

By Mr. S. I. HOPKINS: Petition of manufacturers and bankers of Lynchburgh, Va., for the immediate repeal of the tobacco tax—to the Committee on Ways and Means.

By Mr. JONES: Petition of Charles H. McKee and others, citizens of Selma, Ala., favoring the Cullom-Breckinridge bill—to the Committee on Rivers and Harbors.

By Mr. LEE: Petition of citizens of Fairfax County, Virginia, for pure food—to the Committee on Agriculture.

By Mr. LONG: Petition of Webster & Co., of Boston, Mass., for better postal facilities—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLAMMY: Petition of Hiram Grantham, heir of Needham Grantham, of Sampson County, North Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MAISH: Petition of Henry Alexander, late a private Company I, Maryland Volunteer Infantry, for a pension—to the Committee on Invalid Pensions.

By Mr. NEAL: Petition of administrator of Ann Latspeich, of Monroe County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of C. P. B. Jeffreys, of Philadelphia, Pa., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. J. H. O'NEALL: Petition of T. J. Downs and others, for a branch of the Soldiers' Home in Indiana—to the Committee on Military Affairs.

By Mr. PETERS: Petition of C. A. Haulenbeck and 52 others, of McPherson County, Kansas, for an amendment to the interstate-commerce law—to the Committee on Commerce.

Also, affidavit of Dr. W. W. Speirs, in the case of J. A. Underwood—to the Committee on Invalid Pensions.

By Mr. PHELAN: Petition of Hudson Harris, and of James B. and Joseph B. Abington, of Fayette County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of James F. Brooks, and of B. F. Reid, guardian heirs of Mary S. Sims, of Rutherford County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of administrator of John B. Hawkins, of Franklin County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTSON: Petition of Joel S. Mansur, heir of Hiram Mansur, of Josephine Roberts, heir of Stephen Roberts; and of Susan Lee Mansur, heir of George Snizer, of Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Petition of Findlay (Ohio) Assembly, No. 656, and of Tiffin (Ohio) Assembly, No. 2698, Knights of Labor, against civil pensions—to the Committee on Invalid Pensions.

By Mr. TILLMAN: Petition of John H. Ruddell, executor of Reuben R. Turner, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSHEND: Petitions and affidavits to accompany House bill 9947, for the relief of John Morrison—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: Petition of administrator of Joseph A. Aldrich, and of Robert T. Sweeney, of Davidson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of N. R. Wilkes, administrator of Richard L. Porter, of Maury County, Tennessee, for payment of his war claim—to the Committee on War Claims.

The following petitions in favor of House bill 9716, for the better protection of free labor from convict labor, were received and severally referred to the Committee on Labor:

By Mr. FUNSTON: Of Knights of Labor of Pleasanton, Kans.

By Mr. HERBERT: Of Knights of Labor of Montgomery, Ala.

By Mr. STEPHENSON: Of Michael Bush and others, of Florence, Wis.

By Mr. CHARLES STEWART: Of citizens of Orange County, Texas.

The following petitions for the repeal or modification of the internal-revenue tax of \$25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. GRIMES: Of R. G. T. Halley, G. W. Newsom, and other citizens of Taylor County, Georgia.

By Mr. MAISH: Of A. Steward, M. D., and others, of Delta, Pa.

The following petition for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, was received and referred to the Committee on the Public Lands:

By Mr. HERMANN: Of sundry citizens of Oregon.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were

in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. FINLEY: Of ex-soldiers of Greensburgh, Ky.

By Mr. MATSON: Of 36 citizens of Stanton, Nebr.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. HUNTER: Of M. C. Gittings and 63 others, of Gittings, Ky.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. T. J. HENDERSON: Of 131 citizens of Putnam and Lee Counties, Illinois.

By Mr. PAYSON: Of 165 citizens of Iroquois County, Illinois.

By Mr. PERKINS: Of 52 citizens of Elk County, Kansas.

By Mr. CHARLES STEWART: Of 25 citizens of Harris County, Texas.

SENATE.

FRIDAY, June 1, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

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

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Charles E. French, a citizen of Massachusetts, praying for the passage of an amendment to the bill for refunding the public debt that would eliminate the fifty-year provision thereof; which was referred to the Committee on Finance.

He also presented a petition of citizens of Allen County, Kansas, praying for the passage of an amendment to the interstate-commerce law which will give all fines and penalties collected in prosecutions under that law to the complainants; which was referred to the Committee on Interstate Commerce.

He also presented a petition of citizens of Ashland, Wis., praying for such amendment of the interstate-commerce law as will prevent its gross violations as at present by the railroad companies of the country; which was referred to the Committee on Interstate Commerce.

He also presented the petition of John Pope Hodnett, "president and founder of the United Labor League of America," praying to be allowed "permission to carry a deadly weapon on his person both day and night in the District of Columbia;" which was referred to the Committee on the District of Columbia.

Mr. PADDOCK presented a petition of the Board of Trade of Stromsburg, Nebr., praying for the passage of the refunding measure for the Pacific railroads known as the Outhwaite bill; which was referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

Mr. PALMER presented the petition of H. C. Coburn and 36 other citizens of Montcalm County, Michigan, praying for an amendment of the interstate-commerce law to give the complainants all fines and penalties which may be collected in prosecutions under that law; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Thompson Kirby and 58 other ex-Union soldiers and sailors, citizens of Ashley, Mich., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. HAMPTON presented the petition of J. A. Whitman, M. D., and 28 other citizens of Beaufort, S. C., praying for the passage of the Platt prohibition bill for the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. GRAY presented the petition of John W. B. Killgore and 22 other citizens of Newport, Del., praying for the passage of the Platt bill providing for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of Dunlap Grange, No. 919, Patrons of Husbandry, located at Dunlap, Ill., praying for the passage of the bill to create a department of agriculture with a Cabinet officer at its head; which was ordered to lie on the table.

Mr. MANDERSON presented a petition of George B. Durkee and 26 other citizens of Hansen, Nebr., praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of John Barsby and about 300 other citizens of Nebraska, praying for the passage of the rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of the Board of Trade of Stromsburg, Nebr., praying for the passage of the Outhwaite Pacific Railroad funding bill; which was referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

Mr. COCKRELL. I present a resolution adopted at the annual meet-

ing of the Missouri State Medical Association, held at Kansas City, Mo., in April, 1888, in regard to epidemic diseases, recommending that external quarantine measures should be under the control and direction of Federal authority, so as to afford the highest degree of protection to the people of this country, and favoring Congressional action looking to that end. I move that the resolution be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. HOAR presented the petition of John J. Gorman, of Billerica, Middlesex County, Massachusetts, praying to be allowed a pension; which was referred to the Committee on Pensions.

ORRIS A. BROWNE.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary, to which was referred the bill (H. R. 5859) to remove the political disabilities of Orris A. Browne, of Virginia, to report the same adversely, with a written report, the ground of the report being that this gentleman at the time he left any connection with the authorities of the United States was simply a naval cadet at Annapolis, and the committee are clearly of opinion—there can be no doubt about it on examining the statutes—that he is not under disabilities now. They were removed by the general act of 1871 as to everybody except an enumerated class of officers of the United States, and this gentleman was not an officer either in the Army or the Navy. The committee therefore recommend that the bill be indefinitely postponed for the reason that the gentleman is not under any disability whatever.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed, if there be no objection; and the report will be printed.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 3066) for the relief of Mrs. Mary T. Duncan; which was read twice by its title, and, with the papers on file in the case, referred to the Committee on Claims.

Mr. HARRIS (by request) introduced a bill (S. 3067) for the improvement of Rock Creek, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL (by request) introduced a bill (S. 3068) providing for the distribution of public documents to depositories and other public libraries; which was read twice by its title, and referred to the Committee on Printing.

Mr. PALMER (by request) introduced a bill (S. 3069) granting pay and allowances of a second lieutenant of infantry to Charles L. Jenny; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 3070) for the relief of John Anthony Orleman and Mary Albina Wilhelmina Orleman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 3071) granting a pension to William H. Cummings; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3072) granting a pension to John J. Gorham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 3073) granting a pension to Silas G. Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 3074) for the relief of Nicholas J. Bigley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 3075) to require preference to be given to citizens of the States and localities where the mails are to be carried in all mail lettings; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL (by request) introduced a joint resolution (S. R. 88) providing for printing public documents for sale; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO BILLS.

Mr. CULLOM submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. COCKRELL. I submit an amendment intended to be proposed to the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims, under the provisions of the act of March 3, 1883, known as the Bowman act. The amendment provides for an appropriation to Sarah E. B. Smith, of Scotland County, Missouri, for \$337.50, and I accompany it with the findings of fact made by the Court of Claims. I move that the amendment be referred to the Committee on Claims and printed.

The motion was agreed to.

Mr. PALMER submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

ELIZA DOUGLASS.

Mr. DAVIS. I move to reconsider the vote by which the Senate indefinitely postponed the bill (S. 2812) for the relief of Eliza Douglass, and that the bill be recommitted to the Committee on Pensions.

The motion to reconsider was agreed to; and the bill was recommitted to the Committee on Pensions.

ANASTASIA ISLAND.

The PRESIDENT *pro tempore*. If there be no further morning business, the Chair lays before the Senate a resolution introduced by the Senator from Florida [Mr. CALL], coming over from a former day, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. CALL, as follows:

Resolved, That the Attorney-General of the United States is hereby directed to report to the Senate whether Anastasia Island, near St. Augustine, Fla., is the property of the United States, and whether the whole or any part is covered by any grant from Spain which has been confirmed and is recognized as valid by the United States under the treaty between Spain and the United States for the cession of the provinces of the East and West Floridas made in 1819.

Mr. CALL. I ask for the adoption of the resolution.

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

The resolution was agreed to.

INDIAN APPROPRIATION BILL.

Mr. DAWES. If there is no further morning business, I move to take up the Indian appropriation bill.

Mr. BROWN. I ask the Senator from Massachusetts to allow me only a few minutes to call up the bill which I gave notice I should ask the Senate to consider this morning.

Mr. DAWES. Let me get up the appropriation bill, and then I will yield.

Mr. BROWN. Very well.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1889, and for other purposes.

The motion was agreed to.

AGRICULTURAL EXPERIMENTAL STATIONS.

Mr. BROWN. I ask that the Senate proceed to the consideration of Order of Business 1358, House bill 7222.

The PRESIDENT *pro tempore*. The Senator from Georgia asks unanimous consent that the pending business be informally laid aside for the purpose of considering a bill the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto."

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BROWN. I have conferred with the Senator from Kansas [Mr. PLUMB], who objected to the bill last evening, and we have agreed on certain amendments which I will now propose to the Senate.

At the end of line 9 I move to strike out the word "and" and insert the word "but;" so as to read:

But that such installments of the appropriations as may be now due or may hereafter become due, etc.

The amendment was agreed to.

Mr. BROWN. In line 10 I move to strike out the word "that," before the word "such," and insert the words "as to;" so as to read:

But as to such installments of the appropriations, etc.

The amendment was agreed to.

Mr. BROWN. In line 11, after the word "due," where it occurs the second time, I move to strike out the word "and" and insert the word "when;" so as to read:

Or may hereafter become due when the Legislature may not be in session.

The amendment was agreed to.

Mr. BROWN. In line 14, after the word "he," I move to strike out the word "will" and insert the word "shall;" so as to read:

And upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDENT *pro tempore*. Does the Senator from Georgia desire a conference with the House of Representatives on the bill and amendments?

Mr. BROWN. I ask that a committee of conference be requested,

though I think the House of Representatives will concur in the amendments. I move that the Senate request a conference with the House of Representatives.

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. PADDOCK, Mr. BROWN, and Mr. BLAIR were appointed.

DISTRICT BELT LINE RAILWAY.

Mr. HARRIS. I ask the unanimous consent of the Senate that it consider at this time Order of Business 1233, Senate bill 1580. I shall be absent from the sessions of the Senate for a few days after to-day, and would be glad to have this bill considered at this time.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks unanimous consent that the pending business may be informally laid aside for the purpose of considering the bill (S. 1580) to amend an act entitled "An act incorporating the Capitol, North O Street and South Washington Railway Company." Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 11, after the words "Louisiana avenue," to strike out "east on Louisiana avenue to Pennsylvania avenue, diagonally crossing Pennsylvania avenue to Market Space, east along Market Space to," and insert "north on Ninth street to D street northwest, east on D street northwest to;" and in line 21, before the word "street," to strike out "Fifth" and insert "Fifteenth," so as to read:

Second. Beginning at Ninth street northwest and Louisiana avenue, north on Ninth street to D street northwest, east on D street northwest to Louisiana avenue, northeast along Louisiana avenue to Indiana avenue, southeast along Indiana avenue to C street northwest to its intersection with C street northeast, east along C street northeast, passing around Stanton square to Eleventh street northeast, with the privilege of extending the same on C street to Tennessee avenue, northeast on said avenue to Fifteenth street northeast, north along said Fifteenth street to its intersection with Benning Bridge road, after said streets and avenue shall have been graded.

The amendment was agreed to.

The next amendment was, in section 2, after the words "direction of the," at the end of line 3, to strike out "engineer commissioner or said Board of Commissioners," and insert "commissioners of the District;" so as to make the section read:

SEC. 2. That the rails for the said extension shall be approved by the commissioners of the District of Columbia, and shall be laid under the supervision and direction of the commissioners of the District of Columbia. Unless said extensions are constructed and the cars run thereon within two years from and after the passage and approval of this act, the authority herein granted shall be void.

The amendment was agreed to.

The next amendment was, in section 3, line 3, after the words "thereon the," to strike out "said" and insert "stock of the said;" in line 5, after the words "authorized to," to strike out "increase its capital stock in the" and insert "be increased to an amount equal to the cost of construction and equipment of said extension and the cost of real estate and buildings necessary to the same, not to exceed in the aggregate the;" and in line 9, after the words "sum of," to strike out "not more than" and insert "\$250,000;" so as to make the section read:

SEC. 3. That for the purpose of the construction and equipment of said extensions, the purchase of land and the construction of necessary buildings thereon the stock of the said Capitol, North O Street and South Washington Railway Company is hereby authorized to be increased to an amount equal to the cost of construction and equipment of said extension and the cost of real estate and buildings necessary to the same, not to exceed in the aggregate the sum of \$250,000.

The amendment was agreed to.

The next amendment was to add as a new section:

SEC. 4. That section 3 of the act entitled "An act to amend the charter of the Capitol, North O Street and South Washington Railway Company," approved March 3, 1881, be, and the same is hereby, repealed.

Mr. EDMUNDS. What is the third section of the act referred to?

Mr. HARRIS. It is in respect of the little detached line from Pennsylvania avenue to the Bureau of Engraving and Printing. By this arrangement that detached part becomes a link in the general line of the road. The third section of the act of 1881 simply required that upon that little short line a higher rate of fare than 2 cents should not be charged, but now it becomes a link in the entire line of road, and if that section remains a passenger could get on at that point and travel all around the city for 2 cents.

The amendment was agreed to.

The next amendment was to add as a new section:

SEC. 5. That all the provisions of the charter of said railway company as they exist at this time shall apply to the extensions herein granted.

The amendment was agreed to.

Mr. EDMUNDS. Is there any provision in the bill reserving the right to alter, amend, or repeal this act?

Mr. HARRIS. That is in the original charter, but if it is not in this—I do not know whether it is in or not—I have no objection to putting it in.

Mr. EDMUNDS. I move to add the following as a new section:

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was 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.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1948) to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, near Fort Smith, Ark.; and

A bill (S. 2310) to revive the grade of General in the United States Army.

BENJAMIN T. BAKER.

Mr. BLAIR. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire rise to morning business?

Mr. BLAIR. I do not. I wish to have a pension bill passed.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. DAWES. The Senator from Tennessee [Mr. HARRIS] took advantage of my not attending to my own business and got a bill through. I do not know that I can yield to the Senator from New Hampshire.

Mr. BLAIR. I could have made my peace with the Senator from Massachusetts and would not trouble the Senate but for the bill I wish to call up being one that seems to appeal with unusually strong reasons for immediate action. It is the pension case of a very old man who is entirely disabled and poor, and who has for a long time been taken care of by his wife. She has lately met with an accident and both are now entirely helpless. I desire to have the bill make progress if possible. I have received a letter in regard to it. Therefore I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 2825) granting an increase of pension to Benjamin T. Baker.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill indicated by the Senator from New Hampshire?

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

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out the words "a seaman," and insert "a quartermaster on the United States steamer Spuyten Duyvil;" 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 Benjamin T. Baker, late a quartermaster on the United States steamer Spuyten Duyvil in the United States Navy, and pay him at the rate of \$72 per month in lieu of that which he is now receiving.

The amendment was agreed to.

Mr. COCKRELL. Is there any report in that case?

Mr. BLAIR. Yes, there is a printed report.

The PRESIDENT *pro tempore*. Does the Senator from Missouri desire to have the report read?

Mr. COCKRELL. I should like to have some reason given why this pension should be increased to \$72 a month. What is the rate he is now receiving?

Mr. BLAIR. He is receiving \$24 now, and is entirely helpless.

Mr. COCKRELL. He will be entitled under the law now to have the pension increased to \$72 a month in the Pension Office if he is entirely helpless.

Mr. BLAIR. He is so entitled upon the facts. I can not say in regard to what the Pension Office would do. I do not know whether he would be considered entitled there or not; but it is a case where I know something of the great necessity, of the great disability, and the great need. The bill has proceeded thus far, and it is important that there should be immediate action. It is like a great many other cases where we have made increases.

Mr. COCKRELL. Here is the question I want to get at: Has not the Pension Office ample authority, upon competent evidence showing the kind of disability referred to—total disability—to increase this pension and allow him \$72 per month without any special act of Congress?

Mr. BLAIR. I do not know whether it has or not.

Mr. COCKRELL. Is not that the amount allowed for total disability?

Mr. BLAIR. In some cases they get it and in some cases they do not.

Mr. COCKRELL. The question is, what is the amount allowed by law for total disability when it is proved and established in the Pension Office? I ask the Senator for information. I am under the impression that the law explicitly allows \$72 a month for total disability.

Mr. BLAIR. This is a case which has been examined once or twice in the Pension Office, and where the Pension Office has made a rating at \$24 a month. The evidence has been filed with the Committee of

Pensions and carefully examined, and it is the opinion of the committee, from the evidence, that the rating should be \$72 a month. I do not know whether the Pension Office has power, if it sees fit, to allow a pension at the rate of \$72 a month, where there is an equal opportunity—

Mr. COCKRELL. I think I know what the law is. I object to the present consideration of the bill.

The PRESIDENT *pro tempore*. The Senator from Missouri calls for the regular order.

Mr. VOORHEES. Before the regular order is called, I think I can relieve this point of embarrassment.

There are a class of cases which were pensionable at \$72 a month by the Pension Office under the general law, such as total blindness and perhaps one or two other kinds of disability. An attempt was made to increase the pension of every person laboring under total disability to \$72 a month, and that was successful as to the cases that had been adjusted. I had occasion during this session to examine into the case of an officer from New York who was laboring under total disability, and I found that that act simply fixed the amount of pension to be received by those already on the pension-rolls, and did not operate *in futuro*. The consequence is that the kind of case the Senator from New Hampshire is representing calls for \$50 a month, and that is the highest they can go in the office. I had occasion to go over the ground, and in a case of total disability under the law (I need not go into an explanation of its intricacies, you may rely upon what I say) the best that can be done in such a case is \$50 a month.

The PRESIDENT *pro tempore*. Is there objection to the further consideration of this bill?

Mr. COCKRELL. Yes, Mr. President, I must see the law on that question. It will only take a short time for me to hunt up the law.

Mr. SHERMAN. With the consent of the Senator from Massachusetts I wish to call attention—

Mr. BLAIR. Unanimous consent was given to the consideration of this case. I do not know whether it is now subject to a call for the regular order.

The PRESIDENT *pro tempore*. An objection can be interposed at any time.

JAMES B. MITCHELL.

Mr. SHERMAN. If House bill 615, which I wish to bring to the attention of the Senate, is read, and a short report is read, I have no doubt it will pass by unanimous consent, and I am willing to have it taken up subject to a call for the regular order. I make the request now because the man is in extremity. I am assured that he is now in great need of the small sum of money appropriated by the bill. He is very poor.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. DAWES. Yes, I will yield for fifteen or twenty minutes.

Mr. SHERMAN. If there is any objection to the bill, I will let it go over.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent for the present consideration of the bill (H. R. 615) for the relief of James B. Mitchell.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to James B. Mitchell \$438 for services as surveyor of customs at the port of Yorktown, Va., from September 7, 1882, to January 31, 1883.

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

AARON FRIEDHEIM.

Mr. DAWES. The Senator from Arkansas [Mr. BERRY] has a bill which he desires to call up.

Mr. BERRY. If the Senator will consent, as it will take but a moment, I ask unanimous consent to call up the bill (S. 2882) to pay Aaron Friedheim the rebate due him under the act of March 3, A. D. 1883.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the sum of \$22.07 shall be paid to Aaron Friedheim, of Camden, Ouachita County, Arkansas, for the rebate due him under the act of March 3, 1883, of taxes paid on tobacco, snuff, cigars, and cigarettes, the claim for which having been lost in the transmission thereof.

Mr. BERRY. This is a bill in which my colleague [Mr. JONES, of Arkansas], is specially interested and I have called it up in his behalf.

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

The PRESIDENT *pro tempore*. Shall the bill pass?

Mr. BLAIR. I object, and call for the regular order.

The PRESIDENT *pro tempore*. The Senator from New Hampshire objects.

Mr. BERRY. I ask if an objection can be interposed when the bill has been before the Senate by unanimous consent and the question is upon its passage?

The PRESIDENT *pro tempore*. An objection can be interposed at any time.

Mr. BERRY. I hope the Senator from New Hampshire will with-

draw his objection. I surely had nothing to do with stopping his pension bill.

Mr. BLAIR. I tried to get a bill through this morning, and an objection which went just like a hot iron through the heart of a man's mother was made here, and I feel a little as though when that bill could not be considered no other private bill should, because the bill I had called up was an act of humanity of the most pressing nature.

The PRESIDENT *pro tempore*. The Chair must remind the Senator that debate is not in order.

Mr. COCKRELL. Does the Senator suppose that that kind of talk will make me withdraw my objection to his bill?

Mr. BLAIR. What does the Senator say?

Mr. COCKRELL. I say—

The PRESIDENT *pro tempore*. Debate is not in order. Does the Senator from New Hampshire insist on his objection?

Mr. BLAIR. No; I suppose I had better withdraw the objection.

The PRESIDENT *pro tempore*. The question is, shall the bill pass? The bill was passed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 2210) to revive the grade of General in the United States Army; and it was thereupon signed by the President *pro tempore*.

INDIAN APPROPRIATION BILL.

The PRESIDENT *pro tempore*. The Indian appropriation bill will be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1889, and for other purposes.

The bill was reported from the Committee on Appropriations with amendments.

Mr. DAWES. I ask that the formal reading of the bill be dispensed with, and that the committee amendments be considered as the reading of the bill proceeds.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, in section 1, line 9, before the word "agents," to strike out "fifty-nine" and insert "fifty-eight;" so as to make the clause read:

For pay of fifty-eight agents of Indian affairs at the following-named agencies, at the rates respectively indicated, namely.

The amendment was agreed to.

The next amendment was, in section 1, to strike out lines 24 and 25, as follows:

At the Nisqually and S'Kokomish agency, at \$1,200.

The amendment was agreed to.

The next amendment was, in section 1, to strike out line 26, as follows:

At the Quinalt agency, at \$1,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 26, to insert:

At the Payallup (consolidated) agency, embracing Nisqually and S'Kokomish and Quinalt agencies, at \$1,600.

The amendment was agreed to.

The next amendment was, in section 1, line 96, to reduce the appropriation for pay of agent "at the Osage agency" from \$2,200 to \$1,800.

The amendment was agreed to.

The next amendment was, in section 1, line 118, to reduce the total amount of the appropriation for pay of Indian agents from \$89,200 to \$88,200.

The amendment was agreed to.

The next amendment was, in section 1, line 132, after the word "one," to strike out "superintendent" and insert "superintendent;" and in line 133, before the word "thousand," to strike out "three" and insert "four;" so as to make the clause read:

Pay of one superintendent of Indian schools, \$4,000.

The amendment was agreed to.

The next amendment was in the appropriations for "fulfilling treaty stipulations with and support of Indian tribes," in section 1, after line 339, to insert:

For payment of the balance of principal and interest of Kaw or Kansas Indian scrip, pursuant to the provisions of the Indian appropriation act for the year ending June 30, 1886, approved March 3, 1885, \$65,000, or so much thereof as may be necessary, to be paid out of the sum of \$200,000 accruing to said Indians for cession of lands under article 2 of treaty entered into by said tribe with the United States, dated January 14, 1846, and to be immediately available: *Provided*, That the proceeds of sales of Kansas Indian lands realized hereafter shall be applied to the reimbursement of the said fund of \$200,000 of the amount paid out under this appropriation.

The amendment was agreed to.

The next amendment was, in section 1, after line 399, to insert as a head-line "Miamies of Eel River;" and at the beginning of line 401

to strike out "Fulfilling treaties with Miamies of Eel River;" so as to read:

Miamies of Eel River:

This amount to be paid per capita to the Miamies of Eel River, being in full of all demands under their treaties with the United States dated August 3, 1795, August 23, 1805, and September 30, 1809, \$22,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 438, to strike out the following clause:

Omahas:

For sixth of twelve installments, being last series, in moneys or otherwise, per fourth article of treaty of March 16, 1854, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 529, to insert as a head-line "Pottawatomies of Huron;" and at the beginning of line 536 to strike out "Fulfilling treaties with Pottawatomies of Huron;" so as to make the clause read:

Pottawatomies of Huron:

This amount to be paid per capita to the Pottawatomies of Huron, being in full for the permanent annuity, in money or otherwise, guaranteed to them under the second article of treaty dated November 17, 1807, \$8,000.

The amendment was agreed to.

The next amendment was, in the appropriations for fulfilling treaty stipulations with and support of "Quapaws," in section 1, line 538, after the word "education," to insert "during the pleasure of the President;" so as to make the clause read:

Quapaws:

For education, during the pleasure of the President, per third article of treaty of May 13, 1823, \$1,000.

The amendment was agreed to.

The next amendment was, in the appropriations for fulfilling treaty stipulations with and support of "Shoshones and Bannocks," in section 1, line 665, before the word "article," to insert "eighth;" so as to make the clause read:

For pay of second blacksmith, and such iron and steel and other materials as may be required, per eighth article of the same treaty, \$1,000.

The amendment was agreed to.

The next amendment was, in the appropriations for fulfilling treaty stipulations with and support of "Sioux of different tribes, including Santee Sioux of Nebraska," in section 1, line 694, after the words "per head for," to strike out "eight thousand persons roaming" and insert "such persons as roam and hunt, as per tenth article of same treaty;" in line 696, before the word "thousand," to strike out "eighty" and insert "fifty;" and in the same line, after the word "dollars," to insert "or so much thereof as may be necessary;" so as to make the clause read:

For nineteenth of thirty installments, to purchase such articles as may be considered proper by the Secretary of the Interior, at \$10 per head, for such persons as roam and hunt, as per tenth article of same treaty, \$50,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in section 1, before the word "persons," in line 701, to strike out "three thousand five hundred;" in the same line, after the word "agriculture," to insert "as per tenth article of same treaty;" in line 702, before the word "thousand," to strike out "seventy" and insert "one hundred;" and in the same line, after the word "dollars," to insert "or so much thereof as may be necessary;" so as to make the clause read:

For nineteenth of thirty installments, to purchase such articles as may be considered proper by the Secretary of the Interior, at \$20 per head, for persons engaged in agriculture, as per tenth article of same treaty, \$100,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in section 1, line 716, after the word "dollars," to strike out the semicolon and insert a colon, and after the colon to insert:

Provided, That this sum shall include transportation of supplies from the termination of railroad or steam-boat transportation; and in this service Indians shall be employed wherever practicable.

So as to make the clause read:

For subsistence of the Sioux, and for purposes of their civilization, as per agreement ratified by act of Congress approved February 23, 1877, \$1,000,000: *Provided, That this sum shall include transportation of supplies from the termination of railroad or steam-boat transportation; and in this service Indians shall be employed wherever practicable.*

The amendment was agreed to.

The next amendment was, in section 1, after line 734, to insert as a head-line, "Sioux, Medawakanton band;" in line 737, before the word "band," to strike out "Medwakanton" and insert "Medawakanton;" in line 743, after the word "lands," to strike out "and in making improvements thereon;" and in line 748, before the word "thousand," to strike out "two" and insert "one;" so as to make the clause read:

For the support of the full-blood Indians in Minnesota, belonging to the Medawakanton band of Sioux Indians, who have resided in said State since the 24th day of May, A. D. 1886, and severed their tribal relations, \$20,000, to be expended by the Secretary of the Interior in the purchase, in such manner as in his judgment he may deem best, of agricultural implements, cattle, horses, and lands: *Provided, That of this amount the Secretary, if he may deem it for the best interests of said Indians, may cause to be erected for the use of the said Indians at the most suitable location, a school-house, at a cost not exceeding \$1,000: And provided also, That he may appoint a suitable person to make the above-men-*

tioned expenditures under his direction, the expense of the same to be paid out of this appropriation.

The amendment was agreed to.

The next amendment was, under the head of "miscellaneous supports," in section 1, to strike out lines 817 and 818, as follows:

For subsistence and civilization of the Assinaboines in Montana, including pay of employes, \$30,000.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 819 to line 821, inclusive, as follows:

For support, education, and civilization of Blackfeet, Bloods, and Piegiens including pay of employes, \$70,000.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 854 to line 856, inclusive, as follows:

For support and civilization of the Gros Ventres in Montana, and for pay of employes, \$30,000.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 866 to line 875, inclusive, as follows:

Support of Indians of Fort Peck agency: For this amount, to be expended in such goods, provisions, and other useful articles as the President may, from time to time, determine, in instructing in agricultural and mechanical pursuits, providing employes, educating children, procuring medicine and medical attendance, care for and support of the aged, sick, and infirm, for the helpless orphans of said Indians, and in any respect to promote their civilization, comfort, and improvement, \$100,000.

The amendment was agreed to.

The next amendment was, in section 1, line 901, after the word "employes," to strike out "and material for houses, fifteen thousand," and insert "seven thousand five hundred;" so as to make the clause read:

For support and civilization of the Navajo Indians, including pay of employes, \$7,500.

The amendment was agreed to.

The next amendment was, in section 1, after line 902, to insert:

For continuing the work of constructing ditches and reservoirs for the Navajo Indians, and for the purchase, maintenance, and operation of a portable saw-mill for the use of said Indians, and for the purchase of nails and such other necessary materials as can not be obtained by the Indians for houses to be constructed by them, \$15,000, to be taken from the funds now in the Treasury belonging to said Indians.

The amendment was agreed to.

The next amendment was, in section 1, after line 921, to insert:

For support and education of the Seminole and Creek Indians in Florida, for the erection and furnishing of a school-house, for the employment of teachers, and for the purchase of seeds and agricultural implements and other necessary articles, \$6,000.

The amendment was agreed to.

The next amendment was, in section 1, line 45, after the word "dollars," to strike out:

The various amounts appropriated in this act for the support, maintenance, civilization, pay of employes, etc., of the Indians in Montana receiving rations at Fort Peck, Fort Belknap, and Blackfeet agencies, respectively, shall not be expended, provided the several agreements made with them by the agents of the United States in December, 1883, and January and February, 1887, be ratified by Congress. The first installment stipulated in said agreements to take the place of said appropriations.

The amendment was agreed to.

The next amendment was, in the appropriations for "general incidental expenses of the Indian service," in section 1, at the beginning of line 957, to strike out "general" and insert "incidental expenses of Indian service in Arizona: For general;" so as to make the clause read:

Incidental expenses of Indian service in Arizona: For general incidental expenses of Indian service, including traveling expenses of agents, in Arizona, \$4,000; for the support and civilization of Indians at the Colorado River, Pima, and Maricopa and Moquis Pueblo agencies, \$8,000; and pay of employes at same agencies, \$8,000; in all, \$20,000.

The amendment was agreed to.

The next amendment was, in section 1, line 970, after the word "carpenter," to insert "(for Hoopa Valley Agency);" so as to make the clause read:

Incidental expenses of Indian service in California: For general incidental expenses of the Indian service, including traveling expenses of agents, in California, and support and civilization of Indians at the Round Valley, Hoopa Valley, Tule River, and Mission agencies, \$18,000; and pay of employes, including one carpenter (for Hoopa Valley Agency), at same agencies, \$9,000; in all, \$27,000.

The amendment was agreed to.

The Secretary resumed and continued the reading of the bill to the end of the following paragraph, under the head of "Miscellaneous:"

To enable the Secretary of the Interior to employ practical farmers, in addition to the agency farmers now employed, at wages not exceeding \$75 each per month, to superintend and direct farming among such Indians as are making effort for self-support, \$50,000; and no person shall be employed as such farmer who has not been for at least five years previous to such employment practically engaged in the occupation of farming.

Mr. JONES, of Arkansas. I move to amend that paragraph by adding words which I offer with the approval of the committee.

The PRESIDENT *pro tempore*. It has been customary to go through with committee amendments first. The reading of the bill will proceed.

The Secretary resumed the reading of the bill. The next amend-

ment of the Committee on Appropriations was, in section 1, under the head of "Miscellaneous," to strike out lines 1041 and 1042, as follows:

For the payment of salaries of judges of Indian courts, \$5,000.

And in lieu thereof to insert:

For compensation of judges of Indian courts, at such rate as may be fixed from time to time by the Secretary of the Interior, \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in section 1, line 1063, after the word "severalty," to insert "in accordance with treaty stipulation;" and in line 1065, before the word "thousand," to strike out "twenty-five" and insert "ten;" so as to make the clause read:

For survey and subdivision of Indian reservations and of lands to be allotted to Indians, and to make allotments in severalty, in accordance with treaty stipulation, to be expended by the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1068, after the words "surveying and allotting Indian reservations (reimbursable)," to strike out the words:

For pay of special agents, and necessary expenses to carry out the provisions of section 3 of the act approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," \$35,000; \$10,000 of which sum shall be immediately available.

The amendment was agreed to.

The next amendment was, in section 1, after line 1076, to strike out:

For surveys and resurveys under the provisions of the act of Congress approved February 8, 1887, to be repaid proportionately out of the proceeds of the sales of such lands as may be acquired from the Indians under the provisions of said act, \$75,000; in all, \$100,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 1082, to insert:

To enable the President to complete the work already undertaken and commenced under the third section of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," including the delivery to the Indians entitled thereunder of the trust patents authorized under said act, \$10,000, to be immediately available.

Mr. DAWES. I move to amend that amendment by inserting, after the word "including," in line 1090, the words:

Necessary clerical work incident thereto in the field and in the office of Indian Affairs, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 1, after line 1092, to insert:

To enable the President to cause, under the provisions of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," such Indian reservations as in his judgment are advantageous for agricultural and grazing purposes to be surveyed or resurveyed for the purposes of said act, and to complete the allotment of the same and delivery of trust patents under said act, \$30,000. And no survey or resurvey shall be ordered or commenced upon any reservation unless the entire allotment upon such reservation and the delivery of trust patents therein can be completed under this appropriation.

Mr. DAWES. I offer from the committee an amendment to come in immediately after the word "same," in line 1102, as follows:

Including the necessary clerical work incident thereto in the field and in the office of Indian Affairs.

The amendment to the amendment was agreed to.

Mr. DAWES. Also after the word "patents," in the same line, I move to insert:

So far as allotments shall have been selected.

The amendment to the amendment was agreed to.

Mr. DAWES. In line 1105 I move to strike out the word "entire" and add the letter "s" to the word "allotment," so as to read "allotments;" so as to make the clause read:

And no survey or resurvey shall be ordered or commenced upon any reservation unless the allotments upon such reservation and the delivery of trust patents therein can be completed under this appropriation.

The amendment to the amendment was agreed to.

Mr. DAWES. After the word "reservation," in line 1105, I move to insert the words "so selected."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 1, after line 1107, to insert:

For this amount, to be expended under the direction of the Secretary of the Interior in aiding Indians who have taken land in severalty under the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," to establish themselves in homes thereon, to procure seed, farming implements, and other things necessary, in addition to means already provided by law or treaty, for the commencement of farming, \$30,000. The amounts provided for in the three preceding paragraphs shall be repaid to the Treasury proportionately out of the proceeds of the sales of such lands, if any, as may be ac-

quired from the Indians under the provisions of the aforesaid act. And a report in detail of the expenditures made to December 1 next, under the appropriations provided by said paragraphs, shall be made to Congress at the commencement of the next session.

The amendment was agreed to.

The next amendment was, in section 1, after line 1141, to insert:

To enable the Secretary of the Interior to pay Charles F. Larrabee for services rendered as disbursing officer of the commission appointed May 15, 1886, to negotiate with certain tribes and bands of Indians in Minnesota, by reason of which service he was required to give a bond and to incur extra responsibility, \$1,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 1148, to insert:

To pay Shirley C. Ward, of Los Angeles, Cal., for his services to date as special attorney for the Mission Indians of Southern California, under appointment by the Attorney-General, made at the request of the Secretary of the Interior, \$2,500.

The amendment was agreed to.

The next amendment was, in section 1, after line 1153, to insert:

For payment to Anna Adamson the equivalent of five months' salary as a teacher at the Indian school at the Mission Indian agency, California, \$300.

The amendment was agreed to.

The next amendment was, in section 1, after line 1156, to insert:

For this amount, to be paid to Wallace W. Rollins and Otis F. Presbrey, it being in full payment of the amount of their claim against the Eastern band of Cherokee Indians in North Carolina, found by the Court of Claims, in Departmental case No. 18, Senate Executive Document No. 158, Fiftieth Congress, first session, to be due them for services rendered under their contract of May 15, 1874, with same Indians, \$10,176.77.

