objection is made. The joint resolution will be placed on the Calendar.

Mr. CAMDEN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (H. R. 5740) for the relief of Grigsby Foster;
- A bill (H. R. 4878) granting a pension to Emma O. Zeigler; and
- A bill (H. R. 8136) for the relief of Addison M. Copen.

Mr. CAMDEN, from the Committee on Pensions, to whom was referred the bill (S. 993) for the relief of Maria G. Dunbar, reported it with an amendment, and submitted a report thereon.

## RETURN OF BILLS.

Mr. MANDERSON. I am instructed by the Committee on Printing to ask for the following order:

*Ordered*, That the Secretary request the House of Representatives to return to the Senate the joint resolutions S. R. 127, S. R. 128, and S. R. 129.

The order was agreed to.

## LIEUT. A. W. GREELY.

Mr. DAWES. I ask the indulgence of the Senate for a moment to make an inquiry of the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent to make a statement. If there be no objection, he will proceed.

Mr. DAWES. The chairman of the Committee on Military Affairs is absent and has been for some time. I do not know who acts as chairman in his absence; but I should like to make an inquiry, as I see several members of the committee present.

Some weeks ago a bill was referred to that committee designed to create an assistant chief of the Signal Bureau. The object of it was to give an opportunity for a recognition of the very distinguished and heroic deeds of a member of the Army, Lieutenant Greely. Lieutenant Greely is a native of my State, and the people of my State take a great interest as well as pride in what he has achieved and what he has suffered. They are looking anxiously to Congress for some recognition of his services; and I make bold to inquire of the committee respectfully whether there is any prospect that a report will be made upon that bill, so that the sense of the Senate can be taken upon it or upon some opportunity to make recognition of the services of that distinguished officer? I fear that if Congress shall adjourn without doing that, Lieutenant Greely will not be where any recognition of his services will be of any avail to him before Congress may meet again.

Mr. HARRISON. Mr. President—

The PRESIDENT *pro tempore*. The Senator from Indiana, if there be no objection, will be heard.

Mr. HARRISON. In the absence of the Senator from Illinois [Mr. LOGAN], who is chairman of the Committee on Military Affairs, and of the senior Senator from Pennsylvania [Mr. CAMERON], who is next on the committee, I have been for two weeks, perhaps, the acting chairman of that committee.

Prior to that time I am not able to give any account of the bill referred to by the Senator from Massachusetts. I do not know in whose hands it was or whether it had been referred to any member of the committee for consideration up to that time. Since my attention was called to the bill by the Senator from Massachusetts, in a private way, I looked it up and had a communication addressed to the Secretary of War on the subject, as is the custom of the committee. The response of the Secretary of War was only laid before the committee this morning. The early hour at which the Senate is meeting makes it difficult to get the committee together for a full session. At the best, if we are all prompt, we can get not more than an hour for the consideration of business before the committee. There are a large number of bills pending, some of which have been in the hands of subcommittees for a considerable length of time, who have been awaiting an opportunity to get in their reports. We did not have time this morning to act upon the bill to which the Senator from Massachusetts has referred.

I may say that the bill brings to the attention of the committee a subject of a general character about which there is some division of opinion, which has no relation whatever to Lieutenant Greely or his claims to consideration. It is known, I think, to many members of the Senate that the Secretary of War has in several communications recommended that the roster of offices of the Signal Service should not be increased. In his opinion the Signal Service has come chiefly to be a weather bureau and the duties connected with it of a civil rather than a military nature. The Secretary of War is disinclined to recommend or approve any suggestions for increasing the number of officers assigned to that corps. So the bill to which the Senator from Massachusetts has referred brings before the committee that question as well as the question of giving by law some proper recognition to Lieutenant Greely for his services and exposure in the Arctic regions.

We shall have another meeting of the committee on Monday, and I will say to the Senator that the question will be again considered by the committee, and if there is time to reach a decision upon the bill it will be reported to the Senate.

Mr. DAWES. If the Senate will permit me to add a word—

The PRESIDENT *pro tempore*. The Senator from Massachusetts will proceed, if there be no objection.

Mr. DAWES. Of course the Committee on Military Affairs and the War Department have a better judgment than any one else as to the propriety of increasing the force of the Signal Bureau. It is not the purpose of the friends of the measure to seek any special channel of recognition of Lieutenant Greely, but the bill gives the committee jurisdiction of the subject-matter, and I hope the Senate will indulge me in invoking earnestly their consideration of the subject contemplated by the bill. I do it in the feeling that Lieutenant Greely eminently deserves some recognition. I do not care to specify it nor do I care what it may be if it is in some measure commensurate with the value

of his services and the heroism which he has exhibited. I hope the Senate Committee on Military Affairs may not omit to do that, if they should come to the conclusion that the way suggested in the bill is not a wise one.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies.

The message also announced that the Speaker of the House of Representatives had signed the enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof.

## EVENING SESSIONS.

The PRESIDENT *pro tempore*. "Concurrent and other resolutions" are in order, and the Chair lays before the Senate a resolution offered on the 26th instant by the Senator from Maine [Mr. FRYE], which will be read.

The resolution was read, as follows:

*Resolved*, That until otherwise ordered the Senate take a recess each day at 6 to 8 o'clock p. m.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. HALE. Mr. President—

Mr. SHERMAN. There is no necessity—

The PRESIDENT *pro tempore*. The Senator from Maine first addressed the Chair.

Mr. HALE. If there is not to be any debate I shall not interpose a motion to proceed to the consideration of the naval appropriation bill; but if there is to be any debate—and I have been notified that there will be—I make the motion now that the Senate proceed to the consideration of the naval appropriation bill.

The PRESIDENT *pro tempore*. Does the Senator submit the motion?

Mr. HALE. Yes, sir.

Mr. SHERMAN. All I wish to say is that there is no necessity for the resolution. There is not a particle of necessity for it.

Mr. HALE. We can take a recess any day we choose.

Mr. SHERMAN. It is in order under the rules now to take a recess, without such a resolution as this.

The PRESIDENT *pro tempore*. Pending the consideration of the resolution, the first hour of the morning hour having been concluded, it is in order for the Senator from Maine to move, and he does move, that the Senate proceed to the consideration of the naval appropriation bill. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

## SUPPLIES TO MINNESOTA SIOUX INDIANS.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate in compliance with its request the bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof, with the amendments of the House of Representatives thereto.

Mr. CAMERON, of Wisconsin. Will the Senator from Maine consent to waive the appropriation bill for a moment while I ask that a Senate bill returned from the House with amendments be laid before the Senate?

Mr. HALE. I consent.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The Chair lays before the Senate a bill returned from the House of Representatives with amendments, the title of which will be read.

The CHIEF CLERK. "A bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians of Minnesota subsequent to August, 1860, and prior to the massacre of August, 1862, and providing for the payment thereof."

Mr. CAMERON, of Wisconsin. I now move that the Senate reconsider the vote by which it concurred yesterday in the House amendments to the bill just laid before the Senate.

The PRESIDING OFFICER. That order will be made if there be no objection. The Chair hears none.

Mr. CAMERON, of Wisconsin. Now I move that the Senate non-concur in the amendments and ask the House for a conference on the disagreeing votes of the two bodies.

The motion was agreed to; and, by unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. CAMERON of Wisconsin, Mr. DAWES, and Mr. SLATER were appointed.

The PRESIDING OFFICER. In this connection the Chair would state that while the bill was in the custody of the House of Representatives it was enrolled, and the enrolled copy sent over for the signa-



ture of the President *pro tempore*. In consequence of the action of the Senate this enrolled bill will not receive the signature of the President *pro tempore*, and will be returned by the Secretary with a message stating the reason therefor.

#### NAVAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes.

Mr. HALE. I ask unanimous consent that the first or formal reading of the bill be dispensed with, and that then the bill be read for amendment, and the amendments of the Committee on Appropriations be first considered.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the reading of the bill *in extenso* be dispensed with, that it be read by paragraphs, and that the amendments of the Committee on Appropriations be acted on as they are reached in the reading and considered before amendments offered by individual Senators. Is there objection? The Chair hears none. The reading will proceed.

The Chief Clerk proceeded to read the bill till line 14 was reached.

The PRESIDING OFFICER. The Chair would call the attention of the Senator from Maine to the fact that the word "one" is repeated in line 13.

Mr. HALE. That is one of the amendments I proposed to call up afterward, but it may as well be done now.

The PRESIDING OFFICER. The amendment will be made if there be no objection, striking out one "one."

The reading of the bill was resumed. The first amendment reported by the Committee on Appropriations was, in the appropriations for "miscellaneous" expenses, in line 74, after the word "piloting," to strike out the words:

Bringing home the bodies of naval officers who have died or may hereafter die abroad while on duty.

The amendment was agreed to.

The next amendment was, in line 112, to increase the total amount of the appropriation for the "Bureau of Navigation" from \$87,500 to \$100,000.

The amendment was agreed to.

The next amendment was, after line 113, to insert:

For special ocean surveys and the publication thereof, \$10,000.

The amendment was agreed to.

The next amendment was, after line 115, to insert:

For publication of professional papers, \$10,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Ordnance," after line 133, to insert:

For the purchase or manufacture of steel guns of small caliber for ships now in service, and for testing the same at the naval ordnance proving-ground, \$21,000.

The amendment was agreed to.

The next amendment was, in line 138, before the word "test," to insert "public;" so as to read:

For the completion and public test of two breech-loading rifle-cannon of the larger calibers now in course of construction for the Navy, with carriages and ammunition for both, \$80,000.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 141, to strike out the following proviso:

*Provided*, That the test shall be conducted as follows: With battering charges for two hours, and under the most rapid continuous rate of firing, as near as may be like the conditions of a hotly-contested battle; then with the service charge not less than five hours. Permission, with ample notice to be present, shall be given to all persons who indicate a desire to examine the preliminary preparation and witness the firing. Expenditures of public money on all other naval cannon of and above said caliber shall cease until this public test has terminated. And all the facts and incidents of the test shall be reported to Congress by the Chief of the Bureau of Ordnance as soon thereafter as possible.

The amendment was agreed to.

The next amendment was, in line 165, to increase the total amount of the appropriation "for miscellaneous items" for the Bureau of Ordnance from \$3,000 to \$4,000.

Mr. HALE. There is an error in the print. The word "three" occurs twice in line 165.

The PRESIDING OFFICER. The amendment of the committee will be regarded as to strike out both words "three" and insert "four."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the "Bureau of Equipment and Recruiting," in line 185, to increase the total amount appropriated "for equipment of vessels" from \$800,000 to \$825,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Yards and Docks," in line 221, to increase the total amount of the appropriation "for general maintenance of yards and docks" from \$200,000 to \$250,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Bureau of Medi-

cine and Surgery," in line 235, after the word "dollars," to strike out the following words:

And if the Secretary of the Navy shall not be able to maintain properly the whole number of naval hospitals now kept open on the amounts hereby appropriated for the maintenance of and civil establishment at naval hospitals, he shall close those which are least necessary to the service, and provide for the patients now cared for therein at such other naval hospitals as may be most convenient.

The amendment was agreed to.

The next amendment was, in line 261, to increase the appropriation "for necessary repairs of naval laboratory, naval hospitals, and appendages, including roads, wharves, outhouses, sidewalks, fences, gardens, farms, and cemeteries," from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Provisions and Clothing," in line 269, to increase from \$1,085,000 to \$1,100,000 the appropriation "for provisions for the seamen and marines; commuted rations for officers, naval cadets, seamen, and marines; expenses of inspections and storehouses, including labor; purchase of water for cooking and drinking on board ships; and for provisions and commutation of rations for seven hundred and fifty boys."

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Construction and Repair," in the proviso to the clause appropriating \$1,000,000 "for preservation and completion of vessels on the stocks and in ordinary," &c., in line 292, after the word "exceed," to strike out "thirty" and insert "twenty;" so as to make the proviso read:

*Provided*, That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs, to be appraised by a competent board of naval officers, shall exceed 20 per cent. of the estimated cost, appraised in like manner, of a new ship of the same size and like material.

The amendment was agreed to.

The next amendment was to strike out lines 299 and 300, as follows:

For the completion of the New York, \$400,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Bureau of Steam-Engineering," in the proviso to the clause making appropriations "for repairs, completion, and preservation of machinery and boilers, including steam-steerers, steam-capstans, steam-windlasses, &c., in vessels on the stocks and in ordinary," &c., after the word "exceed," at the end of line 315, to strike out "thirty" and insert "twenty;" and in line 320, after the words "repaired for," to strike out "thirty" and insert "twenty;" so as to make the proviso read:

*Provided*, That no part of said sum shall be applied to the repair of engines and machinery of wooden ships where the estimated costs of such repair shall exceed 20 per cent. of the estimated cost of new engines and machinery of the same character and power; but nothing herein contained shall prevent the repair or building of boilers for wooden ships the hulls of which can be fully repaired for 20 per cent. of the estimated cost of a new ship of the same size and material.

The amendment was agreed to.

The reading of the bill was continued to line 528.

Mr. COCKRELL. I thought the understanding was that "car-tickets" were to be stricken out.

Mr. HALE. I am going to call attention to that when we come to it. It may as well be stricken out now, however, and I will move it.

Mr. COCKRELL. I want the words "car-tickets" struck out wherever they occur.

Mr. HALE. We have stricken out "car-tickets" in other appropriation bills.

The PRESIDING OFFICER. Will the Senator indicate the lines where the amendment is to be made?

Mr. HALE. In lines 520 and 521 I move to strike out the words "car tickets, \$200."

The PRESIDING OFFICER. If there be no objection the amendment will be made. It is agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out the clause from line 529 to line 535, inclusive, as follows:

To complete the construction of the steel cruiser of not less than 5,000 nor more than 6,000 tons displacement, and the armament therefor, authorized by act of Congress August 5, 1882, \$1,780,000, or so much thereof as may be necessary: *Provided*, The Secretary of the Navy shall approve of the construction of said vessel.

And in lieu thereof to insert—

Mr. McPHERSON. Is the question first to be taken on striking out that paragraph? Do I understand the question to be on striking out from line 529 to line 535?

The PRESIDING OFFICER. The amendment of the committee is to strike out from line 529 to line 535, inclusive—

Mr. HALE. And to insert the matter printed as lines 536 to 559.

Mr. McPHERSON. I wish to say a word in respect to that. I wish to ask the Senator from Maine if the committee have properly considered the question as to whether it is possible to build a naval vessel of the size which I see the committee propose to build and obtain the requisite speed as a cruiser to overtake the modern commercial ships. Necessarily in vessels of small size the lines will not be fine, the ship will not have the requisite length, and can not have the necessary power to overtake the commercial ships of to-day. I think the Sen-

ator will not for a moment argue that the ships the committee here propose to build can overtake such a vessel as the Alaska or the Arizona or other ships of like class and character which have been built of late and which will make up the commercial marine of the future. Therefore I think it wise that the committee should retain this provision of the House bill providing for the construction of the larger ship. As all the ships we are now building are simply experiments, it would seem to be wisdom not to delay longer the commencement of one ship of the larger size having the requisite speed.

Mr. HALE. I am very glad that the Senator from New Jersey has called attention to this matter and has asked the question which he has put to me. The committee did consider this question very carefully. Of course the Senator from New Jersey and other Senators will bear in mind that this is not a new subject. These matters have been gone over repeatedly heretofore in the Senate at other sessions. Undoubtedly the class of ships provided for by the committee's amendment ranging from three to four thousand tons, no specific type being determined, but that being left to the future Secretary of the Navy and such advice as he may gather from naval officers, will not be able to overtake the largest and fastest of the great steamers that are employed in the transportation of goods and passengers, especially those upon the European lines; neither would the ship that is provided for in the clause of the House bill that the committee strike out be able to do that. No ship can be constructed in the Navy that would overtake such steamships as ply between the ports of America and Europe, unless she went up into the range of ships from eight to ten thousand tons. Such a ship is immensely expensive.

When the advisory board came to consider the practical condition of the Navy and the need for immediate ships, one of the first questions that they met was this which is raised by the Senator from New Jersey, and in making their report in 1883 and 1884 they used this language, which I will read:

In concluding the report the board deems it necessary to record its emphatic disapproval of the suggestions that have of late been so frequently made throughout the country, that the Navy should acquire a number of extremely high-speed commerce-destroying vessels of great endurance, designed in these respects with special reference to gaining superiority over the large and swift transatlantic mail steamers. The main reasons for this disapproval are as follows:

"In order that a competitive vessel should excel in speed and endurance the best of these fast packets, she must certainly cost as much to build and be of nearly as great dimensions, necessitating a displacement of at least 11,000 tons. Once built, these vessels would be so costly in maintenance, so limited in maneuvering power and scope of effective service, owing to the great dimensions, especially the draught, and they would absorb for their control such a large proportion of the personnel of the Navy, that active service could only be warranted by the most urgent necessity for special work."

They go on further to amplify these reasons. One ship capable of overtaking the fast transatlantic steamships would absorb a tenth part of the entire force of the Navy; and the Committee on Naval Affairs last year and the Committee on Appropriations now in reporting this amendment deemed it wise to take the recommendations of the advisory board as to classes and to leave out in their recommendations in commencing the reconstruction of the Navy this large ship of from five to six thousand tons proposed by the House.

Now, let me say one word upon the important matter of speed. The Esmeralda, which has been built in Great Britain and sent to a South American power, which is the same type almost exactly with the Boston and Atlanta, has made 18 knots per measured mile in her first trip. It is believed that the Boston and Atlanta, which are almost finished, will do the same. But the committee realized the force of the objection that has been raised by the Senator from New Jersey and by other Senators heretofore, that in future building the Department ought not to be kept down to this type of vessel, and therefore it has made this amendment in the most liberal terms, giving a range of from three to four thousand tons and leaving the kind of ship that shall be constructed to the discretion and judgment of the Secretary of the Navy upon plans that he makes after full examination.

Now, as to the overtaking of commercial vessels upon the waters of the globe, these ships if they are constructed of about 3,600 tons, as the board recommends, will be able to overtake nine-tenths of the commercial marine of the world impelled by steam. The other tenth, a few immense great transatlantic vessels, can not be overtaken by any ship that is provided for here, nor by the ship provided for by the House bill, and only, as the board says, by constructing an immense vessel of ten or eleven or twelve thousand tons displacement; and the committee has not felt that it was wise in the decaying condition of the Navy to put so many eggs into one basket, and has, therefore, provided for the building of four new ships under the discretion of the next administration of the Navy Department.

Mr. MCPHERSON. The Senator from Maine will observe that the vessels he proposes to build are almost the same in class with those we are now building. The vessels here proposed to be built will scarcely be larger than the Chicago type, perhaps a little larger than the Boston and Atlanta.

The Senator speaks of the Esmeralda as having made eighteen miles per hour on the measured mile. I think the Senator will not argue from that that the vessel was capable of going through an intense wind and storm making more than 13 or 14 knots per hour on the average. I think the Britannic, one of the White Star steamships, when she first

came out measured about twenty miles in an hour; but the average of her sailing during the entire year, I am informed from a paper laid before the House committee, is only about fifteen miles per hour. The Britannic is a vessel some five hundred feet in length and over 5,000 tons register. In short, all the commercial ships of the present day, those that transport a large majority of the commerce of the United States between the port of New York, particularly, and the European ports, are vessels of that class and type. The Cunard line, the National line, the Inman line, the White Star line, the German line are all composed of much larger vessels with larger tonnage, with great power and great speed.

What do we build cruisers for? We build them to cruise for something, and as the commerce of the country is transported in these larger and faster ships what is the use of continuing the construction of cruisers which can really overtake nothing except sailing vessels?

I have no objection to the amendment of the committee as far as it goes; I have no objection to building ships of the class proposed; I think perhaps they are needed; but I do submit that certainly as to one vessel of a larger class, of more tonnage, with great power and great speed it is time the Government of the United States commenced such a ship. Certainly we can afford to experiment with one ship of larger class and great speed, and I think the time to do it is now. It was recommended by the present advisory board, I think last year.

Mr. HALE. No; the Senator is mistaken. The old advisory board recommended one of the ships of this kind. The present advisory board rejected that and advised to go on with the cruisers of the smaller type.

Mr. MCPHERSON. Then there is only a difference of opinion as between the two advisory boards, and certainly the common sense of the whole matter is in favor of building the largest ships.

I wish to ask the committee to consent to retain that clause in the House bill, which they propose to strike out, making appropriations for the larger ship in addition to those they propose to construct. The bill would then only appropriate money for five new ships of different types, and two of those are gunboats. There are but two cruisers provided for by the committee if you strike out the words proposed to be stricken out by this amendment. Therefore I shall vote against striking out these words.

While I am on my feet, Mr. President, I wish to say that I had the honor to submit an amendment to the Senate the day before yesterday, which was printed, getting rid of all complications and all jealousies between advisory boards and the Navy Department proper. I am sorry the committee did not see fit to report that amendment back to the Senate favorably; and inasmuch as it has not been reported favorably by any committee of the Senate I am aware it would be ruled out on a point of order, and therefore I shall make no attempt to press it. I am in favor of all the committee has proposed in this bill by way of increase of the naval establishment, but I am in favor of more. I am in favor of the House proposition being retained in addition to what is proposed by the committee.

Mr. HALE. There was an additional reason why the committee thought it better to build these four ships rather than one large one. To build the larger ship, complete her with machinery and armament, would cost in the neighborhood of \$3,000,000. Now, I believe in leaving the responsibility of this matter largely to the administration of the Navy Department in the future. I have always contended that the responsibility should be there. The head of the Department, or the President, acting through the Secretary, should be largely responsible. I have never believed in limiting that very much.

Mr. MCPHERSON. Will the Senator yield a moment for an observation right there?

Mr. HALE. Certainly.

Mr. MCPHERSON. He will notice in lines 534 and 535 of the House bill it is provided that "the Secretary of the Navy shall approve of the construction of said vessel," leaving the responsibility entirely to the Secretary as to whether he shall proceed to build such a vessel or not.

Mr. HALE. I have said that this is left to the Secretary by our amendment. I was going on to remark that I doubt very much whether any new Secretary of the Navy coming afresh as he must, whoever he may be, however able he may be—and I assume that it will be an able and competent man who will be selected for Secretary of the Navy—would desire even to be intrusted with the responsibility between now and the next session of Congress of going into the question of constructing one of these large ships. I believe that he would prefer to investigate for himself and to form his plan for reconstructing the Navy, and not to be beset, as he would be if authority is given him to construct this large vessel, by the urgency of contractors, to go on and build it.

I will say further that if, after the discretion that this amendment allows him he goes on investigating, making himself informed as to naval architecture and to constructing these ships that the committee amendment provides for, the Secretary of the Navy, who will be responsible in the future largely for this work of building up the American Navy, shall report and advise that one of these large ships should be built, and we have his investigation and report on which to rest, then, with these additional new vessels that we have built, I shall be in favor of the experiment of trying one of those very expensive ships. I do not think now and the committee did not think it wise to embark in that



expenditure. It will be all that any new Secretary will want to do to investigate and look into and settle the types of the ships provided for here, contract for them, and commence building them; and then when he recommends, if he does, that we go into this other domain, I shall be willing to follow him. The committee has left it as the advisory board leaves it; and so I trust that the committee's amendment will be agreed to to strike out this immensely expensive ship and give us these others instead, and let the Department go on, and then if they recommend the larger ship we can try that at another Congress.

Mr. McPHERSON. I ask that the vote may be taken separately on the proposition to strike out.

The PRESIDING OFFICER. A motion to strike out and insert is not divisible.

Mr. MILLER, of California. The Senator from Maine speaks of large ships. The clause which the committee recommend to be stricken out provides for a steel cruiser of not less than 5,000 nor more than 6,000 tons displacement. That is not a very large ship, a ship of about 3,000 tons burden. In the amendment of the committee it is provided that two cruisers of not less than 3,000 nor more than 4,000 tons displacement may be built, and these the Senator thinks are smaller ships not near so expensive to build. He estimates that a cruiser of five or six thousand tons displacement will cost \$3,000,000. I can not conceive how it is possible that a ship of that size should cost that sum of money, unless it is to be an ironclad.

From the examination which I have given this subject from time to time I am of opinion that these ships of 4,000 tons displacement are too small for any very valuable purpose in the Navy. They can not make time which a cruiser ought to make. No ship of that class can make in all weather more than fifteen or sixteen miles an hour, no matter what material you put into it. It is true that too large a cruiser would be a very expensive machine for the Government to handle. It is doubtful whether a cruiser as large as the merchant sailers now plying on the waters of the Atlantic could carry coal enough to run her more than ten or twelve days, but a steamer of the size here described in the provision in the House bill would not probably consume more than sixty or seventy tons of coal in twenty-four hours, whereas the larger class of steamers, like the Alaska and the Britannic, consume from one hundred and seventy-five to two hundred and fifty tons of coal in twenty-four hours.

I should like this amendment much better if the limit as to the size of these cruisers were raised to 5,000 tons displacement, giving a discretionary power to the Secretary of the Navy to build a ship up to 5,000 tons displacement. If the committee would consent to that amendment I should be willing to strike out the clause in the House bill that they propose to strike out.

The PRESIDING OFFICER. The Senator from California will please suspend. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business of yesterday, being the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

Mr. MORRILL. Let that be informally laid aside until the naval appropriation bill is through.

The PRESIDING OFFICER. The unfinished business will be informally laid aside and the naval appropriation bill will be continued.

Mr. MILLER, of California. In the committee's amendment in line 543 I suggest the striking out of the word "four" and inserting "five," so as to leave a margin between 3,000 tons and 5,000 tons displacement.

Mr. HALE. The Senator from California, who is evidently proceeding on the same proposition and theory as the Senator from New Jersey, suggests that the discretion given to the Secretary of the Navy as to the size of the two new ships be increased from 4,000 to 5,000 tons displacement, so as to give an opportunity of building one of the two, or both, of the larger kind. I am willing to consent to that because it leaves the discretion with the Secretary of the Navy. He might do one, or very possibly might do both, but I am willing to leave it to him.

Mr. McPHERSON. Would you not be willing to make an amendment after the word "each," in line 545, to read as follows—I submit this also to the Senator from California?

And one cruiser of not less than 5,000 nor more than 6,000 tons displacement.

So as to provide for three vessels. That is practically bringing in by that amendment to the committee's amendment the same provision that is involved in the House bill between lines 529 and 535. It provides for the building of one more ship, and leaves the two cruisers exactly as the committee proposed them.

Mr. COCKRELL. I hope the Senator from Maine will not agree to that.

Mr. HALE. I can not consent to that.

Mr. McPHERSON. Then I agree to the other proposition, though I should like to have it increased to 6,000 tons.

Mr. MILLER, of California. I think 5,000 tons is large enough, and I think that will be a solution of the difficulty. We can all agree to have two ships, one of which may be of 5,000 tons, and leave that to the discretion of the Secretary of the Navy.

Mr. HALE. I ask then that unanimous consent be given that in line 543 the amendment be amended by inserting "five" instead of "four," and then I hope the amendment of the committee will be adopted.

The PRESIDING OFFICER. The Chair will state to the Senator from Maine that the part proposed to be inserted has not yet been read by the Secretary.

Mr. HALE. I ask that that be read.

The PRESIDING OFFICER. The words will be read.

The Secretary read the words proposed to be inserted in lieu of the clause to be stricken out, as follows:

To enable the President to strengthen the naval establishment of the United States by additional vessels of the best and most modern design, having the highest attainable speed, the sum of \$1,885,000 is hereby appropriated, to be expended as follows and under the following limitation:

For the construction of two cruisers of not less than 3,000 nor more than 4,000 tons displacement, costing, exclusive of armament, not more than \$1,100,000 each; one heavily armed gunboat of about 1,600 tons displacement, costing, exclusive of armament, not more than \$520,000; and one light gunboat of about 800 tons displacement, costing, exclusive of armament, not more than \$275,000; and authority is hereby given for the construction of said four vessels, at not exceeding the total cost for each above specified, in accordance with such final plan as may be determined upon, after a revision and reconsideration of all designs which have been heretofore made, and in the manner and conformity to the conditions and limitations provided for the construction of the new cruisers in the acts of August 5, 1882, and of March 3, 1883.

Mr. HALE. In line 543, after the word "than," I move to strike out "four" and insert "five;" so as to read:

For the construction of two cruisers of not less than 3,000 nor more than 5,000 tons displacement, &c.

The PRESIDING OFFICER. The Chair understands that the motion of the committee is to amend by striking out lines 529 to 535 inclusive and inserting the words which have just been read. The Senator from Maine proposes to amend the amendment.

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, after line 559, to insert:

Toward the armament of the foregoing cruisers and gunboats, \$500,000.

The amendment was agreed to.

The next amendment was, after line 561, to insert:

For continuing work upon the double-turreted monitors, \$2,000,000, the same to be applied toward procuring the side and turret armor and armament and finishing the vessels; and the Secretary of the Navy, acting under the advice of the naval advisory board in the same manner in all respects as in the construction of the steel cruisers, shall not, in procuring such armor and armament and finishing the monitors, exceed as the total cost of such completion the amounts estimated in the report of the board of October 25, 1883, and the report of the Secretary of December 1, 1883; and in all purchases of armor or contracts for construction there shall be free and open public competition.

Mr. MILLER, of California. I ask the Senator from Maine if it is to be understood that this applies to the four double-turreted monitors upon which work is to be continued at the discretion of the Secretary of the Navy and the advisory board?

Mr. HALE. Yes, it is the same provision that the Senate has put on repeatedly before. It refers to the four ironclads, one upon the Pacific coast and the three here. They are not named in terms, but the references that are made include them all.

Mr. MILLER, of California. The intention is that this money shall be divided among the four?

Mr. HALE. Undoubtedly.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was to strike out section 4 in the following words:

SEC. 4. That no officer whose name is borne on the retired-list of the Army, Navy, or Marine Corps shall hold position in the civil service or other employment of the Government, and draw the salary or compensation thereof together with his pay as a retired officer of the Army, Navy, or Marine Corps: *Provided*, That any such retired officer accepting a position in the civil service or other employment of the Government may, at the time of acceptance, elect to take the salary of such position or in lieu retain his pay as a retired officer: *Provided further*, That the restrictions of this section shall not apply to any officer below the rank of major in the Army or Marine Corps or commander in the Navy who has been retired by reason of wounds received in service, or to any retired officer of the Army, Navy, or Marine Corps designated by law to perform civilian duty.

The amendment was agreed to.

Mr. HALE. I wish now to go back to page 2. There are some formal amendments that should be made. At the top of the page, line 13, was the superfluous word "one" struck out?

The PRESIDING OFFICER. It has been struck out.

Mr. HALE. In line 21 the word "nine" should be erased and the word "ten" substituted; so as to read:

Ten naval constructors.

I move that amendment.

The amendment was agreed to.

Mr. HALE. In line 22 the "ten" should be erased and "nine" substituted; so as to read:

Nine assistant naval constructors.

I move that amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Maine to the fact that the word "ten" occurs twice in line 22. Which "ten" is it proposed to strike out?

Mr. HALE. The first "ten" before "assistant naval constructors." The PRESIDING OFFICER. That change will be made.

Mr. HALE. I have an amendment to offer, not from the Committee on Appropriations but by direction of the Committee on Naval Affairs; it has been duly presented and sent to the Committee on Appropriations. I now offer it as an additional section.

The Chief Clerk read the proposed amendment, as follows:

For the purchase by the Secretary of the Navy of the Destroyer, an iron vessel designed and built by Capt. John Ericsson, armed with a submarine gun and projectile torpedo, including also an independent submarine gun, \$112,000: *Provided*, That it shall satisfactorily appear that said vessel, steam-machinery, guns, projectiles, and experiments developing the same have cost that amount: *And provided further*, That the Government of the United States shall at any time hereafter, if it shall so elect, have the option to purchase all the patents issued by the United States relating to said vessel, submarine gun, projectile torpedo, and all appliances connected with the same, the said John Ericsson having agreed to communicate to the Secretary of the Navy any and all improvements he may make on and concerning the same free of charge, for a sum not exceeding \$100,000.

The amendment was agreed to.

Mr. MITCHELL. I desire to call attention to the provision on pages 21 and 22 for the naval asylum at Philadelphia. I have just received a communication from a prominent gentleman who resides in the same ward where this institution is, and he says he has had consultation with those in charge of it and that the appropriations proposed in this bill are entirely inadequate. It appears that by the estimates \$98,411 were thought requisite for the maintenance and support of the institution and for some improvements proposed, while the bill only gives \$60,067. I should be glad if the Senator in charge of the bill would inform us why it is that the estimates are not followed in this case.

Mr. HALE. The committee looked into that and did not find any pressing need for additional appropriations, all the more because these are the same that they were in the last regular appropriation bill, upon which the institution has got along without any deficiency. It is quite likely they might use more money to some advantage, but the committee did not deem it a case where there was any necessity for adding to the House provision this year.

Mr. McPHERSON. I desire to offer an amendment to come in after section 3 as a new section:

That the sum of \$5,000 be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under and by direction of the Secretary of the Navy, for extending and continuing explorations in Madagascar.

The PRESIDING OFFICER. Will the Senator from New Jersey state the point in the bill where he desires the amendment inserted?

Mr. McPHERSON. At the end of the bill, after section 3, to form a new section.

The PRESIDING OFFICER. The amendment will be read.

The Secretary read the amendment.

Mr. McPHERSON. I am fully sensible of the fact that this amendment is subject to a point of order that may possibly be raised; but I think if the Senate will listen to me for two minutes, there is not a single Senator here who will not be willing to make this a part of the naval appropriation bill.

It is well known to every member of the Senate that extensive explorations have been made in the great island of Madagascar in the past eighteen months by a young naval officer of the United States. I speak of Lieutenant Shufeldt, son of Admiral Shufeldt, who performed such great service for the Government in the Korean matter, and young Shufeldt himself is one of the most distinguished and successful officers in the United States service.

Perhaps I can better explain the whole matter by presenting an article which was handed me a few moments ago which appeared in one of the newspapers; and inasmuch as I desire to read only a few extracts from the article I will not send the paper to the Secretary's desk, but will select the extracts myself:

Madagascar, briefly described, is the third largest island on the known surface of the globe. It has 230,000 square miles of area, or larger in extent than modern France, as large as the old German Empire, four times as large as Great Britain, and equals our New England and Middle States, including North Carolina.

It goes on to speak then about the topography of the country, of the races of people, &c., which is not at this time important to the pending question. The article then continues:

Across this vast country Lieutenant Shufeldt, United States Navy, was about one year ago detailed by the United States Navy Department to conduct an exploring party from sea to sea. He came down from Northeast China (Corea) by various steamers to Singapore, East India, and from thence embarked on a little English brig, navigating her through the Java seas and across the great Indian Ocean—for fifty-eight days—to the English island of Mauritius. Here he was detained by violent attacks of fever for over a month and much embarrassed by difficulties in reaching Madagascar on account of the French bombardments at Tamatave and their blockade of the whole eastern coast. Overcoming these he got away finally in an English schooner of eighty tons burden, and in twelve days landed alone on the forest-clad shores of Southeastern Madagascar at Mahanava. Entering the dense forest belt and ascending the Mangoko River in a canoe for a distance of forty miles, the first camp was established and the native party of four hundred men organized to make the long journey to the Hova capital through the Betsimisaraka region. Through the great and ever-silent forests of the east and to the foot of the splendid range of lofty mountains that marks the boundary of the interior plateau, day by day, often broken and disheartened by fierce attacks, by desertions from his party, and the innumerable worries and responsibilities incidental to a keen sense of personal responsibility

in a strange and barbarous country, the American lieutenant led the expedition successfully.

Ascending the eastern range and reaching the rolling plains of Central Madagascar many of the dangers were passed. There is no fever, the climate is mild and equable, the hills are dotted with pretty villages, the people are kind and hospitable, and the scenery grand and beautiful. In three weeks Lieutenant Shufeldt rested his party under the walls of the Hova capital and in sight of the palace of the Hova Queen, Ranavalona III. His reception in Antananarivo by all the dignitaries of the Hova Government was a perfect ovation to his profession and his nationality. Every attention was showered upon him and every effort made to convey through him to his far-away country the kindly and friendly feelings the Malagasy entertained for the American name. A palace was supplied, an army detailed, and native banquets given in his honor. Lieutenant Shufeldt's experiences in the Hova capital would occupy too much space in our columns; but suffice to say that his presence did much to restore the American interests in Madagascar, to rekindle a decaying knowledge of the greatest of Western powers, and impressed the Hovas with a sense that there are many in America who view with regret the threatened downfall of a new and isolated civilization.

After three weeks' stay—

And this is the important part that I wish to call the attention of the Senate to—

After three weeks' stay and a final adieu to the Queen and her husband, Lieutenant Shufeldt, at the head of six hundred and fifty men (including three white men), left the capital to push his way—a distance as he traveled of six hundred miles—to the western coast. This journey, considered almost suicidal by the white residents of Antananarivo, was successfully accomplished after a series of strange adventures and many narrow escapes. Fierce Sakalava tribes often contested his march; a devastated country afforded frequently no shelter or food; the deadly fevers of the western forests decimated his people, and it was not for two months that the American officer found himself on the seacoast that is washed by the waves of the Mozambique Channel. He had but one hundred and fifty-eight men remaining. From Madagascar the lieutenant managed to cross to the East African coast in an open boat manned by five black men, and landed at Mozambique. He had accomplished the undertaking and solved many of the most important geographical questions in relation to Madagascar.

Mr. HALE. If the Senate will agree to let a vote be taken on this proposition, I will not make the point of order.

Mr. McPHERSON. Perhaps some other Senator may, and I wish to read one statement more, though I know I am detaining the Senate. Let me call attention to a letter written to Lieutenant Shufeldt on his reaching the capital. This is a letter given him by the prime minister:

It is needless to call to your knowledge that this request of Her Majesty and myself—

The request was to return to the capital and try to establish trade relations, and assist Her Majesty—

that this request of Her Majesty and myself is extended to you from their certainty that your wishes for the advancement of Madagascar are sincere and true, but as showing their friendly feeling for the great country of which you are an officer, not only the first American but the first of any foreign nationality so invited. May God bless you, sir.

The PRESIDING OFFICER. Will the Senate agree to this amendment?

Mr. COCKRELL. That is very beautifully and handsomely written—by whom I do not know.

Mr. McPHERSON. By the prime minister of Madagascar.

Mr. COCKRELL. He is a magnificent English scholar, then, and I think it is not a barbaric country. I make the point of order on this proposed amendment.

The PRESIDING OFFICER. The Chair thinks that the amendment is open to the point of order, and sustains the point raised by the Senator from Missouri.

Mr. McPHERSON. I do not wish to appeal from the decision of the Chair; but may I ask the Chair if he will submit the question to the Senate?

The PRESIDING OFFICER. The Chair will be glad to submit the question to the Senate, on the request of the Senator from New Jersey, is the proposed amendment in order under the rules of the Senate?

The question was decided in the negative.

Mr. HALE. Now, I hope we shall pass the bill.

The PRESIDING OFFICER. Are there further amendments to be offered to the bill? [A pause.] The Chair will suggest that the words "car tickets" appear in one or two places in the bill where they have not yet been eliminated. The Chair understood the Senator from Missouri to suggest that they were to be stricken out wherever they occurred.

Mr. COCKRELL. Yes, sir. Their being left in the bill is an oversight. I move that they be stricken out wherever they occur.

The PRESIDING OFFICER. Where do they occur?

Mr. HALE. I have no objection to striking them out. I know of but one place, and that is in line 520.

The CHIEF CLERK. On page 9, line 195, after the word "postage," occur the words "car tickets."

Mr. HALE. I move to strike them out there.

The amendment was agreed to.

Mr. SEWELL. I should like to ask the Senator from Maine, as a matter of curiosity—

The PRESIDING OFFICER. The Chair will ask the Senator from New Jersey to suspend a moment until this order can be carried out: Will the Senator from Maine state the places where the words "car tickets" occur?

Mr. HALE. I know of no other place.



The CHIEF CLERK. On page 11, at the end of line 243, are the words "and car tickets."

The PRESIDING OFFICER. Those words will be stricken out, if there be no objection.

The CHIEF CLERK. On page 12, line 275, after the word "ferriages" occur the words "car tickets."

The PRESIDING OFFICER. Those words will be stricken out here, if there be no objection.

Mr. SEWELL. I desire information in relation to the monitors. I have been voting for four years continuously, if I am not mistaken, for the monitors, and still they come up every year for an appropriation.

Mr. HALE. Does not the Senator know that the reason is that we never could get it through the House? This is the same provision the Senator has been voting for, and I hope we shall be able to get it through the House now.

Mr. SEWELL. Has there not been an appropriation for monitors within the last two years?

Mr. HALE. There was \$1,000,000 given three years ago, all of which was expended except a portion for the Monadnock. This provision is the provision the Senate has put on two naval appropriation bills, but the House has always resisted it, and it has gone out. It is put on again now, the same provision the Senator has been voting for, and I hope that now we shall be able to get it through. It is right in the line that the Senator wants.

Mr. SEWELL. Can not the Senator from Maine tell us how long we shall have to vote for this in order to finish the monitors?

Mr. HALE. Just as often as the committee puts it on to the bill, I suppose.

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.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a concurrent resolution for the printing of 3,500 copies of the first and second volumes of Decisions Relating to Public Lands, prepared under the direction of the Department of the Interior.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department United States Army; and

Joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. MILLER, of California. I am instructed by the Committee on Foreign Relations to report an amendment intended to be proposed to the deficiency appropriation bill providing for the payment of the awards made in favor of French claimants by the French and American Claims Commission created by virtue of the provisions of the claims convention of January 15, 1880, amounting to the sum of \$625,566.35. It will be necessary perhaps under the rule that the amendment should be referred to the Committee on Appropriations, so that the committee may have it before them for consideration. I move that it be referred, with the accompanying papers, to the Committee on Appropriations. It need not be printed.

The motion was agreed to.

Mr. MILLER, of California. I am also directed by the Committee on Foreign Relations to report an amendment intended to be proposed to the sundry civil appropriation bill proposing to appropriate \$2,000 to enable the President of the United States to send the Chief of the Bureau of Statistics of the Treasury Department as a delegate to represent the Government of the United States at the jubilee to be held by the Statistical Society in London in June, 1885. I move that the amendment be referred with the accompanying papers, without printing, to the Committee on Appropriations.

The motion was agreed to.

Mr. BOWEN, from the Committee on Mines and Mining, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HARRIS. I am directed by the Committee on Epidemic Diseases to report an amendment intended to be proposed to the deficiency appropriation bill. I understand from the chairman of the Committee on Appropriations that there is ample time for the printing. I therefore move that the amendment be printed and referred to the Committee on Appropriations.

The motion was agreed to.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, re-

ported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. BAYARD, Mr. BLAIR, Mr. BUTLER, Mr. GORMAN, and Mr. PENDLETON submitted amendments intended to be proposed by them respectively to the general deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### SENATE MANUAL.

Mr. FRYE. The last edition of the Manual is exhausted, and Senators are desirous of more. I offer a resolution for reference to the Committee on Printing:

*Resolved*, That there be printed and bound for the use of the Senate, under the direction of the Committee on Rules, 1,000 additional copies of the revised Senate Manual.

The resolution was referred to the Committee on Printing.

#### SAC AND FOX AND IOWA INDIAN LANDS.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The Chair lays before the Senate the unfinished business of yesterday, being the bill (H. R. 4976) for the retirement and recoinage of the trade-dollar.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

Mr. VAN WYCK. I ask the Senator to yield a moment for the passage of a bill which it is important to be passed, reported favorably by the Indian Committee with an amendment, that it may go to the House.

Mr. HOAR. I withdraw the motion for that purpose only.

Mr. VAN WYCK. I ask unanimous consent for the consideration of the bill, Calendar No. 1271, reported by the Committee on Indian Affairs.

The PRESIDING OFFICER. The title of the bill will be reported for information.

The CHIEF CLERK. "A bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation, in the States of Nebraska and Kansas, and for other purposes."

Mr. HOAR. The understanding is that if it leads to debate it shall be set aside.

The PRESIDING OFFICER. The unfinished business will be informally laid aside, if there be no objection.

Mr. MORRILL. If this bill gives rise to no debate the unfinished business may be laid aside informally.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation, in the States of Nebraska and Kansas, and for other purposes.

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That with the consent of a majority of the chiefs, headmen, and male adults of the Sac and Fox (of the Missouri) tribe of Indians and the Iowa tribe of Indians, expressed in open council by each tribe, the Secretary of the Interior be, and he hereby is, authorized to cause to be surveyed, if necessary, and sold the remainder of the reservations of the Sac and Fox and Iowa Indians, lying in the States of Nebraska and Kansas. The said lands shall be appraised, in tracts of forty acres each, by three competent commissioners, one of whom shall be selected by the Sac and Fox and Iowa tribes of Indians and the other two shall be appointed by the Secretary of the Interior.

SEC. 2. That after the survey and appraisal of said lands the Secretary of the Interior shall be, and hereby is, authorized to offer the same, through the United States public land office at Beatrice or Lincoln, Nebr., at public sale, to the highest bidder. In cases where improvements have been made by any Indian or for the United States upon such lands, such improvements shall be separately appraised: *Provided*, That no portion of such land shall be sold at less than the appraised value thereof, and in no case for less than \$8 per acre, and to none except such as purchase the same for actual occupation and settlement, and who have made and subscribed on oath, before the register of said land office, and filed the same with said officer of the land office at Beatrice or Lincoln, Nebr., that it is his good-faith intention to settle upon and occupy the land which he seeks to purchase, and improve the same for a home; and, except in case of the death of the purchaser, unless said party shall have executed his declared intention by making improvements and being in actual occupation of said land, by actual residence thereon, at the time for making the second payment, he shall forfeit the payment already made, and the land shall be subject to resale as hereinafter provided. Each purchaser of said lands at such sale shall be entitled to purchase one hundred and sixty acres of land, and no more, except in cases where a tract contains a fractional excess over one hundred and sixty acres. If the excess is less than forty acres, is contiguous, and results from inability in the survey to make township and section lines conform to the boundary lines of the reservation, and no other objection exists, the purchase of such excess shall be allowed. Such purchaser shall pay one-fourth of the purchase-price at the time said land is bid off, one-fourth in one year, one-fourth in two years, and one-fourth in three years, with interest on the deferred payments at the rate of 6 per cent. per annum; and where there are improvements upon the lands purchased which shall have been separately appraised, the purchaser shall pay the appraised value of such improvements at the time of purchase, in addition to the amounts hereinbefore required to be paid. No patents shall issue until all payments shall have been made; and on the failure of any purchaser to make payment as required by this act he shall forfeit the lands purchased, and the same shall be subject to entry and sale, at the appraised value thereof, or shall be again offered at public sale, as the Secretary of the Interior may determine.

SEC. 3. That if any member of said Sac and Fox or Iowa tribe of Indians residing at the date of the passage of this act upon any of the lands authorized to be sold by the second section of this act, and who has improvements thereon, shall elect to remain on the lands occupied by him, such lands shall be withheld from sale as provided for herein; and the Secretary of the Interior shall cause a certificate to issue to the person so electing as follows: If he be the head of a family, to one hundred and sixty acres of land, and if a single man, to eighty acres of land, the land so selected to include his improvements, and to be accepted in full satisfaction of his interest in and to the said reservation, and of the



moneys or fund realized from the sale thereof. The certificate provided for herein shall be of the legal effect and declare that the United States does and will hold the land thus certified, for the period of twenty-five years, in trust for the sole use and benefit of the allottee, or in case of his decease, of his heirs according to the laws of the State in which said land is situated, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs, as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands thus allotted, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void; and such lands during such time shall not be subject to taxation, alienation, or forced sale under execution or otherwise.

SEC. 4. That the proceeds of the sale of any improvements belonging to individual Indians shall be paid to the Indians to whom such improvements belonged. The proceeds of the sale of any improvements belonging to the United States shall be deposited in the Treasury of the United States; and the proceeds of the sale of said lands, first deducting therefrom the cost of the survey, appraisement, and sale, and the expense of removing the Indians as hereinafter provided, shall be placed to the credit of the said Sac and Fox and Iowa Indians, according to the interest of said tribes in said reservations, in the Treasury of the United States, and shall bear interest at the rate of 4 per cent. per annum, which income shall be annually expended for the benefit of said Indians, under the direction of the Secretary of the Interior.

SEC. 5. That the Secretary of the Interior may, with the consent of the Indians expressed in open council, as aforesaid, secure other reservation lands upon which to locate said Indians, cause their removal thereto, and expend such sum as may be necessary for their comfort and advancement in civilization.

SEC. 6. That the President of the United States be, and he is hereby, authorized to cause patents to be issued to the Sac and Fox (of the Missouri) tribe of Indians and the said Iowa tribe for the reservations that may be selected for them under the provisions of the preceding section.

SEC. 7. That the patent authorized by the preceding section to be issued to said Sac and Fox and Iowa tribes of Indians shall be of the legal effect and declare that the United States does and will hold the land therein described in trust for the sole use and benefit of said Sac and Fox and Iowa tribe of Indians, respectively.

SEC. 8. That whenever the Indians who may be properly residing upon the said reservations referred to in the last preceding sections shall desire allotments of lands in severalty, the Secretary of the Interior shall cause allotments to be made to such Indians in quantity, as follows:

To each head of a family, one hundred and sixty acres.

To each single person over the age of 21 years, eighty acres.

SEC. 9. That upon the approval of the allotments provided for in the preceding section by the Secretary of the Interior, the President shall cause certificates to issue therefor in the name of the allottees, which certificates shall be of the legal effect and declare that the United States does and will hold the fee of the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or in case of his decease, of his heirs, and that at the expiration of said period the United States will convey the same by patent to the said Indian, or his heirs, in fee, discharged of said trust and free of all charge or incumbrance whatsoever; and if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void.

SEC. 10. That the Secretary of the Interior may, with the consent of the Indians expressed in open council, as provided in section 1, cause the removal of that portion of the Sac and Fox and Iowa tribes residing upon said Sac and Fox and Iowa reservations, in Nebraska and Kansas, to the reservation or reservations that may be secured for them, and expend such sums as may be rendered necessary by such removal, and for the comfort and advancement in civilization of said Indians; and the sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such expenses and for the expenses of the survey, appraisement, and sale of said Sac and Fox and Iowa lands; and the amount so expended shall be reimbursed to the United States out of the first proceeds of the sale of said lands by said tribes, respectively.