The amendment was agreed to.

The next amendment was, in section 1, after line 1167, to insert:

For the construction of a bridge across the Big Wind River, on the Wind River Indian reservation, in the Territory of Wyoming, under the direction of the Secretary of the Interior, upon plans and specifications to be approved by him, \$10,000, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, in section 1, after line 1173, to insert:

To enable the Secretary of the Interior to purchase, upon such terms and conditions as he may deem just and proper, a tract of land at or in the vicinity of the Dalles of the Columbia River, in Oregon, of sufficient area and in such locality as to afford suitable facilities for the Indians of the Warm Springs reservation to take fish in said river, and to properly cure the same, said land to be held by the United States in trust for the use and benefit of said Indians, \$3,000, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, in section 1, after line 1183, to insert:

For the purpose of enabling the Secretary of the Interior to negotiate with the Cœur d'Alene tribe of Indians for the purchase and release by said tribe of such portions of its reservation as such tribe shall consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, \$2,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations "For support of schools," in section 1, to strike out the clause from line 1194 to line 1198, inclusive, as follows:

Support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, for construction and repair of school buildings, and for purchase of horses, cattle, sheep, goats, swine, and so forth, for schools, \$725,000.

And in lieu thereof to insert:

For support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, \$685,000; for the construction and repair of school buildings, \$55,000; and for purchase of horses, cattle, sheep, and swine for schools, \$10,000; in all, \$750,000: *Provided*, That the entire cost of any boarding-school building to be built from the moneys appropriated hereby, including furniture, shall not exceed \$10,000, and the entire cost of any day-school building to be so built shall not exceed \$6,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1216, after the word "Pennsylvania," to strike out "and for transportation of pupils to and from said school" and to insert "at not exceeding \$167 for each pupil;" so as to make the clause read:

For support of Indian industrial school at Carlisle, Pa., at not exceeding \$167 for each pupil, \$80,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1222, before the word "thousand," to strike out "fifteen" and insert "eighteen;" so as to make the clause read:

For the purpose of erecting, constructing, and completing additional school-rooms, according to plans and specifications to be approved by the Secretary of the Interior, \$18,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1224, after the word "all," at the close of the appropriations for the Indian industrial school at Carlisle, Pa., to strike out "ninety-six" and insert "ninety-nine;" so as to make the clause read:

In all, \$99,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1227, after the word "each," to strike out the semicolon and insert a comma; and, in line

1229, after the word "school," to insert "at \$1,500;" so as to make the clause read:

For support of Indian pupils, at \$175 per annum each, at Indian school at Chillico, Indian Territory (formerly near Arkansas City), and for pay of superintendent of said school, at \$1,500, \$32,125.

The amendment was agreed to.

The next amendment was, in section 1, line 1234, after the word "school," to insert "at \$1,500;" and in line 1236, after the word "Nebraska," to insert "not exceeding \$5,000 in all;" so as to make the clause read:

For support of Indian pupils, at \$175 per annum each, and for pay of superintendent of school, at \$1,500, at Genoa, Nebr.; heating apparatus, repairs, and erection of buildings at Indian school, Genoa, Nebr., not exceeding \$5,000; in all, \$36,250.

The amendment was agreed to.

The next amendment was, in section 1, after line 1238, to insert:

For support of Indian pupils, at \$175 per annum each, and for necessary repairs to building and fencing, and for pay of superintendent, at \$1,500, at the Indian school at Grand Junction, Colo., in addition to the sum authorized to be expended under the Ute agreement, approved June 15, 1889, from Ute interest money, \$10,000; and Indian pupils, other than children of Ute Indians, may be allowed in said school, in the discretion of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, in section 1, after line 1252, to insert:

To defray the expenses of transporting to and from the school at Hampton, Va., Indian pupils to be educated and supported thereat, without charge to the Government, \$1,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1261, after the word "school," to insert "at \$2,000;" so as to make the clause read:

For support and education of four hundred and fifty Indian pupils, at \$175 per annum each, necessary outbuildings, repairs, and fencing, at the Indian school at Lawrence, Kans., and for pay of superintendent of said school, at \$2,000, \$85,500.

The amendment was agreed to.

The next amendment was, in section 1, line 1266, after the word "necessary," to strike out:

And to secure additional and better water accommodations for the use of such school and the farm connected therewith, the further sum of \$4,000, or so much thereof as may be necessary; in all, \$97,000.

So as to make the clause read:

For the repair and improvement of the wagon-road leading from the city of Lawrence to such school, \$7,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in section 1, after line 1270, to insert—

For the purpose of securing additional and better water supply for the use of such school, the Secretary of the Interior is authorized to contract with the Lawrence Water Works Company for such supply for a period not exceeding five years, and for the payment on account thereof for the fiscal year 1889 the sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated; in all, \$94,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1290, after the word "sixty," to strike out "Indians, pupils," and insert "Indian pupils;" so as to make the clause read:

For support of sixty Indian pupils at White's Manual Labor Institute of Wabash, Ind., including transportation, \$10,020.

The amendment was agreed to.

The next amendment was, in section 1, line 1297, after the word "school," to insert "at \$1,500;" so as to make the clause read:

For support of two hundred Indian pupils at \$175 per annum each: necessary outbuildings, repairs, and fencing at the Indian school at Salem, Oregon (formerly Forest Grove School), and for pay of the superintendent of said school, at \$1,500, \$36,500.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 1318 to line 1321, inclusive, as follows:

For the support and education of Indian pupils of both sexes at day and industrial schools in Alaska, \$20,000; this to be expended under the supervision and control of the Bureau of Education.

Mr. HOAR. I think it will be interesting to the public, and especially to the persons engaged in the humane cause of Indian education, in which my friend and colleague has been so eminently a leader in this country for a good while, if he will make publicly the statement he has made to me in private, in regard to the purposes and the policy of his committee in reference to dealing with education in Alaska.

Mr. DAWES. The proposition to strike out this appropriation for Alaska did not arise in the committee from any disposition to limit the expenditures for the cause of education within that Territory; but it is very difficult to distinguish in Alaska those who go by the name of Indians, and those Aleuts and others who need education, and there has been from year to year an appropriation of \$20,000 or \$25,000 in the sundry civil bill for the purposes of education generally in Alaska, to be expended under the direction of the Bureau of Education.

In this bill there came from the other branch an appropriation of \$20,000 for Indian pupils in Alaska, to be expended under the supervision and control of the Bureau of Education, and not under the Bureau of Indian Affairs. It was thought best to put both the appropriations together under the control of the Bureau of Education and have them in the sundry civil bill. If the Senate should be willing to increase

not only this amount, but the aggregate of the two when that bill comes up, I do not think that the Committee on Appropriations would be misrepresented by a statement on my part that they would desire to see all the expenditure of money toward education in Alaska that can be usefully and profitably used in that line.

Mr. HOAR. Can my colleague state at this moment about the number of persons in Alaska of school age who require the aid and support of the Government for their education?

Mr. DAWES. I am unable to give the precise number of pupils, but there are several private schools supported by the Presbyterian church, and Mr. Sheldon Jackson is superintendent of those schools as well as superintendent of the expenditure of the Government money. They have, I should think, six or seven schools at different points in Alaska, but the precise number of pupils and the progress that has been made I am unable to state at this time.

Mr. HOAR. It seems rather out of place in this presence to say anything about Indian education upon a bill which is under the charge of my colleague; but I suppose it is well known to the Senate—it certainly is very well known to him—that the attention of humane and charitable persons throughout the country is now being especially called to the condition of things in the Territory of Alaska.

It has been growing in public interest for many years. It is undoubtedly true that the condition of things in that Territory is still a great reproach to the American nation. There are persons who are growing up and will grow up in barbarism, in one of the lowest and worst forms of barbarism, among the nations of those Northwestern regions. A tribe was brought over to our territory from British Columbia very recently who had been rescued from a very gross and horrible form of cannibalism to the glory of the missionary whose name, Duncan, is fresh in the memory of the public.

Now I believe, as I had the honor to say five or six years ago in regard to the general question of Indian education, that the expenditure for education in Alaska ought only to be limited by the amount that could be profitably employed. Of course the establishment of schools, the instruction and preparation of teachers, and the sentiment among the persons to be instructed must all be a matter of somewhat slow growth; and to hurry a vast expenditure of money before the time has come to make it would be a wasteful use of the purpose that persons who have Indian education at heart have in view.

But making allowance for that, it would be better for us to expend \$10,000,000 a year for the next ten years in taking every Indian child in this country of school age and giving him instruction in certainly the ordinary employments of civilization. Then you have had every Indian youth who has grown up under the influence of this education, and let them take care of themselves like others, and in the end we should save by an expenditure of this kind, to say nothing of Indian wars, in Indian support, more than it would cost. But of course an expenditure of that kind would be utterly wasteful if undertaken now, and I suppose the same principle applies to Alaska.

I hope the committee and the Senate will be prepared to adopt the advice which my colleague has suggested would be given by him; that is, to go as far in that direction as the limits of profitable expenditure for the present year.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The question is on the amendment of the Committee on Appropriations to strike out the clause.

Mr. BLAIR. The subject commented on by the Senators from Massachusetts is an important one. I am unaware that there is any accurate information as to the number of pupils in Alaska, but there must be not far from ten or eleven thousand there who are in need of the means of education, and who are without the opportunity of obtaining it except as it is furnished by the Government of the United States, not only with regard to money, but with regard to teachers themselves.

I have not observed the amount of the appropriation proposed in this bill, but always hitherto the amount has been too meager for the necessities, and I do not apprehend there is special danger that there will be any error in the direction of excess.

The number of Indians in the country, I believe, is not far from a quarter of a million, and the suggestion of the Senator from Massachusetts [Mr. HOAR] that an annual expenditure of \$10,000,000 of money for their industrial and other education, in fact for the purpose of subjecting them to the processes of civilization efficiently and for a comparatively brief period of time, would be true economy, is of course a proposition which can not be controverted, and it seems not startling to us when we contemplate the application of that amount of money to the rescue of the Indians from their present condition. We know we shall save money by doing it. We know the cost of Indian wars, and we know that the support we give the Indians in the future, even if the future should be only a time of peace, would cost us more than this proposed investment of the Senator from Massachusetts, and yet while we are thus reasonable and thus inclined to be conservatively benevolent and economically generous for our own sake and for their sakes in regard to a suggestion like this, we hesitate and we fail utterly as a Congress to meet the glaring and certainly a thousand-fold more pressing necessity arising from the fact that some six or seven millions

of our own race and of another race that is closer to us than the Indian are under equal necessity of national assistance.

I think that some of the benevolent feeling which we properly expend upon the Indian might properly be concentrated, or at least if not that feeling like feeling be concentrated upon our own flesh and blood.

I have a communication sent me by a prominent Indian woman who was a delegate to the recent convention of women held in this city, in which she writes from her standpoint. She is a descendant of a Mohawk chief. She writes me from her standpoint upon the Indian problem. I think there is so much of what she says that it would be worth while for Congress to consider, that I shall ask the Secretary to read her letter which I send to the desk.

The Chief Clerk read as follows:

KALAMAZOO, MICH., April 16, 1888.

I was requested, while in Washington attending the International Council of Women, to write in regard to the education of my people, what I thought of their past treatment, etc. First treat the Indians honorably, and truthfully do as you promise, and you will never have need to do more than that. The Indian problem will be forever solved. The Indians are not paupers. They have enough money in the Government to educate themselves. Why, then, this neglect to the rightful owners of the country? The Indian knows the white man to be untruthful. He has had nothing in return for all he has given but broken treaties from time immemorial. Roger Williams and Penn treated the Indians honorably, and in turn the Indians honored and loved them. What we want for our people is an education by vesting them with individual rights of property and have them live by their own labor. Individual rights are required to develop individual citizenship. It is nonsense to attempt Indian civilization by providing for the red men in tribal life. They must be located as individuals and families and made to feel the responsibility of distinctive efforts.

The presiding defects in your Indian policy are that you have merely established almshouses, where you have graduated helpless paupers. You changed the mode of the red man's existence, but you gave him nothing in place of what he had lost. He had hunted and fished for a living before you took him in hand. When game was exhausted in one section or the fishing gave out he sought another. You gave him a portion of land and told him he might traverse it at will, but over its boundaries he must not set his foot. You provided for his wants in a measure as compensation for prescribing his territory. Constant hunting, the encroachments of civilization, and a variety of causes soon left him no work. As one illustration, the water was so much raised at different lakes and rivers by the building of dams that the Indians could not catch any fish, their chief sustenance. Hundreds and thousands of Indians were wronged, deprived of their rights by the construction of those dams, since these dams, for reservoir purposes, were built at the headwaters of the Mississippi.

The Red Lake, Leach Lake, and Winnebagoish Indians have suffered every year by the loss of their fish, wild rice, and other crops. Indian history has been of similar character. It has been one of broken treaties. You have perpetually taken away privileges granted to the original people of this continent. You have condemned them because they could not grasp at once the idea of your civilization, and because they did not understand your condition to be more desirable than their own mode of life. You have regarded it a hopeless undertaking to make the Indian anything but a wild man of the forest. You have considered that his extermination was inevitable. Now, in Canada ever since 1857 or 1858 Parliament has been trying by various acts and amendments to enfranchise our Indians and gradually confer on them full rights of citizenship, but with such indifferent success that the efforts heretofore made may be said to have been entire failures. Why have these efforts failed? Simply because Parliament has, in every instance, begun at the wrong end. Every enfranchisement act in the past has made it a condition precedent for an Indian to obtain the right to vote that he should practically abandon his people, alienate them from himself, and destroy any influence he might have among them.

A change necessary: It is urged that only those Indians who thus become enfranchised should be given a vote and none other.

Surely nearly thirty years' experience of such a policy would in the future continue to be as barren of any good to the Indians as in the past. Our Indians in Canada, I respectfully submit, are as capable of exercising the right of franchise intelligently as are the majority of the farmers in that or any other country.

Qualifications of Indians: Let me briefly put before you the qualifications of some of these people with a right of franchise: Take first the Mohawks, of the Bay of Quinte reservation; Chief Samson Green has a farm near Deseronto, on which he resides, consisting of about 80 acres of land under cultivation. Chief Cornelius Maricle and the Lofts and others own a hundred acres apiece under good cultivation. These Indians are fairly educated and are intelligent, sober, industrious men. They are but types of scores of other Indians upon that reserve. If you go to the Grand River reservation you will find scores of Indians, such as the Garlows, Martins, Styers, Hills, Johnstons, and Smiths, that are equally intelligent, equally capable, and who are living each upon his farm in comfortable frame and brick houses, raising thousands of bushels of grain and farm produce each year, and thus adding to the wealth of the country.

Indians as rate-payers: These are the Indians that have been denied so long the right of franchise. Let it be clearly understood that both these reservations are surveyed and divided into farms of 100 acres each; that these farms are not held in common, but are regarded by the Indians as the individual property of the occupants thereof, just as much as if held in fee-simple, and that in this country some own over 50 acres, others 100, and still others 200 acres or more; that the Indians themselves maintain the roads and bridges; that at the Bay of Quinte reserve the Mohawks maintain three common schools on the reserve; that they themselves pay the stipend of their clergyman; that at the Grand River reserve there are some twelve or fourteen public schools, all taught by native teachers, and one industrial school, which are maintained in part by the Indians and in part by the New England Company. The six nations gave out of their own funds over a hundred thousand dollars to the Grand River Navigation Company; that they subscribed liberally to bridges built near their reservation, and in other ways have assisted to develop the country, and above all the Government does not contribute one cent for their support and maintenance. More than that, I believe some of the officers of the Indian Department at Ottawa are paid not out of the funds of the Government, but of the funds of the Indians themselves. In other words, these Indians are taxed to pay not only local and municipal charges, but also pay a part of the expenses in connection with the Government machinery at Ottawa. The Indians in Canada were given a vote for the first time in 1886. As far as I know at present all are prosperous.

The Indians of the United States are really in a deplorable condition. Why is this neglect to the rightful owners of the country? You as a nation have looked after the negro and in a measure redeemed some of the wrongs they have suffered. But the first people of the country have been driven from pillar to post, neglected. I ask you as a nation to at least give the Indians their rights to an education. I believe that Congress as a body wishes us no wrong, but

nevertheless great wrongs are done. Some of them never can be righted. One of the greatest wrongs is the introduction of the fire-water among my people. I appeal to you as a nation to see the Indians are educated. Send less theology among them and more true Christianity. If you understand the Indians right you would have no trouble with them. Send honest people if you have any among you. An Indian loves honor and truth, but despises deceit. Native teachers should be furnished their schools. There are a great many Indian teachers in Canada as well as the United States that ought to be employed. The Indians are perfectly capable to fill any position in life when educated. I believe all were satisfied in Washington whom I talked with that I at least, as an Indian, was capable of conversing with all whom I met there, and when I tell you when I was eight years of age I could not understand one word of English. My education was all received in Canada, but my travels and observation has been worth more to me. In a measure I have educated myself. Give the Indians a chance of an education and you will have reason to feel proud of them. You would have no more use for the United States troops that are held at the different agencies and of less expense to the Government. We have great reasons to be proud. We are Indians. We have never been known to manufacture alcoholic drinks to destroy body and soul; neither have we language to take God's name in vain.

Respectfully,

PRINCESS VIOGNA.

The amendment was agreed to.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, in section 1, after line 1329, to insert:

For the purpose of constructing and completing suitable school buildings for an Indian industrial school, to be located at some point in Ormsby County, in the State of Nevada, upon lands previously donated to the Government of not less than 200 acres in extent, and of such character and location as shall be deemed most suitable for the purpose by the Secretary of the Interior, upon plans and specifications to be approved by him, \$25,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 1347, to insert:

That in the expenditure of any money appropriated in this act for any of the purposes of education of Indian children, those children of Indians who have taken lands in severalty under any existing law shall not, by reason thereof, be excluded from the benefits of such appropriations.

The amendment was agreed to.

The next amendment was, in the appropriation for "interest on trust-fund stocks," in section 2, line 5, before the word "namely," to strike out "eighty-nine" and insert "eighty-eight;" so as to read:

Sec. 2. That for payment of interest on certain abstracted and non-paying State stocks belonging to the various Indian tribes, and held in trust by the Secretary of the Interior, for the year ending June 30, 1888, namely.

The amendment was agreed to.

The reading of the bill was continued to line 5 of section 8.

Mr. DAWES. In line 4 of section 8, before the word "education," I move to insert the word "practical" and to strike out the word "Indian" before the word "children;" so as to read:

That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of knowledge and experience in the management, training, and practical education of children, to be the superintendent of Indian schools.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 8, line 5, after the word "schools," to insert:

Who shall, from time to time, and as often as the nature of his duties will permit, visit the schools where Indians are taught, in whole or in part, by appropriations from the United States Treasury, and shall, from time to time, report to the Secretary of the Interior, what, in his judgment, are the defects, if any, in any of them in system, in administration, or in means for the most effective advancement of the children in them toward civilization and self-support; and what changes are needed to remedy such defects as may exist; and shall, subject to the approval of the Secretary of the Interior, employ and discharge superintendents, teachers, and any other person connected with such schools, and with such approval make such rules and regulations for the conduct of the schools as in his judgment the good of such schools may require. The Secretary of the Interior shall cause to be detailed from the employes of his Department such assistants and shall furnish such facilities as shall be necessary to carry out the foregoing provisions respecting said Indian schools.

So as to make the section read:

Sec. 8. That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of knowledge and experience in the management, training, and practical education of children, to be superintendent of Indian schools, who shall, from time to time, and as often as the nature of his duties will permit, visit the schools where Indians are taught, in whole or in part, by appropriations from the United States Treasury, and shall, from time to time, report to the Secretary of the Interior what, in his judgment, are the defects, if any, in any of them in system, in administration, or in means for the most effective advancement of the children in them toward civilization and self-support; and what changes are needed to remedy such defects as may exist; and shall, subject to the approval of the Secretary of the Interior, employ and discharge superintendents, teachers, and any other person connected with such schools, and with such approval make such rules and regulations for the conduct of the schools as in his judgment the good of such schools may require. The Secretary of the Interior shall cause to be detailed from the employes of his Department such assistants, and shall furnish such facilities as shall be necessary to carry out the foregoing provisions respecting said Indian schools.

Mr. PLUMB. Mr. President, it will be observed that this amendment takes the entire control of Indian schools away from the Commissioner of Indian Affairs, and vests it in a bureau officer having equal salary and dignity with the Commissioner, and of equal rank with all the other bureau officers of the Interior Department. The determination to do this has been manifested by a unanimous vote in both the Senate and the House of Representatives, the Senate having passed a bill for this special purpose, and the House committee having put it on this appropriation bill exactly as it passed the Senate, the remarkable feature

of it being that it was done, as it was required to be done, under the rules of the House by unanimous consent.

This provision in its general effect reflects the judgment not only of both Houses of Congress, but of those who have observed the management of the Indian Bureau under the present Administration as to what is absolutely necessary to be done. It is deemed absolutely necessary to take the control of the Indian schools from the Commissioner of Indian Affairs under whose administration the schools have not been kept up to the proper standard, and by whom the general and proper management of Indian affairs has been largely subordinated to a scuffle about patronage. The Indian Bureau is under the control as to essentials of subordinates than of the head of it, and therefore it seems to both Houses of Congress necessary to the public interest to take away as much as possible of its jurisdiction.

It is exceedingly important that the system to be employed in the education of Indian children is one of sufficient importance to call for its control by a thoroughly competent man, vigorous, intelligent, effective one, totally unlike the present Commissioner of Indian Affairs, who, although well meaning, amiable, and honest, by reason of his age and inexperience and general lack of vigor, has been unable to cope with even the responsible and widely extended duties of this position. This may be said without special discredit, for better men have failed in the same position.

It is proper to say in connection with this subject that many of the vices of the system of Indian education are inherent. They grow out of misunderstanding the requirements of the Indian. They grow, to some extent, out of the misguided efforts of philanthropic people. They grow out of the fact, too, that neither the people of the United States nor Congress representing the people have heretofore addressed themselves as thoroughly to the situation as they ought to have done.

I am entirely persuaded myself, and I am satisfied that the country will ultimately come to the same conclusion, that what is needed is not the segregation of the Indians from the whites, it is not gathering them on Indian reservations, but it is their dispersal at the earliest possible moment among and absorption in the great body of the people of the United States. The Indian can not, as a rule, maintain himself and keep up a condition of necessary progress upon a reservation even with the protection of the laws. The civilization by which he will be surrounded is aggressive, forceful, and to some extent rapacious. He can not maintain himself in contact with the whites while under the tribal relation, nor can he do so in a condition of severalty, as a rule, except with the result of a descent in the scale.

He is so situated and constituted that he will take, by that kind of contact, the vices and not the virtues of the whites. He needs the sustaining power of civilization, and he needs it applied to him as an individual and not in his tribal capacity, and he needs it, too, applied to him in such a way that he is not the subject of cupidity. Just as long as an Indian holds a considerable body of land there will be men around him who will seek to take advantage of him, and who in one way and another will accomplish that, who will get the control of his estate, who will get the control of his operations, and they will do that by pandering to his vices; and no amount of protection which the Government can throw around him will prevent it from being done.

The remedy is to take the Indians as far as possible away from their reservations; it is to scatter them among the people of the United States; it is to put them in positions where their qualifications, whatever they may be, will be not only recognized but they will be protected from the effect of their weaknesses.

I have insisted for many years, vainly however, that the proper plan for the education of the Indian youth was to give them the smallest portion of what might be called book learning, and the largest amount of that education which comes by contact—to put them out among good people in families, in places where whatever aptitude they had could be developed, for work upon farms and in shops, and by the helpful aid of those who would take an interest in them to strengthen and to aid them in learning self-support, realizing always that they have got to begin at a rather low plane; that it is not possible to take an Indian and by the mere process of school education put him upon the plane of the white people who have been generations in doing that which he is now expected to do in the course of a few years.

Mr. BLAIR. May I ask the Senator a question?

Mr. PLUMB. Certainly.

Mr. BLAIR. I should like to ask the Senator if, in this method of distributing the Indian children throughout the country, he contemplates the breaking up of the family relation for the time being, or would he not do this with children nearing maturity, when the child naturally leaves the parent and is made to mix with civilized people and a totally different life from that to which he was accustomed? If he would pursue the first course, what would he do with the common feelings of human nature, which are as powerful in the savage as in civilized man?

Mr. PLUMB. No education of this kind could be secured at once, nor can it be done according to any rule which will be equally practicable for all Indian youth. Some may be taken earlier and some later, but I would take the Indian children for the purpose of education as far as possible from their original surroundings. I would not

do unnecessary violence to the feeling of which the Senator has spoken, but taking the orphans, taking those whom their parents are willing to have go, taking them at an earlier age or later, as the case might be, and adapting what was done to the circumstances in each case, but acting upon the idea of getting them as far as practicable away from their reservations, away from savagery, and with the intention that they should not go back, if that could be reasonably prevented. One reason is because they find little or nothing to do in the time of their school acquisitions. Take Sioux Indians, for example. Suppose you should take even five hundred children from thence and educate them at Carlisle or elsewhere in the mechanic arts, and when they have learned all they can learn there is nothing on the Sioux reservation for them to do—

Mr. BLAIR. The Senator will allow me to ask, for he has had observation, do the children thus educated at Carlisle, at Hampton, and other schools in the East, cease to be possessed of a longing for home and a desire to return as they become civilized? Do they form an inclination to desert their ancestors and to settle down among the white inhabitants of the country, or is there a tendency among them to return to their old associations, and perhaps to their old style of life? How is that?

Mr. PLUMB. I have no doubt there is a longing on the part of many of them to go back to the wild state from which they came, and when they go back to the reservation (and that is the unfortunate part of it) they go back to savage habits; they go back to idleness, which is the accompaniment of savagery; they go back not to labor with their hands as a rule, not to set examples in farming and mechanical labor and so on, but they go back to be judges at horse races, to be jockeys, to exhibit themselves as smart enough to get along without labor, and they almost inevitably deteriorate from the apparent standard which their education had brought them to.

I am not speaking of that as reflecting upon the Indians. It is the result of the forcing process we are putting them through. We are asking of the Indian that he shall come from a system of savagery into the daylight of civilization which the white race has been centuries in accomplishing. The fiber which has come by hard labor, by generations of toil, is not theirs to exercise. I am thoroughly convinced myself that a large portion of the money we are now spending upon Indian education is not only idly spent, it is worse than that, it is viciously spent.

Mr. BLAIR. Would it improve the matter if these schools, instead of being located on the Atlantic, were located right upon the reservations and sustained there, and civilization introduced among the Indians so largely and so symmetrically as to be able to effect a lodgment there, to set an example there, so that industrial as well as ordinary instruction could be laid there on the spot among the Indians and held in mind by observing and by witnessing as well as by actual instruction in the schools? Would such a system benefit the matter?

Mr. PLUMB. Any system which educates them on the reservation, in my judgment, is a mistake; that is to say, which seeks to educate them as to anything else except for the performance of what might be called the duties and avocations of a pastoral existence.

Mr. BLAIR. What will holding in severalty do?

Mr. PLUMB. The Senator asks what will severalty do. Severalty will do this: If you can put them under conditions in which they will not be subjected to the opportunity of acquiring the vices of the whites—give them time, generation after generation following, to build up in an increasing scale to a better condition of things, no doubt; but the trouble is that we are not willing that they shall do that. We pay our money, and we want results at once. We want to take these Indians from their reservations and put them in a condition where the white boys and girls of the United States are. We are trying to do too much at once. We are not giving them instruction in that which is primary to them.

We educate at Carlisle, and no doubt well, so far as the mere education goes, the Indian children in the various trades. They learn to be blacksmiths, they learn to be harness-makers, they learn to be carpenters and wagon-makers, and so on; but there is no employment for them when they go back to the reservation, or a very limited employment on the reservations from which they came. The Indians are not the greatest consumers of wagons and harness, of the blacksmiths' work, and things of that kind. So the mechanics we educate at such great expense find little or nothing to do.

Mr. BLAIR. They do go back?

Mr. PLUMB. They go too much, following naturally the instinct which the Senator has spoken of, which I have no doubt is as strong in them as in anybody else, and they ought as far as possible to be weaned away from it.

The following provision is found in the bill on page 55:

For collecting and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them with the consent of their parents under the care and control of such suitable white families as may in all respects be qualified to give pupils moral, industrial, and educational training under arrangements in which their proper care, support, and education shall be in exchange for their labor, etc.

That was first inserted in the Indian appropriation bill many years ago upon my suggestion, but with the full and active concurrence of

the Senator from Massachusetts [Mr. DAWES]. He and I agreed in substance upon it, and if something of that kind had been carried out in a large way, if the people who are indulging in so much talk about the Indians, if the Indian Rights Association, which meets annually at Newport—if some of the philanthropy, which finds vent in high-sounding speeches about the injustice that has been done to the Indian, could be turned in the way of carrying into effect the idea embodied in this section—taking the Indian children from the reservations and placing them in good white families, surrounding them by influences which are not only wholesome, but which would lead them in the direction of self-support, they would find their place, not in the higher ranks of society, not perhaps in the politics of the country, but in avenues, modest enough, to be sure, but in which they could be useful and in which they would gradually build up, grow, develop, and become useful members of society. It is only by contact of that kind, by the supporting influence of a civilization which must not only surround them, but become interested in them, that the advance desired can be made—not that contact which they necessarily incur on the reservation.

Mr. BLAIR. The question whether we carry civilization to them or they come here and get it, and the relative expense and the results of the two systems, I think, is a matter of some consequence, and as the Senator knows about it, I wish to call his attention to the case of the civilized Indians in the Indian Territory. As far as I know the history of the process which brought them from savagery to very near our own civilization perhaps, it was one in which the missionary and the industrial and the civilized arts and civilization itself all went to the Indian, and they found him on the spot. They transformed him by long and persistent and systematic pressure and effort, finally, perhaps after generations of work, from what he was to what he is.

The PRESIDENT *pro tempore*. The Senator from New Hampshire will suspend. The Chair will receive a message from the President of the United States.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 2210) to revive the grade of General in the United States Army; and communicated a message in writing.

EXECUTIVE SESSION.

Mr. BLAIR. I suppose there may be a motion made to go into executive session.

Mr. HAWLEY. Probably the Senate is tolerably well aware of the nature of the communication just received from the President. I move that the Senate proceed to the consideration of executive business for a few moments.

The PRESIDENT *pro tempore*. The Senator from Connecticut moves 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 two minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11; that it had agreed to the twelfth amendment of the Senate to the bill with amendments, in which it requested the concurrence of the Senate; and that it also requested the concurrence of the Senate in an amendment to the title of the bill.

The message also announced that the House had receded from its disagreement to the amendment of the Senate to the bill (H. R. 4920) for the protection of the officials of the United States in the Indian Territory, and agreed to the same.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

- A bill (S. 1772) for the relief of John H. Marion;
- A bill (S. 2124) to authorize the removal of an obstruction to the navigation of Broad Creek, in the State of Delaware;
- A bill (S. 6946) for the relief of Thomas Jordan; and
- A bill (S. 8560) to establish a department of labor.

AMENDMENTS TO BILLS.

Mr. CALL 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.

He also submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1889, and for other purposes.

The PRESIDENT *pro tempore*. The Senator from New Hampshire [Mr. BLAIR] is entitled to the floor on the pending amendment.

Mr. BLAIR. The Senator from Kansas [Mr. PLUMB] has the floor. I was asking him a question.

The PRESIDENT *pro tempore*. The Chair understood the Senator from New Hampshire to be on the floor when the Senate proceeded to the consideration of executive business.

Mr. BLAIR. At the time of the interruption I was asking the Senator from Kansas with reference to his theory that the Indian youth should be scattered among the civilized people, trained in the arts of civilization, and discouraged at least in their tendency to return to their own people; that gradually the Indians should be scattered and diffused among the civilized portion of the inhabitants of the country. I ask him whether the illustration that we have of an opposite theory in the case of the civilization and transformation of the Choctaws, Cherokees, and others in the Indian Territory would not seem to perhaps suggest a different treatment of the Indian question from that which he has advocated? There the Indians were concentrated practically upon the reservations. Civilization, Christianity, schools, the arts and sciences were carried to them, planted there, and by direct, constant, and persistent pressure of these influences and the effect of these examples constantly before their eyes for a few generations, we find them transformed from what they were to what they now are. Does not the Senator think it would be perhaps better for us, if need be, to discontinue our present experiment as we have carried it on and locate the Hampton school and the Carlisle school, and all the civilizing influences which we are maintaining at so great expense for a comparatively few, who finally return and find just the same condition as that from which they were first taken, and very soon, submitting to the pressure of barbarism, return to it; would it not be better, I say, to carry these influences there, to build a permanent fire, a constantly shining light, in the hope that the same which has happened to the Choctaws and Cherokees would ultimately happen to the Sioux and other equally great and persistent races or tribes of men?

Mr. PLUMB. I think the picture which the Senator from New Hampshire has drawn of the Cherokees is far removed from the fact. It is true they were set off by themselves, and so with the Creeks, Chickasaws, and Seminoles; but the most of the whites who came in contact with them were religious men, inspired by the motive to build up, develop, and christianize them. They did not want the Indian lands, nor even to trade with them. The Indians were beyond the tide of emigration and settlement for a long time after their removal, and so beyond that ordinary and demoralizing contact which has been spoken of. In the next place they commenced their career in the Indian Territory upon a higher plane than that upon which almost any of the Indians, certainly any of the great tribes of Indians, now are. Those tribes were in a better condition to receive instructions, and to benefit by the Christian contact by which alone they were accompanied and surrounded.

Again, the example of the Cherokees and of the other tribes in the Indian Territory is not, on the whole, an encouraging one. There are some very talented men in all those tribes, but the mass of them are not in an encouraging condition. Certainly the Senator has read enough in the public prints to know that a condition of lawlessness, which is without parallel in any civilized country in the world, obtains in the Indian Territory.

Mr. BLAIR. I was not aware of it, except in No Man's Land. I think many of those civilized tribes, as we call them, have really efficient schools. I have heard them spoken of certainly as being excellent, and many of the graduates as comparing in intellectual accomplishments very well with some of their educated white brothers. It may be ignorance on my part, but it certainly was my impression that among the civilized tribes, as they are called, in the Indian Territory, there were a very large proportion of intelligent people, and civilized people owning property, administering the laws and preserving order. I certainly thought that to be so.

If the Senator will pardon me, I certainly have seen during the session every week newspapers coming from that country which administered to the Indian Committee of the House and of the Senate that sort of civilized blackguardism and castigation which is hardly surpassed by the most able performances in the metropolitan press of this country. I thought they were entitled to perhaps rank pretty well up with the educated press of the country.

Mr. PLUMB. As I have before said, the Indian gets the vices of the white men perfectly, and I have no doubt that would be equally true of the vices of intemperance and immoral speech, and so on.

Mr. DAWES. Since the Senator from New Hampshire was standing here putting these inquiries, there has come from the other House notice of the passage by the House of an act which went through here, the purpose of which was to meet a terrible condition of things down in the Indian Territory which existed nowhere else, where officers of

the law were shot at their doors, and the murderers have been going about the Territory in the face of what are called the law officers of the Territory and the courts of the Territory with perfect impunity, and it was found necessary to make a special enactment for the protection of the officers of the law in the performance of their duties.

Mr. BLAIR. Does the Senator think that is anything exceptional on this continent? Has he not read of what has occurred within a very short time—a few years ago—in the great city of Chicago? Does he not know of instances where not only officers of the law were assailed, but where officers of the law themselves assailed others?

Mr. DAWES. I speak of the excess of this great lawlessness down there, of the fact that there was no law of the Territory, that the Territory has utterly neglected not only to protect the officers of the law but to make it an offense or to enforce such laws as it had until Congress, against the general policy of leaving the Five Nations to govern themselves, has interfered with legislation to do in the Indian Territory what the five civilized tribes as they are called have wholly neglected to do.

Now, if the Senator will allow me a little further—

Mr. BLAIR. I was going to ask the Senator, while he is explaining this, if he would go a little further and let us understand what that condition of lawlessness is there. What officers are assailed? Whose fault is it? Who is being protected?

Mr. DAWES. Nothing is more interesting than the study of the history of those five tribes for the last fifty years. The fact that after having made some progress, and comparatively great progress, they have come not only to a standstill, but in many respects to retrograde, presents a study for the political philosopher of great interest.

According to the general judgment of those familiar with the condition of things in that Territory, it is not only discouraging, but it is a very unfortunate condition of things. They have made progress up to a certain limit. Left to themselves in the beginning, as the Senator from Kansas has said, with their lands secured to them, and out of the influences and the way of the white man, with Christian missionaries among them, they made great progress towards civilization; but in the mean time they have become surrounded with the white people pressing in upon them. White people have gone in. They hold their land by a tenure which renders enterprise, industry, energy, and forethought impossible. They go along in a quiet way, content to be let alone in the condition in which they are. They do not want any better condition of life, and, content with that, there come in upon them all the malign influences of their surroundings without any power within themselves to repel it.

My idea is that the heroic treatment with the Indian Territory is coming faster to be a necessity to save the good that has sprung up there under other good influences of the past, and to break up that crust which rests upon them and which they seem unable to break up themselves. There has got to be put over them a new government, a new holding of their lands. There are men in that Territory who realize that fact, and who would be glad, if they could, to divide up their common heritage into small holdings, the fee-simple in individuals, without which in my opinion a higher state of civilization than they have is impossible.

Mr. BLAIR. The Senator's remarks and those of the Senator from Kansas would seem to indicate that the Indian is to be inevitably exterminated by war or by peace if he is to remain in contact with the white man at all.

Mr. DAWES. No, Mr. President—

Mr. BLAIR. I will just show the Senator why I think so, and I should be very glad to be controverted in my opinion then.

We certainly do know that our contact with the Indian from the beginning, so long as the relation between the two races was, and whenever it has been, one of force or of hostility between the two, has resulted in his extermination; at all events it has resulted in his expulsion from the territory which he had previously occupied so far as the white man has come to occupy any of the territory of the continent. The two races do not live intermixed; they do not live upon adjoining pieces of land. The Indian inevitably disappears so far and so fast as the pioneer and the white man's civilization take possession of the country. War destroys him. That is certainly so.

On the other hand, we have tried the method of civilizing him, seeking to live with him in peace; and in order that we may live with him in peace, either he must transform us or we must transform him. We have undertaken by the influences of what we call civilization and religion to transform him and make his condition homogeneous with our own.

We placed the Choctaws, the Cherokees, and some other tribes in the Indian Territory; we gave them geographical boundaries which we promised not to trespass upon; we sent there the missionary; we sent there the school; we sent there the printing-press; we placed in their possession the implements of industry; we taught them how to use them; and created among them civilized communities. I supposed that they were doing on the whole very well, but it seems that when this condition of isolation in civilization among the Indians ceases, whenever the white man surrounds them, by reason of his badness their goodness disappears; and thus it comes to pass that as we inclose them with

a belt of civilization along this invisible geographical boundary which by our laws we respect or assume to respect, and the influences of what we call actual civilization find their way over that boundary and among the Indians, the Indians commence to retrograde. In other words, when the average white man, the higher orders of whom have improved him, goes there, unless our pioneers are below the average of white men (and I do not think they are, but rather above it than otherwise), when the average white man or the white man's civilization gets there, the Indian becomes a barbarian again, or worse, if the illustrations which the Senator is making are at all pertinent to the real problem that we are trying to consider.

So far as anything has been accomplished, however, it seems to have been done with the Indian by carrying to him where he is in a given community dominant in population and in general influence and not the white man—by carrying to him and locating in the spot where he is these civilizing influences and tendencies, the Christian teacher, the teacher of the arts and utilities of civilized life, and by his being instructed in those arts until he acquires a certain degree of civilization and gradually comes to improve; and so long as that state of things continues he proceeds to gradually find his way upward. We do not resort, we never have resorted to the method of disintegrating the human race and scattering the children away from home influences, from the natural instincts and the concentrating force of humanity, which is the theory of the Senator from Kansas, and which, when carried out by returning that civilized child to the home from which he emanated, still remaining under its barbarous influences, substantially the same as when he left home, very soon carries him back to the condition of degradation from which he started. So that amounts to nothing; that is a total failure; and the only good we have done we have accomplished by pursuing the other course, segregating these weaker specimens of humanity, these organized communities barbarous or savage in their condition, separating them from the influences, from the domination of the average white man's civilization, and in that isolated condition bringing to bear upon them the influences of civilization and the directly fructifying and transforming influences of what we call Christianity. That is the way we have done it, and so far as any good has been done it has been done that way, and thus the Indian is improving until the average civilization of the white man reaches him and then he commences to retrograde and be ruined again.

I think it is historically true that the improvement of these tribes continued until about the time of the war of the rebellion, and then the sudden destruction of all existing relations led perhaps to that demoralized condition in which these tribes appear to some extent to be now existing. But if we had left them as they were, if we had never approached them, if we had allowed them to be improving, strengthening, and elevating under the influences which were operating upon them and gradually transforming them, if we had allowed them thus to remain and to have improved, perhaps in a few generations more they would have become able to meet with and resist this rapacious Christian civilization which the Senator from Kansas has described to us. If that is not so, if the progress which has been demonstrated to produce some good effects is continued a sufficient length of time, it is not found to elevate to the point where they are capable of self-advance, then peace and Christianity are to exterminate them as well as war; and if that be so I ask what is the use of spending any more money on them? Why not abandon all these appropriations and this perplexity of legislation that we have every session of Congress for the benefit of the Indians? If the Indian is not worth saving and can not be saved, if nothing can be made out of him by either process, that suggested by the Senator from Kansas or that now being pursued under the policy which is being advocated by the chairman of the Committee on Indian Affairs, if both these policies ultimately are to fail, it seems to me the sooner we stop, the sooner we allow the savage either to destroy himself or to exist as a savage the better it is. There is no use whatever in any of these systems of education or improvement of the Indian if what we hear to-day be true.

Mr. PLUMB. The Senator will allow me to use an illustration for a moment. It seems to me that the plan which I suggest is one designed for the preservation, not the destruction, of the Indian. There is to-day a large preponderance of blacks in the State of Mississippi. They are a very large majority in some counties, forming almost the entire population of some counties. Some years ago an exodus took 40,000 of them to Kansas. That did not destroy those who went to Kansas because they were taken out of associations in which they had lived and been brought up. It took them out of those associations into others where they were not in a majority; where they were not the sole occupants of certain counties and subdivisions; but they were better off than they were before; they have advanced in civilization; they have increased in wealth and power, and to some extent in numbers by their deportation. The Indian himself might lose his tribal identity among the whites, but he would not thereby be lost as an individual; the Indian himself would be there; his blood would be there; he would intermarry; he would take his proper position in society; we should have whatever benefit would come of that contact, and he would have the benefit that grows out of the social contact and the support of civilization all around him, relieved, as I said before, of

the operation to some extent of the conflict going on now between him and the white people by whom he is surrounded.

Mr. BLAIR. That would be all very well if a like method should be pursued with the Indian that has been taken with the colored man where he had the opportunity, but the two methods of emigration are entirely different. The colored man goes to such place as he chooses; he has no tribal relation; he has been the subject of civilizing influences for lo, now, these two hundred and fifty years; and he is a very different being from the one who originally came from Africa. The illustration can hardly be held to be a pertinent one until the Indian has lived in civilized communities, until he has been first taken into civilized communities man by man by the destruction of those affinities of human nature to which I have alluded, taken as the colored man was, brought from Africa, when "men from England bought and sold him, paid his price in paltry gold," bought him as an individual and enslaved him, held him subject to the influences of civilization, it may be for purposes of gain or what not, yet in a manner that was overruled by Divine Providence so that at the end of two hundred and fifty years the colored man in the South as compared with the colored man of Africa or the savage of America is himself a civilized being; but they went as families, so at the present time it is a civilized man, it is a civilized family which is leaving one part of the country and finding a home somewhere else. The colored man in Kansas, who went there during the exodus, is a civilized man and is not a savage, and the cases are entirely lacking in parallelism.

But, Mr. President, I return to the point: If the savage is to be reclaimed by a process similar to that through which the negro passed and became what he is in this country, is it worth while for us to engage in what we are now doing? Is it of sufficient importance that we break up the tribal relation, not by giving them land to live on in severalty and teaching them the arts of civilization where they are and where their land is, but giving them title according to the rules of civilized life and civilized society to that land and to other property in the same way—is it, I say, worth while that we break up this human relation by scattering the individuals of which the family is composed, the human unit of which these races are composed, and taking them hundreds and thousands of miles from their existing location and affiliations? Is it a mercy to the Indian to do that when on the other hand we have seen the excellent results following from the original system which was introduced by the missionary and which worked well as long as we left the missionary and the Indian alone, and the good results of which omitted to appear when an unchristianized white civilization came in contact with them and introduced the elements of disorder and violence, to meet and overcome which we have just been passing the act to which the Senator from Massachusetts alludes? If, I say, we have an illustration of the good that another system can do, why not persevere in that policy and correct the evil results which have followed from our abandonment of it?

Give the Indian land; give him his inclosure; keep the white man away from him, as we have the power to do; give the Indian his land in severalty, if you please. The opportunity to maintain himself by hunting has disappeared with the buffalo and with the occupation of the greater portion of the territory where his hunting grounds were located. I say give him his territory; give him his land in severalty; give him that structure or organization of law which is necessary in civilized life; give him Christianity; give him schools and locate them where he is. Why not continue the process which we have seen so illustrated in other tribes among those which are working to us; and why not remove the pressure of the bad influences which we have cast among the Choctaws and Cherokees? Doing this there would be some sense in spending our money. If in order to do this it is necessary to withdraw the appropriations of the Government and to allow the missionaries private benevolence and those private influences which distribute and disseminate Christianity among the heathen and the lower orders—I mean if in order to do it successfully it is necessary that the Government shall stay its hand only so far as it gives them protection within the borders where they live, let it be done. But to introduce a system of disintegration, of destruction, and to undertake to justify this by saying that the opposite system which succeeded for two generations has proved a failure in the present day, I think must be an error.

I am very doubtful whether we do much for the Indian in the way we are now pursuing. We are certainly supporting him when he ought to support himself, and when, if the necessity were upon him, he would support himself, for the Indian will never starve rather than work. Nothing but the actual necessity of providing for his own wants makes the white man, or the colored man, or any man, exert himself. Make him work, and thus gradually civilize and elevate him. When we place upon the Indian and fasten upon him, and keep there, the necessity of individual exertion to avoid the pangs of hunger and to secure the prolongation of his life, when we compel him to submit to the same necessity that the white man submits to, then he will learn the art of labor and of civilization and get that best primary form of education which should precede and must precede that which is to be found even in the primary school.

I had not expected to say anything about this matter and have talked more to get information than to impart it, and having obtained a good deal from the mouths of the organ of the committee and the Senator from Kansas, I shall sit down instructed by what I have heard.

Mr. DAWES. Mr. President, I do not want to protract this debate, and will not undertake to intrude upon the Senate any new solution of the Indian problem. I have found in the few years I have been here, about once a week all the time there comes out some new solution of the Indian problem. There is some good in every one of these solutions and there is a great deal that is impracticable in most of them. It has been my observation that those who have the most to do with the Indian have the least to say about the solution of the problem, and they say the least about it the more they have considered the question.

I do not quite understand the Senator from New Hampshire. For part of the time the Senator seems to be advocating the idea of going back to the old method of gathering the Indians together away from the white man and letting them alone, keeping them away from the white man, and he closed up by urging upon us the necessity of—

Mr. BLAIR. The Senator will allow me to say—

Mr. DAWES. Wait until I tell you what the last idea was.

One idea was to keep things as they have been and as they have been going on so gloriously down in the Indian Territory, without free contact with the white man—nothing to do with him; and the other, the last one, was to take the Indian and force him to work, teach him the necessity of work, and show him how to support himself and how he had got to support himself. Those two things can not go together. You have got to take him away from his isolation; you have got to take him and put him among white men to show him how they work and live. Now the Senator says that one thing is certain, that the Indian is to be exterminated either by Christian influences or by some other.

Mr. BLAIR. I say that is so upon the theory of some gentlemen, but I do not agree to it.

Mr. DAWES. Upon any theory it is absolutely certain that the Indian as an Indian is to disappear from this country, for this reason: The Indian as an Indian can not live here any more. The climatic changes have not wrought more effectually upon the character of animal and vegetable life the necessity of an absolute change than the conditions of life in this country since we came here have made it absolutely impossible for the Indian of the past, the Indian as an Indian, to live here in this country. The Indian of our fathers with this vast continent to roam over, dominant, powerful, the rulers of the continent, can not live here because there is no condition in which they can longer exist.

The Indian who lived by the chase, who lived by what he could find of live game in the country, and in no other way, can not live here now because the game has disappeared. The Indian of the reservation can not live here, he can not be here in this crowded country of ours, with the white civilization gathering in around him on all sides and pressing in upon him. The Indian of the reservation can live here no longer. The Indian as an Indian can find no place on this continent. The race will continue here. Statistics show that the race instead of diminishing in the last twenty-five or thirty years is increasing and multiplying in numbers on our hands; and when all the conditions of the past have disappeared a new condition comes, and he must live here under one of two conditions—in his old character or in a new character. If in his passed character, it is that of a savage tramp, with no knowledge of work, with no disposition to work, with no means of self-support, with no heritage upon which to live, no habitation in which to dwell, and he becomes of necessity and the conditions of the life he lives are those of a thriftless wanderer, gathering his food and sustenance as best he may, with the same character he had when he had the whole country to roam over. Or he must live under a changed character; he must be made a self-supporting citizen of the United States, or he will certainly be a vagabond with the instincts of a savage.

That is the alternative as an absolute necessity. You can not continue the old condition of things in the Indian Territory, I will say to my friend from New Hampshire; that is impossible. Those who have solutions for the Indian question almost as "thick as autumnal leaves in Vallombrosa," forget that conditions make character; conditions determine what is to be done with the Indian, the white man, the negro, and all civilized and uncivilized life around us. All these forces combine to make this country what it is and what it is to be, involve in their sweep the two hundred and fifty or three hundred thousand Indians here along with sixty million white people, and we are going on in one common destiny to one common end of good or ill. They go together.

Now I will say a few words about what my friend from Kansas has said. There was a poor, unfortunate Indian at the school at Hampton so disappointed with the life there that he could not stay there, and after having been there a couple of years he ran away from school and went off back to his tribe. The next thing heard of him he was a jockey at a horse-race; and he has done more service since then; he has turned up in every discussion of the Indian problem since then that I have heard of everywhere as the result of education at Hampton and Carlisle. Now the Carlisle school is not responsible for that. The

Carlisle school is not constructed on the principle of educating Indians and sending them back. The theory of Captain Pratt to do just what the Senator from Kansas thinks ought to be done—

Mr. PLUMB. Captain Pratt is somewhat enamored of that idea. He got that, perhaps, from the Senator from Massachusetts and myself very largely. Certainly the practice at Carlisle in that respect has changed very much in the last two years. Prior to that time the other theory was carried out there.

Mr. DAWES. Captain Pratt has between five and seven hundred pupils under him, two hundred of whom he has scattered among the farmers of Pennsylvania at work at day labor, respectable employes of the farmers of Pennsylvania, and he is distributing his scholars as fast as he can. He does not believe in sending them back. He believes just as the Senator from Kansas does, that the best way is to absorb them in the civilization of this country. General Armstrong believes that he can do with his pupils a great deal by sending them back onto the reservations, and they go back to the reservations and the history of every one that has gone from that school back to the reservations is kept. The record is kept as faithfully and clearly as the record and history of the family of the Senator from New Hampshire or my own. There can be shown that out of the whole of them scarcely 10 per cent. who have gone back among their people have failed to come up to the anticipations and hopes and promises with which they went out among their people, and that under the very treatment alluded to by the Senator from Kansas.

They are made harness-makers, they are made blacksmiths, and they have been taught all manner of trades, and then they are sent off among their people to seek employment themselves. But while the treaties and while the statutes of the United States require every Indian agent to employ Indians in all the service upon the reservations, yet right in the face of it Indian agents have employed white people, and these young Indians who come from the schools have to find employment as best they can. They go out among their people and white men are doing what they are taught to do and they can not get employment, and so they have a hard time of it. They have not only the discouragement of young men and young women seeking employment, but they have to withstand all the adverse influences of their tribe, and they go about like young white men who get through with their education, seeking employment.

Many a poor white boy, I know, has sought in vain for employment and has gone to the bad in consequence of all these influences against him. There are not 10 per cent. of these Indian youth that have gone to the bad.

The Senator from Alabama [Mr. MORGAN] and the Senator from Minnesota in front of me [Mr. DAVIS] and myself were upon a reservation last fall where we made a stipulation in our treaty that all the work done upon that reservation should be done by Indians, and yet all the employes almost without exception were white men, and there were educated Indians of the Chippewa race and others educated at the schools, the training-school in the very State of Minnesota, within 80 or 90 miles of there, and yet the lack—and that is all I desire to call it—the lack of intuition on the part of those who manage the Indian there, the lack of that knowledge of the necessity to take by the hand these young Indians and lead them along, help them, has led to the employment of white men to do that which Indians could do. But all I desire to say is that nothing is left for us, nothing confronts us in this Indian question but the alternative between making the Indian a self-supporting citizen of the United States and a vagabond savage tramp, and we can take our choice.

Mr. BLAIR. Mr. President, I hardly know how to regard the Senator from Massachusetts in his effort at frequent and, as I thought, trifling personal allusion to those who have solutions for the Indian question. I do not know whether he deems that we are to go on year after year appropriating money by the million and no man ever ask a question or intimate a question, or whether the Indian problem is one for which we are continually to furnish money without asking those under whose direction we make these contributions occasionally to give us even an opinion on the subject. I do not think he could have had that idea, and therefore I presume I trespass not at all on any propriety of this Chamber in trying to find out something about the theory upon which we are spending our millions and either killing or curing the savage, one of the two.

So much for that part of the subject. Now, I am still forced to the conclusion by what the Senator says and fails to say, and by what the Senator from Kansas says and does not say, that the civilized tribes in their existence are a demonstration of the fact that the only way in which we can expect to accomplish good for this Indian population is to carry the good to the Indian population, is to oblige the Indian to acquire the knowledge that is wanted, and that it is not necessary that we expend our millions to break up the ties of humanity, to take the young boys and girls from their fathers and their mothers and distribute them among another, an alien, a hostile race, a race where, if they live at all, they live by ignoring and destroying the affiliations of childhood and youth.

I think the case of the civilized tribes is a demonstration that the true road to success is by carrying the principles of Christianity and

the influence of the gospel and of civilization that the white man has attained after the two thousand years he has lived under the golden rule and the doctrine of the atonement and of Christianity, by carrying to them where they are, just as they were brought to our fathers who were savages but very little better than the Indians—by carrying to them the same influences as have made the difference between us and them, and applying them where the difficulty is, just as they were applied to us by the early missionaries, just as St. Patrick went to Ireland and just as St. Augustine and others carried the Christian religion to the pagans and the savages who surrounded them.

The fact that in these later years these five partially civilized tribes have retrograded, if you please, that violence has broken out among them, that it has been necessary to enact the law to which allusion has been made, the fact that this present condition has supervened upon the progress which they were making is not a fact from which the conclusion can logically be drawn which has been drawn that it is impossible to civilize the Indian where he is by carrying the medicine where the disease itself exists and locating it where its action is needed. But it seems that, ignoring and in hostility to these influences and this good which was gradually being wrought out, we have surrounded them by the adverse influences of our own civilization; we have obstructed the gradual improvement that was going on, and we have presented to them Christianity intermixed with the remnants of savagery still lingering in our civilization. That is the difficulty. We have only to remove that difficulty and give the other theory which was formerly acted on by the missionaries full force and scope in order to produce to its full extent the result of elevation and advancement which is desired.

The Senator says that the percentage as shown is that at least 90 out of every 100 of the Indians educated at Hampton and who have been sent back to the tribes from which they came have maintained themselves in the condition of elevation and improvement which they acquired here in the Eastern schools. I doubt not that that is so and that it is true all over, and that if the white man was not allowed to go in among the Indians and compete for labor and practically exclude this Indian child after we have educated him from the opportunity of improving those who are around him by the exercise of the improved powers we have given him—if, I say, the white man did not go there and strike down the good which had been accomplished by these schools, we should find the tribes of Indians in other parts of the country improving and following after the model of what we call the civilized tribes up to the time when these adverse influences fell upon them by the rapacity of our civilization.

Now, I ask the Senator this question, why, if educating an Indian boy on the coast of the Atlantic in the arts of civilization and sending him back to the tribe from which he came is a good thing, and if the theory is carried out will result in the improvement of his tribe, why precisely the same effect would not be accomplished by locating the school where the tribe already is? If Hampton was in the middle of the Sioux reservation, if Carlisle was in the middle of the Sioux reservation, does anybody believe that the excellence of its influences would be lost upon the Indian tribes surrounding it? On the contrary, it seems to me it must be in comparison to what is now accomplished like the light of the sun in heaven burning and illuminating right where the darkness itself is. Carry light where the darkness is, and in my opinion the uplifting of the Indian tribes would be a matter of comparatively little expense.

I do not believe that there is so much difference in the different races of men. As to the Anglo-Saxon race, of which we are so proud and consider the highest form of civilization, I believe if when our ancestors were pirates they had been subjected to the influences which the Indian now suffers under, they would have been extirpated and destroyed. But Christianity took possession of the pirate—took him where it found him—improved the pirate's character, his whole character—elevated the whole character, and the Anglo-Saxon race of the present is the result. Those conditions came by carrying the elements of Christianity to those who were to be improved and changed by them.

The proposition of the Senator is simply saying that the savage can not be a savage after he is civilized; that under civilizing influences his condition must change. He can not live permanently a savage under the influences of civilization. Of course he can not. All that we are doing is undertaking to carry to him these new conditions, and it is a mere question whether we are to bring here the Indian's child and educate him and have him carry back civilization by the spoonful or by the peck measure, or whether we are to locate the school where the Indian is, in that fruitful soil, and develop and illuminate and civilize him by the wholesale. That is all there is in this.

For my own part I am willing to vote these appropriations, and I am anxious to see them applied in both ways. I believe that the Carlisle school is a great blessing, that the Hampton school is a great blessing, and that they are doing great things for the Indians to-day. But we are doing them in a small way, and while they accomplish what they can it will be well for us to locate like institutions devoted especially on the spot to the accomplishment of the great work in which they are engaged under great disadvantages.

Mr. CALL. Mr. President, some question has been raised as to the conduct of the Indian Bureau under this Administration. I do not

know of any administration of which it can be said that the conduct of Indian affairs has been less subject to unfavorable criticism. It has been more successful than under any previous administrations, as I read the report of the Commissioner.

A more conscientious administration, in reference to its duties, and a more successful one in obtaining the results looked for has not recently obtained. No doubt the head of the bureau has had the usual difficulties which attend this subject, but on the whole his administration has been eminently successful—honest and clean-handed. The proofs of this will be found in the official reports. The school at Carlisle, under Captain Pratt, continues to be an eminent success. The schools on the reservations and elsewhere are doing as well as, if not better than, at any former period. I am a friend of the education of the Indian, as I am of all the people; and I have confidence that, under a proper system, the Indian and every other people may be civilized and made submissive to and conversant with all the humanizing arts and influences of our civilization; and I believe the Commissioner of Indian Affairs has been sincerely desirous of bringing this result into practical and successful effect.

Having said this much, which I think is due in vindication of the Commissioner and his administration of Indian affairs, I wish to say that I am opposed to the change which the bill makes in removing the charge of Indian education from the Commissioner. I have heard of no ground upon which reasonably it can be assumed that an independent superintendent of education to be subject alone to the Secretary of the Interior, and that in a somewhat doubtful manner to be entirely exempt from the control or supervision of the Commissioner of Indian Affairs is a proper arrangement.

It will cause a divided authority over the same subject-matter and over the same people. An Indian agent and the Commissioner of Indian Affairs have comparatively little to do except in the matter of education of one kind or another. The education of the Indian is practical education. His subsistence and their protection in the rights given by the Government compose the agent's whole duty, and the larger part is the educational part. If there is any force in the idea that the education of the Indian should be regarded as of supreme importance and that a special jurisdiction should supervise the conduct of inferior agents and teachers, that may be very well, but that does not import that it should be independent of the agent, or the agent independent of the Commissioner, or the superintendent of education independent of the Commissioner.

Either the superintendent should be the Commissioner or the Commissioner the superintendent, and if you wish to have a general superintendent he should be inferior to the Commissioner of Indian Affairs. He should be so placed and subordinated directly to the control of one chief, one head. If there be at any time some administrator of Indian affairs who is inefficient, who is incapable, that does not prove that the system is wrong. It simply means that you have the wrong incumbent of the office, and that he should be removed. But the idea is a correct one of responsibility in one head and with one person charged with a single discretion to carry out the law and execute the policy declared by the laws.

I venture the opinion here, and withhold my vote from this amendment to this bill, that there can be no good effect resulting from a divided jurisdiction over the same subject-matter and the same people, and for that reason I am opposed to this provision of the bill. The education of the Indian in the practical business of life, in the arts and handicrafts which will make him self-supporting, is all-important. Much has been done and is now being done in this direction, but I think the change made by this bill will not have a beneficial effect, and I shall vote against it.

Mr. PLUMB. I move to amend the amendment by striking out the word "such," in line 16 of section 8, before the word "schools," and inserting after the word "schools" the words "wholly supported by the Government."

The PRESIDENT *pro tempore*. The proposed amendment to the amendment will be stated.

Mr. BATE. Before that is read I wish to say that I was out of the Senate Chamber when the Senator from Kansas began his remarks, and I understood from the Senator from Florida, who has just spoken, that the Senator from Kansas [Mr. PLUMB] made, during my absence, some comments on the Commissioner of Indian Affairs, General Atkins. He is my constituent, and I have known him during our lives. I have known him personally, officially, and comparatively; I know the reputation which he bears among the people whom I represent. I think that any reflections sought to be made upon him, or his administration, in the Senate, are without foundation.

I do not know whether my impression is correct; but if I understand correctly the statement of the Senator from Kansas, it was that the Indian schools were not kept up to that high standard under his administration that they ought to be. I have read the official reports from that bureau; I have had somewhat to do with this Department as its friend and as a Senator.

I have not, however, been a member of the committee to which such matters are referred, and therefore am not so familiar with the details of its management as otherwise I should have been; but from what I

have been enabled to learn from the reports of that bureau and other sources I am persuaded that the administration of the educational feature is up to the highest standard of such schools, and has been so kept during his administration, and his will compare favorably with any previous administration of Indian affairs.

No one knows better than the Senator from Kansas that there is much to embarrass and criticize in the conduct of the Indian Bureau, and has been for half a century; and yet I repeat that during no administration has it attained a higher degree of excellence than it has under that which now has charge of it, and every dollar which has been appropriated to it has gone through the proper channels and has been put to the best and most efficient purposes and uses that possibly could have been under the circumstances.

I understand further that the Senator said that the management of Indian affairs has been subordinated to patronage, carrying the implication that the Commissioner has used it perhaps for either a party or a personal purpose. That I deny, and I say that in the dispensation of that patronage the Commissioner has not only shown a liberality towards his opponents, but he has shown a justice and a discrimination that is praiseworthy. You may take the State of Kansas, if you please, that the gentleman well represents on this floor, and take the State that the Commissioner himself is from, the State of Tennessee, and compare the numbers and the character of those who have been the recipients of his patronage, and you will find that there can be no cause of complaint whatever. If I understand it, there have been two to one, or more, who have been appointed from Kansas to these school positions than from the State of Tennessee.

Furthermore, if the Senator means that Commissioner Atkins has exercised a partiality for Democrats in making appointments, I say amen. I am one of those who believe that when a party is in power it has a right to gather around it its friends and those who sympathize with it politically. If the Commissioner of Indian Affairs has done this, if that is what the Senator means by the exercise of patronage, I approve it. I say that when a vacancy occurs in the bureau he has charge of, and he is the appointing power, it is then for him to exercise the discretion and say whether he will appoint a man who reflects his own political sentiments, or go elsewhere and select an antagonist as his subaltern officer. I think prudence would dictate that the Commissioner should, in a bureau where money is to be handled, bonds given, and the delicacy of official relationship has to be observed, the intercourse must needs be confidential, he should call around him men of his own political convictions. If that be the intimation, then I, for one, approve it, and say to my constituent, well done. I have no cause of criticism for that; neither have I fear for the consequences of such.

The other point made, as I understand, is that his subordinates seem to be running the bureau. That has been so successfully answered by the Senator from Florida [Mr. CALL] who has just taken his seat, that I feel that I am not called upon to say anything in regard to it. But who does not know when there is an office with machinery like the Indian Bureau, perhaps more embarrassing than in any other bureau in this Government, that the Commissioner is forced to rely on those who are his subordinates?

They are away, many of them, a great distance; there are but few of them in his office, where he can give personal supervision; but he has to rely on the character of the men and must appoint them on their reputations and characters as shown to him. That he may have made some bad appointments I do not deny; I know, however, instances where he has certainly removed agents, although they were appointed on the recommendation of his own political party, and members of that party, because they did not work the machinery as he desired and in the most efficient manner for the interest of the Government. Knowing that, I conclude, and I have a right to do so, I think, legitimately, that this Commissioner has exercised discretion and good faith in his appointments and in the conduct of his office.

He is a man who has held himself without criticism for thirty years, honored and trusted by his people. No judgment should be passed upon him unless the facts are given to sustain it before the country. Therefore I am here to defend in this way Commissioner Atkins. He may have committed errors in some respects. But who does not? He has done well, and no antecedents in that bureau have done better than Commissioner Atkins, and I doubt whether any one who will follow him, with the same embarrassments, will do better.

I felt, Mr. President, that this much was due to my constituent and the honorable reputation that he bears as to the conduct of his office so far as I have been able to learn it. I trust that if there are any things the Senator from Kansas knows that ought to be exposed, it will be done. I will not shrink from meeting them, and I believe that there is a full answer to any charge that can be made against him. If there is anything that ought to be known, let it come. He does not want to screen himself; he is open as day, and he is willing and ready to meet anything that may be said against him or his administration, and I court any investigation that may be desired.

As for comparison, whether the bureau is better managed now than it was formerly, that is a question of opinion which may be biased by the political sentiment of critics. For him, however, I have to say that he is honest, honorable, pure, and his reputation always has been or

that character, and I think he has conducted the bureau in a manner that will be approved by the people of this country in a way honorable to himself, and just and economical, and to the interests of the country.

Mr. PLUMB. The statement made by the Senator from Tennessee, to the effect that whoever succeeded the present Commissioner of Pensions would not do any better than the present incumbent himself, brings up a question that I do not now care to go into very deeply. With the material the President has at his disposal for such appointments, it may be he can do no better. The Senator knows better than I whether the Democratic party contains any one more fitted for the performance of the duties of Commissioner of Indian Affairs than the person now occupying that office. I will not go into that phase of the question.

Mr. BATE. It is certain that the Republican party did not furnish a better man.

Mr. PLUMB. I indorse all the Senator has said about the propriety of Democrats being appointed to office under a Democratic administration of the Indian Office as well as in all the other Departments of the Government. I am even willing that that which has never before occurred in the history of the Government, that politics be made the test of the appointment of Indian traders, still shall be continued so long as this administration lasts. I do not object to that. I do not know how many appointments there may be in the Indian Bureau from the State of Kansas. I am entirely free from knowledge on that subject. I can only recall one, but there may be a thousand for aught I know, and it may be, as the Senator says, that they are not up to the standard of those who have been appointed from the State of Tennessee. If that is one way of casting mud at the Democracy of Kansas, I do not know that I feel called on to defend them. I only regret that if they are not equal to the small remnant of unappointed Democrats to be found in Tennessee that the Commissioner did not ignore Kansas entirely and appoint all the employes from Tennessee. That certainly would seem to be the proper thing for the civil service, to take the best men who can be found, whether found in Kansas, Tennessee, or elsewhere. And if, as the Senator seems to intimate, the appointments from Kansas have not been up to the standard of those made from Tennessee, all, of course, being Democrats, I think there has been a very great mistake made and the quantum from Kansas ought to be displaced by appointments from Tennessee.

Mr. BATE. The Senator knows that I have said nothing in disparagement of those appointed from Kansas. Of course, I do not personally know the character or even the politics of the appointees, but I only stated the fact that if the Senator will look over the record he will find that more than twice as many have been appointed from his State, whether Democrats or Republicans I do not know, as from mine; and Mr. Atkins being a Democrat, he certainly should have appointed Democrats. If he did not, I say he should have done so. I have no reflection to make on the character of the men appointed who are constituents of the Senator from Kansas. I know nothing about them, but I do believe if General Atkins appointed men from that State he certainly appointed Democrats who were qualified and just as good as any who belong to the opposite party.

Mr. PLUMB. The Senator is shifting the issue a little. I supposed it was a question of quality, and now it seems to be a question of quantity.

Mr. BATE. I do not think it has always heretofore been regarded as a question of quality. As nothing has been heard of Indian traderships during his administration must be an improvement.

Mr. PLUMB. If the Senator from Tennessee means to intimate now, as it seems he does, that the President or the Commissioner of Indian Affairs has been able to find more qualified persons in the Democratic party in Kansas for office than he has been able to find in the State of Tennessee and other Democratic States, then he ministers to my State pride. But the Senator entirely mistakes my opinion upon this question if he supposes I complain about the character or locality of appointments under this Administration. I am like the Senator in wishing the Administration to have its own. I can illustrate my position more perfectly by relating an actual occurrence. A Democrat was appointed to a post-office in Kansas. A fellow-Democrat living in his town wrote to me to say that the appointee was not only a gambler, but had been convicted of gambling in the police court of the town; that he was not only a drunkard, but had been convicted of drunkenness in public, and he wanted to know if I, a Republican Senator, was going to vote to confirm such a man. My answer was that I did not know anything about the material the President had to work with in that section of the State. He was better qualified, certainly, to determine the qualifications, relative and actual, of the Democracy of the town in which this man had been appointed postmaster than I was, and I was bound to presume he had done the very best he could under the circumstances, and that I was so willing that the Democrats should have all the offices that I would give to even such an appointment as was under consideration the benefit of a belief that the President could do no better and vote for the confirmation.

So the Senator can get up no issue with me on this point. When I spoke of patronage I alluded to the necessary absorption by the Com-

missioner in the removal of Republican office-holders and Indian traders and their substitution by active Democrats. This duty was so much the most important that the Commissioner has not had time to attend to the ordinary duties of administration in his office. The brokerage in traderships, with headquarters in a Southern State, has been a very absorbing subject for the Commissioner.

Mr. President, I alluded to the schools because I found that the House of Representatives, Democratic in composition, unanimously agreed that they ought to be taken out from under the supervision of the Commissioner of Indian Affairs, where they have been from the beginning, and that in that they agreed with the Senate, and in neither body has there been a single dissent from the proposition to take away from the Commissioner of Indian Affairs this most important function. The Senator can put whatever construction he pleases on this unanimous legislative action. I know that the Commissioner of Indian Affairs is an honest man. He confesses that himself publicly three or four times every day that he lives, and that constitutes the best evidence. I believe he is just as honest as he confesses himself to be. I have never disputed it. I raise no question on that.

The substance of my complaint is that the Commissioner is unequal to the situation. He is a man of advanced years and of failing powers. He has had no experience in administration. He has fallen into the hands—unwisely, I think—of the experienced men whom he found running the financial department of his bureau. He has done what he thought, under all the circumstances, was the best by accepting the machinery which we furnished him and to do what these experienced people told him to do. I do not think he has misappropriated any money. The very nature of the machinery which he found ready to his hand when he came into office and which he has used would prevent it, if nothing else, and I know that there is no such desire on his part to do aught that is wrong. But he has been comparatively helpless. He has not the comprehensive intellect or the mental or physical vigor to control and direct the affairs of his great office, one of the greatest offices of the Government. There is more room for the exercise of quiet, judicious, wholesome power in the office of the Commissioner of Indian Affairs than probably in any bureau of the Government. It requires a man of great grasp, of mental, intellectual vigor, of determination; not a narrow man, not a man who quibbles about little things. He deals with a situation which presses him at every point, which can not be solved by general rules, which produces a multitude of cases that have got to be decided each upon its own merits. Perhaps it is not any reflection on the present incumbent to say that he has not been equal to this great situation.

It takes a wise man, a good man, and a strong one for it; one who is in the prime of life, in the enjoyment of his full intellectual faculties and capacity. Such a man I hope we shall get some of these days to deal with this problem that so concerns us in regard to the welfare of a dependent race of people to whom we are bound by the ties of humanity, of obligation, and of duty.

I have no doubt that many of the schools have been going on with a certain degree of excellence. Some of them may not have deteriorated; but there is lack of organization of system, and it is confessed that a change in control is necessary. And if I had time I should like to go into the administration of the affairs of the office in the Indian Territory. I should like to produce proof, which I can produce, that there is more drunkenness among Indians in the Indian Territory than ever before. I could show that never has there been a time when the despotism of the trader has been so manifest as now; that the Indians have never been so swindled by the men sent there under the auspices of the Government to sell them goods as is the case to-day.

Mr. BATE. I know nothing of that; but it is open to the Senator to make his charges, and I challenge him to make the facts known, and the man guilty of such offenses will be removed. A great many things may occur out there, 3,000 miles away, not known here at the center; but as soon as it is known to a man of the character of this Commissioner the guilty party will be removed. I think it is due him, when the Senator states that fact, to make it known through some proper channel, so that the service may be corrected if there is anything wrong in it.

As to the capacity of the Commissioner, a man who has held a high position in the other wing of the Capitol as representative of an intelligent constituency for fifteen or twenty years, and made a national reputation at the head of some of the chief committees there, and the American people are satisfied as to his character and pronounced a favorable verdict upon his capacity, he need have no fears of public judgment on that score.

As to age, he is but little older than my friend, and I think he is certainly in the full vigor of manhood. I say, therefore, he is up to the occasion—competent for the office he holds, and he exercises it with a discretion and urbanity becoming to any man who holds the position he does.

Mr. PLUMB. The Senator introduced the last part of this subject to the Senate. I did not bring it in. He replies to something I have not charged.

Mr. BATE. Let us understand each other. I only speak for this gentleman against the charge made. If no charges are made, very

well. I did not want it to go out in the daily papers or in the RECORD to last for all time that such charges were made against Commissioner Atkins without a proper defense. I have done that simply not only as a duty but to vindicate justice and the right.

Mr. PLUMB. The Senator perhaps does well to defend his constituent. I make no complaint about that. I repeat, however, that it is amply susceptible of proof that the condition of affairs in the Indian country is worse than it has been for the last fifteen years at least. The control of the traders is greater than ever; the Indians are worse cheated than when they were more in debt, and there never was a time when drunkenness was so common. The demoralization existing is very great, and this grows out of the lax management of the Indian Office in the main.

I did not expect, of course, that this matter would come up in connection with this bill, or I should have come armed with the proof which I shall make at a later period. It is not for me to tell the Commissioner of Indian Affairs that which comes within the purview of his jurisdiction and possibly under his knowledge and not specially or officially under mine. It is not for me to tell him that maladministration is going on in his department. It is not for me to tell him where the very purpose of the organization of his bureau is being defeated. He ought to know that himself if he is competent for his place.

Mr. BATE. But the Senator makes the statement on the floor of the Senate. Then he ought to be armed with the proof, so as to give him a chance to explain it if it becomes necessary to explain it, to refute it if it should be necessary, and see if he has not some facts which can be brought forward to set the matter right.