Mr. MANDERSON. Mr. President—

Mr. DAWES. I move to amend the amendment in the tenth section by striking out "thirty" and inserting "ten;" so as to read:

And the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of such expenses and for the expenses of the survey, appraisement, and sale of said Sac and Fox and Iowa lands; and the amount so expended shall be reimbursed to the United States out of the first proceeds of the sales of said lands by said tribes, respectively.

Mr. MANDERSON. That was the amendment I was about to move. The amendment to the amendment was agreed to.

Mr. CONGER. I understand the amount allotted to each of the Indians to be one hundred and sixty acres for the head of a family and eighty acres to one not the head of a family. I wish to ask, does this make any provision for lands to minors?

Mr. DAWES. The heads of families select for their minor children, and where the minors have no heads of families to select for them the Secretary of the Interior, through the agent, selects for them.

Mr. CONGER. The clause allotting one hundred and sixty acres to the head of a family and eighty acres to a minor I wish to have read again.

The Chief Clerk read as follows:

SEC. 8. That whenever the Indians who may be properly residing upon the said reservations referred to in the last preceding sections shall desire allotments of lands in severalty, the Secretary of the Interior shall cause allotments to be made to such Indians in quantity as follows:

To each head of a family, one hundred and sixty acres.

To each single person over the age of 21 years, eighty acres.

Mr. CONGER. I do not hear in that any provision for any minor.

Mr. DAWES. I think there is none. This amendment is a copy of a bill which passed the Senate at the last session and went down to the House in reference to the Iowa Indians. The Iowa Indians and the Sacs and Foxes are occupying two small reservations together, of about 8,000 acres each, one in Nebraska and one in Kansas. That bill having passed the Senate, and a bill for the Sacs and Foxes having passed the House, it is deemed wise by the Committee on Indian Affairs of the Senate to put the two together into one so that these two reser-

vations, which are in fact one reservation of Indians living together, might be sold in the same manner and at the same time.

The bulk of the Indians included are located down in the Indian Territory but do not have any title to their land in the Indian Territory. They are all desirous of disposing of this land in Kansas and Nebraska. There is a residue remaining there. They are to have as part of the consideration title to the land they have chosen for themselves in the Indian Territory. That there is no provision for minor children, I suppose there is no doubt, though my attention has not been specifically called to it. There is no doubt of the fact that the few who remain there propose to go down and join their brethren in the Indian Territory; but lest there may be some families already located there who prefer to stay where they are this provision was put in the bill. It is not supposed that it will have any practical effect, because it is believed that these Indians of their own choice will all join their brethren.

Mr. CONGER. These very Indians were taken to the Indian Territory by force and under military authority; in the interest of civilization and philanthropy these Indians were driven from their land. I suppose if you are going to take away all their land and sell it either for their benefit or for that of some one else, there should be a provision that every living Indian on that land, old or young, should have some little piece of land out of the amount here provided for. I inquire of the chairman of the Committee on Indian Affairs whether it is not proposed to require that provision in every such bill? I find here a bill taking away the remnant of land left to this remnant of a tribe with provision for the head of a family and for certain Indians not heads of families that are of age. I know how much these lands are desired. I do not know whether this is part of the reservation along Locust Valley or some other part of the State of Nebraska, but I know how delightful those lands are and how desirable they are to people of my own race, and I shall propose to allow forty acres for each minor of these tribes. I move that there be an amendment coming in after "eighty acres," in line 8 of section 8, for persons not heads of families over 21 years of age:

And forty acres for the minors of each family on the reservation.

That would be in accordance with our uniform and universal rule.

The PRESIDING OFFICER. The Senator from Michigan will please send his amendment to the desk.

Mr. CONGER. I have not the bill before me.

Mr. DAWES. While the Senator is preparing his amendment, I will say that if the Senator can frame an amendment that will give to any Indian any greater safeguards than those now in the bill, it will meet my hearty support.

The Senator is confusing this case with some other. The Iowa Indians and the Sacs and Foxes of their own accord years ago preferred to leave, the main body of them, Kansas and Nebraska and go down into the Indian Territory. With the help of the Indian Department they have selected their own reservation down there. Each one of them is located on land represented to the Committee on Indian Affairs as of excellent quality; and they are, especially the Sacs and Foxes who have been there the longest, doing exceedingly well. Their land with the few Indians remaining on it in Kansas and Nebraska has become of great value, but is of no use to them because they do not cultivate it themselves but live down in the Indian Territory.

If they can have the fund that that land will create if properly sold they will have the means of subsistence and of education and of civilization that will make them independent. They are few in number; but this is an estate of great value to them. It is provided in reference to this sale, first, that it shall not take place until the consent in open council of the Indians, both the Sacs and Foxes and the Iowas, is obtained. They are an intelligent people; they know what they are about. To-day they are leasing their lands in the Indian Territory on such terms as that the Interior Department stands aside and lets them transact their business themselves. So they know what they are about. The land is to be appraised, but shall not be appraised at a sum less than \$8 an acre. It may be appraised at as much over \$8 an acre as three disinterested appraisers shall determine. Then it is to be put up at auction above the appraisal. That land will bring, it is supposed, from ten to fifteen dollars an acre, creating a great fund for the use of these people.

The evidence before the committee was that it was not likely a solitary Indian would choose to remain there; but it may turn out that there are Indians who would prefer to remain. The committee have provided therefore that every head of a family that shall prefer to remain there shall first have a title deed to one hundred and sixty acres of land, and every single man over 21 years of age shall have a title deed to just half that, or eighty acres. If my friend from Michigan thinks that there is a minor who will want to stay there while his parents go off into the Indian Territory, or any minor who has not got any parent living that wants to stay there, I hope he will provide for them.

Mr. CONGER. That is what I am proposing to do.

Mr. DAWES. The Senator shall have my support in such an amendment if he will omit to intimate that this land is about to be stolen from these Indians by the help of the Indian Committee and the Senators from Nebraska. If he will omit that, I will help him in his amendment.



Mr. CONGER. I find the plain fact that there is an omission here which has been put in every other bill contested and put in against all opposition. Now, I modify my amendment, and after the words "eighty acres," in line 8, at the end of section 8, I move to amend by inserting:

To each minor, forty acres.

Mr. VAN WYCK. No objection.

The PRESIDING OFFICER. The proposed amendment to the amendment will be read.

The CHIEF CLERK. After line 8, at the end of section 8, it is proposed to insert:

To each minor, forty acres.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment of the Committee on Indian Affairs as amended.

The amendment as amended was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. DAWES. I move that a committee of conference on the disagreeing votes of the two Houses be asked on the amendment to this bill.

The PRESIDING OFFICER. The Chair would suggest that the title of the bill requires amendment.

Mr. DAWES. There is an amendment to the title reported by the committee.

The title was amended so as to read: "An act to provide for the sale of the Sac and Fox and Iowa Indian reservations, in the States of Nebraska and Kansas, and for other purposes."

The PRESIDING OFFICER. The Senator from Massachusetts moves that the Senate request a conference with the House of Representatives on the disagreeing vote of the two Houses on this bill.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. DAWES, Mr. HARRISON, and Mr. COKE were appointed.

JOHN W. LANGSTER.

Mr. BLAIR. I have a written representation which should accompany a paper touching the case of one John W. Langster, who is under sentence of death in the jail of this District. A petition on the subject was presented by me a few days since, and it was referred to the Committee on the Judiciary. He appears to have been tried and sentenced as though he were a sane man. There is an application pending for pardon. The witnesses who, from this statement, could demonstrate the man's insanity live some 1,200 or 1,500 miles distant. The parties are very poor, including those who are interesting themselves in behalf of this man. There seems to be no provision of law by which evidence in such a case can be obtained to be used before the pardoning power.

I have here a demonstration that this man was sent from the United States service to St. Elizabeth's Insane Asylum in this District only a year ago. He was discharged as temporarily cured. He soon got into some difficulty and through that difficulty committed a homicide, was tried, and convicted as a sane man. I must say that I believe from this evidence that he was insane, and that if the evidence could be procured his pardon would follow as a matter of course.

I do not know just what the Committee on the Judiciary can do in regard to this matter. Perhaps an examination of the evidence would satisfy the committee that they might address a formal communication to the Executive upon the subject, and there may be a respite or at least a proper investigation. It may be that the matter should properly go to the Committee on the District of Columbia. I ask the presiding officer now in the chair, who is chairman of the Committee on the District of Columbia, and also, I believe, a member of the Judiciary Committee, if, in behalf of humanity, he will not give a little attention to this matter?

The PRESIDING OFFICER. The paper will be referred to the Committee on the Judiciary, if there be no objection.

DISTRICT TAX SALES.

Mr. ALDRICH. I now ask unanimous consent to call up House bill 8236, Order of Business 1345, the consideration of which was partially concluded yesterday.

Mr. MORRILL. I will not object, provided the trade-dollar bill is laid by informally subject to call.

The PRESIDING OFFICER. That order will be made. Unanimous consent implies that the pending order is laid aside informally.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8236) relating to sales for taxes in the District of Columbia.

Mr. HOAR. I move to amend the bill in certain respects. In line 10 I move to insert after the word "deed" the words "and the affidavit hereinafter required."

The PRESIDING OFFICER. If there be no objection the amendment will be regarded as agreed to.

Mr. HOAR. Then I move to add to the bill:

The collector of taxes or other officer charged with the duty of selling any real estate in the District of Columbia for taxes shall, in addition to the other proceedings required by law, within ten days after such sale, give personal notice to all persons within the District of Columbia known to him or who can be ascertained by him by inquiry, having interest in the estate sold, whether as owner, mortgagee, or otherwise, of the fact of such sale and the assessment of such tax, and shall deposit in the post-office, postage prepaid, a like notice addressed to all such persons not within the District of Columbia at the place of their residence, so far as the same can be ascertained by him on inquiry; and he shall make affidavit that such notice has been given, which affidavit shall contain a copy of the same and of the names of the persons notified or of the fact that no such persons could be ascertained on inquiry, and shall be recorded with the deed conveying such estate.

These two amendments together, instead of making the deed conclusive evidence of the title after the expiration of the time limited, require with the deed an affidavit of the collector that he has inquired for the owners and has given them notice, if he can find them, and with a copy of the notice. This does not put upon the purchaser the necessity of proof that that has been done, but it makes the affidavit the conclusive proof. I have shown the provision to several members of the committee, and I think they all agree to it.

Mr. JACKSON. I desire to call the attention of the Senator to an amendment which I propose to come in at the end of line 22.

Mr. HOAR. Suppose this be added first, and then the Senator can state his amendment.

Mr. JACKSON. I think if it is read the Senator will see that it ought to come in at this point.

Mr. ALDRICH. Both these amendments have been submitted to members of the committee and are satisfactory to the committee.

Mr. JACKSON. It is only a question of the order in which they come.

Mr. HOAR. Let the amendment be read for information.

The PRESIDING OFFICER. The amendments reported by the Committee on the District of Columbia will be regarded as agreed to, if there be no objection. They were read yesterday. The question now is on the amendment offered by the Senator from Massachusetts [Mr. HOAR], to which the Senator from Tennessee [Mr. JACKSON] desires to offer an amendment, as the Chair understands. It will be read for information.

Mr. JACKSON. My amendment is not to the amendment of the Senator from Massachusetts; but it is an amendment which ought to precede his.

The PRESIDING OFFICER. It will be read for information.

The CHIEF CLERK. At the end of line 22, after the word "purchaser," it is proposed to insert:

*Provided, however,* That this conclusive evidence and title shall not prevail against the former owner who can show that the taxes for which the property was sold were duly paid before such sale.

Mr. HOAR. I think that should come in after my amendment.

Mr. JACKSON. Very well.

Mr. PLATT. I want to inquire whether the amendment which was proposed by the senior Senator from Tennessee [Mr. HARRIS] last night has been adopted.

Mr. HARRIS. It has not been formally offered, but will be offered as soon as the amendments of the Senator from Massachusetts and my colleague have been disposed of.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts [Mr. HOAR].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Tennessee [Mr. JACKSON].

The amendment was agreed to.

Mr. HOAR. I have one more amendment. In line 18, after the word "within," I move to strike out "one year" and insert "two years."

I hope that will be done by unanimous consent.

Mr. HARRIS. I have no objection to that.

Mr. HOAR. Making the time within which the suit shall be brought two years instead of one year.

The PRESIDING OFFICER. In line 18 it is proposed to strike out "one year" and insert "two years." The question is on that amendment.

The amendment was agreed to.

Mr. HARRIS. I move to add to the bill the following additional proviso:

*Provided further,* That persons under legal disability shall not be precluded from bringing suit within two years from the removal of such disability.

The amendment was agreed to.

Mr. CONGER. The amendment offered by the Senator from Tennessee [Mr. JACKSON] mentions "taxes." The bill mentions "taxes and assessments."

Mr. ALDRICH. I think the word "assessments" should be put in.

Mr. CONGER. The word "assessments" should be put in after "taxes." Let it read "taxes or assessments."

The PRESIDING OFFICER. The proviso will be read as proposed to be modified.

The Chief Clerk read as follows:

*Provided, however,* That this conclusive evidence and title shall not prevail against the former owner who can show that the taxes or assessments for which the property was sold were duly paid before such sale.

The PRESIDING OFFICER. The modification will be made, if there be no objection.

Mr. CALL. I move to add to the bill the following additional proviso:

*Provided further,* That when the commissioners are satisfied that any lot is the actual homestead of the owner, and that it comprises the principal portion of his estate, they may authorize the collector to accept a sum in full not less than one-half of the assessed value of the lot.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. CALL].

Mr. CALL. The amendment was prepared by one of the commissioners of the District, and after consultation with him some of the citizens of the District came to me and stated that their cases were cases of very peculiar hardship; that the assessments formerly made for the improvement of the city had been very excessive, and sometimes the assessments had been made not in the interest of the improvement of the property but for the advantage of the public buildings.

Mr. HOAR. May I inquire of the Senator whether he means by his amendment that the collector is to accept what is proposed, from the purchaser at the sale, or that he is to accept from the tax-payer?

Mr. CALL. From the tax-payer.

Mr. HOAR. I think if the Senator will look at it he will see that it is a provision in regard to the proceedings at the sale.

Mr. CALL. It was intended that the tax-payer should have this relief.

Mr. HOAR. It would be interpreted to mean to accept as purchase-money of the estate, the Senator will see if he will look at it.

Mr. CALL. It was drawn by one of the commissioners, and I did not read it closely.

Mr. HOAR. If it had been drawn by the Senator it would have been much better.

Mr. CALL. I know what he intended by it. I will correct it in that respect.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be read as modified.

The CHIEF CLERK. It is proposed to add to the bill the following additional proviso:

*Provided further,* That when the commissioners are satisfied that any lot is the actual homestead of the owner and that it comprises the principal portion of his estate, they may accept a sum in full payment of the same not less than one-half of the assessed value of the lot.

The amendment was agreed to.

Mr. McPHERSON. I move that the further consideration of the bill be postponed until to-morrow, and that the amendments which have been agreed to by the Senate be printed with the body of the bill, in order that the Senate may thoroughly understand what it is voting upon. As I understand from the reading of the bill, with all the amendments which have been agreed to by the Senate, it is a bill which proposes in effect and under certain conditions to extinguish all other title save the tax title. The tax title is supposed to supersede all others. There is no State Legislature in any State in the Union which would impose such a measure upon the municipal government of a city in the State. It is the most arbitrary, unjust, and tyrannical measure that I have ever heard or read of in my life. It is a bill that the Senate should not pass as it stands to-day. No mortgage would, under this bill, be safe for a moment. Any man in the District of Columbia desiring to improve property and to borrow money for the purpose of improvement could not obtain it at any rate of interest that he would be willing to pay. It stops all improvements.

I say that for the Senate to hasten through a bill of that character in the last hours of the session, and amended as it has been, without the knowledge of any Senator here that the amendments touch in any shape or form or cover the defects of the bill, is entirely wrong. I think in justice to the people of this District who are interested and deeply interested in this legislation the bill should be printed with all the amendments, so that every Senator may know exactly what he is voting for.

Mr. HARRIS. In reply to the Senator from New Jersey I desire simply to say that I know of the laws of no State in the Union upon the subject of tax sales better guarded or more liberal in their provisions than the bill now pending as amended by the Senate; and at this late hour of the session, why we should postpone the bill from day to day, in order that the Senator from New Jersey may see in print the amendments adopted, I do not quite feel justified in doing or see the propriety of doing. I hope the Senator's motion to postpone the further consideration of the bill until to-morrow will not be agreed to.

Mr. CONGER. Within the last few days notice has been served upon one or two church societies, religious organizations, in this city that old assessments unpaid, supposed to have been disposed of long ago, under a revision or a review of the laws by the commissioners or by the authorities of the board, are found to apply to church property through some little defect or difference of time between the passage of one law and the passage of another, and they have received a notice that unless these old assessments, three, four, five, or six years old, some of them, are paid within so many days, the property will be sold. There has been no question about the intention of Congress in the laws which were passed to exempt church property actually held for religious purposes or for school purposes from certain taxes and certain assessments.

Mr. HARRIS. Do I understand the Senator to assert that church

property held for purposes of public worship is threatened with sale for taxes in the District of Columbia?

Mr. CONGER. I do make that assertion, sir.

Mr. HARRIS. I am very much surprised that it is made, for my distinct impression is that within the last few years every church lot in the District of Columbia held and used for purposes of public worship has not only been exempted from all taxes, but that all taxes accruing previously have been remitted by acts of Congress.

Mr. CONGER. So I supposed.

Mr. HARRIS. I do not think there is such a case in the District.

Mr. CONGER. So I supposed; but I have had occasion to look into the matter in behalf of one of these societies, and I find that the laws on this subject were changed a little one year and changed a little another, and that there were intervals there where assessments did apply, notwithstanding the intention of the law to exempt them. I have spent some little time voluntarily with the officers of one society in laying their matter before the commissioners and getting a part of the property released.

There is another thing. One of these organizations has its Sunday-school room and chapel all in the same building. The District of Columbia authorities desired to occupy on week days the room that the church organization occupied evenings and Sundays for its purposes, and they rented that room of the organization for a primary school of the District, and have had it for years and paid rent. Now they come in and say because that building was rented and the church organization received a little rent, although it was occupied for church purposes whenever they wanted it, they must pay taxes and pay assessments upon that portion—one story—of the church building. I know several cases of that kind. I say this measure would compel and sanction the sale of that property under the notice that it will be sold unless these things are paid within a certain time.

Old taxes, old assessments came up in this kind of shape contrary to the spirit of the legislation for this District and supposed to be contrary to the law at the particular time when the assessments were incurred, endangering that kind of property all the while with disputed questions, and no remedy if it should pass along or the church be unable to pay its taxes. I think this is a most dangerous measure. The Senator from Tennessee says that it is more lenient than the law of any State. I do not know how it may be in all States, but a return of property for the non-payment of taxes in almost every State is made to the State authority; it is made to the treasury; it is advertised by the auditor-general; it is returned again; a year of public notice and personal notice is made to the owner or occupier of the land so taxed; and then by advertisement it is sold at open sale in the county.

Mr. HARRIS. The bill as it is now amended gives two years' public notice before the tax-deed is made.

Mr. CONGER. But that is before it becomes absolute.

Mr. HARRIS. Before the tax-deed is made.

Mr. CONGER. For the woman or child, it is true there is a restriction; but who in this city can follow along through all the intricacies of old assessments in the city, coming up year after year, and being enforced against property now in the hands of new purchasers?

I agree with the Senator from New Jersey that the title to all property in this District would be under a cloud continually from the time of the passage of such a bill as this is, as I believe it to be; and I agree with the Senator in desiring that the bill shall at least be reprinted with the amendments, so that we may see what it is.

Mr. McPHERSON. Mr. President—

Mr. HOAR. Will the Senator from New Jersey yield to me to make a motion to proceed to the consideration of executive business?

Mr. McPHERSON. Yes, sir.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

Mr. McPHERSON. Will the Senator withdraw the motion for a moment that we may have the bill printed with the amendments?

Mr. HOAR. I withdraw the motion for that purpose.

The PRESIDING OFFICER. The order to print the bill as amended will be made if there be no objection. The Chair hears none.

#### EXECUTIVE SESSION.

Mr. HOAR. 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 one hour and twenty-five minutes spent in executive session the doors were reopened.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate in compliance with its request the following joint resolutions:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The message also announced that the House had concurred in the



report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. W. S. HOLMAN of Indiana, Mr. JOHN HANCOCK of Texas, and Mr. JOSEPH G. CANNON of Illinois managers at the conference on its part.

The message also announced that the House had passed a bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes; in which it requested the concurrence of the Senate.

#### HOUSE BILLS REFERRED.

The bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### ORDER OF BUSINESS.

Mr. CAMERON, of Wisconsin. I move that the Senate proceed to the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States.

Mr. MORRILL. I call for the regular order.

Mr. DAWES. I ask for the consideration of a conference report.

Mr. MORRILL. Let the regular order be laid before the Senate before anything else is done.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The Senator from Wisconsin moves that the Senate proceed to the consideration of the bill indicated by him, pending which the Senator from Vermont calls for the regular order. The regular order will be announced.

The CHIEF CLERK. "A bill (H. R. 4976) for the retirement and recoinage of the trade-dollar."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin to proceed to the consideration of House bill 5849.

Mr. MORRILL. The bill suggested by the Senator from Wisconsin would undoubtedly take the whole afternoon, and I do not expect that the trade-dollar bill will occupy more than a few minutes. I wish to say that, after the demonstrations made elsewhere, there is not probably any chance of the latter part of the amendment, the section proposed to be stricken out by the Senator from Kansas, becoming a law.

The PRESIDENT *pro tempore*. It is the duty of the Chair to say that debate on the motion of the Senator from Wisconsin is not in order.

Mr. MORRILL. I am not debating that; I am debating the regular order.

The PRESIDENT *pro tempore*. The motion of the Senator from Wisconsin is the only pending motion. If there be no objection the Senator from Vermont will proceed. The Chair hears no objection.

Mr. MORRILL. I merely desire to say further that I think there will be unanimous consent to take the vote upon striking out the fifth section of the amendment of the Committee on Finance at once, without further debate, and then the Senate can dispose of the trade-dollar bill as they choose. I trust that that course will be pursued.

Mr. DAWES. Is it not in order to call up a conference report at any time?

The PRESIDENT *pro tempore*. It will not be in order, the Chair thinks, until the Chair puts the question on the motion of the Senator from Wisconsin. The Senator from Wisconsin moves that the Senate proceed to the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States. The question is on agreeing to the motion.

The question being put, a division was called for; and the ayes were 29. Mr. MORRILL. I ask for the yeas and nays. The question is evidently whether the silver bill shall be superseded or not.

The yeas and nays were ordered.

Mr. MITCHELL. I rise to a question for parliamentary information. What will be the effect of the adoption of the motion to take up the bill proposed by the Senator from Wisconsin? Will it displace the trade-dollar bill?

The PRESIDENT *pro tempore*. The Chair thinks it will, under the rules.

Mr. MITCHELL. So I understand.

The PRESIDENT *pro tempore*. It will be in order to move to proceed to the consideration of the trade-dollar bill or any other bill afterward. The question is on agreeing to the motion of the Senator from Wisconsin, on which the yeas and nays have been ordered.

The Secretary called the roll.

Mr. MANDERSON. I am paired with the Senator from Florida [Mr. JONES]. If he were here, I should vote "nay."

The result was announced—yeas 34, nays 21; as follows:

#### YEAS—31.

Bowen,	Garland,	Jonas,	Vance,
Butler,	George,	Jones of Nevada,	Van Wyck,
Call,	Gibson,	Miller of Cal.,	Vest,
Camden,	Hampton,	Pendleton,	Voorhees,
Cameron of Wis.,	Harris,	Pugh,	Walker,
Cockrell,	Harrison,	Riddleberger,	Williams,
Coke,	Hill,	Sawyer,	Wilson.
Dolph,	Ingalls,	Sherman,	
Fair,	Jackson,	Slater,	

#### NAYS—21.

Aldrich,	Edmunds,	Miller of N. Y.,	Platt,
Bayard,	Groome,	Mitchell,	Saulsbury,
Blair,	Hawley,	Morgan,	Sewell.
Chace,	Hoar,	Morrill,	
Conger,	Lapham,	Palmer,	
Dawes,	McPherson,	Pike,	

#### ABSENT—21.

Allison,	Farley,	Lamar,	Plumb,
Beck,	Frye,	Logan,	Ransom,
Brown,	Gorman,	McMillan,	Sabin.
Cameron of Pa.,	Hale,	Mahone,	
Colquitt,	Jones of Florida,	Manderson,	
Cullom,	Kenna,	Maxey,	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States.

#### INDIANS ON UMATILLA RESERVATION.

Mr. DAWES. I now call up the conference report on the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to House amendment No. 5, and agree to the same.

H. L. DAWES,  
JAS. H. SLATER,  
ANGUS CAMERON,  
*Managers on the part of the Senate.*  
M. C. GEORGE,  
R. S. STEVENS,  
OLIN WELLBORN,  
*Managers on the part of the House.*

The report was concurred in.

#### MARY ALLEN.

Mr. PLUMB. I ask unanimous consent that the vote of the Senate taken on the 6th of the present month, by which the bill (H. R. 2100) granting a pension to Mary Allen was indefinitely postponed, may be reconsidered, and that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. Is there objection to a reconsideration of the vote indefinitely postponing the bill? The Chair hears none, and it is so ordered. The bill will be placed on the Calendar with the adverse report of the committee.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BUTLER, from the Committee on Naval Affairs, reported an amendment intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GROOME submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANDERSON submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SLATER. I desire to ask a change of reference of an amendment offered by me on the 19th of February from the Committee on Claims to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The Senator from Oregon asks unanimous consent to change the reference of an amendment intended to be proposed by him to the bill (H. R. 8255) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1885, and for prior years, and for other purposes, from the Committee on Claims to the Committee on Military Affairs. That order will be entered if there be no objection; and the amendment will be referred to the Committee on Military Affairs.

#### WASHINGTON MONUMENT DEDICATION.

Mr. MANDERSON. I ask unanimous consent to make a report at this time from the Committee on Printing.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent to make a report at this time from the Committee on Printing. Is there objection? The Chair hears none.

Mr. MANDERSON. I am directed by the Committee on Printing to report back a concurrent resolution of the House of Representatives authorizing the printing of extra copies of the report, &c., of the joint commission on the Washington Monument, adversely to the adoption of the concurrent resolution, and presenting a bill as a substitute for the concurrent resolution. I ask that the bill may be now considered.

The PRESIDENT *pro tempore*. The Chair understands that the Senator from Nebraska moves that the concurrent resolution be indefinitely postponed.

Mr. MANDERSON. Yes, sir.

Mr. SHERMAN. I submit to the Senator from Nebraska whether he had better not let the House resolution stand unacted upon, and pass the bill, so that if the House does not act upon the bill promptly we can dispose of the concurrent resolution?

Mr. MANDERSON. I will take that course, and ask that the concurrent resolution be laid on the table.

The PRESIDENT *pro tempore*. That course will be taken then. The Senator from Nebraska reports an original bill, the title of which will be read.

The bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, was read the first time by its title.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent that the bill be now considered. It will be read the second time at length for information.

The bill was read the second time at length, as follows:

*Be it enacted, &c.*, That the report and proceedings of the commission to provide suitable ceremonies for the dedication of the Washington Monument, together with the engraved card attached thereto, be printed under the direction of the Joint Committee on Printing, and that 25,500 additional copies be printed; 8,000 copies of the same for the use of the Senate, 16,000 copies for the use of the House of Representatives; 500 copies for distribution by Lieut. Gen. P. H. Sheridan, United States Army, to the civil and military organizations which participated in the procession; 500 copies for the Washington National Monument Association, for distribution among its members; 500 copies for distribution by Col. Thomas L. Casey, engineer, among the mechanics and workmen employed in the erection of the monument; 500 copies for Hon. Robert C. Winthrop; and 500 copies to Hon. John H. Daniel; and for the purpose of defraying the expense of printing the said attached card the sum of \$2,000, 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.

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

Mr. COCKRELL. I move to amend the bill by changing the name of "Hon. John H. Daniel" to "Hon. John W. Daniel."

The PRESIDENT *pro tempore*. That amendment will be made if there be no objection.

Mr. COCKRELL. I should like to ask the Senator reporting the bill what the report embraces. We have not seen it. Does it include the two addresses and all the proceedings?

Mr. MANDERSON. Both. It includes all the proceedings upon the 21st day of February.

Mr. SHERMAN. All will be printed.

Mr. HAWLEY. It occurs to me at the moment to make another inquiry of my colleague on the Committee on Printing, or for the consideration of the Senate, whether it would not be worth while to provide in the bill, now we are about it, that there shall be printed a brief statement of the exercises at the laying of the corner-stone, with the address of Mr. Winthrop delivered at that time, so that the whole may appear together? I make the suggestion.

Mr. SHERMAN. That would be a long document. That has already been published and it will be found in the Library. It is a large document, larger I think than the proposed document will be. It would only make a compilation not needed. I have no objection to the proposition, but it would probably double the size of the document to print the addresses and the Masonic ceremonies, which were very long, on the laying of the corner-stone. However, I shall not object to it if the Senator thinks it is worth while.

Mr. MANDERSON. I submit that the bill is broad enough to permit the joint commission to print that or any other matter it may desire. It is under the control of the commission and the Joint Committee on Printing.

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.

#### PENSION BILLS.

Mr. VAN WYCK. From the Committee on Pensions I gave notice this morning that early in the day we should ask for the consideration of a few Senate pension bills reported favorably—eight or ten of them. It is desired that they should be passed early in the day, and be sent over to the House so as to secure their passage there, that they may become laws. I ask unanimous consent for that purpose now. It will take but a few moments to dispose of these bills.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent that the Senate now proceed to consider in their order Senate pension bills favorably reported. Is there objection?

Mr. VOORHEES. I desire to say a single word. I perceive that there is great danger that a large mass of pension business now on the Calendar is liable to be neglected and not acted upon at this session. I refer to the business reported adversely by the Committee on Pensions, and yet with merit enough in somebody's mind to be placed on the Calendar. Anything on the Calendar of the Senate is worthy of consideration. With every impulse and desire to take up any pension business that is called for, I feel impelled to require the consideration of the Calendar. I agreed, and agreed cheerfully, day before yesterday to the consideration of pension business reported favorably, but it was with the understanding—for that was the understanding of the Senate—that some time or other before final adjournment the other pension business on the Calendar which has great merit should be considered; that it should not be ignored.

I see very plainly the danger of drifting out of the present session without considering the other pension business that is on the Calendar. I know cases that are reported adversely which are as full of merit and justice as any cases which have been passed under a favorable recommendation by the committee. Consequently I do not want to have that class of business lose its place and be ignored and overslaughed; and it shall not be done so far as I am concerned.

The discrimination which has been made repeatedly, and which is now made again by the Senator from Nebraska, by taking up favorably reported business from the Pension Committee alarms me for the fate of the Calendar cases that I speak of. The Senator from Nebraska knows very well, and so does the chairman of the Committee on Pensions, that there is a large number of cases adversely reported which were adversely reported *pro forma*, as a kind of precedent, where the adverse reports are without merit, and it was supposed the bills were to be passed, and the committee expects them to be passed. Consequently I intend when we approach the consideration of pension business again to insist that the Calendar shall be taken up and that those cases shall be considered.

I could enumerate cases; I could speak of individual instances of the old widows of high officers; but I do not feel that it is proper to do so now. It will be wrong if we ignore and leave untouched and unconsidered and unacted upon those cases because they are reported upon adversely. Some Senators here spring to the floor as if an adverse report from the Committee on Pensions was as the laws of the Medes and Persians, and as if there can be no change about it. I do not feel that way, and I have reason to know that the Senate has been and is wiser by far than the committee in many instances, and that the committee itself is not exacting for its adverse reports.

The PRESIDENT *pro tempore*. Objection is made.

Mr. VAN WYCK. No; I beg the pardon of the Chair. I do not understand the Senator from Indiana to object.

Mr. VOORHEES. No; I do not make an objection to the consideration of any pension business, but I ask that the other pension business on the Calendar shall be taken up likewise, and I am mistaken in the Senator from Nebraska if he does not believe with me that that ought to be done.

Mr. VAN WYCK. Yes; I agree with the Senator from Indiana. The only difficulty is that the bills to which the Senator refers are principally House bills, and are already on the Calendar, and only require the action of the Senate. The few bills here are cases which are entirely undisputed, and are Senate bills which the committee have really neglected, and therefore it is desired that they shall be passed now in order that they may go to the House.

Mr. VOORHEES. Very well; I want to know, because if it is intended that there shall be action in good faith on these adversely reported cases I shall not interpose this kind of an objection. I have not interposed an objection to the consideration of the bills that the Senator from Nebraska now speaks of except that I want to call attention to the rest of the pension business on the Calendar, and I wish to know from the committee whether they intend to have action on those cases, because there is very great danger of their being ignored, and that the session will go out on the tide of time without those cases being considered.

Mr. VAN WYCK. I will say that the committee are as anxious as the Senator from Indiana to have those cases considered and acted upon.

Mr. VOORHEES. When will you call them up?

Mr. VAN WYCK. At any time the Senator suggests.

Mr. VOORHEES. The Senator from Connecticut [Mr. PLATT] suggests to me to call them up right away.

Mr. MITCHELL. If I may be allowed to say a word, I trust the Senate will take up the class of bills to which the Senator from Indiana refers and dispose of them. I do not know that I can ask for that in the name of the committee, because the reports stand formally as adverse reports; but the Senate has overruled the committee in a great many cases similar to those now on the Calendar in which adverse reports have been made. I think it is due and proper that those bills should be considered; but the proposition now is simply that we shall take up



the Senate bills reported favorably so that they may go over to the House. I trust that may be done.

Mr. HARRIS. I shall interpose no objection to the consideration of pension bills favorably reported, but I desire to give notice that while there are more than a hundred House bills on our Calendar which are favorably reported I shall object to the taking up of a pension bill or any other bill adversely reported until those House bills have been considered.

Mr. BLAIR. I desire to say a few words, as this seems to be a sort of debate. A few days since we took up the pension business on a general understanding that we were to have the day for that business. We went through the cases to which there was no objection. That took up half the day. There was plenty of time remaining to have considered and to have disposed of all the cases of the character alluded to by the Senator from Indiana. Then, with the understanding that not more than ten minutes would be taken, two bills were by unanimous consent allowed to come before the Senate on the request of the Senator from Missouri [Mr. COCKRELL]. I was very much disposed to object, but the assurance was very strong that they would not lead to debate. One passed with little debate, but the other took several hours and consumed the rest of the day, and it is liable to consume considerably more time; so that we lost the half day which was by general consent given to the Committee on Pensions.

These contested cases, if I may so call them, are some twenty or more in number, but they involve only one or two principles which are in controversy in the Senate. I do not think that more than an hour or two could possibly be consumed in the consideration of all of them. Many of them are very pressing cases. Unless acted upon very great distress will result in many of them. In fact they are here for the purpose of relieving existing distress, and as touching and as deep as that in any of the cases which have passed without objection through the Senate.

I do not understand that a pension bill is necessarily to receive the unanimous approval of the committee in order to entitle it to be heard in the Senate any more than any other bill. Very few bills which are of importance come before the Senate with the unanimous approval of a committee. A pension bill upon which the Pensions Committee is divided ought not to stand any worse than any other form of proposed legislation. Many of these bills have been pending from quite early in the session; some came over from the last session.

I think that if any class of legislation should be considered by the Senate it is the contested-pension cases, and they can be disposed of very soon. I shall ask the Senate under these circumstances to consider those cases as soon as the bills, which have been alluded to by the Senator from Nebraska, are disposed of. I want them to come up as they may be moved. I shall make that motion myself in regard to some of them.

Mr. PLATT. May I ask the Senator from New Hampshire a question, so that I may understand just what he means?

Mr. BLAIR. I mean just this—

Mr. PLATT. Let me ask the question. There are on the Calendar a great number of cases which have been reported against unanimously by the committee. Some of them have been indefinitely postponed, and that vote reconsidered, and the bills placed on the Calendar; but there is a unanimous report of the committee against them. Then there is another class of cases where bills have been reported adversely and less than a majority of the committee have submitted the views of the minority, and they have been placed on the Calendar. Those cases are of the same character as cases which we have hitherto passed in the Senate. It seems to me that at least that class of cases ought to come first, before those which have been unanimously reported against by the committee.

Mr. BLAIR. That is certainly true; and it is to that class of cases I have reference. Those which are reported against unanimously by the committee will hardly be given any time. I suppose each case must come up on motion, with the understanding that others of a like class may be considered, the Senate voting perhaps with that understanding.

Mr. CAMERON, of Wisconsin. There seems to be such a strong desire that pension business may be considered this afternoon that I will consent that the bill in my charge, and which the Senate has just voted to take up and proceed to the consideration of, may be informally laid aside in order that pension business may be proceeded with. I do not want the bill to lose its place as the regular order.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Nebraska [Mr. VAN WYCK] that the Senate private pension bills favorably reported be now considered in their order? The Chair hears no objection. The first bill of that class will be read.

MARIA G. DUNBAR.

The bill (S. 993) for the relief of Maria G. Dunbar was considered as in Committee of the Whole.

The bill was reported to the Senate from the Committee on Pensions, with an amendment, in line 8 to strike out the word "filed" and insert the words "properly executed;" so as to make the bill read:

That the Commissioner of Pensions is hereby authorized and directed to allow the claim of Maria G. Dunbar, widow of Moses C. Dunbar, late of the Twenty-

seventh Regiment Massachusetts State Volunteers, for arrears of pension: *Provided*, That she shall establish to the satisfaction of the Commissioner that an application for said arrears was properly executed by said Moses C. Dunbar within the time fixed by law, and failed of being forwarded to the Pension Office through no fault of said Dunbar.

The amendment was agreed to.

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.

MARTHA HUGHES.

The bill (S. 2619) granting a pension to Martha Hughes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha Hughes, widow, whose husband was a member of Company E, Seventeenth Regiment Wisconsin Infantry.

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

THOMAS H. BOAZ.

The bill (S. 2620) granting a pension to Thomas H. Boaz was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas H. Boaz, late of Company H, Second Regiment Ohio Heavy Artillery.

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

CHARLOTTE C. B. HATCH.

The bill (S. 2546) granting a pension to Charlotte C. B. Hatch was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charlotte C. B. Hatch, dependent widow of Maj. E. A. C. Hatch, late of Hatch's Battalion Minnesota Volunteers.

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

ANNE T. DICKS.

The bill (S. 1811) granting a pension to Anne T. Dicks was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anne T. Dicks, widow of John W. Dicks, late an acting master in the United States Navy.

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

M. LOUISE BUTLER.

The bill (S. 2359) granting a pension to M. Louise Butler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" and at the end of the bill to add "for herself and her three children;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of M. Louise Butler, widow of George Butler, late a major of marines in the service of the United States, and pay her a pension at the rate of \$40 per month; said pension to be in lieu of any she may hereafter receive for herself and her three children.

The amendments were agreed to.

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

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

SALLY C. MULLIGAN.

The bill (S. 2448) for the relief of Sally C. Mulligan was considered as in Committee of the Whole. It proposes to pay to Sally C. Mulligan, mother of James S. Mulligan, late first lieutenant of Company I, Twenty-first Regiment New York Volunteers, \$1,771.97 due her by way of pension from the 4th of September, 1873, the time when her name was dropped from the pension-roll, to the 11th of May, 1882, the date of the act of Congress restoring her name to the roll.

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

CHARLES F. HILDRETH.

The bill (S. 2654) granting a pension to Charles F. Hildreth was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles F. Hildreth, late assistant surgeon of the Fortieth Regiment Massachusetts Volunteers.

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

MARY B. HOLMES.

The bill (S. 2607) granting a pension to Mary B. Holmes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary B. Holmes, widow of Henry W. Holmes, late a lieutenant of Company F, Seventy-second Regiment New York Volunteers, and to allow her the same pension drawn by her husband during his life.

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

ELLA W. THORNTON.

The bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy, and to pay her a pension at the rate of \$50 a month in lieu of the pension now paid her.

Mr. JACKSON. I should like to hear the report read in that case.  
Mr. BLAIR. I will state that this is not a contested case. The woman is paralyzed, and the proposed increase is put on the ground of her physical condition.

Mr. JACKSON. These reports were all made to-day. I should like to hear the report read and the grounds stated for increasing this pension to \$50 a month.

Mr. MITCHELL. I will say to the Senator from Tennessee that this is not the case of the Mrs. Thornburgh to which so many allusions have been made. It is another case entirely—the case of Mrs. Thornton.

Mr. BLAIR. She is the widow of the commander of the Kearsarge.  
Mr. JACKSON. Let us hear the report.

The PRESIDENT *pro tempore*. The report will be read.  
The Chief Clerk read the following report, submitted by Mr. BLAIR February 27:

The Committee on Pensions, to whom was referred the bill (S. 2662) granting increase of pension to Ellen W. Thornton, widow of Capt. James S. Thornton, have examined the same, and report recommending passage of the same upon the ground of her physical condition, which is such that an even larger pension would be given to a private soldier under the same circumstances, she being afflicted with paralysis. We print her memorial presented to the Forty-seventh Congress. Her condition is now worse.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Respectfully represents your petitioner that she is the widow of the late Capt. James S. Thornton, of the United States Navy, deceased; that she has long been an invalid; that she is unable to walk without assistance, and that her malady, which is in the nature of paralysis, is increasing; that on account of her extreme ill-health she has resided at St. Michaels, Azores, for the past five years; that she is now in the receipt of a pension of \$30 a month on account of her said husband, and that he left a very small property, the income of which, together with her said pension, is insufficient for her support, even with the strictest economy, in her present helpless condition.

Wherefore she prays that her said pension may be increased from \$30 to \$50 a month.

ELLEN W. THORNTON.

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

AMELIA J. GILL.

The bill (S. 2661) granting a pension to Miss — Gill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Gill," to insert "Amelia J.," so as to make the bill read:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Miss Amelia J. Gill, and pay her a pension at the rate of \$20 a month from the passage of this act, on account of her services as a nurse during the war of the rebellion and her disability contracted therein while rendering such service.

The amendment was agreed to.

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.

The title was amended to read:

A bill granting a pension to Miss Amelia J. Gill.

ANN ATKINSON.

The bill (S. 2665) granting increase of pension to Ann Atkinson was considered as in Committee of the Whole. It proposes to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann Atkinson, formerly widow of Hopeful Toler, at the rate of \$16 per month in lieu of her present pension of \$8 per month.

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

ORDER OF BUSINESS.

Mr. MITCHELL. I now move to take up the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint, a bill which I reported this morning from the Committee on Pensions, with instructions to ask for its immediate passage. It has passed the House. It simply applies the same rule to soldiers who have had their arms amputated at the shoulder-joint as—

The PRESIDENT *pro tempore*. It is the duty of the Chair to state to the Senator from Pennsylvania that debate on a motion to proceed to the consideration of a bill is not in order. The Senate resumes the consideration of the bill (H. R. 5849) limiting the time for the presentation and payment of claims against the United States, the pending question being on agreeing to the amendment proposed by the Senator from Indiana [Mr. HARRISON], pending which the Senator from Pennsylvania [Mr. MITCHELL] moves that the Senate proceed to the consideration of the bill (H. R. 5509) for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint. The Chair understands

that this bill was reported to-day. It requires unanimous consent that the bill be now considered. Is there objection?

Mr. JACKSON and others. I object.

The PRESIDENT *pro tempore*. Objection is made. The pending question is on the amendment of the Senator from Indiana to House bill 5849, which will be read.

The CHIEF CLERK. In line 7, after the word "three," it is proposed to insert "six;" so as to read:

Within six years after the passage of this act.

Mr. BLAIR. I do not quite understand the telescopic performance here.

The PRESIDENT *pro tempore*. All the Senate pension bills favorably reported have been gone through with. The Chair will state the condition of business. The Senate then resumed the consideration of the bill it had under consideration when it was informally laid aside. Notice was given that those being concluded it would be moved to go on with the pension bills that had not been favorably reported. But it was the duty of the Chair to lay before the Senate the business which had been laid aside informally.

Mr. MORRILL. In accordance with that notice I now move to take up the House bill—

The PRESIDENT *pro tempore*. The Senator from New Hampshire has the floor.

Mr. BLAIR. I yield to the Senator from Vermont.

Mr. CAMERON, of Wisconsin. Will the Senator from Vermont bear with me one moment? I will consent that the regular order be informally laid aside for the purpose of considering pension bills, whether favorably reported or not.

Mr. BLAIR. I understand that to be the original consent.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that the pending order be informally laid aside for the purpose of considering pension bills. Is there objection?

Mr. JACKSON. I object to that.

The PRESIDENT *pro tempore*. Objection is made.

EMILY L. ALVORD.

Mr. MORRILL. I move, then, to take up House bill No. 7659, Order of Business 1138.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to proceed to the consideration of Order of Business 1138. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord."

Mr. JACKSON. I object to that.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Vermont.

The question being put, it was declared that the ayes appeared to prevail.

Mr. JACKSON. I call for the yeas and nays.

On seconding the call for the yeas and nays four Senators rose.

The PRESIDENT *pro tempore*. The Chair is obliged to say there is not a sufficient number up, only four Senators rising. The ayes have it.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord. It proposes to place on the pension-roll the name of Emily L. Alvord, widow of Brig. Gen. Benjamin Alvord, deceased, late Paymaster-General of the United States Army, at \$50 per month.

Mr. MORRILL. I desire to say a brief word about this bill. It is a House bill, and I understand was reported unanimously there—

The PRESIDENT *pro tempore*. The Senator has no right to refer to reports made in the House of Representatives.

Mr. MORRILL. I will take that all back, then. [Laughter.] It is in behalf of the widow of General Alvord. The only reason why I say a word about it is that I was acquainted with him for a dozen years here in Washington and knew him to be a very valuable man. He served in the Army forty-six years, and his service commenced almost immediately after his graduation, in the Florida or Seminole war, and he was engaged in the Mexican war, brevetted for his conduct in battle in various places in the Seminole war and at Cerro Gordo and at Resaca de la Palma. He was also a valuable officer at West Point, serving there as a professor. He was known, while living, to be a man of large culture in scientific matters, and contributed to the various publications of the country in that direction. His widow is almost entirely destitute. She has a mother and a sister to sustain, and I trust therefore there will be no objection to passing this bill as it came to us from the House.

Mr. VANCE. I ask that the report be read.

The Chief Clerk read the following report, submitted by Mr. CULLOM February 6, 1885:

The Committee on Pensions, to which was referred the bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord, having examined the same submits the following report:

The circumstances of this case are set forth in the report of the House Committee on Invalid Pensions, as follows:

That General Alvord was an officer in the Army of the United States in continuous service for forty-seven years. His military record is most satisfactory and brilliant. He was in the Florida war against the Seminole Indians, was engaged in several skirmishes, and was promoted for his gallant conduct. He was in the war with Mexico, and participated in several engagements, and was twice



promoted for his gallant and meritorious conduct in the battles of said war. He was in command as brigadier-general United States volunteers from 1862 to 1866 in the war with the seceding States, and promoted in the regular Army for faithful and meritorious services to brevet lieutenant-colonel and brevet-colonel and brevet brigadier-general in the United States Army. He was afterward Paymaster-General of the United States Army, and discharged the duties of the office with great ability, giving entire satisfaction, being honest, faithful, and industrious.

He died in 1884, having been on the retired-list four years, of disease contracted while in active service in the Army and in the line of his duty, as shown by the certificate of the surgeon of the United States Army, which certificate is appended to this report. He graduated in the Military Academy of the United States; was a scholar of distinction; was assistant professor of mathematics and of natural and experimental philosophy at the United States Military Academy in 1857. He was the author of some valuable books, which honored him. He was a pure and devout Christian, of high honor, a warm and generous friend, and a kind husband and father, as brave as the bravest and as gentle as the gentlest. His widow, the only wife he ever had, his companion for many years and the mother of his children, is old and infirm, with but little money or property, and with three children and a very old and helpless maiden sister of her husband to support.

Wherefore they report the bill without amendment, with the opinion that it ought to pass.

I certify that Brig. Gen. Benjamin Alvord, United States Army, retired, was, at the date of his retirement, suffering from chronic diarrhea, for which he had been repeatedly treated by me during the last two years of his active service. Though for many years, and dating as far in the past as the Mexican war, General Alvord had been frequently compelled to apply for medical treatment for diarrhea, to which he was strongly predisposed, it did not become a permanent and chronic disease until in 1876, and when in the line of his duty as Paymaster-General. At that time and subsequently his health became so much impaired as to necessitate the daily use of remedies and led to feeble action of the heart, general debility, and organic disease of the kidneys, of which he died.

BASIL NORRIS,  
Surgeon, United States Army.

SAN FRANCISCO, CAL., December 8, 1884.

True copy.

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

The committee does not feel warranted in favoring the passage of the bill, and therefore recommends that it be indefinitely postponed.

Mr. CULLOM. I only wish to say that I reported this bill from the committee; and while the committee was adverse to the passage of the bill I thought that the facts in the case connected with the history of this soldier and the condition of his widow justified the passage of the bill, and I so stated when I reported it.

Mr. CONGER. I knew General Alvord for some twenty-five years. He was stationed for a long time at a fort near the town where I live, and I therefore knew him very well. I know too of the extreme destitution of his widow. I trust there will be no opposition to the passage of this bill.

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

Mr. VANCE. I ask for the yeas and nays on the passage of the bill. The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired for this afternoon with the Senator from Oregon [Mr. SLATER]. If I were not paired, I should vote "yea;" and if he were present, he would vote "nay."

The result was announced—yeas 34, nays 13; as follows:

#### YEAS—34.

Aldrich,	George,	Manderson,	Pugh,
Blair,	Harrison,	Miller of Cal.,	Riddleberger,
Bowen,	Hawley,	Miller of N. Y.,	Sabin,
Chace,	Hoar,	Mitchell,	Sawyer,
Conger,	Ingalls,	Morgan,	Sewell,
Cullom,	Jones of Nevada,	Morrill,	Sherman,
Dawes,	Lapham,	Palmer,	Voorhees.
Dolph,	McMillan,	Pike,	
Edmunds,	Mahone,	Platt,	

#### NAYS—13.

Camden,	Harris,	Pendleton,	Walker.
Coke,	Jackson,	Vance,	
Garland,	Jones,	Van Wyck,	
Gibson,	Maxey,	Vest,	

#### ABSENT—29.

Allison,	Cockrell,	Hampton,	Ransom,
Bayard,	Colquitt,	Hill,	Saulsbury,
Beck,	Fair,	Jones of Florida,	Slater,
Brown,	Farley,	Kenna,	Williams,
Butler,	Frye,	Lamar,	Wilson.
Call,	Gorman,	Logan,	
Cameron of Pa.,	Groome,	McPherson,	
Cameron of Wis.,	Hale,	Plumb,	

So the bill was passed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair calls the attention of the Senator from New Hampshire to Senate bill 2377 to pension the same person.

Mr. BLAIR. Let that be indefinitely postponed.

The PRESIDING OFFICER. The Senate bill will be indefinitely postponed, if there be no objection. It is so ordered.

#### WIDOW OF COMMANDER S. DANA GREENE.

Mr. ALDRICH. I now move to take up House bill 7830, Order of Business 1140, which is the next case on the Calendar.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, United States

Navy. It proposes to place on the pension-roll, at the rate of \$50 per month, the name of Mary A. Greene, widow of the late Commander S. Dana Greene, United States Navy.

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

#### J. WASHINGTON BRANK.

Mr. VANCE. I move to take up Order of Business 1242, being House bill 1132. It does not have the merit of being a pension case, but it is the next thing to it; it is the case of a soldier who was enlisted, and was captured before he was regularly sworn in, and served two years in the military prison in Richmond.

The PRESIDING OFFICER. The Chair will state to the Senator from North Carolina that the question is not debatable.

Mr. VANCE. So I understand, but I debated it a little before I was reminded of the point of order, for which I beg pardon. I move to take up that bill.

Mr. SEWELL. Will not the Senator from North Carolina allow us to get through with two or three pension cases that are continuous on the Calendar with those just acted on? There will be no objection to getting up his bill afterward.

Mr. VANCE. No, sir; I can not waive my motion now.

The PRESIDING OFFICER. The question is not debatable. Debate can only proceed by unanimous consent. The Senator from North Carolina moves that the Senate proceed to the consideration of the bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to direct the Secretary of War to place the name of J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry, to date from September 25, 1863.

Mr. SHERMAN. I should like to have the report read. I do not know what the bill is about.

The Chief Clerk read the following report, submitted by Mr. MAXEY February 17, 1885:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry, respectfully submit the following report:

H. R. 5316 was introduced at the first session Forty-seventh Congress, having the same object in view as the bill now before the committee. That bill was referred to the Committee on Military Affairs of the House, and was reported with amendments June 12, 1882. As amended by the committee, it is in words the same as the present bill.

The passage of the bill was recommended as amended by the committee. (See House Report 1408, first session Forty-seventh Congress, to accompany H. R. 5316.)

That bill was never finally acted on. At the first session Forty-eighth Congress the present bill (H. R. 1132) was introduced, referred to the Committee on Military Affairs of the House, and on the 18th March, 1884, submitted to the Committee of the Whole, with House Report No. 821 thereon, and passed the House May 17, 1884.

The report (821) of the House embodies the facts, and is hereby adopted, as follows:

"The testimony in this case shows that the soldier was duly enlisted by Capt. George M. Kirk, Company B, Second North Carolina Mounted Infantry, the 25th September, 1863, to serve three years or during the war, at Greeneville, Tenn., he having passed through the confederate lines for that purpose. He was furloughed for three weeks to visit his home, and on his return to the command was captured by the confederates at Warm Springs, N. C., where he was to have been regularly mustered into the United States service. The soldier was taken to Belle Isle, at Richmond, Va., and kept as a prisoner of war till Richmond was occupied by the Union forces. He was kept until the surrender at Appomattox, and then allowed to go home. His papers were made out, which were lost, and he never received either pay or bounty."

In the opinion of the committee the bill ought to pass; wherefore they report said bill (H. R. 1132) without amendment, and recommend that it do pass.

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

#### MARGARET D. MARCHAND.

Mr. SEWELL. I move to take up Senate bill 957, Order of Business 1141.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 957) granting a pension to Margaret D. Marchand. It proposes to place on the pension-roll the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United States Navy, at the rate of \$50 per month.

Mr. SEWELL. There is a report submitted by the Senator from New Hampshire [Mr. BLAIR] with an amendment reducing the amount to \$30 a month.

The PRESIDENT *pro tempore*. The Chair understands that the bill was reported with an amendment. The amendment will be read.

The CHIEF CLERK. In line 8 it is proposed to strike out "fifty" and insert "thirty;" so as to read:

And pay her a pension at the rate of \$30 per month from the date of the passage of this act.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. RIDDLEBERGER. May I ask the Senator from New Jersey when this man died or when he was killed?

Mr. SEWELL. This is the case of the widow of Commodore Marchand, one of the old officers of the Navy, who served thirty or forty years. There is a long report on the case.

Mr. RIDDLEBERGER. I understood that; but it does suggest itself to me that there must be some time when you will have to end this pension-roll. Why we should pension the representatives of those who have died since the war from ordinary disease, I do not understand. I am entirely willing to go as far as any other Senator in pensioning those who were wounded, or the widows and children of those who really were killed in the war; but I do not see that I am under any obligation, I do not see that I ought properly to vote to pension the family of everybody who has died since the war, merely because he happened to hold some rank in the United States Army or Navy or any other army or navy. There must be a period put to this matter of pensions, somewhere and at some time. It seems to me that the right time to do it is now. Pension the dependent families of those who were soldiers and as soldiers either were killed or wounded or suffered. To that extent I can go, and I will go as far as any Senator on this floor; but to pension the family of every man who happened to be a commodore or a general or a colonel or something else, I can not vote for.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. BLAIR. I wish to say that this is just like the Alvord case which the Senate has adopted. The committee divided precisely as in that case, and this being a Senate bill a majority of the committee were in favor of reporting an amendment reducing the rate of pension from \$50 to \$30 per month. So it comes here with that amendment, but upon the principle sanctioned by the Senate at the last session and this session and its general practice this lady should receive the benefit of the bill as it was introduced at \$50, and therefore consistency and justice to this woman require that the amendment should be rejected; and the issue comes in this way: Let the bill be passed as originally introduced and referred to the committee. I therefore move that the Senate do not concur in the amendment of the committee.

The PRESIDENT *pro tempore*. The Chair will state that on looking at the report it appears to have been adverse on the whole bill, and it is open to some question whether an amendment to a bill reported adversely entirely would be strictly in order; but as it stands in the papers the Chair will put the question, saving any point of order until it shall arise in the future. The question is on the amendment recommended by the committee reducing the amount from \$50 to \$30 a month.

The amendment was rejected.

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

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. MITCHELL. I move to consider—

Mr. PLUMB. I rise to a privileged question. I desire to have the President lay before the Senate the message from the House in regard to the legislative, executive, and judicial appropriation bill in order that I may make a motion with regard to it.

The PRESIDENT *pro tempore*. Pending the motion of the Senator from Pennsylvania, the Senator from Kansas asks, under the rule, that the Chair lay before the Senate the message from the House of Representatives returning the legislative appropriation bill, disagreeing to the Senate amendments. The action of the House of Representatives on the Senate amendments will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 27, 1885.

Resolved, That the House non-concur in the amendments of the Senate to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. HOLMAN, Mr. HANCOCK, and Mr. CANNON be appointed managers on the part of the House.

Mr. PLUMB. I move that the Senate insist on its amendments to the bill and accede to the request of the House for a conference.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. DAWES, and Mr. COCKRELL were appointed.

#### MARTHA C. BREESE.

Mr. MITCHELL. I move that the Senate proceed to the consideration of Order of Business 1196, being the bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase to \$50 per month the pension of Mrs. Martha C. Breese, widow of Kidder Randolph Breese, late a captain in the United States Navy.

Mr. MANDERSON. I ask the Senator from Pennsylvania to yield to me until I can call up Order of Business 1331.

Mr. MITCHELL. This can be disposed of in a few moments.

Mr. MANDERSON. Very well.

Mr. CAMDEN. I should like to have the report in that case read.

The PRESIDENT *pro tempore*. There is no report; only the views of the minority.

The Chief Clerk read the views of the minority (submitted by Mr. MITCHELL, February 10, 1885), as follows:

The minority of the Committee on Pensions, dissenting from the views of the

majority in relation to the bill (H. R. 4280) granting a pension to Mrs. Martha C. Breese, respectfully recommend the passage of the bill for the reasons stated in the House report, which is as follows:

"Mrs. Breese is the widow of Kidder Randolph Breese, late a captain in the United States Navy, of whom Admiral Porter has well said: 'There was no officer during the war who performed more valuable service than he did.' And referring to Mrs. Breese's application to Congress for an increase of her pension, Admiral Porter says: 'I hope sincerely that she will not be disappointed in this matter, for if ever the widow of an officer deserved to be taken care of by the Government it is the widow of Captain Breese.'

"Captain Breese served all through the campaign of the Mississippi, through the siege of Vicksburg, and the opening up of the river to the sea, and always with the most distinguished bravery and self-sacrificing conduct. He was fleet-captain of Admiral Porter's fleet at the storming of Fort Fisher, and the heroism with which he led the forlorn hope of naval officers and sailors that assaulted the works by land is a bright page in the history of the civil war and is the common heritage of American citizens.

"But," says Admiral Porter, referring to Captain Breese's part in the campaign of the Mississippi, "he no doubt laid the first seeds of disease on those rivers, for he was never well after he left there." Captain Breese died while on sick-leave, September 13, 1861, leaving no estate—nothing for his family to live upon. The widow of this hero is now dependent upon her small pension of \$30 a month and the trifling amount of \$2 allowed each of her four little children; she having absolutely no other source of income. Can Congress refuse to grant her an increase of \$20, all she asks? The committee believe not. Certainly her case appeals strongly to the Government, and the committee recommend the passage of the bill for her relief."

Mr. CAMDEN. I desire to call the attention of the Senate to the fact that if the Senate goes on to increase the pensions of the widows of captains and commodores and brigadier-generals and colonels, as it has done in four instances already this evening, it might just as well declare at once that the pension of all widows of officers of such rank shall be \$50 a month instead of \$30. Every case where it is allowed will be used as precedents to obtain the same pension for the widows of other officers of the same grade. The bill pensioning the widow of General Alvord at \$50 a month will be used as a precedent for pensioning some other widow at the same amount. Cases are brought before the Pensions Committee at every meeting, claimants come there asking an increase of pension upon the ground that some other person no more meritorious than the claimant at that time has obtained an increase of pension. If the allowance to the widow of every officer that is pensioned is to be increased simply because of the fact that the officer did his duty well while in the service, the widow of every other officer who did his duty equally well is certainly entitled to use that as a precedent to obtain an increase of pension.

Mr. HALE. The Senate has already passed several bills not more meritorious than this, but this case is a good one upon its own merits. Captain Breese was one of the most distinguished and gallant of the younger officers of the Navy. Perhaps no other officer of his age and rank had a better and more consistent record, or rendered more valuable service. When such service was dangerous, he was in the midst of danger. When a piece of hard work was demanded, Captain Breese did that work. He died leaving no estate, with wife and little children dependent upon him, and I hope, after what has been done in other cases, that the Senate will not hesitate here.

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

The question being put on the passage of the bill, it was declared that the ayes appeared to prevail.

Mr. CAMDEN. I ask for a division on the passage of the bill.

The question being put, the ayes were 22.

Mr. CAMDEN. I withdraw the call for a division.

The PRESIDENT *pro tempore*. The Senator gives it up. The ayes have it, and the bill is passed.

#### REPRESENTATIVES OF CAPT. JOHN G. TOD.

Mr. COKE. I move that the Senate take up and consider Order of Business 980, being the bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy.

Mr. MILLER, of New York. I hope the Senator will withdraw that until we get through with pension cases, and then I will go with him to take up that case or any other.

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. MILLER, of New York. By unanimous consent we proceeded to consider pension cases.

Mr. COKE. This bill will not give rise to any debate.

The PRESIDENT *pro tempore*. The Chair will state that the unanimous consent was for the consideration of Senate pension bills favorably reported. That list has been exhausted; and since then Senators have moved to take up such bills as they pleased.

Mr. BLAIR. The understanding we all had was that it included contested pension cases.

The PRESIDENT *pro tempore*. That was objected to by gentlemen on the right of the Chair.

Mr. HARRIS. So far from any such understanding, I gave notice that I should object to taking up the adversely reported pension cases while more than one hundred House bills favorably reported from our committee remained on our Calendar unacted on.

Mr. BLAIR. I know that; but there were further proceedings.

Mr. COKE. I move that the bill I have named be taken up.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Texas to take up the bill moved by him.

Mr. VOORHEES. I object until I have a better understanding.



The PRESIDENT *pro tempore*. An objection is not in order. It is a question for the majority of the Senate to decide without debate. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy. It provides for the payment to the legal representatives of the late John G. Tod, of Texas, \$12,500, the amount provided for a captain waiting orders in the United States Navy for the term of five years, in conformity with the provisions of section 12 of the act approved March 3, 1857, "making appropriations for the naval service for the year ending 30th of June, 1858."

Mr. SHERMAN. Is there a report in that case?

Mr. COKE. The report is brief and can soon be read.

Mr. SHERMAN. Let it be read.

The Chief Clerk read the following report, submitted by Mr. JACKSON January 7, 1885:

The Committee on Pensions, to whom was referred H. R. 1567 and Senate bill 1042, "for the relief of the legal representatives of the late Capt. John G. Tod," have examined the same, and report as follows:

That bills for the relief of John G. Tod, late captain in the navy of Texas, and of his legal representatives, have received repeated favorable reports in the House of Representatives since the Forty-fourth Congress, and have several times passed the House without receiving the action of the Senate. The facts of the case are fully and correctly set forth in the last report of the House at the first session of the present Congress, as follows:

"The Committee on Naval Affairs, to whom was referred the bill (H. R. 1567) for the relief of the legal representatives of Capt. John G. Tod, of Texas, report: 'That after the failure of the treaty by which Texas was to have been annexed to the United States, and the consummation of the annexation by resolution, much dissatisfaction existed among the citizens of Texas because of the failure to transfer the officers of the navy of Texas to the Navy of the United States, with rank and emoluments corresponding with rank and emoluments held and enjoyed by said officers in the navy of Texas, as was provided for in the inoperative treaty; and that, as it was ascertained that such transfer was impossible of accomplishment by reason of that provision in the Constitution of the United States which imposes on the President the duty of appointing the officers of the Navy of the United States, Congress did, as compensation for the non-performance of the stipulations contained in said inoperative treaty, pass a law, approved March 3, 1857, entitled 'An act making appropriations for the naval service for the year ending the 30th of June, 1858,' the twelfth section of which act is as follows:

"That the surviving officers of the Republic of Texas, who were duly commissioned as such at the time of annexation, shall be entitled to the pay of officers of the like grade when awaiting orders in the Navy of the United States for five years from the date of said annexation, and a sum sufficient to make the payment is hereby appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That the acceptance of the provisions of this act by any of the said officers shall be a full relinquishment and renunciation of all claims on his part to any further compensation on his behalf from the United States Government to any position in the Navy of the United States."

"And that it has been settled by the Supreme Court of the United States that the annexation of Texas to the Union was consummated on December 29, 1845; and that it was settled by the Court of Claims of the United States, in the case of E. M. Moore vs. United States (4 Nott & Huntington, page 139), that 'John G. Tod was a captain in the Texas navy at the time of annexation'; and that this decision of the Court of Claims is fully sustained by the commission of the said Capt. John G. Tod now on file in the Navy Department, signed by the President of the Republic of Texas, dated July 12, 1845, more than five months prior to the date of annexation, according to the decision of the Supreme Court of the United States, a certified copy of which commission is on file with the committee. And that Capt. John G. Tod died, by his attorney, J. B. D. De Bow, a few weeks prior to the 10th day of June, 1857, file his claim with the Navy Department for five years' pay, as provided under the law of March 3, 1857, hereinbefore referred to; which proffer to accept the terms thereof did vest in the said Tod an immediate fixed right of present and future enjoyment of the benefit of said law."

"And your committee further find that Capt. John G. Tod, some time in the latter part of the year 1877, departed this life, leaving in Harris County, State of Texas, a wife and one son and one daughter, and that the county court of said Harris County, in said State of Texas, on the 8th day of October, 1877, ordered that letters of administration on the estate of John G. Tod be issued to Maggie G. Tod, as appears by a copy of said order and the letter of the attorney of the heirs on file with the committee."

"And your committee find further that relief as prayed for under the bill referred has been afforded by act of Congress in like cases under the law hereinbefore referred to, as will appear by reference to the United States Statutes at Large, as follows:

"Forty-third Congress, first session, page 608, chapter 403, 'An act for the relief of the heirs at law of William C. Brashears, of the Texan navy'; Forty-fourth Congress, first session, page 454, chapter 209, 'An act for the relief of Susan E. Rhea, widow of Dr. L. Burrows Gardiner.'"

It appears that Captain Tod was the last of the surviving officers contemplated by the act of March 3, 1857, and your committee deem it but a simple act of justice that his legal representatives should receive the same benefits as were extended by said act to the other officers of the Texan navy. They accordingly report back the House bill with the recommendation that it be passed by the Senate.

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

ELIZA W. THORNBURGH.

Mr. MANDERSON. I move that the Senate proceed to the consideration of the bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Eliza W. Thornburgh, widow of Maj. Thomas T. Thornburgh, late of the Fourth Regiment of Infantry, United States Army, at \$50 per month.

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

SOPHIA A. MORGAN.

Mr. MILLER, of New York. I move that the Senate proceed to the

consideration of the bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Mrs. Sophia A. Morgan, widow of Bvt. Brig. Gen. Charles H. Morgan, at the rate of \$50 per month.

Mr. GROOME. It seems very evident that it is the temper of the Senate to give to every widow of an officer entitled, under the general law, to \$30 a month, a pension of \$50 a month, if she chooses to apply to Congress for it. That being the case I am opposed to doing by retail what can be done by wholesale. I therefore move to add to the bill the following additional section:

SEC. 2. That the widow of every officer of the Army above the grade of lieutenant-colonel, and of every officer of the Navy above the grade of captain, who is now receiving a pension of \$30 or more a month and less than \$50 a month, shall be entitled, upon application to the Pension Bureau, to have her pension increased to \$50 a month from and after the date of said application.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. BLAIR. The Senator misapprehends the ground upon which the committee, or a minority of the Committee on Pensions, have recommended this increase to \$50 a month. It has not been urged in any cases save where there was distinguished service, long service, and actual need. The amendment would of course open an indiscriminate, an exhaustive raid upon the Treasury which could not be included within the principle which I have laid down.

Mr. GROOME. I think there have been very few officers in the United States of the rank mentioned in my amendment, either of the Army or of the Navy, who did not render distinguished service and whose widows do not need a pension larger than that of \$30 a month in order to enable them to live in the condition of comfort and luxury which they enjoyed during the lifetime of their husbands. So I think my amendment may very well be adopted if the course of legislation which we have been indulging in to-day is to be continued.

Mr. CAMDEN. I will ask the Senator from New Hampshire whether there is not a minority report in favor of every person who has asked for an increase of pension to \$50 a month during this session of Congress, and if there is any exception? I ask him if that is not the rule without exception?

Mr. BLAIR. That is not true. I recollect one case which passed to-day where upon my own suggestion the amount of pension was reduced from \$50 to \$40. Even if that were so, it would not controvert my statement. Because the class which would be included in the amendment are not here asking for an increase of pension, it does not follow that those who are asking for the increase are not properly included within the principle laid down. I do not know that those who are not entitled to the increase have asked for it. Certainly the cases which have passed through the Senate to-day, and so far as I know the cases which remain upon the Calendar, are most of them those of widows of admirals, rear-admirals, major-generals, and the like, whose husbands were in service anywhere from thirty-five to sixty years, and in one of two instances even more. The amendment of course is only hostile to the bills as they stand on the Calendar.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Maryland [Mr. GROOME].

Mr. GROOME. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yea 1, nays 42; as follows:

YEA—1.

Voorhees.

NAYS—42.

Allison,	Dolph,	Jackson,	Platt,
Bayard,	Edmunds,	McMillan,	Riddleberger,
Beck,	Gibson,	Mahone,	Sabin,
Blair,	Gorman,	Maxey,	Saulsbury,
Brown,	Groome,	Miller of Cal.,	Sawyer,
Call,	Hale,	Miller of N. Y.,	Sewell,
Cameron of Wis.,	Harris,	Mitchell,	Vance,
Chace,	Harrison,	Morrill,	Walker,
Cockrell,	Hawley,	Palmer,	Wilson.
Conger,	Hoar,	Pendleton,	
Cullom,	Ingalls,	Pike,	

ABSENT—23.

Aldrich,	Farley,	Kenina,	Ransom,
Bowen,	Frye,	Lamar,	Sherman,
Butler,	Garland,	Lapham,	Slater,
Camden,	George,	Logan,	Van Wyck,
Cameron of Pa.,	Hampton,	McPherson,	Vest,
Coke,	Hill,	Manderson,	Williams.
Colquitt,	Jonas,	Morgan,	
Dawes,	Jones of Florida,	Plumb,	
Fair,	Jones of Nevada,	Pugh,	

So the amendment was rejected.

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

The PRESIDENT *pro tempore*. It is proposed by the Committee on Pensions to amend the title to read: "A bill granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army and brevet brigadier-general of volunteers."

Mr. MILLER, of New York. Do I understand that the title will have to be amended? The bill has passed the House, and if we amend the title it will have to go back for concurrence.

The PRESIDENT *pro tempore*. The Chair will state that it appears in the body of the bill as reported, and as a part of it, "Amend the title so as to read: 'A bill granting a pension,' &c. The Chair will state also that the bill appears to have been amended in the House to correspond to that title. The Chair does not think it is necessary to amend the title, and although it is a singular phrase in the bill itself it will do it no harm. The title will stand as it came to the Senate.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolutions; and they were thereupon signed by the President *pro tempore*:

A bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.;

Joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies;

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

#### ROSA VERTNER JEFFREY AND OTHERS.

Mr. BECK. I move that the Senate proceed to the consideration of the bill (H. R. 2185) for the relief of Rosa Vertner Jeffrey and others.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Kentucky.

Mr. BECK. Mr. President—

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. BECK. I ask unanimous consent to make a brief statement.

The PRESIDENT *pro tempore*. If there be no objection, the Senator from Kentucky will proceed.

Mr. BECK. I doubt whether I shall be able to be in the Senate much more during this session because of being in attendance in committee on the appropriation bills, and as bills are being called up from the Calendar a little out of order I should like to have this bill acted upon now. It is to refer a case to the Court of Claims. The Senator from West Virginia [Mr. KENNA] reported it, and his family is sick. The Senator from Massachusetts [Mr. HOAR] knows all about it, and I should be very glad to have it considered now.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It refers to the Court of Claims the claim of Rosa Vertner Jeffrey and the legatees of Claude M. Johnson for the proceeds or value of eight hundred and twenty bales of cotton alleged to have been appropriated by and to the use of the United States.

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

#### CHIEF ENGINEER ON NAVY RETIRED-LIST.

Mr. MILLER, of California. I move that the Senate proceed to the consideration of the bill (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer, now on the retired-list of the Navy, a chief engineer on the retired-list of the Navy.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President of the United States to nominate and, by and with the advice and consent of the Senate, to appoint one passed assistant engineer, now on the retired-list of the Navy, a chief engineer on the retired-list of the Navy, with the highest retired pay of that grade.

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

#### FENDALL CARPENTER.

Mr. JACKSON. I move that the Senate proceed to the consideration of the bill (H. R. 4686) for the relief of Fendall Carpenter.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates \$4,400 to pay to Fendall Carpenter for twenty-five bales of cotton seized and sold by the United States military authorities during the late war, and the proceeds thereof appropriated to the use of the Quartermaster's Department of the United States Army.

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

#### RIVER AND HARBOR BILL.

The PRESIDING OFFICER (Mr. INGALLS in the chair) laid before the Senate the bill (H. R. 8280) making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes; which was read the first time by its title.

The PRESIDING OFFICER. If there be no objection the bill will be read the second time and referred to the Committee on Commerce.

Mr. CAMERON, of Wisconsin. I object to the second reading.

The PRESIDING OFFICER. The second reading is objected to.

#### FRANCIS B. VAN HAESEN.

Mr. McMILLAN. I move that the Senate proceed to the consideration of the bill (H. R. 847) for the relief of Francis B. Van Haesen.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Commissioner of the General Land Office, on behalf of the United States, to accept a relinquishment by the governor of the State of Minnesota, executed under the authority of an act of the Legislature of that State approved February 24, 1881, of the title derived by that State through an internal-improvement selection certified by the Commissioner of the General Land Office on May 8, 1869, for the southeast quarter of section 3, township 128, range 40 west, in the district of lands subject to sale at Alexandria, Minn., and confirms the location of the tract by Francis B. Van Haesen, with military bounty land-warrant numbered 106976, for one hundred and sixty acres, issued under the act of March 3, 1855, and which was patented by the United States to Van Haesen on the 15th of October, 1870. The State of Minnesota is to be allowed to select other lands in lieu of the tract relinquished.

The bill was reported from the Committee on Public Lands with an amendment, to add the words "from the public lands of the United States within the limit of said State;" so as to read:

And the State of Minnesota shall be allowed to select other lands, in lieu of the tract relinquished as aforesaid, from the public lands of the United States, within the limits of said State.

Mr. McMILLAN. I ask the Senate to refuse to concur in the amendment. I have conferred with the chairman of the Committee on Public Lands, and I have his assent to that course. This is a House bill. A Senate bill granting this relief has already passed the Senate, but it can not be reached in the House. The amendment, if adopted, would put the House bill in the same condition. A similar bill has passed the Senate three or four times at previous sessions of Congress. It is recommended by the Interior Department, and there is no doubt about the propriety of the relief. I ask the Senate to non-concur in the amendment and pass the bill.

The amendment was rejected.

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

Mr. McMILLAN. The name should be spelled "Van Hoesen." I ask that the correction be made.

The PRESIDING OFFICER. That would require an amendment of the bill.

Mr. McMILLAN. Very well; let it go.

#### THE BARK MARY TERESA.

Mr. GORMAN. I move that the Senate proceed to the consideration of the bill (H. R. 737) for the relief of Juliet Leef, widow, and the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia, Brazil.

Mr. HOAR. I ask unanimous consent to make a statement in regard to that case. It is a case which involves a very important public principle about which the Committee on Claims were divided in the last Congress, making elaborate reports on both sides, and about which they are divided in this. I should myself feel it my duty to make a speech of considerable length upon the question. I do not think the Senate ought to take it up at this time. The bill is submitted without recommendation from the committee, I understand; but I do not know about that.

The PRESIDING OFFICER. The Senator from Maryland moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. MILLER, of New York. I suggest to the Senator from Maryland to call up the bill at some other time.

Mr. GORMAN. I did not hear the Senator from Massachusetts. There was so much confusion I could not hear what he said.

Mr. HOAR. It is an adverse report, and it involves a very important principle indeed and will take undoubtedly a debate of several hours. I suggest to the honorable Senator from Maryland that this is not the proper time to consider such a bill. If I may be pardoned for saying so, it involves the principle of the United States making compensation to individuals who suffer by the misconduct of a public officer. It is a case where a consul of the United States detained a vessel abroad. The owner of the vessel claimed that it was either a willful wrong or an egregious error on the part of the consul, but in either case it was within the consul's official power.



The majority of the committee have always been of opinion that the United States is not liable for the acts of public officers in such cases, and have made several reports at the present session of Congress based upon that principle. I appeal to my honorable friend from Maryland that this is not the time to take up and deal with an important principle of that kind.

Mr. GORMAN. I dislike very much to press my motion so as to compel the Senator from Massachusetts to make a long speech upon the bill at this hour of the evening, but I am exceedingly anxious to hear the Senator argue the other side of the case, for I listened to him with great pleasure in a bank case a few days ago, which was similar although perhaps not so strong in its equities as this. This is a case which I think ought to be considered favorably. It has been reported upon favorably in another branch of Congress seven times, and has passed the House of Representatives at least three times, twice certainly, two Congresses ago and again at this session. The equities are so strong that I should like very much to have the bill considered; but if the Senator from Massachusetts at this late hour intimates that he intends to make a long argument, I shall not by any means press my motion.

Mr. HOAR. The reading of the report would take an hour.

The PRESIDING OFFICER. Does the Senator from Maryland withdraw his request for the consideration of the bill?

Mr. GORMAN. I withdraw it under the threat of the Senator from Massachusetts.

Mr. HOAR. I ask unanimous consent to remove a misapprehension in the mind of the Senator. I did not make the suggestion in the least as a threat. I should not prolong my argument thirty seconds for the sake of defeating the bill, but it is proper that the Senate should know that the nature of the question would inevitably involve that result.

The PRESIDING OFFICER. The motion is withdrawn.

ANN CORNELIA LANMAN.

Mr. HAWLEY. I move to take up the bill (H. R. 1813) granting an increase of pension to Ann Cornelia Lanman. She is the widow of the late Rear-Admiral Lanman.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Ann Cornelia Lanman and to pay her a pension of \$50 a month, in lieu of the pension now received by her.

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

O. L. COCHRAN.

Mr. MAXEY. I move that the Senate proceed to the consideration of the bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for money erroneously collected from him by the Post-Office Department.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to O. L. Cochran \$422.85, collected from him by the Post-Office Department on the 26th of November, 1867, and which amount is in excess of what he was indebted to the Department.

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

Mr. MAXEY. I move that the bill (S. 1481) for the relief of O. L. Cochran, late postmaster at Houston, Tex., now on the Calendar, be postponed indefinitely.

The motion was agreed to.

JOHN C. HERNDON.

Mr. CAMERON, of Wisconsin. I move that the Senate proceed to the consideration of the bill (S. 164) for the relief of John C. Herndon.

The motion was agreed to.

Mr. CAMERON, of Wisconsin. A bill identical with this bill has passed the House and is now in the hands of the Committee on Claims. I move that the Committee on Claims be discharged from the further consideration of the bill (H. R. 2158) for the benefit of John C. Herndon.

The PRESIDING OFFICER. If there be no objection, that order will be made.

Mr. CAMERON, of Wisconsin. I now move that the Senate proceed to the consideration of House bill 2158.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John C. Herndon, late of Mason County, now of Louisville, Ky., \$1,785 in full compensation for 105,000 pounds of hay furnished, under verbal contract, to Capt. D. W. McClung, assistant quartermaster United States volunteers, for the use of the Government of the United States, in March, 1865, and which was swept away by a flood in the Ohio River and lost, in consequence of the failure of the Government to remove the hay, after due notice had been given to its authorized agents so to do.

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

Mr. CAMERON, of Wisconsin. I move that the bill (S. 164) for the relief of John C. Herndon be postponed indefinitely.

The motion was agreed to.

JOHN W. MARTIN.

Mr. GEORGE. I move that the Senate proceed to the consideration of the bill (H. R. 5452) for the relief of John W. Martin.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John W. Martin, of Brookhaven, Miss., \$700, for services actually rendered as postmaster at Brookhaven, Miss., by authority of the military commandant, from July, 1865, to July 1866.

Mr. RIDDLEBERGER. I should like to have some reason assigned why we should just go along here appropriating money out of the public Treasury to give to people. I see no reason for it, and yet we have been proceeding upon that theory all this afternoon. If there be a reason why the United States Government should give this man \$700 I think it is proper to assign that reason. I will say further that without the reason being given I shall be pardoned for voting against the bill. I should like to know what reason there is for giving any man \$700.

Mr. GEORGE. It is in payment of a debt that the United States owes him.

Mr. MILLER, of New York. That is a pretty good reason.

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

HUGH AND BYRD DOUGLAS, DECEASED.

Mr. MAHONEY. I move that the Senate proceed to the consideration of House bill No. 8034, Order of Business 1274.

The motion was agreed to; and the bill (H. R. 8034) for the relief of the estates of Hugh and Byrd Douglas, deceased, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the legal representatives of Hugh and Byrd Douglas, deceased, late of Nashville, Tenn., \$6,299.33, for rent of and damage to their property in Nashville by officers of the Army of the United States during the late war.

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

JOHN M. DORSEY AND WILLIAM F. SHEPARD.

Mr. JONES, of Nevada. I move to take up House bill No. 948, Order of Business 1123.

The motion was agreed to; and the bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard was considered as in Committee of the Whole. It directs the payment of \$9,021.33 to John M. Dorsey, and \$3,746.66 to William F. Shepard, in full settlement for beef and supplies furnished certain volunteer troops by Dorsey, Shepard, and one S. B. Wallace, while the troops were engaged in quelling the Indian disturbances in the Territory of Utah, now the State of Nevada, in the year 1860.

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

HEIRS OF MARY JANE VEAZIE.

Mr. LAMAR. I move that the Senate proceed to the consideration of House bill No. 851.

The motion was agreed to; and the bill (H. R. 851) for the relief of the heirs of Mary Jane Veazie, deceased, was considered as in Committee of the Whole. It appropriates \$2,500 to pay the heirs of Mary Jane Veazie, deceased, late of Natchez, Miss., for property taken for the use of the United States troops stationed at Natchez.

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

AMENDMENT TO AN APPROPRIATION BILL.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

FIRST NATIONAL BANK OF LARNED, KANS.

Mr. MORRILL. I move to take up Order of Business 967, being House bill 5747.

The motion was agreed to; and the bill (H. R. 5747) to authorize the increase of the capital stock of the First National Bank of Larned, Kans., not to exceed \$250,000, was considered as in Committee of the Whole.

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

LETITIA TYLER SEMPLE.

Mr. MORGAN. I move to proceed to the consideration of Order of Business 1222, being the bill (S. 498) granting a pension to Letitia Tyler Semple.

Mr. COCKRELL. I hope the Senator will not insist on passing that bill now. There are quite a number of bills that ought to be passed, and I do not think there is much chance of getting that through at this late hour.

Mr. MORGAN. I know the Senator from Missouri can not understand the merits of this case, and the House of Representatives, I should think, would hold an extraordinary session to pass the bill. I think

there will be no difficulty about passing it in the House if it goes through the Senate. I hope it will be taken up.

The PRESIDING OFFICER. Is there objection to taking up the bill?

Mr. RIDDLEBERGER. I object.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Alabama that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 498) granting a pension to Letitia Tyler Semple. It proposes to place on the pension-roll the name of Letitia Tyler Semple, daughter of the late John Tyler, President of the United States, at \$50 per month.

Mr. COCKRELL. Let the bill be read again. I did not catch the wording of it.

The PRESIDING OFFICER. The bill will be read again.

The bill was read.

Mr. COCKRELL. I want to ask the Senator who reported the bill if this pension is based purely upon the fact that the applicant is the daughter of a deceased President?

Mr. JACKSON. Mr. President—

Mr. MORGAN. I hope the Senator from Tennessee will let me answer that question.

Mr. JACKSON. Certainly.

Mr. MORGAN. We have precedents on our statute-book for pensioning the daughters and widows of deceased Presidents. This lady at the time Mr. Tyler became President of the United States was the lady of the White House, the first lady in the country. She remained with her father until his marriage. He afterward married a lady who was the widow of an officer of the Navy. Mr. Tyler died, leaving this daughter in impoverished circumstances. She went to work in good earnest to teach the women of the country, being herself a very accomplished woman, and to earn her subsistence. She educated a number of ladies of this country, and educated them beautifully. By her excessive work she became blind, or so nearly so that she can scarcely see her hand before her. She received the kind attention and commiseration of that good, benevolent man, Mr. Corcoran, and she is an inmate of the Louise Home, and has been there ten or twelve years entirely dependent on his bounty. She is a woman of beautiful accomplishments, beautiful character in every respect, and I am moving this case for her not because she demands it, but because I know that her situation requires it.

Besides that, she has a young lady who is a relative of hers, an orphan child and dependent, that she has to provide for in some way. She has no estate whatever. And now, sir, the daughter of a deceased President of the United States is a blind woman, dependent upon the charity and benevolence of Mr. Corcoran in this city, and has been so for a number of years; and I have brought this case before the Senate, not on this occasion alone but before. The Senate has never voted it down, but an objection has been made each time when I brought it up, and the case has been placed out of reach. That is the whole story. [Vote!] "Vote!"

Mr. RIDDLEBERGER. I object to the entertainment of the proposition because I can not understand that this Government is a government which is established to support people. I can not understand why the daughter of a deceased President is entitled to more consideration than the daughter of any one else. If we owe anything to a President, it would seem to me that it might have been quite, if you will pardon the expression, as genteel for the House of Representatives to have sent back here the bill that retired General Grant. I say that we are under no obligation to pension any of these people; and when the Senator from Alabama takes the position that he does he goes to such an extent that I can not follow him, and I do not think his own constituents will follow him, in pensioning the daughter of a dead President.

I think we have gone almost far enough to-day in pensioning the representatives of men who died twenty years after the war was over, and I repeat now what I said before, that there must be a period fixed to this giving of pensions at some time. If there be any reason why we should pension this lady beyond the mere fact that she is an educated lady, and beyond the mere statement that she is the daughter of a dead President, then I should like to hear it, for that is not sufficient.

Mr. COCKRELL. I simply desire to enter my protest on record against this bill and against the principle involved in it. This is, in my humble opinion, under our form and system of government a crime against the people who are the only sovereigns. We have never in the history of this country pensioned even the adult children of our Revolutionary sires. We do not to-day pension the children of the men who fell for the integrity of this Union, after they reach the age of 16.

The theory of our Government, Mr. President, is that all officers, from President to constable, are the agents, the trustees, the servants, the representatives of the people. They are by the people intrusted with power to be exercised for the benefit and in trust for the people. The compensation paid to each officer and the honor of the office are the full equivalents for every civil employment in the United States. When a man has held the office of President, the office of governor, the office

of United States Senator, the office of Representative in Congress, or any other civil office, and has gone out of that office, the people are under no sort of obligation to support him or his posterity.

While men enjoy the emoluments and the honors of office, they receive the full consideration which the people promised them, and after that they have no claim whatever upon the people. It is not so with the soldiers and the sailors of our country. We take them by the strong arm of the sovereign people at whatever compensation Congress fixes for their service, and we promise them in the laws which compel their military or naval service that in certain events they shall receive pensions for themselves and for their widows and their dependent children until they are 16 years of age; but I say there is no promise whatever in our system of government that compensation shall be made to the children of deceased civil officers of this Government.

No Senator entertains kindlier and warmer feelings toward the lady for whose relief this bill is now pressed than I do; but this is not a question of sympathy. I have a right to go into my own pocket and pay out my own money in sympathy to whomsoever I choose; but, I say, as Senators representing the people of the United States we have no right through sympathy or anything of that kind to put our hands into the pockets of the sovereign tax-payers of this country, and, under the color of law and the forms of power delegated to us, rob them of their hard earnings.

Mr. President, there are thousands upon thousands of widows and women in this country who are ten-thousand-fold worse off than the lady here in question. She is enjoying the munificence of that grand old citizen of this District, in a grand charity of which she is a worthy object. But that is not sufficient. Are we here under the power that we have to go to the orphan's home and the widow's home and take from the little earnings a portion to give to this distinguished individual because she happens to be the daughter of an ex-President of the United States?

I tell you, Mr. President, the people of this country do not believe in a civil-pension list. This is the first step toward the establishment of a civil-pension list in this Government to pension the civil employés of this Government. I say that it is in direct contravention of the fundamental principles upon which our Government rests. It is subversive of them, and the people do not believe in it. It is kind for us to yield to our sympathies and to vote these small sums, but the very fabric and structure and system of our Government may be changed by these gradual innovations from sympathy. The widows of certain Presidents have been put upon the pension-list directly out of sympathy. We shall soon have the ex-Presidents of the United States on the pension-list, and then out of sympathy for some distinguished compeer of ours, an associate brother Senator, we shall place him on the pension-list, and then we shall place some Representative who has served his country faithfully upon the pension-list, and then we shall put the child, the daughter of some distinguished Senator, upon the pension-list.

Mr. President, I simply rose to utter my earnest protest against the passage of this bill and the principle involved in it, and I trust the Senate will not be committed to it.

Mr. MORGAN. I am very glad that I have been able to furnish the Senator from Missouri an opportunity to express his opinions upon the question of a civil-pension list. I have been in the Senate with him for eight years, and I have never before heard him express an opinion so forcibly on this subject; I have never known him to do it. He might have done it on the case of Mrs. Polk. For a number of years she has been pensioned on the Government of the United States, and yet she was a lady of wealth, and her pension has been recently increased—

Mr. HARRIS. I beg to say to the Senator from Alabama, if he will allow me, that he is mistaken in his facts. She was put on the pension-roll with the widows of other deceased Presidents. She was never pensioned before that, so far as I am advised.

Mr. MORGAN. She has an independent living, and there is no woman in the world that I think is better entitled to enjoy the honor of being upon the pension-roll of the Government of the United States than Mrs. Polk. Then we pensioned the widow of President Tyler. She was not a beggar by any means. He married her a year or two after he had been in the Presidential office.

Mr. COCKRELL. This is his daughter.

Mr. MORGAN. Of course. It is easy to draw a distinction between a widow and a daughter, especially if the daughter is blind and the widow is not. The widow has an opportunity to live, friends to take care of her, children to rely upon. It is easy enough to imagine why she should be pensioned, and why the blind daughter should not. I can understand that very well.

Then, Mr. President, we take a Senator, a man who served, for instance, ten days of a Congressional term, and he dies, and we do not hesitate to pay his heirs the whole amount of the salary during the rest of the term. My colleague, Hon. George S. Houston, perhaps as strict a man as ever lived, died while he was a member of the Senate, and the Senate did not hesitate to pay the salary for the whole unexpired term of that Congress to his heirs at law, a sum amounting to eight or nine thousand dollars. General Burnside died, and we paid a large sum to his representatives. So it is continually. We are paying money day after day to those public servants who happen to die in



office. Where a minister to a foreign country who dies during the time of his service abroad—

Mr. COCKRELL. Will the Senator yield until I ask him a question?

Mr. MORGAN. Certainly.

Mr. COCKRELL. The statement strikes me with wonder that the Senate has paid out to any deceased Senator's family the full salary of that Senator for the unexpired term.

Mr. MORGAN. That is exactly what they have done—paid his salary for the unexpired term of the Congress in which he died.

Mr. COCKRELL. Oh! Just simply the Congress?

Mr. MORGAN. That is all.

Mr. COCKRELL. The two years' term, not the six years' term.

Mr. MORGAN. The difference is between \$10,000 and \$20,000. There is no difference in principle at all.

Mr. COCKRELL. It seldom averages a year.

Mr. MORGAN. I know that the honorable Senator has been on the Committee on Appropriations, and this is the first time he ever objected to a thing of that sort that I ever heard of. It seems to take a poor blind woman who happens to enjoy the hospitality of a benevolent citizen of this country to arouse all the gentleman's patriotism and all his sense of justice.

Mr. COCKRELL. Will the Senator permit one more question for information?

Mr. MORGAN. Certainly.

Mr. COCKRELL. I never heard of the case until it came up. Is not the mother of this child now living and drawing \$5,000 a year.

Mr. MORGAN. No, sir; the mother of this child is dead forty-five years.

Mr. COCKRELL. The step-mother?

Mr. MORGAN. The step-mother is living.

Mr. HARRIS. Allow me to suggest that the President of the United States is commander-in-chief of the armies and navies of the United States; he is the head of the Army. I consider the technical ground upon which, in principle, we may pension his widow (and it might extend to the children under 16 years of age) perfectly consistent with the principles upon which we grant pensions. But when it is proposed to extend it to the adult child of a soldier, whether he be President and commander-in-chief, or commanding general, or an officer of a lower grade, it is introducing a new principle, one heretofore not recognized by the pension law; it is opening a broad field. That is the suggestion I desire to make to the Senator from Alabama in order that he may deal with it.

Mr. MORGAN. Mrs. Dandridge, whom we pensioned at the last session of Congress, was not a woman under 16 years of age. She had been a widow, twice married, and was the daughter of General Taylor, and formerly Mrs. Bliss.

Mr. BLAIR. The Senator will permit me to suggest that we have repeatedly indorsed the principle that where the child of a soldier was over 16 years of age and helpless, either from imbecility or from physical helplessness, the pension should be continued, the principle being precisely the same which led to its being given before the age of 16 years was reached, that being the period fixed by the law on the supposition that at that age the child would be able to take care of itself. Failing to have that ability, the pension is continued from the Government.

Mr. MORGAN. I was not seeking for any precise technical ground on which I could justify this vote. There are precedents enough. We bring home the bodies of our ministers who die abroad in the service, and we pay their families the balance of money due for the unexpired term; and I believe we are about to pass a bill, if we have not already done so during the present session, for Mrs. Hunt, for Mr. Venable's widow, and others, and there are others who ought to be paid. I thought it would gratify the people of the United States, and I believe yet it will, to know that the Congress of the United States has that sense and delicacy of feeling toward a lady who was the first lady in the country, who occupied a place in the White House, who occupied the delicate responsibilities and duties of that elevated position with great ability and with marked success, now that she has grown old and has become blind in the service of the women of the country and is upon the bounty of a private citizen—I thought it would do the Congress of the United States good and the people would like it if they would take that case in hand and allow her enough money to feel at last that she had some little thing or other that she could depend upon instead of trusting to charity.

There is no person, I suppose, who enjoys more worthily than Mrs. Semple does the benevolence of Mr. Corcoran. I dare say that within the Louise Home or anywhere else there is not to be found a single heart in the world that is more burdened with the fact that, after having led a life of duty, a life of honor, a life of elevated position, a life of usefulness, a life of excellence, she should at last be left in this condition without one cent to call her own unless some person should give it to her.

There is some justice in this. There is a good deal more in it than the mere pathetic statement of the fact. There is a duty resting upon this Government which I think we can perform here without violating

the Constitution of our country, and when the Senator from Missouri characterizes this bill as a crime against the Constitution it seems to me he goes a long way. If we never commit a worse crime against the Constitution of the United States than to take a lady under such circumstances as these and to show something of our respect for the influential station that she has held and discharged so perfectly, we shall escape with very clear skirts when we leave this august tribunal.

I hope that the Senator will not hesitate to pass the bill.

Mr. RIDDLEBERGER. Mr. President, I think I am as approachable as any other Senator on this floor when I am asked to do something to assist somebody; but I can not lose sight of the fact that every time we pay out money we have got to collect it. We have got to derive revenue from some source before we pay it out, and there are widows and there are orphan children, and there are suffering widows and suffering orphans in this country who have to contribute to pay a civil pension-list.

That is the only suggestion I have to make.

Mr. BLAIR. Mr. President, I ask the Senator from Alabama and the Senate that this bill may be laid aside informally while I call the attention of the Senate to three or four cases about which there will be no controversy such as we have already passed over.

Several SENATORS. Vote on this.

Mr. BLAIR. There is likely to be more debate. ["No!" "No!"] If we can have a vote, very well.

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

Mr. HAWLEY. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GORMAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. HARRIS (when his name was called). I consented to pair with the Senator from Connecticut [Mr. PLATT] who is absent. I desire to ask his colleague how he thinks the Senator would vote on this question. I should vote "nay."

Mr. HAWLEY. I think my colleague would vote "nay" from the remark he made when he left the Chamber.

Mr. HARRIS. I vote "nay."

Mr. MILLER, of New York (when his name was called). I am paired with the Senator from Delaware [Mr. BAYARD] on political questions. I do not consider this a political question. I will therefore vote "yea."

Mr. SAWYER (when his name was called). I am paired with the Senator from Delaware [Mr. SAULSBURY]. If he were present I should vote "yea."

The roll-call was concluded.

Mr. MITCHELL. On this question I am paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 11, nays 17; as follows:

YEAS—11.			
Blair,	Cameron of Wis.,	Mahone,	Morgan,
Brown,	Conger,	Manderson,	Palmer.
Call,	McPherson,	Miller of N. Y.,	
NAYS—17.			
Chace,	Harris,	Jonas,	Vest,
Cockrell,	Hawley,	McMillan,	Wilson.
Dolph,	Hoar,	Maxey,	
Edmunds,	Ingalls,	Ransom,	
George,	Jackson,	Riddleberger,	
ABSENT—48.			
Aldrich,	Fair,	Jones of Nevada,	Pugh,
Allison,	Farley,	Kenna,	Sabin,
Bayard,	Frye,	Lamar,	Saulsbury,
Beck,	Gariand,	Lapham,	Sawyer,
Bowen,	Gibson,	Logan,	Sewell,
Butler,	Gorman,	Miller of Cal.,	Sherman,
Camden,	Groome,	Mitchell,	Slater,
Cameron of Pa.,	Hale,	Morrill,	Vance,
Coke,	Hampton,	Pendleton,	Van Wyck,
Colquitt,	Harrison,	Pike,	Voorhees,
Cullom,	Hill,	Platt,	Walker,
Dawes,	Jones of Florida,	Plumb,	Williams,

The PRESIDING OFFICER. A quorum has not voted.

Mr. McPHERSON. I move that the Senate adjourn.

Mr. BLAIR. I ask unanimous consent—

Mr. HARRIS. I object to the transaction of any business without a quorum.

Mr. BLAIR. I do not wish to ask for the transaction of any business. I wish to say just a word by unanimous consent.

The PRESIDING OFFICER. Is there objection to the Senator from New Hampshire speaking? The Chair hears none.

Mr. BLAIR. There are six or eight of the most meritorious pension cases that were before the Senate which, by the turn affairs have taken this afternoon, have failed of consideration. I hope there will be no objection at the first opportunity, which I shall seek, to take up those cases and dispose of them.