Mr. PLUMB. I make the statement now, on my responsibility as a Senator, that all the things which I have stated are true in regard to the condition of affairs among the Indians of the Indian Territory.

Mr. BATE. Do I understand the Senator to say that he knows these things personally?

Mr. PLUMB. I know them by contact with persons who are familiar with affairs in the Indian Territory.

Mr. BATE. Ah!

Mr. PLUMB. And for whom I vouch.

Mr. BATE. Then I know by contact with persons on the other side that they are not true.

Mr. PLUMB. You assume to know a negative, which no man can really know.

Mr. BATE. I see that, of course; but I get it from those men who are at the headquarters, and know these things.

Mr. PLUMB. It is the headquarters I am arraigning.

Mr. BATE. A man can certainly know a negative to be a negative.

Mr. PLUMB. It is the headquarters I am arraigning. I am not taking the word of those who are responsible for this, but I am taking the word of agents in the Indian Territory, persons who have had dealings with the Indians and with agents in the Territory. I am taking the common knowledge and judgment of men all along the entire border. I am taking the statement of officials who have had to do with the trial of causes arising in the Indian Territory, the statements made in newspapers and not gainsaid or questioned, although they are not matters within my personal knowledge. I know there is such a place as London. I never saw it. I know of the existence of a great many other things I have never seen, and yet my knowledge is no less perfect, no less definite because it is to a certain extent the result of hearsay.

Mr. BLAIR. Mr. President, so now at last we are at the bottom of it. The trouble in the Indian Territory and among the civilized tribes is owing to rum, and not to religion and civilization. There is the trouble, and the bill which has come over from the other House providing for measures by which we can keep the officers of the law from being murdered in the discharge of their duties, which seem to multiply greatly of late, is not to be attributed to the operations of the missionaries or the civilizing influences that were going on among the Indians as the result of the method which I have alluded to earlier in this debate. That bill, I say, is to be attributed to the vices of the white man and not to any fault in that system of civilizing the red man. So I hold that still my illustration of what has been done by the civilized tribes is a demonstration of the true method of trying to make something of the Indian, and nobody has met that historical example as yet.

There are a good many things about this bill that I should like to know, and some that I want to know and mean to know about before I get through. I should like to know, in the first place, what the full amount of the appropriation is. The Senator from Massachusetts, of course, can state the aggregate. Bills of this kind frequently show the aggregate. I find nothing here but a multiplicity of items, with nothing to show the total. Perhaps the Senator can tell me.

Mr. DAWES. If the Senator would read the report, No. 1375—

Mr. BLAIR. I have not seen it, but I have read the bill. Will the Senator give me the aggregate? I do not ask the Senator to read the report, which is a day long.

Mr. DAWES. As I reported to the Senate, the amount appropriated by the bill, given on the first page of the report, is \$8,172,129.13.

Mr. BLAIR. Can the Senator give me the amount which is expended for what is called education, for support of schools?

Mr. DAWES. If the Senator will turn to the fifth page of the report he will see that the amount for the support of schools appropriated by the bill, as passed by the other House, is \$1,307,015. In the bill as reported to the Senate the amount is \$1,348,015.

Mr. BLAIR. Can the Senator state to us the amount that is appropriated for schools outside of the Indian reservations or Territory; that is, for the Indian schools in Kansas and the Eastern States?

Mr. DAWES. If the Senator will turn to the fourth page of the report he will find at the bottom of the page a table giving the amount appropriated for the support of Indian schools, for day and industrial schools, construction and repair of school buildings at Albuquerque so much, Alaska industrial school so much, etc.

Mr. BLAIR. The items are in the bill itself.

Mr. DAWES. The items are in the bill itself, and the amount is carried out in a table on the fourth page of the report.

Mr. BLAIR. What is the amount? Will the Senator state it?

Mr. DAWES. Those schools separately are not added up by themselves, but I can give the Senator each item.

Mr. BLAIR. I do not care for that, because the items are in the bill itself.

Mr. DAWES. I can not give the Senator the aggregate of the amount appropriated for schools outside of the reservations and the amount for schools inside the reservations, the amount for the training-schools, the amount for the day schools, and the amount for the boarding-schools. They are all in this table, but they are not added up separately.

Mr. BLAIR. I wish to call the Senator's attention to the fact which appears on the fiftieth page of the bill, that there is "for support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for," an appropriation of \$685,000; "for the construction and repair of school buildings, \$55,000; and for purchase of horses, cattle, sheep, and swine for schools, \$10,000; in all, \$750,000;" and then a proviso is added. I ask the Senator if it be the fact that the entire appropriation for the support of schools, save only the \$750,000, is included in the appropriation for the support of children at the various independent schools outside of the reservations?

Mr. DAWES. There are treaty schools maintained by a fund, and there are treaty schools maintained in other ways.

Mr. BLAIR. Those are not appropriated for in this bill?

Mr. DAWES. This \$750,000 is to be a sum of money in the hands of the Indian Bureau to maintain all maintained schools not enumerated in the bill. There are schools enumerated in the bill and appropriations made for those schools. Then there is the sum of one hundred and odd thousand dollars for purposes of Indian education, to be put into the hands of the Commissioner of Indian Affairs to be expended by him.

Mr. BLAIR. The point that I want to reach, if I can, is the amount that is appropriated by the bill for schools like the school at Albuquerque, in New Mexico, the rate per pupil being \$167 per annum, making \$35,000; and for support of Indian industrial school at Carlisle, not exceeding \$167 for each pupil, \$80,000. From that point on through the bill there seem to be perhaps twenty or more schools, to each of which is made a large appropriation for the support of a mentioned number of Indian pupils, all of them receiving \$167 apiece. I should like to know the amount, or about the amount, that is appropriated for the maintenance of pupils at these various schools among the white folks at \$167 per pupil.

Mr. DAWES. Take \$750,000, in the first paragraph, from \$1,348,015, and the remainder will be what is expended otherwise here. Five hundred and ninety-eight thousand and fifteen dollars is expended in support of the schools mentioned in this bill.

Mr. BLAIR. That is what I supposed, making about \$600,000 that is distributed among these various schools for the support, culture, and discipline of the Indian pupils, at \$167 each.

Mr. DAWES. The schools are not all in the East.

Mr. BLAIR. Schools among the white people, then?

Mr. DAWES. Those that are separate from the reservations.

Mr. BLAIR. Separate from the body of the Indian population?

Mr. DAWES. There are some on the border, like the school at Chillicothe, which are not properly among the Indians, but are very near them.

Mr. BLAIR. I think I understand the Senator. On the fifty-second page of the bill I find the following item:

For support and education of one hundred and twenty Indian pupils at the school at Hampton, Va., \$20,040.

That is to support one hundred and twenty Indian pupils. Then there is a second appropriation provided—an appropriation of \$1,000 for transporting Indian children to and from that school. I should like to ask the Senator if he thinks that is a prudent, economical, and judicious use of public money in the education of these one hundred and twenty Indian pupils?

Mr. DAWES. I am sorry that the Senator has picked up his old quarrel with General Armstrong on his educational bill.

Mr. BLAIR. I have not, but I shall do so if the Senator desires.

Mr. DAWES. I do not desire it. I want to get this bill through.

and that is what made me regret that the Senator had brought up the question.

Mr. BLAIR. The Senator does not want to have the bill passed until it has been discussed and understood and appreciated upon its merits?

Mr. DAWES. The Hampton Institute is established and has been maintained by the Presbyterian body of Christians.

Mr. BLAIR. I do not ask the Senator to make a speech. If he is not inclined to answer my question definitely I will just keep the floor, and he can reply to me when I get through.

Mr. DAWES. Does the Senator wish to have the floor?

Mr. BLAIR. No; I should like to have the Senator's opinion as to whether he thinks that these appropriations at this rate are judiciously made.

Mr. DAWES. The Senator must take my opinion as I give it. I am not going to have the Senator prescribe the way I give it.

Mr. BLAIR. Let me ask the Senator the question, then—

Mr. DAWES. I thought the Senator had asked it already.

Mr. BLAIR. I ask the Senator whether in his opinion it is an economical and judicious method of expending public money in the matter of education to appropriate at the rate of \$167 per pupil for the support of these children at Hampton, Lawrence, Carlisle, and these various other schools, where, it seems, some \$600,000 of the public money is thus appropriated?

Before the Senator answers the question, as he seems to think, with a prescience that I commend him for, because his imagination outruns the fact, that I am picking up some old quarrel, I wish to say that I am not doing that at all. I have no old quarrel with anybody about this matter. But the discussion this afternoon has set me thinking about some of these things, and as the Senator from Massachusetts has studied these subjects a great while, and I presume for quite a number of Congresses has not been called upon to explain much about these appropriations, he will pardon me for asking him a few questions, and I do not know that I am likely to be deterred from doing it by the intimation that I have some old quarrel with somebody, when I have no old quarrel with anybody, and no new one either, for that matter.

These children are being educated at \$167 apiece. There is great doubt or at least a question between the two eminent members of the Appropriations Committee who bring us this bill whether the child, after being thus educated, is made the better or made the worse, whether he is made a good Indian, whether he is fitted for civilized life, or simply is unfitted for savage life and thus practically ruined by his education.

The Senator from Massachusetts says that the institutions which educate these boys and get these enormous amounts of money for so doing follow them to their wilderness retreats again, and that according to the record which they make up for them 90 per cent. of them amount to something. The Senator from Kansas says that they become the worst kind of barbarians again, destroyed by the process of educated uselessness, neither fit for the savage nor the civilized life, and that their education is a dead loss. I do not know how that may be. The Senator from Kansas is very likely to know something about it, for he lives in that vicinity. But I assume, for my instincts and feelings are in that direction, that the Senator from Massachusetts is right, and that the Indian educated at Hampton and at Carlisle is improved by the process, and that he carries some good influence back to the people from whom he came.

However, the Senate will observe that here is annually expended, aside from transportation, \$167 for each one of these pupils. At Hampton, for instance, which strikes my eye, the appropriation for this purpose to educate 120 Indian pupils is \$20,040. The pupil is brought here; he is taken into this institution; he is boarded; he is clothed; and he is educated, and that is the amount of the cost. If there was a school among the Indians the same sort of instruction could be given, I venture to say, by a not larger number than two teachers. The plant once existing, that is to say, the school once established among the Indians, two teachers could very well take care of these 120 pupils. Vast numbers of the common schools of the country are filled with more than that number to each teacher.

I am asking for information; but it seemed to me that \$1,000 or \$1,500 given to a teacher on the spot would enable two teachers to impart as much instruction as is given by the process which is here pursued, the figure of which I do not wonder at when I see twenty or thirty institutions thriving under it, sure of their support and maintenance from the funds of the Government, when they would bankrupt themselves as private institutions, depending upon the ordinary sources that such private institutions have to depend upon for their support.

I say that in this way it has seemed to me that the money of the Government has been expended in the most uneconomical manner that could be imagined, and I ask the Senator from Massachusetts to answer the question I have propounded. I do not know but that there may be views of it by which it may be made to appear that what two teachers could do for \$3,000, or \$5,000 at the most, is economically performed under this system at \$21,000 or \$22,000, but I do not see how it can be so, and I ask the Senator to explain it.

Before he does that, since he has alluded to the supposed quarrel, to

which I should not have alluded, I will ask him upon what basis it is that an institution like the one at Hampton, the head of which says that the imparting of education from any extraneous source demoralizes the people—that they must educate themselves—I ask him upon what principle it is that that is a rule which should apply to the negro or any individual or family or community which is found in our own immediate civilization and should not apply to the Indian himself? Why should he not be called upon to educate himself and to starve and remain a barbarian until he does it?

But, Mr. President, that is an argument the absurdity of which hardly needs a question to expose it. If I had a quarrel it would be that an eminent educator, himself a preacher of charity, coming here in this very bill asking charity in order that his institution may exist and may do good, should ever have propounded a theory of the description to which allusion has been made. That is no quarrel of mine. It is for the man who advances the absurdity to get along with it, and account for it theoretically as well as to account for his own contrary conduct.

Now I will ask the Senator if he considers this system of educating these Indian children a judicious and economical one, and if so, why?

Mr. DAWES. Mr. President, I do not consider that the system under which Indian education is carried on is the best possible. It is a very imperfect system. It is improving, I think, every day. It is enlarging its scope; it is increasing its efficiency; it is producing better results every day, and is growing, more and more answering the great end for which it was inaugurated. The system is but ten years old. It was begun with an appropriation of \$20,000; it now covers an appropriation in this bill of \$1,300,000. It has various phases. It has the day school upon the reservation, where simply a teacher is hired for \$500 or \$600 and attends to the school as well as he may. That is the teacher whom the Senator declared, with the aid of another one, could do what General Armstrong is doing with \$20,000. He thinks he could accomplish all that with \$2,000. General Armstrong takes the scholar and supports him; he keeps him day and night, and clothes him.

Mr. BLAIR. Will not the Senator answer me whether it would not be more judicious to support this Indian child at home, where we are already supporting his whole tribe?

Mr. DAWES. Will the Senator not let me answer him in my hobbling way as well as I can? I can not do it any better, and the moment when I am getting along as well as I can with these interrogatories of my learned friend, he gets up and complains, and asks, "Will you not answer better?"

Mr. BLAIR. Oh, no, Mr. President—

Mr. DAWES. I am doing as well as I know how. I want to say to the Senator that there are a great many kinds of these schools. It is necessary that there should be a great many kinds of them, because there are a great many things to be taught a savage who does not know anything, and there are a great many ways that you have got to go to work to teach him, and some of them cost a good deal more than others. A day-school is a good thing in some places and it is not good for anything in another place. Take a day-school among the Comanches and it would not be better than having a school of blue-jays. Then there is the boarding-school on the reservation. That is an excellent thing in some places and does wonderfully good work. Then there is the training-school, the purpose of which is to teach a savage Indian from the bottom clear up, to teach him how to walk, to teach him how to do everything in the world, just as my friend was taught when he was a little boy. Now, that costs a good deal more. You must have machine-shops, you must have tools, and you must have a great many things that you do not have in any of the schools to which the Senator alludes, what he calls a common school, with a school-marm. You can not teach Indian children how to make shoes with a school-marm in a log school-house, or how to make tin ware, or how to make harness, or how to make clothes, merely with a school-marm at \$600 a year in a little school-house, such as he and I went to school in when we were boys. That costs a good deal more.

Now, Mr. President, the Senator wants to know whether I think it is economical. It is pretty expensive, there is no doubt about that, and the results are not all that we could desire; but they are something. They are more every year than they were the year before; and the number of Indians who are learning to take care of themselves is increasing wonderfully on all the reservations. Indian wars have ceased; they have become impossible. Indian reservations, I have already said, are going by the board; something else is taking their place. This is pretty expensive; it requires a good deal of patience, not only with the Indians, but with some white men too. It is quite as difficult to get along with the outside adverse influences as it is to get along with the Indians themselves.

I can not tell exactly in dollars and cents whether it would be as cheap to let the Indian go by the board as to educate him and expend this money in trying to make something of him. I undertake to say, however, that it would not only be a reproach to this nation that would sooner or later exact a penalty from it, after having robbed the Indian for two centuries, stripped him, hunted him, cheated him, murdered him, burned him in his wigwam, to have turned him out and let him become a vagabond and a beggar in the country, it would not only be

a disgrace and a dishonor that would ultimately be paid for dearly, but it would be a most dangerous thing in those communities in which it would be the misfortune for such a body of people to undertake to roam, for they would roam and plunder.

I am not stopping, sir, to try to figure out whether it would cost six cents and a quarter more to teach one of these Indians at Hampton than to teach him somewhere else. I am for the best results, and the results at Hampton, at Carlisle, at Chillicothe, and at Lawrence are results that are not to be measured by dollars and cents. One hundred and twenty pupils at Hampton, developed into self-supporting citizens of the United States for \$20,000, are worth more to this Union than so many vagabonds, and they are worth more than they cost.

Mr. BLAIR. The Senator evades the question by implication. I asked him whether as compared with the appropriation of this money for like schools in the like way on the spot, the appropriation was a judicious and an economical one.

Mr. DAWES. Did I not answer the Senator? I tried to do so. I will just say there are two or three plans, two or three ways of doing this. One is the theory and the plan upon which General Armstrong goes, to educate these Indians and send them back among their people to work out on the reservations the renovation and regeneration of their people. The other is the plan that Captain Pratt goes on, to educate and develop them into men and turn them out into the community to be absorbed. Another plan is the day-school, and another is the boarding-school. As to which is the best, there is a variety of opinion. Some think one is best and some another.

The Senator from Missouri [Mr. VEST] gets up here, and from his observation and his information tells you that the very day-school you are pleading for is utterly worthless and ought to be abolished entirely. Now, I do not think so. I think every one of these schools, with different degrees of merit and different results, is useful. Everything that a white man does that is commendable brought in among these Indians, and in all the ways you can contrive, bringing them in contact with the right side of civilization at as many points as you can, is useful. Put railroads through everywhere; put white men's homes among them; let them be object-lessons. Everything of that kind has its influence for good. You can not tell whether a day-school is better than a family of white people living among them. In some places it would be better; in other places it would not be so good. It depends very much on the susceptibility of the Indian community in which they are to this kind of influence or that kind of influence.

For me to get up here and say that I can demonstrate that one kind of school is better than another kind of school among these savages of sixty or seventy different tribes, every one of them having a different and distinct characteristic of life, of habit, and of personality, to attempt to measure them all by one particular rule, is an absurdity.

Mr. BLAIR. Mr. President, it seems that after all it is a question that the Senator can not answer, and in his inability to do it I must concur, because he has demonstrated it by a somewhat prolonged effort to answer. If the confession had been made in the beginning it would have saved something of time. The Senator pursues throughout his effort to answer what he admits in the end to be unanswerable, a somewhat sneering style of comment which I observe at the same time that I will not, I think, mention it.

I did not suppose that it was necessary to bring an Indian to Carlisle or to Hampton to teach him how to walk and to run. I had the impression that the Indian race had developed a tolerable degree of agility without the assistance of civilized training under General Armstrong or Captain Pratt.

My inquiry was directed to a principle which when properly carried out would bring every Indian child across the continent and educate him along the shores of the Atlantic, and bring the Alaskan child to the same points and give him his education, and then send him back to that doubtful future status, whether of improvement or of the destruction of his good qualities even as a savage, which the Senator from Kansas has depicted. I say that a policy which at such an extraordinary expense leads to such absurdities in conduct and doubtful results, it seems to me, is properly one in regard to which question should be raised on this floor.

I can see myself how in order to give these Indians industrial training, as it is called, it may be well to bring some of them here to the Atlantic Slope, where they can come in contact with and learn to handle machinery, giving them industrial training and at the same time giving them education in the way of reading and writing, and I expect that they do not want much if anything more. These are processes to which the Indian child must be subjected like the white child, and the question whether it shall be done here, 3,000 miles from the place where his future is to be spent, or whether it shall be done on the spot, in the community where he was born, and to the improvement of which his education is to be dedicated, and whether it can be done there at a less expense than is now being incurred in the method that is being pursued, is one that those who have the guardianship of the public money might, it seems to me, well inquire into.

If the Indian children who are being educated in these Eastern schools are to go back and to act as instructors themselves, as teachers themselves, the limited number who are brought here may well be edu-

cated, it seems to me, even at a much higher expense, if it can be done with greater rapidity; and in the absence of the other system, the system of local development, undoubtedly it is better at any degree of expense to make the effort to do the work in the way it is being done in these Eastern schools. But I insist upon it that it is worthy of consideration on the part of the committee that every year comes in here and takes \$8,000,000 and lays it out upon the Indians, when the most of it is laid out upon them in a way which is infinitely less creditable to our good sense and to our civilization than this pittance of it which is expended upon the schools, that is, in their support in a condition of idleness.

I say that when we lay out upon the 250,000 Indian men, women, and children (not more than 50,000 children in the whole of them) the amount of money which we have undertaken here in several Congresses to appropriate by the year for the period of only eight years' time to educate our own flesh and blood, as I expressed it a little while ago, I think it is time to inquire somewhat into this system of economy and this system of sentimentalism, when Senators get up here and say themselves, as was done in the earlier part of the debate, that it is questionable whether the Indian is to be saved at all, when it is admitted that war has destroyed him and peace has done just about the same, and after being educated to a certain extent, as in the case of the civilized tribes, as I call them, they are now retrograding and being gradually destroyed by ourselves and by our rum and the bad influences we bring to bear upon them. I say, Mr. President, when this is the ultimate result of the system of expenditure which has been going on from the beginning down to the present time and we are neglecting our own people, it is time to stop and inquire whether we are human ourselves exactly, to inquire something about charity beginning at home, something about justice beginning at home.

I think the committee may well consider, and the Senate may well consider, and the country may well consider whether it is judicious in the condition of the public funds when we can not educate our own children, that we should peddle our money out down here at Hampton and these other schools at \$167 a head to Indian children, when they can get along at home and be educated at an expenditure of \$1 where we now pay ten.

There is another point to which I should like to call the attention of the Senate, and I do it with deference. I should like to know how these various schools are supported. Who manages them? I see it stated in the papers, and great complaint made, that the Catholic Church has an undue influence in the administration of the money that is appropriated to the Indian schools. I should like to know about that. The Protestant denominations are raising this inquiry. I do not care so much about it myself, if it only educates the children and educates them economically and judiciously, but I should like to know about these different schools, what religious influences there are that get this money, and how it is that these appropriations are obtained from year to year, whether they are obtained, as is charged, by ingenuity and misdirection, or indirection, and for the support and for the benefit of particular ecclesiastical institutions, or whether it is otherwise; because it is a libel if it be otherwise. I think the chairman of the Committee on Indian Affairs ought to vindicate the Catholic Church if it is unjustly accused.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Kansas [Mr. PLUMB] to the amendment of the Committee on Appropriations.

The amendment to the amendment was agreed to.

Mr. PLUMB. In line 17 of the amendment I move to strike out the word "such" where it first occurs and insert the word "like;" in line 18 to strike out the word "the," after the word "of," and insert the word "such;" and to strike out the word "the" where it last occurs in the line and insert "then," and then to strike out the words "of such schools;" so as to read:

And any other person connected with schools wholly supported by the Government, and with like approval make such rules and regulations for the conduct of such schools as in his judgment their good may require.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kansas to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 8, to strike out all after the word "schools," in line 5, as follows:

That it shall be the duty of the superintendent of Indian schools to visit, from time to time, and as often as the nature of his duties will permit, the schools where Indians are taught, in whole or in part, by appropriations from the United States Treasury, and, under the direction of the Secretary of the Interior, to report annually to Congress the condition and progress of said schools; what, in his judgment are the defects, if any, in any of them in system, in administration, or in means for the most effective advancement of the children in them toward civilization and self-support; and what changes are needed to remedy such defects as may exist. It shall be the duty of said superintendent, subject to the approval of the Secretary of the Interior, to employ and discharge superintendents, teachers, and any other person connected with such schools, and to make such rules and regulations for the conduct of the schools as in his judgment the good of such schools may require. He shall embody in detail his doings under

this section, with the reasons for his action in each case, in his annual report to Congress. The said superintendent shall be allowed and paid a salary of \$4,000 per annum, and, in addition thereto, his actual and necessary traveling expenses incurred while in the discharge of the duties prescribed by this act, such expenses to be allowed and paid on vouchers approved by the Secretary of the Interior. The Secretary of the Interior shall cause to be detailed from the employes of his Department such assistants, and shall furnish such facilities, as shall be necessary to carry out the provisions of this act.

The amendment was agreed to.

The next amendment was, in section 9, line 18, after the word "requisition," to insert "or requisitions;" after the word "made," at the end of the same line, to insert "by the proper authorities of the Choctaw Nation;" in line 20, before the word "Nation," to strike out "the Choctaw" and insert "said;" in the same line, after the word "such," to strike out "agent or other person" and insert "other person or persons;" in line 22, before the word "requisitions," to strike out "the requisition or" and insert "said;" in the same line, after the word "therefore," to strike out "made by the proper authorities of the said Choctaw Nation, as required by," and insert "in accordance with;" and in line 29, after the word "available," to insert "and to be in full satisfaction of all claims against the United States arising under article 12 of said treaty;" so as to make the section read:

SEC. 9. That for payment to the Choctaw Nation, \$2,858,798.62, the said sum being the amount of the judgment rendered in favor of said nation, by the Court of Claims, on the 15th day of December, A. D. 1883, on a mandate issued by the Supreme Court, at the October term of said court, together with such further sum as may be necessary to pay the interest on said judgment, at 5 per cent. per annum, from the date of the presentation of the transcript of said judgment to the Secretary of the Treasury for payment, as provided in section 1090 of the Revised Statutes, to the date of this act. The appropriation hereby made shall be a permanent and continuing appropriation, not subject to lapse, or to be covered into the Treasury; and said sum, together with the interest thereon, shall be paid from time to time, and in such sums as requisition, or requisitions, therefor shall be made, by the proper authorities of the Choctaw Nation, to the national treasurer of said nation, or to such other person or persons as shall be named in said requisitions therefor, in accordance with article 12 of the treaty between the United States and the Choctaw and Chickasaw Nations, concluded June 22, 1835: *Provided*, That no interest shall be paid on this appropriation after the passage of this act, but the amount herein appropriated to be immediately available, and to be in full satisfaction of all claims against the United States arising under article 12 of said treaty.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. DAWES. I ask unanimous consent to add a section in the nature of legislation, which is subject to a point of order.

The PRESIDENT *pro tempore*. Is it reported by the Committee on Appropriations?

Mr. DAWES. No, it is not.

The PRESIDENT *pro tempore*. The proposed amendment will be read.

The SECRETARY. It is proposed to add as a new section:

Until otherwise provided by law all that portion of what is known as the Blackfeet Indian reservation in Montana Territory, lying west of the one hundred and eighth meridian, ceded to the United States under an agreement with the several bands of Indians occupying the same, which said agreement was ratified by act of Congress approved May 1, 1888, is hereby attached to and made a part of the county of Choteau, in said Territory, and, until otherwise provided by law, all that portion of said reservation ceded under said grant and lying east of the one hundred and eighth meridian, Montana, is hereby attached to and made part of the county of Dawson, in said Territory. The laws of the Territory of Montana now in force in the counties of Dawson and Choteau shall extend over and be in force in the portions of territory added to said counties respectively.

Mr. DAWES. The need of this legislation is this: By a recent act of Congress ratifying the agreement made with the Indians of that large reservation, the Piegans, Blackfeet, and Bloods, a very large tract of country in Montana, about 20,000 square miles, has been opened to settlement and people are rushing in there in great crowds; but there was no provision in that bill by which the laws of Montana were extended over that territory, so that the processes of the county government which prevail in that Territory do not apply to that large tract of country. The taxes to be assessed for the ensuing year must be assessed by county officers, but there is nobody to assess taxes upon the property in this large area of country. The Legislature does not meet till next January, and it happens that all the cattlemen in all the region round about have gathered all their cattle on this territory to escape taxation. There is no method of enforcing law, and unless a bill should be got through in some such way as this it will be a whole year before there can be any government of that kind there. I hope, therefore, that the Senate will permit the amendment to be attached to this bill.

The PRESIDENT *pro tempore*. The amendment proposing general legislation—is there objection to its reception? [A pause.] The Chair hears no objection.

Mr. BLAIR. I do not desire to make objection, but I desire the Senator to answer my last question.

Mr. DAWES. Let this go on.

Mr. BLAIR. Very well.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Massachusetts [Mr. DAWES].

The amendment was agreed to.

Mr. DAWES. The Senator desires me to answer his question. I will take occasion to do so before the bill passes.

Mr. TELLER. I desire to offer an amendment to come in on page 38, section 1, after the provision for the Navajo Indians, after line 910:

The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated to enable the Secretary of the Interior to pay the settlers who, in good

faith, made settlement in township 29 north, ranges 14, 15, and 16 west, New Mexico principal meridian, in the Territory of New Mexico, prior to May 1, 1886, for their improvements and for damages sustained by reason of the inclusion of said townships within the Navajo reservation (executive order of April 24, 1886), and such settlers may make their homestead, pre-emption, and timber-culture entries as if they had never made settlement within said townships.

The amendment was agreed to.

Mr. TELLER. In order that this may be understood by the committee of conference, I desire to submit some letters which recite the facts of the case and show why these people ought to be paid.

The PRESIDENT *pro tempore*. The papers will be received and printed in the RECORD.

Mr. TELLER. As well as a petition from one of the settlers.

The PRESIDENT *pro tempore*. That will also be printed.

The papers are as follows:

FARMINGTON, N. MEX., October 31, 1887.

DEAR SIR: Yours of September 24 is before me, and I herewith proceed to make as "calm and temperate" statement of "facts" as possible. As I have not the dates before me, I shall be obliged to relate the incidents without them. I shall go no further back than to the time that President Arthur, by Executive order, threw open for settlement all that portion south of the San Juan River in township 29, north of ranges 14, 15, and 16 west of principal meridian of New Mexico, being all in the Territory of New Mexico. This being a desirable portion of country, possessing a most charming climate and adjacent to thriving settlements of Americans, it was speedily settled upon by the home seekers. These lands having been surveyed were located under the several land laws, homesteads, pre-emptions, etc. The settlers, being possessed of the usual Western enterprise, taking hold and going to work with a vim, gave flattering promise of thrift.

It soon became apparent that the Navajo Indians were inclined to remain among the settlers with their numerous herds and flocks, which kept the country bare of grass. This, of course, the settlers could not tolerate, as they had stock of their own that must be fed. Consequently they petitioned General Bradley, Commanding the District of New Mexico, to send troops to remove the Indians, which he previously promised would be done when necessary. After a long and annoying delay one William Parsons, from Fort Defiance, N. Mex., arrived in our midst and announced himself as an agent of the United States Government to "investigate" our "troubles with the Indians," appointing a time and place that the settlers and Indians should meet him to make known their grievances. Accordingly the settlers went to the place designated, to find a large tent apparently full of Indians.

We were informed that the agent was inside, but there "was no room for white men." We lingered on the outside until his honor emerged. He said that he was glad to meet us, but was awful hungry, therefore he must request us to meet him at the Ohio school-house at 7 o'clock p. m., some 2½ miles away, on the opposite side of the river. Promptly we were on hand to find himself and his friends (the Navajos) in waiting. He installed himself chairman and proceeded to announce the object of the meeting, requesting us to make our statements. But every word and act of the man told us but too plainly that his verdict was rendered; that it was useless for us to speak; nevertheless we proceeded to state our case. This meeting was on April 5, 1886, just in the midst of planting time. The settlers were busily engaged in plowing and planting, and the Indians wished to do so likewise, as they had been accustomed to do in years past upon the same lands, some of them that the settler was occupying.

There was a conflict of interest, the Indian thinking he had a right, and the settler knowing that he had acquired rights of the United States Government. Neither party wished to yield. Mr. Parsons advised the settlers to suspend operations for a time, as he considered dangerous, as the Indian was greatly opposed to the white man making any further improvements, especially wire fences, as they were liable to injure Indian horses. Nevertheless the white man went on with his improvements, plowing, planting, building irrigating ditches, setting out fruit trees, etc., the Indian frequently encroaching with his stock, cutting down fences, etc. It seems a wonder that there was no blood shed. Mr. Parsons told the Indians and us that the Government would adjust matters.

On April 24 the President issued an order returning all the disputed country to the Navajo Indian reservation, which reached us some days later. The news came to the writer while he was engaged setting out fruit trees. I had several hundred trees, grape-vines, etc., which have since proven a total loss on account of the Government interference. The next day after the President's order came every Indian seemed to know of it, and they gave us orders to vacate at once, they supposing that the land all belonged to them, which indeed, the President's order seemed to indicate, for that document totally ignored the presence of settlers on those lands. The settlers knew that they had rights there which they did not propose to relinquish without a struggle. Accordingly they sent a deputation to call on Mr. S. A. Marshall (an assistant agent residing at Farmington, N. M.) and request his immediate presence among the Indians to explain matters to them, to inform them that the lands were not all theirs. This he attended to promptly, but the Indians insisted on being allowed to plant on the lands owned by the whites. Mr. Marshall seemed on the point of yielding to their entreaties, but the settlers stoutly protested that if they were to have tenants they would have them of their own choosing.

The Indians were finally ordered to desist from planting, with the assurance that they would soon get the lands and probably the crops also. In the meantime the soldiers were ordered to come to the rescue (but we were never fully satisfied of whom, the Indians or settlers), but they were of no consequence either way, for they were stationed several miles away and on the opposite side of the river.

Time dragged wearily on, the Indians frequently trespassing with their stock, committing numerous acts to annoy the settlers. At times it would seem that a conflict was inevitable, yet wonderful to relate there was no one hurt.

On June 17 Mr. Edwin S. Bruce arrived among us, announcing himself as an agent of the Government, sent for the purpose of "ascertaining the value of our improvements, in order that the Government might be able to know what to pay us." Against this we felt to revolt as we had not hired to work for the Government. However, we submitted to the listing of our improvements in many instances far below what we knew them to have actually cost us, for he remembered that some of us had moved long distances to get here, and had labored under great disadvantages, which, of course, Mr. Bruce could not take into account. It was evident that the settlers could realize little or nothing from their labors by remaining here on account of the presence of the Indians, therefore Mr. Bruce advised them to leave and go where they could make something, telling them that the Government would recognize their claims the same as though they had remained.

On this assurance several left. Mr. Bruce called a meeting for the Indians at which he told them to remain "quiet and orderly," that the lands would soon be theirs, crops and all. I should have stated that Mr. Bruce assessed the valuation of the growing crops with the anticipation that the Indians would get them. It was Mr. Bruce's opinion that "the Government would make a final and liberal settlement with the settlers, one they would be satisfied with, within three months from that date, June 19, 1886. Matters moved on a little more quietly for a while, yet there was more or less annoyance to be endured all the

while, for it is impossible for Indians and whites to dwell together in unity. Time passed on, but we kept our pen busy trying to learn what was our legal rights. I wrote to the honorable Secretary of the Interior, to the honorable Commissioner of Indian Affairs, but could get no reply. I also wrote to a Western Senator with regard to the Government acts in this affair, which elicited a reply in this wise:

"If you have paid for your lands there is no power in the Government of the United States to deprive you of your lands to give to the Indians."

"If you have not made payments for your lands, but have made settlement according to law under the homestead law, the Government can not disturb you any more than if you had paid for the lands."

"In this country neither the President nor Congress can take away any one's property to give to some one else."

"No special agent can dictate what you are to have for your property."

This letter seemed evident to us all the while, hence our reluctance to list our improvements to Mr. Bruce. The above letter as quoted served to make us feel much more secure, as from it it was evident that the Government must respect the rights of its citizens under the law.

The three months elapsed and no word from the Government. The Indians and settlers were alike impatient. All were anxious for a speedy settlement of this vexatious problem. No official would deign to reply to anything that might be written, till we became tired and disgusted. Finally, I concluded to write to the register of the United States land office at Santa Fé, as I knew he must answer me one way or the other. I informed him that I had complied with all the requirements of the law with regard to pre-emption filing number 1884, and wished to make final proof on the same. To my surprise he instructed me to send \$7 to pay for advertising, and he would set the time for final proof. This I did, and he set November 26, but as the advertisement did not appear in the paper at an early enough date, the day for final proof was postponed till December 11, at which date I made final proof on north half southwest fourth, southeast fourth southwest fourth, section 17, township 29, range 14 west, containing 120 acres. At this I was somewhat puzzled, as a neighbor whose lands were adjoining my own was refused the privilege of making final proof.

No further developments until some time in April, I think it was, the Government, through the local land office, gave us each notice that our filings and entries were all held for cancellation by the Interior Department; but we were informed that we had sixty days for appeal to the honorable Secretary of the Interior, to show cause why our filings and entries should not be canceled.

These appeals were promptly made in a legal form before a notary public and forwarded to the honorable Secretary through the local land office. This is the last we have heard from them; the honorable Secretary seems to have entirely ignored them.

Some of the settlers still stuck to their homes, hoping that sooner or later the Government might be induced to relieve its citizens. They ventured to plant crops and fight the Indians off as best they could. This they succeeded in pretty well, till a new lot of soldiers came; also the Navajo agent, Mr. Patterson, made us a visit, since which time the Indians seem to think themselves licensed to commit all kinds of petty annoyances. They have since broken into houses while the owners were absent and rifled them of all they desired, a thing never indulged in until Mr. Patterson's visit. The people clung to their rights against all odds, trying to raise crops, etc., notwithstanding it seemed a very pandemonium.

Finally, on August 25, the Government sent Lieutenant Scott, Company I, Thirteenth United States Infantry, with the boys in blue, to remove the settlers from their homes, which he promptly did. In one instance he came to a house where the husband was absent, informed the lady of his business, hurriedly tumbled a few of the most necessary household effects into the big Government wagon, nailed up the doors and windows of the house, turned their crops over to custody of a "responsible Navajo!"—so he (the lieutenant) wrote to the commandant of this military district: ordered the women and children to get into the wagon and take a ride off the reservation. Said responsible Navajo appears to have invited all his friends to come and harvest said crops, which consisted, in part, of about an acre of melons, very fine and just beginning to ripen. In three days you could not have found a melon as large as your fist.

They harvested everything they could use and turned their stock upon the rest. Since the eviction there has nothing of importance occurred. The Indians and soldiers have full possession. The soldiers daily patrol the river front, we suppose to keep the settlers from returning, which some of them are liable to do as soon as the soldiers leave, unless the Government settles with them. The soldiers are deprecating upon the improvements worse than the Indians ever did. They tore down cabins, and pole fences, cut up fence posts, etc., and used them for fuel.

These are the main facts as they come vividly to my memory, stated as dispassionately as possible under my present feelings. I hope you will be able to use them to advantage in behalf of justice and American liberty.

We shall impatiently await the action of Congress; if it fails to give relief, I suppose our only resource will then be the court.

The above narrative is divested of its thunder, which of course you will supply when necessary; but I trust, Senator, you will excuse a few comments by myself.