Mr. McPHERSON. I insist on the motion to adjourn.

The motion was agreed to; and (at 6 o'clock and 39 minutes p. m.) the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

FRIDAY, February 27, 1885.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

The Journal of yesterday was read and approved.

## FLAGS FOR DECORATION.

The SPEAKER. The Chair lays before the House a telegraphic communication from the Secretary of War, which the Clerk will read.

The Clerk read as follows:

To the Speaker of the House of Representatives:

In view of applications made to me by proper committees for flags for decoration purposes next week, which can not be granted without authority of law, I beg to ask whether Senate resolution 109, authorizing the loan of flags, has yet passed the House of Representatives.

ROBERT T. LINCOLN,  
Secretary of War.

## WAR DEPARTMENT.

The SPEAKER. The Chair will state to the House that the joint resolution to which reference is made in this telegram is on the Speaker's table and the gentleman from Tennessee [Mr. DIBRELL] has charge of it.

Mr. DIBRELL. Mr. Speaker, I have letters from the Secretary of War and the chairman of the committee of arrangements asking the passage of this resolution, and I now ask unanimous consent to take Senate resolution 109 from the Speaker's table and put it upon its passage.

Mr. ROBINSON, of New York. Mr. Speaker, I have some notion to object to all this decoration business, but on the whole I will not interfere.

The SPEAKER. No objection is made, and the Clerk will report the joint resolution.

The Clerk read the joint resolution S. R. 109, as follows:

Resolved, &c., That the Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the committee on inauguration ceremonies the flags and bunting in the Government depots, for use in decorating the city of Washington on the 4th day of March next: *Provided*, That the said committee shall indemnify the Departments against any loss or damage resulting from the use of said flags and bunting, except such damage as is necessarily incident to such use.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

## INTERSTATE-COMMERCE BILL.

Mr. REAGAN. Mr. Speaker, I ask unanimous consent to take up House bill No. 5461 with the Senate amendments, with a view to move to non-concur and ask a committee of conference.

Mr. KEAN. What is that bill?

The SPEAKER. The gentleman from Texas [Mr. REAGAN] asks unanimous consent to take from the Speaker's table the bill H. R. 5461 with the Senate amendments, with a view to moving that the House non-concur and ask for a committee of conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 5461) to regulate interstate commerce, and to prohibit unjust discrimination by common carriers.

Mr. KEAN. I object.

Mr. THOMAS. Regular order.

## GENERAL HORATIO G. WRIGHT.

Mr. ROSECRANS. Mr. Speaker, I ask unanimous consent to submit two reports from the Committee on Military Affairs.

The SPEAKER. The regular order is demanded by the gentleman on the left [Mr. THOMAS].

Mr. ROSECRANS. May I ask the gentleman for a moment's courtesy while I submit two reports?

Mr. THOMAS. I withdraw the demand for the regular order.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with a favorable recommendation the joint resolution (H. Res. 195) to place the name of General Horatio G. Wright, late Chief of Engineers, on the roll of major-generals on the retired-list with the emoluments and pay of said grade; which, with the accompanying report, was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

## MULTICHARGE GUNS.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with the favorable recommendation the petition of J. R. Haskell in relation to multicharge guns, and moved that the same be referred to the Committee on Appropriations and ordered to be printed.

The motion was agreed to.

## PUBLIC BUILDING, TERRE HAUTE, IND.

Mr. STOCKSLAGER, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 7967) to change the

limit of the appropriation for the public building at Terre Haute, Ind.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

## REFERRING CLAIMS TO COURT OF CLAIMS.

Mr. ROWELL, from the Committee on War Claims, submitted the following report; which was laid on the table, and ordered to be printed:

The Committee on War Claims, to whom were referred the following bills and petitions, having considered the same, report that they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883:

A bill (H. R. 6023) for the relief of Oliver M. Blair, administrator of Thomas P. Blair, deceased;  
A bill (H. R. 4960) for the relief of the heirs of George T. Swann;  
A bill (H. R. 6582) for the relief of A. L. H. Crenshaw;  
A bill (H. R. 4959) for the relief of Mary V. Rawlins and Elizabeth H. Yerger;  
Petition of William D. Whitted;  
Petition of W. J. Embry, executor of John P. Brown, deceased;  
A bill (H. R. 2741) for the relief of the estate of Thomas Jones, deceased;  
A bill (H. R. 6114) for the relief of John M. Elder;  
Petition of John A. Farley;  
Petition of Elizabeth Griggs, executrix of H. C. Griggs, deceased;  
Petition of John B. Reed;  
Petition of Josiah Q. Shaw;  
Petition of Mrs. Lucy J. Stockley;  
Petition of W. C. Reeves;  
Petition of Finesas E. Writ;  
Petition of W. A. Galloway;  
Petition of F. M. Mendenhall;  
Petition of William A. Williamson;  
Petition of William H. Hill;  
Petition of Abner D. Lewis;  
Petition of James C. Newman;  
Petition of James G. Field;  
Petition of William B. Sims;  
Petition of Superioress of St. Cecilia Academy, of Nashville, Tenn.;  
Petition of George W. F. Lamkin;  
Petition of Milton S. Haire;  
Petition of Lucien J. Seals;  
Petition of Mrs. Ellen Sherwood;  
Petition of John W. Dixon;  
Petition of John T. Inman, administrator of A. L. Garner, deceased;  
Petition of John M. Campbell;  
Petition of Greenbury Adamson;  
Petition of William R. Kearney;  
A bill (H. R. 4646) for the relief of William Bushby;  
A bill (H. R. 4674) for the relief of Lindsay Ridgeway;  
A bill (H. R. 7393) for the relief of Payne and Thomas C. Wood;  
Petition of Elizabeth Seward;  
Petition of Henry E. Vills;  
Petition of Hennie E. Revell;  
Petition of Clara E. Bryan;  
Petition of W. H. Hugh, administrator of David Unsell, deceased;  
Petition of John R. Watkins, administrator of Matilda W. Anderson, deceased;  
Petition of Mathias App;  
Petition of Caleb R. Clements;  
Petition of Mrs. Sarah McLemore;  
Petition of William M. Beasley;  
Petition of Horace L. Kent;  
Petition of Joel Mann;  
Petition of Henry C. Dollis;  
Petition of Elizabeth Griggs, administrator of Charles Murphy, deceased;  
Petition of John H. McClellan;  
Petition of Joseph L. Glove;  
Petition of Elizabeth Becton;  
Petition of George W. Beasley;  
Petition of Daniel H. Hildebrand;  
Petition of Mrs. Lucie A. Jameson;  
Petition of Charles C. Burke, administrator of Elizabeth Burke, deceased;  
Petition of M. C. McHaney;  
Petition of Augustus F. Bonner, administrator of Martha A. Bonner, deceased;  
Petition of Mary E. McKinney;  
Petition of John H. Mitchell;  
Petition of James I. Amonett, executor of James M. Provine, deceased;  
Petition of Sarah Waters, administratrix of Robert Waters, deceased;  
Petition of William H. Bryan;  
Petition of Joseph S. McAnulty;  
Petition of William A. Anthony;  
Petition of J. C. and J. H. Atkins, administrators of N. G. Atkins, deceased;  
Petition of A. V. Warr, administrator of N. H. Isbell, deceased;  
Petition of Jordan Broadway;  
Petition of Anne W. Byers;  
Petition of Andrew Cathey;  
Petition of Maggie Barron et al.;  
Petition of Robert S. McDonald;  
Petition of Elisha Nelson;  
Petition of Robert H. Walton;  
Petition of J. D. Askew, administrator of George W. Houghton, deceased;  
Petition of J. D. Askew, administrator of Alexander Askew, deceased;  
Petition of Louis Marat;  
Petition of John McDowell;  
Petition of Cynthia Milliken;  
Petition of John F. Byars;  
Petition of Mrs. J. E. Robinson;  
Petition of John H. Lanier, jr., administrator of John H. Lanier, sr., deceased;  
Petition of John Irvin;  
A bill (H. R. 477) for the relief of George H. Wells;  
A bill (H. R. 2855) for the relief of the trustees of the Protestant Episcopal Seminary and High School in Virginia;  
Petition of James B. Boykin;  
Petition of Harriett E. McClelland;  
Petition of Amelia B. Caldwell, administratrix of John Caldwell, deceased;  
A bill (H. R. 7992) for the relief of Nathaniel McKay et al.;  
A bill (H. R. 1194) for the relief of the estate of Joseph Cooper, deceased;  
A bill (H. R. 6729) for the relief of H. C. Smith;  
A bill (H. R. 7381) for the relief of Peter Cook;  
House resolution (No. 118) for the relief of Maria V. Brown;



A bill (H. R. 5833) for the relief of Jacob Bloomstein;  
 A bill (H. R. 348) for the relief of Jesse K. Vawter;  
 A bill (H. R. 623) for the relief of William J. May;  
 A bill (H. R. 2560) for the relief of David Hicks;  
 A bill (H. R. 5559) for the relief of Lucy A. Hey;  
 A bill (H. R. 3377) for the relief of Frederick Demming;  
 A bill (H. R. 6015) for the relief of Lewis Rothermel;  
 Petition of William Aymett;  
 Petition of Thomas Fisher;  
 Petition of Samuel Edmundson;  
 Petition of Mary H. Bush;  
 Petition of Robert W. Wilkinson;  
 Petition of John W. Alexander, executor of James S. Williams, deceased;  
 Petition of B. Y. Swart;  
 Petition of Elisha M. Shaddon;  
 Petition of John Vantrees;  
 Petition of Martha W. Hughes;  
 Petition of Fidal Spah;  
 Petition of F. Spah;  
 Petition of William Vantrees;  
 Petition of the legal representatives of F. L. Cawthorne, deceased;  
 Petition of W. S. Calloway;  
 Petition of Mrs. E. Gant;  
 Petition of Robert Smith;  
 Petition of Calvin Spiney;  
 Petition of Mrs. R. Stanfield;  
 Petition of Mrs. Amanda Wadley;  
 A bill (H. R. 7796) for the relief of Elizabeth Putnam;  
 Petition of Rebecca A. Minor;  
 Petition of James M. Seeds;  
 Petition of Sophia G. Mitchell and Eliza J. Mahon;  
 Petition of Eugene Fereult;  
 A bill (H. R. 7690) for the relief of J. H. T. Main;  
 Petition of Joseph M. Middlekauff;  
 Petition of Henry Adams;  
 Petition of Jacob R. Adams;  
 Petition of Samuel Emmert;  
 Petition of Thomas N. Heskett;  
 Petition of William Householder;  
 Petition of William Mathews;  
 Petition of David Wolf;  
 Petition of Solomon Newcomer;  
 Petition of A. J. McAllister;  
 Petition of George Snyder;  
 Petition of Martha J. Wroe;  
 Petition of Joshua Newcomer;  
 Petition of Lewis Johnson;  
 Petition of Henry McCauley;  
 Petition of John Hammond;  
 Petition of Jonas Spellman;  
 Petition of Harrison Beeler;  
 Petition of Abraham Shaff;  
 Petition of the heirs of Jesse Viers, deceased;  
 Petition of Dr. William H. Grimes;  
 Petition of Eliza Eyler;  
 Petition of Frederick Wyand;  
 Petition of Thomas Corbett;  
 Petition of Urias Buskirk;  
 Petition of John D. Keedy;  
 Petition of Lewis A. Grosh;  
 Petition of Louisa A. Knode, administratrix of S. A. Knode, deceased;  
 Petition of Mary E. Lucas;  
 Petition of Hannah B. Edwards and Mary E. Lucas, heirs of Mary G. Wray, deceased;  
 Petition of J. B. Stacy;  
 Petition of Samuel May;  
 Petition of George Keel;  
 Petition of Stephen Bird, executor of John Bird, deceased;  
 A bill (H. R. 867) for the relief of the heirs of Horatio N. Spencer;  
 Petition of John Dillard;  
 Petition of Calvin Chears;  
 A bill (H. R. 2187) for the relief of Marcus L. Broadwell;  
 A bill (H. R. 2189) for the relief of the estate of Thomas V. Stirman, deceased;  
 A bill (H. R. 2191) for the relief of James S. Frizzell;  
 A bill (H. R. 2192) for the relief of Isaac N. Webb;  
 A bill (H. R. 2194) for the relief of Joseph B. McClintock;  
 A bill (H. R. 3217) for the relief of Clara H. Flowers *et al.*;  
 Petition of Ida M. Wells and others;  
 Petition of G. W. Hughes;  
 Petition of T. B. Planché;  
 Petition of Tabitha Garnett;  
 Petition of Lucy A. M. Jones;  
 Petition of Daniel T. Wood;  
 Petition of Lucinda Allen;  
 Petition of Samuel W. Craft;  
 Petition of John H. Hamfler;  
 Petition of David L. Scott;  
 Petition of Levi Middlekauff, administrator of John C. Middlekauff, deceased;  
 Petition of John Monday;  
 Petition of John H. King;  
 Petition of Mrs. Catharine Little;  
 Petition of Thomas Barnum;  
 Petition of Louisa McCollister;  
 Petition of Ramsay Robb Lees;  
 Petition of Samuel Emmert;  
 Petition of Henry C. Mumma and Samuel Mumma, executors of Samuel Mumma, deceased;  
 Petition of Richard S. Kirk;  
 Petition of Thomas R. Mitchell;  
 Petition of Thomas Trundle;  
 A bill (H. R. 8210) for the relief of Stephen H. Myers;  
 A bill (H. R. 471) for the relief of Adam Hine;  
 A bill (H. R. 4954) for the relief of Orien L. Dodd;  
 Petition of William Reading;  
 Petition of William H. Knode;  
 Petition of Solomon S. Lumm;  
 Petition of Benjamin Brown;  
 Petition of Johnson Benson;  
 Petition of John H. Fiery;  
 Petition of John H. Huyett;  
 Petition of John T. and Sarah A. De Sellum;  
 Petition of Samuel M. Haller;  
 Petition of Jonathan Yoste; and  
 Petition of A. P. Burditt and James Fisk.

## PUBLIC LANDS DECISIONS.

Mr. ROGERS, of New York, by unanimous consent, submitted a concurrent resolution to provide for printing the first and second volumes of decisions relating to the public lands; which was referred to the Committee on Printing, and ordered to be printed.

## ORDER OF BUSINESS.

Mr. THOMAS. Now, Mr. Speaker, I call for the regular order.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 8179) making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The message further announced that the Senate had passed without amendments joint resolutions of the following titles:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh additional reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House was requested:

Joint resolution (S. R. 134) relative to the use of plants belonging to the public conservatories of the District of Columbia for inauguration ceremonies.

## PERSONAL EXPLANATION.

Mr. SNYDER. Mr. Speaker, I rise to a privileged question.

The SPEAKER. The gentleman will state it.

Mr. SNYDER. I desire to explain my vote given yesterday.

The SPEAKER. That is not a privileged matter. The gentleman can proceed only by unanimous consent.

Mr. SNYDER. I ask unanimous consent to make a personal explanation. Mr. Speaker, on page 2439 of the RECORD of yesterday's proceedings I am recorded as having voted "ay" upon the resolution offered by the chairman of the Appropriations Committee. With a decided opinion as to the impropriety of the clause in the sundry civil bill relating to the suspension of silver coinage, and with the avowed intention of voting against the same when the opportunity was offered (the resolution providing for a separate vote upon said proposition), I voted "ay" to limit debate and facilitate business, in order that an extra session of Congress might be avoided.

I am opposed to any legislation on the part of Congress looking toward either the limitation or suspension of silver coinage. The subsequent statement of the gentleman from Pennsylvania demands that this explanation be made in order that my position may not be misunderstood by my constituents.

Mr. HAMMOND. I object. That is not a matter of privilege, and I object to further explanation.

The SPEAKER. The Chair so decided, and the gentleman proceeded by unanimous consent.

Mr. HAMMOND. I object. Every gentleman who casts a vote might occupy time of the House in the same way.

Several MEMBERS. Regular order.

The SPEAKER. The regular order is demanded.

## ORDER OF BUSINESS.

Mr. CABELL. Mr. Speaker, I desire to suspend the rules to take up House bill 8029, to authorize the establishment of export tobacco manufacturing and for drawbacks upon imported articles used in manufacturing exported tobacco.

## SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The House is acting under a suspension of the rules.

The regular order being called for, the House resumes, under the order adopted yesterday by suspension of the rules, the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes. The first question is upon the amendments to the clause in relation to the New Orleans Exposition.

Mr. HERR. The first amendment, as I understand, is the one which I offered.

The SPEAKER. That is the understanding of the Chair. A motion has been made by the gentleman from New York [Mr. POTTER] to strike out the clause; but that will not be voted upon until amendments to the text have been disposed of. The amendment of the gentleman from Michigan [Mr. HERR] will be read.

The Clerk read as follows:

Strike out the entire clause and insert in lieu thereof the following:  
 "For the purpose of aiding the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$300,000, or so much thereof as may be necessary, to be immediately available and to be used first in payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations living and doing business outside of the State of Louisiana, including debts due to foreigners or foreign nations and such as are due to States and Territories from said exposition. Secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition in accordance with the lists of awards heretofore published; said money to be disbursed under the direction of the Secretary of the Treasury, who shall make proper rules and regulations for the form and verification of vouchers in proof of such indebtedness and shall detail a proper agent of his Department to disburse said funds as directed by said Secretary, who shall make a detailed statement of his transactions to the Treasury Department."

The SPEAKER. The question is upon the motion of the gentleman from Michigan to strike out the clause in the bill and substitute what has just been read.

Mr. ELLWOOD. I rise for an inquiry. I have submitted a substitute. Will the vote upon this proposition of the gentleman from Michigan rule out my substitute?

The SPEAKER. Is the amendment of the gentleman from Michigan offered as a substitute?

Mr. ELLWOOD. I move to amend by adding to the substitute of the gentleman from Michigan the clause which I ask the Clerk to read. The Clerk read as follows:

A committee of three members of the House shall be appointed by the Speaker to inquire into the expenditures by and money received by the managers of the World's Industrial Cotton and Centennial Exposition. The said committee are hereby empowered to administer oaths, to compel the attendance of witnesses, and to send for persons and papers; and it shall report the result of its investigation to the Forty-ninth Congress on or before December 10, 1885.

Mr. BLAND. That amendment is subject to a point of order.

The SPEAKER. The Chair thinks it is subject to a point of order. The point is sustained. The question is upon the substitute of the gentleman from Michigan.

Mr. ELLIS. As I understand it has been agreed between the gentleman and myself that his substitute shall be amended by striking out the words "or so much thereof as may be necessary." I understand the gentleman from Michigan is willing to accept this amendment.

The SPEAKER. The gentleman from Louisiana [Mr. ELLIS] moves to amend the substitute of the gentleman from Michigan by striking out the words "but so much thereof as may be necessary."

Mr. ELLIS. By agreement between the gentleman from Michigan and myself those words go out.

Mr. HERR. If it be in order I will state that in my judgment this amendment does not affect substantially my substitute; and I consent to it. I think every dollar of the appropriation will be spent, at any rate.

The question being taken on the amendment of Mr. ELLIS, there were—ayes 78, noes 20.

Mr. ANDERSON. I make the point that no quorum has voted. Tellers were ordered; and Mr. ANDERSON and Mr. ELLIS were appointed.

The House again divided; and the tellers reported—ayes 121, noes 44.

So the amendment of Mr. ELLIS was agreed to.

The SPEAKER. The question now recurs on the amendment proposed by the gentleman from Michigan [Mr. HERR] as amended.

Mr. BEACH. On this question I demand the yeas and nays. The yeas and nays were ordered, 45 members voting therefor.

The question was taken; and it was decided in the affirmative—yeas 206, nays 53, not voting 60; as follows:

## YEAS—206.

Adams, G. E.	Carleton,	Fiedler,	Jones, J. H.
Aiken,	Clay,	Findlay,	Jones, J. K.
Alexander,	Cobb,	Finerty,	Jones, J. T.
Anderson,	Connolly,	Follett,	Kean,
Atkinson,	Cook,	Foran,	Keifer,
Bagley,	Cosgrove,	Forney,	Kelley,
Balentine,	Covington,	Funston,	Kellogg,
Barbour,	Cox, W. R.	George,	Ketcham,
Barksdale,	Craig,	Glaseock,	King,
Bayne,	Cullen,	Greenleaf,	Klener,
Belmont,	Curtin,	Guenther,	Lacey,
Bennett,	Davidson,	Hanback,	Lawrence,
Bisbee,	Davis, G. R.	Hancock,	Lewis,
Blanchard,	Davis, L. H.	Harmer,	Libbey,
Boutelle,	Dibble,	Hatch, H. H.	Long,
Brainerd,	Dibrell,	Haynes,	Lore,
Bratton,	Dixon,	Hemphill,	Lowry,
Breckinridge,	Dockery,	Herbert,	Lyman,
Breitung,	Dorshelmer,	Hewitt, A. S.	McCold,
Brewer, F. B.	Dowd,	Hewitt, G. W.	McComick,
Brewer, J. H.	Dunham,	Hill,	McMillin,
Broadhead,	Dunn,	Hitt,	Milliken,
Brumms,	Eldredge,	Holmes,	Mitchell,
Buckner,	Elliot,	Holton,	Morgan,
Budd,	Ellis,	Horr,	Morrill,
Cabell,	Ellwood,	Houk,	Morse,
Caldwell,	English,	Howey,	Moulton,
Campbell, J. E.	Ermentrout,	Hunt,	Muldrow,
Campbell, J. M.	Everhart,	James,	Muller,
Candler,	Ferrell,	Jeffords,	Murphy,
		Jones, B. W.	

Murray,	Ranney,	Smith, A. Herr	Wakefield,
Mutcher,	Ray, Ossian	Smith, H. Y.	Ward,
Nelson,	Reagan,	Snyder,	Washburn,
Nicholls,	Reid, J. W.	Springer,	Weaver,
Nutting,	Reed, T. B.	Steele,	Weller,
Oates,	Reese,	Stephenson,	Wemple,
O'Ferrall,	Riggs,	Stewart, J. W.	White, J. D.
Paige,	Robertson,	Stockslager,	White, Milo
Parker,	Robinson, W. E.	Stone,	Whiting,
Payson,	Rockwell,	Strait,	Willis,
Peel,	Rogers, J. H.	Struble,	Willson, James
Perkins,	Rogers, W. F.	Sumner, C. A.	Wilson, W. L.
Peters,	Rosecrans,	Sumner, D. H.	Winans, E. B.
Pettibone,	Roswell,	Swope,	Winans, John
Phelps,	Russell,	Talbot,	Wise, G. D.
Poland,	Ryan,	Taylor, J. D.	Wood,
Post,	Seymour,	Townsend,	Worthington,
Price,	Shively,	Valentine,	Yaple,
Pryor,	Singleton,	Vance,	York.
Pusey,	Skinner, T. G.	Van Eaton,	
Randall,	Smalls,	Wait,	

## NAYS—53.

Arnot,	Culberson, D. B.	Matson,	Taylor, J. M.
Barr,	Dargan,	Maybury,	Thomas,
Beach,	Deuster,	Millard,	Thompson,
Belford,	Eaton,	Miller, J. F.	Tillman,
Blount,	Geddes,	Mills,	Tully,
Boyle,	Halsell,	Money,	Turner, H. G.
Brown, W. W.	Hammond,	Fatton,	Turner, Oscar
Browne, T. M.	Hardeman,	Payne,	Van Alstyne,
Buchanan,	Hatch, W. H.	Pierce,	Wadsworth,
Burleigh,	Henderson, T. J.	Potter,	Wallace,
Cassidy,	Holman,	Seney,	Warner, Richard
Clardy,	Hopkins,	Skinner, C. R.	Wellborn,
Clements,	Houseman,	Stevens,	Young.
Converse,	Latham,	Stewart, Charles	
Cox, S. S.	Le Fevre,	Storm,	

## NOT VOTING—60.

Adams, J. J.	Garrison,	Johnson,	Rice,
Bingham,	Gibson,	Jordan,	Robinson, J. S.
Blackburn,	Goff,	Laird,	Shaw,
Bowen,	Graves,	Lamb,	Slocum,
Burnes,	Green,	Loving,	Spooner,
Campbell, Felix	Hardy,	McAdoo,	Spriggs,
Cannon,	Hart,	Miller, S. H.	Taylor, E. B.
Chalmers,	Henderson, D. B.	Morrison,	Throckmorton,
Collins,	Henley,	Neece,	Tucker,
Culberson, W. W.	Hepburn,	Ochiltree,	Warner, A. J.
Cutcheon,	Hiscock,	O'Hara,	Wilkins,
Davis, R. T.	Hoblitzell,	O'Neill, Charles	Williams,
Dingley,	Hooper,	O'Neill, J. J.	Wise, J. S.
Evans,	Hurd,	Rankin,	Wolford,
Fyan,	Hutchins,	Ray, G. W.	Woodward.

So the amendment was agreed to.

During the roll-call,

Mr. BEACH moved that by unanimous consent the reading of the names be dispensed with.

There was no objection, and it was ordered accordingly.

Mr. HERR. Mr. Speaker, I rise to a parliamentary inquiry. Will it be proper to ask by unanimous consent a vote be taken on this proposition as amended or on this substitute? I have said, as I supposed was the fact, there would be a vote if this were amended. I am informed if this is voted in, as it is, there will be no further vote. That misled some gentlemen.

Mr. RANDALL. There will be a vote on the bill with this in it.

The SPEAKER. There will be no further vote on this clause as a separate proposition. The Chair will state the situation.

Mr. RANDALL. There will be a vote on the bill with that in it.

Mr. HERR. But that is not fair.

The SPEAKER. The gentleman from Michigan moved to strike out the clause and insert what has been read. The gentleman from New York [Mr. POTTER] made a motion to strike out the clause without inserting anything. The gentleman from Michigan offered his amendment first and the House voted on it first. If the House sustains the motion to strike out the words as they stood in the bill and insert the words of the amendment it closes the vote on this clause, because it is not competent under the rules of the House to strike out the identical thing just inserted by a vote; and the only way to reach that would be to reconsider that vote.

Mr. HERR. There can be unanimous consent that a vote be taken on the proposition. I do not think any one will object to that; it will be passed just the same.

Mr. BOUTELLE. I will enter the motion to reconsider.

The SPEAKER. The vote has not yet been announced.

Mr. HAMMOND. I rise to a parliamentary inquiry, and it is that as the vote has not been announced, can not the whole difficulty be obviated by gentlemen changing their votes?

The SPEAKER. The gentleman from Michigan asks unanimous consent that after the vote shall be announced, if the amendment be adopted, a vote shall then be taken on the motion to strike out the clause; is there objection?

Mr. HERR. There can be no objection.

There was no objection, and it was ordered accordingly.

The following pairs were then announced.

On all political questions, until further notice:

Mr. MORRISON with Mr. JOHN S. WISE.

Mr. SHAW with Mr. LAIRD.



Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.

Mr. JORDAN with Mr. HENDERSON, of Iowa.

Mr. HURD with Mr. RICE.

Mr. NEECE with Mr. CHALMERS.

On this vote:

Mr. RANKIN with Mr. OCHILTREE.

Mr. FYAN with Mr. JOHNSON.

Mr. CAMPBELL, of New York, with Mr. HOOPER.

Mr. BLACKBURN with Mr. HART.

Mr. HOBLITZELL with Mr. GOFF.

Mr. MCADOO with Mr. O'NEILL, of Pennsylvania. If voting, Mr. O'NEILL would vote "ay" and Mr. MCADOO "no."

For the day:

Mr. WILLIAMS with Mr. CUTCHEON.

The vote was then announced as above recorded.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department, United States Army; and

Joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

#### SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. By order of the House the vote will now be taken on the motion of the gentleman from New York [Mr. POTTER] to strike the clause entirely from the bill.

Mr. POTTER. Upon that motion I call for the yeas and nays.

The yeas and nays were ordered.

Mr. YORK. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. YORK. I ask if this is on the vote to strike out the \$300,000?

The SPEAKER. The Chair will state that this is to strike out the entire clause.

Mr. BELFORD. I rise to a question of order. There is so much confusion and smoking on the floor that we can not determine what is going on.

The SPEAKER. The Chair will cause, on account of the complaints so frequently made to the Chair, clause 7 of Rule XIV to be read; and calls the attention of members on the floor and also of the officers of the House, the Doorkeeper and Sergeant-at-Arms, to the rule.

The Clerk read as follows:

7. When the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

The SPEAKER. The Chair hopes the officers of the House charged with the execution of this rule will see that it is complied with on the floor.

The question is on agreeing to the motion of the gentleman from New York to strike out the clause on which the yeas and nays have been ordered; and the Clerk will call the roll.

The question was taken; and there were—yeas 124, nays 158, not voting 42; as follows:

#### YEAS—124.

Alexander,	Dargan,	McCoid,	Seymour,
Anderson,	Davis, L. H.	McComas,	Shively,
Arnot,	Deuster,	McCormick,	Skinner, C. R.
Barr,	Dingley,	McMillin,	Smith, A. Herr
Beach,	Dockery,	Matson,	Smith, H. Y.
Bland,	Eaton,	Maybury,	Springer,
Blount,	Eldredge,	Millard,	Steele,
Boutelle,	Ellwood,	Miller, J. F.	Stevens,
Bowen,	English,	Milliken,	Storm,
Boyle,	Everhart,	Mills,	Talbot,
Brainerd,	Ferrell,	Mitchell,	Taylor, J. D.
Brewer, F. B.	Geddes,	Morgan,	Taylor, J. M.
Brewer, J. H.	Halsell,	Moulton,	Thomas,
Browne, T. M.	Hammond,	Murray,	Turner, H. G.
Buchanan,	Hardy,	Nutting,	Turner, Oscar
Buckner,	Hart,	Oates,	Van Alstyne,
Burnes,	Hatch, H. H.	O'Neill, J. J.	Wadsworth,
Campbell, J. M.	Hatch, W. H.	Parker,	Wait,
Candler,	Henderson, T. J.	Patton,	Warner, A. J.
Carlebon,	Hepburn,	Payne,	Warner, Richard
Cassidy,	Hewitt, A. S.	Payson,	Weaver,
Clardy,	Hitt,	Peel,	Wellborn,
Clements,	Holman,	Peters,	Whiting,
Cobb,	Howey,	Phelps,	Winans, E. B.
Connolly,	James,	Pierce,	Winans, John
Cook,	Kean,	Post,	Wood,
Cosgrove,	Lanham,	Potter,	Woodward,
Covington,	Lawrence,	Ranney,	Worthington.
Cox, S. S.	Le Ferre,	Ray, G. W.	Yapple,
Cox, W. R.	Lowry,	Rockwell,	York.
Culbertson, D. B.	Lyman,	Seney,	

#### NAYS—158.

Adams, G. E.	Ballentine,	Belford,	Blanchard,
Aiken,	Barbour,	Belmont,	Bratton,
Atkinson,	Barksdale,	Bennett,	Breckinridge,
Bagley,	Bayne,	Bisbee,	Breitung,

Broadhead,	Gibson,	Long,	Russell,
Brown, W. W.	Glascok,	Lore,	Ryan,
Brumm,	Goff,	Lovering,	Singleton,
Budd,	Graves,	Miller, S. H.	Skinner, T. G.
Burleigh,	Green,	Money,	Smalls,
Cabell,	Greenleaf,	Morrill,	Snyder,
Caldwell,	Guenther,	Morse,	Spooner,
Campbell, J. E.	Hanback,	Muldrov,	Stephenson,
Cannon,	Harmer,	Muller,	Stewart, Charles
Converse,	Haynes,	Murphy,	Stewart, J. W.
Craig,	Hemphill,	Mutchler,	Stocksager,
Crisp,	Henley,	Nicholls,	Stone,
Cullen,	Herbert,	Ochiltree,	Struble,
Curtin,	Hewitt, G. W.	O'Ferrall,	Sumner, C. A.
Davidson,	Hill,	O'Hara,	Sumner, D. H.
Davis, G. R.	Hiscock,	O'Neill, Charles	Swope,
Davis, R. T.	Holmes,	Paige,	Thompson,
Dibble,	Hopkins,	Perkins,	Tillman,
Dibrell,	Horr,	Pettibone,	Townsend,
Dixon,	Houle,	Poland,	Tully,
Dorheimer,	Houseman,	Price,	Valentine,
Dowd,	Hunt,	Pryor,	Vance,
Dunham,	Jeffords,	Pusey,	Vap Eaton,
Dunn,	Johnson,	Randall,	Wallace,
Elliott,	Jones, B. W.	Ray, Ossian	Ward,
Ellis,	Jones, J. H.	Reagan,	Washburn,
Ermentrout,	Jones, J. K.	Reed, T. B.	Wemple,
Fiedler,	Jones, J. T.	Reid, J. W.	White, J. D.
Findlay,	Keifer,	Reese,	White, Milo
Finerty,	Kelley,	Riggs,	Willis,
Follett,	Kellogg,	Robertson,	Wilson, James
Foran,	King,	Robinson, W. E.	Wilson, W. L.
Forney,	Kleiner,	Rogers, J. H.	Wise, G. D.
Funston,	Lacey,	Rogers, W. F.	Wolford,
Garrison,	Lamb,	Rosecrans,	
George,	Lewis,	Rowell,	

#### NOT VOTING—42.

Adams, J. J.	Hancock,	Libbey,	Strait,
Bingham,	Hardeman,	McAdoo,	Taylor, E. B.
Blackburn,	Henderson, D. B.	Morrison,	Throckmorton,
Campbell, Felix	Hoblitzell,	Neece,	Tucker,
Chalmers,	Holton,	Nelson,	Wakefield,
Clay,	Hooper,	Rankin,	Weller,
Collins,	Hurd,	Rice,	Williams,
Culbertson, W. W.	Hutchins,	Robinson, J. S.	Wise, J. S.
Cutcheon,	Jordan,	Shaw,	Young,
Evans,	Ketcham,	Slocum,	
Fyan,	Laird,	Spriggs,	

So the motion to strike out was not agreed to.

On motion of Mr. ELLIS, by unanimous consent the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. BLACKBURN with Mr. STRAIT, on this vote.

Mr. FYAN with Mr. BINGHAM, on this vote.

The result of the vote was then announced as above recorded.

Mr. ELLIS moved to reconsider the vote by which the motion to strike out was rejected; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question now recurs upon ordering the bill as amended to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time.

The question recurred on the passage of the bill.

Mr. RANDALL. On that I demand the previous question.

Mr. WHITE, of Kentucky. I call for the reading of the engrossed bill.

The SPEAKER. The Chair does not think there is any rule or any recent practice of the House requiring the reading of the engrossed bill. Mr. WHITE, of Kentucky. I understood the Speaker to say that the bill was now upon its passage.

The SPEAKER. The Chair so stated.

Mr. WHITE, of Kentucky. What bill?

The SPEAKER. The sundry civil appropriation bill.

Mr. WHITE, of Kentucky. Then I ask for the reading of the engrossed bill.

The SPEAKER. On the passage of the bill the gentleman from Pennsylvania has demanded the previous question.

Mr. WHITE, of Kentucky. And I call for the reading of the bill upon which we are to pass, which is the engrossed bill.

The SPEAKER. Under what rule?

Mr. WHITE, of Kentucky. The Speaker knows the rule.

The SPEAKER. The Chair knows of no such positive rule or late practice. If there be any, the Chair hopes the gentleman will call attention to it.

Mr. WHITE, of Kentucky. The Chair stated the question to be upon the passage of this bill, and that the gentleman from Pennsylvania had demanded the previous question. Now, upon that bill on which the previous question is demanded, which, as the Speaker states, is the sundry civil appropriation bill, I ask as a question of right for the reading of the engrossed bill.

The SPEAKER. The Chair will hear the gentleman from Kentucky on the subject as to whether there is any such rule or practice of the House.

Mr. WHITE, of Kentucky. I call the attention of the Chair to page 199 of the Digest, to Rule XXI, clause 2:

Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker

shall state the question to be: Shall the bill be engrossed and read a third time? and, if decided in the affirmative, it shall be read the third time by title, unless the reading in full is demanded by a member, and the question shall then be put upon its passage.

I contend that if the bill has been engrossed it ought to be here, and the Clerk should read that engrossed bill upon which we are here to vote. The rule says so; it is in the bond, and I call for the pound of flesh.

Mr. WAIT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAIT. Did not the House on yesterday by a vote of two-thirds direct the suspension of the rules for the remainder of the session upon the sundry civil appropriation bill?

The SPEAKER. The House by a vote of two-thirds suspended the rules to consider the bill under certain regulations prescribed in the motion itself, which regulations say nothing concerning the readings of the bill.

Mr. WAIT. Would not then the action of the House suspend any rule such as the gentleman from Kentucky invokes?

The SPEAKER. The Chair has not yet decided that.

Mr. COX, of New York. I would like the Chair to state to the House the exact situation of this bill at this time. If I understand it, the bill has been read a third time by its title. We have passed from that. The previous question has been called on the passage of the bill. Am I right?

The SPEAKER. The previous question has been demanded, but has not been ordered.

Mr. COX, of New York. The custom has been, so far as I recollect, after the proceedings on a bill have reached this stage not to have the engrossed bill read a third time at length.

Mr. POTTER. It has not been read at length at all.

Mr. CRISP. It was read here in the House.

Mr. POTTER. At what time?

Mr. CRISP. Between 6 and 7 o'clock last evening.

Mr. COX, of New York. My friend from New York was not present at that time.

I submit that since the adoption of the new rules there has been no practice calling for what the gentleman from Kentucky now demands, the reading of this bill at length at this stage.

Mr. REED, of Maine. This is not a question of what practice has arisen. The action of the House thus far has simply been to pass the bill to be engrossed. That is the order of the House; consequently the bill has got to be engrossed and read the third time. Now, how is it possible if a member demands the reading of the engrossed bill to say to him that that has not been done which the House has ordered to be done?

The SPEAKER. The Chair has no doubt as to the right of a member under the express language of the second clause of Rule XXI to demand the third reading of the bill at length before the question is taken on its passage; but the question of practice, as to which the Chair has some difficulty, is whether the member has a right to demand that the bill shall be actually engrossed before it is read.

There was a practice prevailing at one time, according to the impression of the Chair, to take the printed or manuscript bill and simply indorse it as an engrossed bill. That practice prevailed for a long time in the House according to the present recollection of the Chair, but was afterward discontinued, and the bill was simply read in its original printed form.

Mr. REED, of Maine. When I first came into this House it was understood if a member chose to demand the reading of the engrossed bill the bill had to be engrossed before it could be read to satisfy his demand; and I supposed that arose not from any particular rule but from the nature of the case. The first passage of the bill is a passage to be engrossed, and the House before it passes the bill finally, if it chooses, is entitled to have the engrossed bill read in order to see if that is the bill which has been actually passed in the House.

I remember once in the Legislature of my own State that a bill which was engrossed was actually different from the bill which passed the senate of the State, and that by reason of a mistake on the part of the clerk of the senate; so that the bill actually went to the governor, but was not signed, with amendments in it not one of which had been voted on by the senate. That occurred because the engrossment was made by mistake.

The SPEAKER. The Chair has no doubt the practice in most legislative bodies is as the gentleman has stated.

Mr. REED, of Maine. It is not in any respect different from the practice and from the principle of the rules of this House. The House has passed a bill to be engrossed. That has got to be done. The engrossment has to take place before the bill can be finally passed. It seems to me that is in the very nature of things and can not be eradicated by any custom of the House or by the rule.

Mr. RANDALL. I suppose that there may be members here who had the impression that this bill was not engrossed. I beg to state that that precaution has been taken and the bill is engrossed.

Mr. WHITE, of Kentucky. Then have it read.

Mr. RANDALL. And in that connection I ask the Chair whether the suspension of the rules under which we have been acting has exhausted itself?

The SPEAKER. The motion of the gentleman from Pennsylvania [Mr. RANDALL] was simply to suspend the rules and consider the bill under certain regulations. The Chair thinks that does not dispense with the rules ordinarily relating to the passage of bills.

Mr. RANDALL. If the suspension of the rules is not operating at this time I make the motion to suspend the rules so as to dispense with a reading of the bill at length.

The SPEAKER. The Chair prefers not to decide the question made by the gentleman from Kentucky [Mr. WHITE] as to his right to have the engrossed bill read at this time; because it is not necessary to do so or to establish a precedent which shall prevail in regard to this matter hereafter. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules so as to take the vote on the passage of the bill without having it read a third time at length.

Mr. REED, of Maine. I desire to say in response to a single sentence of the gentleman from Pennsylvania that so far as concerns the actual demand made for the reading of the bill at length I neither knew it was going to be made—

Mr. RANDALL. I did not make any such charge.

Mr. REED, of Maine. Nor had I any disposition to make such a demand. I have spoken simply as a member of the House interested in the orderly conduct of its business.

The SPEAKER. This is of course an important parliamentary question, and may at some time become more so.

Mr. BAYNE. As I understand the position of this bill now, a majority may pass it. Am I correct?

Mr. RANDALL. I have made the motion to suspend the rules and dispense with the reading of the engrossed bill.

Mr. BAYNE. In the interest of this bill I suggest to my colleague [Mr. RANDALL] that he do not make that motion. I should prefer having the engrossed bill read if it should be necessary.

Mr. RANDALL. I would prefer not, because I do not want time, which is valuable, exhausted in that way.

Several MEMBERS. Regular order.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules and vote upon the passage of the bill without reading it at length the third time.

Mr. WHITE, of Kentucky. Mr. Speaker, how did the gentleman from Pennsylvania [Mr. RANDALL] take me off my feet to make that motion?

The SPEAKER. He did not. Several gentlemen addressed the Chair after the gentleman from Kentucky [Mr. WHITE] concluded and before the gentleman from Pennsylvania obtained the floor.

Mr. WHITE, of Kentucky. But they were discussing the point of order. They were not making motions.

The SPEAKER. But there is no motion. The gentleman from Kentucky [Mr. WHITE] made no motion; he simply demanded the reading of the bill.

Mr. WHITE, of Kentucky. Under the rule.

The SPEAKER. Certainly; but that is not debatable. Is there a second demanded?

Mr. WHITE, of Kentucky. I demand a second.

The SPEAKER. A second is demanded. The Chair will appoint as tellers the gentleman from Kentucky, Mr. WHITE, and the gentleman from Pennsylvania, Mr. RANDALL. The question is on the motion of the gentleman from Pennsylvania to suspend the rules and vote upon the passage of this bill without reading it at length the third time.

The House divided; and there were—ayes 79, noes 11; so the motion was agreed to.

The SPEAKER. A second is ordered. Fifteen minutes are allowed for debate.

Mr. WHITE, of Kentucky. Mr. Speaker, I yield two minutes of my time to the gentleman from New York [Mr. JAMES].

Mr. JAMES. Mr. Speaker, in examining this sundry civil bill I find that the Committee on Appropriations have inserted general legislation in reference to the public buildings and the sites for such buildings in three of the States which are represented on the committee by three of its members. We ordinary members of this House when we wish to have the limit of expenditure upon public buildings in the communities we represent increased are obliged to introduce bills for that purpose, which are referred to a committee, and in due time are reported back and acted upon by the House; but here I find that members of the Committee on Appropriations propose in this general appropriation bill to increase the limits of expenditure upon certain public buildings. The bill proposes to increase the limit of expenditure on a public building at Dallas, Tex., from \$75,000 to \$100,000; the limit on the public building at Galveston, Tex., from \$125,000 to \$145,000, and the limit on public buildings at Jefferson City from \$100,000 to \$132,000.

Mr. KEAN. Where is Jefferson City?

Mr. JAMES. In Missouri.

Mr. KEAN. Oh! I thought it was in Indiana. [Laughter.]

Mr. JAMES. The limit of expenditure on the public building at Saint Joseph, Mo., is to be increased from \$75,000 to \$300,000.

The original limit for the public building and site at Minneapolis, Minn., was fixed at \$175,000, and it is to be increased by this bill to



\$500,000. I protest, Mr. Speaker, against this treatment of this House by the Committee on Appropriations, giving to the members of that committee an advantage over other members of the House who are equally interested in general appropriation bills.

Mr. WHITE, of Kentucky. Now, Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, three minutes of time have been yielded to me by the gentleman from Kentucky [Mr. WHITE], and I shall occupy that time in pointing out some peculiarities of this bill. The gentleman from New York [Mr. JAMES] has called attention to the six instances in which the Committee on Appropriations have introduced general legislation into this bill in violation of the rules of the House, and by the suspension of the rules the points of order which otherwise might have been made against these several appropriations have been cut off.

But this bill has some special features, which ought to commend it especially to this House, and I desire to call attention to those features. If we look at the appropriations for public buildings and grounds, keeping in view the personnel of the Committee on Appropriations, a new light will dawn upon the House. I call attention to the provisions in the bill beginning at line 29. I find that the first of these items is in the interest of Massachusetts, which is so ably represented on the Committee on Appropriations by the distinguished gentleman Mr. LONG.

Mr. LONG. If the gentleman will permit, there is not the slightest appropriation for Massachusetts.

Mr. THOMAS. I speak of the provisions of the bill.

Mr. LONG. There is not the slightest appropriation for Massachusetts there. It is a provision for the sale of a building belonging to the Government, a provision to put \$220,000 into the Treasury—not to take anything out of it.

Mr. THOMAS. But it is a provision which could not have been introduced on this bill if it had not been introduced in this way. It would have been subject to the point of order.

Mr. RANDALL. No; it would not.

Mr. LONG. It would not.

Mr. THOMAS. I decline to be interrupted further.

Mr. LONG. Then be honorable!

Mr. THOMAS. I am, in pointing out the true inwardness of this bill. Mr. Speaker, the next item to which I desire to call attention is that for the benefit of Brooklyn, N. Y., which State is so ably represented upon the committee by Mr. HUTCHINS. That gets \$135,000.

Mr. POST, of Pennsylvania. The gentleman [Mr. HUTCHINS] does not live in Brooklyn.

Mr. THOMAS. I say the appropriation is for the benefit of Brooklyn, in the State of New York, which is so ably represented on the committee by the distinguished gentleman I have named.

Mr. ROBINSON, of New York. The appropriation ought to be a great deal more.

Mr. THOMAS. The next item is for the benefit of Buffalo, N. Y., \$37,500. Then we come to Chicago, Ill., which State is so ably represented on the committee by my colleague, Mr. CANNON. Then come Cleveland and Columbus, Ohio, represented on the committee by Mr. FOLLETT.

A MEMBER. And General KEIFER.

Mr. THOMAS. Then we come to Dallas, Tex., which gets \$25,000. That State is represented on the committee by Mr. HANCOCK. Then we come to Fort Wayne, Ind., which State is represented on the committee by the distinguished gentleman Mr. HOLMAN, and I want to call attention to the fact that a bill has already passed this House giving him another appropriation for Fort Wayne; so that if this item goes through he is to have a double appropriation for this public building in Indiana. [Laughter.] Such is the work of the great watch-dog of the Treasury. I say it in no offensive sense.

Mr. REED, of Maine. If it is for Indiana it is meritorious.

Mr. THOMAS. Yes; if it is for Indiana it is very meritorious and is "in the line of economy." [Laughter.]

Mr. WHITE, of Kentucky. Will the gentleman allow me to ask him whether the appropriation for that Indiana building is not in excess of the amount authorized by law?

Mr. THOMAS. I understand that it is \$25,000 in excess of the amount authorized by law. Mr. Speaker, this is the economy and reform of this Democratic House under the guidance of the great economist, Mr. HOLMAN, of Indiana. [Renewed laughter.]

For Hannibal, Mo., which has as its representative on that committee the gentleman from Missouri, Mr. BURNES, the appropriation is \$37,500. Then for Jefferson City, also in the State represented by that gentleman, there is an appropriation of \$132,000. There is also an appropriation of \$15,000 for Kansas City, Mo., and \$50,000 for Saint Joseph, Mo. Then we come to Leavenworth, Kans., which is represented on that committee by the gentleman from Kansas, Mr. RYAN; then Montgomery, Ala., which is represented on that committee by the gentleman from Alabama, Mr. FORNEY. Then Minneapolis, Minn., gets \$100,000, and the limit heretofore fixed by law for the building there is increased, under the leadership of the distinguished Representative from Minneapolis, Mr. WASHBURN. [Laughter.] Then there is an appropriation of \$15,000 for New Orleans, represented

by the gentleman from Louisiana, Mr. ELLIS, a member of that committee. Then Peoria, Ill., under the leadership of the gentleman from Illinois, Mr. CANNON, obtains an appropriation; and then Poughkeepsie, N. Y., represented by the gentleman from New York, Mr. HUTCHINS. Then comes Philadelphia, Pa., represented by the gentleman from Pennsylvania, Mr. RANDALL. [Laughter.]

Mr. RANDALL. I ask the gentleman to read that provision. It is to put \$300,000 into the Treasury, not to take money out.

Mr. THOMAS. It is general legislation on an appropriation bill, which would have been subject to a point of order if this bill had been considered in the ordinary way. I have only called attention to these points so that the House and the country may see how well the districts and States represented on the Appropriations Committee are provided for in this bill.

Mr. MILLS. I remind the gentleman that he does great injustice to the gentleman from Illinois [Mr. TOWNSHEND], whom he has not mentioned.

Mr. THOMAS. I had forgotten that my colleague [Mr. TOWNSHEND] was on the Appropriations Committee, and beg his pardon for not giving him his due.

[Here the hammer fell.]

Mr. WHITE, of Kentucky. I yield two minutes to the gentleman from Maryland [Mr. McCOMAS].

Mr. McCOMAS. Mr. Speaker, in these two minutes I wish only to supplement the statement which has been made with reference to public buildings provided for in this bill. I have nothing to do with motives; but I have taken the trouble to add together the various appropriations in this bill for public buildings, and I find the total to be \$2,173,000.

Mr. RANDALL. The gentleman is mistaken.

Mr. McCOMAS. That is the calculation I have made, and I have made it from the bill. I take these figures from the printed bill, if not from the engrossed bill before this House.