First. The President's order making our country an Indian reservation is *ex post facto* in its nature, seriously affecting former agreements between the Government and its citizens—in fact, totally annulling them; an act illy becoming the Chief Executive of a free nation.

Second. In sending a man here to assess the value of our improvements, the Government is guilty of a gross usurpation, assuming to dictate what we "shall have for" our "property," a violation of law, as per the Senator's letter.

Third. In sending the soldiery to remove the settlers the Government is guilty of a military despotism; of evicting its citizens from their own homes. An act more unjust, more unwarrantable than was ever perpetrated against the Irish tenant. The Irish tenant is evicted for non-payment of rents and by the English landlord. The American evictions are by the Government itself, of its own citizens, who are accused of violating no law, guilty of no offense. Evicted while attending to their own business; their homes given to other parties who possess many hundreds of acres of lands besides.

It is claimed by some that the executive order opening that country for settlement, taking it from the Indians, was an illegal act; let us grant it. But is not the Government responsible for the acts of its officials? "Principals are responsible for the acts of their agents." Should the unoffending settler suffer for the illegal acts of the Government?

It is claimed that it was a military necessity to move the settlers to prevent bloodshed. Which is the easier to remove, the settlers or the Indians?

I trust that you may have had the time and patience to read this rather lengthy letter, and that it may be of service in the cause of justice.

Believe me, I am most gratefully yours,

W. P. HENDRICKSON.

Hon. H. M. TELLER,
Washington, D. C.

OHIO, N. MEX., December 21, 1887.

DEAR SIR: I herewith inclose a letter from honorable Commissioner of Indian Affairs for your examination, with a few comments by myself. I will underscore with pencil the points I would most particularly notice.

First, the Commissioner says "it is deemed absolutely indispensable to the well-being of the Navajo," etc.

This as an error, whether intentional or otherwise. As was suggested at your office in Denver, the Government might do a far better thing for the Indians, and no injustice to its citizens, than to give them those lands, by *sinking wells* and erecting *wind-mills* to hoist water, as they have vast acres of the finest of grazing lands now practically worthless. We are told that it is "practically impossible" to "reach water outside of the narrow strip" mentioned. It is known that the Navajo herds and flocks aggregate many hundreds of thousands, hence the absurdity of the above assertion; besides it can be easily proven that they have on their reservation no less than "18,000 head of cattle wintering for other parties." Not one of the above-mentioned stock water at the river on said "narrow strip." As above stated, the Indians have much fine grazing lands practically useless from the absence of water; they also have much that is available outside the "narrow strip," else how could they winter all those cattle for other parties?

"Long occupied and cultivated those lands," etc. Prior to the settlement of those lands, under President Grant's administration, by the whites not a foot of land was cultivated by the Navajos on said "narrow strip;" not until it had been occupied by the white man, who dug *irrigating ditches*, built houses, etc., did the Indian want it. Indeed, he could not have cultivated it prior to that time, for he has not the *engineering* skill to construct irrigating ditches. So that the "long occupation" spoken of only reaches back to the time that President Hayes robbed the first white settlers of those same lands and gave them to the Navajos.

The honorable Commissioner does not think that the "white settler acquired any rights to the soil!" Oh, for shame, that a man holding his high position should thus unblushingly assert! He well knows that the Government has received \$1.25 per acre for no less than two entries (my own and Mr. Mat Ebert's), besides numerous filing fees, and yet we are told that we have "acquired no rights to the soil."

It is held by "high judicial authority" that no one has a right to intrude upon lands held or "possessed by others;" in short, that no man should be robbed that another might profit. Had this just policy been carried out from the beginning, President Hayes would never have dispossessed the first white settlers of their lands and improvements on said "narrow strip." As before stated, the only improvements ever made in the way of ditches, etc., were made by *white men*.

"Only three settlers removed," these the "only actual bona fide" possessors of claims, etc. Why was this? As I have stated in a former letter, Mr. Bruce, the then mouth-piece of Government, told the settlers that they had "better leave and go where they could make something;" that "when it came to a settlement their rights would be recognized by the Government the same as though they had remained on their claims." Mr. Bruce could see that the settler could do himself but little good by remaining, hampered as he was by the Indians; hence the advice. But the Commissioner would seem to insinuate that all save these three were "speculators," and consequently entitled to nothing.

No improvements except here and there traces of old fences. Simply because the improvements of the settlers have been destroyed in their absence. I had several hundred fruit trees and vines on my place that had been destroyed by the Indian herds; besides, I had cleared the heavy sagebrush from about 20 acres at an expense of about \$12 per acre. Not myself alone but many others have been at great expense making improvements that are scarcely discernible at this time.

The people that settled those lands were not "speculators," as insinuated, and if they have made small improvements, and those almost all destroyed, it is because of the unwise and unjust policy of the Government towards them. Had their rights been respected to-day there would have been many pleasant homes on the "narrow strip" instead of a few worthless Navajos, who are a menace to civilization and will always be a hindrance to their white neighbors just across the river.

We are told that "they are now in peaceable possession" of those lands, etc. Yes, peaceable, as long as they are allowed to have their own way. But a very few days after the settlers were removed from the reservation, the Navajos were over on the north side of the river with their stock, but I guess the soldiers ordered them back; but the soldiers are withdrawn now and the Navajo is liable to repeat the experiment. If he does, he is liable to get hurt, for the people are thoroughly incensed at what has already happened and are not inclined to submit to much more foolishness. As we are the under dog and not able to fight Uncle Sam, we would ask that we be not wholly robbed. This Government is amply able to remunerate us for our loss of time and opportunity to *get other lands*, also for all the improvements we have ever made on those lands even if nothing remains but "here and there a few traces of old fences." We think our rights to locate *other lands* under the several land laws ought to be restored also. Several of these dispossessed people are quite destitute, and they ought to be relieved as soon as possible. If Congress is to do anything I hope it will hurry up.

After examination please return the inclosed letter; it might be of service if we were obliged to enter suit against the Government for our rights.

Please, Senator, if you can find time to spare, drop us a line that we may know what to expect from the Government.

Very respectfully and fraternally yours,

W. P. HENDRICKSON.

Hon. H. M. TELLER,
Washington, D. C.

AN OPEN LETTER.

FARMINGTON, N. MEX., June 25.

MY DEAR SIR: Your order adding to the Navajo Indian reservation those lands embraced in township 29 north, of ranges 14, 15, and 16 west of principal meridian of New Mexico, on the south side of the San Jan River, is, and has been from the reception of said order, working a grievous hardship to the American settlers upon those lands.

The order itself was a great surprise. First, because it apparently ignored the presence of any settlers upon those lands; and secondly, that the Government, through its Chief Magistrate, would essay to annul its contracts. The Government has virtually sold those lands to its citizens, has taken all the money demanded of them, and given its receipt for the same: how, then, it may be reasonably asked, can the Government deprive those parties of their homes without their consent, they having complied with the law by "continued occupation and improvement?" Can the Government justly violate faith with its loyal citizen tax-payers in favor of alien non-tax-payers?

The answer is self-evident to the mind of every lover of fairness. But it is argued that the Government has a right to condemn titles to property belonging to individuals and appropriate it to other uses when the public good demands it. It is difficult to see how the safety, honor, or prosperity of our great nation depends upon the robbing of a few of our hard-working citizens of their only homes—a small patch of 160 acres—and giving them to parties owning thousands of acres each, which is literally true of the Navajo Indians.

But it is said that the Government does not intend robbing those citizens. Let us see. It assumes the right to deprive these people of their homes without their consent, to say that they may have something or nothing as it wills. What is this but robbery? Is not the highwayman equally just? He takes what suits him and restores what he chooses, if anything. The Government sends out its land commissioner to assess the valuation of the improvements that those people have been able to make during the few short months that they have occupied, and to say that the Government would soon pay them for the same.

This is a gross absurdity. The value of those improvements in many instances is not a tithe of the expense incurred. To illustrate, a settler has been at the expense of moving hundreds, perhaps thousands, of miles to get to his home; he has purchased team and wagon, plows, harrows, hoes, etc., provisions for a year, seeds, in fact everything necessary for the first year's use on his new home. He has expended all his available means, but hopes by close economy and constant industry to be able to pull through.

Wearily and dusty, Saturday night he pitches his tent upon the south bank of the beautiful San Juan River. With delight he "views the landscape o'er." 'Tis here he expects to reap a reward for his toilsome journey, to rear his young family, to beautify, to enrich the home of his choice. He spends the Sabbath in thanksgiving. Monday morning he meets one of his new neighbors, who tells him that the Government has given his home to its dusky pets, the Navajo Indians, but adds sarcastically that he will be allowed pay for his improvements!

Improvements! How absurd! How cruelly unjust! Not a dollar's worth can he show, though he has spent his all toward procuring and moving to what he fondly hoped to call home as long as he lived. Much that he has brought with him is now comparatively valueless to him. Can anything be more unjust than to turn him away empty? He has lost a settler's right. He has lost opportunities of locating in some other place; he has lost a year's time and a prospective crop. He has on hand that which cost his last dollar, now rendered worthless. Do you say that that man is not robbed? Shame on such a heartless, unprincipled Government!

If the Government has found that it made a mistake by offering inducements for its citizens to settle on those lands by taking their money for the same, as an honest individual it ought to have sought to have made amicable terms with them, and not to have robbed them upon the principle that might makes right, for there can be no other right.

Mr. President, I am informed upon reliable authority that you claim to have been ignorant of the presence of settlers upon those lands at the time you issued your order giving them to the Navajo Indians. It is hard for me to conceive how it is possible that our Chief Executive could be so illy posted, but through charity I prefer believing that, instead of believing that you would willingly, willfully rob the toiling few who have sought a place of repose, a home in the wilderness West. But, Mr. President, since the fiat has gone forth, I would ask you in behalf of those people, as an honorable guardian of the people's rights, to use your utmost influence that they be justly reimbursed, that they be enabled to move from here and procure as good places elsewhere, and that they be remunerated for at least a year's loss of time, for the year is lost to them. Thus you may be instrumental in wiping the foul blot from the brow of our fair country.

Very respectfully, yours,

W. P. HENDRICKSON.

To Hon. GROVER CLEVELAND,
President of the United States.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., June 28, 1885.

SIR: Your communication of May 10, 1885, requesting instruction with regard to the right of one A. C. Damon to open and conduct a trading establishment without license upon the Navajo reservation, is received.

In reply I have to say that Mr. Damon has no valid claim to the land in question, which he can maintain against the United States, and therefore no right to trade with the Indians.

By the fact of prior settlement he has rights which he can maintain against an outsider or subsequent settler, but not against the United States. You will advise Mr. Damon, according to the above instructions, that he will not be allowed to engage in the Indian trade upon the reservation under your jurisdiction.

J. D. C. ATKINS, Commissioner.

S. S. PATTERSON,
U. S. Indian Agent, Navajo Agency, New Mexico.

NAVAJO AGENCY, NEW MEXICO, May 10, 1886.

SIR: I have the honor to state and make known that one A. C. Damon, residing on a tract of land within the reservation, about three-quarters of a mile south of this place, is about to open a traders' store upon his land for the purpose of selling goods to the Navajo Indians, and that he claims the right to establish such store and to sell goods there without a license, by reason of ownership and long-continued occupancy of this land before and after the extension of the reservation in which his land is situated.

I get the following statement from him respecting his occupancy and use of this land, which, as near as I can learn, is about correct, to wit:

Took possession and marked out 160 acres by monuments in May, 1874. A house 30 by 30, four rooms and a hall, built by Thomas V. Keams in 1870 and used as a trader's store up to the time Damon went upon the land, was then on it. He immediately fenced 20 acres and planted 10 acres. The remainder he used as pasture land, and erected another house 40 by 20, with an L 25 by 35, besides a stable, hen-house, and corral. Never took out any papers concerning title; the land is unsurveyed. Never homesteaded or pre-empted any other land. A continuous and unbroken residence and use since he first entered upon it, in May, 1874, as before mentioned. Not fully knowing what the practice of your office is in such cases, or whether such persons come within the law concerning license, I submit the foregoing statement of facts in the matter for your consideration and advice and ask for instructions.

Very respectfully, your obedient servant,

S. S. PATTERSON,
United States Indian Agent.

Hon. J. D. C. ATKINS,
Commissioner of Indian Affairs, Washington, D. C.

NAVAJO AGENCY, NEW MEXICO, July 5, 1886.

DEAR SIR: In the matter of the question of your right to trade on this reservation at your place without license, I have now to inform you that in response to my communication to the honorable Commissioner of May 10, 1885, I have received a letter of instructions saying that you will not be allowed to engage in such trade on the reservation, a copy of which letter is hereto annexed for your information. In pursuance of said letter of instructions, you are hereby notified that from the date of service of this notice on you, you will therefore desist from any further trading with the Indians within this reservation.

Very respectfully,

S. S. PATTERSON,
United States Indian Agent.

Mr. A. C. DAMON.

Mr. TELLER. I submit, in connection with the letters that have gone in the RECORD, the recommendation of the Secretary of the Interior in his last annual report in reference to the matter.

The PRESIDENT *pro tempore*. The Chair understands the Senator has a right to include whatever he thinks proper in the papers to be printed in the RECORD.

Mr. TELLER. I want the committee of conference to understand the case.

The following extract is from the report of Secretary Lamar for the year ending June 30, 1887:

NAVAJO TROUBLES ON THE SAN JUAN RIVER.

The presence of a few settlers, who had located immediately south of the San Juan River, in New Mexico, remaining thereafter the land had been again made a part of the Navajo reservation by Executive order of April 24, 1886, continued to cause some disquiet among the Indians in that locality. Their removal was suggested by the Indian Bureau, and repeatedly urged by the local military commander as a measure necessary for the preservation of good order. As inchoate rights of settlers had attached to the lands upon which they had located, the Department declined to sanction any proceedings for their removal until it was again strongly urged by Colonel Grierson as the only safe, proper, and effective measure by which peace could be permanently maintained and security given to life and property in that locality.

That officer recently reported that the settlers had been peaceably removed and the Navajos quietly placed in possession of the lands occupied by them.

The settlers who in good faith located and made valuable improvements upon the lands, and who have been compelled for the public good to abandon them, should be fully indemnified for the losses thus sustained. To do this, however, it will be necessary for Congress to grant the authority and make a sufficient appropriation for the purpose.

Mr. BERRY. I wish to offer an amendment on page 43. In line 1031 of section 1, after the word "farming," I move to add:

Also, to pay clerk of Otee agency, Indian Territory, \$1,200.

This amendment was submitted to the chairman of the committee by my colleague [Mr. JONES, of Arkansas].

Mr. PLUMB. I shall have to make the point of order on that for the reason that there is no place in this bill where clerks at reservations are provided for. There is no provision anywhere in the statutes for clerks, except a general provision authorizing the appointment of clerks by the Commissioner of Indian Affairs or the Secretary of the Interior, and their payment out of such general fund as may be provided, and the Secretary of the Interior, or the Commissioner of Indian Affairs under his direction, fixes the rate of payment of every single clerk in the Indian service. Now, if one is to be taken out and provided for specially, of course all the others will be treated in the same way, and thus we shall enter on a course of legislation which is entirely unusual, and which, according to the experience of the Department, I think is wholly unnecessary.

Mr. BERRY. I suppose the point of order is well taken, and I shall not insist on the amendment. I am so anxious to get an executive session that I shall not contest the point.

The PRESIDENT *pro tempore*. The Chair sustains the point of order.

Mr. TELLER. I offer an amendment, on page 51, section 1, line 1242, to strike out the word "five," and insert the word "eight." That will give the superintendent of the Grand Junction school \$1,800 a year instead of \$1,500. I beg to say here that it is impossible for a man to live in that expensive country on \$1,500. I understand the committee do not object.

The PRESIDENT *pro tempore*. The Chair hears no objection to the proposed amendment. It will be read.

The CHIEF CLERK. In section 1, line 1242, page 51, it is proposed to strike out "five" and insert "eight;" so as to read:

For support of Indian pupils, at \$175 per annum each, and for necessary repairs to buildings and fencing, and for pay of superintendent, at \$1,800, at the Indian school at Grand Junction, Colo., etc.

The amendment was agreed to.

Mr. TELLER. I have a further amendment that I now offer to the same clause, to come in after the word "Interior," on line 1249:

That out of the appropriation hereby made there may be expended for the construction of a blacksmith shop, carpenter shop, sheds, stables, or outhouses, at such school, a sum not exceeding \$1,500.

This does not increase the total.

The amendment was agreed to.

Mr. MITCHELL. I offer an amendment which is in one sense legislation, and I appeal to the committee to make no objection on a point of order. It is simply changing the place of sale of the lands in the Umatilla reservation from the land-office to the reservation. A bill for that purpose has already passed the Senate, but is not likely to be acted on in the other House.

The Chief Clerk read the proposed amendment, as follows:

That section 2 of an act entitled "An act 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," approved March 3, 1885, be, and the same is hereby, amended so as to provide that the lands described in said section shall be sold at the agency on said reservation, in Umatilla County, State of Oregon, instead of at the proper land-office of the United States, as provided in and by said section, such sales in all other respects to be made in the manner as prescribed in said act.

The PRESIDENT *pro tempore*. The amendment is general legislation, and not in order under the rule. Is there objection to its being received? The Chair hears none. At what point in the bill shall it be inserted?

Mr. DAWES. As an additional section.

The amendment was agreed to.

The PRESIDENT *pro tempore*. It will be treated as an additional section, to be numbered by the Secretary.

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.

Mr. BLAIR. Before the passage of the bill I ask the Senator from Massachusetts to answer the question which I propounded in reference to the denominational management of the schools.

Mr. DAWES. As I stated before, there is a great variety of schools. One large branch of Indian education is what is called "the contract schools," schools which are established out of this gross sum of \$700,000 by private individuals or associations or organizations, religious or other, and the Interior Department makes contracts with those people to educate a certain number of scholars as they agree upon at a fixed price, which is \$108 in some instances and \$158 in others. There has been a good deal of solicitation to obtain these scholars, and of course among the different denominations those the most active and vigilant get the most of these contracts.

There has been a good deal of complaint among the denominations, and it has been charged upon the Indian Bureau that some religious denominations have got a predominant share of these schools. There are religious denominations who are very active in looking out for every opportunity. There is one religious denomination that has a bureau here in Washington, whose duty it is to look out for opportunities to make contracts for the education of Indian children, and it is very natural that under such circumstances such activity and such earnestness should result in that religious denomination getting a large share of these contract schools.

Out of that has grown a complaint that the Catholic organization has got a larger share of the contract schools for the education of Indians than any other denomination, and I think that is true, that they have a larger share. I attribute it in some degree to the reasons which I have assigned here; but, whatever may be the reasons, the truth is undeniable that the Catholic religious organization has a very large share of the contract schools for the education of the Indians on the reservations.

The bill was passed.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

CUSTOMS AND OTHER DEFICIENCIES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a message from the House of Representatives; which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, June 1, 1888.

Resolved, That the House concur in the amendments of the Senate to the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, numbered as follows: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11. And concur in the twelfth amendment of the Senate to said bill with an amendment as follows:

After the matter proposed to be inserted by said amendment, insert the following:

"EXPENSES OF UNITED STATES COURTS.

"Fees of jurors: To supply a deficiency in the appropriation for the fees of jurors, United States courts, on account of the fiscal year ending June 30, 1888, \$50,000.

"Fees of witnesses: To supply a deficiency in the appropriation for fees of witnesses, United States courts, on account of the fiscal year ending June 30, 1888, \$60,000.

"GOVERNMENT HOSPITAL FOR THE INSANE.

"For current expenses of the Government Hospital for the Insane: For support, clothing, and treatment in the Government Hospital for the Insane of the insane from the Army and Navy, Marine Corps, and revenue-cutter service, persons charged with or convicted of crimes against the United States, inmates of the National Homes for Disabled Volunteer Soldiers, and of all persons who have become insane since their entry into the military or naval service of the United States and who are indigent, \$11,713.07, being a deficiency on account of the fiscal year ending June 30, 1888."

"And in the first line of the title of the bill, strike out the words "an appropriation," and insert the word "appropriations."

Mr. ALLISON. I move that the Senate concur in the amendments of the House of Representatives. These amendments are three in number, one being for the fees of jurors for the current year, one for the fees of witnesses for the current year, and the other a small deficiency for the Insane Asylum in this District.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Iowa.

Mr. ALLISON. Before that motion is put I desire to present a table which I promised the Senator from Vermont [Mr. EDMUNDS] to present when this bill was pending before, and I ask that it be inserted in the RECORD, showing the amount of receipts from fines, penalties, and forfeitures under the customs laws for the years beginning in 1871 and ending in 1887. I will say that this table verifies in a specific way the general statement that I made on the floor when the bill was heretofore under consideration.

The PRESIDENT *pro tempore*. It will be printed in the RECORD.

The paper is as follows:

Receipts and expenditures, customs service, and percentage of cost for the fiscal years 1871 to 1887, inclusive.

Fiscal year—	Total collections.	Cost of collection.	Percentage.
1871	\$206,270,408.05	\$6,560,672.61	.0318+
1872	216,370,286.77	6,950,189.81	.0321+
1873	188,089,522.70	7,079,743.42	.0376+
1874	163,103,833.69	7,319,487.88	.0448+
1875	157,162,722.35	7,028,796.77	.0447+
1876	148,071,984.61	6,702,230.34	.0452+
1877	130,956,493.07	6,501,037.57	.0496+
1878	130,170,680.20	5,887,443.69	.0452+
1879	137,250,047.70	5,483,543.87	.0414+
1880	186,522,064.60	6,023,253.53	.0322+
1881	198,159,676.02	6,383,288.10	.0323+
1882	220,410,730.25	6,506,359.20	.0295+
1883	214,706,496.93	6,591,224.51	.0304+
1884	185,067,489.76	6,494,847.23	.0357+
1885	181,471,439.34	6,427,612.67	.0358+
1886	192,905,023.44	6,870,804.29	.0316+
1887	217,286,893.13		

Receipts from miscellaneous sources, customs service, 1871 to 1887.

Fiscal year.	Fines, penalties, and forfeitures.	Fees of customs officers.	Storage, cartage, etc.	Total.
1871	\$952,579.86	\$575,887.69	\$114,310.61	\$1,642,778.16
1872	674,232.77	411,157.99	461,409.12	1,546,799.88
1873	1,169,515.38	321,212.61	473,741.37	1,964,469.36
1874	651,271.76	276,017.50	405,417.73	1,332,706.99
1875	228,870.23	677,617.68	434,882.85	1,341,370.76
1876	183,797.86	570,812.55	435,533.53	1,210,143.94
1877	146,413.21	511,780.15	386,519.48	1,044,712.84
1878	130,997.15	551,338.81	364,528.40	1,046,864.36
1879	163,513.06	506,414.44	370,944.16	1,040,871.66
1880	123,786.23	645,047.47	379,966.41	1,148,800.16
1881	150,433.99	608,914.44	406,166.43	1,225,514.86
1882	105,644.80	849,551.43	388,151.77	1,343,348.00
1883	134,590.74	896,027.08	405,618.52	1,436,236.34
1884	78,496.90	572,328.79	423,839.77	1,074,665.46
1885	142,759.52	578,345.11	459,663.54	1,180,768.17
1886	128,843.58	462,457.48	423,482.52	1,014,783.58
1887	160,205.41	446,121.29	446,711.16	1,053,037.86
Total	5,325,952.50	9,591,032.51	7,162,887.37	22,079,872.38

Mr. ALLISON. Prior to the passage of the act of August 5, 1882 (22 Statutes, 256), which requires that the Secretary of the Treasury shall cause all unexpended balances of the permanent and indefinite appropriations for collecting the revenue from customs which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury, the appropriation for "Expenses of collecting the revenue from customs" was a continuous one, and any balance thereof remaining at the end of a fiscal year could be used to meet the expenses incurred in the year following.

Since the fiscal year 1882 only the permanent annual sum of \$5,500,000 and such miscellaneous customs receipts as are received within each fiscal year can be used to meet the expenses of such year.

The balances carried to the surplus fund under the provisions of the act of 1882 were:

Fiscal year—	
1883	\$723,340.24
1884	293,752.93
1885	362,467.08
1887	89,893.60
Total	1,469,453.85

In addition to these balances, \$2,000,000 were carried to the surplus fund by Secretary Sherman in the fiscal year 1880.

I believe this covers all the points suggested.

I will also say that while the amendments now presented by the House for deficiencies for fees of jurors and witnesses in the United States courts seem large, and are large compared with the expenses of other years, I am satisfied that they are necessary and should be agreed to.

The amendments of the House of Representatives were concurred in.

CONFINEMENT OF INEBRIATES IN GOVERNMENT INSANE HOSPITAL.

Mr. HOAR. I move that the Senate proceed to the consideration of Senate bill No. 537, Calendar No. 1409. I propose simply to ask a recommitment of the bill with instructions.

The PRESIDENT *pro tempore*. If there be no objection, the bill (S. 537) to provide for the confinement of inebriates in the Government Hospital for the Insane is before the Senate.

Mr. HOAR. I offer the following resolution:

Resolved, That the bill (S. 537) to provide for the confinement of inebriates in the Government Hospital for the Insane be recommitted to the Committee on the District of Columbia with instructions to inquire and report whether the

same, if enacted, will or not be injurious to the said hospital, and further as to the expediency of confining and treating inebriates in hospitals for the insane. The resolution was agreed to.

PROTECTION OF OFFICERS IN INDIAN TERRITORY.

Mr. DAWES presented the following report; which was read:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4920) for the protection of the officials of the United States in the Indian Territory, 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 and agree to the same.

H. L. DAWES,
F. B. STOCKBRIDGE,
JAMES K. JONES,
Managers on the part of the Senate.
JNO. H. ROGERS,
JOHN S. HENDERSON,
WM. E. FULLER,
Managers on the part of the House.

The PRESIDENT *pro tempore*. The House having receded, no action of the Senate is necessary.

PURCHASE OF PROPERTY AT WEST POINT.

Mr. ALLISON. I ask, on behalf of the Committee on Appropriations, that a letter of the Secretary of War and certain documents be printed for the use of the Senate. These documents relate to the purchase of a certain tract of land immediately adjoining the Government property at West Point. There are some maps accompanying this communication which it is not necessary to print, and I hope the Secretary will inform the Printer that the maps need not be published.

The PRESIDENT *pro tempore*. The Senator can give the necessary instructions to the printing clerk. The order to print will be entered.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, June 4, 1888, at 12 o'clock m.

NOMINATION.

Executive nomination received by the Senate June 1, 1888.

GENERAL OF THE ARMY.

Lieut. Gen. Philip H. Sheridan, to be General of the Army, under the provisions of an act of Congress approved June 1, 1888.

CONFIRMATION.

Executive nomination confirmed by the Senate June 1, 1888.

GENERAL OF THE ARMY.

Lieut. Gen. Philip H. Sheridan, to be General of the Army.

HOUSE OF REPRESENTATIVES.

FRIDAY, June 1, 1888.

The House met at 11 o'clock a. m., and was called to order by Mr. McMILLIN as Speaker *pro tempore*, who directed the reading of the following communication from the Speaker:

WASHINGTON, D. C., June 1, 1888.

SIR: Hon. BENTON McMILLIN is designated to preside as Speaker *pro tempore* at the session of the House to-day.

JOHN G. CARLISLE, Speaker.

To Hon. JOHN B. CLARK,

Clerk of the House of Representatives.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

Mr. RANDALL. I call for the regular order.

SMITHSONIAN INSTITUTION.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Smithsonian Institution of appropriation for expenses of international exchanges for the fiscal year of 1889; which was referred to the Committee on Appropriations, and ordered to be printed.

TREASURY DIVISION OF LOANS AND CURRENCY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an amended estimate of an appropriation for the clerical force of the division of loans and currency for the fiscal year 1889; which was referred to the Committee on Appropriations, and ordered to be printed.

GOVERNMENT HOSPITAL FOR THE INSANE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of appropriation to supply deficiency for expenses of the Government Hospital for the Insane for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

STATE, WAR, AND NAVY BUILDING.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting the final report upon the construc-

tion of the State, War, and Navy Department building; which was referred to the Committee on Appropriations, and ordered to be printed.

CLAIMS.

The SPEAKER *pro tempore* also laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of the findings of fact in the following cases, and they were severally referred to the Committee on War Claims:

H. A. Bell, executor, etc., against the United States.

William R. Kearney against the United States.

Sarah E. A. Smith against the United States.

Milton J. Durham, administrator, etc., against the United States.

CLAIMS DISMISSED BY COURT OF CLAIMS.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion of the court dismissing the case of Lucy E. Dowdy, executrix, against the United States; which was referred to the Committee on War Claims.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the order dismissing the case of W. A. Galloway against the United States; which was referred to the Committee on War Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CANDLER, for one week, on account of sickness in his family.

To Mr. ALLEN, of Michigan, indefinitely, on account of important business.

To Mr. BARNES, for eight days, on account of important business.

To Mr. BACON, indefinitely, on account of going to West Point as member of the Board of Visitors.

BRIDGE ACROSS POTEAU RIVER, NEAR FORT SMITH, ARK.

The SPEAKER *pro tempore* laid before the House a bill (S. 1948) to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, near Fort Smith, Ark.

Mr. ROGERS. Mr. Speaker, I hold in my hand a House bill similar to that Senate bill, and I ask unanimous consent that the House take up the Senate bill and consider it this morning. I suggest that the reading of the bill be dispensed with, as it conforms to the established precedents for the construction of bridges.

Mr. RANDALL. Mr. Speaker, I think any bill that is going to be passed by this House ought at least to be read. I do not object at all to the bill, but I ask that it be read.

The bill was read in part.

Mr. RANDALL. Mr. Speaker, I understand from the gentleman from Arkansas [Mr. ROGERS] that substantially this bill has been read to the House in the form of a House bill, and I therefore withdraw my request for the reading.

Mr. ROGERS. I do not mean to say that the bill has been read twice in the House.

The SPEAKER *pro tempore*. The bill will be read.

The Clerk completed the reading of the bill.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Arkansas [Mr. ROGERS] that this Senate bill be considered at this time?

There was no objection.

Mr. ROGERS. I move the previous question on ordering the bill to a third reading.

The previous question was ordered.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. ROGERS 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.

The House bill for the same purpose (H. R. 7031) was laid on the table.

GENERAL OF THE ARMY.

The SPEAKER *pro tempore* also laid before the House a bill (S. 2210) to revive the grade of General in the United States Army.

Mr. SPINOLA. Mr. Speaker, I ask unanimous consent that that bill be now taken up. I have been instructed by the Committee on Military Affairs to make this request.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York?

Mr. KILGORE. I object.

The SPEAKER *pro tempore*. Objection is made. The bill will be referred to the Committee on Military Affairs.

Mr. RANDALL. The gentleman from New York can attain his object on Monday next by a motion to suspend the rules, under an individual recognition by the Speaker. The only danger in that course is that, unfortunately, General Sheridan may not live until that time.

Mr. STEELE. I ask that the bill lie on the Speaker's table for the present.

Mr. SPINOLA. I make the same request, Mr. Speaker.

The SPEAKER *pro tempore*. In the absence of objection, it will be so ordered.

LAURA E. MADDOX.

The SPEAKER *pro tempore* also laid before the House a bill (S. 2201) for the relief of Laura E. Maddox, widow and executrix, and Robert Morrison, executor of Joseph H. Maddox, deceased; which was read twice, and referred to the Committee on War Claims.

PUBLIC BUILDING, DENVER, COLO.

The SPEAKER *pro tempore* also laid before the House joint resolution (S. R. 79) permitting the public building authorized by act of Congress approved May 8, 1882, at Denver, Colo., to be located not less than 16 feet from any other building, instead of 40 feet, as provided in said act; which was read twice, and referred to the Committee on Public Buildings and Grounds.

ORDER OF BUSINESS.

Mr. WEAVER. Mr. Speaker—

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. WEAVER. I move to discharge the Committee of the Whole from the further consideration of the bill which I send to the desk, and ask that it be now considered.

The SPEAKER *pro tempore*. That motion is not in order at this time.

Mr. WEAVER. What is the reason of that? I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill and consider it at this time.

Mr. RANDALL. What bill is it?

Mr. WEAVER. A public-building bill appropriating only \$40,000.

Mr. RANDALL. Oh, if we enter upon public-building bills we shall never get through.

The SPEAKER *pro tempore*. Objection is made.

Mr. WEAVER. Debate is not in order, but I want to say a word in reply to the gentleman from Pennsylvania. We have entered upon this kind of business for other gentlemen in this House.

Mr. RANDALL. Well, I have not—not in the presence of an appropriation bill.

Mr. WEAVER. Oh, the appropriation bill will not suffer. That will pass anyhow.

Mr. BOWDEN. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill which I send to the desk.

Mr. RANDALL. Let us have the regular order.

Mr. BOWDEN. I am sure the gentleman does not object to this bill.

Mr. RANDALL. I am quite sure that I do. [Laughter.]

Mr. BOWDEN. I do not think you will object if you examine it.

Mr. WEAVER. Oh, he would not have objected to my bill if he had examined it.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

ESTIMATES FOR CERTAIN NEW LIGHT-HOUSES AND FOG-SIGNALS.

On motion of Mr. RANDALL the Committee on Appropriations was discharged from the further consideration of House Executive Documents Nos. 328, 329, 330, and 332, submitting estimate of lights and fog-signals at Stuart Island, Washington Territory, Point Buchon, California, Patos Island, Washington Territory, and Point Arguello, California; and they were referred to the Committee on Commerce.

DANIEL W. PERKINS.

Mr. EZRA B. TAYLOR, from the Committee on the Judiciary, reported back favorably the bill (H. R. 8846) for the relief of Daniel W. Perkins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JURIES IN UNITED STATES COURTS.

Mr. EZRA B. TAYLOR also, from the Committee on the Judiciary, reported back favorably the bill (S. 64) to authorize the juries of the United States circuit and district courts to be used interchangeably and to provide for drawing talesmen; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

LEGAL REPRESENTATIVES OF HENRY H. SIBLEY.

Mr. TAULBEE, from the Committee on Claims, reported back favorably the bill (S. 518) for the relief of the legal personal representatives of Henry H. Sibley, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. TAULBEE. I ask unanimous consent that a House bill now on the Calendar, precisely similar to the Senate bill just reported, be laid on the table and that this bill be substituted for it.

The SPEAKER *pro tempore*. That request can not be made during this call.

Mr. McCULLOGH. I wish to ask the gentleman from Kentucky [Mr. TAULBEE] in regard to the nature of the report just made.

Mr. TAULBEE. We have adopted and filed with this bill the report already made on the House bill, accompanied with the views of the minority of the committee on that bill.

Mr. McCULLOGH. That is satisfactory.

CAROLINE T. COCKLE.

Mr. MASON, from the Committee on Claims, reported back favorably the bill (H. R. 736) for the relief of Caroline T. Cockle; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OWNERS, ETC., OF BRITISH BARK CHANCE.

Mr. BOWDEN, from the Committee on Claims, reported back with amendment the bill (S. 1026) for the relief of the owners, officers, and crew of the British bark Chance; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AMERICAN TRUST COMPANY, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back with amendment the bill (S. 116) to incorporate the American Trust Company of the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GRADE OF GENERAL, UNITED STATES ARMY.

Mr. SPINOLA. I ask consent that Senate bill No. 2210 be taken from the Speaker's table and referred to the Committee on Military Affairs.

The SPEAKER *pro tempore*. That request can not be made during this call.

PUBLIC BUILDING AT BURLINGTON, IOWA.

Mr. NEWTON, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 2121) authorizing the construction of a public building at Burlington, Iowa; 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.

PUBLIC BUILDING AT PEORIA, ILL.

Mr. NEWTON also, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 2546) to appropriate \$12,000 for the completion of the public building at Peoria, Ill., and increasing the limit of the cost of said building; 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.

PUBLIC BUILDING AT WINONA, MINN.

Mr. NEWTON also, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 2475) to increase the appropriation for the erection of a public building at Winona, Minn.; 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.

FRANCIS K. HOUSE.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 9865) granting a pension to Francis K. House; which was laid on the table, and the accompanying report ordered to be printed.

FRANK W. TUBBESING.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 9885) granting a pension to Frank W. Tubbesing; which was laid on the table, and the accompanying report ordered to be printed.

GRADE OF GENERAL, UNITED STATES ARMY.

Mr. MILLS. Mr. Speaker, on behalf of Confederate soldiers, living and dead, I ask unanimous consent to put on its passage the bill which I send to the desk.

The SPEAKER *pro tempore*. The gentleman from Texas asks unanimous consent to take from the Speaker's table for consideration at this time the bill which the Clerk will read.

The Clerk read as follows:

A bill (S. 2210) to revive the grade of General in the United States Army.

Be it enacted, etc., That the grade of Lieutenant-General of the Army is hereby discontinued and is merged in the grade of General of the Army of the United States, which grade shall continue during the lifetime of the present Lieutenant-General of the Army, after which such grade shall also cease; and the President of the United States is hereby authorized to appoint, with the advice and consent of the Senate, a General of the Army of the United States.

SEC. 2. That the pay and allowances of the General be the same as heretofore allowed for that grade.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill which has just been read?

Mr. KILGORE. I object.

Mr. STEELE. Let it be referred to the Committee on Military Affairs.

The SPEAKER *pro tempore*. Without objection that order will be made.

There being no objection, the bill was read a first and second time, and referred to the Committee on Military Affairs.

QUESTION OF PRIVILEGE.

Mr. WHITE, of New York, rising to a question of privilege, said: Mr. Speaker, I send to the Clerk's desk and ask to have read the following telegraphic dispatch, which was sent from Washington on May 22, and which appeared in the New York Times on the following day.