Mr. RANDALL. The gentleman counts in perhaps provisions for the sale of two public properties—

Mr. McCOMAS. I have only a moment, and can not yield. I am not here to ascribe motives to anybody; but I want the House to say, while we protest time and again against sporadic extravagance, whether in an appropriation bill passed under a suspension of the rules in the last days of the session we shall pile up expenditures to the amount of two millions of dollars for these public buildings out of \$22,000,000 which the bill carries, although these provisions in many cases change the existing law, going beyond limitations heretofore enacted.

Now, there is no committee for which in its constitution I have higher respect than for the Committee on Appropriations, but I say we are driven by the force of this vote upon suspension of the rules to the alternative of spending \$2,000,000 without an opportunity to amend or diminish these appropriations.

[Here the hammer fell.]

Mr. PAYSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. Would it be in order at this time, as the gentleman from Michigan [Mr. HERR] is the only member on the Committee on Appropriations who seems to be unprovided for in this bill, to move that he be allowed an appropriation for a public building in his district?

Mr. RANDALL. I hope the gentleman from Illinois [Mr. THOMAS] will do justice by correcting the statement he has made. There is not a dollar in that part of the bill, so far as I know, that goes to my district or to Pennsylvania either.

Mr. WHITE, of Kentucky. I yield two minutes to the gentleman from New York [Mr. POTTER] reserving one minute to myself.

Mr. POTTER. Mr. Speaker, in the two minutes allowed me I desire to say, as forcibly as I may, that this departure from the uniform practice of this Government by passing great appropriation bills under a suspension of the rules can not be justified. It ought to be condemned by the entire country, and it will be so condemned. The evils of such a practice could not be more forcibly illustrated than in the attempt now being made to pass these bills, in which private interests may be concerned, without an opportunity for the scrutiny of this House. I protest in the name of honest government, I protest in the name of that vigilance which we are bound under our oaths as legislators to exercise, that we are revolutionizing the whole practice of the Government by this procedure.

I am willing to sit here day and night until the session closes in order that these bills may be passed in regular order, and that no appropriation necessitating taxation upon the country shall be passed without such scrutiny on the part of Representatives here as the Constitution and all the honest practice of the Government require.

[Here the hammer fell.]

The SPEAKER. The gentleman from Kentucky has one minute remaining.

Mr. WHITE, of Kentucky. In that one minute I desire to call the attention of this House to this remarkable bill, which provides in it over \$1,000,000 for public buildings beyond the limit allowed by law, and which bill is to be passed now under a suspension of the rules.

I wish to call the attention of the House to the fact that this same committee refused \$400 to the Freedmen's Hospital for a force-pump in

this city, while they put in millions of dollars beyond the limit provided by law for public buildings.

I wish also to call attention to the fact that they omit provision for payment of arrears of pay which may be certified to be due to officers and men of the United States Army. They also omitted to provide pay for two and three years' volunteers which may be certified to be due to the officers and men who served in the war of the rebellion. They also omitted to provide bounty to volunteers and their widows and legal heirs. They also omitted to provide for the payment of bounties under act of July 28, 1866.

The SPEAKER. The gentleman's time has expired.

Mr. WHITE, of Kentucky. I regret it. I wish I had an hour. [Laughter and applause.]

The SPEAKER. The gentleman from Pennsylvania has eighteen minutes.

Mr. RANDALL. Mr. Speaker, notwithstanding what the gentleman from Maryland [Mr. McCOMAS] has said, the amounts appropriated in this bill for public buildings aggregate \$1,794,719.84, which is about the amount which was appropriated for a like purpose last year.

As to individual members being influenced in that committee, I wish to give those gentlemen opportunity to defend themselves. But as my name has been drawn in here I want to say, so far as I know, not one dollar has been appropriated for any public building connected with Philadelphia by this appropriation bill. On the contrary an estimate of \$60,000 for the post-office building of that city was left unprovided for. All the Philadelphia Representative did was to authorize the sale of a public building in the city of Philadelphia, whereby \$300,000 or more would come into the Treasury of the United States.

Mr. THOMAS. What about the public building for Williamsport, Pa.?

Mr. BROWN, of Pennsylvania. The gentleman from Illinois is mistaken about the Williamsport public building, as that appropriation is within the limits of the law.

Mr. RANDALL. I have nothing to do with Williamsport. That was the action of this House. It is not, however, over the limit, but on the contrary is within the limit.

Several MEMBERS. How about the vaults? What about Minneapolis public building?

Mr. RANDALL. Those gentlemen who are interested can defend themselves, as they secured a majority of the committee in favor of these several propositions. I am not able to say what occurred in the committee in this respect and I do not wish to say even how I voted. I am not afraid of my record in that regard.

Mr. BELFORD. Let me ask the gentleman from Pennsylvania a question.

Mr. RANDALL. Now before leaving the subject I wish to say, in defense of the committee, I do not believe there is a dollar in that bill for a public building which will not be wisely and economically expended. I objected, perhaps, to its insertion here on the ground it would break the limit; but I think the public interests by legislation in connection therewith have not been imperiled in any particular whatever.

Now as to the payment of soldiers—because that is a tender subject, Mr. Speaker—the gentleman from Kentucky is entirely in error. There was no estimate for the soldiers to which the gentleman referred in connection with this bill. It referred to another bill altogether, and his objection, therefore, on that point falls to the ground.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that that body respectfully return without the signature of the President *pro tempore* an enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux and Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the massacre of August, 1862.

It also requested the return of joint resolutions of the following titles: Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

It further announced the passage of a bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which concurrence was requested.

#### SUNDY CIVIL APPROPRIATION BILL.

Mr. RANDALL. This bill has been added to largely for purposes intended to benefit the soldiers, and also to protect the country from disease. There is, for instance, \$400,000 appropriated in the bill for artificial limbs; which is an increase over the last appropriation, this being the fifth year. There is also \$350,000 incorporated in the bill to protect the United States from the approach of cholera, which adds largely, and there is another appropriation of \$200,000 in the bill more than that of last year because of the increased demand for money to be applied in support of the soldiers' homes. So that when the effort is

made to prejudice the mind of this House against the bill on the score that the soldier has not been taken care of, it is only necessary to examine the facts to destroy any such impression.

I now yield two minutes to the gentleman from Massachusetts, and then to the gentleman from Illinois.

Mr. BELFORD. Mr. Speaker, I wish to ask the gentleman from Pennsylvania a question.

Mr. RANDALL. I will yield for a question if the gentleman does not consume too much of my time.

Mr. BELFORD. I know it to be a fact that there is in the Treasury to-day \$145,000,000 of surplus revenue, and that instead of acting extravagantly you have cut the appropriations in every case, making them fall below the estimates. Now, why has this been done?

Mr. RANDALL. My answer to the gentleman's question is that in the first place I do not know the exact amount of surplus in the Treasury that can be safely placed in circulation, and further I say distinctly, that economy and the good of the country at large demand that that money, whatever may be there, should be applied in paying the public debt. [Applause.]

Mr. BELFORD. You have not acted extravagantly in the appropriations.

Mr. RANDALL. I now yield to the gentleman from Massachusetts [Mr. LONG].

Mr. LONG. Mr. Speaker, whatever share of responsibility falls upon me as a member of the Committee on Appropriations, which reported this bill to the House, I accept and do not propose to shirk. And that responsibility extends to portions of the bill relating not only to the section of country from which I come, but to all other sections as well.

But I rise now, sir, simply to answer the assertion which has been made that the State I in part represent is specially benefited in this bill in the matter of appropriations for public buildings. The fact is exactly to the contrary, as the following statement will show:

I am the only member on the Committee on Appropriations from New England, and not a single public building in New England is represented in the appropriations of this bill. The new post-office and court-house building in the city of Boston is nearly finished. The old court-house will become vacant probably within ninety days, and as a matter of profit to the Treasury of the United States, as well as a question of economy, a provision has been inserted in the bill for the sale of the court-house, which will add \$225,000 to the Treasury and take not one dollar out of it.

[Here the hammer fell.]

Mr. RANDALL. I now yield to the gentleman from Illinois.

Mr. CANNON. How much time?

Mr. RANDALL. One minute.

Mr. CANNON. Well, I can not do much in a minute. [Laughter.]

Mr. RANDALL. Well, say all you can in that time, because I have to yield to others on the other side.

Mr. CANNON. Mr. Speaker, I have had six years' service on the Committee on Appropriations, and during that time I have never had a dollar for the construction of a public building, or any public work, appropriated for the district I represent. I have taken the very best care I knew how to take of my State and section, and in doing so I was not neglectful of the responsibility that rested upon me to do exactly the same for the whole country. It is true this appropriation is in here for the Quincy and Peoria buildings, and it ought to be in, but they are within the limit.

By considerable effort I succeeded in getting Chicago in at \$40,000 for repairs and preservation of the custom-house, and it ought to be in. And my colleague [Mr. THOMAS] might have gone a little further and made reference to a former Congress while I was on that committee, at least I think, and I want the gentleman from New York on my left to notice that I was a respectable factor in getting an appropriation in the gentleman's own district of \$60,000 for the marine hospital at Cairo [applause and laughter], and it ought to be there, and I was glad that it was put in.

Mr. HISCOCK. I always stand by my friend from Illinois. [Laughter.]

Mr. WELLER. It is an unfortunate fact that he does.

Mr. CANNON. And so I apprehend that gentlemen complain not so much for what is in the bill as for what is not in it. [Laughter and applause.]

Mr. THOMAS. I move that my colleague be excused. [Renewed laughter.]

Mr. RANDALL. I now yield to the gentleman from Ohio [Mr. KEIFER] one minute.

Mr. KEIFER. In one minute I can say that I voted to break the limit for the public building at Columbus, Ohio, because the Secretary of the Treasury and other officers interested in this matter recommended it. We propose by adding \$60,000 to the limit to build another story on the court-house, rather than come here a few years hence and ask an appropriation to erect another building, and the limit is yet too low. It is a question of merit, and not any other question, and I can say that in reference to the public building at Minneapolis as well as the small amount at Columbus. And I might also call the attention of the gentleman from Illinois to the fact that although he is in a large State it



has one million more in appropriations for public buildings than mine, which outnumbered it at the last census.

[Here the hammer fell.]

Mr. RANDALL. How much time have I?

The SPEAKER *pro tempore* (Mr. Cox, of New York). The gentleman has seven minutes of his time remaining.

Mr. MILLER, of Pennsylvania. I rise to a question of order. Would it be in order to ask unanimous consent to give each member of the Appropriations Committee five minutes to explain?

The SPEAKER *pro tempore*. That would not be in order.

Mr. MILLER, of Pennsylvania. I am sorry to hear it. [Cries of "Regular order!"]

Mr. RANDALL. I yield to the gentleman from Minnesota [Mr. WASHBURN].

[At this point Mr. HOLMAN was crossing the floor, and there were many cries of "Holman!" "Holman!"]

Mr. HOLMAN. Mr. Speaker, will the gentleman from Minnesota yield me a moment? [Loud applause.]

Mr. WASHBURN. I do not yield.

The SPEAKER *pro tempore*. The gentleman from Minnesota is entitled to the floor.

Mr. WASHBURN. I do not desire any five minutes to explain my vote or my action upon the Committee on Appropriations, and I do not believe there is any necessity for any gentleman to make any such explanation. As a matter of fact, in the last sundry civil appropriation bill there were appropriations of this character for thirty-five buildings. The gentleman from Illinois [Mr. THOMAS] talked as though this thing was unusual. This is the very bill in which these appropriations should be made.

So far as the appropriation for a building in my own city is concerned, I will state that Minneapolis is a city of 125,000 people, and before this building can be completed it will be a city of 200,000 people. The Secretary of the Treasury recommended \$600,000 for the construction of a building there. The demands of the public service required such a building, and I see no impropriety in having that appropriation.

Mr. MILLS. I wish to ask the gentleman a question. Did the architect who planned this building plan a \$500,000 building on a limit of \$175,000 appropriation?

Mr. WASHBURN. I will say to the gentleman from Texas that the appropriation made last year broke the limit. There was no limit, and the architect went forward and prepared the plans for such a building as he thought the service required.

Mr. MILLS. Notwithstanding the limit of \$175,000.

Mr. WASHBURN. The limit had been broken before.

Mr. MILLS. How?

Mr. WASHBURN. By making an appropriation in excess of the \$175,000. The requirements of our city are such that there should be no hesitation about making this appropriation.

The SPEAKER *pro tempore*. To whom does the gentleman from Pennsylvania [Mr. RANDALL] yield?

The gentleman from Indiana [Mr. HOLMAN] is recognized.

Mr. HOLMAN. Mr. Speaker, I could not hesitate to express my thanks to the House for the very good-natured greeting they gave me a few moments ago. My friend from Illinois [Mr. THOMAS] is under a misapprehension. This bill contains an appropriation \$25,000 less than the limit which has been fixed for the Fort Wayne, Ind., public building in the district represented by my friend Judge LOWRY. But the trouble is this: After this bill was reported to the House a bill which came from the Senate passed the House appropriating \$50,000 for this Fort Wayne building. The result of that is, there is in this bill \$25,000 too much for that building.

Mr. THOMAS. There are two appropriations for the same building.

Mr. HOLMAN. Certainly; but my friend will excuse me. I discovered that fact, and on yesterday I asked unanimous consent of the House to strike from this bill that \$25,000. My friend from Pennsylvania [Mr. MILLER] objected and then withdrew his objection, and then the gentleman from Iowa objected, and his objection stands yet. I now ask what I have been asking all the time, that the House will give unanimous consent that that unhappy \$25,000 shall be stricken out. Gentlemen will see that the passage of the Senate bill after this bill was reported produced the result of which gentlemen complain.

Mr. WELLER. I wish the gentleman from Indiana [Mr. HOLMAN] would indicate the gentleman from Iowa who objected. I am not the man.

Mr. HOLMAN. The gentleman from Iowa who objected was Mr. HEPBURN.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has three minutes of his time remaining. To whom does he yield?

Mr. RANDALL. I yield to the gentleman from Missouri [Mr. BURNES].

Mr. BURNES rose.

Mr. WHITE, of Kentucky. I rise to a question of order.

The SPEAKER. The gentleman from Kentucky can not take the gentleman from Missouri off the floor on a question of order, unless it be a question of order as against the gentleman who is on the floor.

Mr. WHITE, of Kentucky. Will the gentleman yield one minute to the gentleman from Texas [Mr. HANCOCK] of the Committee on Appropriations to explain lines 1737 to 1740? [Cries of "Regular order!"]

Mr. BURNES. Mr. Speaker, if the gentlemen on the other side have sufficiently amused themselves and are disposed to be just a little serious I have a few words to offer. Of course the Committee on Appropriations need no defense against the pleasantries and wit with which the House has been so generously enlivened. So far as I know or have been advised no gentleman has presented any subject to the committee or to myself that failed to receive a careful and honest consideration, and no legal and meritorious appropriation for the continuation of work on any public building has been denied. In all cases when the Congress have authorized the erection of a public building it becomes the duty of the Supervising Architect, under the direction of the Secretary of the Treasury, to prepare plans and specifications for it, and submit estimates of appropriations from year to year as the progress of the work may require. The Committee on Appropriations have not undertaken to authorize the erection of any building, but simply to appropriate for such as are already authorized and established.

In the exercise of the power to bring in bills of appropriation the committee found in the official report of the Secretary of the Treasury that a building having been authorized and under construction at Jefferson City, the capital of my State, needed \$32,000 to make it of fire-proof material. Will any one say it was unwise to include an appropriation of the amount for such a proper purpose? My colleague, Mr. BLAND, who represents the capital district—always so careful and prudent in legislation—would not have warmly recommended it if it had not been in the interest of the Government. My colleague, Mr. HATCH, who represents the Hannibal district most faithfully, will verify the necessity and justice of the appropriation for making the building in Hannibal likewise fire-proof. I have no words of eulogy for my own city of Saint Joseph. She needs none.

There being no existing limit to the cost of the United States building in that city, we desired to make one. The Supervising Architect and the Secretary of the Treasury in their official reports have recommended to Congress that \$300,000 be appropriated as the cost of such building. The House Committee on Buildings and Grounds have unanimously reported to the House in favor of appropriations to that amount, and all these reports and recommendations were before your committee for action. In allowing what seemed to be so manifestly proper and so universally approved the committee provided that the cost of the building should not exceed the amount stated.

Mr. COOK. Did you get anything in the bill?

Mr. BURNES. The gentleman from Iowa, representing a district which needs neither public buildings nor improvement—

Mr. BLOUNT. I would like to ask the gentleman from Missouri—

Mr. BURNES. I can not yield even to my honored friend from Georgia. The gentleman from Iowa is not happy, evidently. His district needs nothing—

Mr. WELLER. I desire to correct the gentleman from Missouri—

Mr. BURNES. I do not yield. There are doubtless hundreds of gentlemen on this floor who are more competent than myself to represent my district and the interests of the Government therein; but, notwithstanding, I have, perhaps, that right; and those who know its varied interests, industries, and resources will sympathize with me in my feeble efforts to represent and protect them. Missionary service in its behalf by the able gentlemen from Iowa, New York, and Brooklyn is, in all kindness, appreciated, but commended as more appropriate at home.

[Here the hammer fell.]

Mr. RANDALL. Now, let us have a vote.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules so as to vote on the passage of the bill without reading it at length.

Mr. WHITE, of Kentucky. I call for the yeas and nays.

Mr. HERR. I desire just half a minute.

Mr. WHITE, of Kentucky. I do not object to the gentleman from Michigan having time for debate.

The SPEAKER. Is there objection?

Objection was made.

The SPEAKER. Objection is made to an extension of the time.

Mr. REED, of Maine. The gentleman is a member of the committee.

Mr. HOLMAN. Mr. Speaker, I rise to ask unanimous consent—

A MEMBER. Regular order.

Mr. BELFORD. Mr. Speaker, I do not rise to debate; I rise to ask unanimous consent—

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] is endeavoring to do the same thing; but objection is made.

Mr. HOLMAN. Mr. Speaker, to avoid mistake, I now ask unanimous consent that the possible duplication of the appropriation for the public building at Fort Wayne, Ind., may be corrected by striking out the appropriation of \$25,000 contained in this bill.

Mr. HEPBURN. I object.

Mr. ANDERSON. If it is proposed to pass this bill under a suspension of the rules, I object.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. WHITE, of Kentucky. I call for the yeas and nays.

The House divided; and there were—ayes 47, noes 142.

The SPEAKER. More than one-fifth of the last vote have voted in the affirmative, and the yeas and nays are ordered. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules and take the vote upon the passage of the bill without reading it at length.

Mr. REED, of Maine. This is only on the motion to dispense with the reading.

The SPEAKER. That is the substance of it.

Mr. STOCKSLAGER. There will be another vote upon the passage of the bill?

The SPEAKER. Of course.

Mr. THOMAS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. If this motion is decided in the affirmative will it pass the bill?

The SPEAKER. Not at all. If this shall be decided in the affirmative the first question will be on the demand for the previous question, and the next on the passage of the bill. The Clerk will call the roll.

Mr. WHITE, of Kentucky. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. I desire to know whether this is a suspension of the rule which requires the engrossed bill to be read.

The SPEAKER. This motion, if decided in the affirmative, will dispense with the rule which requires the bill to be read in any form.

The question was taken; and there were—yeas 223, nays 55, not voting 46; as follows:

## YEAS—223.

Aiken,	Dunham,	Kleiner,	Seymour,
Alexander,	Eaton,	Lacey,	Shively,
Arnot,	Eldredge,	Lamb,	Singleton,
Bagley,	Elliot,	Lewis,	Skinner, T. G.
Ballentine,	Ellis,	Long,	Snyder,
Barbour,	Ellwood,	Lore,	Spriggs,
Bayne,	English,	Lovering,	Springer,
Beach,	Ermentrout,	Lowry,	Steele,
Belmont,	Evans,	Lyman,	Stevens,
Bennett,	Everhart,	McAdoo,	Stewart, Charles
Bingham,	Ferrell,	McComas,	Stockslager,
Blackburn,	Fiedler,	McCormick,	Stone,
Blanchard,	Findlay,	McMillin,	Storm,
Bland,	Follett,	Matson,	Strait,
Blount,	Foran,	Maybury,	Sumner, C. A.
Boutelle,	Forney,	Miller, J. F.	Sumner, D. H.
Bowen,	Funston,	Money,	Swope,
Boyle,	Garrison,	Morgan,	Talbot,
Bratton,	Geddes,	Morrill,	Taylor, J. M.
Breckinridge,	George,	Morse,	Townshend,
Breitung,	Gibson,	Moulton,	Tucker,
Brewer, F. B.	Glascok,	Muldrow,	Tully,
Brewer, J. H.	Green,	Murray,	Turner, H. G.
Broadhead,	Greenleaf,	Mutcher,	Turner, Oscar
Brown, W. W.	Guenther,	Nelson,	Valentine,
Browne, T. M.	Halsell,	Nichols,	Van Alstyne,
Buchanan,	Hammond,	O'Ferrall,	Vance,
Buckner,	Hancock,	O'Neill, Charles	Van Eaton,
Burleigh,	Hardeman,	O'Neill, J. J.	Wadsworth,
Burnes,	Hardy,	Paige,	Wait,
Cabell,	Harmer,	Parker,	Wakefield,
Caldwell,	Hatch, W. H.	Patton,	Wallace,
Campbell, J. E.	Hemphill,	Payne,	Ward,
Campbell, J. M.	Herbert,	Payson,	Warner, A. J.
Candler,	Hewitt, A. S.	Peel,	Warner, Richard
Carleton,	Hewitt, G. W.	Perkins,	Washburn,
Clay,	Hill,	Pettibone,	Weaver,
Clements,	Hiscock,	Phelps,	Wellborn,
Cobb,	Hoblitzell,	Pierce,	White, Milo
Collins,	Holman,	Poland,	Whiting,
Connolly,	Hopkins,	Post,	Wilkins,
Converse,	Horr,	Pryor,	Willis,
Cook,	Howey,	Pusey,	Wilson, James
Cosgrove,	Hunt,	Randall,	Wilson, W. L.
Cox, S. S.	Hutchins,	Ray, G. W.	Winans, E. B.
Cox, W. R.	Jeffords,	Ray, Ossian	Winans, John
Craig,	Johnson,	Reagan,	Wise, G. D.
Crisp,	Jones, B. W.	Reid, J. W.	Wood,
Culbertson, D. B.	Jones, J. H.	Reese,	Woodward,
Curtin,	Jones, J. K.	Riggs,	Worthington,
Dargan,	Kelifer,	Rogers, J. H.	Yaple,
Davidson,	Kelley,	Rogers, W. F.	York,
Davis, L. H.	Kellogg,	Rosecrans,	Young,
Dibrell,	Ketcham,	Rowell,	
Dockery,	King,	Ryan,	
Dorsheimer,			

## NAYS—55.

Adams, G. E.	Dibble,	Kean,	Seney,
Adams, J. J.	Dixon,	Lanham,	Smalls,
Anderson,	Finerty,	McCoid,	Smith, H. Y.
Atkinson,	Goff,	Millard,	Spooner,
Barr,	Hanback,	Miller, S. H.	Stephenson,
Belford,	Hart,	Mills,	Stewart, J. W.
Brainerd,	Hatch, H. H.	Murphy,	Taylor, J. D.
Brumm,	Henderson, T. J.	Nutting,	Thomas,
Cassidy,	Hepburn,	O'Hara,	Thompson,
Covington,	Hitt,	Peters,	Tillman,
Culbertson, W. W.	Houk,	Potter,	Weller,
Cullen,	Houseman,	Price,	Wemple,
Davis, G. R.	James,	Reed, T. B.	White, J. D.
Davis, R. T.	Jones, J. T.	Rockwell,	

## NOT VOTING—46.

Barksdale,	Fyan,	Libbey,	Robinson, W. E.
Bisbee,	Haynes,	Milliken,	Russell,
Budd,	Henderson, D. B.	Mitchell,	Shaw,
Campbell, Felix	Henley,	Morrison,	Skinner, C. R.
Cannon,	Holmes,	Muller,	Slocum,
Chalmers,	Holton,	Neece,	Smith, A. Herr
Clardy,	Hooper,	Oates,	Taylor, E. B.
Cutocheon,	Hurd,	Rankin,	Throckmorton,
Deuster,	Jordan,	Ranney,	Williams,
Dingley,	Laird,	Rice,	Wise, J. S.
Dowd,	Lawrence,	Robertson,	
Dunn,	Le Fevre,	Robinson, J. S.	

So the motion was agreed to.

The following additional pairs were announced from the Clerk's desk: Mr. DOWD with Mr. MILLIKEN, on this vote.

Mr. OATES with Mr. HOLMES, on this vote.

On motion of Mr. BEACH, by unanimous consent the reading of names was dispensed with.

The result of the vote was then announced as above stated.

Mr. RANDALL. Mr. Speaker, I now move the previous question on the passage of the bill.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

## MESSAGE FROM THE SENATE.

Pending the roll-call, a message from the Senate, by Mr. SYMPSON, one of its clerks, requested the House to return to the Senate joint resolutions of the following titles:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The SPEAKER. In the absence of objection to the return of these joint resolutions it is so ordered.

## SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEPBURN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore* (Mr. BAGLEY). The gentleman will state it.

Mr. HEPBURN. After the previous question has been ordered, there having been no debate upon this bill, is it not now in order to have thirty minutes' debate?

Mr. RANDALL. The rule has been suspended.

Mr. HEPBURN. Mr. Speaker, I call attention to the third clause of Rule XXVIII, which provides that—

When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER *pro tempore*. The Chair will state that the rules have been suspended by order of the House.

Mr. RANDALL. That very debate was had on yesterday.

Mr. HEPBURN. I submit, Mr. Speaker, that the rule that has been suspended is the rule requiring the third reading of the bill in full.

Mr. RANDALL. On yesterday there was a debate of fifteen minutes on each side.

Mr. REED, of Maine. That was on another point.

Mr. HEPBURN. That was not upon the merits of the bill.

Mr. REED, of Maine. Mr. Speaker, I hope this question will be carefully considered. I wish to state the facts in regard to it. The motion to suspend the rules was to so suspend them that the previous question might be ordered on the question.

There has been no debate on the bill. The debate already had was on the suspension, which is a totally different thing from the bill itself.

Now, we have arrived at this position, that the previous question has been ordered on the passage of the bill, but there has been no debate on the bill. The two hours' debate was simply upon one clause—was upon the question whether that particular clause should be a part of the bill or not. The bill itself has not been debated.

Mr. RANDALL. This matter is very plain.

Mr. HISCOCK. I desire to ask for the reading of the order or resolution which was adopted by a two-thirds vote.

The SPEAKER *pro tempore* (Mr. COX, of New York). If there be no objection the order will be read. The Chair will state, however, before the order is read—

Mr. HISCOCK. I hope the Chair will defer his statement until this order has been read; for I think it will make it perfectly clear that the gentleman from Maine [Mr. REED] is right.

The SPEAKER *pro tempore*. The Chair will defer his statement.

The Clerk read as follows:

Resolved, That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill of the House 8256, making appropriations for the sundry civil expenses of the



Government for the fiscal year ending June 30, 1886, and for other purposes, and to consider the same for one hour, which time shall be occupied in debate on the clause relating to the World's Industrial and Cotton Exposition, said time to be equally divided; and said bill shall be subject only to amendment, to strike out, and amend said clause, after which the previous question shall be considered as ordered.

Mr. HISCOCK. I think the Chair will see that this bill is simply here for consideration under that order, and that now debate is in order.

Mr. RANDALL. If the Chair will observe the reading of the last clause of that resolution, he will find it says that the previous question shall be considered as ordered. That has nothing to do with the suspension of the rules.

Mr. REED, of Maine. Well, after the previous question is "considered as ordered," if there has been no debate on the bill, the rules which in this respect were not suspended give us the right to fifteen minutes' debate on each side. I hope the Chair will not cut off that debate. It is perfectly evident that we ought to have debate on the bill. Members who have not yet spoken are entitled to be heard.

Mr. HISCOCK. The debate already had has not been upon the passage of the bill at all. There has been no debate on the bill itself.

Mr. KEIFER. Mr. Speaker, I think the order just read provides for a debate of one hour on the bill, which I believe was subsequently changed to two hours. Then it provides that the time shall be devoted to debate upon a particular part of the bill; still that constitutes debate upon the bill, and operates to cut off the right of debate under the third paragraph of Rule XXVIII, to which the attention of the Chair has been called.

Mr. HEPBURN. Mr. Speaker, allow me to call your attention to the fact that the gentleman from Pennsylvania, after there had been some discussion with regard to the bill which he sent to the Clerk's desk at the time he introduced his resolution, proposed then to introduce a new and distinct bill, and asked a suspension of the rules upon that bill. Then there was an agreement later between him and certain gentlemen that there should be two hours of discussion upon a particular clause of the bill. The bill we are now considering is not the bill that was named in his resolution.

Mr. RANDALL. Oh, yes, it is.

Mr. HEPBURN. It is not the bill that came from the committee. It has not been offered as the committee's bill, but as the proposition of the gentleman himself.

Mr. RANDALL. Yes; and it was under a suspension of the rules.

The SPEAKER *pro tempore*. The Chair is prepared to decide this question. The Clerk will read the third paragraph of Rule XXVIII. The Clerk read as follows:

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER *pro tempore*. The Chair is clearly of opinion that the debate contemplated by the rule has been had. The previous question has been demanded. The question is on ordering the previous question.

The previous question was ordered.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The question is now upon the passage of the bill; which, in accordance with the rule, will be taken by yeas and nays.

The question was taken; and it was decided in the affirmative—yeas 169, nays 107, not voting 48; as follows:

## YEAS—169.

Aiken,	Converse,	Graves,	Ketcham,
Bagley,	Cox, S. S.	Green,	King,
Ballentine,	Craig,	Greenleaf,	Lacey,
Barbour,	Crisp,	Guenther,	Lamb,
Barksdale,	Curtin,	Hammond,	Lewis,
Bayne,	Dargan,	Hancock,	Libbey,
Belford,	Davidson,	Hardeman,	Long,
Belmont,	Davis, G. R.	Harmer,	Lore,
Bingham,	Dibrell,	Hart,	Lovering,
Blackburn,	Dorsheimer,	Hatch, H. H.	Lowry,
Blanchard,	Dunham,	Haynes,	Lyman,
Bland,	Dunn,	Hemphill,	McAdoo,
Blount,	Eaton,	Herbert,	McCormick,
Boutelle,	Elliott,	Hewitt, G. W.	Millard,
Bratton,	Ellis,	Hill,	Miller, J. F.
Breitung,	Ellwood,	Hiscock,	Mitchell,
Brewer, J. H.	Ermentrout,	Hoblitzell,	Morgan,
Broadhead,	Ferrell,	Hooper,	Morrill,
Brown, W. W.	Fiedler,	Hopkins,	Morse,
Browne, T. M.	Findlay,	Horr,	Muldrow,
Buchanan,	Follett,	Houk,	Muller,
Backner,	Foran,	Hunt,	Murphy,
Burdigh,	Forney,	Jeffords,	Murray,
Burnes,	Funston,	Johnson,	Mutcher,
Campbell, J. E.	Garrison,	Jones, B. W.	Nelson,
Candler,	Geddes,	Jones, J. K.	Nicholls,
Cannon,	George,	Jongs, J. T.	Ochiltree,
Carlton,	Gibson,	Keller,	O'Ferrall,
Clements,	Glascok,	Kelley,	O'Neill, Charles
Collins,	Goff,	Kellogg,	O'Neill, J. J.

Paige,	Riggs,	Stevens,
Parker,	Robinson, W. E.	Stone,
Patton,	Rogers, J. H.	Sumner, D. H.
Perkins,	Rogers, W. F.	Swope,
Pettibone,	Rosecrans,	Talbot,
Phelps,	Ryan,	Tillman,
Poland,	Seymour,	Townshend,
Pryor,	Singleton,	Valentine,
Pusey,	Slocum,	Van Alstyne,
Randall,	Smalls,	Vance,
Ray, Ossian	Snyder,	Van Eaton,
Reagan,	Spriggs,	Wakefield,
Reese,	Springer,	Wallace,

## NAYS—107.

Adams, G. E.	Dixon,	McCoid,	Spooner,
Alexander,	Dockery,	McComas,	Stephenson,
Anderson,	Eldredge,	McMillin,	Stewart, Charles
Atkinson,	English,	Matson,	Stockslager,
Barr,	Evans,	Miller, S. H.	Storm,
Beach,	Everhart,	Milliken,	Struble,
Bennett,	Finerty,	Mills,	Sumner, C. A.
Bisbee,	Halsell,	Moulton,	Taylor, J. D.
Brainerd,	Hanback,	Nutting,	Taylor, J. M.
Brewer, F. B.	Hardy,	O'Hara,	Thomas,
Brumm,	Hatch, W. H.	Payne,	Tully,
Campbell, J. M.	Henderson, T. J.	Payson,	Turner, H. G.
Cassidy,	Henley,	Peters,	Turner, Oscar
Clardy,	Hepburn,	Pierce,	Wait,
Clay,	Hewitt, A. S.	Post,	Warner, A. J.
Cobb,	Hitt,	Potter,	Warner, Richard
Connolly,	Holman,	Price,	Weaver,
Cook,	Holmes,	Ranney,	Weller,
Cosgrove,	Houseman,	Rockwell,	White, J. D.
Covington,	Howey,	Rowell,	Winans, E. B.
Culberson, D. B.	James,	Russell,	Wise, G. D.
Culbertson, W. W.	Jones, J. H.	Seney,	Wood,
Cullen,	Kean,	Shively,	Woodward,
Davis, L. H.	Kleiner,	Skinner, C. R.	Yaple,
Davis, R. T.	Lanham,	Skinner, T. G.	York,
Dibble,	Lawrence,	Smith, A. Herr	Young,
Dingley,	Le Fevre,	Smith, H. Y.	

## NOT VOTING—48.

Adams, J. J.	Deuster,	Neece,	Stewart, J. W.
Arnot,	Dowd,	Oates,	Strait,
Bowen,	Fyan,	Peel,	Taylor, E. B.
Boyle,	Henderson, D. B.	Rankin,	Thompson,
Breckinridge,	Holton,	Ray, G. W.	Throckmorton,
Budd,	Hurd,	Reed, T. B.	Tucker,
Cabell,	Hutchins,	Reid, J. W.	Wadsworth,
Caldwell,	Jordan,	Rice,	Wemple,
Campbell, Felix	Laird,	Robertson,	Whiting,
Chalmers,	Maybury,	Robinson, J. S.	Williams,
Cox, W. R.	Money,	Shaw,	Wilson, James
Cutcheon,	Morrison,	Steele,	Wise, J. S.

So the bill was passed.

During the roll-call,

Mr. POST, of Pennsylvania. Mr. Speaker, I ask, by unanimous consent, that the reading of the names be dispensed with.

The SPEAKER. The Chair hears no objection, and it is ordered accordingly.

The following pairs were announced:

Mr. CABELL with Mr. WILSON, of Iowa, on this vote.

Mr. PEEL with Mr. STRAIT, on this vote.

Mr. RANDALL 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.

## ORDER OF BUSINESS.

Mr. WILLIS. I move to suspend the rules and pass the following resolution:

Mr. TOWNSHEND. I rise to a privileged question.

Mr. WHITE, of Kentucky. I ask the Speaker to have read what has just taken place.

The SPEAKER. The Chair announced the passage of the bill, when the gentleman from Pennsylvania moved to reconsider the vote by which the bill was passed and also moved that the motion to reconsider be laid upon the table. The Chair then stated if there be no objection it would be so ordered.

There was no objection, and it was so ordered.

Mr. WHITE, of Kentucky. I have been waiting for the Chair to state if there be no objection the title would stand.

The SPEAKER. The Chair thinks the whole matter has passed beyond the control of the House.

Mr. WHITE, of Kentucky. I understand it was the duty of the Chair, under the rules, to announce the title of the bill would stand if there be no objection. I stood waiting for the Chair to make that announcement. [Cries of "Vote!" "Vote!"]

The SPEAKER. Will the gentleman from Kentucky call the attention of the Chair to the number of the rule?

Mr. WHITE, of Kentucky. On page 103 of the Manual it is there stated that after a bill has passed the title may be amended, and then the bill shall be sent to the other House.

The SPEAKER. That is not the rule.

Mr. WHITE, of Kentucky. Now I wish to call the attention of the Chair to the rule. [Cries of "Regular order!"] I call attention to page 117 of the Manual, and also to Rule XXVIII, page 205.

The SPEAKER. The gentleman will read what he called the attention of the Chair to on page 205.

Mr. RANDALL. I submit it is too late, as the whole matter has passed from the attention of the House.

The SPEAKER. The Chair thinks it is too late. The Chair had recognized the gentleman from Pennsylvania, who moved to reconsider and lay that motion on the table. That having been done, the Chair then recognized the gentleman from Kentucky [Mr. WILLIS], who made a motion to suspend the rules and pass the resolution which he sent up; and this was before the gentleman from Kentucky [Mr. WHITE] arose. [Cries of "Regular order!"]

Mr. ANDERSON. I demand a second on the motion of the gentleman from Kentucky [Mr. WILLIS] to suspend the rules and pass his resolution.

Mr. WHITE, of Kentucky. I ask whether it is not the custom of the Chair, after a bill has been passed, to ask whether the title of the bill shall be amended, and to state if there be no objection this will remain the title of the bill?

The SPEAKER. It has not, but the Chair has made the announcement, the bill has been passed, and the title will be as reported if there be no objection.

Mr. WHITE, of Kentucky. I was on my feet and waiting for the Chair to make that announcement.

The SPEAKER. Then the gentleman waited not only until the Speaker had completed his announcement, but until other motions had intervened and been acted on before he addressed the Chair. The Chair thinks he is too late. The gentleman from Kentucky moves to suspend the rules and pass this resolution, but pending that the gentleman from Oregon rises to submit a privileged report.

Mr. TOWNSHEND. I also have a privileged report to submit.

Mr. ANDERSON. I ask for a second of the motion to suspend the rules.

The SPEAKER. The privileged report submitted by the gentleman from Oregon will be first read.

#### ALLOTMENT IN SEVERALTY.

Mr. GEORGE. I submit the following report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 66) providing for the allotment in severalty to Indians residing upon the Umatilla reservation, in the State of Oregon, and for other purposes, having met, after full and free conference agree to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to House amendment numbered 5; and agree to the same.

M. C. GEORGE,

R. S. STEVENS,

OLIN WELLSBORN,

*Managers on the part of the House.*

HENRY L. DAWES,

JAMES H. SLATER,

ANGUS CAMERON,

*Managers on the part of the Senate.*

Mr. WHITE, of Kentucky. I ask for the reading of the amendment.

The amendment was read.

Mr. GEORGE. I demand the previous question on the adoption of the report.

The previous question was ordered; and under the operation thereof the conference report was adopted.

Mr. GEORGE moved to reconsider the vote by which the conference report was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. I now rise to a privileged report. I am directed by the Committee on Appropriations to report back the House bill making appropriation for the postal service, and I ask that the Clerk read the report of the committee.

The Clerk read as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 8138) making appropriation for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, together with the amendments of the Senate, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 1, 2, 7, 8, 10, and 14. They recommend non-concurrence in amendments numbered 3, 4, 5, 6, 9, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 21.

Mr. TOWNSHEND. I move the adoption of the report.

Mr. HISCOCK. I suppose these amendments are to be considered in the Committee of the Whole?

The SPEAKER. If the point is made.

Mr. HISCOCK. It is made.

The SPEAKER. The gentleman from New York makes the point that these amendments must have their first consideration in the Committee of the Whole House on the state of the Union. They will accordingly be so referred.

Mr. HOLMAN. I move to take from the Speaker's table the legislative, &c., appropriation bill returned from the Senate with amendments, and that they be referred to the Committee on Appropriations.

Mr. TOWNSHEND. I will yield for that purpose.

XVI—142

The SPEAKER. The amendments to the Post-Office appropriation bill have gone to the Committee of the Whole House on the state of the Union.

Mr. TOWNSHEND. May I be permitted to ask the gentleman from New York what amendments he objects to?

Mr. HISCOCK. I want to have them all read to know what they are.

Mr. TOWNSHEND. I am willing to have all the amendments read and considered.

Mr. HISCOCK. I presume that I should have no objection to considering them in the House as in Committee of the Whole with the right of debate and amendment.

Mr. TOWNSHEND. I have no objection to that, and ask that it be done and that the amendments be now read.

The SPEAKER. But there is a matter pending before the House—a motion to suspend the rules.

Mr. TOWNSHEND. By whom?

The SPEAKER. By the gentleman from Kentucky [Mr. WILLIS].

Mr. TOWNSHEND. I suppose that, the report being a privileged report, carried with it the right to have it considered.

The SPEAKER. The Chair thinks if the gentleman desires to have it considered he had better wait until the pending matter is disposed of.

Mr. TOWNSHEND. But I ask if it is privileged is it not likewise privileged for consideration?

The SPEAKER. It is under the rules of the House, but the gentleman proposes to waive the rule of the House and consider it in the House as in Committee of the Whole. There is now pending another matter before the House.

Mr. HISCOCK. I do not believe any objection will be made on this side to considering it in the House as in Committee of the Whole, subject to five minutes' debate and amendment.

Mr. TOWNSHEND. I will accept that.

Mr. HISCOCK. Very well.

Mr. TOWNSHEND. Then I again ask that we proceed to the consideration of the amendments in the House.

The SPEAKER. But there is a prior motion pending.

Mr. TOWNSHEND. The gentleman from New York agrees to consider it now in the House as in Committee of the Whole.

Mr. HOLMAN. That is all proper.

Now I ask, Mr. Speaker, that the bill with the Senate amendments—the legislative appropriation bill—be taken from the Speaker's table, the Senate amendments non-concurred in, and a committee of conference appointed.

Mr. HISCOCK. I think the amendments had better be read, and we can dispose of them here and now.

Mr. HOLMAN. Why there are a hundred or over.

Mr. TOWNSHEND. Is not the proposition that I have made pending?

The SPEAKER. The gentleman is not on the floor, the point of order being made that the first consideration must be in Committee of the Whole, but that point being waived by an agreement that it shall be considered in the House as in Committee of the Whole. Now there is a matter pending before the House prior to that.

Mr. REED, of Maine. But unanimous consent was granted to consider it in the House as in Committee of the Whole.

Mr. TOWNSHEND. And that arrangement dispensed with the point of order.

The SPEAKER. The Chair is anxious, of course, to get the appropriation bill in if an opportunity is given, if gentlemen can come to some understanding about it. But the gentleman from Kentucky [Mr. WILLIS] has a motion pending which is in the way at present.

Mr. REED, of Maine. If there is no objection why can not an arrangement be arrived at to consider the Post-Office bill now?

The SPEAKER. Is there objection to that request?

Mr. WILLIS. I am compelled to object.

Mr. CANNON. Would it not be in order for the gentleman from Illinois to ask that the rules be suspended—

The SPEAKER. There is a motion pending to suspend the rules now.

#### LEGISLATIVE APPROPRIATION BILL.

Mr. HISCOCK. I will withdraw the objection I made with reference to the legislative appropriation bill.

The SPEAKER. If there be no further objection the request of the gentleman from Indiana will be complied with and the bill taken from the Speaker's table, the Senate amendments non-concurred in, and the bill with the amendments printed, and a committee of conference asked on the disagreeing votes of the two Houses.

There was no objection.

The SPEAKER announced as the managers at the said conference on the part of the House, Mr. HOLMAN, Mr. HANCOCK, and Mr. CANNON.

#### RIVER AND HARBOR APPROPRIATION BILL.

Mr. TOWNSHEND. The gentleman from Kentucky [Mr. WILLIS] assures me that the motion he proposes to make will occupy but a short time. I am willing therefore to allow the report of the committee to stand over until that is disposed of.



Mr. MILLER, of Pennsylvania. I now rise to a privileged motion. I move that the House do now adjourn. And pending that I move that when it adjourns it be to meet to-morrow at 10 o'clock.

The SPEAKER. That would be a recess.

The gentleman moves that the House do now adjourn.

The question was taken; and on a division there were—ayes 4, noes 105.

So the motion was not agreed to.

Mr. MILLER, of Pennsylvania. I move that the House take a recess until 10 o'clock to-morrow.

Mr. KEIFER. I make the point of order that that is not in order. A motion has been made to suspend the rules, and one motion to adjourn is in order and no other motion.

The SPEAKER. The gentleman is right; the motion is not in order until there has been action on the motion to suspend the rules. The Clerk will read the proposition which the gentleman from Kentucky moves to suspend the rules and pass.

The Clerk read as follows:

A bill making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes.

*Be it enacted, etc.,* That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction and with the approval of the Secretary of War, for the preservation and continuation of such of the uncompleted public works mentioned and designated for improvement in an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 5, 1884, the sum of \$5,000,000, which sum of \$5,000,000 shall be applied by the Secretary of War to each of said public works respectively in proportion to the sums appropriated for such works under and by the said act: *Provided*, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimate: *Provided*, That the work at the harbor of Galveston, Tex., shall be treated as if the sum of \$250,000 had been appropriated for said harbor of Galveston by said act: *And provided further*, That any money that shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as shall be necessary to be expended in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river now in progress of improvement as established by the commission, to the end that the proposed improvement of said two reaches of the river on which works are in progress shall be completed at an early day, and the plan of said commission for the improvement of the navigation of the river fully tested; and the money thus allotted by this act for the improvement of the Mississippi River below Cairo shall be expended by the Secretary of War in accordance with plans approved by him.

Mr. ANDERSON. I demand a second.

Mr. HOLMAN. I suggest to the gentleman from Kentucky [Mr. WILLIS] that the words "below Cairo," in the last clause of the bill, should be omitted.

Mr. WHITE, of Kentucky. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. Is this a joint resolution or a bill?

The SPEAKER. It is a bill.

Mr. WHITE, of Kentucky. I ask the chairman of the Committee on Rivers and Harbors if this is the unanimous report from that committee, and if it has been considered by the full committee.

The SPEAKER. Is a second demanded?

Mr. ANDERSON. I demand a second.

Mr. MILLER, of Pennsylvania. And pending that I move that the House take a recess—

Mr. WILLIS. The gentleman from Pennsylvania has already made the only motion which he is entitled to make under the rules.

The SPEAKER. The gentleman from Pennsylvania has made a motion to adjourn, and the rule says after the result on the motion to adjourn is announced the Chair shall not entertain any other dilatory motion until a vote shall be taken on the motion to suspend the rules.

Mr. MILLER, of Pennsylvania. Do I understand that the Chair will entertain no further motion to adjourn or to take a recess until a vote is had on the proposition of the gentleman from Kentucky?

The SPEAKER. That is the rule of the House. The Clerk will read it.

The Clerk read clause 8 of Rule XVI, as follows:

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

Mr. MILLER, of Pennsylvania. Would not a motion that when the House adjourns it be to meet on Monday next be in order?

The SPEAKER. The Chair thinks that would be a dilatory motion.

Mr. MILLER, of Pennsylvania. Then I will wait till the House shall vote, when I will renew my motion.

Mr. WILLIS. The words "below Cairo" should be stricken out.

The SPEAKER. These words will be stricken out. A second having been demanded, the Chair appoints as tellers the gentleman from Kansas, Mr. ANDERSON, and the gentleman from Kentucky, Mr. WILLIS.

Mr. ANDERSON. I should like to understand what is stricken out. Would it be in order to have it read?

The SPEAKER. The Clerk will read the latter clause as modified.

The Clerk read as follows:

And the money thus allotted by this act for the improvement of the Mississippi River shall be expended by the Secretary of War and in accordance with plans approved by him.

The SPEAKER. The words "below Cairo" were originally in the bill after the words "Mississippi River." They are now stricken out. The question is on ordering a second. The tellers will take their places.

The tellers proceeded to take the vote.

Mr. WHITE, of Kentucky (while the vote was proceeding). I call for the enforcement of the rule that no member shall be allowed to be at the Clerk's desk while a vote is being taken.

The count having been completed, the tellers reported—ayes 158, noes 7.

So there was a second.

The SPEAKER. Under the rules thirty minutes are allowed for debate, fifteen minutes in support of the motion and fifteen minutes against. The gentleman from Kansas, Mr. ANDERSON, is recognized to control the time in opposition. The gentleman from Kentucky, Mr. WILLIS, will control the time in support of the motion.

Mr. ANDERSON. As I understand it, it is for the gentleman advocating the suspension to occupy the floor first.

The SPEAKER. There is no rule on that subject.

Mr. ANDERSON. I think that would be the natural rule under parliamentary law. The affirmative should open.

Mr. WILLIS. I will occupy five minutes and will then yield to the opposition, and then my friend from Pennsylvania [Mr. BAYNE] will take five minutes, and I will reserve five minutes.

If I can have the attention of the House I will endeavor briefly to explain this bill. It is a substitute for the bill that has been pending. After consultation with gentlemen on both sides of the House it was thought best not to leave these great works of the Government in the next three years without appropriations sufficient to take care of them and to protect them against waste and ruin. As the result of that consultation we have brought in this bill for \$5,000,000.

It may be proper to state that the estimates of the Engineer Department for this year of the sum which could be profitably expended during the year was over \$34,000,000. This, therefore, is barely one-seventh of the amount which the engineers say could be profitably expended upon these public works. The bill does not leave the expenditure of these \$5,000,000 to the discretion of the Secretary of War. On the contrary, it declares in express terms that he shall expend this money upon those public works that are mentioned and described in the last river and harbor act, which passed July 5, 1884. So that there is no room for doubt that each of those public improvements which has been approved by Congress will receive its pro rata of this \$5,000,000 for the preservation, or, if not needed for the preservation, for the continuation of the work. The harbor at Galveston is included in this bill because, when the committee reported an amount for Galveston at the last session, upon motion in Committee of the Whole it was stricken out, and it was now thought but fair that, for the preservation of the expensive Government plant at that city, Galveston should have its pro rata of this \$5,000,000; which it would not have except for the mention of it in the pending bill, as it is not one of the works described in the last river and harbor act.

In regard to the Mississippi River improvement, this bill incorporates the amendment presented in Committee of the Whole during the pendency of the bill and reported by the committee, limiting the expenditure of money upon the Mississippi River improvement to the two reaches of Plum Point and Providence. That is the amendment offered in Committee of the Whole by the gentleman from Indiana [Mr. HOLMAN], and which was acceptable to an overwhelming majority of the committee. The bill requires the Government to test these methods of improvement upon the two reaches I have named before any portion of this amount shall be expended in any other direction. It is believed by the Committee on Rivers and Harbors, and by gentlemen of the House whom I have consulted, that it is simply a matter of legislative propriety and of the highest legislative duty that this Congress should not adjourn leaving the public works upon the great rivers and the great harbors of our country without a dollar of appropriation in the event of storm or injury from natural causes, and in that view it is believed that there should be at least this amount ready at hand to meet any demand or emergency that may arise from such causes. The bill is submitted to the House as a compromise, because we understand—we know—that under our rules the discussion of the other bill making an appropriation for rivers and harbors would occupy valuable time of this House to the exclusion of pressing appropriation bills that ought to be disposed of if we wish to avoid an extra session.

[Here the hammer fell.]

Mr. ANDERSON. Mr. Speaker, I now yield five minutes to the gentleman from New York [Mr. HISCOCK].

Mr. HISCOCK. Mr. Speaker, I have a word to say in regard to this bill. This is the third appropriation bill brought into this House by our friends upon the other side, which they propose to pass under a suspension of the rules. The River and Harbor Committee brought in a bill here which, in two of its largest appropriations, was against the sentiment of the House, and upon the substantial defeat of those two propositions the committee now seek to pass this bill appropriating \$5,000,000. The two propositions upon which they were defeated were the appropriation for Galveston Harbor and the appropriation for the

Mississippi River improvement. We all remember the vote in this House upon adopting the amendment of the Committee of the Whole. It was defeated by a scant majority, made by changes after the roll-call had been concluded. And, Mr. Speaker, what is this bill now proposed? In the law for the current year there are forty-three items, carrying \$910,000, none of which are included in the bill for the next year; and I do not include in this statement the Mississippi River or the Missouri.

There are, I say, forty-three items in the law for the current year that are not in the bill reported to the House at this session, and we have a right to assume that the necessity for expenditure upon those works has ceased; yet this bill proposes to appropriate for these works the sum of \$350,000 out of the total appropriation of five million dollars which the bill makes. Can gentlemen give us any explanation of this? Are we to vote blind here for a bill containing items that you have discarded from your general river and harbor bill, and which, for aught I know, have been discarded from the reports and estimates of the engineers? You exclude these items from your river and harbor bill, and yet you now propose, in this pending bill, to appropriate for the same works over \$350,000. I regard it proper that the attention of the House should be called to this proposition.

I submit to the House a list of the forty-three public works to which I refer:

Portland, Me.	\$30,000
Scituate, Mass.	10,000
Block Island, R. I.	15,000
Black Rock, Conn.	20,000
Oak Orchard, N. Y.	5,000
Pensacola, Fla.	55,000
Cedar Keys, Fla.	5,000
Neches River, Texas.	7,000
Harbor of refuge near Cincinnati.	17,000
Ice-harbor at Belle River, Mich.	2,000
Pensaukee, Wis.	5,000
Stockholm, Lake Pepin, Wisconsin.	15,000
Harbor, Redwood, Cal.	3,000
Coos Bay, Oregon.	30,000
Cocheco River, New Hampshire.	28,000
Merrimac River, at Rock's Bridge, Massachusetts.	3,500
Taunton River, Massachusetts.	26,500
Gedney's Channel, through Sandy Hook Bar, New York.	200,000
Corsica Creek, Maryland.	5,000
Harbor at entrance Saint Jerome's Creek, Maryland.	15,000
Harbor at Beaufort, N. C.	20,000
Edenton Bay, North Carolina.	10,000
Trent River, North Carolina.	10,000
Contentnea or Moccasin River, North Carolina.	5,000
New River, North Carolina.	5,000
Scuppernon River, North Carolina.	2,000
Saint Jones River, Delaware.	10,000
Escambia River, Florida.	3,000
Black Warrior River, Alabama.	50,000
Horn Island Pass, Mississippi.	5,000
Bayou Pierre, Louisiana.	8,000
Loggy Bayou, &c., Louisiana.	5,000
Tangipahoa River, Louisiana.	2,000
Survey of Arkansas River from Little Rock.	19,000
Arkansas River at Pine Bluff.	55,000
Saline River, Arkansas.	5,000
Grand River, below Grand Rapids, Mich.	25,000
Mouth and harbor, Cedar River, Michigan.	15,000
Mokelumne River, California.	\$8,500
Colorado River.	25,000
Mouth of Columbia River, Oregon and Washington Territory.	100,000
Lake City, Minn.	15,000
Falls of Saint Anthony, Minnesota.	10,000
Total.	\$910,000

Now, sir, as to the public works embraced in this list, appropriated for by the law for the current fiscal year, not included in the bill reported by the Rivers and Harbors Committee, but entitled to receive distribution under the pending bill, the House has no means of knowing whether there should be any further appropriations for them or not; yet this bill gives them \$350,000. It will be observed that this list is exclusive of the items for the Mississippi and Missouri Rivers.

I am and always have been in favor of liberal appropriations for river and harbor improvements, but I am opposed now, as I always have been, to appropriations for public works which never have been considered by a committee, as to which the House has no information upon which to base judicious action, and which are vouched for only by the judgment of one man—for this bill, sir, has never been considered by the Committee on Rivers and Harbors at all.

Mr. Speaker, it seems to me that if we can not have time to perfect our legislation so that we may feel satisfied with it, we had better defeat it altogether rather than to vote away money for purposes that have not been discussed or considered at all. In this bill there is an appropriation of \$250,000 for Galveston Harbor, and yet every gentleman from Texas who has spoken in reference to that harbor has told us that an appropriation of \$250,000, if voted, would be simply wasted. Right back of me sits a Representative from the State of Texas [Mr. OCHILTREE], who has spoken upon that subject, and has told us that such an appropriation would be merely thrown away. Another gentleman from Texas [Mr. MILLS] has been heard upon the same question, and has denounced such an appropriation. Yet it is proposed in this bill to force that appropriation upon them. What reason is there for including that item in the bill? Last year when your river and harbor bill came in here carrying an item for that work, as I remember, some gentleman from Texas arose and asked to have it stricken out, and it was

stricken out unanimously. And I desire to ask the gentleman from Kentucky why it is that you propose to force this sum upon them? Does that committee set up its judgment against that of these gentlemen who live in the locality interested? Does it assume to speak for the people of that State?

[Here the hammer fell.]

Mr. MILLS. To what does the gentleman refer when he speaks of my having said that we have no use for any appropriation of this kind?

Mr. HISCOCK. I refer to remarks which the gentleman made and which, had I the time, I should with great pleasure read.

Mr. MILLS. The gentleman can profit by reading my speeches.

Mr. ANDERSON. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, we have been informed by the Committee on Rivers and Harbors that they have done an immense deal of work upon a river and harbor bill, and that they could not report it earlier. With all the aid of engineers' reports, after daily and nightly meetings, after months of incubation, as they inform us, they produced a bill which has been discussed in Committee of the Whole, but the consideration of which is not yet completed. Now the gentleman from Kentucky [Mr. WILLIS] comes into this House with a bill matured by no committee, not specific in its terms, not even printed, his own handiwork, and he moves that almost in the twinkling of an eye, after only thirty minutes' debate, we shall by a two-thirds vote pass this bill giving this money, \$5,000,000, in a lump sum.

Mr. WILLIS. Did not the Committee on Appropriations, of which the gentleman is a member, report and have passed under a suspension of the rules the sundry civil bill?

Mr. CANNON. Oh, the sundry civil bill was matured in full by a committee of the House. But even if the Committee on Appropriations failed in its duty it is no reason why you should fail in yours. This bill never had even the blessing or condemnation or consideration of a committee of this House for a moment. Yet we are asked to pass it. What does it mean? There are not twenty men in this House who can tell what it means. I confess I can not, after having heard it read and after hearing thus far the expressions in debate upon it.

I am in favor of internal improvements; but I want intelligent appropriations and correct expenditure of the money as directed by the Congress after full consideration.

Mr. Speaker, we have the spectacle in a House of Representatives with a Democratic majority of seventy or eighty, of the gentleman from Kentucky [Mr. WILLIS] coming here in the last four days of the session and giving us, as is stated, the choice of letting these improvements suffer, of having a special session, or voting \$5,000,000 in a lump, to be expended by the incoming Secretary of War. Worse things could happen to this country than a special session of Congress. Why, gentlemen, in your canvass last fall and since you have congratulated the country that at last it is to have a Democratic Executive; that at last your hand is to be placed on the helm. Yet now, when your Executive is about to come into power, you come here and beseech us to suspend the rules and pass such crude measures as this with the threat that if we do not the incoming President will have to inflict upon the country a special session of Congress. In other words, the fear that you have of yourselves makes you willing to pass, and to ask us to pass, these crude measures. For one, so far as I am concerned, I am not going to do it.

Mr. HENLEY. Is not the gentleman somewhat accustomed to that business as a member of the Appropriations Committee?

Mr. CANNON. What business?

Mr. HENLEY. The business of passing under a suspension of the rules bills appropriating millions of dollars.

Mr. CANNON. I am in the minority, doing the best I can—

Mr. HENLEY. On that you are with the majority.

Mr. CANNON. It was your duty with 76 of a majority to have such rules, such proceedings, and such committees as would have brought this business forward in order.

Mr. HENLEY. The gentleman was with the majority on this matter this morning.

Mr. CANNON. I do not yield further.

Mr. HENLEY. And the gentleman defended the action of the Committee on Appropriations.

Mr. CANNON. I defend nothing that this Democratic House has done or can do, because I do not believe that any good and praiseworthy thing from a public standpoint has been or will be consummated by it or come from it.

[Here the hammer fell.]

Mr. ANDERSON. I yield two minutes to the gentleman from Pennsylvania [Mr. MILLER].

Mr. MILLER, of Pennsylvania. Mr. Speaker, the passage of this bill in the manner now proposed will be a fitting act for the closing days of the Forty-eighth Congress. Within the last two days the House under suspension of the rules has appropriated without debate or investigation more than \$24,000,000; and now, after it has been demonstrated that the House will not pass a river and harbor bill in the ordinary course of procedure, we are brought face to face with the proposition to pass this bill appropriating \$5,000,000 under a like suspension.



If it were to stop there, Mr. Speaker, I would not so seriously oppose the proposition; but this measure is to be passed here with the expectation on the part of its authors that at the other end of this Capitol an increase of one to five million dollars will be made; and with this bill once in a committee of conference this House will be confronted with the question whether it will pass without discussion such a bill as the Senate may see fit to tack upon this.

In November, 1882, when the Forty-eighth Congress was elected, the people of this country were led to expect much from its labors. But this Congress spent all or nearly all of the last session in the attempt to change the revenue laws and failed. It has spent all of this session in endeavoring to get the Appropriations Committee to report their bills; yet they only bring them in at such an hour that discussion can not be had. No other act of special importance has been passed by this Congress. Every bill of any particular consequence to the country that has been proposed and brought before this body has been defeated; and the Forty-eighth Congress is now going out of power without having done anything to advance the prosperity or the material interests of this country.

[Here the hammer fell.]

Mr. ANDERSON. I yield one minute to my colleague [Mr. HANBACK].

Mr. HANBACK. Mr. Speaker, I am opposed unalterably to this bill. Coming as it does to this House in the twinkling of an eye, to be voted on without consideration, asking the appropriation of \$5,000,000 to be expended where no member of the House can tell, I as one of the Representatives of the people enter my protest against this kind of legislation. The Committee on Rivers and Harbors, sitting for sixty days with closed doors, no man admitted within the sacred precincts of that committee-room, came here fully armed and equipped with a bill which has met with signal defeat at the hands of this House; and now that committee seeks to recover its lost ground and by a kind of enabling act to its failure pass a measure of this kind in violation of every principle which should be exercised to guard the Treasury and protect the interests of the people.

[Here the hammer fell.]

Mr. ANDERSON. How much time have I remaining?

The SPEAKER. Two minutes.

Mr. ANDERSON. I yield the remainder of my time to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, I imagine that in two minutes it will be about as futile for a member of this House to undertake to interpose any obstacle to the railroading through of this scheme as it has been and will be in the future to attempt to tie up the mighty currents of the Mississippi River by annual appropriations from Congress.

This proposition, sir, can not be claimed to be presented here in good faith. It is not what it purports to be on its face. It is not a proposition to distribute \$5,000,000 upon a pro rata established in a bill passed by a former Congress, for one item of large dimensions is inserted here which had no place in that former bill. We are asked to appropriate what will be equivalent to some \$90,000 under this bill to carry on the work at Galveston Harbor, which has been declared by Representatives of that State on this floor, Mr. OCHILTREE and Mr. REAGAN, to be an absolutely useless expenditure.

I desire to read from page 1068 of the RECORD what Mr. REAGAN said:

In relation to the expenditure of money on Galveston Harbor, it is true that a million and a half of dollars have been expended from first to last, and there is but little difference in the condition of the harbor now and when the expenditure was commenced.

Again, on page 1069, the same gentleman declared:

Mr. Chairman, for eleven years this Congress has been most liberal in its appropriations for the harbor of Galveston. It has required the expenditures there to be made under the direction of the Engineer Corps of the United States. It has expended in attempting the prosecution of that work about a million and a half of dollars. That money has been expended and substantially no progress has been made.

The CHAIRMAN. The gentleman's time has expired.

Mr. BOUTELLE. I will take but one minute to read another extract in reference to this harbor improvement at Galveston. [Cries of "Order!"]

All right; railroad it through, and then let us suspend all the rules and go home. [Applause.]

Mr. WILLIS. I now yield two minutes to the gentleman from Maine.

Mr. MILLIKEN. I do not think, Mr. Speaker, any member of this House can object more strongly than I do to putting bills through here under suspension of the rules. I hesitate not to say I think the manner in which the sundry civil bill was put through to-day was an outrage upon the House as well as an insult to the people of the United States, whose representatives we are upon this floor. But this bill comes in very differently. The sundry civil bill was brought in here but a few days ago, this House never having had an opportunity to examine it, while on the contrary the River and Harbor Committee brought in their bill on the 1st day of February, and they have done all they

could to get it considered in the ordinary way and through proper channels, but they have failed to do it. Now they come and ask us to pass this bill in order to preserve the works already in course of construction, and if anything shall remain over then to continue them. It seems to me to be a fair proposition, one demanded by the country, so deeply interested in the continuance and preservation of works of improvement already commenced.

[Here the hammer fell.]

Mr. WILLIS. I yield one minute to the gentleman from Missouri [Mr. O'NEILL].

Mr. O'NEILL, of Missouri. Mr. Speaker, I appeal to those members whose prejudices are enlisted against this measure because of their failure to insert in the river and harbor bill their peculiar items, not to carry them so far as to injure threefold more than the amount involved the interests of the Government as they are affected by the plants it already owns. A failure to pass this proposition, Mr. Speaker, means the loss of millions of dollars, not alone in the works partially completed and requiring constant attention until completed, but in depreciation and loss of steamers, barges, and other appliances going to make up the necessary outfits of works of internal improvement. You should not do it. It would be a blunder; it would be more than a blunder, it would be a crime. I hope, therefore, those members will not let their prejudices influence their action in a matter of this kind, but will agree to vote this small pittance for the preservation of the costly plants now owned by the Government of the United States, amounting in value to many millions of dollars.

[Here the hammer fell.]

Mr. WILLIS. I now yield two minutes to the gentleman from Louisiana [Mr. KING].

Mr. KING. Mr. Speaker, I shall vote for this bill with reluctance, because it is far inadequate to the needs of the public works now in progress under the charge of the engineers of the Government. The amount here called for will not go further than meet the wear and tear upon these works during the coming fiscal year.

I hope the country, Mr. Speaker, will recognize upon whom the responsibility rests for having failed to pass a full measure, appropriate to the demands of these public works, at this session of Congress.

I can not here permit to go unchallenged the frequent allegation that the works constructed by the Mississippi River Commission are merely experimental in their nature. Now, those works have been in progress for six years, and in every instance where they have in any degree been completed their results have warranted the expenditure made upon them, thus vindicating the wisdom, the energy, and the honest purpose of the commission.

This House has been led to believe the money expended upon these works has been disbursed by the commission. The most casual investigation will show that not one dollar has been so expended. Every dollar has passed through the hands of the Secretary.

What I most strenuously oppose in this measure is the amendments which have been injected into it by the gentleman from Indiana [Mr. HOLMAN]. They, whether aimed for that purpose or not, unless stricken out, must result in the destruction of the entire system already so successfully put into operation for the improvement of that river and the destruction of the works themselves, which have been built and are now contributing so greatly to this improvement, in which upward of 30,000,000 of the people of the Republic are interested for the obtaining of cheaper freights and safer and cheaper transportation to the markets of the country and of the world.

Mr. WILLIS. I now yield to the gentleman from Pennsylvania [Mr. BAYNE], my colleague on the committee.

The SPEAKER *pro tempore*. How much time?

Mr. WILLIS. The remainder of the time.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman for five minutes.

Mr. BAYNE. Mr. Speaker, this bill has been criticised very unjustly in several respects. The gentleman from New York [Mr. HISCOCK] has stated that it makes appropriations for a long list of places which he mentioned. The fact is it makes no appropriation, or the Secretary of War will apply none of the appropriation made by the bill, as the gentleman will find at any point where the work has been completed.

Mr. HISCOCK. But you do not know whether the work has been completed or not. Now, the difficulty is—

Mr. BAYNE. I do not yield; I have but a few moments. The Secretary of War will know it if the gentleman from New York does not; and he claims to know it now.

Another gentleman from Kansas says that he does not know where one cent of the money will go. Evidently the gentleman has not read the river and harbor appropriation bill of 1884. The committee is not able, unfortunately, to furnish all gentlemen who need information with that very necessary article. But if gentlemen will turn to the law they will find exactly where the appropriations are to be applied.

The gentleman from Maine has contended, and very justly, that there should be responsibility on the part of somebody, and that this responsibility should be fixed somewhere and definitely for the expenditure of

the money. There can be no complaint of this bill on that ground. The responsibility is fixed clearly. It says that the money shall be expended under the direction and with the approval of the Secretary of War, and if there is a dollar of this money misapplied the Secretary of War will stand responsible for it.

Mr. JOSEPH D. TAYLOR. But you do not know who the Secretary of War is going to be.

Mr. BAYNE. Oh! you will have to trust somebody; you must fix the responsibility somewhere.

Mr. JOSEPH D. TAYLOR. That is just the trouble.

Mr. BAYNE. If the gentleman from Ohio himself was Secretary of War there would be no doubt of the proper application of the appropriations. [Laughter.]

Mr. JOSEPH D. TAYLOR. Thank you.

Mr. BAYNE. This bill appropriates enough, and only enough as it is believed, to keep in repair the public works already in progress throughout the country; and they are going to suffer detriment and the Government very serious loss if some appropriation is not made at this session of Congress. The Secretary of War himself, who has been already cited here over and over again with the entire approbation of the House, has recommended to Congress, as gentlemen will find on an examination of the subject, and his recommendations are usually heartily concurred in, for the repair and preservation of works on rivers and harbors the sum of \$8,000,000. This bill now before us appropriates only \$5,000,000, and, therefore, is on the side of retrenchment and reform in public expenditures to the extent of \$3,000,000. That fact can not be denied.

The amount that will go to the improvement of the Lower Mississippi by this bill will probably be \$450,000 to \$500,000. Under the proposition of the gentleman from Indiana, which is incorporated in this bill, that money will have to be applied, except so far as may be necessary for dredging and the removal of snags and bars, to two points on the river—Plum Point and Lake Providence reaches—with a view to testing to a conclusion the experiments which have been begun at those points. I think, under all the circumstances, it is fair enough to allow this amount of money, since we have spent so much already, to be applied to testing the experiment of the improvement of the Mississippi River at those two points and explicitly in the manner in which the work has progressed up to this time.

The safeguards thrown around the bill, I venture to say, in reference to the expenditure of the money appropriated by it, are better, more complete, and more certain of securing the interests of the Government than those that have been applied to any river and harbor bill that ever passed the American Congress.

Mr. HENDERSON, of Illinois. Why do not you let the committee consider that for themselves?

Mr. BAYNE. And never before has such a responsibility been absolutely attached to an officer of the Government in the application of the fund appropriated for this purpose as this bill provides. And I say further, that the incoming Secretary of War, whoever he may be, under the language and the intent of this bill, as I understand it, and as I think the House will and should understand it, will be held strictly responsible for the expenditure of this money, and if there are misapplications of it we will know who is responsible for it.

Mr. WHITE, of Kentucky. Do not you think it would be better to wait until it has been printed, so that we can examine it and determine for ourselves?

Mr. BAYNE. Mr. Speaker, it is very easy for gentlemen to carp and criticize and find fault; and one of the besetting sins in the American Congress is for members to get up here and find fault with the methods and not go into the merits of measures.

Mr. WHITE, of Kentucky. We have had no opportunity of going into the merits of this.

Mr. BAYNE. There has been ample time for consideration, but we have had debate after debate and motion after motion, delaying the business, by gentlemen rendering themselves famous—I was going to use another word—but famous throughout the country because they fritter away the time of the House discussing points of order, making motions, and commenting on what they are pleased to call the "star chamber" proceedings of the committee, instead of considering the merits of propositions.

I hope this bill will pass, and it ought to pass.

[Here the hammer fell.]

Mr. ANDERSON. I rise to a parliamentary inquiry in regard to the manner in which this vote is to be taken.

Clause 6 of Rule XXI provides:

Upon all general appropriation and revenue bills, and bills for the improvement of rivers and harbors, the yeas and nays shall be taken on the passage of such bills in the House and entered upon the Journal.

Now this is a motion to suspend the rules and pass the bill, which I understand is a river and harbor appropriation bill. My inquiry is whether under the rule that vote must be taken by yeas and nays?

The SPEAKER. The Chair decided that question at the last session of Congress, and held when a motion was made to suspend all the rules of the House and pass a bill the bill might be passed without a yeas-and-

nay vote; because if it received a majority it could be passed under the Constitution of the United States.

Mr. ANDERSON. Then I ask for the yeas and nays.

The yeas and nays were ordered, 52 members voting therefor.

Mr. DAVIS, of Illinois. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIS, of Illinois. Does this bill come from any committee of the House?

The SPEAKER. The Chair does not know officially what the committee has done in regard to this bill.

Mr. HENDERSON, of Illinois. I would suggest to my friend the chairman of the Committee on Rivers and Harbors that it is due to state that this is not the bill of the Committee on Rivers and Harbors. They have never considered it. It has never been referred to them.

#### ENROLLED JOINT RESOLUTIONS.

Mr. GLASCOCK, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled joint resolutions of the following titles; when the Speaker signed the same:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

#### RIVER AND HARBOR APPROPRIATION BILL.

The question was taken; and there were—yeas 192, nays 88, not voting 44; as follows:

##### YEAS—192.

Adams, J. J.	Dorsheimer,	Kleiner,	Rogers, J. H.
Aiken,	Dunn,	Lacey,	Rogers, W. F.
Alexander,	Eldredge,	Lamb,	Rosecrans,
Ballentine,	Ellwood,	Lanham,	Russell,
Barbour,	Ermentrout,	Lewis,	Seney,
Barksdale,	Evans,	Libbey,	Seymour,
Bayne,	Ferrell,	Long,	Shively,
Belmont,	Findlay,	McAdoo,	Singleton,
Bennett,	Follett,	McCoid,	Skinner, T. G.
Bisbee,	Foran,	McMillin,	Slocum,
Blackburn,	Forney,	Maybury,	Smalls,
Blanchard,	Garrison,	Miller, J. F.	Snyder,
Bland,	Geddes,	Milliken,	Spooner,
Blount,	George,	Mitchell,	Stephenson,
Brainerd,	Gibson,	Money,	Stewart, Charles
Bratton,	Glascok,	Morgan,	Stockslager,
Breckinridge,	Goff,	Moulton,	Stone,
Breitung,	Graves,	Muldrow,	Strait,
Broadhead,	Green,	Muller,	Struble,
Buchanan,	Greenleaf,	Murray,	Sumner, C. A.
Buckner,	Guenther,	Mutcher,	Talbot,
Budd,	Halsell,	Nelson,	Taylor, J. M.
Burleigh,	Hancock,	Nicholls,	Thomas,
Burnes,	Hardeman,	Nutting,	Thompson,
Cabell,	Hatch, H. H.	Oates,	Tillman,
Caldwell,	Hatch, W. H.	Ochiltree,	Tucker,
Campbell, J. E.	Haynes,	O'Ferrall,	Tully,
Candler,	Hemphill,	O'Hara,	Turner, H. G.
Carleton,	Henley,	O'Neill, Charles	Vance,
Clardy,	Hewitt, A. S.	O'Neill, J. J.	Van Eaton,
Clements,	Hewitt, G. W.	Paige,	Wakefield,
Collins,	Hill,	Payne,	Wallace,
Converse,	Hitt,	Peel,	Warner, A. J.
Cosgrove,	Hoblitzell,	Pettibone,	Warner, Richard
Covington,	Holman,	Phelps,	Washburn,
Cox, W. R.	Hopkins,	Pierce,	Wellborn,
Craig,	Horr,	Poland,	Wemple,
Crisp,	Houk,	Potter,	White, Milo
Culbertson, W. W.	Houseman,	Price,	Wilkins,
Dargan,	Hunt,	Pryor,	Willis,
Davidson,	Hutchins,	Randall,	Wilson, W. L.
Davis, L. H.	Jeffords,	Ray, Ossian	Winans, E. B.
Davis, R. T.	Johnson,	Reagan,	Wise, G. D.
Deuster,	Jones, B. W.	Reed, T. B.	Wolford,
Dibble,	Jones, J. H.	Reid, J. W.	Wood,
Dibrell,	Jones, J. T.	Reese,	Worthington,
Dixon,	Kellogg,	Robertson,	Yaple,
Dockery,	King,	Robinson, W. E.	Young.

##### NAYS—88.

Adams, G. E.	Davis, G. R.	Lawrence,	Smith, H. Y.
Anderson,	Dingley,	Le Fevre,	Spriggs,
Barr,	Dunham,	Lyman,	Springer,
Beach,	Eaton,	McComas,	Steele,
Boutelle,	Elliot,	McCormick,	Stevens,
Bowen,	English,	Miller, S. H.	Stewart, J. W.
Boyle,	Everhart,	Mills,	Storm,
Brewer, F. B.	Finerty,	Morrill,	Sumner, D. H.
Brewer, J. H.	Funston,	Morse,	Swope,
Brown, W. W.	Hanback,	Murphy,	Taylor, J. D.
Browne, T. M.	Hardy,	Parker,	Townshend,
Brumm,	Harmer,	Patton,	Turner, Oscar
Campbell, J. M.	Henderson, T. J.	Payson,	Valentine,
Cannon,	Hepburn,	Perkins,	Van Alstyne,
Cassidy,	Hiscock,	Peters,	Wadsworth,
Clay,	Holmes,	Pusey,	Wait,
Cobb,	Holton,	Ranney,	Weaver,
Connolly,	Howey,	Rockwell,	Weller,
Cook,	James,	Rowell,	White, J. D.
Cox, S. S.	Kean,	Ryan,	Whiting,
Culbertson, D. B.	Keifer,	Skinner, C. R.	Winans, John
Cullen,	Ketcham,	Smith, A. Herr	York.



## NOT VOTING—44.

Arnot,	Fiedler,	Laird,	Rice,
Atkinson,	Fyan,	Lore,	Riggs,
Bagley,	Hammond,	Lovering,	Robinson, J. S.
Belford,	Hart,	Lowry,	Shaw,
Bingham,	Henderson, D. B.	Matson,	Taylor, E. B.
Campbell, Felix	Herbert,	Millard,	Throckmorton,
Chalmers,	Hooper,	Morrison,	Ward,
Curtin,	Hurd,	Neece,	Williams,
Cutcheon,	Jones, J. K.	Post,	Wilson, James
Dowd,	Jordan,	Rankin,	Wise, J. S.
Ellis,	Kelley,	Ray, G. W.	Woodward.

So the rules were suspended (two-thirds voting in favor thereof) and the bill (H. R. 8280) was passed.

Mr. CURTIN. I desire to say that I was in the room of my committee while the roll was being called. I desire to vote.

The SPEAKER. Under the rule the Chair can not entertain the gentleman's request.

Mr. WILLIS. I understood the gentleman to say he was in the Hall.

Mr. CURTIN. No, sir; I was in the committee-room.

Mr. ANDERSON. If the gentleman from Pennsylvania was on the floor I would not object, but as he states he was in his committee-room I do.

Mr. TOWNSHEND. I ask unanimous consent to dispense with the reading of the names.

Mr. ANDERSON. I object.

The Clerk read the names of members voting.

The following additional pairs were announced:

Mr. ELLIS with Mr. POST, of Pennsylvania, on this vote.

Mr. LEWIS with Mr. ARNOT, on this vote.

Mr. CURTIN with Mr. BINGHAM, on this vote.

Mr. FIEDLER with Mr. ATKINSON, on this vote.

Mr. HART with Mr. HAMMOND, on the river and harbor bill.

Mr. HERBERT with Mr. KELLEY, for the rest of this day.

Mr. LOWRY with Mr. WILSON, of Iowa, for the rest of this day.

Mr. LEWIS. I desire to state that if I were not paired with Mr. ARNOT I should vote "ay." Mr. ARNOT would vote "no."

The result of the vote was then announced, as above stated.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which the concurrence of the House was requested.

## ORDER OF BUSINESS.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] is recognized.

Mr. TURNER, of Georgia. I call up the contested-election case of Pool vs. Skinner, first district of North Carolina.

Mr. TOWNSHEND. I desire as a privileged question to call up the Post-Office appropriation bill.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up an election case, which is a matter of higher privilege than any other.

Mr. TOWNSHEND. I will say to the gentleman from Georgia that this will take but a moment. The object is to get the Post-Office appropriation bill into conference.

Mr. TURNER, of Georgia. I am aware that the gentleman from Illinois has made several efforts heretofore to proceed with that bill and they have always provoked discussion.

Mr. TOWNSHEND. If discussion is provoked I will not insist on going on with the bill.

Mr. HISCOCK. I understand the gentleman from Illinois [Mr. TOWNSHEND] proposes to call up the Post-Office appropriation bill. I have told the gentleman I would not again make the point that it should go to the Committee of the Whole House on the state of the Union for the consideration of the Senate amendments. But as against an election case I shall insist on the amendments going to the Committee of the Whole House on the state of the Union to be discussed and considered. I think if we have time enough in these late days of the session to take up election cases we have time enough to consider these appropriation bills in committee.

Mr. TURNER, of Georgia. How does the gentleman from New York get the floor?

Mr. HISCOCK. I give notice to the gentleman from Georgia if he does not want an extra session he must give the Appropriations Committee the right of way.

Mr. TURNER, of Georgia. The gentleman has no right to thrust in his "notice" here while I am on the floor.

Mr. MILLER, of Pennsylvania (to Mr. TURNER, of Georgia). If you are ever going to get your election case in you must get it in now.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up the report of the Committee on Elections in the case of Mr. Pool against Mr. Skinner, in the first Congressional district of North Carolina. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the old first Congressional district of North Carolina, in which

Walter F. Pool was chosen as Representative to the Forty-eighth Congress, was the only proper district in which to call and hold an election to fill the vacancy caused by his death.

Resolved, That Thomas G. Skinner is not entitled to retain longer his seat in this House as the Representative from the first Congressional district of North Carolina to the Forty-eighth Congress.

Mr. TURNER, of Georgia. Mr. Speaker, the Clerk has read the resolution reported by the minority of the committee.

The SPEAKER. The Clerk will read the resolution reported by the majority of the committee.

Mr. HISCOCK. Mr. Speaker, I wish to inquire whether this is a case in which the Committee on Elections are agreed.

Mr. TURNER, of Georgia. Mr. Speaker, I insist that the gentleman from New York shall not interrupt the proceedings of the House in this way.

Mr. HISCOCK. The gentleman from New York will know what is doing.

Mr. TURNER, of Georgia. The gentleman from New York [Mr. HISCOCK] has no right to take me off the floor by impertinent interruptions.

The SPEAKER. This question is not debatable. The Clerk has read the resolution reported by the minority. He will now read the resolution reported by the majority of the Committee on Elections.

The Clerk read as follows:

Resolved, That Thomas G. Skinner retain his seat, without prejudice to the ultimate right to the seat involved in the contested-election case of Charles C. Pool vs. Thomas G. Skinner.

The SPEAKER. The question is, Will the House now consider this report of the Committee on Elections?

Mr. TOWNSHEND. Mr. Speaker, I want to notify the House that I raise the question of consideration.

The SPEAKER. The Chair is putting that question now. [Having put the question.] In the opinion of the Chair the yeas have it.

Mr. TURNER. I ask for a division.

Mr. HERR. Mr. Speaker, I want to know how I am to vote.

Mr. MILLER, of Pennsylvania. Mr. Speaker, what is the question before the House?

The SPEAKER. The question of consideration.

Mr. TOWNSHEND. On what bill?

The SPEAKER. No bill at all; an election case from the State of North Carolina. As many as are in favor of proceeding with the consideration of this report of the Committee on Elections will rise and be counted.

The House divided; and there were—ayes 76, noes 113.

The SPEAKER. The yeas have it; and the House refuses to consider the report.

Mr. BENNETT. Mr. Speaker, I call up the contested-election case of Frederick vs. Wilson.

Mr. TOWNSHEND. Now, Mr. Speaker, I move the adoption of the report of the Committee on Appropriations in relation to the amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

The SPEAKER. Still the matter called up by the gentleman from North Carolina [Mr. BENNETT], being a matter of higher privilege, would cut the gentleman off.

Mr. TOWNSHEND. I understood, Mr. Speaker, after the motion of the gentleman from Georgia [Mr. TURNER] was disposed of I would be recognized.

The SPEAKER. The Chair will secure to the gentleman from Illinois [Mr. TOWNSHEND] the consideration of the matter he desires to call up as soon as possible; but the gentleman from North Carolina [Mr. BENNETT] calls up a matter of higher privilege.

Mr. BENNETT. Mr. Speaker, I do not want to call up this case if I am to antagonize the fertile gentleman from the State of Illinois [Mr. TOWNSHEND]. I would rather keep out of the way of my friend from Illinois, but I would like to have my chance immediately after he has his.

Several MEMBERS. Regular order.

The SPEAKER. The gentleman from North Carolina has charge of a privileged matter, which he can call up whenever he sees fit. The gentleman from Illinois [Mr. TOWNSHEND] is recognized.

## POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. Mr. Speaker, I now move the adoption of the report of the Committee on Appropriations in regard to the Senate amendments to the Post-Office appropriation bill.

Several MEMBERS. Let us have it read.

Mr. HISCOCK. We may as well go to the Committee of the Whole with it, or else consider it in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. HISCOCK] makes the point of order that this must first be considered in Committee of the Whole.

Mr. TOWNSHEND. I am willing to have it considered in the House as in the Committee of the Whole.

Mr. HISCOCK. I have no objection to that, Mr. Speaker. I say frankly that the only purpose I have is to keep out election cases.

The SPEAKER. If there be no objection the report moved by the gentleman from Illinois [Mr. TOWNSHEND] will be considered in the House as in the Committee of the Whole House on the State of the Union.

Before the consideration of that matter is begun the Chair will state that under a rule heretofore made, and which is still in force, at 5 o'clock p. m. the Chair will be compelled to declare the House in recess until 8 o'clock this evening.

Mr. TOWNSHEND. Then I ask unanimous consent that the House may continue its sitting until 6 o'clock.

Mr. MILLER, of Pennsylvania, and other members objected.

Mr. MILLER, of Pennsylvania. I rise to a parliamentary inquiry. Is there a report in this case?

The SPEAKER. There is.

Mr. MILLER, of Pennsylvania. Then I ask for its reading. I believe I have that right.

The SPEAKER. The report has been read.

Mr. MILLER, of Pennsylvania. When?

The SPEAKER. Half an hour or perhaps an hour ago.

Mr. MILLER, of Pennsylvania. Is it in order to call for the reading of the bill?

The SPEAKER. It is not. The gentleman can have it read in his own time whenever he may obtain the floor. The gentleman has a right to have the amendments read.

Mr. MILLER, of Pennsylvania. Then I ask for the reading of the amendments.

The SPEAKER. The Chair has already directed the Clerk to read them.

Mr. SPRINGER. I rise to a parliamentary inquiry. Is it in order now to move to rescind the order by which the House on Friday takes a recess from 5 till 8 o'clock?

The SPEAKER. That can only be done by unanimous consent or by a suspension of the rules.

Mr. SPRINGER. I move, then, to suspend the rules in order to revoke that order. There is no pension business for this evening.

The SPEAKER. This business may be disposed of before 5 o'clock.

Mr. SPRINGER. I presume there would be no objection to vacating by unanimous consent the order for a recess.

The SPEAKER. That proposition has been made and there was objection. The Clerk will read the amendments of the Senate to the Post-Office appropriation bill.

The first amendment was read, as follows:

On page 1, line 21, strike out "three hundred" and insert "one hundred and fifty."

Mr. MILLER, of Pennsylvania. I would like to have the context read in connection with the amendment so that the amendment may be understood.

The SPEAKER. The Chair will direct that each amendment be so read.

The Clerk read as follows:

Page 1, line 21, strike out "three hundred" and insert "one hundred and fifty;" so as to read:

"For compensation to clerks in post-offices, \$5,150,000."

Mr. TOWNSHEND. If it be in order, I desire to move concurrence in that amendment.

The SPEAKER. It is in order to make that motion. Each amendment must be acted on separately.

The motion of Mr. TOWNSHEND to concur in the amendment was agreed to.

The second amendment was read, as follows:

Page 2, line 6, strike out "five hundred and thirty-five" and insert "four hundred and eighty-five;" so as to read:

"For payment to letter-carriers and the incidental expenses of the free-delivery system, \$4,485,000; \$45,000 of which may be used, in the discretion of the Postmaster-General, for the establishment, under existing law, of a free-delivery system in cities where it is not now established."

Mr. TOWNSHEND. By direction of the committee I move concurrence in this amendment.

The motion was agreed to.

The third amendment was read, as follows:

Page 2, line 16, strike out the word "hereafter," after the word "that;" so as to read:

"That the Postmaster-General may," &c.

Mr. TOWNSHEND. I desire to submit a proposition to which I think the entire House will agree. It is needless to occupy time in reading all these amendments. All I desire is to have the report of the Committee on Appropriations adopted. Now, I submit to the House this proposition—that if the report of the Committee on Appropriations be adopted, I will then move that the House take a recess till 8 o'clock.

Mr. HISCOCK. We will consent, if an order be entered to that effect, that the report be adopted and a recess at once taken.

Mr. TURNER, of Georgia. I would like to inquire by what right the gentleman from Illinois makes that proposition. He stated that he would require not more than five minutes for this matter; and now he proposes that immediately after it is disposed of the House shall take a recess.

Mr. TOWNSHEND. If the gentleman from Georgia objects, of course I do not press the proposition.

Mr. TURNER, of Georgia. I do object.

The SPEAKER. Objection is made.

Mr. TOWNSHEND. I move to non-concur in the amendment last read.

The motion was agreed to; there being—ayes 82, noes 23.

The fourth amendment was read, as follows:

Page 2, line 18, strike out "lease" and insert "in the disbursement of this appropriation, apply part thereof to the purpose of leasing;" so that the clause will read:

"That the Postmaster-General may, in the disbursement of this appropriation, apply part thereof to the purpose of leasing premises for use for post-offices."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in this amendment.

The amendment was non-concurred in.

The fifth amendment was read, as follows:

Page 2, line 17, strike out the word "and," between the word "first" and "second."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move that this amendment be non-concurred in.

The motion was agreed to.

The sixth amendment was read, as follows:

Page 2, line 17, after the word "second," insert "and third;" so as to read: "Post-offices of the second and third classes."

Mr. TOWNSHEND. In accordance with instructions of the Committee on Appropriations I move that this amendment be non-concurred in.

The motion was agreed to.

The seventh amendment was read, as follows:

Page 2, line 25, after the word "for," insert "safes and other;" so as to read: "For safes and other office furniture."

Mr. TOWNSHEND. The Committee on Appropriations have instructed me to move that this amendment be concurred in.

The motion was agreed to; there being—ayes 98, noes 10.

The eighth amendment was read, as follows:

Page 2, line 25, strike out "twenty" and insert "thirty;" so as to read: "Post-office and other office furniture, \$30,000."

Mr. TOWNSHEND. Mr. Speaker, this amendment makes an increase of \$10,000. In accordance with the instruction of the committee I move concurrence.

The motion was agreed to; there being—ayes 101, noes 12.

The tenth amendment was read, as follows:

Page 3, line 4, strike out "and ten" and insert "five hundred;" so as to read: "For inland mail transportation, namely: For transportation on railroad routes, \$14,500,000."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in that amendment.

The amendment was non-concurred in.

The next amendment was read, as follows:

After the word "thereof" insert "and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof;" so it will read:

Office of the Third Assistant Postmaster-General: For manufacture of adhesive postage-stamps and of newspaper and periodical stamps, \$174,000. That upon all matter of the first class, as defined by chapter 180 of the laws of Congress, approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 3 cents for each half ounce or fraction thereof, and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof; and drop letters shall be mailed at the rate of 2 cents per ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established.

Mr. TOWNSHEND. As instructed by the Committee on Appropriations, I move concurrence in that amendment.

Mr. ADAMS, of Illinois. I should like to have some explanation of it.

Mr. TOWNSHEND. It is a mere formal amendment and only makes the original text more specific. For myself I do not think the amendment is necessary, but the Senate disagrees with the House in reference to that matter, and I have been instructed to move concurrence.

The amendment was agreed to.

Eleventh amendment:

Strike out the words "to bona fide subscribers" and insert "including sample copies;" so it will read:

"That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto."

Mr. TOWNSHEND. I have been instructed by the Committee on Appropriations to move non-concurrence. I will say this is the amendment about which most of us here have received a great many communications from a certain class of newspaper publishers. I think it would be better for the House to put this question in conference, where it is possible we may reach some agreement, which perhaps we may not be able to do here this afternoon.

The only difference between this and the original text is that it restores the law enabling newspaper publishers to send sample copies.

Mr. BINGHAM. I move to concur.



Mr. TOWNSHEND. I hope my friend will not press that motion, because it will lead to delay.

Mr. BINGHAM. Have I the floor?

The SPEAKER. The gentleman has the floor and will proceed.

Mr. BINGHAM. I desire to state that when this section of the Post-Office bill was before the House the paragraph relating to sample copies was not even referred to or discussed in any way whatever, and while I thought I had some familiarity with the bill I am free to say I had overlooked this section entirely. I believed it had been the purpose of the committee reporting this bill when they reduced newspaper postage from 2 cents a pound to 1 cent a pound to make that reduction consistent with existing law—that it was a reduction of 1 cent a pound throughout the entire law. But it is not so. Under the present law newspaper postage from a known office of publication to subscribers goes at the rate of 2 cents a pound, sample copies included. The bill reduces newspaper postage to 1 cent a pound, and makes sample copies 4 cents a pound. It doubles the rate of postage on sample copies, and if I am permitted to refer to a discussion in another place where this section was fully discussed, I will state that when the matter was explained it was unanimously adopted as being a fair adjustment and consistent with the action of the committee on another section.

Now, sir, in another section you will reach you say to these newspaper publishers you can send your sample copies at the rate of 1 cent if they weigh an ounce and then it repeals all other acts inconsistent with that act. Permit me to say to the gentleman that under the law today, which we passed at the first session of this Congress, newspaper publishers, if they could not to-day send under the pound rate, may, under public act No. 46, as he can and I can when we send through the mails miscellaneous papers.

Further, by the section which he proposes to hold on to, in the next amendment to the bill he wipes out absolutely that act (public 46) which allows a citizen to send four ounces of newspaper matter for 1 cent. It was patent to the judgment of the House that the two ounces for 1 cent covered but a few of the large publications of the country. Before the Committee on the Post-Office and Post-Roads the large metropolitan papers were weighed, and, with a single exception, almost every one was between three and four ounces in weight. The popular judgment has been that any paper could go through the mails for 1 cent, but we find the greater number weighed over two ounces; and therefore the Committee on the Post-Office and Post-Roads brought into this House a bill fixing the rate for transient newspapers at 1 cent for four ounces.

The result of that action has been that instead of having in the large offices thousands of newspapers daily held for postage and sold for waste paper, they are transmitted through the mails at 1 cent for four ounces. The bill of the gentleman from Illinois, as we passed it through the House, repealed that act, and it did further: it doubled the rate on newspaper publishers in sending sample copies by increasing the postage from 2 to 4 cents, when it reduced the rate on their regular open editions to 1 cent per pound.

The matter was discussed elsewhere, and every member in this House has doubtless received his communications from the publishers of these great newspapers that for all the publications going out their offices they want one rate of postage; and I had thought that such was the purpose the gentleman had in view in presenting the bill. It was the purpose of the Committee on Post-Offices and Post-Roads when they recommended the postal bill to the House, and when their distinguished chairman appeared before the Committee on Appropriations.

How much time have I remaining?

The SPEAKER. The gentleman has occupied four minutes.

Mr. BINGHAM. I will reserve the remaining time.

Mr. TOWNSHEND. Mr. Speaker, the first proposition introduced in Congress to reduce newspaper postage was introduced by myself in the last Congress. It was referred to the committee of which the gentleman from Pennsylvania was chairman. That committee then entirely ignored the question. It took no action on the subject until during this Congress.

Mr. BINGHAM. The gentleman is entirely welcome to all the distinction which is properly due to him for his efforts in that direction. I am willing that he shall have all the credit.

Mr. TOWNSHEND. The gentleman is not more anxious to see a reduction of newspaper postage than I am. Now, when the Committee on Appropriations had this bill under consideration I offered an amendment to reduce the postage on newspapers one-half; my amendment went no further. That amendment was adopted by the committee. Afterward the Postmaster-General appeared before our committee and recommended that we restrict the law allowing sample copies to go through the mails. He urged as a reason that many merely advertising sheets had taken advantage of this law and were using the mail facilities to flood the country with advertisements of lottery, patent medicines, and other schemes at pound rates. Therefore, the Postmaster-General recommended a modification of the law in respect to sample copies by restricting them to the use of this privilege twice a year.

The Committee on Appropriations, after careful consideration, concluded that if it was wrong to allow them to send sample copies under these circumstances more than twice a year, it was wrong to allow them to be sent at all, and that they should be forbidden altogether. The

committee therefore modified my amendment so as to forbid sample copies from being sent at any other than the same rates at which transient newspapers are allowed to go through the mails. That amendment was brought in here by me under the instructions of the committee, and the House adopted it. It was discussed then by my intelligent friend from Pennsylvania.

Mr. BINGHAM. The gentleman is entirely mistaken; that section of the bill was never alluded to in that discussion. It was not discussed one minute on this floor.

Mr. TOWNSHEND. The RECORD will show that the gentleman himself not only discussed it, but offered an amendment to that very provision, which was adopted.

Mr. BINGHAM. The gentleman is in error wholly.

Mr. TOWNSHEND. Now I have received a very large number of communications from newspaper publishers on this question, more than, perhaps, any other member of this House. I have received nearly five hundred letters from a certain class of papers, not strictly newspapers, but papers promoting special objects, mostly weekly papers, scientific periodicals, many of them very worthy and valuable papers, but a great many of them merely advertising sheets. Among all of these letters none will be found from purely daily newspapers, and I have received but very few from country newspapers. The country newspapers, as a rule, and the daily press also, are satisfied with the provision as recommended by the Committee on Appropriations and adopted by the House.

I believe it would be well to allow papers to send sample copies for the purpose of extending their circulation, but believe that the exercise of this privilege two or three times a year would be sufficient to promote circulation and secure subscribers.

Now I desire that this question shall go to a conference committee, where we can reach an agreement or a compromise after a general interchange of views. But the gentleman from Pennsylvania insists upon forcing it here upon the House. That being the case, I must meet it now. I believe, as the Postmaster-General believes, that this privilege is greatly abused by a certain class of newspapers, and that we should restrict the sending of sample copies to some extent at least. I am willing to allow the question to be considered by a conference committee, who may, after a full investigation of the subject, agree upon some reasonable plan in that respect which will satisfy reasonable demands; but to open the mails to an unlimited extent to every advertising sheet throughout the country every day in the year is a proposition to which I am opposed.

[Here the hammer fell.]

Mr. BINGHAM. I believe I have one minute remaining. I desire in that time to make just this statement to the House: that no newspaper can go through the mails at second-class rates, as proposed by this bill, at 1 cent a pound until it has been duly registered at the post-office from which it goes under the sworn statement of the publisher of that paper. Therefore the gentleman's statement as to patent-medicine circulars and lottery publications and advertising sheets, and papers generally of that kind, is effectually disposed of.

Now a further fact: the gentleman incorporates in this bill, authorizing this amendment, the provision that they can send their sample copies at 1 cent for each four ounces, and then wipes out all other laws existing on the subject.

[Here the hammer fell.]

Mr. ANDERSON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. Would it be in order to move to strike out the last word?

The SPEAKER. There is no last word. It is a motion to concur. The question is on the motion of the gentleman from Pennsylvania [Mr. BINGHAM] to concur in the amendment.

The House divided; and there were—ayes 67, noes 43.

Mr. TOWNSHEND. I call for tellers.

Mr. HOLMAN. No quorum.

The SPEAKER. The point is made that a quorum has not voted. The Chair will appoint as tellers the gentleman from Illinois, Mr. TOWNSHEND, and the gentleman from Pennsylvania, Mr. BINGHAM.

#### ENROLLED BILL SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich; and

Joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies.

#### POST-OFFICE APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to concur in the Senate amendment.

The House divided; and the tellers proceeded to count the vote.

The SPEAKER. Will the tellers report the affirmative vote?

Mr. ANDERSON. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. Is it in order to call the attention of the Chair

to the fact that the hour of 5 o'clock, when under the order of the House a recess should be taken, has arrived?

The SPEAKER. The Chair takes notice of the fact himself, and now declares the House in recess until 8 o'clock this evening.