The Clerk read as follows:

"Deacon" S. V. WHITE, of New York, has not had very much to say in the House of Representatives since he found it advisable to explain certain statements about his mixing of stock speculation and statesmanship, but he evidently is willing to be talked about again. Some of his colleagues are talking about him now. Their special theme is a little joint resolution introduced by the Deacon yesterday, which is regarded as proof that he possesses the necessary "cheek" to be a successful broker. Mr. WHITE's resolution in effect authorizes the President to declare war against the Venezuelan Government, if necessary, to collect indemnity for certain damages suffered by the Venezuelan Steam Transportation Company when some of their vessels were seized by Venezuelan belligerents in 1871.

Mr. WHITE is quite familiar with the history and standing of the various claims against Venezuela, for Mr. WHITE has a part interest in some of those claims. Secretary of State Bayard regards some of these claims as of such character as to warrant him in declining to pay on them the money deposited for that purpose by Venezuela until further investigation. Mr. WHITE is so anxious to see the claims paid that he has appeared as his own counsel in the United States Supreme Court in an effort to obtain a mandamus to compel the Secretary to distribute the funds in his possession. The Deacon is also credited with some knowledge of an attempt recently made to establish a precedent for the payment of 6 per cent. interest on claims against the Government. The authority of Congress to declare war upon Venezuela would probably be regarded by Deacon WHITE as an excellent whip with which to drive that government into consenting to pay all claims presented by Americans without a too critical examination into their merits.

Mr. WHITE, of New York. Mr. Speaker, I certainly should deprecate consuming the time of this House in the mere refutation of false, scurrilous, personal attacks in the public press.

It is unfortunately true that every man of affairs in this country, if he attempts to achieve success in his undertakings, will arouse somewhere a cur to bark at his heels; and experience has shown that it is generally the part of wisdom to let such curs bark till they become weary rather than waste time and muscle in clubbing them to their kennels, and such has been my course in the main for many years in a somewhat busy life.

But when a Representative in the American Congress is accused in a daily newspaper, printed in the city which has been his business home for well-nigh a quarter of a century, of attempting to involve the country which he represents in a war with a sister Republic, and of pressing a suit in respect to the diplomatic relations of his Government with such Republic in the highest tribunal in the land for the purposes of private pecuniary profit, the honor of the American Congress as well as the personal honor of the Representative assailed demands that he should turn aside from the contemptuous silence, which is ordinarily the most dignified rebuke, and expose the malignant mendacity of the author of the falsehood. [Applause.] Let this be my apology for consuming a very few moments of your time.

The article read by the Clerk starts out with the assertion that I "found it advisable" at one time "to explain certain statements about my mixing of stock speculation with statesmanship." You, Mr. Speaker and gentlemen, are my witnesses of the falsity of that statement. I made no explanation of that charge whatever. I found a ridiculous lie afloat, and I stamped on it in your presence with the contempt which its absurdity demanded, and from the time that I took my heel off it upon this floor,

Imperial Caesar, dead and turned to clay,

was not more dead than was this senseless canard. [Laughter and applause.]

But to the New York Times a dead lie, under the relations which that paper bore to me, was much better than no lie at all, and the mangled fragments of this wreck were carefully laid aside for future use.

There was without doubt much sadness in the office of the New York Times about that first lie. It was of the particular style of merchandise which they wanted on their shelves. It had been a secret pride in that office that, though they might be slow in news, they were smart in lying. [Laughter.]

And here was this juicy and toothsome falsehood, which, with better luck, they might have rolled under their tongue as a sweet morsel for days before it was contradicted, and in an evil hour they had mistaken it for news, and "got on to it," as usual, twenty-four hours after their more enterprising neighbors. [Laughter.] Evidently they were chastened and saddened, but determined upon more vigilance in the future; and so this "funeral baked meat" is used as a relish to whet the appetite for a more malevolent lie. [Renewed laughter.]

And now I address myself to the subject-matter of the communication which the Clerk has just read. Mr. Speaker and gentlemen, you know it is not true that you are or have been talking about me and the joint resolution in regard to Venezuela. You and each of you have heard nothing about it, and have said nothing about it. It is also not true that I have a dollar's interest, direct or collateral, as principal or an attorney, in any claim of any nature against Venezuela, and, so far as I am aware, no constituent of mine has any such claim. The statement that I ever brought an action of mandamus or any other action against Mr. Bayard or any other human being, in respect to any claim against Venezuela, or that had respect to any contention about Vene-

zuela, in any form whatever, is a lie; it is an unmistakable, palpable lie telegraphed from yonder press gallery, referring to an imaginary cause in the Supreme Court of the United States, whose archives are within a hundred paces of where the slander was penned; and those archives will prove, upon the most casual inquiry, the falsity of the fabrication. [Applause.]

Mr. Speaker, possibly I have said all that I am called on to say in regard to this matter, but I shall crave your indulgence a minute longer.

The Times in this article lays great and contemptuous stress upon my business as a stock-broker.

Mr. Speaker, there is not a man on this floor who will accuse me of ever "talking shop," either here or elsewhere. There was never a time when I so far lacked discrimination as not to know that it made no difference whether a man in public life had been a farmer or mechanic, a preacher or lawyer; that he did not stand in this hall upon any certificate of past achievement, but was rated here according to his ability and his fidelity in the discharge of his public trusts.

And so if any man on this floor knows anything of my past business life he knows it from outside information, and not from any remark of mine made here or elsewhere.

But before dismissing the New York Times I propose to embalm one of the editors of that sheet, who has for over four years inspired the course of the paper towards me, and to do this it is made necessary to recall a single personal incident in my past life.

This article which the Clerk has just read gives me my usual sobriquet of "deacon." The most genial and kindly friends I have on this floor often address me as "deacon." Some of you may think, when you behold my "orderly walk and conversation," that the title was given me from my official church relation, or because I behave like a "deacon." But candor compels me to admit, modestly, that these things are not true, and that however illogical it may seem I was brevetted deacon for success in battle upon the floor of the New York Stock Exchange, which battle was waged to settle a dispute over the appropriate market price of Lackawanna. [Laughter.]

The engagement took place on March 1, 1884. As is always the case in a contest of that kind, there were more camp followers than there were soldiers; and prominent among the camp followers was one of the editors of the New York Times.

He was one of those serviceable fellows whom you each met within twenty-four hours after your nomination for Congress, who could do you so much good in the doubtful precincts, and whose services were at your command, if you would send out 10,000 papers at 10 cents a piece.

I did not need him and he was arrayed, through his broker, on the other side. It was a day of very marked activity among bears, and a day when those who asked for terms earliest, fared best. The Times editor was dilatory that morning, and before 3 o'clock I convinced him, through his broker, that my property which he had squandered by selling short the day before at 127 "regular" was cheap that afternoon at 137 cash. [Great laughter.] To use the language of the irreverent, the Times editor "got left" that day, and he has been trying to "get even" ever since, and the weakling in the press gallery who sent that dispatch was acting under general instructions from headquarters when he telegraphed the lie.

Let me give you proof of the personal malice which poisons this dispatch.

This Venezuela joint resolution, in the identical words which I used, was introduced into the Senate on May 16 (page 4366 of the CONGRESSIONAL RECORD) by the distinguished Senator from New York, Mr. EVARTS, formerly Secretary of State. This was five days before I introduced the same resolution in this House. Now, which horn of the dilemma will the Times take—that it had not enterprise enough to find that Mr. EVARTS had introduced the same resolution or that it did not gratify any personal malice to state the fact in respect to that distinguished Senator?

Again, in the matter of the amendment offered by me to the urgent deficiency bill to pay 6 per cent. interest from March 4, 1887, to the date of the passage of that bill, because the creditors had lost that interest through the neglect of the Forty-ninth Congress; the same amendment, in the exact words, was afterwards introduced in the Senate by the distinguished Senator from Ohio, Mr. SHERMAN. Was the suppression of that fact the result of ignorance as to public affairs, or had the Times no personal venom to inject in its relations with that Senator?

One word on the cowardice of these malignant misrepresentations, and I am done. This is no question of a manly statement of fact and fair criticism of a public servant; such statement and criticism I invite and commend; but this fabrication is a sample merely, with perhaps a higher percentage of truth than the average statements of the Times, with which they have commented upon my private affairs and my public acts for the last four years.

Now, Mr. Speaker, the world unites in its execration of a coward, but in the roll-call of cowardice the most execrable devil that answers to his name is the newspaper man who, armed with a printing press, uses it to gratify a personal spite, by scattering world-wide, false statements

against a citizen who has no equal means either of contradiction or of retaliation. And such a case is the case at bar. [Prolonged applause.]

ORDER OF BUSINESS.

Mr. RANDALL. I demand the regular order.

The SPEAKER *pro tempore*. When the House adjourned on yesterday evening it was divided on the motion of the gentleman from Georgia to lay on the table the appeal made by the gentleman from Kansas.

Mr. RANDALL. I yield to the gentleman from New York [Mr. SPINOLA] to make a report from the Committee on Military Affairs.

Mr. SPINOLA. I wish to report back the bill from the Committee on Military Affairs, referred to that committee this morning, in regard to the rank of General of the United States Army.

The SPEAKER *pro tempore*. The gentleman will send the bill to the desk.

Mr. SPINOLA. I have sent to the committee-room for the bill; it will be here in a moment.

Mr. RANDALL. Pending that, I move to dispense with private business for the entire day.

The question was taken; and on a division there were—ayes 140, noes 8.

Mr. BUTLER. No quorum has voted.

The SPEAKER *pro tempore*. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. BUTLER and Mr. RANDALL were appointed tellers.

The SPEAKER *pro tempore*. This motion requires a vote of two-thirds.

Mr. BUTLER (one of the tellers). I withdraw the demand for a quorum.

So (no further count being demanded) the motion was agreed to, two-thirds voting in favor thereof.

GRADE OF GENERAL IN THE ARMY.

Mr. SPINOLA. Mr. Speaker, I now ask unanimous consent to report back from the Committee on Military Affairs the bill which I send to the desk.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 2210) to revive the grade of General in the United States Army.

Mr. SPINOLA. I am instructed by the committee to report the bill back with the recommendation that it pass.

The SPEAKER *pro tempore*. Is there objection to the report being now made?

Mr. KILGORE. I object.

The SPEAKER *pro tempore*. The gentlemen from Texas objects to making the report.

Mr. KILGORE. No; I do not object to making the report from the committee. I object to present consideration.

Mr. BLAND. I hope the gentleman will withdraw objection to the bill. Let it be considered now. General Sheridan ought to be given that rank, and I hope the bill will pass.

The SPEAKER *pro tempore*. The Chair will again submit the request of the gentleman from New York for unanimous consent to make the report from the committee at this time.

Mr. OATES. I renew the objection.

The SPEAKER *pro tempore*. The report can only be made by unanimous consent at this time.

ORDER OF BUSINESS.

Mr. RANDALL. Let us have the regular order.

The SPEAKER *pro tempore*. The Chair will again state that on yesterday evening, at the time of adjournment, the House was dividing on the motion of the gentleman from Georgia [Mr. BLOUNT] to lay on the table the appeal from the decision of the Chair taken by the gentleman from Kansas [Mr. PETERS]. The yeas and nays had been demanded, which demand was subsequently withdrawn. Thereupon the gentleman from Ohio [Mr. GROSVENOR] demanded a division, and the House was dividing at the time.

The question recurs on the motion of the gentleman from Georgia to lay the appeal on the table.

The House divided; and there were—ayes 112, noes 47.

Mr. MASON, Mr. PETERS, and others. No quorum.

The SPEAKER *pro tempore*. The point of order being made that a quorum has not voted, the Chair will appoint tellers.

Mr. BLOUNT and Mr. PETERS were appointed tellers.

The House again divided; and the tellers reported—ayes 111, noes 6.

Mr. MASON. No quorum.

Mr. RANDALL. To save time I ask the yeas and nays.

Mr. BURROWS. Mr. Speaker, I think we can save time upon this matter if the gentlemen on the other side of the House will consent to take up the bill for the relief of General Sheridan.

Mr. MILLS. Let us have the yeas and nays.

Mr. BURROWS. I ask unanimous consent to take up that bill for consideration at this time.

Mr. MORSE. You have already placed yourselves on the record.

Mr. RANDALL. And this side of the House has shown its disposition to take up and pass the bill.

Mr. BURROWS. Is there objection to the request I have made?

Mr. MILLS. The yeas and nays have been demanded.

The SPEAKER *pro tempore*. The question is on ordering the yeas and nays.

The yeas and nays were ordered.

Mr. KELLEY. Will the Chair please state the question?

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Georgia [Mr. BLOUNT] to lay on the table the appeal taken from the decision of the Chair by the gentleman from Kansas [Mr. PETERS].

The question was taken; and there were—yeas 130, nays 9, not voting 185; as follows:

YEAS—130.

Abbott,	Dibble,	Landes,	Rogers,
Allen, Miss.	Dockery,	Lane,	Rowland,
Anderson, Ill.	Dunn,	Lanham,	Sayers,
Bankhead,	Elliott,	Lawler,	Seney,
Barry,	Enloe,	Lee,	Shaw,
Biggs,	Ermentrout,	Long,	Shively,
Blanchard,	Fisher,	Lynch,	Smith,
Bland,	Foran,	Macdonald,	Sowden,
Bliss,	Ford,	Mahoney,	Spinola,
Blount,	Forney,	Maish,	Springer,
Breckinridge, Ark.	French,	Mansur,	Stahlnacker,
Breckinridge, Ky.	Gay,	Martin,	Stewart, Tex.
Bryce,	Glass,	McAdoo,	Stewart, Ga.
Buckalew,	Grimes,	McClammy,	Stockdale,
Burnes,	Hall,	McCreary,	Stone, Ky.
Burnett,	Hare,	McShane,	Stone, Mo.
Bynum,	Hatch,	Mills,	Taulbee,
Campbell, F., N. Y.	Hayes,	Moore,	Thompson, Cal.
Cannon,	Heard,	Morgan,	Tillman,
Carlton,	Hemphill,	Morse,	Tracey,
Caruth,	Henderson, N. C.	Neal,	Turner, Ga.
Catchings,	Herbert,	Newton,	Vance,
Chipman,	Holman,	Oates,	Walker,
Clardy,	Hopkins, Va.	O'Neill, Ind.	Washington,
Clements,	Howard,	Outhwaite,	Weaver,
Cobb,	Hudd,	Peel,	Wheeler,
Cothran,	Hutton,	Pennington,	Whitthorne,
Cowles,	Johnston, N. C.	Perry,	Wilkins,
Cox,	Jones,	Randall,	Wilkinson,
Culberson,	Kerr,	Rayner,	Wilson, Minn.
Dargan,	Kilgore,	Rice,	Wilson, W. Va.
Davidson, Ala.	Laffoon,	Richardson,	
Davidson, Fla.	Lagan,	Robertson,	

NAYS—9.

Anderson, Iowa	Hermann,	McKenna,
Baker, Ill.	Hiestand,	Romeis.
Brewer,	Lind,	

NOT VOTING—185.

Adams,	Dalzell,	Kennedy,	Rowell,
Allen, Mass.	Darlington,	Ketcham,	Russell, Conn.
Allen, Mich.	Davenport,	La Follette,	Russell, Mass.
Anderson, Miss.	Davis,	Laidlaw,	Rusk,
Anderson, Kans.	De Lano,	Laird,	Ryan,
Arnold,	Dingley,	Latham,	Sawyer,
Atkinson,	Dorsey,	Lodge,	Scott,
Bacon,	Dougherty,	Lyman,	Scull,
Baker, N. Y.	Dunham,	Maffett,	Seymour,
Barnes,	Farquhar,	Mason,	Sherman,
Bayne,	Felton,	Matson,	Simmons,
Belden,	Finley,	McComas,	Snyder,
Belmont,	Fitch,	McCormick,	Spooner,
Bingham,	Flood,	McCulloch,	Steele,
Boothman,	Fuller,	McKinley,	Stephenson,
Bound,	Funston,	McKinney,	Stewart, Va.
Boutelle,	Gaines,	McMillin,	Struble,
Bowden,	Gallinger,	McRae,	Symes,
Bowen,	Gear,	Merriman,	Tarsnev,
Brower,	Gest,	Milliken,	Taylor, E. B., Ohio
Browne, T. H. B., Va.	Gibson,	Moffitt,	Taylor, J. D., Ohio
Browne, Ind.	Glover,	Montgomery,	Thomas, Ky.
Brown, Ohio	Goff,	Morrill,	Thomas, Ill.
Brown, J. R., Va.	Granger,	Morrow,	Thomas, Wis.
Brumm,	Greenman,	Nelson,	Thompson, Ohio
Buchanan,	Grosvenor,	Nichols,	Townshend,
Bunnell,	Grout,	Norwood,	Turner, Kans.
Burrows,	Guenther,	Nutting,	Vandever,
Butler,	Harmer,	O'Donnell,	Wade,
Butterworth,	Haugen,	O'Ferrall,	Warner,
Campbell, Ohio	Hayden,	O'Neill, Pa.	Weber,
Campbell, T. J., N. Y.	Henderson, Iowa	O'Neill, Mo.	West,
Candler,	Henderson, Ill.	Osborne,	White, Ind.
Caswell,	Hires,	Owen,	White, N. Y.
Cheadle,	Hitt,	Parker,	Whiting, Mich.
Clark,	Hogg,	Patton,	Whiting, Mass.
Cockran,	Holmes,	Payson,	Wickham,
Cogswell,	Hooker,	Perkins,	Wilber,
Collins,	Hopkins, Ill.	Peters,	Williams,
Compton,	Hopkins, N. Y.	Phelan,	Wise,
Conger,	Houk,	Phelps,	Woodburn,
Cooper,	Hovey,	Pidcock,	Yardley,
Crain,	Hunter,	Plumb,	Yoder,
Crisp,	Jackson,	Post,	Yost,
Crouse,	Johnston, Ind.	Pugsley,	
Cummings,	Kean,	Reed,	
Cutcheon,	Kelley,	Rockwell,	

When the name of Mr. MASON was called,

Mr. MASON said: I rise for information. I desire to know the question before the House.

The SPEAKER *pro tempore*. That has been stated more than once.

But, with the consent of the House, the Chair will again state, the question is on the motion of the gentleman from Georgia to lay on the table the appeal of the gentleman from Kansas from the decision of the Chair.

Mr. MASON. I desire, Mr. Speaker— [Cries of "Regular order!"]

Mr. MASON. Can I not ask to be excused from voting? I will state that I do not propose to vote on this or any other measure while General Sheridan is alive until this bill giving him the rank and title of General of the Army has passed. [Cries of "Regular order!"]

The Clerk continued and completed calling the roll.

Mr. BLOUNT. I ask that the reading of the names be dispensed with.

Mr. MASON and others objected.

The following members were announced as paired on all political questions until further notice:

Mr. CAMPBELL, of Ohio, with Mr. SAWYER.

Mr. BELMONT with Mr. CLARK.

Mr. LATHAM with Mr. LAIRD.

Mr. BACON with Mr. HAYDEN.

Mr. GIBSON with Mr. PUGSLEY.

Mr. RUSK with Mr. SEYMOUR.

Mr. MERRIMAN with Mr. RUSSELL, of Connecticut.

Mr. SNYDER with Mr. HENDERSON, of Iowa.

Mr. SIMMONS with Mr. DUNHAM.

Mr. TIMOTHY J. CAMPBELL with Mr. LAIDLAW.

Mr. WHITING, of Michigan, with Mr. ALLEN, of Michigan.

Mr. DOUGHERTY with Mr. PETERS.

Mr. TOWNSHEND with Mr. HENDERSON, of Illinois.

Mr. GRANGER with Mr. ROCKWELL.

Mr. GLOVER with Mr. THOMAS, of Wisconsin.

Mr. NORWOOD with Mr. COOPER.

Mr. GREENMAN with Mr. THOMAS, of Illinois.

Mr. WHITE, of New York, with Mr. COCKRAN.

Mr. CANDLER was announced as paired with Mr. CUTCHEON until June 8.

The following pairs were also announced:

Mr. SCOTT with Mr. T. H. B. BROWNE, of Virginia, on all questions in the House and in Committee of the Whole until further notice.

Mr. CUMMINGS with Mr. MCCORMICK, on all questions in the House and in Committee of the Whole until further notice.

Mr. MATSON with Mr. OWEN, until further notice, not to vote in the House or in Committee of the Whole.

Mr. BARNES with Mr. BAKER, of New York, on all questions in the House and in Committee of the Whole until June 9.

Mr. COMPTON with Mr. WEBER, on all questions in Committee of the Whole and in the House until further notice.

Mr. YODER with Mr. BOOTHMAN, on all questions in the House and in Committee of the Whole until further notice.

Mr. CRAIN with Mr. ARNOLD, on this vote.

Mr. MONTGOMERY with Mr. BINGHAM, on this vote.

Mr. MCRAE with Mr. HOUK, on this vote.

The vote was then announced as above stated.

Mr. MASON. No quorum. I move there be a call of the House.

GENERAL OF THE ARMY.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I ask unanimous consent to take up for immediate consideration the bill of the Senate entitled "An act to revive the grade of General in the United States Army."

The SPEAKER *pro tempore*. The last vote having disclosed the fact that there is no quorum, no business is in order until the presence of a quorum is ascertained.

Mr. RANDALL. The request of the gentleman from Kentucky [Mr. BRECKINRIDGE] is for unanimous consent.

The SPEAKER *pro tempore*. The Chair will state that a distinction is drawn in the rule between an aye-and-no vote and a vote taken *viva voce*, and the Chair is of opinion that the absence of a quorum having been disclosed by an aye-and-no vote, no other business is now in order.

Mr. BRECKINRIDGE, of Kentucky. I now move a call of the House.

Mr. ANDERSON, of Kansas. That is right.

The question was taken on ordering a call of the House, and there were—ayes 177, noes 6.

Mr. BRECKINRIDGE, of Kentucky. Now, Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER *pro tempore*. The gentleman will have to attain his object, the Chair thinks, by moving to reconsider the vote by which the call of the House was ordered.

Mr. BRECKINRIDGE, of Kentucky. Then I make that motion.

The motion to reconsider was agreed to.

Mr. BRECKINRIDGE, of Kentucky. I now ask unanimous consent to take up for immediate consideration the act to revive the grade of General in the United States Army. I do not know that it has been referred to the Committee on Military Affairs, but if so, I move to discharge that committee from the further consideration of the bill, and to put it upon its passage.

Mr. SPINOLA. It was referred to the committee this morning, and I have just tried to report it back again, with the recommendation that it do pass.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Kentucky [Mr. BRECKINRIDGE] that his request can not be entertained at this time. The House has just reconsidered the vote by which the call of the House was ordered, and the question now recurs on the motion for a call of the House.

Mr. BRECKINRIDGE, of Kentucky. Which motion, with the consent of the House, I now withdraw.

There was no objection.

The SPEAKER *pro tempore*. The motion for a call of the House is withdrawn. The gentleman from New York [Mr. SPINOLA] asks unanimous consent to report back at this time from the Committee on Military Affairs the bill (S. 2210), being an act to revive the grade of General in the United States Army, and the gentleman from Kentucky [Mr. BRECKINRIDGE] moves that the bill be now considered. The Clerk will read the title of the bill.

Mr. FORD. Before that is done, as a member of the Committee on Military Affairs, I ask unanimous consent to make a statement, which will not occupy more than five seconds, to correct a misapprehension. [Cries on the Republican side of "No, no! Let us pass the bill!"]

The SPEAKER *pro tempore*. The Clerk will report the bill; after which the Chair will ask for objections.

The Clerk again read the title of the bill.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York that he may report this bill from the Committee on Military Affairs at this time? The Chair hears none. Is there objection to the request of the gentleman from Kentucky [Mr. BRECKINRIDGE] that the bill be considered at this time?

Mr. KILGORE. Mr. Speaker, I want to say to the House that I am opposed to legislation of this character— [Interruptions on the Republican side.]

Mr. BLOUNT. I hope gentlemen will allow the gentleman from Texas to make a statement.

Several MEMBERS (on the Republican side). Certainly.

Mr. KILGORE. I do not care whether they allow it or not. [Cries of "Go on!"]

Mr. Speaker, I am opposed to this character of legislation—this hasty legislation on an important matter like this, piling up precedents which may in the future be quoted and may prove to be dangerous; but I say to the House that if they will concede to us a yea-and-nay vote upon the bill and will allow me to put upon record a brief statement from a Republican paper in relation to this question, I will withdraw my objection.

Mr. MASON. All right.

Several MEMBERS (on the Republican side). There is no objection to that.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kentucky [Mr. BRECKINRIDGE] for the present consideration of this bill?

Mr. KILGORE. On the condition I have stated I will withdraw my objection.

The SPEAKER *pro tempore*. The Clerk will report the bill.

The bill was again read.

Mr. BRECKINRIDGE, of Kentucky, was recognized.

Mr. BRECKINRIDGE, of Kentucky. I now yield ten minutes to the gentleman from Texas [Mr. KILGORE], who desires to make a statement.

Mr. KILGORE. Mr. Speaker, I have no statement to make further than to send to the desk to be read an extract from the Indianapolis News of May 30, an independent Republican paper, which expresses my views upon this question. I ask that this article be read and printed in the RECORD.

The article was read, as follows:

The Senate did a silly thing in reviving the office of General General Sheridan. The office was dead, and it ought to be allowed to remain so. It is to be hoped the House will refuse to concur. In Grant's case there was a difference. The office had been created for him. He left it when he became President. In his last days it was an anomaly that the great soldier of our war should be without any right to a military title at all, and so his old office was conferred upon him. He was retired at the same time, and thus by a national act his title was conferred upon him. Sheridan never held the office. It is not in existence for him to be promoted to, but must be recreated specially for the occasion, and it is a performance sadly out of place—waiting all these years without ever thinking of doing it, and now rushing into his sick-chamber, perhaps to the side of his death-bed. It is poor manners, diseased sentiment, and title-worship, and decent Republicanism and common sense ought to put an end to it.

Mr. KILGORE. Mr. Speaker, in sending up this item to be read I have given full expression to my views on this question; and as I am now on record in opposition to this bill, and shall vote against it, I withdraw the other condition upon which I abandoned my objection, and will not insist on a vote by yeas and nays.

Mr. BRECKINRIDGE, of Kentucky. I now yield to the gentleman from Indiana [Mr. STEELE], who I understand desires to occupy two or three minutes.

Mr. STEELE. I wish to state that the paper from which the extract has just been read by the Clerk is not a Republican paper. It is an ably-edited independent evening paper.

In justice to the Committee on Military Affairs, I will say that it has taken no hasty action in this matter. A bill similar to this has been before us for several weeks, and we have been considering it. The only reason it has not been reported back favorably before this was the hope that we might have a unanimous report. There have been only two or three objections up to yesterday evening, when there was but one. That is all I desire to say. [Cries of "Vote!" "Vote!"]

Mr. BRECKINRIDGE, of Kentucky. I yield two minutes to the gentleman from Indiana [Mr. BYNUM].

Mr. BYNUM. Mr. Speaker, I do not rise for the purpose of opposing this bill; I intend to support it. I simply wish to state the character and standing of the Indianapolis News, from which the Clerk has just read. True, it is an independent paper, but it is of Republican antecedents, and seldom supports a Democrat or a Democratic measure. It is an ardent supporter of General Harrison for the Presidency. It has at all times supported the national Republican ticket. At the same time it is thoroughly independent. No more independent, no more reliable, no more conscientious men edit any newspaper in the United States than those who edit the Indianapolis News. [Renewed cries of "Vote!" "Vote!"]

Mr. BRECKINRIDGE, of Kentucky. I yield for a few minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, I did intend to say a word or two in justification of the action of the Committee on Military Affairs, but as my colleague on the committee, the gentleman from Indiana [Mr. STEELE], has explained that matter, I do not care to take up further time of the House.

Many MEMBERS. Now let us vote.

Mr. BRECKINRIDGE, of Kentucky. Will the House allow me a word? [Cries of "Yes!" "Yes!"]

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, there were reasons why I might not have been willing for this bill to pass if General Sheridan had remained in the prime of a vigorous and robust manhood. I can appreciate, however, the feeling of gentlemen on all sides of the House who desire to do honor to a gallant soldier who won deserved glory during four years of such terrific warfare; but whatever feeling I might have had under other circumstances gave way when I understood the other day that General Sheridan stood in the presence of that enemy whom he had so dauntlessly faced through so many years; and if it can add anything to the comfort of the dying hours of that great soldier or take something from the sorrow of the wife whom he leaves, for the nation to tender this new crown to him, I am glad to have the opportunity to mingle my sympathy with that of all sides of this Chamber. [Loud applause.]

I now desire to give the opportunity for a more handsome tribute than anything I can say by yielding to the gentleman from New York [Mr. COX] whatever time he may desire.

Mr. COX. Mr. Speaker, I am very proud to be here to-day to give my suffrage for this bill. Although indisposed, and although my place would be perhaps in my own room, I came here to-day to do honor to a man whom I have known, lo! these many years, in all the vicissitudes of his wonderful life. He was born in Central Ohio, near where I was born. He drove a cart for watering the streets in the town of Zanesville about the time I came back from school. I can recall with distinctness the Congressman who sent him to West Point, and all the various anecdotes connected with that remarkable county of Perry and the town of Somerset come back to me now.

This man was not merely a soldier, as my friend from Kentucky [Mr. BRECKINRIDGE] has said, in our civil conflict of four years, but he was a born soldier from the beginning of his career at West Point—not merely in the Indian country, but everywhere. Whilst criticising the strategy of the great generals of Europe in the great battles that have occurred within our own time, he was conspicuous as a critic, observant as a general, and brought to the examination of the contests in other lands the experience acquired in the great struggle of our own.

Mr. Speaker, in the agony of his present great struggle, when, almost in *articulo mortis*, he is reaching out to the unseen world, I am proud to forego all other associations to give my heart and my best hope for the success of this vote, which, I trust, the members of this House may give as an entirety for the bill, so that there may appear no objection from any member on this floor representing any part of the American people to thus placing upon the roster as a general the first soldier of the Republic, the kind and genial gentleman, Philip H. Sheridan. [Loud applause.]

[Cries of "Vote!" "Vote!"]

Mr. BRECKINRIDGE, of Kentucky. I desire to yield now to the venerable gentleman from Pennsylvania [Mr. KELLEY] whatever time he may desire.

Mr. KELLEY. Mr. Speaker, the unmeaning title of "father of the House" has never received appreciation from me, though I believe I have borne it longer than any of my predecessors, till now, when it justifies me in rising to say, as I do most fervently, that I am proud of the family which this title regards me as looking upon as in some sense my own. [Applause.] And to convey the heartfelt gratitude of the Republican minority to the Democratic majority of the House for overcoming the obstructions which seemed to be impassable in the pathway

of legislation which proposes to cheer the greatest soldier of the age, General Philip H. Sheridan, in the closing days of his illustrious life. [Great applause.]

The bill was ordered to a third reading, and it was accordingly read the third time.

Mr. BRECKINRIDGE, of Kentucky. The terms of the agreement made with the gentleman from Texas [Mr. KILGORE]—

Several MEMBERS. He does not insist upon it.

The SPEAKER *pro tempore*. The gentleman from Texas withdrew his demand. [Cries of "Vote!"]

The bill was passed.

[Renewed and long continued applause.]

Mr. OATES. I demand a division. [Cries of "Don't do that, Oates," on the Democratic side.] Very well, I do not wish to embarrass any gentleman by demanding a division, but I wish it to be known that I voted in the negative.

Mr. BRECKINRIDGE, of Kentucky, 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.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER *pro tempore*. The question now recurs on the motion of the gentleman from Georgia [Mr. BLOUNT] to lay upon the table the appeal taken from the decision of the Chair by the gentleman from Kansas [Mr. PETERS], on which the yeas and nays have been ordered.

Mr. RANDALL. I move to reconsider the vote by which the previous question was ordered on the motion of the gentleman from Georgia [Mr. BLOUNT].

The motion was agreed to.

The question recurred on Mr. BLOUNT's motion to lay the appeal of Mr. PETERS upon the table, and it was agreed to.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RANDALL. I now move the previous question on the adoption of the amendment reported by the Committee on Appropriations on the bill (H. R. 9377) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes.

The previous question was ordered.

The SPEAKER *pro tempore*. Is a separate vote demanded on any amendment? [After a pause.] The Chair hears none, and the amendments will be voted on in gross.

The amendments of the Committee on Appropriations were agreed to.

Mr. RANDALL moved to reconsider the vote by which the amendments were agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.

Mr. RANDALL demanded the previous question on the passage of the bill.

The previous question was ordered, and under the operation thereof the bill was passed.

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.

COLLECTING REVENUES FROM CUSTOMS.

Mr. SAYERS. I ask, by unanimous consent, to call up the report of the Committee on Appropriations on the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, and to now consider the same.

There was no objection, and it was so ordered.

Mr. SAYERS. I call for the reading of the report.

The report was read, as follows:

Mr. BURNES, from the Committee on Appropriations, submitted the following report to accompany the bill H. R. 9788:

The Committee on Appropriations, to whom was referred the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, with the amendments of the Senate thereto, having considered the same, beg leave to report, as follows:

They recommend concurrence in the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

They recommend concurrence in the amendment numbered 12 with an amendment as follows: After the matter proposed to be inserted by said amendment insert the following:

"Expenses of United States courts:

"Fees of jurors: To supply a deficiency in the appropriation for the fees of jurors of United States courts on account of the fiscal year ending June 30, 1888, \$50,000.

"Fees of witnesses: To supply a deficiency in the appropriation for fees of witnesses, United States courts, on account of the fiscal year ending June 30, 1888, \$60,000.

"Government Hospital for Insane:

"For current expenses of the Government Hospital for the Insane: For sup-

port, clothing, and treatment in the Government Hospital for the Insane of the insane from the Army and Navy, Marine Corps, and revenue-cutter service, of persons charged with or convicted of crimes against the United States, inmates of the National Homes for Disabled Volunteer Soldiers, and of all persons who have become insane since their entry into the military or naval service of the United States and who are indigent, \$11,713.07, being a deficiency on account of the fiscal year ending June 30, 1888."

And in the first line of the title of the bill strike out the words "an appropriation" and insert in lieu thereof the word "appropriations."

Mr. ADAMS. I would like to have the gentleman from Texas explain to the House just exactly what action has been taken by the Committee on Appropriations in reference to the changes made by the Senate amendments, especially as to witness fees.

Mr. SAYERS. The Senate struck out the provision in the bill which related to a change in the method of supporting the customs service, and also amended the bill by adding certain items of appropriation covering the expenditures of that body. It also amended the bill with one item relating to the House expenditures. The Committee on Appropriations recommended concurrence in the Senate amendments with the adoption of other items, which provide for the Department of Justice in the matter of jury and witness fees, and also for the support of the Hospital for the Insane during the remainder of the present fiscal year.

Mr. ADAMS. Allow me to have an extract read from a newspaper in reference to the point to which I would like to direct his attention.

The Clerk read as follows:

NO MONEY TO PAY WITNESSES.

CHICAGO, May 22.

A dispatch from Fort Smith, Ark., says: Owing to the absence of appropriations for the pay of witnesses the Federal court of this city has been obliged to close, and over four hundred witnesses were discharged yesterday without pay. Many of these came from points several hundred miles distant on the Indian Territory, and are in absolute poverty. Among the cases continued until the next term of the court are thirty-five murders, twenty-six larceny, forty illicit-whisky selling, and twenty-eight assault, besides over thirty other cases. The district judge and United States marshal have sent a telegram to the Attorney-General asking that authority be granted for the transfer of witnesses' vouchers, Comptroller Durham having recently decided that they are not transferable—*Washington Post*, May 23, 1888.

Mr. ADAMS. I will ask the gentleman from Texas, first, whether the Committee on Appropriations has had in view that deficiency in the recommendations they made, and, secondly, whether they have inserted or can insert any provision in the bill to meet the difficulty last mentioned in that extract, to wit, the lack of transferability of witnesses' certificates.

Mr. SAYERS. I will say to the gentleman from Illinois, that one of the amendments proposed by the Committee on Appropriations meets that very difficulty. In response to the second question, I will say to him that it would be a matter of new legislation, and, as such, incompetent under the rules of the House to be reported by the committee.

Mr. ADAMS. Would it not be possible for the committee to ask unanimous consent, and in the opinion of the gentleman would not that consent be granted if asked by the committee?

Mr. SAYERS. I can only state that it would involve a change of existing law; and as it is absolutely necessary that this appropriation shall go through immediately in order to be available during the coming week, I do not think it would be wise to incorporate such a provision on the bill.

Mr. CANNON. I will say in answer to my colleague that I think there would be objection, even if unanimous consent was asked and given, to the incorporation of the legislation to which he refers.

Mr. RANDALL. Permit me to say a few words in this connection. The Committee on Appropriations have recommended appropriations, which were made, of \$600,000, against the Department's annual estimate of \$500,000 for 1888, for the fees of jurors; and in regard to payment of witnesses, the committee recommended the full amount of the annual estimate, \$550,000, which was appropriated, and has since given a supplemental sum of \$300,000. That is to say, the appropriations have exceeded the estimates, and Congress has given, as far as I know, every dollar that has been asked by the Department.

Mr. SAYERS. Yes, every dollar that has been estimated.

The SPEAKER *pro tempore*. The question is on agreeing to the recommendations of the committee.

The amendments of the committee were adopted.

Mr. SAYERS moved to reconsider the vote by which the amendments were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WITHDRAWAL OF A VOTE.

Mr. STEELE. Mr. Speaker, I rise to a privileged question.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. STEELE. I desire to withdraw my vote from the roll recently taken on the appeal from the ruling of the Chair. I make this request because I am not quite clear in my conviction as to whether the ruling was accurate or not. I prefer, therefore, to withdraw the vote altogether.

The SPEAKER *pro tempore*. The gentleman from Indiana asks unanimous consent to withdraw his vote, and if there be no objection that will be allowed.

There was no objection, and it was so ordered.

PROTECTION OF UNITED STATES OFFICIALS, INDIAN TERRITORY.

Mr. ROGERS. I desire to submit a privileged report.

The SPEAKER *pro tempore*. The gentleman will send it up.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4920) for the protection of the officials of the United States in the Indian Territory, 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 and agree to the same.

JOHN H. ROGERS,
JOHN S. HENDERSON,
WILLIAM E. FULLER,
Managers on the part of the House.
H. L. DAVES,
JAMES K. JONES,
F. B. STOCKBRIDGE,
Managers on the part of the Senate.

Under the rule the managers on the part of the House submitted the following statement to accompany the report:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendment of the Senate to bill (H. R. 4920) for the protection of the officials of the United States in the Indian Territory submit the following written statement:

The effect of the action recommended in the accompanying conference report, if ratified by the two Houses, will pass the bill as amended by the Senate.

JNO. H. ROGERS,
JOHN S. HENDERSON,
WM. E. FULLER,
Managers on the part of the House.

Mr. ROGERS. Mr. Speaker, at this point it would be proper for me, I presume, to place on the record a statement exhibiting the lawlessness prevailing in that Territory, and the number of murders which have been committed in the last two years on the marshal's force of that district, which shows the necessity of this legislation. I will not ask to have it read, but simply print it in the RECORD.

It is as follows:

[Arkansas Gazette correspondence.]

FORT SMITH, SEBASTIAN COUNTY.

FORT SMITH, December 18, 1887.

It is the prevailing opinion out here on the border that the increase in lawlessness in the Indian Territory will induce Congress at its present session to open that county to settlement, or at least make an effort to do so. As it now is the Government is at an enormous expense in its endeavors to enforce the laws of that benighted county, and yet eight criminals out of ten are never brought to justice.

The present United States marshal for the western district of Arkansas has held the office since October 30, 1885, and during that time has had nine deputy marshals, two possses, and three guards murdered while in the discharge of their official duties, as follows:

Jack E. Richardson, murdered by Bill Pigeon, a Cherokee, who is still at large.

William Erwin, waylaid and murdered in the Choctaw Nation by Jake Spaniard and Frank Palmer for the purpose of rescuing a prisoner he had in charge. Both at large.

F. M. Sweden, murdered in Choctaw Nation by unknown parties, who will probably never be known.

Sam Sickler, murdered at Muskogee, Creek Nation, by Dick Vann and Alf Cunningham. The Government paid \$500 for the arrest of the latter, but he broke down the jurisdiction of the court here and was turned over to the Creek Nation authorities, who allowed him to escape before trial, and he is still at large. Vann was killed a short time since by Deputy Marshal Jackson Ellis.

Capt. William Fields was murdered in the Creek Nation by Bill Cunius, who was captured and died in jail here before his trial.

Deputy Dan Maples was murdered at Tahlequah, the capital of the Cherokee Nation. Ned Christie, Charlie Bobtail, Bud Trainer, and John Parish are charged with this diabolical deed, and the three latter are in jail here, while Christie is at large.

Deputy John Carlton was murdered at Denison, Tex., by a lawless negro from the Territory, who is now in jail at Sherman.

Deputy Frank Dalton was murdered in the Cherokee Nation by Dave Smith, Will Towerly, and Lee Dixon. Dave Smith was killed by Deputy Cole at the same time he killed Dalton. Dixon was wounded by Cole and is now in jail here recovering. Towerly escaped and one week later killed Deputy Ed. Stokery, and was himself killed by his victim and the posse he had with him. The wife of Dixon was killed in the mêlée with Dalton, and Deputy Cole was wounded. Towerly acknowledged before he died that he and Smith had for some time been engaged in horse stealing. He was killed in his father's yard in the presence of his mother and sister. He was but nineteen years old.

Ben. Lupson, posse of Deputy Lawrence, was murdered by a citizen of the Territory, and being himself a citizen this court had no jurisdiction in the case, hence he has never been molested.

William Smith, posse, John Kelly and Mark Kuykendall, guards, were murdered in the Creek country by Seaborn Green, a young Indian, who was arrested, convicted, and hung for the crime.

Henry Miller, a guard, was murdered by Big Chewee, a Cherokee; but, as Miller was a citizen of the Cherokee Nation also, Chewee was turned over to that government, and a jury acquitted him.

Thus far, it will be seen that only one of the murderers of United States officers in the Indian Territory has been punished under the law, and that was Seaborn Green.

There is a standing reward by the Government of \$500 each for the arrest of all murderers of deputy marshals, possses, or guards, who are still alive and at large, over whom this court has jurisdiction.

All the deputies murdered were good, honest, upright citizens.

This state of affairs will never cease so long as Congress allows the Indian country to remain as it is, and the killing of United States officers will continue with unabated vigor, while murder, rapine, and crimes of lesser magnitude will increase with the influx of outlaws of the States, who find a safe abiding-place among the Indians, where no one but United States officers can molest them.

A change must come, and the sooner Congress takes hold of it the better.

In this connection I desire also to correct what seems to have been, and I am sure was, a total misapprehension on the part of my friend from Maryland [Mr. McCOMAS], who is not here at present, as shown by the RECORD of May 3, with reference to the places where these of-

fenses occurred, such as are embodied in the paper to which I have just referred. In the RECORD, in response to a remark, and a side remark from me, not intended for him, then occupying the floor, he said in substance that I had boasted on the floor of representing a district where this class of crimes, among others, had been committed more frequently than in any other district in the country. Upon calling his attention to it he kindly struck his remarks from the RECORD. It is right for me to say that only a small proportion of the territory spoken of as the "western district of Arkansas is in the State of Arkansas, and only a small proportion, perhaps one-third or less, of that which is in Arkansas is in my district; and finally, the Federal court has no jurisdiction whatever over crimes of this character committed in the State. I think I should be within the limits of the truth if I said that probably not 3 per cent. in number of the crimes tried at Fort Smith are committed in Arkansas, and that 3 per cent. are such as occur in all the States. They are committed in the Indian Territory, west of Arkansas, which was attached to that district by act of Congress, and are all tried at that point, where the United States court sits which has the jurisdiction, a general jurisdiction, because not within the limits of a State.

Of course my friend from Maryland was under a misapprehension, and as soon as he was so advised he struck the matter from the RECORD. But it is due to myself to say I never boasted of anything of that kind; on the contrary, I deplore the existence of crime anywhere, and if the gentleman had thought for a moment what the jurisdiction of the Federal courts was he would not have inadvertently fallen into the error. The effect of the Senate amendment to the House bill is to extend greater protection to the officials of that country, in this, that it confers jurisdiction on Federal courts to try parties for murder, assault with intent to kill, or assault and battery, or who shall resist process issued under authority of the United States courts. I concur entirely in the action of the Senate and now ask the adoption of the report.

The report was agreed to.

Mr. ROGERS moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering revenue measures. But pending that motion I wish to make a proposition to the gentlemen on the other side about limiting the time on the paragraph under consideration. When the committee rose the debate on that paragraph had lasted over four hours. I propose that debate on it shall close in twenty minutes, ten minutes being allowed to each side. I refer to the first paragraph, which has reference to the day on which the law shall come into operation.

Mr. ADAMS. Do you mean the first five lines of the bill?

Mr. MILLS. Yes, sir.

Mr. McKINLEY. I desire to make an inquiry, whether the limit proposed by the gentleman from Texas is to be applied to any amendments which may hereafter be offered to those five lines?

Mr. MILLS. My proposition is that as to those five lines debate after twenty minutes shall close upon all amendments.

Mr. McKINLEY. Amendments now pending and those which may be offered?

Mr. MILLS. Yes, sir.

Mr. McKINLEY. I do not think we can accede to that.

Mr. MILLS. This does not exclude amendments, but only debate.

Mr. McKINLEY. I understand that.

Mr. MILLS. Then I move that the House resolve itself into Committee of the Whole House on the state of the Union; and pending that I move that all debate on the paragraph and the amendments thereto be limited to twenty minutes.

Mr. BOUTELLE. I suggest that this paragraph is much more important, perhaps, than any other in the bill.

Mr. MILLS. It refers only to the date.

Mr. BOUTELLE. The gentleman refers to the paragraph of five lines which cover the proposition now pending to change the time when the law shall go into effect. It covers every schedule, and is of vastly greater importance than any other single paragraph in the bill.

Mr. MILLS. Gentlemen can have the same latitude in talking about the date when we get down to the consideration of lumber as they have had in talking about lumber when this amendment of date was under consideration yesterday.

Mr. BOUTELLE. I suggest, if this debate is to have any effect or is to be regarded as at all serious, or having any object, the debating of a proposition fixing the time when the law should go into effect after the paragraph had been passed and the time fixed would be a waste of time.

Mr. REED. I suggest to the gentleman from Texas to make the time an hour.

Mr. MILLS. I will agree to half an hour.

Mr. McKINLEY. I move to amend by striking out twenty minutes and inserting forty minutes.

Mr. REED. I will consent to that.

Mr. MILLS. I accept the amendment of the gentleman from Ohio, and demand the previous question on my motion.

The previous question was ordered; and under the operation thereof the motion of Mr. MILLS, as modified, to limit debate to forty minutes, was agreed to.

The motion of Mr. MILLS, that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue, was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. SPRINGER in the chair), and resumed the consideration of the bill (H. R. 9051) to reduce taxation and to simplify the laws in relation to the collection of the revenues.

The CHAIRMAN. The Clerk will report the pending amendment.

The Clerk read as follows:

In line 3 strike out "1st day of July, 1888," and insert "2d day of January, 1889."

The CHAIRMAN. By order of the House, all debate on the pending paragraph and amendments thereto has been limited to forty minutes. The Chair will divide the time between those favorable to the proposition and those opposed to it.

[Mr. HOLMAN withholds his remarks for revision. See APPENDIX.]

Mr. MCCORMICK. Mr. Chairman, I rise at this time for the purpose of replying to the gentleman from Iowa [Mr. WEAVER] and not for the purpose of offering any formal amendment to this bill, which I hope to do at the proper time. It was charged upon this floor yesterday by the distinguished gentleman from Iowa that there is a "lumber trust" in this country. That I may give his exact language, I read from the RECORD of this day's issue, page 5096. Replying to the gentleman from Maine [Mr. REED], the gentleman from Iowa says:

And, sir, by reason of their further combination with the transportation monopolies, no man can engage in the lumber business without the consent of the lumber trust and the transportation companies, which together constitute one of the most unconscionable trusts ever organized in this or any other country.

Mr. Chairman, coming as I do from a district whose chief industry is lumber, an industry that amounts to an annual product of more than \$10,000,000, I feel it incumbent upon me to defend my constituents against this grave and criminal charge of the distinguished gentleman from Iowa. I deny in general and in particular that there exists in this country a "lumber trust" at all. I deny that it has ever existed anywhere in this country so far as the great lumbering industries are concerned; and the gentleman from Iowa, when interrogated by the gentleman from California [Mr. MORROW], finally limited his charge to the redwood lumber of California. That was denied by the two members on this side of the House representing California. What is now left of the charge?

The gentleman tells us that an article was published in the North American Review in 1884, and that some lawyer in New York by the name of Cook had charged that there is a "lumber trust" in this country. Why, Mr. Chairman, this trust is a phantom. There are real trusts in this country to which the gentleman's eyes appear to be blinded; but this phantom trust appears to satisfy his purposes better, because he is not hampered by the facts of the case. [Laughter and applause.] In regard to this his imagination can have full scope, and he can picture this non-existing "lumber trust" in all its hideous deformity.

Mr. Chairman, I do not charge the gentleman from Iowa with willfully misstating facts. His credulity has been imposed upon by some designing free-trader. [Laughter.] Somebody has suspected that he was the same gentleman who some years ago believed that money could be made by the use of the printing press and plenty of paper. [Laughter.]

Why, Mr. Chairman, a trust in lumber in the United States is simply out of the question. More than 350,000,000 feet of pine lumber grow in the States represented by the party associates of the gentleman on the other side of this House; and I know there is far too much virtue in the States represented by them to ever permit any such iniquitous thing as a "lumber trust." Besides that, Mr. Chairman, the duty upon lumber is so low that it is not prohibitory; and this is proven by the fact that during the years 1886 and 1887 one-half of the entire lumber product of Canada found its market within the limits of the United States. Talk about a "trust" or a "combine," it would have to be made with Canada; it would have to extend to every part of these United States, including the great lumbering districts of the South and of the Pacific coast. The mere statement of the proposition carries its own refutation. [Applause.]

Mr. WEAVER obtained the floor.

ENROLLED BILLS SIGNED.

The CHAIRMAN. The Committee of the Whole will rise informally that a report may be received from the Committee on Enrolled Bills.

The committee accordingly rose; and Mr. COX having taken the chair as Speaker *pro tempore*,

Mr. FISHER, from the Committee on Enrolled Bills, reported that the Committee had examined and found duly enrolled bills of the following titles; which were signed by the Speaker:

A bill (S. 2210) to revive the grade of General in the United States Army;

A bill (S. 1772) for the relief of John H. Marion;
 A bill (S. 2123) to authorize the removal of an obstruction to the navigation of Broad Creek, in the State of Delaware;
 A bill (H. R. 8560) to establish a department of labor; and
 A bill (H. R. 6946) for the relief of Thomas Jordan.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced the passage of bills and joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 287) to quiet title of settlers on the Des Moines River lands in the State of Iowa, and for other purposes;

A bill (S. 2986) to incorporate the American Historical Association; and

Joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast.

The message further announced the passage of the following House bills without amendment:

A bill (H. R. 4735) for the relief of Douglass Chapman; and

A bill (H. R. 615) for the relief of James B. Mitchell.

The message further announced the passage of the bill (H. R. 5919) to extend the time for the completion of the bridge across Staten Island Sound, with amendments; and that the Senate had requested a conference on the disagreeing votes of the two Houses, and had appointed as such conferees on its part Mr. COKE, Mr. CULLOM, and Mr. DOLPH.

The message further announced the passage of the bill (H. R. 7564) to authorize the construction of a bridge across the Tennessee River at or near Chattanooga, Tenn., with amendments; and that the Senate had requested a conference on the disagreeing votes of the two Houses, and had appointed as conferees on its part Mr. VEST, Mr. SAWYER, and Mr. KENNA.

The message further announced the passage of the bill (H. R. 8623) authorizing the construction of a bridge over the Tennessee River at or near Guntersville, Ala., and for other purposes, with amendment; and that the Senate had requested a conference on the disagreeing votes of the two Houses, and had appointed as such conferees on its part Mr. COKE, Mr. CULLOM, and Mr. DOLPH.

The message further announced the passage of the bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto;" and had requested a conference on the disagreeing votes of the two Houses, and had appointed as such conferees on its part Mr. PADDOCK, Mr. BROWN, and Mr. BLAIR.

TARIFF.

The Committee of the Whole resumed its session, Mr. SPRINGER in the chair.

The CHAIRMAN. The gentleman from Iowa is entitled to the floor.

Mr. WEAVER. Mr. Chairman, I am very much astonished to hear the gentleman deny the existence of a lumber trust in this country. That such a trust exists is known to the entire trade and by the whole reading public. It is a part of the current history of the present period. Its headquarters are in Chicago, and I send to the Clerk's desk to have read an extract from an article by Henry D. Lloyd, in the North American Review for June, 1884.

The Clerk read as follows:

Four years ago the Chicago Lumberman's Exchange adopted a resolution declaring it to be "dishonorable" for any dealer to make lower prices than those published by it for the control of prices in one of the greatest lumber markets of the world. Monthly reports are required by this exchange from dealers, so that accurate accounts may be kept of stock on hand in order to regulate prices. The price-lists of the exchange are revised and made "honest" at monthly banquets. In February, 1883, it was found that members who ostensibly adhered to the price-lists dipped into the dishonorable practice of competition on the sly by giving buyers greater than the usual discounts. This was then forbidden, and another pathway of competition closed.

The effect of this price-legislation was attested by the address of a dealer of Minneapolis at one of the price-list banquets of the exchange, who said that his firm, which made sales as far as Manitoba and Dakota, had never sold a foot for less than the published lists. A delegation of dealers from the Mississippi River district spoke feelingly of their labors "for harmony," and their willingness that Chicago should make prices. A secret meeting of lumbermen from all parts of the West was held in Chicago March 8, 1883, to discuss means for advancing prices, restricting production at least 35 per cent., and in general, in the language of one of them, putting themselves into a position like that of the coal producers of Pennsylvania, who by combination dictated the prices of coal throughout the whole country. In May, last year, the national association of lumber dealers met in Chicago. It represents over five hundred and fifty retail dealers in the West, and its principal purpose was to prevent wholesale dealers at Chicago, St. Louis, and other centers from retailing lumber to carpenters, farmers, and scalpers in the territory of the retailers.

There are too many sellers, and so any wholesaler who persists in competing in this way with local dealers is, when found guilty, named to all the retailers and punished by losing their trade. The mills of Puget Sound, which supply a large proportion of the lumber consumed in the Pacific States, formed a combination last year to regulate the production and sustain prices. It is said by the local newspapers that the mills which do not belong to the association are hired to stand idle, as there are too many mills, and the association finds it profitable to sustain prices at the cost of thousands of dollars paid out in this way. The lumber market of the Pacific coast is ruled by the California Lumber Exchange, and that is controlled by a few powerful firms. The prices of redwood are fixed by the Redwood Manufacturers' Association, and those of pine by the Pine Manufacturers' Association.

During the past year the retail dealers of San Francisco have had to sign contracts with these associations, binding themselves to buy only from members of

the associations, to buy and sell only at prices fixed by them, to give time and discount only according to rule, and to keep accounts so that every item will be clear to the inspectors hired by the associations to look after the retailers. Finally the retailer binds himself, if he is "found guilty" of committing any of the forbidden sins, to pay a fine, which may amount to \$1,000, to be divided among the faithful. The literature of business can show no more remarkable productions than the printed forms of these contracts. This system is in imitation of the "special contracts" with shippers which have been put in force by the Central Pacific Railroad.

The CHAIRMAN. The gentleman's time has expired.

Mr. MILLS. I will take the floor and yield my time to the gentleman from Iowa.

Mr. WEAVER. Mr. Chairman, the article, an extract from which has just been read, is the famous article of Henry D. Lloyd on "The Lords of Industry," published in the North American Review in June, 1884, an article which has never yet been successfully assailed—

A MEMBER. Who is Mr. Lloyd?

Mr. WEAVER. He is an acknowledged authority on such subjects, of unquestioned information and veracity, and is one of the members of the eminent staff of that foremost of all periodicals, the North American Review.

Mr. KERR. Will the gentleman yield for a question?

Mr. WEAVER. No; I have not the time.

Now, I personally know members of that organization living in Chicago, extensive lumber-dealers there, and can give the names if it be necessary. I can say further that a gentleman in my State, a gentleman of prominence as a man of wealth, a lumber dealer, who has also been prominent in the politics of the State, told me all about how the combinations were carried on and how he and his relative had made an enormous fortune, \$150,000, if I remember correctly, in seven years of business. He stood in with two pools, the lumber pool and the railroad pool. Before the farmer could get the lumber to construct his humble home he was and is to-day compelled to pay tribute to both of these pools.

The gentleman's lack of knowledge concerning the lumber trust is only equaled by his lack of knowledge concerning finance. I am somewhat older than he perhaps. I saw this great Government, by an exercise of its sovereign power, create money and with it preserve the life of this nation. The gentleman twits me of believing that the Government can make money out of paper. It is not a matter of faith. I know it. The whole country knows it, and the Supreme Court have declared it lawful in war and constitutional in peace; and I am not only opposed to the lumber trust but to the national-bank trust, and to all other trusts as well.

Mr. SOWDEN. Will the gentleman yield for a question—just a short question?

Mr. WEAVER. Not now.

The gentleman says my charge, that there is a lumber trust, was denied by the gentleman from California [Mr. MORROW]. Let us see the denial. I turn to the RECORD, page 5097, and read from the remarks of the gentleman from California; he says:

I do not know of any redwood-lumber trust.

That is a mere declaration of the absence of knowledge and proves nothing.

And he goes on to say:

But suppose there is.

That is what the gentleman said.

Mr. MORROW. Permit me a moment. I asked the question:

Suppose there is?

Mr. WEAVER. There is no interrogation point.

Mr. MORROW. At all events it was intended as a question.

Mr. WEAVER. Well, now, let us suppose there is, then. [Laughter on the Democratic side.]

Mr. BUCHANAN. Mr. Chairman, the pending amendment, which is to extend the time within which this bill, if it becomes a law, shall take effect, has been under discussion for some time and the debate has been on everything else under the sun than on that amendment. Not wishing to appear singular, I desire to say something upon a subject other than upon the question of the extension of the time; and I will offer at the appropriate moment an amendment to the bill which I desire to explain now, because it must be offered to the paragraph under consideration, and I must explain it, if at all, before the expiration of the forty minutes.

I shall move to amend the bill by inserting, after the words "eighteen eighty-eight," in line 4, the following:

No goods manufactured or produced wholly or in part by prison labor or which have been made within or in connection with any prison, jail, penitentiary, or other penal or reformatory institution, shall be imported into the United States of America under a penalty of \$200 for each invoice so imported, and the forfeiture and destruction of the said goods and of the packages in which they are contained; and it is further enacted that—

So that this provision of the bill will go on to read:

The following articles mentioned in this section, and imported, shall be exempt from duty.

The operation, Mr. Chairman, of that provision, if enacted into law, is obvious; and I know from the arguments and the appeals in the interest of labor in this country, which have been coming up all winter from the other side of the House, that my amendment will be adopted.

by a unanimous vote; and the effect of the amendment when adopted will be to prevent the importation into this country of the goods made in the prisons of Canada and Europe. It is in effect and purpose precisely the same statute which the Dominion of Canada has had upon her statute-books ever since the year 1873; and if it is good for Canada it is good for the United States, under and in consonance with the reasoning of gentlemen on the other side. Further than that, to-day important industries in my own State have been driven to the wall. They have suspended their operations, and the men and women engaged in the prosecution of those industries are without employment, because of the importation from Austrian prisons of goods produced by convict labor and sent here to sell.

Now, whatever we may think about tariff duties, whether they should be high or whether they should be low, and whatever we may think of the abstract principles of protection or free trade, it seems to me every representative of American citizens will agree with me that the labor of this country should be protected at least against foreign prison labor.

I offer this amendment and send it to the desk that it may be considered as pending; and when it is in order I will move its adoption, and I will be gratified by seeing a unanimous vote in its favor.

The Clerk read the proposed amendment as already read.

Mr. BRECKINRIDGE, of Kentucky. I reserve the point of order on the amendment. I do not understand that the gentleman offers it now.

Mr. BUCHANAN. I gave notice that I would offer it at the proper time. How much time have I remaining?

The CHAIRMAN. The gentleman has one minute of his time remaining.

Mr. BUCHANAN. I yield that to the gentleman from New York [Mr. FARQUHAR], who will have it in addition to his own five minutes.

Mr. FARQUHAR. Contrary to what has been the practice of those who have preceded me in this debate, I desire to address the House in a few words about the pending amendment. In the bill presented to us, in the first section, it is provided that the act shall take effect as regards the articles mentioned in that section on the 1st day of July, 1888.

Now turning to page 9, section 2, I find there the same clause—

That on and after the 1st day of July, 1888, in lieu of the duties heretofore imposed on the articles hereinafter mentioned there shall be levied, collected, and paid the following rates of duties on said articles severally.

Turning to the third section we find this clause—

On and after October 1, 1888, in lieu of the duties heretofore imposed on the articles hereinafter mentioned in this section, there shall be levied, collected, and paid the following rates of duties.

That section covers woolen and worsted goods, flannels, clothing, cloaks, and other articles in the woolen schedule. And I find section 4 returning again to the provision that the articles controlled by that section shall be subject to the rates of duty it imposes on and after the 1st day of July, 1888. This section includes paper, printing-paper, paper-hangings, bonnets, carriages, hats, gloves, gutta-percha, feathers, and other miscellaneous articles.

Now, Mr. Chairman, why should there be this discrimination between the woolen schedule and the schedules which cover all other business interests in this country? Why should the one take effect on the 1st of October and the others on the 1st of July?

Then again I find a general provision that "this act shall be in force from and after July 1, 1888, and all laws and parts of laws inconsistent with this act are hereby repealed." So that the bill itself is contradictory.

Now, as to the pending amendment, in respect to lumber, I want to submit one or two propositions to the chairman of the committee especially. It is very well known that in the winter time in the North contracts are made that last a whole summer. Between the 1st day of January and the opening of navigation our lumbermen also go into contracts for transportation. This bill going into effect on the 1st of July hazards that trade at the very first step. Whatever the result of our legislation may be, whether lumber becomes free or not, whether shingles become free or not, it certainly hazards three hundred millions of property in this country, and also the wages of nearly a million of men engaged in this business. There is no part of the bill that really takes as unbusiness-like a shape as this does.

There is no other industry affected by the Mills bill that carries with it as long contracts as the lumber business does. And more than that, it is a business that inside of its season can not make any change in its contracts so as to make a recovery either of lost ground, lost prices, or lost contracts. Therefore whether you vote lumber free or not, I say it is unfair to the men engaged in the lumber business and the transportation companies, whether on water or by rail, to hazard at once an industry so large as this, and that is bound up by contracts as solemn and as exacting as a note in the bank.

Now, sir, I desire simply to confine my remarks to the pending amendment. At a proper time in the consideration of this bill I shall present other matters that are of paramount importance, but I want to say now, distinctly and unequivocally, that if this Congress should pass—I do not think it will, but if it should pass—such a nonsensical

provision as this, it ought to be laughed out of existence as a legislative body.

Mr. NUTTING. Mr. Chairman, I desire to address myself briefly to the question whether lumber should be made free or not. I understand that the two reasons given by the majority of the Committee on Ways and Means why it should be made free are, first, that it will make lumber cheaper to the consumer, and, secondly, that it will open the markets of the world to our products. Now, in answer to the first proposition, I will say for myself that if any gentleman upon the floor of this House will prove to me that this change will make lumber cheaper to the consumer I will vote for it; but I think it is perfectly susceptible of proof that it will be impossible for this change to produce that effect. Precedent in this case is as good as it is in any other, and we all know that from 1854 to 1866 we had lumber free from Canada.

The reciprocity treaty permitted lumber to be imported free from Canada into the United States and what was the result? During all those years, at a time, too, which was particularly favorable to the administration of the proposition that is maintained by the majority here, because we had a war on our hands during nearly half the time—during all that period the result was that there was no change in the price of lumber except that it continually advanced. During all the time we had reciprocity with Canada, when lumber was coming in free, the price advanced steadily until 1866, when the treaty was done away with. Now, if this was true during a period which was so favorable for the demonstration of the theory which is advocated here by gentlemen on the other side, I say it is very likely to be true in the future if this bill should pass. I desire to treat this bill fairly as a business proposition, and I now proceed to consider the question whether we shall find a market for our lumber products in Canada.

We need not expect that if we give Canada the free *entrée* to our markets we shall necessarily have the *entrée* to her markets in regard to every particular article; still in a sense we may expect that. Now, the population of Canada does not exceed 5,000,000 of people to-day, not as many people as are in the State of New York, which I have the honor to represent in part. During the period of the reciprocity treaty the exportation of lumber from the United States to Canada was simply nothing, and it is nothing now. Last year we collected in duties on imported Canadian lumber \$1,500,000. Now, if we are not to get lumber cheaper, and if we are not to secure a market in Canada for our products—and I do not believe there is a man on this floor who will contend that we shall find a market there—if, I say, we are not to get either of these things, what are we going to do by the passage of this bill? I will tell you, Mr. Chairman, what will be the result if this bill shall pass. The result will be that you will give to the Canadians \$1,500,000 in duties which we now collect of them and which they will put into their pockets, while they will sell their lumber in our markets for precisely the same prices that it is bringing now. Wherever there is a trade of that kind between two countries the one that has the largest amount of product controls the price. Now, the United States manufacture 97 per cent. more lumber than the Canadians do, and from Canada we get the greatest amount of lumber that is imported into this country from any foreign country. So our market has controlled, and for all time in the future as long as any member of this House is likely to live, our market will control the price of lumber. Therefore, when by this bill you take off a duty of \$2 per thousand from lumber imported from Canada into the United States you simply put \$2 more into the pocket of the Canadian lumberman, and to the extent of that \$2 per thousand you assess a tax upon our own people to make up the amount which our Treasury suffers by the operation.

Mr. BAKER, of New York. Mr. Chairman, I desire to inquire whether the amendment offered by me yesterday is to be regarded as pending to be voted upon?

The CHAIRMAN. Not at this time; not upon this paragraph.

Mr. BAKER, of New York. I desire to have it considered as pending at the end of the fifth line.

The CHAIRMAN. It is not in order at this time. The Chair will entertain it at the proper time.

Mr. MILLS. Mr. Chairman, I desire to know whether the forty minutes allowed for debate have not expired.

The CHAIRMAN. There are five minutes remaining to be occupied by a gentleman who favors the bill. As the time was to be equally divided between the friends and the opponents of the bill, unless some gentleman on the right of the Chair desires to occupy the time in favor of the bill, the debate will be considered as closed.

Mr. CROUSE. Mr. Chairman, I desire to ask a question for information. I understood that the proposition limiting the debate to forty minutes was confined to the first five lines of the bill. Reading those lines, I see that they qualify or relate to all that follows in section 1. I wish to ask whether the object of the motion limiting debate was to preclude any amendments that might be offered to any of the items that follow the five lines.

The CHAIRMAN. It was not; it applied only to the five lines.

The Clerk will report the amendment of the gentleman from Illinois [Mr. ADAMS].

The Clerk read as follows:

In line 3 strike out "1st day of July, 1888," and insert "2d day of January, 1889."

The question being taken, there were—ayes 87, noes 116.

Mr. McKINLEY. I call for tellers.

Tellers were ordered; and Mr. McKINLEY and Mr. MILLS were appointed.

The committee again divided; and the tellers reported—ayes 81, noes 118.

So the amendment of Mr. ADAMS was rejected. [Applause on the Democratic side.]

The CHAIRMAN. Are there any further amendments to be proposed?

Mr. BUCHANAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

After "88," in line 4, insert—

"No goods manufactured or produced wholly or in part by prison labor, or which have been made within, or in connection with, any prison, jail, penitentiary, or other penal or reformatory institution shall be imported into the United States of America under a penalty of \$200 for each invoice so imported, and the forfeiture and destruction of said goods and of the packages in which they are contained; and it is further enacted that."

Mr. MILLS. I make a point of order on this amendment that it is not germane to the pending provision of the bill.

Mr. BUCHANAN. I understand the point of order is made that this amendment is not germane to the paragraph now pending.

Mr. OUTHWAITE. I make the further point of order that the amendment is the substance of a pending bill.

Mr. MILLS. The pending paragraph simply fixes the date at which this bill shall go into effect. The amendment may be germane to some other provision of the bill, but it is not to this paragraph.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. BUCHANAN] desire to be heard on the point of order?

Mr. BUCHANAN. I do desire to be heard, for the reason that I do not believe the point of order can be seriously made by the gentleman from Texas.

The CHAIRMAN. The Chair desires to state to the gentleman from New Jersey that debate upon this portion of the bill having been closed by the House, discussion upon any points arising incidentally upon it can only be entertained by unanimous consent.

Mr. DINGLEY. The closing of debate on the paragraph does not cut off debate on the point of order.

Mr. BUCHANAN. The question pending now is upon the point of order.

The CHAIRMAN. Still it arises in connection with this paragraph of the bill; and the rulings of Speakers heretofore have been that all points of order arising after the previous question has been moved must be decided without debate.

Mr. REED and others. There is no previous question here.

The CHAIRMAN. The closing of debate in Committee of the Whole is equivalent to the previous question.

Mr. REED. Oh, no. If the Chair will permit me, the closing or debate is a mere incident to the question, "Shall the main question be now put?" The closing of debate is only one of the things which are the result.

The CHAIRMAN. The Clerk will read clause 3 of Rule XVII.

The Clerk read as follows:

All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

The CHAIRMAN. The Chair is of opinion that an order of the House closing debate in Committee of the Whole is equivalent to a motion for the previous question in the House, and as there can be no previous question in Committee of the Whole—

Mr. REED. Does the Chair mean to say that the closing of debate on the paragraph and amendments closes debate on a point of order?

The CHAIRMAN. The Chair is of opinion that debate on the paragraph and on all incidental questions connected with it was closed by order of the House.

Mr. REED. Debate on the point of order?

The CHAIRMAN. This is an incidental question.

Mr. REED. Well, that is a most amazing decision. I have no doubt the Chair has some precedent for it.

The CHAIRMAN. The Clerk has read the rule, which is clear enough.

Mr. REED. That has nothing to do with it, if the Chair pleases.

The CHAIRMAN. The Chair thinks it has, with all due respect to the gentleman.

Mr. REED. There is no previous question here.

The CHAIRMAN. Will the gentleman from Maine inform the Chair what in his opinion is the effect of an order closing debate in the committee?

Mr. REED. The debate now proposed is not debate upon the paragraph, but upon a question of order. Debate was closed on the paragraph and pending amendments. This is not debate on either the paragraph or pending amendments, but upon a point of order.

The CHAIRMAN. But this is an incidental question.

Mr. REED. It seems to me nothing can be said to make the question plainer. All that the House authorizes or intends to authorize by the order is the closing of debate on the paragraph and pending amendments. The House has no occasion to close debate on points of order. Debate on such points is primarily for the information of the Chair. Of course in some cases it would not be needed; but it is primarily for the information of the Chair and secondarily for the information of the House if an appeal should be taken. This is a most surprising decision of the present occupant of the chair. I presume he must have some precedent for it.

The CHAIRMAN. The Chair has cited the rule.

Mr. REED. It seems singular that in all previous Congresses nobody has ever stumbled on such a decision before.

The CHAIRMAN. It has frequently been held that all incidental questions, after the previous question is moved, must be decided without debate.

Mr. LONG. I understand that debate on a point of order is very much within the discretion of the Chair, and that the Chair in its discretion never refuses to allow debate upon such a point.

The CHAIRMAN. The Chair is perfectly willing to hear gentlemen upon the point of order, and was about to ask whether the debate should proceed by unanimous consent. The Chair was very desirous to hear the gentleman from New Jersey.

Mr. LONG. This is not a question for unanimous consent. It is a matter within the discretion of the Chair—a discretion which the Chair has always exercised.

The CHAIRMAN. There is nothing in the rules providing for any debate upon points of order. The Chair always indulges such debate unless objection is made. In this case, as the previous question is operating upon this portion of the bill, so far as the previous question can operate in Committee of the Whole, the Chair was of the opinion that no debate could be allowed upon any incidental question after debate had been closed upon the main proposition. That is still the opinion of the Chair; but he will ask that the gentleman from New Jersey be permitted to address the Chair upon this point of order. If there be no objection—

Mr. CANNON. Let me make a suggestion to the Chair.

The CHAIRMAN. Certainly.

Mr. CANNON. I wish to understand the Chair's decision. Does the Chair say the previous question is operating in the Committee of the Whole? I suppose the Chair means it is operating by analogy. The previous question in the House not only cuts off debate, but it also cuts off all amendments. If the previous question should operate therefore there would be not only no further debate on this paragraph, but it would not be in order to move an amendment or an amendment to an amendment. The Chair has therefore as much right to cut off amendments as he has to cut off debate under his construction that the previous question is operating in the committee. It is a construction of the rules never before given in this committee.

The CHAIRMAN. That would be true if it were not for the latter clause of the sixth paragraph of Rule XXIII, which says:

But this—

Which is the closing of debate—

shall not preclude further amendments to be decided without debate.

There is the limitation providing for other amendments, and without that clause not only would the debate be cut off but no further amendment would be in order to this paragraph.

Mr. BURROWS. Let me understand the position taken by the Chair. If an amendment is offered and a point of order is raised against that amendment, the Chair holds that is not debatable except by unanimous consent.

The CHAIRMAN. The Chair did not say so.

Mr. BURROWS. Then the Chair holds that the point of order is debatable?

The CHAIRMAN. The Chair said that all debate on this paragraph of the bill having been closed by order of the House, that that was in the nature of a previous question in the committee and prevented the committee from further debate, and that that was provided for in the clause of the rule which was read.

Mr. BURROWS. Then the Chair thinks that a point of order is not debatable except by unanimous consent?

The CHAIRMAN. The Chair so holds under the order of the House.

Mr. BURROWS. The Chair holds a point of order is not debatable even if the Chair desires to be informed.

The CHAIRMAN. The Chair was asking unanimous consent for the gentleman from New Jersey to be heard.

Mr. BURROWS. Even if the Chair desires to be informed he could not get that information unless by unanimous consent.

The CHAIRMAN. Certainly.

Mr. BURROWS. The Chair would be powerless even if he did not know anything about it.

Mr. REED. You can see how convenient this is going to be.

The CHAIRMAN. It may be convenient for gentlemen to make remarks of that kind, but the Chair intends to enforce the rules as he understands them. When the responsibility is imposed upon other

gentlemen they will exercise it as they think best, and the Chair, so long as he occupies his present position, will enforce the rules of the House as he understands them.

Mr. O'NEILL, of Pennsylvania. Suppose there be an appeal from that decision, will the Chair undertake to decide that all debate is cut off on that appeal? Does the Chair hold that we can not have any discussion on that point of order?

Mr. BLAND. I call for the regular order.

Mr. O'NEILL, of Pennsylvania. Does not this committee have the right to appeal from this decision of the Chair?

The CHAIRMAN. Certainly.

Mr. McMILLIN. I wish to know the length of time which the gentleman from New Jersey desires.

Mr. BUCHANAN. Not longer than five minutes. If permitted to proceed I would have been through long ago; but five minutes are enough to show the absurdity of this point of order.

Mr. McMILLIN. I have no objection.

Mr. REED. We intend to appeal from that decision of the Chair.

The CHAIRMAN. The Chair will entertain it.

Mr. REED. And we wish to discuss that appeal. We wish to discuss the entire question. Does the Chair hold we shall have to get unanimous consent for such discussion? [Cries of "Regular order!"]