The gentleman from New York [Mr. BAGLEY] will occupy the chair as Speaker *pro tempore* at the evening session.

#### EVENING SESSION.

The recess having expired, the House reassembled at 7 o'clock p.m., Mr. BAGLEY in the chair as Speaker *pro tempore*.

#### ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Clerk will read the order under which the House meets this evening.

The Clerk read as follows:

That until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 8 p.m., at which evening sessions bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

February 13, 1885.—Amended so as to include bills for the removal of political disabilities reported by the Judiciary Committee and Senate bills on the Speaker's table for the removal of political disabilities.

#### LEAVE TO PRINT.

The SPEAKER *pro tempore*. The Chair desires to present the personal request of a member which was overlooked at the time the recess was taken.

The Clerk read as follows:

Mr. HEWITT, of New York, asks unanimous consent to print remarks on the bill (H. R. 7366) being a bill to carry into effect the convention between the United States of America and the United States of Mexico, signed on the 20th day of January, 1883.

Mr. ANDERSON. Ought not that to go over till to-morrow? Is it important that that request should be granted to-night?

The SPEAKER *pro tempore*. The permanent Speaker informed the present occupant of the chair that it was proper this request should be submitted.

Mr. ANDERSON. This will not be considered as a precedent for bringing in any other business to-night?

The SPEAKER *pro tempore*. Not at all.

There being no objection, the request of Mr. HEWITT, of New York, was granted.

#### ROBERT CARY.

Mr. HILL. I ask unanimous consent to take from the Speaker's table the bill (H. R. 6011) granting an increase of pension to Robert Carey, with an amendment by the Senate. It is only a technical amendment. A mistake was made in spelling the man's name.

Mr. ANDERSON. All right.

There being no objection, the bill (H. R. 6011) was taken from the Speaker's table, and the Senate amendments were read, as follows:

In line 3, strike out "Robert Carey" and insert "Robert Cary."  
Amend the title so as to read: "An act granting an increase of pension to Robert Cary."

The amendments of the Senate were concurred in.

Mr. HILL moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the Senate amendment to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing on the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes.

The message further announced that the Senate has passed the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes, with amendments, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWES, Mr. HARRISON, and Mr. COKE as conferees on the part of the Senate.

The message further announced that the Senate insisted upon its amendments to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1886, and for other purposes, disagreed to by the House of Representatives, agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. DAWES, and Mr. COCKRELL as conferees on the part of the Senate.

The message further announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 847) for the relief of Francis B. Van Haesen;

A bill (H. R. 851) for the relief of the heirs of Mary Jane Vezie, deceased;

A bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard;

A bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry;

A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for moneys erroneously collected from him by the Post-Office Department;

A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 2158) for the benefit of John C. Herndon;

A bill (H. R. 2185) for the relief of Rosa Ventner Jeffrey and others;

A bill (H. R. 4686) for the relief of Fendall Carpenter;

A bill (H. R. 5452) for the relief of John W. Martin;

A bill (H. R. 5747) to authorize an increase of the capital stock of the First National Bank of Larned, Kans., not to exceed \$250,000;

A bill (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer now on the retired-list of the Navy a chief engineer on the retired-list of the Navy;

A bill (H. R. 8034) for the relief of the estate of Hugh and Byrd Douglas, deceased;

A bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army;

A bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, of the United States Navy;

A bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;

A bill (H. R. 1813) granting an increase of pension to Anne Cornelia Lanman;

A bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army; and

A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 993) for the relief of Maria G. Dunbar;

A bill (S. 1811) granting a pension to Annie T. Dicks;

A bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies at the dedication of the Washington Monument;

A bill (S. 957) granting a pension to Margaret D. Marchand;

A bill (S. 2359) granting a pension to M. Louise Butler;

A bill (S. 2448) for the relief of Sally C. Mulligan;

A bill (S. 2654) granting a pension to Charles F. Hildreth;

A bill (S. 2661) granting a pension to Miss Amelia J. Gill;

A bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy;

A bill (S. 2665) granting an increase of pension to Ann Atkinson;

A bill (S. 2620) granting a pension to Thomas H. Boaz;

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and

A bill (S. 2619) granting a pension to Martha Hughes.

#### ORDER OF BUSINESS.

Mr. MORRILL. Mr. Speaker, I move that the pension bills just received from the Senate be referred to the Committee on Invalid Pensions.

The motion was agreed to.

Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 1877) granting an increase of pension to John Hall;

A bill (S. 2245) granting a pension to William N. Morris;

A bill (S. 2302) granting a pension to John Lowe;

A bill (S. 2279) granting a pension to Lewis L. Canady;

A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;

A bill (S. 544) granting an increase of pension to Elijah W. Penny;

A bill (S. 2367) granting a pension to Sarah A. White;

A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney;

A bill (S. 2437) granting a pension to Mrs. Mary Gordon;

A bill (S. 2125) granting a pension to Sarah Jane Prince; and

A bill (S. 2527) granting a pension to Robert Sheridan.

Mr. MORRILL, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 2620) granting a pension to Thomas H. Boaz;

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and

A bill (S. 2619) granting a pension to Martha Hughes.

Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (H. R. 7907) granting a pension to Matilda Cody; and

A bill (H. R. 603) granting a pension to Rachel Nickel.

Mr. MATSON, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 3760) granting a pension to J. Combe; which was laid on the table.

Mr. MORRILL, from the Committee on Invalid Pensions, reported



bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (S. 2443) granting an increase of pension to Polly Young;
- A bill (S. 1113) granting a pension to Ann C. Manchester;
- A bill (S. 2153) granting a pension to Benjamin F. Brockett;
- A bill (S. 1836) granting a pension to Sarah Hague; and
- A bill (S. 1612) granting a pension to Bryson R. McCartney.

Mr. CULLEN, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (S. 2262) granting a pension to Sedate T. Martin; and
- A bill (S. 1633) granting a pension to James Bond.

Mr. HOLMES, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (H. R. 8237) granting a pension to Mary J. Dickson; and
- A bill (H. R. 8155) granting a pension to Addie L. Moore.

Mr. HOLMES, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 7757) granting a pension to Elizabeth Crawford, which was laid on the table.

ROBERT J. BALLORT.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2268) for the relief of Robert J. Ballort; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARY HOWARD FARQUHAR.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, also reported back adversely the bill (S. 1960) for the relief of Mary Howard Farquhar; which was laid on the table, and the accompanying report ordered to be printed.

DUNCAN L. CLINCH.

Mr. NICHOLLS. I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 1911) for the relief of Duncan L. Clinch, of the State of Georgia.

The bill was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That* Duncan L. Clinch, a citizen of the State of Georgia, be, and he is hereby, relieved of all political disabilities imposed upon him by the fourteenth amendment to the Constitution of the United States.

There being no objection, the bill was taken from the Speaker's table, read three times, and passed (two-thirds voting in favor thereof).

JOHN E. DENHAM.

Mr. JAMES. I ask to have taken from the Speaker's table, for concurrence in an amendment of the Senate, the bill (H. R. 5798) granting a pension to John E. Denham.

There being no objection, the bill was taken from the Speaker's table, and the following amendment of the Senate was read and concurred in:

In lines 4 and 5 strike out the following: "and grant him a pension of \$8 a month from the passage of this act."

JEREMIAH M'CARTY.

Mr. SPOONER. I ask unanimous consent that the bill (H. R. 6029) for the relief of Jeremiah McCarty be taken from the Speaker's table for concurrence in a Senate amendment.

There being no objection, the bill was taken from the Speaker's table and the following amendment of the Senate read and concurred in:

In lines 5 and 6 strike out the words "of fifty dollars per month" and insert "at the rate to which a private soldier is and shall be entitled by law for like disabilities."

ORDER OF BUSINESS.

Mr. MATSON. I move that the House now resolve itself into Committee of the Whole on the Private Calendar for the purpose of considering business under the special order for the Friday evening session.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

Mr. MATSON. I ask unanimous consent that Senate bills be first considered in the order in which they stand upon the Calendar.

There being no objection, it was so ordered.

JOHN HALL.

The first business on the Private Calendar was the bill (S. 1877) granting an increase of pension to John Hall.

The bill was read, as follows:

*Be it enacted, etc., That* the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions of the pension laws, the name of John Hall, late a private in Company B, Tenth United States Infantry, Mexican war, at the rate of \$30 per month, in lieu of the \$8 per month heretofore allowed him, as specified in pension certificate 3170.

Mr. MILLER, of Pennsylvania. If there is a report in this case I ask that it be read.

The report (by Mr. MATSON) was read, as follows:

Your committee has had under consideration Senate bill No. 1877, and report

the same back to the House with a recommendation that it do pass; and they have adopted the Senate report in this case as the favorable report of this committee.

The claimant was a private in Company B, Tenth New York Volunteers, and was injured on the 10th day of May, 1847, while in the service and in line of duty. While on drill at or near Fort Hamilton, N. Y., in crossing a fence he was suddenly and violently thrown down and the end of a rail striking him in the lower part of the body caused a large rupture which required a severe surgical operation to save his life, which was in imminent peril from the injury. The injury resulted in double inguinal hernia. The proof of the injury, surgical operation, and resulting hernia is clear and convincing. He was discharged on account of this injury and disability the 24th day of July, 1847. He applied for a pension and was placed on the pension-roll in 1847 at \$4 per month, and in 1852 his pension was increased to \$8, which rate he has been since paid and is now receiving. In 1833 he became totally blind, and in 1874 suffered a paralytic stroke, since when he has been a great charge upon his aged wife and two daughters, being unable to dress or undress himself without assistance.

In 1883 he made an application for an increase on account of an increase of his disabilities, claiming that his lost eyesight and paralysis resulted from his original injuries. The medical referee gave it as his opinion that the blindness and paralysis were not the results of the original injury. It can not be expected that laymen will usually oppose their opinions or views against the opinions of medical men, but in this case the evidence is so clear, and the fact that the neuralgia which terminated in blindness was connected with the surgical operation so distinctly shown, that your committee can hardly doubt that the medical referee in this instance is mistaken.

The surgeon performing the operation says in his certificate, under date of the 13th July, 1847, that the injury rendered "an operation necessary for strangulated hernia which was performed by myself; the injury and consequent operation have been followed by debility and lameness, which still continues." The claimant in his own affidavit says, in speaking of the operation, that— "He had to lay while undergoing treatment \* \* \* with his head and shoulders much lower than the rest of his body, in which position he remained for thirty days. \* \* \* Neuralgia set in, and on being released from this position his eyes were affected, and he suffered from neuralgia to the present time."

This was in 1833. He also says that the "neuralgia pains burst his eyeballs, and the aqueous humor of the eyes escaped, leaving him blind." He also says that after the operation he frequently felt a numbness in his limbs and side and want of nerve sensibility, and was at times almost deprived of motive power, which continued up to 1874, when he had a severe stroke of paralysis. From these facts your committee are constrained to believe that the blindness and paralysis of this soldier were resulting conditions from the original injury he received and the operation he was compelled to undergo, and think that justice requires that his pension should be increased. Therefore your committee recommend the passage of this bill.

Mr. BELFORD. I move to amend this bill by adding the provision which I send to the desk.

The Clerk read as follows:

That the sum of \$500,000 be appropriated for the construction of a home for the orphan children of the Union and confederate soldiers of the Republic, at the city of Fredericksburg, in the State of Virginia, said sum to be expended under the direction of the Secretary of War.

Mr. KEAN. I make a point of order on this amendment.

Mr. HEWITT, of Alabama. I make the point of order that this amendment is not germane to the bill.

Mr. BELFORD. I ask that the point of order be reserved till I can make a statement.

The CHAIRMAN. The Chair will hear the gentleman from Colorado for five minutes upon the point of order.

Mr. BELFORD. Mr. Chairman, the shadows of fifteen years have floated over this Republic and the unhappy memories of the war should be forgotten now and forever. You gentlemen from the South should have at least the courage of a Northern Republican to take care of the orphans produced by the war in the South. It was a war of the politicians in which the poor people suffered and were conscripted into the army; and I propose that their little children shall be provided for just as the children of soldiers of the Union Army have been provided for.

When the Greeks, the moderns of ancient civilization, achieved a victory in civil war they celebrated that victory by erecting a monument of wood which would perish under the abrasions and erosions of the atmosphere. When they achieved a victory over a foreign foe, they erected a monument of bronze. [At this point Mr. BELFORD walked toward the Democratic side of the House.]

Mr. BROWNE, of Indiana. I make the point of order that the gentleman has no right under the rules to speak except from his seat.

Mr. BELFORD. Then I will go to my seat. I will obey the perfunctory order of the distinguished brigadier from Indiana.

Now, what did England do after her great civil war between the White Rose and the Red Rose? She blended them together and made England the great nation of her day. Are we to carry out the prejudices of certain gentlemen on this floor and overlook the fact this is our magnificent nation from the northern lakes to the southern gulf, from the Atlantic Ocean to the Pacific, upon which floats the commerce of our country?

I have offered this amendment in the interest of reconciliation, of peace, of recognition of the fact we are one nation to-day, and will remain so I hope forever. [Applause.]

The CHAIRMAN. The Chair sustains the point of order and the amendment is ruled out.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM N. MORRIS.

The next business on the Private Calendar was the bill (S. 2245) granting a pension to William N. Morris.

The bill, which was read, provides that the Secretary of the Interior be authorized and directed to place on the pension-roll, subject to the

limitations and provisions of the pension laws, the name of William N. Morris, late a private in Company F, Seventeenth Regiment Indiana Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN LOWE.

The next business on the Private Calendar was the bill (S. 2302) granting a pension to John Lowe.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John Lowe, late of Company F, Fifty-third Regiment Indiana Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

LEWIS L. CANADY.

The next business on the Private Calendar was the bill (S. 2279) granting a pension to Lewis L. Canady.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lewis L. Canady, late a private in the war of 1812.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. CORDELIA BRAINERD THOMAS.

The next business on the Private Calendar was the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.

The bill, which was read, authorizes the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Cordelia Brainerd Thomas, widow of the late Rev. E. Thomas, who was killed by the Modoc Indians in 1873 while acting as a member of the Peace Commission sent by the United States Government to treat with said Indians, and to pay her from and after the passage of this act, during her widowhood, the sum of \$50 a month.

Mr. PETERS. I would like to hear the report in that case read.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas, having considered the same, beg leave to report it back with a recommendation that it be amended by inserting the word "twenty," after the words "sum of," in the eleventh line of said bill; so it shall provide payment to Mrs. Cordelia Brainerd Thomas of the sum of \$20 a month—

Mr. PETERS. I do not ask for the reading of any more of the report, as I see the amendment limits it to \$20 a month.

Mr. MATSON. The Senate proposition was to give her a pension of \$50 per month. Her husband was with General Canby at the time he was killed. He was a minister of the gospel. The amendment proposes to give her the pension of a chaplain.

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIJAH W. PENNY.

The next business on the Private Calendar was the bill (S. 544) granting an increase of pension to Elijah W. Penny.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elijah W. Penny, late lieutenant-colonel of the One hundred and thirtieth Regiment Indiana Volunteers, at the rate of \$42 per month, in lieu of the \$36 per month heretofore allowed him as certified in pension certificate 76144.

Mr. MILLER, of Pennsylvania. I ask the gentleman from Indiana why this pension is increased from \$36 to \$42 per month, and why the claimant comes here instead of going to the Pension Office?

Mr. MATSON. I take pleasure in informing the gentleman from Pennsylvania his coming here grows out of the fact there is a defect in the law. There is no rate of pension between \$24 and \$50 per month.

Mr. MILLER, of Pennsylvania. Is there not a rate of \$30 a month?

Mr. MATSON. There is for specific disability, but there is no rate for general disability. Colonel Penny received two gunshot wounds, and receives a pension for disability not specific as to one. He has an arm off, and gets \$30 a month. He has another gunshot wound which entitles him to more than he is receiving.

Mr. MILLER, of Pennsylvania. Is it not a fact if the claimant was disabled in a certain degree he can receive \$30 or \$40 a month?

Mr. MATSON. No, sir; there is no rate of \$40 per month.

Mr. MILLER, of Pennsylvania. What is the next rate above \$30?

Mr. MATSON. It is \$50.

Mr. MILLER, of Pennsylvania. Why should there be an exception made in this particular case? Are there not other persons in the same condition who would be entitled to the same relief?

Mr. MATSON. My judgment is that the law is essentially deficient in this particular, and I think my friend from Indiana, the former chairman of the Committee on Invalid Pensions, General BROWNE, will agree with me, as I believe I have heard him express the same sentiment before.

I will state to the gentleman from Pennsylvania that there are cases of men who are suffering from disability from wounds who are not in that helpless condition that requires the regular attendance of other persons, so as to bring them within the law; and hence they can not receive the pension of \$50, but they are worse disabled than if they had lost one arm or a leg; and so to apply relief in cases of that kind we have these special bills of which the gentleman speaks.

Mr. BROWNE, of Indiana. Mr. Chairman, the difficulty is that the general law fixes the rates for specific disability, and every gentleman of observation will readily understand that it is impossible under a general law to adequately adjust every possible character of disability that may arise. It is utterly impossible to do it; and just so long as we grant pensions at all and undertake to provide for them by general acts there will be instances in which appeals will be made to Congress to allow something in addition, perhaps above the lowest provided in the list of disabilities and lower than the highest or the next immediately preceding rate. But for myself I have a great deal more respect for those cases in which increases are granted than for many of those in which pensions are originally granted, because where there is an increase given there is no doubt of the existence of the disability.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SARAH A. WHITE.

The next business on the Calendar was the bill (S. 2367) granting a pension to Sarah A. White.

The bill is as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. White, of Abington, Mass., widow of Ebenezer White, late a lieutenant in the Kansas cavalry volunteers.

Mr. HEWITT, of Alabama. I would like to know why it is necessary to grant relief in this particular case?

Mr. MATSON. To save time, I will ask the gentleman from Massachusetts [Mr. LONG], who I believe is familiar with the case, to state the facts.

Mr. LONG. What is the question of the gentleman from Alabama?

Mr. HEWITT, of Alabama. I desire to know why it is necessary to apply to Congress for relief in this case.

Mr. LONG. I am not familiar with the circumstances. It is a bill which was examined by the Senate committee and passed the Senate. I presume the Senate report will convey the facts.

Mr. HEWITT, of Alabama. I ask for the reading of the report of the committee accompanying it.

The report (by Mr. LOVERING) was read, as follows:

Your committee have had under consideration Senate bill No. 2367, and report the same back to the House with the recommendation that it do pass, adopting the Senate report hereto attached as the favorable report of this committee:

"The evidence is somewhat conflicting, but the balance thereof is strongly in favor of the claim."

"The bill simply proposes to place the name of the applicant on the pension-roll as the widow of the soldier, and it appears that she is in great need."

"The evidence also discloses the fact that she rendered excellent service as an army nurse, and might well be pensioned at a higher rate for that service."

"Your committee recommend the passage of the bill."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

BYRAM PITNEY.

The next business on the Private Calendar was the bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney.

The bill is as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the names of the widow and children of Byram Pitney, late of Company K, Twenty-sixth Regiment New Jersey Volunteers.

Mr. HEWITT, of Alabama. I would like to have some explanation of that bill, or else to have the report read.

The CHAIRMAN. The Chair will state that this is a very long report, and perhaps it will save time if some gentleman who is familiar with the facts will make an explanation.

Mr. BAGLEY. I think I can explain to the gentleman and to his satisfaction. It seems that this man received a severe wound in the neighborhood of the spine which gave him very serious trouble and for which he was pensioned. The man lived, it is true, until some time in 1883, but the disease of which he died proved to be continuous; that is to say that the diseased condition of his lungs, of which he finally died, dated back to his service in the Army and finally resulted in acute pneumonia. The medical testimony goes to show that it was directly on account of this disease, which resulted from the service and which finally culminated in acute pneumonia, that his death resulted. I believe it to be a good case, and hence it was reported favorably.

Mr. JOSEPH D. TAYLOR. Let me ask the gentleman were all of these cases examined by the House committee?

Mr. BAGLEY. They were, sir; all of them.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that these bills have been all referred to the committee and reported back from the Committee on Pensions and Invalid Pensions.

Mr. JOSEPH D. TAYLOR. I so supposed.



The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY GORDON.

The next business on the Private Calendar was the bill (S. 2437) granting a pension to Mrs. Mary Gordon.

The bill is as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Mary Gordon, mother of Samuel F. Gordon, late a private in Company G, Sixteenth Regiment Ohio Volunteers.

The report (by Mr. LEFEVRE) is as follows:

Your committee have had under consideration Senate bill No. 2437 and report the same back to the House with the recommendation that it do pass, and they have adopted the Senate report hereto attached as a part of the report of this committee.

"The Committee on Pensions, to whom was referred the bill (S. 2437) granting a pension to Mrs. Mary Gordon, have examined the same, and report:

"That the claimant is the mother of Samuel F. Gordon, who applied for a pension at the Department, but her claim was rejected on the ground that the records of the War Department afford no information as to enlistment or service of the soldier.

"There appears to be ample evidence to show the dependence of the claimant as the mother of the soldier. Her husband died in 1857, and her son, the soldier, died unmarried. The only question to be considered is that of the soldier's service.

"William M. Ross, late first lieutenant of Company G, Sixteenth Ohio Volunteers, testifies that Samuel F. Gordon, the son of the claimant, enlisted October 2, 1861, in the forenoon, as a private in that company, and that in the afternoon the said Gordon was shot and killed by the accidental discharge of a pistol. He also swears that the captain of the company is dead, and the original muster-roll can not be obtained.

"This is corroborated by two comrades of the soldier, who swear to his enlistment and muster and accidental death.

"It also appears from the papers on file that the claimant is 82 years of age, and is and has been for many years a helpless invalid from partial paralysis; and also that she has been supported for seventeen years by a daughter who has been engaged in teaching. The daughter now states that, owing to her mother's increasing helplessness, she is unable to longer provide her a comfortable support.

"In view of all the facts in this case your committee report the bill with a recommendation that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

#### ORDER OF BUSINESS.

Mr. MATSON. In order to save the time that would be occupied in reading these reports I ask that all of them may be printed in the RECORD.

The CHAIRMAN. If there be no objection it will be so ordered.

There was no objection.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that many of these reports just come from the committee are in manuscript, and it will be impossible to have them transcribed. The originals may be sent to the Public Printer under the order the gentleman from Indiana suggested, and which has just been made. If there be no objection it will be so ordered.

There was no objection.

SARAH JANE PRINCE.

The next business on the Private Calendar was the bill (S. 2125) granting a pension to Sarah Jane Prince.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Sarah Jane Prince, widow of the late Capt. Albert Prince, of the Fifteenth Regiment Massachusetts Volunteer Infantry.

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2125) granting a pension to Sarah Jane Prince, having examined the same, adopt the Senate report and recommend that the same do pass.

"The Committee on Pensions, to whom was referred the bill (S. 2125) granting a pension to Sarah J. Prince, have examined the same, and report:

"That the said Sarah J. Prince is the widow of Capt. Albert Prince, late captain of Company E, Fifteenth Massachusetts Volunteers. Captain Prince was a pensioner. He died March 2, 1881. The widow applied for a pension April 27, 1881. Her claim was rejected on the ground that she had been married previous to her marriage with the said Captain Prince, and that her husband by the first marriage is still living. She now applies to Congress to grant her a pension by special act.

"It appears in the evidence that the second marriage was contracted in the belief that the first husband was dead. She states the facts under oath, as follows, namely:

"On the 30th day of August, A. D. 1856, I was married to David K. Dyke, of Lyme, N. H., at Chelsea, in the State of Vermont; and thereafter I lived with said David K. Dyke, as his wife, at said Lyme, N. H., and at Lowell, in the State of Massachusetts, till the month of September, A. D. 1857, when the said David A. Dyke deserted me at said Lowell, taking with him all the money I earned the previous month for labor in the Merrimack mill; and since said David K. deserted me I have had no communication from him, though for some months after said desertion I wrote letters to him at said Lyme, N. H., asking him to return to me, which letters were never replied to by him; that I continued to reside at said Lowell, working in said mill, till October, A. D. 1859, when I came to Worcester, and have since that time resided here; that on the 9th day of December, A. D. 1855, I received a letter from Fanny M. Dyke, a sister of said David K. Dyke, a copy of which is hereby attached, marked A, informing me of the death of the said David K. Dyke. Coming from the sister of the said David K. Dyke I had no reason to doubt the truth of the information contained therein, and did not doubt the same till since the death of Capt. Albert Prince, formerly captain of the Fifteenth Regiment Massachusetts Volunteer Infantry, to whom I was married on the 24th day of December, A. D. 1855, and with whom after said marriage I lived as his wife till his death.

"After the death of the said Capt. Albert Prince, through the advice of P. F. Murray, of this city, a former comrade of Capt. Albert Prince, I made applica-

tion for a widow's pension, and after some time I was called upon to furnish the Pension Department with evidence of the death of my first husband. Captain Murray communicated with the town clerk of Lyme, N. H., with a view of obtaining the evidence called for, and from said town clerk came the information that the said Daniel K. Dyke was alive.

"When I became acquainted with said Albert Prince I told him of my former marriage, and showed him the letter hereinbefore mentioned, and I was married under the firm belief that I was the widow of David K. Dyke."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT SHERIDAN.

The next business on the Private Calendar was the bill (S. 2527) granting a pension to Robert Sheridan.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert Sheridan, late a private in Company D, First Rhode Island Light Artillery.

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred bill (S. 2527) granting a pension to Robert Sheridan, having examined the same, and having adopted the Senate report, recommend that same do pass, a copy of the same being herewith attached:

"The Committee on Pensions, to whom was referred the bill (S. 2527) granting a pension to Robert Sheridan, have examined the same and report recommending its passage. The facts are stated in the petition, which we annex as the most convenient form of presenting them to the Senate:

"The honorable Senate and House of Representatives in Congress assembled:

"The undersigned, Robert Sheridan, of National Soldiers' Home, Togus, Me., late private Company D, First Rhode Island Light Artillery, respectfully represents that on the 18th day of June, 1878, at said national home (he being then an inmate of said institution as a disabled soldier), he was detailed by order of General William S. Tilton, commander of said home, to fire a salute on the occasion of Decoration Day observance, and that while so employed, through the carelessness of one of the men whose business it was to close the vent, the gun was prematurely discharged while your petitioner was ramming home the cartridge, thereby shattering his right arm so badly that it had to be amputated above the elbow.

"He further states that he is now in receipt of a small pension of \$4 per month. He now asks that in consideration of his misfortune, which has deprived him almost entirely of the means of obtaining a living, and as said wound was received while in the line of duty, acting under the orders of General Tilton, an officer of the United States and whose orders he was bound to obey, that he may be granted an increased pension, so that his rate may be \$24 per month, the rate now allowed by law for a similar disability; and, as in duty bound, will ever pray.

"ROBERT SHERIDAN.

"Late Private Company D, First Regiment Rhode Island Light Artillery.

"STATE OF MAINE,

"County of Kennebec, ss:

"December 8, 1882, there personally appeared the above-named Robert Sheridan, and made oath that the facts as set forth in the foregoing petition are true in substance and fact, so far as they relate to the receiving of his wound and injury.

"Before me—

"[SEAL.]

H. F. BLANCHARD,

"Notary Public."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS H. BOAZ.

The next pension bill on the Private Calendar was the bill (S. 2620) granting a pension to Thomas H. Boaz.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Boaz, late of Company H, Second Regiment Ohio Heavy Artillery.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 2620) granting a pension to Thomas H. Boaz, having considered the same, respectfully report as follows:

The claimant, Thomas H. Boaz, was a private in Company H, Second Ohio Heavy Artillery. He was enrolled on the 12th of August, 1863, for three years, and was discharged August 29, 1865, to date August 23, 1865. He filed his application for pension on August 7, 1882, alleging disability by reason of being injured by the cars in the small of his back, shoulder, and left thigh, and for rheumatism, all incurred in the service on or about July 5, 1865, at Claysville, in the State of Ohio. The records of the Surgeon-General's office show treatment of the claimant at the general hospital, Camp Denison, Ohio, in August, 1865, for the injuries which the claimant alleges, and that he was returned to duty August 28, 1865. This was evidently only for the purpose of being discharged.

The testimony in the case proves conclusively that at date of enlistment the soldier was a stout, able-bodied man, free from any and all of the alleged ailments. That he continued to do regular service with his company until about the last of June, 1865, when he was granted a furlough for twenty days, cause not stated. That on the 5th of July, at Claysville, in the State of Ohio, he was injured by the cars in the manner stated, the testimony of one witness, who rendered him assistance at the time of the injury, and of the physician who treated him at the time, being on file. There is ample testimony also showing that from the time of his discharge the soldier suffered more or less from rheumatism, which has continued and increased in severity until, by the examining surgeon's certificate, claimant is shown to be totally disabled and helpless, and that he had to be brought into the office to be examined, and he pronounces the disease sciatica, with paralysis of the lower limbs. Your committee are of the opinion that this is a meritorious case, and calls for the immediate relief, and therefore return the bill with recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLOTTE C. B. HATCH.

The next business on the Private Calendar was the bill (S. 2546) granting a pension to Charlotte C. B. Hatch.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the restrictions and limitations of the pension laws, the name of Charlotte C. B. Hatch, dependent widow of Maj. E. A. C. Hatch, late of Hatch's Battalion Minnesota Volunteers.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred S. 2546 granting a pension to Charlotte C. B. Hatch, have examined the same, and report:

That claimant is the widow of Edwin A. C. Hatch, major Independent Battalion Minnesota Cavalry, regularly mustered into the United States service, who was discharged July 7, 1864, on surgeon's certificate of disability. He was a sound, healthy man when he entered the service, and became disabled in the service, and had a continuing disability until his death. While the cause of death was reported as cholera morbus, still his health had been so much impaired and constitution broken by disabilities contracted by exposure and hardships in the Territory of Dakota, that he was not, by reason of such service, so able to withstand disease as could be done by a healthy and sound man.

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARTHA HUGHES.

The next business on the Private Calendar was the bill (S. 2619) granting a pension to Martha Hughes.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Martha Hughes, widow, whose husband was a member of Company E, Seventeenth Regiment Wisconsin Infantry.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 2619), granting a pension to Martha Hughes, having considered the same, respectfully report as follows:

The claimant is the widow of John Hughes, late a corporal in Company E, Seventeenth Wisconsin Infantry Volunteers. As shown by the report of the Adjutant-General, the soldier enlisted on December 23, 1861, for three years, and was discharged at Corinth, Miss., on July 10, 1862, cause not stated. The regimental hospital records are not on file and there are no records of the regiment in the office of the Surgeon-General. It is shown by the testimony on file that the soldier was a stout, able-bodied man at the time of enlistment, and that when he was discharged from the Army he was suffering with chronic diarrhea, which incapacitated him for manual labor, and continued to the time of his death.

The soldier made application on account of disability from chronic diarrhea contracted near Shiloh, Tenn., in April, 1862, and states that he was treated in regimental hospital for said disease, and it is reasonable to suppose that this was the cause of his discharge, although the records are silent. His application for pension was filed October 1, 1881, but he died on the 4th of July, 1882, before the claim was finally proven up to the satisfaction of the Pension Office. The attending physician testifies that the death was the result of chronic diarrhea and tuberculous consumption, and states his belief that the diarrhea was the cause of the disease of the lungs. The widow (claimant herein) then made application for a pension in her own right, which was filed on August 2, 1882, but for reasons unknown to your committee it has not been allowed. Your committee think that the evidence in the case is sufficient to prove the incurrence of the disease in the service from which the soldier died, and we therefore report the bill back with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

POLLY YOUNG.

The next business on the Private Calendar was the bill (S. 2443) to increase the pension of Polly Young.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Polly Young, widow of Jesse Young, a soldier in the war of 1812, and pay her a pension from and after the passage of this act of \$30 a month in lieu of the pension she now receives.

Mr. HEWITT, of Alabama. I would like to ask the chairman of the Committee on Invalid Pensions—

Mr. BROWNE, of Indiana. I suppose that comes from the Committee on Pensions.

Mr. HEWITT, of Alabama. It should have gone to the Committee on Pensions; but I do not make a question about that. I would like to ask the chairman of the Committee on Invalid Pensions whether any of these bills were reported to the Senate adversely by the Senate Committee on Pensions, or whether this bill in particular was reported adversely.

Mr. MATSON. There was one case that I remember, that of Colonel Penny, the case we were discussing a few moments ago. The original bill in the Senate proposed to give him \$50 a month. The bill was finally amended so as to make the amount \$42. The remainder of these bills, so far as I now remember, and I think I have examined all of them, were reported favorably by the Committee on Pensions of the Senate. The bill I have spoken of proposed originally to give \$50 a month and was amended so as to make it \$42.

Mr. HEWITT, of Alabama. This bill now under consideration proposes to increase the pension of the widow of a soldier of the war of 1812 from \$8 to \$30 a month. Why is that done in this particular case?

Mr. MATSON. Let the report speak.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2443) granting an increase of pension to Polly Young, having examined the same, have adopted the Senate report, which is hereto attached, and made a part of their report, as follows:

"The Committee on Pensions, to whom was referred the bill (S. 2443) granting

an increase of pension to Polly Young, have examined the same, and report as follows:

"That Polly Young is now 93 years of age, and receiving a pension of \$8 per month by reason of service of her husband in the war of 1812. The history of her family shows remarkable loyalty and devotion to the Republic, dating from the Revolutionary war. Her grandfather and four brothers were in that war. Her husband and three of her brothers were in the war of 1812. She had three sons. All did honorable and long service in the late rebellion. One of these sons, now an old man, furnishes from his small means her support in an humble way.

"Every year the number of this class of aged pensioners is becoming less, while the infirmities of age increase and the necessity for care and attendance greater.

"A government, generous in its benefactions to the widows of those of high rank and brilliant service, can well afford to be just and generous to the widows of those who suffered and fought in the ranks, particularly when misfortunes render necessary aid from some quarter to smooth the pathway to the grave."

The committee recommend that the bill above referred to do pass.

ANN E. MANCHESTER.

The next business on the Private Calendar was the bill (S. 1113) granting a pension to Ann E. Manchester.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann E. Manchester, the widow of Abel W. Manchester, deceased, who was a sergeant of Company H, Seventh United States Infantry.

The report is as follows:

Your committee have had under consideration the accompanying bill, and have adopted the Senate report in same, hereto attached:

"The Committee on Pensions, to which was referred the bill (S. 1113) granting a pension to Ann E. Manchester, has examined the same, and reports:

"That Abel W. Manchester was enlisted on the 2d of October, 1846, at New York, to serve five years, and was assigned to Company E, Seventh Regiment of United States Infantry, and served until September 1, 1851. His marriage with the said Ann E. Manchester is established, and they continued to live together as husband and wife to the date of his death, which occurred November 2, 1870.

"The widow applied for a pension and her application was rejected, 'because the records of the War Department do not show the existence of heart disease (which caused the soldier's death, November 2, 1870) in the service, and applicant is unable to show that said disease had its origin in the service.' This is the statement of the Commissioner of Pensions to the committee.

"The records of the War Department do show that the soldier served during the Mexican war, and that he is reported sick at Pueblo, Mexico, June 30, 1847, and again October 31, 1847, and again at Jefferson Barracks, Mo., October 31, 1848, but do not state the nature of sickness.

"It is in evidence that the soldier was sick when he returned home in 1851, and that he had at that time heart disease; that he continued disabled from said disease until he finally died. The widow has been unable to furnish the evidence of officers of her husband's company, because they are all dead, and they are so reported by the Adjutant-General of the Army. But she has furnished the evidence of persons acquainted with him, and who establish his disabled condition from the year of his discharge to the time of his death.

"In the opinion of your committee there is sufficient evidence to justify a favorable report on the bill, and it is accordingly so reported, with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BENJAMIN F. BROCKETT.

The next business upon the Private Calendar was the bill (S. 2153) granting a pension to Benjamin F. Brockett.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Brockett, late a captain Company I, Eighty-seventh Illinois Volunteer Infantry.

The report (by Mr. MORRILL) is as follows:

Your committee have had under consideration Senate bill No. 2153, granting a pension to the above-named claimant, and have adopted the Senate report as the favorable report of this committee, and as so reported they recommend the passage of the bill:

"The Committee on Pensions, to whom was referred the bill (S. 2153) granting a pension to Benjamin F. Brockett, have examined the same, and report:

"That Benjamin F. Brockett, late captain of Company I, Eighty-seventh Illinois Volunteers, entered the service August 15, 1862, and remained therein until December 10, 1863. He applied for a pension, and alleges that when he entered the service—

"He was a sound and healthy man \* \* \* and that he was in good health and always ready for duty until about the 1st of June, 1863; that about that time he was ordered to take charge of a foraging expedition when in camp near Vicksburg, Miss., and had special orders to bring in beef for the hospital supplies; that he ordered the men under his charge to capture a wild Texas cow; that his men failed to capture her, and that in running past him he caught the cow by the horns, when he was thrown under her feet, trampled upon, and forced against a fence; that the men in endeavoring to assist him in her capture frightened her, and in her attempt to jump over the fence she trampled upon him on the lower right side of his abdomen, and on the left side above the hip-joint; that the injury to his right wrist-joint and right ankle were received at the same time; also the injury to the lower right side of his abdomen; that the injuries were so severe that he was unable to stand without assistance, and that his men carried him to a wagon and hauled him to Warrenton or Warrington, some eight miles below Vicksburg, where a part of the regiment was encamped."

"This statement is supported by the testimony of S. S. Gentry, D. M. Grulls, R. B. Graham, and B. J. Brockett, who were members of the same company and present when said injuries are alleged to have been received.

"On the case stated he claimed a pension for injury to wrist, thumb, and ankle, and rupture in the right side.

"During the pendency of this case in the Pension Office he was examined on three several occasions by examining surgeons of the pension service, and was each time reported at three-fourths total disability.

"The claim was finally rejected by the Commissioner of Pensions on the ground that the 'alleged disabilities have originated since discharge, as shown by evidence adduced by special examiners.'

"It does not seem to the committee that this was a just result. The evidence of the witnesses who testify to the incurrence of the disabilities from personal knowledge is not impeached, and there is but little in the testimony taken by the special examiners which can not be allowed to stand and still not disprove the fact that the injuries from which the claimant is now suffering were incurred as



he alleges. That they may have developed into more serious conditions than existed when the witnesses whose testimony was taken by the special examiners were examined, is doubtless true, and this very fact may have misled some of said witnesses. But when the case is considered as a whole, and in its several phases, the committee can but conclude that the disabilities of which the claimant complains did originate in the service. Considering the character of the claimant, as attested by his position in the community in which he resides, and the good reputation certified to by his fellow-citizens belonging to the Grand Army of the Republic in Kansas, who assert that he is a man incapable of attempting to 'receive a pension on fraudulent evidence,' the committee feel justified in reporting the bill to the Senate with the recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SARAH HAGUE.

The next business on the Private Calendar was the bill (S. 1836) granting a pension to Sarah Hague.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah Hague, the dependent mother of W. C. Hague, late of Company L, Sixth New York Heavy Artillery.

The report (by Mr. HOLMES) is as follows:

Your committee have had under consideration the Senate bill granting a pension to Sarah Hague, No. 1836, and have adopted the Senate report recommending that the bill for her relief do pass:

"The Committee on Pensions, to which was referred the bill (S. 1836) granting a pension to Sarah Hague, has examined the same, and reports:

"That Sarah Hague is the mother of M. C. Hague, who was a private in Company L, Sixth New York Heavy Artillery. The soldier was enlisted January 4, 1864; was wounded in battle near Bethesda church, Va., May 30, 1864, was captured by the confederates, taken to Richmond, Va., and placed in rebel general hospital, where he died June 17, 1864. These facts appear from the records in the offices of the Adjutant-General and Surgeon-General, United States Army.

"The said Sarah Hague applied for a pension as a dependent mother. Her claim was rejected on the ground that the claimant was not dependent upon the soldier, as her husband was able to, and did, support her at the time of the soldier's death."

"The committee is not of the opinion that this finding is supported by the record and proofs in the case. On the contrary, it does appear that the son did contribute to the support of his parents; that the husband was so afflicted with disease that the results of his labors were not sufficient to support the family, and that it required the efforts of all the members of the family, the assistance of friends, and the strictest economy to effect what the said finding of the Pension Office said the husband alone did. This being the case, the committee can but believe that this mother, whose son died in a rebel prison from wounds received in battle, and who had contributed to her support, and to whom she had looked for aid for years, is entitled to a pension. The bill is accordingly reported with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BRYSON R. M'CARTENEY.

The next business upon the Private Calendar was the bill (S. 1612) granting a pension to Bryson R. McCartney.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Bryson R. McCartney, late of Company K, Ninth Regiment Illinois Infantry.

The report (by Mr. MORRILL) is as follows:

Your committee have had under consideration Senate bill No. 1612, granting a pension to the above named claimant, and they recommend the adoption of the Senate report in the case as the favorable report of this committee; and as so reported they recommend that the bill do pass. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1612) granting a pension to Bryson R. McCartney, having examined the same, report:

"That Bryson R. McCartney enlisted in Company I, One hundred and twenty-eighth Illinois Volunteers, September 26, 1862, and was discharged from the service January 9, 1864, on a surgeon's certificate of disability, from chronic rheumatism and general debility. In his application for a pension he alleged that he contracted rheumatism and general debility in the winter of 1862-63, at Cairo, Ill., by reason of exposure while performing camp and garrison duty. His claim was rejected on the strength of a report made by a special examiner, submitting testimony from a number of former neighbors, going to show that claimant's disability existed prior to enlistment. This testimony shows that claimant had a severe illness two years previous to his enlistment, and was not in as good health afterward, but does not cover the time immediately before enlistment."

"On the other hand, claimant submitted the testimony of two physicians as to his soundness at enlistment; of his lieutenant, and of several neighbors to the same effect. The Pension Office surgeon, who examined him in 1877, pronounced him disabled in excess of total, and declared him 'too feeble to work.' This physician said that claimant's knees and right hand were stiffened, and that the sight of his left eye was nearly gone, and rated him as totally disabled by general debility and five-eighths of total by rheumatism."

"The committee has received petitions signed by a number of citizens of Greenwood County, Kansas, where claimant has resided for many years past, calling attention to his total disability and destitute condition. Claimant is 74 years of age, and has been totally disabled since his discharge. As his services were accepted by the Government we are disposed to give him the benefit of any doubt that may exist as to his soundness at enlistment, and therefore recommend the passage of the accompanying bill."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SEDATE P. MARTIN.

The next business on the Private Calendar was the bill (S. 2262) granting a pension to Sedate P. Martin.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, upon the evidence on file in the office of the Commissioner of Pensions, subject to the provisions and limitations of the pension laws, the name of Sedate P. Martin, late a private Company B, One hundred and forty-first Illinois Volunteers.

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2262) granting a pension to Sedate P. Martin, having examined the same, have adopted the Senate report, which is hereto attached and made a part of their report, as follows:

"This soldier belonged to Company B, One hundred and forty-first Illinois Infantry Volunteers. He alleges that in August, 1864, while on a march, near Caseyville, Ky., going down hill in the dark, he stepped into a depression and met with a severe shock which resulted in a constant pain in the left side; that he never went into hospital, but was soon mustered out of the service and returned home. The pain in his side continued after his return home, as his neighbors testify."

"The comrades who knew about his injury are dead, and his captain and lieutenants could not be found. There have been three medical examinations made by the Pension Office, which show that the disability is internal, and that its exact character and location can not be determined. He is described by the physicians as bent, wrinkled, and decrepit beyond his years, his general physical condition being broken and unsteady. His condition has brought on heart disease, and he has also become totally blind."

"The soldier and his wife have for some years been dependent wholly upon the charity of the community in which they live. He is vouched for as a worthy, deserving man, and, under all the circumstances, the committee report the bill for his relief favorably, and recommend that it do pass."

Mr. HEWITT, of Alabama. Mr. Chairman, if this man is to be put upon the pension-roll I would like to know what amount of pension he is to draw. It seems to me that it will be very difficult for the Pension Office to determine how this man should be rated. It is said that he is totally blind. If he is totally blind, and if that is the result of his service in the war, then, under the pension laws, he will be entitled to \$72 a month. If his blindness is not the result of his service in the war, and you place him upon the pension-roll under this special act, under the evidence that is filed in this Pension Bureau, as the bill provides, I would like the gentleman from Indiana [Mr. MATSON] to tell us what will be the amount of pension per month that this man will draw?

Mr. MATSON. Mr. Chairman, this bill is, I believe, in the usual form requiring the Secretary of the Interior to place this man on the pension-roll, subject to the provisions and limitations of the pension laws.

Mr. HEWITT, of Alabama. That is not my understanding of it. My understanding is that this bill requires him to be placed on the pension-roll "under the evidence that is filed in the Pension Office." Now, what does that mean?

Mr. MATSON. That means exactly what I have already stated. He is to be placed upon the roll, subject to the provisions and limitations of the pension laws, and I apprehend that unless he is rated it will be impossible for him to be placed there.

Mr. HEWITT, of Alabama. But how is he to be rated? Suppose he is totally blind now, and that his blindness did not result from his service in the Army, will he be rated as totally blind?

Mr. MATSON. Not unless he proves that his blindness was the result of his service.

Mr. HEWITT, of Alabama. But suppose the testimony tends to show that his blindness did result from his service, although the weight of testimony is the other way, and you place him upon the pension-roll by this special act, will not that be an instruction to the Pension Office to give him a pension for his blindness?

Mr. MATSON. If he had alleged blindness in his application to the Pension Office, and if Congress, after a review of that case and that allegation, should pass an act providing that he be placed on the pension-roll, I should say that when he came to be examined if the physicians found him to be blind he would be rated for blindness. If he alleged at the Pension Office an injury in the side, or an internal injury in any part of the body, and that particular allegation was considered by Congress, and in pursuance of it a bill passed requiring that he be placed on the pension-roll, subject to the provisions and limitations of the pension laws, that action would be construed as having been taken with reference to the precise injury or disease or wound that might have been alleged before.

Mr. HEWITT, of Alabama. Now, I wish to inquire whether this man's application in the Pension Office was based upon the ground of blindness—whether that was one of the allegations?

Mr. MATSON. I think not.

Mr. BROWNE, of Indiana. I would like to make an inquiry. Is this bill in the ordinary form, simply directing that the name of the person be placed on the pension-roll, subject to the provisions and limitations of the pension laws?

The CHAIRMAN. The Chair will cause the bill to be again read. The Clerk again read the bill.

Mr. BROWNE, of Indiana. That bill is very singularly drawn.

Mr. HEWITT, of Alabama. From the report which has been read it appears that this soldier filed an application for a pension upon the ground that one night, while walking along, he made a misstep, the consequence of which was a pain in his side, from which he was suffering at the time he was discharged. The Pension Office, after weighing the evidence put on file there, came to the conclusion that he was not suffering from any disability which originated in the service, and hence that office refused to grant him a pension.

This bill, which is not in the ordinary form, but which is extraordinary in its terms, directs that he shall be placed on the pension-roll upon the evidence filed in the Department, subject to the provisions and

limitations of the pension laws. Now, if the application made to the Pension Office was for a pension on account of total blindness—if that was the allegation of the application, and the applicant filed evidence showing that he was blind, but failing to show that the blindness resulted from service in the war—under these circumstances if Congress should direct that this man be placed upon the pension-roll, our act has reference to the application and evidence already filed, and would be construed as instructing the Pension Bureau to pay him a pension according to the disability under which he alleged he was suffering. If the allegation was total blindness, the Pension Bureau would have no ground upon which it could refuse to pay him a pension of \$72 a month, even though the evidence might go to prove that his blindness had nothing to do with his service in the Army, but resulted altogether from other causes.

Mr. BROWNE, of Indiana. The language of this bill is extraordinary; at least I do not remember another instance in which similar language has been used. Under a bill passed in this form the Pension Bureau would have nothing in the world to do except to place the name of the beneficiary on the pension-roll and ascertain the extent of his existing disabilities. He would be placed on the roll as being entitled to a pension; he would be referred to an examining board simply for the purpose of ascertaining the character of his disabilities, and he would be rated accordingly.

I do not believe that this bill, in its legal effect, differs in the slightest degree from our bills in the ordinary form, directing that the name of the beneficiary be placed on the roll, subject to the limitations and provisions of the pension laws; and in those cases it has always been held by the Commissioner of Pensions that the Pension Office has nothing to do in the nature of instituting an inquiry as to the manner in which the disability was incurred. The man may have been injured by an accident on the railroad or in a saw-mill or by a threshing-machine; yet when Congress, having sovereign legislative power, declares in this general way that a man is entitled to a pension, nothing is left for the Pension Office to do but to ascertain the character of his disabilities that he may receive a rating in conformity with the law. I feel sure that is precisely the condition in which this claimant will be left if this bill be made law. I have no objection to the bill. I shall support it, supposing that this man ought to be pensioned according to his disabilities.

Mr. PETERS. I wish to inquire of the gentleman whether that language in this bill which makes it extraordinary in its character is not surplusage.

Mr. BROWNE, of Indiana. I so esteem it. In this bill Congress, as I understand, does nothing more than to say that this man is entitled to a pension on the evidence. This language "on the evidence" is of no consequence, for Congress, without making any reference whatever to the evidence, may declare him entitled to a pension. The bill does not say the Pension Office shall grant a pension if, upon the evidence, the Commissioner believes him entitled to a pension. By the general law, as it now is, Congress gives the Pension Bureau that direction. It is the duty of that bureau under existing law to grant the claimant a pension on the evidence, if the evidence justifies such action on the part of the office. All that this bill does is to declare this man entitled to a pension on the evidence; and it refers the character of the disability to the Pension Office to be ascertained in order that it may be able to make a correct rating under the law. I have no doubt it is right that the bill should be in that form.

Mr. BUCHANAN. Mr. Chairman, this bill, if it has no greater effect than what the gentleman from Indiana, as I understand, would claim for it, can not be enforced in the Pension Office. This man has made his application there and filed his evidence; and the officials authorized to pass upon that evidence have declared that under the limitations of the pension laws he is not entitled to a pension. Now, if this bill is merely equivalent to the ordinary provision directing that a person be placed on the rolls subject to the limitations of the pension laws, if the bill does that and nothing more, this applicant can not get a pension under the bill.

Mr. BROWNE, of Indiana. Will the gentleman allow me to interrupt him?

Mr. BUCHANAN. With pleasure.

Mr. BROWNE, of Indiana. It is the standing rule of the Pension Committee and of Congress that no pension will be awarded by a pension act where it might be given under the general law until the evidence has been first examined in the Pension Bureau and the pension denied. So in nine hundred and ninety cases out of each thousand we pass here, we pass them over the head of the Pension Bureau in cases in which the Pension Bureau on the evidence has denied the pension altogether. That will be the effect exactly of this law.

Mr. BROWN, of Pennsylvania. That is to say, the act of Congress supplies the place of evidence.

Mr. BUCHANAN. Certainly. If the man is entitled to a pension under the limitations of the pension laws, then he ought to obtain it at the Pension Bureau. There is the place. And here is an appeal in this case from the decision of those officers. It is true that Congress may try that appeal and grant a pension either with or without cause. But I take it that every bill that is presented to Congress shows some reason why a gratuity should be conferred upon the claimant.

Mr. JOSEPH D. TAYLOR. Is it not your opinion that every man who was in the first place a good soldier, who was honorably discharged and had a good record, having existing disability, the origin of which we can not trace perhaps, and is without any present means of support—where these three things appear, as they do here, is it not your judgment in all such cases the soldier ought to be pensioned without making further inquiry.

Mr. BUCHANAN. It is not worth while for me to give my judgment what ought or ought not to be done. I stand by what is the law of the land, and that ought to be enforced.

Mr. BROWNE, of Indiana. Will the gentleman allow me to answer the gentleman from Ohio?

Mr. BUCHANAN. Certainly.

Mr. BROWNE, of Indiana. While I agree in the case put by him a pension should go, I wish to say quite distinctly it ought not to go in special cases; that a general law in such cases should pass so there may be a perfect equality of all occupying a common level.

I desire to say the meaning of "the provisions and limitations of the pension laws" as employed in pension bills is just this and no more, that the rating of the pension is to be subject to the provisions and limitations of existing law. That is, you ascertain the extent of the disability and grant the pension accordingly. If subsequently Congress should increase that rating then the pension goes up, but if it diminishes the rating the pension goes down. Therefore the pension granted by special act is all the time subject to the provisions and limitations of the pension laws, and when that language is employed it means that and nothing more, unless a specific rate is fixed in the act itself, and then, of course, it does not apply.

Mr. BUCHANAN. On the other point taken by the gentleman from Alabama, this bill, in my judgment, is incapable of the construction this is to be on the evidence. The evidence shows, for one thing, this man is blind, and for another he has pain in his side; consequently this bill should be amended and the evidence filed in the Pension Office, designated whether he should be rated for blindness or for minor injury. I do not say how this bill can be construed in rating the pension received by this individual by the evidence filed in the Pension Bureau, which I presume is the same which appears in the report of the committee.

Now, how is this man to be rated—how are they to rate him? Is it for the minor or the greater injury? All the facts are now before the bureau, and on these facts the bureau determined he was not entitled to any pension at all. Congress now says he is entitled to the pension on that evidence. That evidence indicates two injuries, one blindness and the other of a minor character—some affection of the side. There is not a judge who can construe whether he is to be rated for blindness or for the minor injury.

Mr. BROWN, of Pennsylvania. But the act of Congress, in my estimation, eliminates the matter of rating altogether. The pension and what the amount of that pension is to be depend on his physical disability, without reference to blindness or anything else.

If he is blind and the blindness dates back to his service in the Army or is traceable to that cause, he is entitled to the pension fixed for that character of disability—\$70 per month. If he is not blind, then he would receive a pension according to his present condition. It all depends upon the physical disability which now exists.

Mr. VAN ALSTYNE. I would like to have the gentleman recite the language of the statute to which he refers, in view of the fact that we are called upon to vote upon this bill.

Mr. BROWN, of Pennsylvania. The gentleman can do that for himself if he wants to.

Mr. VAN ALSTYNE. I would like very much to see the statute.

Mr. BUCHANAN. What is the disability as shown by the evidence on file in the Pension Bureau?

Mr. BROWN, of Pennsylvania. It makes no difference whatever. That would determine nothing.

Mr. BUCHANAN. I think the gentleman is mistaken in that respect.

Mr. MATSON. Mr. Chairman, I have attempted to say before during the discussion of these bills that as I understand the practice at the Pension Office when a special act is passed the officer there reviews the case with reference to the allegations contained in the claimant's application, if he has made one, in the Pension Office, and particularly with reference to the disability considered by Congress as shown by the reports. It will not do to say that when a man is placed on the pension-roll by act of Congress prescribing that he shall be there placed subject to the provisions and limitations of the pension laws he is to be pensioned for every disability which may afflict him. That is not the effect of the law at all.

On the contrary, the effect is to place him there for the disability which he claimed in the Pension Office, but which he could not quite prove originated in the service, or perhaps could not comply with the law in other respects, as far as the testimony is concerned, and he would be pensioned for that disability, and that only. He may have a dozen other disabilities and not be pensioned for any other than that for which the application is made and the proof filed.

There may have been disabilities incurred before he enlisted at all, or disabilities incurred afterward, but when he is placed upon the pen-



sion-roll by act of Congress he is placed there under the practice of the office; and within the last two days an officer of that department has come to me from the office to get the reports with a view to fixing the rating of a man for whose benefit a special act was passed, so that they could instruct the examining surgeons of the particular disease or injury alleged.

Mr. BROWNE, of Indiana. Suppose a case where the report of the committee does not indicate any disability at all, but simply directs that the office shall place the applicant on the pension-roll. How would the office determine the pension in such a case as that, under the illustration the gentleman now makes?

Mr. MATSON. Such a case could not arise, for the fact is the report itself always states the ground of the application, and states what it is for which the man is to be pensioned. They never fail to do so.

Now, in this particular case, the man alleges an internal rupture of some kind by reason of slipping or stepping down into a depression during his term of service, and for that injury when the bill is passed he will be pensioned, and not for blindness, for he has never alleged blindness in the application to the office for a pension.

The report does set forth the fact that the man is blind, but it does not state that he alleges that he incurred the blindness while in the service, or that it is a ground for granting him a pension at all.

The allegation of the claimant is that he was internally ruptured in some manner and for which injury he asks to be pensioned. As to the language of the bill, which provides that he shall be pensioned upon the evidence on file in the Pension Office, I take that as rather qualifying the terms of the bill than otherwise. I take it as being language which points out to the office in this particular case that it must be in reference to the particular disability for which the pension is asked; although as a matter of fact that would be of no consequence, for the same effect would follow if the language was omitted. And so I regard the expression "to be pensioned on the evidence upon file in the Pension Office" as mere surplusage which leaves the bill in effect just the same as if the language had not been inserted.

Mr. BUCHANAN. Do I understand that there is no evidence on file in the Pension Office as to the blindness?

Mr. MATSON. I presume not. At least there is no allegation that blindness was incurred in the service or that it is set up as a ground for pension. I did not report the bill and can not say that I am familiar with the facts, but I am sure there is not, because the pension is not applied for on that ground at all.

Mr. BUCHANAN. If there is no evidence in the office of blindness as a claim for the pension, that of course would make a different case altogether.

Mr. VAN ALSTYNE. Mr. Chairman, there have been no satisfactory reasons assigned why this bill should be made an exception to the thousand other bills of like character which have passed this Congress. I take it that it is not the intention of the House to make it an exception; and therefore it should not carry language that may be construed for the benefit of this applicant in preference to any other. I therefore offer an amendment, and I do it in earnest, not proposing to argue it either, but I think it should prevail.

It is to strike out all after the words "pension-roll" in the bill down to the words "subject to," so that it will read in harmony with every other bill, without exception, so far as I know, which has been passed by the present Congress.

Mr. PERKINS. May I ask the gentleman a question?

Mr. VAN ALSTYNE. Certainly.

Mr. PERKINS. Let me ask if the language in the bill to which you take exception has any effect at all as to imposing any limit upon the power of the Commissioner of Pensions? Does it really confer any power to rate the pension upon the evidence rather than the certificate given by the examining board of surgeons?

Mr. HEWITT, of Alabama. That is just the trouble. I would rather take the certificate of the surgeon.

The CHAIRMAN. The Clerk will report the proposed amendment.

The Clerk read as follows:

Strike out the words "upon evidence on file in the office of the Commissioner of Pensions."

The CHAIRMAN. Without objection the amendment will be considered as agreed to.

Mr. HOUK. I rise to a question of order. I addressed the Chair long before the question was put.

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. HOUK. I want to discuss that amendment.

The CHAIRMAN. The gentleman from Tennessee says he rose and addressed the Chair before the question was put on the amendment. The gentleman is recognized.

Mr. HOUK. I wish to say to the committee it will be a misfortune to adopt that amendment. In the first place, the language proposed to be stricken out has not one particle of effect in determining the measure of disability or anything in regard to the rights of the pensioner under the bill. In the next place if you amend the bill by striking that out and send it back to the Senate, in all human probability the bill will not be passed and you do absolute injustice to this applicant.

I have listened to the discussion here, and I must submit if there is any point or any force in the argument in regard to this language proposed to be stricken out I am wholly incapable of comprehending it. This simply places the applicant on the pension-roll to be rated by an examining board. The first duty of the Pension Office will be to enroll him as a pensioner. The next will be to refer him to the proper board to be examined; and it will be the duty of the Pension Office to place him at whatever rate he may be rated at by the examining board. And I think it would be wrong to endanger the bill now by making this amendment.

Mr. HEWITT, of Alabama. Will the gentleman from Tennessee allow me—

Mr. HOUK. The gentleman from Alabama has spoken all night, and I should like him to take his seat and let me alone. If there is any one man that talks more than another the choice lies between my friend from Alabama and my friend from Kentucky, who is not here this evening.

A MEMBER. He was here a short time ago.

Mr. HOUK. I hope my friend from Alabama will let me alone. I protest against encumbering this bill with this amendment, because in all probability it will prevent this applicant getting a pension.

There is not a lawyer who does not understand that the bill has no more legal effect or force about it than the bills in the usual language which we pass here night after night. All this discussion it seems to me is surplusage and unnecessary; and I appeal to gentlemen to vote down this amendment.

Mr. HEWITT, of Alabama. I did not propose to talk again on this question; but I want to call the attention of the gentleman from Tennessee to one point. I do not profess to know much law, but the gentleman from Tennessee is a lawyer, and I desire to call his attention to this fact. If you pass a law putting a man on the pension-roll subject to the provisions and limitations of the pension-laws, and if that man has a disability he must be put on the pension-roll under those laws and rated according to the disability; but if as the years go by he becomes a sound man and his disability is removed—

Mr. HOUK. Then the Pension Office would have the right to have him re-examined.

Mr. HEWITT, of Alabama. Then according to the limitations of the pension laws usually applicable his pension ceases because he has no pension disability.

Mr. HOUK. Nobody disputes that.

Mr. HEWITT, of Alabama. But, now, here you see the pensioner must be put on the pension-roll subject to the provisions and limitations of the pension laws, with one exception, that is, "upon the evidence now on file in the Pension Office;" they can look to nothing else; they can not inquire hereafter as to whether he has a disability or not if he has got a disability now. If the evidence shows that you must put him on the pension-roll and keep him there, although hereafter he may become a sound man. There is a distinction between the two cases, and it is a distinction which I think any lawyer can see.

Mr. HOUK. Do not the provisions and limitations of the pension law offer every remedy that is necessary to provide the means of ascertaining when the disability ceases?

Mr. HEWITT, of Alabama. Not when you say he is put there on the evidence now on file.

Mr. HOUK. He is put there on that evidence. But after he is put there he is subject to the provisions and limitations of the pension law as it exists in the general law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

A division was demanded.

The question was taken; and there were—ayes 4, noes 28.

Mr. VAN ALSTYNE. No quorum.

Mr. KEAN. I hope the gentleman will not insist on the point as to a quorum.

The CHAIRMAN. The point being made that a quorum has not voted the Chair will appoint tellers.

Mr. MATSON. I ask unanimous consent that this bill be laid aside informally.

Mr. VAN ALSTYNE. I object.

Mr. HOUK. I have not changed my opinion as to this matter, but I doubt the propriety of jeopardizing the case of this pensioner.

Mr. LONG. The Senate will concur.

Mr. HOUK. I am assured by Governor LONG that the Senate will concur in the amendment. I presume that gentleman knows what he talks about. I will therefore stop my opposition and let the amendment go.

Mr. MORRILL. I ask that by unanimous consent the amendment may be adopted.

The CHAIRMAN. Unanimous consent is asked to vacate the vote by which the amendment was disagreed to. Is there objection?

There was no objection.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JAMES BOND.

The next business on the Private Calendar was the bill (S. 1633) granting a pension to James Bond.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll the name of James Bond, who was a private in Company B, Fifty-second Regiment Ohio Infantry in the late war of the rebellion, the pension under this act to date from and after the passage of the act.

The report (by Mr. CULLEN) is as follows:

Your committee have had under consideration Senate bill No. 1633, granting a pension to the above-named claimant, and they recommend the adoption of the majority report of the Senate Committee on Pensions as the favorable report of this committee, and further recommend the passage of the accompanying bill. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1633) granting a pension to James Bond, have examined the same, and report as follows: "It appears that this case was forwarded to the House Committee on Invalid Pensions last session by the Commissioner of Pensions, who made the following statement of the case in his letter of transmittal:

"I have the honor to call the attention of the honorable Committee on Invalid Pensions, House of Representatives, to the accompanying claim to pension under the general pension laws of James Bond, late of Company B, Fifty-second Ohio Volunteers, No. 54896, rejected by this bureau, under date of August 24, 1881, on the ground that the disability upon which the claim was based was not contracted in the line of duty, and most respectfully ask your attention to the same (under a resolution of Congress passed May 29, 1830), and suggest the passage of a special act granting him a pension from the date of his discharge, September 2, 1864, the amount of which to be governed by the laws now on the statutes.

"By a reference to the papers it will be seen that the claim is for the loss of the left arm and the loss of sight of left eye from the explosion of a shell at Chickamauga, Georgia, while out on a pass from the brigade commander visiting the battlefield at said place, in the month of April, 1864."

"It is shown by the testimony of Lieut. Col. Charles W. Clancy, who was Bond's captain, and assisted in the amputation of his arm, that the regiment was encamped near the battleground, and that Bond and four comrades obtained a pass from the brigade commander to procure boards for quarters, and to go through the battleground of Chickamauga; that while going over the field one of Bond's comrades handed him a small bombshell, which exploded in his hands; that as a result of his injuries his left arm was amputated at the shoulder, his left eye so badly injured as to lose his sight, and his right eye injured somewhat. Colonel Clancy testified that the injury was received in the line of duty, that it was accidental, and that it was no fault of the soldier's."

"The Pension Office officials appear to have been divided in opinion as to whether this injury was received in the line of duty. The examiner who briefed the case said in a note on this point:

"It certainly is a pensionable incident of the war, for if he had not been in the service he would not have been injured in this way; and he was not necessarily out of line of duty, while the captain testifies he was in line of duty, being on the battlefield by permission of superior officer."

"Another examiner submitted a long statement in support of his opinion that the claim was justly pensionable under existing laws, because the claimant's terrible disability is a pensionable incident of his services in the Army."

"Still another examiner, in an opinion given at the request of the chief of his division, says:

"The question at issue is as to line of duty. I regard it as a delicate one to decide, and one susceptible of different conclusions. It seems desirable in such cases, where the equities of the claim are recognized, that we should construe the law liberally."

"It is shown that the claimant was visiting the battle-ground with proper permission, and that fact suggests that he was in line of duty at the time. If he had received the same injury within the limits of the camp, we could not hold that he was not in the line of duty, and yet he was to all intents and purposes as much in line of duty as if within the confines of the camp at the time."

"The whole matter may be condensed and covered in this conclusion—the wound was accidental and was a resulting incident of his service. If the circumstances under which the injury was received are truthfully stated, in my opinion we have no impregnable or even tenable ground for denying the pension. If we have not the facts clearly presented, we should then endeavor to obtain them before finally deciding the question involved. The deputy commissioner has already decided the action in the case adverse to the legal right, while admitting the equity of the claim."

"In my judgment, if the claimant has now an equitable title, he has also a legal one, although the claim admits of argument on that point."

"When the case was submitted to the deputy commissioner, another official said:

"The record shows the explosion was accidental, and contains nothing to show that claimant was out of the line of his duty. It appears to have been incidental to the service."

"The case was finally passed upon by the Commissioner, who says in his opinion:

"In my opinion the action then taken (referring to the rejection of the claim) was correct, because every soldier is held to the exercise of common sense and common prudence. An unexploded shell upon a deserted battlefield is not a thing to be carelessly handled, or handled at all, and if an old soldier of two years' service, well knowing the danger he incurred, picked up an unexploded shell, he did it at his own peril and own personal risk. The only safe thing to handle under such circumstances would be an exploded shell, or rather the fragments of one."

"Under some circumstances a soldier picking up an unexploded shell might be pensionable if followed by the results as detailed in this case, i. e., were the shell to fall in the midst of his comrades, and in an effort to save life he should pick it up and in trying to throw it away it should explode, as this did, he would be given a pension by me. But when, as in this case, away from camp and far off from comrades, out of idle curiosity and in the face of what he knew to be the risk he ran, he takes it up and either by percussion or other act ignites the fuse, he certainly is not in line of duty. In my opinion the first action of the office was correct, and should be adhered to."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT J. BALLORT.

The next business on the Private Calendar was the bill (S. 2268) for the relief of Robert J. Ballort.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert J. Ballort, a private in Company F, Eighth Regiment Michigan Cavalry.

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The report (by Mr. WINANS, of Michigan) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, having examined the same, make the following report. Having adopted the Senate report, recommend that the same do pass, a copy of the same being hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, have examined the same, and report, recommending its passage."

"This is a case where if the applicant must make out a case before the Pension Office beyond a reasonable or possible doubt he may fail; if he is to be treated as well as the party in an ordinary civil case in the courts he should have prevailed there and have had the benefits of the law long since. Nothing is more required in the administration of the pension laws than uniform rules of evidence as liberal as those of the common law. The Congress might find in this direction the opportunity of rendering claimants and the administrators of the law an important service."

"We print one document from the Pension Office:

"DEPARTMENT OF THE INTERIOR, PENSION OFFICE,  
"Detroit, Mich., October 11, 1883."

"SIR: I have the honor to return herewith the papers in original in valid claim No. 321037 of Robert J. Ballort, late private Company H, Eighth Michigan Cavalry, for adjudication on report of Special Examiner George C. Kober."

"After a careful review of this claim in connection with No. 324597 of John T. Ballort (also transmitted to-day), I am led to differ from the conclusions of the special examiner in this case, and I recommend its admission for chronic diarrhea."

"Very respectfully,

"WM. T. SULLIVAN,  
"Supervising Examiner."

"Hon. WM. W. DUDLEY,  
"Commissioner of Pensions, Washington, D. C."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY HOWARD FARQUHAR.

The next business on the Private Calendar was the bill (S. 1960) for the relief of Mary Howard Farquhar; reported adversely from the Committee on Invalid Pensions.

The report (by Mr. PATTON) is as follows:

Your committee have had under consideration Senate bill No. 1960, granting a pension to the above-named claimant, which passed the Senate granting her a pension at the rate of \$30 per month in lieu of the pension she is now receiving, namely, \$25 per month, as the widow of Maj. Francis V. Farquhar, Corps of Engineers, and brevet lieutenant-colonel United States Army. The amount she is now receiving is the highest rate of pensions allowed by law to widows of officers of this grade, and therefore your committee are of the opinion the bill should be reported adversely.

The bill was laid on the table.

The CHAIRMAN. The Chair will state to the gentleman from Indiana [Mr. MATSON] that this completes the list of Senate bills included in his resolution.

Mr. MATSON. Mr. Chairman, there are two or three House bills that I ask to have taken up.

Mr. CULLEN. Mr. Chairman, before passing to these House bills I desire to call attention to the fact that House bill No. 2514, granting a pension to David T. Hoover, is upon the Calendar. The RECORD shows that that bill passed on Friday evening last, and if the Journal corroborates the RECORD the bill is evidently on the Calendar by mistake.

The CHAIRMAN. The Chair will inform the gentleman [Mr. CULLEN] that the Clerk of the House discovered the mistake, and has stricken the bill from the Calendar.

MATILDA CODY.

The next business on the Private Calendar was the bill (H. R. 7907) granting a pension to Matilda Cody.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Matilda Cody, widow of John Cody, as shown by No. 181661 on file in the Pension Office.

The report (by Mr. LE FEVRE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7907) granting a pension to Matilda Cody, respectfully report as follows:

The proof shows that John Cody, the husband of Matilda Cody, served in Company L, Fourteenth Regiment Kentucky Cavalry, from December 10, 1862, until March 24, 1864, when he was mustered out by expiration of service. That said John Cody then enlisted in the Three Forks Kentucky Battalion, but had not been mustered for want of an opportunity, there being no muster officer; when, acting under orders of Capt. Shadrock Combs, the said John Cody, in company with other soldiers, went on a scout and was killed in the line of duty about October 7, 1864. The proof shows that the soldier's widow, Matilda Cody, never remarried.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows:

Strike out the words "as shown by number one hundred and eighty-one thousand six hundred and sixty-one, on file in the Pension Office," and insert "late of Company L, Fourteenth Kentucky Cavalry."

The amendment was agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

RACHEL NICKEL.

The next business on the Private Calendar was the bill (H. R. 603) granting a pension to Rachel Nickel.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and



limitations of the pension laws, the name Rachel Nickell, widow of Asbury Nickell, as shown by No. 233883 on file in Pension Office.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 603) granting a pension to Rachel Nickell, beg leave to report as follows:

That the proof shows conclusively that Rachel Nickell is the dependent mother of Asbury S. Nickell, who enlisted as a private in Company I, Forty-seventh Kentucky Mounted Infantry, although the soldier's name does not appear on the muster-rolls.

The proof shows that he, in company with other soldiers, was detailed and sent on a scout, and that while in the performance of duty, Asbury S. Nickell was captured and killed by rebels or guerrillas on or about the 28th day of September, 1863. That Rachel Nickell never remarried, and is very old and in indigent circumstances.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows:

Strike out the words "as shown by number two hundred and thirty-three thousand eight hundred and eighty-three, on file in the Pension Office" and insert "late Company I, Seventh Regiment Kentucky Mounted Infantry."

Mr. WHITE, of Kentucky. Mr. Chairman, I move that where the name occurs it be spelled "Nickell."

The amendment was agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY J. DICKSON.

The next business upon the Private Calendar was the bill (H. R. 8237) granting a pension to Mary J. Dickson.

The bill was read:

The report (by Mr. HOLMES) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8237) granting a pension to Mary J. Dickson, having had the same under consideration, report as follows:

"The claimant, Mary J. Dickson, asks a pension from Congress by special act, as dependent sister of Sylvester R. Dickson, who enlisted in Company A, Eighty-third Illinois Volunteer Infantry, in August, 1862, and was killed in a skirmish with the enemy while in line of duty on the 2d day of January, 1863, near Fort Donaldson, Tennessee. The claimant under the rules of the Pension Office can not obtain a pension, and has made no application in that direction. From the proofs on file it appears that the deceased soldier was never married, that at the time he enlisted as stated claimant was an invalid, and dependent upon him for support. That when he enlisted he willed claimant all his property, which amounted to about \$1,000; and that after he went to the Army he sent her money for her support.

Claimant has never married, and during all the years since the soldier's enlistment has remained an invalid. She has long since exhausted the property her brother left her, and is without means and is unable to support herself. Her mother died in 1859, and her father in 1870, the latter remaining a widower after the death of his wife before referred to. Claimant states that she has three other brothers living, but two of them have no property save a few household goods, and neither of them own a homestead, and have no other property; that one of the brothers is 57 years of age, and the other is 66 years of age, both being in poor health.

The third brother has eighty acres of land, upon which he lives with his family, consisting of a wife and four children. That said farm is worth not to exceed \$2,400, on which there is a mortgage of \$900, besides numerous other debts. That he has but little personal property, and that only sufficient to work his farm. That he is in poor health and is not able to do any work, and is now 61 years old. She has no sister living. The statements of claimant are supported by those of many reputable citizens who have known claimant and her family for many years. There is, besides, a petition, signed by many of the leading men of the State, earnestly recommending her case to Congress for favorable action.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ADDIE L. MOORE.

The next business on the Private Calendar was the bill (H. R. 8155) granting a pension to Addie L. Moore.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Addie L. Moore, widow of Camillus A. Moore, late a private in Company E, Seventy-fourth Regiment Illinois Volunteers, subject to the limitations and provisions of the pension laws, to take effect from and after the passage of this act.

The report (by Mr. HOLMES) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8155) granting a pension to Addie L. Moore, having considered the same, report as follows:

The claimant is the widow of Camillus A. Moore, late a private in Company E, Seventy-fourth Regiment Illinois Volunteer Infantry. He enlisted on August 14, 1862, and was discharged February 3, 1863. He died October 7, 1875. The soldier never filed an application for pension, but his widow, on the 24th of April, 1879, filed her application, which was finally rejected by the Pension Office on the 20th of February, 1883, on the ground that the disease of which the soldier died was not the result of his military service. It is shown by the proof on file at the Pension Office that the husband of claimant was discharged on surgeon's certificate of disability.

The certificate of disability and discharge both state that he is discharged "by reason of greatly impaired health, resulting from measles, followed by erysipelas, chronic diarrhoea and cough, that is very unpromising." The record of the Adjutant-General's Office shows that he was sick in hospital at Nashville, Tenn., since December 20, 1862, and was discharged on surgeon's certificate of disability at Nashville, Tenn., on the 3d day of February, 1863.

The evidence is uncontradicted that prior to his enlistment he was an able-bodied man, sound and healthy in every respect. The evidence of numerous witnesses shows that he was entirely broken in health at the time of his discharge, and was unable to do manual labor to any appreciable extent up to the time of his death.

The evidence of the physicians is somewhat conflicting as to the duration of his last sickness; some of them place it at three or four days, and one doctor as high as seventy-five days. The Pension Office decided the cause of his death to have been "cerebral hemorrhage." The evidence in his case would indicate that

his death was the result or sequel of the same disabilities with which he was afflicted when he was discharged from the service. The fact shown that he was continuously ill, and that he had a pain in his head for years, together with the further symptoms narrated by the physicians and witnesses, further showing his continuous illness from the time of discharge to the time of his death, will combine, we think, to make a clear case for relief under the bill before your committee.

The soldier had formerly been married, but his first wife died and there were no children surviving as the result of their marriage. By the second wife (the claimant herein) there was born one child, namely, Howard Cornelius Moore, on the 14th of March, 1875.

The soldier seems to have performed his duty well until he was stricken down with the measles, and your committee think it but just that his widow and little child should receive a pension for the services in which he sacrificed his life. Your committee therefore report the bill back with the recommendation that it do pass.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS R. WARE.

Mr. HEWITT, of Alabama, called up a bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia.

The bill was read.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. MORRILL. In order that several Senate bills may be reported in the House from the Committee on Invalid Pensions I move that the committee rise, the purpose being that we shall again go into Committee of the Whole immediately.

Mr. STOCKSLAGER. Before that is done, I would like to call up several bills, two of them for the gentleman from Nebraska [Mr. LAIRD], who is confined to his room by sickness.

Mr. MORRILL. Very well; I will withdraw the motion for a few moments.

WILLIAM H. HOUGHTON.

Mr. STOCKSLAGER. I call up the bill (H. R. 4026) for the relief of William H. Houghton.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate of \$100 per month, the name of William H. Houghton, late a sergeant of Captain Sherman's company of Iowa Militia Volunteers, under the command of General Dodge, in the Black Hawk war, subject to the conditions and limitations of the pension laws.

The report (by Mr. STOCKSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4026) for the relief of William H. Houghton, respectfully report:

Mr. Houghton was sergeant in Captain Sherman's company of Iowa Volunteers in the Black Hawk war. Having lost his discharge, he was unable to share in the appropriation made by Congress for the payment of the soldiers of that war, and so far has been unable to get a pension for the disability which he incurred in the line of duty. And in justice to the worthy old veteran the committee recommend the passage of the bill, with an amendment striking out the words "at the rate of \$100 per month."

The amendment reported by the Committee on Invalid Pensions, to strike out the words "at the rate of \$100 per month," was read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DELIA G. WEBBER.

Mr. STOCKSLAGER. I call up the bill (H. R. 7504) granting a pension to Delia G. Webber.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Delia G. Webber, widow of Louis Webber; and that said Delia G. Webber and her children of a pensionable age receive the same pension which they would be entitled to if said Louis Webber had been a private soldier killed in the line of his duty, per month.

Sec 2. That paragraph 3 of section 4693 of the Revised Statutes shall not operate to prevent the granting of the above pension.

The report (by Mr. LAIRD) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7504) for the relief of Delia G. Webber and others, having had the same under consideration, respectfully report:

This bill seeks to extend the time within which Delia G. Webber, L. H. Naron, Mary Anne Mesdall, they or their legal representatives, may file their applications for pensions under paragraph 3 of section 4693 of the Revised Statutes. The paragraph referred to is as follows:

"Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiaman, or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874."

Your committee recommend that the bill do pass.

As to the above-named Delia G. Webber, your committee, finding the facts in her case on file, have reported a bill granting her a pension.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

VALINCA S. HUTCHINSON.

Mr. STOCKSLAGER. I also call up the bill (H. R. 3581) for the relief of Valina S. Hutchins.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Valina S. Hutchins, widow of Curtis C. Hutchins, formerly a member of Col. J. S. Calhoun's battalion of Georgia Mounted Volunteers, service of Mexican war, whose name through error was not carried on the roll, although enlisted in the service of the United States, and who died while in said service, the pension of said widow to date from application subject to the rules and limitations of the pension laws.

The report (by Mr. LAIRD) was as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3581) for the relief of Valina S. Hutchins, respectfully report:

It appears from the evidence that Curtis C. Hutchinson volunteered at Aurora, Lumpkin County, Georgia, on or about the 15th day of June, 1847, for five years or the war in a company formed at that place, and which was afterward known as Company F, commanded by Capt. Charles H. Nelson, in the Georgia Battalion of Mounted Volunteers, commanded by Colonel Calhoun, in the late war with Mexico. They marched to Cassville, Ga., where they were organized, and from thence marched to Columbus, Ga., where they joined the battalion, were mustered into service, and marched to Mexico and joined the United States Army and served to the close of the war.

While on the march from Cassville to Columbus, Ga., Hutchinson was taken sick from exposure on the road, and in four days died. He had always been a strong, healthy man. Your committee believe that he was in the line of duty when taken sick, and that his widow is entitled to a pension, and recommend that the bill (H. R. 3581) do pass with the following amendments:

In line 3 strike out the words "Valina S. Hutchins, widow of Curtis C. Hutchins," and insert "Valencia S. Hutchinson, widow of Curtis C. Hutchinson," and in line 7, all after the word "war," and lines 8, 9, and 10. Also amend the title of the bill by making it read "Valencia S. Hutchinson" instead of "Valina S. Hutchins." Also amend the bill to the same effect wherever said name occurs; also by changing the name of "Curtis C. Hutchins," where it occurs in line 5 of the bill, so that it shall read "Curtis C. Hutchinson."

The amendments stated in the concluding paragraph of the report were read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

#### ORDER OF BUSINESS.

Mr. GEORGE. I desire to call up the bill—

Mr. MATSON. I move that the committee rise.

Mr. GEORGE. I hope the gentleman will withhold that motion for a moment.

Mr. MATSON. I would do so, but I think the gentleman's bill will provoke discussion.

The motion of Mr. MATSON that the committee rise was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker *pro tempore*, Mr. HATCH, of Missouri, reported that the Committee of the Whole House on the Private Calendar had, according to order, had under consideration sundry bills on the Private Calendar reported by the Committee on Pensions and the Committee on Invalid Pensions, and also bills for the removal of political disabilities, and had directed him to report the same back to the House with various recommendations.

#### LEAVE OF ABSENCE.

Mr. RICE, by unanimous consent, obtained indefinite leave of absence from the 20th instant, on account of sickness.

#### MARY B. HOLMES.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2607) granting a pension to Mary B. Holmes; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### ANNE T. DICKS.

Mr. MORRILL, from the Committee on Invalid Pensions, also reported back favorably the bill (S. 1811) granting a pension to Anne T. Dicks; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### MARIA G. DUNBAR.

Mr. MORRILL also reported back adversely, from the Committee on Invalid Pensions, the bill (S. 993) for the relief of Maria G. Dunbar; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### ORDER OF BUSINESS.

Mr. MORRILL. I now move that the House again resolve itself into Committee of the Whole on the Private Calendar for the consideration of the business under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

#### MARY B. HOLMES.

The first business on the Private Calendar was the bill (S. 2607) granting a pension to Mary B. Holmes.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary B. Holmes, widow of Henry W. Holmes, late a lieutenant of Company F, Seventy-second Regiment New York Volunteers, and allow her the same pension drawn by her husband during his life.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill S. 2607, granting a pension to Mary B. Holmes, submit the following report:

Your committee adopt the report of the Senate committee, which is herewith submitted. Cases similar to this have been repeatedly passed where it is shown, as it is herein, that the disability incurred in the service contributed to his death. Your committee report the bill back with the recommendation that it pass:

"Petitioner is the widow of John W. Holmes, late a lieutenant, Company F, Seventy-second Regiment, New York Volunteers, who was pensioned at the rate of \$5 per month on account of disability incurred in the service and resulting from disease of the eyes and chronic diarrhea. Her husband was killed by a freight train in New York city in 1881, and his widow is now destitute. She asks a pension on the ground that the accident which caused his death was the result of his defective vision and not of his own carelessness or neglect."

"The soldier's death under these circumstances did not, of course, result directly from his military service, but does seem to have been due to the disability incurred in the service, and to that extent was a result thereof. Taking this view of the case your committee are disposed to regard the claim as a meritorious one, and therefore recommend the passage of the bill."

Mr. HEWITT, of Alabama. I would like to ask what is the difference between the pension which this lady's husband drew and the pension which she would receive without any special provision of this kind?

Mr. MORRILL. There is no difference at all; but as the bill is drawn in this particular form we have not thought it worth while to change it.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

#### ANNE T. DICKS.

The next business on the Private Calendar was the bill (S. 1811) granting a pension to Anne T. Dicks.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Anne T. Dicks, widow of John W. Dicks, late an acting master in the United States Navy.

The report (by Mr. MORRILL) was as follows:

Your committee, to whom was referred the bill (S. 1811) granting a pension to Anne T. Dicks, submit the following report:

Your committee adopt the report of the Committee on Pensions of the Senate, which is herewith submitted, with the recommendation that the bill pass:

"The claimant is the widow of John W. Dicks, acting master United States Navy. The officer died of cancer superinduced by wounds and injuries received in the service."

"The evidence is clear to the committee that the constitution of this man was broken down and the entire digestive system prostrated and deprived of normal action by these causes, and that the fatal cancerous affection was a part of the results of the service."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

#### MARIA G. DUNBAR.

The next business on the Private Calendar was the bill (S. 993) for the relief of Maria G. Dunbar, reported adversely from the Committee on Invalid Pensions.

The bill was read, as follows:

*Be it enacted, &c.,* That the Commissioner of Pensions is hereby authorized and directed to allow the claim of Maria G. Dunbar, widow of Moses C. Dunbar, late of the Twenty-seventh Regiment Massachusetts State Volunteers, for arrears of pensions: *Provided,* That she shall establish to the satisfaction of the Commissioner that an application for said arrears was filed by said Moses C. Dunbar within the time fixed by law, and failed of being forwarded to the Pension Office through no fault of said Dunbar.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 993) for the relief of Maria G. Dunbar, submit the following report:

Your committee find that this bill proposes "to pay to Maria G. Dunbar arrears of pensions provided she shall establish to the satisfaction of the Commissioner that an application for said arrears was properly executed by Moses G. Dunbar within the time fixed by law and failed of being forwarded to the Pension Office through no fault of said Dunbar."

The facts, as she claims them, are that her husband made an application for pension several months prior to July, 1890; that through the carelessness of her attorney the papers were not filed until after the expiration of the limitation. This committee have again and again rejected cases of a similar character. The case of Nancy B. Leach, reported to the House a few days ago, is almost precisely like this, and your committee would refer to that report for their views in similar cases. Your committee report adversely, but ask that it be placed on the Calendar.

The CHAIRMAN. The report in this case being adverse, the question is, Shall the bill be laid aside to be reported to the House with a recommendation that it lie on the table?

Mr. LONG. Before the question is put, I wish to say that this is a very deserving case. If, however, the principle upon which it has been reported adversely is to be considered as settled, I do not propose to waste time by arguing the question.

It is a case in which the applicant was not at all responsible for delay in filing the application; but as appears very fully and clearly by the sworn evidence, the delay occurred in the first place in consequence of the fault of the attorney charged with the preparation of the papers; and then owing to his death there was still further delay. For this reason the papers were not filed in time to enable the applicant to receive the benefit of the arrears of pension. If this question has been settled in the Leach case, which was argued a week ago—

Mr. RAY, of New Hampshire. That case is still pending before the Committee of the Whole; it has not been acted on finally. There was an adverse report in that case.



Mr. LONG. If that case has not been acted on, then I should like this to take the same course and be laid aside informally.

Mr. RAY, of New Hampshire. I have not thought it proper to press the Leach case so long as there were favorable reports on Senate bills to be acted on, as I did not wish to take up the time of the Committee of the Whole in discussion.

Mr. LONG. I ask that this bill be laid aside informally to await the determination of the question in the other case.

The CHAIRMAN. If there be no objection this bill will be laid aside informally. The Chair hears no objection, and it is so ordered.

Mr. MATSON. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker *pro tempore*, Mr. HATCH, of Missouri, reported that the Committee of the Whole House had had under consideration, pursuant to order, sundry bills on the Private Calendar, and had directed him to report the same back to the House with various recommendations.

DAVID M. NAGLE.

On motion of Mr. JAMES, by unanimous consent, the amendments of the Senate to the bill (H. R. 5543) granting a pension to David M. Nagle were taken from the Speaker's table and concurred in.

Bills of the following titles were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed (two-thirds voting in favor thereof):

A bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia; and

A bill (H. R. 8277) to remove the political disabilities of J. Taylor Wood, of Louisiana.

#### BILLS PASSED.

The following bills reported from the Committee of the Whole House without amendment were severally ordered to a third reading; and they were accordingly read the third time, and passed:

- A bill (S. 1877) granting increase of pension to John Hall;
- A bill (S. 2245) granting a pension to William N. Norris;
- A bill (S. 2302) granting a pension to John Lowe;
- A bill (S. 2279) granting a pension to Eliza L. Canady;
- A bill (S. 544) granting increase of pension to Elijah W. Penny;
- A bill (S. 2367) granting a pension to Sarah A. White;
- A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney;
- A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
- A bill (S. 2125) granting a pension to Sarah Jane Prince;
- A bill (S. 2620) granting a pension to James H. Boaz;
- A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;
- A bill (S. 2443) granting an increase of pension to Polly Young;
- A bill (S. 1113) granting a pension to Anne E. Manchester;
- A bill (S. 2153) granting a pension to Benjamin F. Brockett;
- A bill (S. 1836) granting an increase of pension to Sarah Hague;
- A bill (S. 1612) granting a pension to Bryson R. McCartney;
- A bill (S. 1633) granting a pension to James Bond;
- A bill (S. 2268) for the relief of Robert J. Ballort;
- A bill (S. 2607) granting a pension to Mary B. Holmes; and
- A bill (S. 1811) granting a pension to Anne T. Dicks.

Amendments to bills of the following titles were agreed to, and the bills as amended were severally ordered to a third reading; and were accordingly read the third time, and passed:

- A bill (S. 2262) granting a pension to Sedate P. Martin; and
  - A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.
- A bill (S. 1960) for the relief of Mary Howard Farquhar, reported adversely, was laid on the table.

Mr. VAN ALSTYNE moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Bills of the following titles were severally ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed:

- A bill (H. R. 8237) granting a pension to Mary J. Dickson;
- A bill (H. R. 8155) granting a pension to Addie L. Moore; and
- A bill (H. R. 7504) granting a pension to Delia G. Webber.

Amendments to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

- A bill (H. R. 7907) granting a pension to Matilda Cody;
  - A bill (H. R. 4026) for the relief of William H. Houghton;
  - A bill (H. R. 603) granting a pension to Rachel Nickell; and
  - A bill (H. R. 3581) for the relief of Valencia S. Hutchinson.
- In the two latter cases the titles also were amended.

By unanimous consent, the following House bills with Senate amendments were taken from the Speaker's table and the Senate amendments severally concurred in, namely:

- A bill (H. R. 5364) granting a pension to William H. Whitcomb; and
- A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley.

Mr. MATSON moved to reconsider the several votes by which the

House pension bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON. Mr. Speaker, I ask the indulgence of the House for a few moments. On last Friday evening I stated that the business of the pension committees of the House was concluded for this Congress.

At that time I neglected to say what ought to have been said and what I now wish to say, that the Committee on Invalid Pensions, the Committee on Pensions, and I think the House itself, as well as the soldiers throughout this country, are much indebted to the gentleman from Missouri [Mr. HATCH], who has presided at these evening sessions every single Friday evening with the exception of one night, when he was necessarily and unavoidably absent, during the entire Congress, and has given the most faithful and untiring service to the House and to the interests of the soldiers in passing these pension bills. I feel, therefore, as if this mark of recognition ought to be given to him.

I now move, Mr. Speaker, that the House adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 20 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. BINGHAM: Resolutions of the Legislature of Pennsylvania, asking for the passage of the bill placing General U. S. Grant upon the retired-list—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, asking Senators and Representatives to oppose the abolition of the National Board of Health—to the Select Committee on the Public Health.

By Mr. BRAINERD: Petitions of citizens of Erie County, Pennsylvania, relative to the Mormon question—to the Committee on the Judiciary.

By Mr. CALDWELL: Petition of M. H. Clark & Bro., and others, citizens of Clarksville, Tenn., for publication of tobacco monograph of the census in full—to the Select Committee to ascertain the results of the Tenth Census.

By Mr. S. S. COX: Petition of Gideon J. Tucker, a citizen of New York, in relation to certain false statements of historical occurrences in a book published by the Congress of the United States—to the Committee on Public Lands.

By Mr. G. R. DAVIS: Petitions of twelve departments of Grand Army of the Republic, representing 993 posts and a membership of 51,000 ex-soldiers, that Lieutenant-General Sheridan and Major-General Hancock be promoted respectively to the positions of General and Lieutenant-General of the Army—to the Committee on Military Affairs.

By Mr. FINDLAY: Memorial of prisoners of war in the late war, for pensions—to the Committee on Invalid Pensions.

By Mr. GEDDES: Petition of F. R. Ross and 60 others, citizens of Huron County, Ohio, for the passage of laws relating to Mormonism—to the Committee on the Judiciary.

By Mr. JAMES: Petitions of Rev. L. R. Foote and 56 others, citizens of Brooklyn, N. Y., and of Rev. Arch. McCulloch, D. D., and 59 others, women, members of Ross Street Presbyterian church, of Brooklyn, N. Y., asking for legislation upon the Mormon question—to the Committee on the Judiciary.

By Mr. LANHAM: Petition of Benjamin Martin, for relief—to the Committee on War Claims.

By Mr. LAWRENCE: Resolutions of the Legislature of Pennsylvania, asking that the bill retiring General Grant on full pay may be passed—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, requesting the representatives of the State in Congress to vote against abolishing the National Board of Health—to the Select Committee on the Public Health.

By Mr. MATSON: Petitions of Henry H. Mathias and 33 other Union soldiers, and of F. Conklin and 37 others, ex-soldiers, of Greencastle, Ind., for the repeal of all limitations upon arrears of pensions—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. MILLER: Petitions of citizens of Meadville and of Cambridge, Pa., in favor of legislation to restrict Mormonism—to the Committee on the Judiciary.

By Mr. PARKER: Petition of the New York Produce Exchange, in favor of the purchase of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. SENEY: Petition of W. H. Gibson and others, for legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. C. R. SKINNER: Resolution of the board of managers of the New York Produce Exchange, recommending the purchase by the United States of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. A. HERR SMITH: Concurrent resolution of the Legislature of Pennsylvania, in favor of placing General Grant on the retired-list—to the Committee on Military Affairs.

Also, concurrent resolution of the Legislature of Pennsylvania, against abolishing the National Board of Health—to the Committee on the Public Health.

By Mr. STEELE: Two petitions of ex-soldiers, asking the passage of an act granting a land-warrant for one hundred and sixty acres of land without condition of settlement to every honorably discharged soldier or sailor—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. STORM: Joint resolution of the Legislature of the State of Pennsylvania, requesting her Senators and Members in Congress to vote for the passage of a bill placing General Grant on the retired-list—to the Committee on Military Affairs.

Also, joint resolution of the Legislature of Pennsylvania, requesting her Senators and Representatives in Congress to oppose the attempt to abolish the National Board of Health—to the Committee on Public Health.

By Mr. STRAIT: Joint resolution of the Legislature of the State of Minnesota, praying for liberal and immediate appropriations for the enlargement of the Sault Saint Mary's Canal—to the Committee on Rivers and Harbors.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. LACEY: Of A. C. Clark and 24 others, of Clarendon, and of C. H. Quantrell and 17 others, of Charlotte, Mich.

## SENATE,

SATURDAY, February 28, 1885.

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

The Journal of yesterday's proceedings was read and approved.

Mr. HALE. I rise to present a privileged report—the conference report upon the agricultural appropriation bill.

The PRESIDENT *pro tempore*. The Chair is under the impression that the higher privilege is the laying before the Senate bills from the House of Representatives and other formal matters on the table.

Mr. HALE. I wish to get the conference report out of the way as soon as possible, because I am engaged in the Committee on Appropriations.

The PRESIDENT *pro tempore*. If the Senator asks unanimous consent the Chair will put the question, but the Chair thinks under the rules it is the duty of the Chair to lay before the Senate two or three House bills that are on the table.

Mr. HALE. It is not of importance enough for me to insist. I do not make any request at present.

## EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 20th instant, sundry papers relating to the claim of William Ward for professional services in suits against the United States revenue-steamer William H. Seward. If there be no objection the letter will be printed, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. MITCHELL. I move that the communication be referred to the Committee on Appropriations. An amendment relating to the matter is pending before that committee. It is desired to insert a provision in the sundry civil appropriation bill.

The PRESIDENT *pro tempore*. If there be no objection, the papers will be referred to the Committee on Appropriations without printing. The Chair hears no objection.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Attorney-General, urging that the estimates heretofore made for fees of jurors, witnesses, marshals, and district attorneys, for the year 1885, may be provided for in the deficiency appropriation bill, and inclosing a letter from the First Comptroller of the Treasury on the subject; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a report of the allowance by the accounting officers of the Treasury of the twenty-third installment of the war claims of the State of Ohio, now awaiting an appropriation for its payment; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, with accompanying report of Col. C. E. Blunt, Corps of Engineers, relative to the improvement of the Cochecho River at Dover, N. H.; which, with the accompanying papers, was referred to the Committee on Commerce.

## RETURN OF BILLS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate three joint resolutions which passed the Senate day before yesterday, concerning the printing of certain documents, which were returned to

the Senate at its request from the House of Representatives. The titles of the joint resolutions will be read.

The Chief Clerk read as follows:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The PRESIDENT *pro tempore*. If there be no objection the votes of the Senate passing these joint resolutions will be reconsidered, and they will be referred to the Committee on Printing. The Chair understands that precisely identical resolutions have already passed both Houses.

## PUBLIC-LAND DECISIONS.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives of the United States (the Senate concurring), That there be printed 3,500 copies of the first and second volumes of Decisions Relating to the Public Lands, prepared under the direction of the Department of the Interior, of which 1,000 shall be for the use of members of the Senate, 2,000 for the use of the members of the House of Representatives, and 500 for the use of the Department of the Interior.*

## AGRICULTURAL APPROPRIATION BILL.

Mr. HALE. If the Chair has found no further objection, I will present the report of the conference committee on the agricultural appropriation bill.

The PRESIDENT *pro tempore*. The Chair has found no objection at all to the presentation of the report.

Mr. HALE. I did not insist on the report being received after the reading of the Journal, but the reason why I presented it at that time I thought I found in Rule XXVII, which I ask may be read.

The PRESIDENT *pro tempore*. Rule XXVII will be read.

The Chief Clerk read as follows:

## REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The PRESIDENT *pro tempore*. The Chair had reference, if the Senator from Maine will pardon him, to the seventh rule, which is positively affirmative, requiring the Chair to lay before the Senate before the call for petitions, immediately after the reading of the Journal, bills and resolutions from the House of Representatives, messages from the President, &c. The Chair was under the impression that this privileged business on the table would precede the report of a committee of conference. Perhaps the Chair is wrong, but the Chair thought so.

Mr. HALE. I have sent up the papers. I ask that the report be read.

The Chief Clerk read the report, 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. 8030) "making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 18, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 20, 21, 22, and 23, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$32,900;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000;" and the Senate agree to the same.

EUGENE HALE,  
P. B. PLUMB,  
WILKINSON CALL,  
*Managers on the part of the Senate.*  
G. G. DIBRELL,  
LEWIS BEACH,  
WM. CULLEN,  
*Managers on the part of the House.*

The report was concurred in.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. 5364) granting a pension to William H. Whitcomb;  
A bill (H. R. 5543) granting a pension to David M. Nagle;  
A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley;  
A bill (H. R. 5798) granting a pension to John E. Denham;  
A bill (H. R. 6029) for the relief of Jeremiah McCarty; and  
A bill (H. R. 6011) granting an increase of pension to Robert Carey.

The message also announced that the House had passed the following bills:

A bill (S. 544) granting increase of pension to Elijah W. Penny;  
A bill (S. 1113) granting a pension to Anne E. Manchester;  
A bill (S. 1612) granting a pension to Bryson R. McCartney;