The CHAIRMAN. The Chair asked for permission for the gentleman from New Jersey [Mr. BUCHANAN] to proceed for five minutes.

Mr. REED. Does the Chair hold we must have unanimous consent for each individual to be heard?

The CHAIRMAN. The Chair would so hold.

Mr. REED. I desire to appeal from the decision of the Chair.

Mr. HOOKER. I demand the regular order. The gentleman from New Jersey has the floor; let him speak if he wants to.

Mr. WHITE, of New York. I object to the speech being made. [Laughter.]

The CHAIRMAN. It is too late now to interpose this objection, as the gentleman has already received consent.

Mr. BUCHANAN. I desire to submit some observations touching this point of order by leave of the Chair, not by leave of the committee. The Chair desires to be informed as to the grounds upon which the point of order is made, whether it be tenable or not.

Mr. BRECKINRIDGE, of Kentucky. I object to the gentleman's proceeding under the circumstances.

The CHAIRMAN. The Chair thinks it is now too late.

Mr. BRECKINRIDGE, of Kentucky. I understand the gentleman declines to proceed by leave of the committee, but only by leave of the Chair.

The CHAIRMAN. Leave has been given the gentleman to proceed, and he can proceed in his own way, which of course does not change the order of the committee.

Mr. BUCHANAN. The provision of this bill to which my amendment is applicable, and to which it is offered, is in the following language:

That on and after the 1st day of July, 1888, the following articles mentioned in this section, when imported, shall be exempt from duty.

And then follows a long list enumerating articles to which that language applies.

That list constitutes the entire remainder of the section. Let me state again: The remainder of that section, after the words I have quoted, is devoted exclusively to a list enumerating articles to which these active words apply. Take those words away from that section and the section is just as dead as a man with his head cut clean off. It cuts the head of the section off, and the whole section goes into a state of innocuous desuetude. [Laughter.] I do not wish to exercise any pernicious activity in a partisan line in using that expression, but it occurred to me as the best definition I could employ at the moment, and I had high authority for using it. [Renewed laughter.]

Mr. Chairman, the first question here presented is, what does this section propose to do? This section proposes that a certain line of goods, when imported into the United States, shall be imported free of duty, and then proceeds to give a list of articles which come under that category. Now, what does my amendment propose? It simply limits that list, and that is all. The very words which make that list operative I propose to limit; and is there a brain belonging to any man who knew enough to find his way on the 4th day of December last to this Capitol to be sworn in that can not see the force of that point? [Laughter.] I say my amendment proposes to limit that list by prescribing that whereas these goods in this list may be imported into the United States free of duty, yet nevertheless goods of the character therein mentioned, when made in a certain way, should not be thus entitled.

A MEMBER. Let us have some authorities on that point.

Mr. BUCHANAN. No; I wish to keep my argument clear and undiluted, and so plain that a wayfaring man, even if a little below the average in intellect, need not err therein. [Laughter.]

I repeat it, that these three lines are the active words in this section; and that we have a right to limit the operation, the field, and the scope of that activity. That is exactly what my amendment seeks to accomplish, nothing more and nothing less.

I have authorities produced here by gentlemen near me, but I never want to go to a law-book to prove the proposition that two and two make four. In fact, sir, it seems to me that this question is so clear that the mere statement of the effect and the purport of the amendment is of itself enough to show that the point of order is utterly without foundation in parliamentary law. If the amendment be not germane to this list, will the Chairman tell me where in this section it is germane? Where will it be applicable if not here?

Some of my good brethren sitting near me request me to read this: An amendment need not necessarily be germane to the pending paragraph, but must be to the general provisions of the bill.

That goes further than I have gone. It is not necessary for me to go as far as that. I say the amendment is not only germane to the section, but it is germane and proper to be inserted at the precise place I have asked to have it inserted. But if germane to any provision of the bill it would certainly be germane to the point where it is now offered for insertion.

I do not know that I desire to say anything more. It seems to me that I have stated the proposition so plainly that there can be no mistake.

The CHAIRMAN. The Chair is of opinion that this provision would be germane to some subsequent paragraph of this bill, but is not germane at the present stage of the bill. This is an amendment providing some criminal statutes in reference to the importation of goods manufactured by prison labor in foreign countries. If inserted in this place, it would be inserted in a provision which says "that the following articles mentioned in this section when imported shall be exempt from duty." This section, if amended as proposed, then proceeds with a clause prohibiting the importation of certain goods entirely, which would be absurd if inserted in this place; and the Chair presumes that we should look to the sense of the measure as it would stand if amended. Therefore the clause here would not be germane. It would be at a subsequent place in the bill, and the Chair will indicate to the gentleman where it would be proper to offer it, and where the Chair could entertain the amendment. The Chair sustains the point of order.

Mr. BUCHANAN. I call the attention of the Chair to the fact that he has misunderstood the connection in which those words occur. I say, "Be it further enacted, That the following articles mentioned in this section," etc. It makes good grammar, law, and justice.

The CHAIRMAN. The Chair has already stated that he will entertain the amendment of the gentleman from New Jersey at the proper time; but it is certainly not germane at this point.

Mr. BUCHANAN. I dislike to appeal from the decision of the Chair; but it seems to me to be a very important ruling, and the sense of the committee should be taken on it.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The committee divided; and there were—ayes 123, noes 89.

So the decision of the Chair stood as the judgment of the committee.

Mr. BUCHANAN. I desire to offer another amendment.

The CHAIRMAN. The Chair had recognized the gentleman from New York [Mr. BAKER].

Mr. BUCHANAN. The amendment I desire to offer comes in prior to his.

The CHAIRMAN. The Clerk will read the amendment proposed by the gentleman from New Jersey.

The Clerk read as follows:

Insert between lines 4 and 5 the following:
"When not manufactured or produced, wholly or in part, by prison labor, or made within or in connection with, any prison, jail, penitentiary, or other penal or reformatory institution."

Mr. MILLS. I make the point of order on that amendment.

Mr. BUCHANAN. I should like to be heard for two minutes on the point of order.

The CHAIRMAN. The Chair thinks this proposition is germane and will entertain it. The question is on agreeing to the amendment.

The committee divided; and there were—ayes 97, noes 105.

So the amendment was disagreed to.

Mr. BAKER, of New York. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 5 insert the following:
"Provided, That in all cases a duty shall be imposed upon all goods and products now on the free-list whenever similar goods and products are subject to duty under the laws of the Dominion of Canada, at a rate greater than or equal to that imposed thereunder."

Mr. MILLS. I make the point of order.

The CHAIRMAN. The amendment would properly come in at line 25. It is unusual to place a proviso at the beginning of a section.

Mr. BAKER, of New York. I want it to apply to all articles on the free-list.

The CHAIRMAN. Then it should be reserved until the end of the free-list.

Mr. TAULBEE. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAULBEE. I want to know if in the reading of this bill where the articles to be placed on the free-list are enumerated, as, for instance,

when lines 6 and 7 of the bill have been read and passed over, after the reading of line 8, would amendments to lines 6 and 7 be in order?

The CHAIRMAN. They would not be. After a paragraph has been passed it is not in order to return to it for amendment except by unanimous consent.

Mr. TAULBEE. My object was to understand what the Chair would construe as a paragraph of the bill.

The CHAIRMAN. The Chair will state that at the proper time, if no other amendment is to be offered, the Chair will direct the Clerk to read the next paragraph.

Mr. GROSVENOR. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add to line 5 the following:

"Provided, That articles, the manufacture of which or the sale whereof is controlled by trusts or other combination of capital to depress the price of labor, or increase the cost of the article to the consumer, shall not be imported into the United States."

Mr. MILLS. I make the point that that is not germane to that part of the bill.

Mr. GROSVENOR. I hope the point of order will not be sustained until the amendment has been carefully examined by the Chair.

The CHAIRMAN. The Chair thinks it would be more in accordance with the fitness of things that provisos should come at the close of the sections than that they should precede them. But the Chair will entertain the proposition.

Mr. EZRA B. TAYLOR. Does the Chair mean that if the only thing involved is the supposed fitness of things the Chair should refuse to entertain a proposition instead of submitting it to the committee?

Mr. REED. Suppose the committee chooses to put on a proviso early in a section, has not the committee that right?

Mr. BUCHANAN. In the twenty-second line the committee have placed a proviso in the middle of a section.

The CHAIRMAN. But that relates only to articles which precede it. This is a matter of taste; but the Chair will entertain the amendment of the gentleman from Ohio. The gentleman seems to have peculiar notions about taste, but the Chair will indulge him.

Mr. BURROWS. Let the amendment be again read.

The amendment was again read.

The question being taken on Mr. GROSVENOR's amendment, there were—ayes 70, noes 105.

So the amendment was disagreed to.

Mr. BAKER, of New York. Perhaps the Chair will entertain my amendment now as a matter of taste.

The CHAIRMAN. The Chair will entertain the gentleman's amendment.

The amendment heretofore offered by Mr. BAKER, of New York, was again read, as follows:

On page 1, line 5, insert the following:

"Provided, That in all cases a duty shall be imposed upon all goods and products now on the free-list whenever similar goods and products are subject to duty under the laws of the Dominion of Canada, at a rate greater than or equal to that imposed thereunder."

The committee divided; and there were—ayes 83, noes 106.

So the amendment was not agreed to.

The CHAIRMAN. Unless some other amendment is to be offered the Clerk will report lines 6 and 7.

The Clerk read as follows:

Timber hewn and sawed, and timber used for spars and in building wharves.

Mr. STRUBLE. Mr. Chairman, is it in order at this time to move to strike out lines 6 and 7, and also the following lines down to and including line 25, or should the motion be confined to lines 6 and 7?

The CHAIRMAN. The Chair will entertain motions to perfect the text as taking precedence to the motion of the gentleman from Iowa.

Mr. STRUBLE. Then I move at this time to strike out lines 6 and 7. Upon that I expressed myself yesterday as fully as I desired. All that I wish to do now is briefly to remind the House of my position, which is this, that all of these lines in relation to lumber schedules should be stricken out of this bill, and that the existing law should be ingrafted upon it as section 2, with a reduction of the duties upon lumber.

Mr. TAULBEE. Mr. Chairman, I had purposed entering the motion which has been entered by the gentleman who has preceded me, to strike out these lines. I wish now to announce that if that motion should carry I will offer an amendment to a subsequent section of the bill, providing an import duty on the articles enumerated in this section at the rate of 10 per cent. ad valorem.

Mr. McCORMICK. Mr. Chairman, I desire to offer an amendment to the amendment offered by the gentleman from Iowa [Mr. STRUBLE].

The CHAIRMAN. Let it be read.

The amendment was read, as follows:

Strike out lines 6, 7, and 8, and insert in lieu thereof the following:

"Timber not further manufactured than hewn, squared, or sided."

Mr. STRUBLE. I make a point of order on that.

Mr. MILLS. That is not germane to these two lines.

Mr. DINGLEY. Line 8 has not been reached yet and an amendment to it is not in order.

Mr. EZRA B. TAYLOR. I move to amend the amendment of the gentleman from Iowa [Mr. STRUBLE] by striking out the last word of it.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McCORMICK] is recognized as having the floor.

Mr. EZRA B. TAYLOR. The gentleman from Pennsylvania made a motion, which has been ruled out on a point of order.

The CHAIRMAN. The Chair has not ruled upon it. The Chair called the gentleman's attention to the fact that he proposed to strike out a line which had not been reached.

Mr. EZRA B. TAYLOR. And there was a point of order made upon the amendment. If the gentleman's amendment was not in order, I am; if it was, then, of course, I am not in order.

The CHAIRMAN. The Chair had recognized the gentleman from Pennsylvania, who was putting his amendment in proper shape.

Mr. McCORMICK. I understand that the Chair has ruled out my amendment as not in order.

The CHAIRMAN. No; the Chair only called the gentleman's attention to the fact that he had moved to strike out a line which had not yet been reached.

Mr. McCORMICK. Well, I desire to make a few observations—

Mr. LONG. Then, Mr. Chairman, the gentleman from Ohio [Mr. EZRA B. TAYLOR] is in order.

The CHAIRMAN. The gentleman from Pennsylvania may modify his amendment if he desires.

Mr. McCORMICK. Mr. Chairman, I move to strike out the last word in line 7.

The CHAIRMAN. That is in order as an amendment to the amendment.

Mr. EZRA B. TAYLOR. Mr. Chairman, is not that a different motion, and does not mine precede it? It is not the motion we were acting upon, and the gentleman has not been recognized for another motion.

The CHAIRMAN. The gentleman from Pennsylvania has modified his motion, and the Chair thinks he ought to be heard on his proposition. The Chair will entertain the motion of the gentleman from Ohio [Mr. EZRA B. TAYLOR] later.

Mr. McCORMICK. Mr. Chairman, the amendment which I offered a few moments ago, and which I understood the Chair to rule out on a point of order as not being proper at this time, included lines 6, 7, and 8, and its object was to strike out those three lines.

Mr. MILLS. Mr. Chairman, are lines 6, 7, and 8 under consideration?

The CHAIRMAN. Lines 6 and 7 are.

Mr. RANDALL. The amendment to strike out and insert applies to lines 6, 7, and 8, and I suggest that we have those three lines read and considered together, as the amendment relates to all three.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McCORMICK] had withdrawn that amendment, and had submitted an overwhelming amendment upon which he was proceeding to address the Chair in explanation of the object he has in view. If there be no objection, however, the Chair will regard the eighth line as pending so that the gentleman may move to amend it also.

Mr. FARQUHAR. I object.

Mr. McCORMICK. I have offered this *pro forma* amendment for the purpose of showing the committee that the motion to strike out lines 6, 7, and 8, and insert in lieu thereof the amendment which I have proposed, is entirely proper at this time. Lines 6, 7, and 8 have reference entirely to timber hewn and sawed, and timber squared or sided. The amendment which I proposed and which I shall renew unless prevented by the ruling of the Chair has reference to all these classes of lumber embraced in these three lines. My proposition is to insert upon the free-list in lieu of the classes of lumber named in these three lines, "timber not farther advanced in manufacture than hewn, squared, or sided."

Such an amendment, while admitting free of duty timber not farther advanced in manufacture than simply hewn, squared, or sided, would not admit free of duty what is commonly known as bill timber, or timber which is farther advanced in manufacture than hewn, squared, or sided. Such an amendment as that proposed would preserve to our own people the right to manufacture the timber into the smaller sizes, and would have the effect of giving the labor to our own people instead of to foreigners. Logs are now on the free-list, and this amendment would enlarge the free-list by allowing the logs to be squared or sided in Canada before transportation to this country.

This is all I wish to say on this point at present. I withdraw the *pro forma* amendment.

[Mr. EZRA B. TAYLOR withholds his remarks for revision. See APPENDIX.]

Mr. OUTHWAITE. Mr. Chairman, the pending motion is to strike from the free-list sawed lumber, and I suppose the motion is made in order that the men engaged in that industry as wage-earners shall be protected, and not for the benefit of the capitalists engaged in that industry. It is considered on all hands that they have been receiving as much tribute from the American people who use lumber as they ought to receive.

Yesterday in discussing a kindred question I uttered some remarks and I was taken to task for quoting figures from the United States census. We are about preparing to take other United States census reports, and if they are of no value we waste the time of the House in legislation to do so and the money of the people in getting together and publishing those facts.

How were they obtained? Slips were sent out and men were sent out to the people engaged in this industry, with the request they should make their returns; that they should state the number of establishments; that they should state the amount of capital invested; that they should state also the number of employes; that they should state the total amount of production; that they should state the total cost of material, and that they should state the total amount of wages. They made all those statements, and from those statements, drawn from the Compendium of the Census, I made the remarks I did yesterday.

The gentleman who took me to task for using the figures of the United States census uses this language:

That we are not left to the absurdity of figures which gentlemen produce from the United States census.

Now, nobody knows better than the gentleman from Ohio [Mr. OUTHWAITE] that it is utterly impossible for a profit of 285 per cent. or 337 per cent. to be made in a single year on \$1,000 in a manufacturing business long established, which covers a great belt of this country. He knows that it is impossible, or else he is unfortunate in his mental make-up. I know him well enough to know that the trouble is inadvertence.

I wish to call attention of the House to the fact that the inadvertence was not on my part, as can be seen by referring to the RECORD of yesterday, but on the part of the gentleman from Maine [Mr. REED]. I made no statement that lumber capitalists were receiving there in Maine or Michigan the enormous amount of 285 or 337 per cent. I stated that the capitalists in Maine receive as a return on their capital invested 28½ per cent. and in Michigan 33.7 per cent., and I have yet to see or hear any contradiction of that statement. Those are the facts, and they can not be contradicted.

To impress it upon the minds of members of the House, I took the position that a wage-earner in the State of Maine engaged in the sawed-lumber business during the year received as compensation \$170, while the capitalist on every \$1,000 he had invested received as wages on that capital \$285. I was attempting to show, and I think I did, that the division was largely in favor of the capitalist. I wish to present it in another form; but before doing so, and right here, Mr. Chairman, allow me to suggest that the criticism that my figures related to the lumbermen is inaccurate. The statistics I have invoked in support of the argument that I have presented are statistics concerning sawed lumber. Now that industry, the industry of sawed lumber, is one that I presume goes on in some form all the year round.

Mr. GUENTHER. Oh, no; not at all.

Mr. OUTHWAITE. I think it does.

Mr. GUENTHER. No, sir; you are mistaken.

Mr. OUTHWAITE. But whether it goes on all the year or not, taking the time while the wage-earner is engaged in earning \$170, the thousand dollars of capital that is invested in that business is engaged in earning \$285. To present this matter in another form, I want to make this statement: Taking \$2.98 of the total profit and wages combined, what is the division of that sum? How is it divided between capital and labor? Why, Mr. Chairman, the capital gets \$1.82 of the amount, while the laborer gets only \$1.16 of that which is made by the combination of the two in the sawed-lumber industry of Maine.

[Here the hammer fell.]

Mr. HERBERT rose.

Mr. OUTHWAITE. I shall only want a few moments longer.

The CHAIRMAN. Is there objection to the gentleman's proceeding by unanimous consent for five minutes longer?

Mr. McKINLEY. I ask that he have that privilege.

There was no objection.

Mr. OUTHWAITE. I thank my colleague and the House for this courtesy.

As the House has now given me consent, I will hear the question of the gentleman from Maine.

Mr. DINGLEY. I wanted to call the gentleman's attention to certain errors he makes in using the census figures for the purpose of ascertaining the profits of the lumber industry, or any other—

Mr. OUTHWAITE. I can only yield for a question.

Mr. DINGLEY. I want to show the gentleman that the census figures, while they are correct as far as they go—

Mr. OUTHWAITE. I do not want any correction now in my five minutes, but if the gentleman asks a question I will answer, or try to do so.

Mr. DINGLEY. Very well; I will take my own time. The gentleman is doing himself a great deal of injustice.

Mr. OUTHWAITE. I am perfectly willing to stand upon the figures of my own, computing from the census and the argument deduced from them.

Mr. REED. All baggage at the owner's risk here. [Laughter.]

Mr. OUTHWAITE. If you consider in the same manner a case in Michigan, in which you use the same data as I used in my remarks

heretofore, and take \$20 of the profit of labor and capital combined, what is the division of that amount between the two—\$20, I mean of that surplus over and above the cost of production, including raw material and supplies? That is, to be a little more explicit, let us take a product amounting to \$52 out of which you deduct \$32 for the material and mill supplies, leaving \$20 as the result, the combined profit; and then let us see how this is divided between the capitalist and the wage-earner.

Of this sum the capitalist gets \$13 out of the \$20, and how much is left for the wage-earner? Why, \$7; less than one-half of the amount, and but little more than one-half as much as the capitalist gets. We have heard here, and it has been customary to say in the course of this debate, that almost all of these protected products consist of 95 per cent. of labor. I certainly must be permitted to claim in this instance, at least in regard to Michigan lumber, that a large percentage of the value of the product—the finished product of the sawed lumber—is the result of labor. If that be true, instead of 95 per cent. of it going to the labor, there has been a very substantially different division in this instance; because capital gets \$13 and labor but \$7 out of the total of the \$20 left to be divided between capital and labor, after deducting the \$32 that had been paid for material and mill supplies from the whole product, valued at \$52.

But to make the illustration a little clearer, a little more distinct, for the benefit of these men who are struggling in these protected industries to persuade the wage-earners that their industries will be destroyed, I take a dollar's worth of product. Now, what is the division in a dollar's worth of product in Michigan? How is it divided? By the term "product," as I now use it in this illustration I wish it to be understood that I do not mean simply the product, but I mean the surplus; I mean that portion over and above and after taking out all of the cost of material and expense of every kind, as shown by the census reports.

Mr. DINGLEY. But the census report—

Mr. OUTHWAITE. I can not yield. One dollar of that combined profit is divided as follows: 65 cents of it to the capital and 35 cents to the labor.

Mr. BOUTELLE. What does that 65 cents include?

Mr. OUTHWAITE. Nothing in the world but profit upon capital. It does not include a single penny of expense or material. [Derisive laughter on the Republican side.]

Mr. REED. Sixty-five cents on the dollar profit?

Mr. OUTHWAITE. No, sir; but 65 cents of that dollar.

Mr. REED. What percentage is that?

Mr. OUTHWAITE. Thirty-three and seven-tenths per cent. upon the capital.

Mr. REED. And you believe that?

Mr. OUTHWAITE. I do not know that it is a question of my belief. The figures show it.

Mr. REED. But do you believe it?

Mr. OUTHWAITE. Certainly I do.

Mr. REED. I am very glad to hear it. I am glad to find one man who is willing to admit it. [Laughter.]

Mr. OUTHWAITE. I repeat that the wage-earner gets but 35 cents, while the capitalist gets 65 cents out of the dollar of surplus.

Mr. HERMANN. Will the gentleman permit me to ask him a question?

Mr. OUTHWAITE. Yes, sir.

Mr. HERMANN. Is the gentleman not aware of the fact that in a great many, if not in all of the States, where the lumber interest figures conspicuously, the manufacturers are, as a general thing, the owners of the lands from which the lumber is taken?

Mr. OUTHWAITE. In each instance I have given them the credit of the value of the raw lumber. I allow them interest on everything they say is capital engaged in the industry, and I do not think they were likely to omit putting in anything. I believe they put in their timber, not at prices they paid for land, but at the price they now deem it to be worth.

Mr. BOUTELLE. I wish to ask the gentleman this: Will you not kindly take a tree standing, cut it down, bring it to the mill, manufacture it, and then show how you arrive at your conclusion?

Mr. OUTHWAITE. It would take too long to do so.

Mr. BOUTELLE. It would not take me very long.

Mr. OUTHWAITE. The gentleman will have an opportunity to do so. I take the figures from the census of the value of the product and the cost of the raw material in the State of Maine. The value of the product was \$7,933,868. How much was there for material and expenses? Four million nine hundred and fifty-one thousand nine hundred and fifty-seven dollars. That is their own statement; their own presentation of their case. I have first deducted that before I began to divide between capital and labor. I have then deducted the amount paid in wages; I have taken out all of that; and I have no doubt there is clearly presented the amount of profit to the capitalists in the remainder.

Mr. BOUTELLE. You arrive at these results in the same way as yesterday, from the annual amount paid to laborers.

Mr. OUTHWAITE. Exactly so; I speak of the amount of wages

during the year. I am dealing with the facts in the Compendium of the Census with regard to sawed lumber.

Mr. BOUTELLE. But you do not see the difference between the amount of money paid a man for two or three months' work in a year and the money paid to a man who works a whole year.

Mr. OUTHWAITE. I have no proof of what you suggest. You have produced none. I am taking the statistics as I find them.

Mr. BOUTELLE. Do you not know enough about the lumber business to know that without proof?

Mr. OUTHWAITE. I know the saw-mills run nearly all the year round.

[Here the hammer fell.]

Mr. ATKINSON. Mr. Chairman, I move to strike out the last word. I presume that one of the reasons for putting timber on the free-list is that it will be cheapened in price to the consumer.

The free-traders claim that this always follows the removal of duties, and the decline in the price of quinine since it was put on the free-list has often been cited as an example.

Let us see if it is true? The duty on quinine prior to 1873 was 45 per cent. In that year it was reduced to 20 per cent., and it was placed on the free-list in 1879. When the duty of 20 per cent. was removed it sold for \$2.96 per ounce in London; in 1887 its price in the London market was 50 cents an ounce, a decline of 83 per cent.

If this decline of 83 per cent. in the price of quinine in London is due to the removal of 20 per cent. of duty in the United States, then our tariff legislation must have a wonderful effect on prices outside of this country. Nobody believes any such thing. It is absurd.

But I will tell you what reduced the price of quinine. It is a product of cinchona bark, and the cinchona tree was found only in South America. This tree grows in remote mountain regions and the demand for its bark was so great that it was feared that the supply might soon be exhausted. In 1877 quinine sold as high as \$4 per ounce in London because the exportation of cinchona bark from South America was interrupted by civil war in New Granada and by low water in the Magdalena River.

Owing to the fears entertained that the supply of bark might fail, and because it was furnished in uncertain quantities, attempts were made to cultivate the cinchona tree, and these experiments have met with complete success. The Dutch introduced it into Java and the British into the East Indies, and last year more than 15,000,000 pounds of bark were sold from their plantations. A remarkable fact connected with this enterprise is that the bark of the cultivated cinchona tree yields from 8 to 12 per cent. of quinine, while the bark of the native tree produces no more than 2 per cent. The decline in the price of quinine is said to be entirely attributable to this new supply of cultivated cinchona and the increased proportion of quinine it bears.

But besides this, new methods of extracting quinine from the bark have been adopted. Under the old process it took from ten to fifteen days to exhaust the bark; now it is done in ten hours. The British cinchona plantations have become profitable, and private individuals have begun the cultivation of the tree. The United States deserves no credit for the reduction in the price of this important drug, and anybody that claims that putting quinine on the free-list made the great reduction in price falls into a grave error. The duty should never have been removed. It does the consumer no good. If the price in London is now 50 cents an ounce and the duty of 20 per cent., to wit, 10 cents an ounce, were added, the increased cost would be lost in the course of trade. Few sick men take 100 grains of quinine, but the duty on that amount would be only 2½ cents, a trifle too insignificant to consider.

But the removal of the duty has made us dependent upon foreigners for our supply of quinine. In 1878, before the removal of the duty, we imported but 17,549 ounces; in 1879, the duty being off, we imported 228,348 ounces, and our importations in 1887 were 2,180,157 ounces. Only three firms now make quinine in the United States, and its manufacture is unprofitable. When the American supply was made in our own country it came from manufacturers who had a reputation to maintain and who put a pure article on the market. Now no man can tell whether what he buys is adulterated or not. Experiments must be made upon a sick man to determine how much foreign quinine will produce a given result. With the pure article made in America no such experiments were necessary. I submit, Mr. Chairman, that when a man is sick, good medicine, and not cheap medicine, is what he wants. [Applause.]

I append a statement of the facts, made by a firm of unquestioned character, which shows the truth of the whole matter.

PHILADELPHIA, December 20, 1887.

DEAR SIR: * * * In regard to the assertions respecting the manufacture of sulphate of quinine, we can only say that it is seldom so many misrepresentations are made in regard to any commodity as to this.

At the time of the removal of the duty sulphate of quinine ruled high the world over.

It need hardly be told to intelligent and fair-minded persons that prices were adjusted in Europe without reference to the United States tariff.

The duty was removed in 1879. We will submit quotations for the years 1877 and 1879.

AVERAGE PRICES IN THE LONDON MARKET, 1877.

English, in 1-ounce vials, 12s. 2d. per ounce = \$3.16 in London.
French, in 1-ounce vials, 12s. 3d. per ounce = \$2.94 in London.
Italian and German, in tins, 11s. 8d. per ounce = \$2.80 in London.

AVERAGE PRICES IN THE LONDON MARKET, 1879.

English, in 1-ounce vials, 12s. 4d. per ounce = \$2.96 in London.
French, in 1-ounce vials, 12s. 4d. per ounce = \$2.96 in London.
Italian and German, in tins, 11s. 2d. per ounce = \$2.68 in London.

MAXIMUM PRICES IN THE LONDON MARKET, 1877.

In the year 1877 the sales of sulphate of quinine were made in London at figures as high as the following, say May, 1877, in large lots:
English, in 1-ounce vials, 16s. 6d. per ounce = \$3.96 in London.
French, in 1-ounce vials, 15s. 9d. per ounce = \$3.78 in London.
Italian and German, in tins, 15s. per ounce = \$3.60 in London.
Taking the shilling at 24 cents, we have as high as \$3.96 per ounce paid for English quinine in London.

To say that the duty of 20 per cent. then imposed on foreign quinine by the tariff of the United States had any bearing on these quotations would subject the assertion to ridicule. It is simply an absurdity.

In like manner to venture the statement that recent low prices the world over have been brought about by the removal of the duty in this country would only expose the ignorance or the malicious falsehood of the utterance.

MINIMUM PRICES IN THE LONDON MARKET, 1887.

Now we submit the following as quotations named in the London market for sulphate of quinine, November, 1887.

English, in 1-ounce vials, 2s. 1d. = 50 cents in London.
French, in 1-ounce vials, 2s. = 48 cents in London.
German and Italian, in tins, 1s. 3d. = 30 cents in London.
Here we have London prices for foreign makes of quinine:
Fifty cents in 1887, against \$3.96 for English, in vials, in 1877.
Forty-eight cents in 1887, against \$3.78 for French, in vials, in 1877.
Thirty cents in 1887, against \$3.60 for German and Italian, in tins, in 1877.

As quinine dropped in price the world over (from 80 to 90 per cent. between the years 1877 and 1887), and as English, French, German, Italian, and all manufacturers, irrespective of locality, lowered their figures gradually and synchronously—*pari passu*—step by step, and with equal pace, it follows logically that the controlling influence must have been one and the same.

If, then, that power was the Congress of the United States (and it is to be distinctly and prominently kept in view that to Congressional action alone is attributed the low price of quinine in the Star article), then to our legislators, and to them alone, is the whole world indebted.

Although the Americans never planted a tree in Ceylon and Java, and the work was all done by the English and Dutch, does it not seem ungenerous to say that our own Congress had nothing to do with it? Why not say they had all to do with it?

And why so modestly ask to be credited with only the insignificant amount of \$50,000,000 saved to the American people, when the pounds sterling of the English (who paid \$3.96 before the duty was removed and 50 cents since), and the francs of the French (who paid \$3.78 before the 20 per cent. burden was lifted and 48 cents since), and the marks of the Germans and the liras of the Italians (who paid \$3.60 before the rules were suspended and quinine made free and 30 cents since) might be added with just as much propriety and just about as little mendacity and effrontery, and make such a snug sum to represent the saving to the whole world by striking out a little 20 per cent. duty in the legislative halls of the United States?

Absurdity could no further go than to claim this reduction in prices in Europe to have been caused by any action whatever of the Congress of the United States.

But in order to impose upon the credulity of the American people, constant reference is made to the fall in prices in this country (while not a word is said about the drop from \$3.96 to 50 cents for English quinine, from \$3.78 to 48 cents for French, from \$3.60 to 30 cents for German and Italian in London), and the cause assigned is the removal of the duty, and this is the only explanation given.

It is indeed to be hoped, not so much for ourselves as manufacturers of quinine, as for the sake of the good name of the American people, and for the cause of justice and truth, that so disreputable a course of misrepresentation and vilification may cease.

The duty, which was a moderate one (20 per cent.), was removed. The act was hurried through, under suspension of the rules, at the very close of the session, with undue haste, without debate, and it went into immediate operation. Special legislation, unlike that applied to all other industries in this country, was directed against one single manufacture. Surely that should satisfy the most violent opponent, and further injustice might reasonably be expected to stop.

The drug trade of the United States can not be ignorant of the real cause of the decline in price of quinine in this country and in Europe, but for the information of others not so well advised we will state that the cause of the decline was the reduced cost of cinchona bark, *i. e.*, the crude material employed.

The reduction in the price of bark was caused by the largely increased supplies. This in turn, was brought about by the action of the British and Dutch Governments in cultivating the cinchona trees in India and Java.

The United States is conspicuous by its absence in the whole business of bringing down the price of bark and quinine the world over. The American people and the American Government were as innocent of influence as were the Chinese or the Japanese, the Turks or the Egyptians.

Formerly all cinchona bark came from South America, and the trees were not under any system of cultivation. Fearing an eventual failure of supplies of bark, the European governments named commenced the cultivation of the cinchona trees in India, Java, etc.

After a lapse of years, necessary to the growth of the plants, exports commenced, from India first and then from Java.

In February, 1861, the first installment of seeds arrived in Ceylon from South America.

In 1869 the export was but 23 ounces of bark.
Season 1882-'83, Ceylon, etc., exported 6,925,595 pounds of bark.
Season 1883-'84, Ceylon, etc., exported 11,500,000 pounds of bark.
Season 1885-'86, Ceylon, etc., exported 15,225,000 pounds of bark.
Season 1886-'87, Ceylon, etc., exported 14,007,500 pounds of bark.
The above statistics apply to one of the sources of supply only, namely, East Indies (Ceylon, etc.).

To this is to be added the Java exportation, say—
July 1 to June 30, 1883-'84, 1,101,534 pounds of bark.
July 1 to June 30, 1884-'85, 1,105,970 pounds of bark.
July 1 to June 30, 1885-'86, 1,531,156 pounds of bark.
July 1 to June 30, 1886-'87, 2,230,273 pounds of bark.
These sources of supply were unheard-of factors until comparatively late years, as South America alone supplied the world prior to the cultivation of the cinchona trees in the East.

It may also be properly stated here that the East India barks are uniformly richer than those heretofore and at present received from South America.

The solution of the question as to why the price of quinine has fallen is a very simple matter to those who desire to be enlightened. The wish must be father to the thought in the minds of such tariff reformers as draw the conclusion that the great reduction in the price of quinine all over the world was a natural sequence of the removal of the duty in this country.

The syllogism is very illogical when the high prices that ruled in England, France, Germany, and Italy enter as one of the premises, and without this premise it is not the happy illustration of tariff iniquity perpetrated in this country, so boastfully proclaimed, but is argument degraded to the level of the lowest methods of reasoning—the *argumentum ad populum* and the *argumentum ad ignorantiam*.

It is an appeal to the prejudices of the multitude and an argument based on an adversary's ignorance of facts.

As to the prosperous condition of the quinine industry in the United States, and as to the increased production, we have only to say that the statements are so erroneous that it would be idle to attempt to answer them in detail. They are simply untrue throughout.

The industry has been unprofitable everywhere for a long time past, and this is due to excessive competition.

This country is flooded with foreign quinine, *c. g.*, 2,180,157 ounces received from Europe in one year (fiscal year ended June 30, 1887). On the other hand, American manufacturers can not hold their home market nor export an ounce.

The reason of this is that we can not compete with Europeans, who have great advantages over us.

Were the contest an equal one it would be different. To illustrate: The Italian manufacturers pay very low wages, their general expenses of doing business, cost of plant, apparatus, machinery, etc., are far below those in this country, and the Italian Government pays a bounty on all Italian quinine exported.

In every respect we are fighting a very unequal battle.

The Star says that the business is so prosperous that the quinine manufacturers have had numerous accessions to their ranks. So rapid is the increase in the mind of the writer that twelve becomes fourteen in making up the itemized list.

The list itself fairly represents the nature of the entire Star article.

Of the fourteen concerns named we find—

Three only are now manufacturing quinine.

Two have relinquished the business.

Nine never made any.

Respectfully,

POWERS & WEIGHTMAN.

Mr. DINGLEY. Mr. Chairman, I desire to call the attention of the gentleman from Ohio [Mr. OUTHWAITE] who, taking the census figures a few moments ago, undertook to show the profit of lumber-manufacturing in Maine, and also the attention of other gentlemen who have used the census statistics to show the alleged profits of other manufacturing industries, to a serious error they have fallen into in drawing the inferences they have drawn.

The gentleman from Ohio has assumed the census statistics, correct in every particular, have covered points which they did not undertake to include. There are only four elements relating to manufacturing in the census figures: First, capital; secondly, the value of the product; thirdly, the value of the material; and, fourthly, the wages paid. Now the gentleman from Ohio and others who have used the statistics have assumed that the census statement of the cost of material gives the whole expense of manufacturing in any particular industry.

Mr. OUTHWAITE. Mr. Walker so states.

Mr. DINGLEY. My friend is mistaken. Mr. Walker's tables and comments suggest nothing of the kind. Indeed, his tables show for themselves that he does not undertake to cover all the expenses of manufacturing. I have conversed with the census officials on the matter, and they are surprised that any one should so infer. The materials for the manufacture of lumber are mainly the round logs, and the value of those is estimated, with a certain sum for tools, chains, etc., requiring frequent renewal. For wooden manufactures the material is the raw wool and other fiber, with dye-stuffs, coal, etc. Now, given the cost of the round logs, tools, chains, etc., is there not something more required in producing the manufactured lumber from those round logs than simply the labor that is used?

There must be money hired for the time being in addition to the capital to carry on the business for the year which elapses before the lumber reaches the mill and is converted into boards and finds a market. Interest—a considerable item—therefore is not included in the census cost of manufacturing. Then there are taxes; and do not taxes go for something in a manufacturing establishment? They are not included. There is the cost of insurance.

Mr. GEAR. Four or five per cent.

Mr. DINGLEY. Does not insurance cost something—a large item, as gentlemen understand who know anything of the lumber-manufacturing industry, because of the combustible character of the mills. Then there are repairs, another element which is very large. And after the lumber is manufactured it must be freighted to the markets and commissions paid for its sale.

Now, as a matter of fact, ascertained after investigation into this matter, I want to state to the gentleman that there are extensive expenses of manufacturing industries, such as those to which I have referred, of which the census takes no account, varying from 15 to 30 per cent. And when my friend takes the lumber-manufacturing industry in Maine, and figures a profit of 27½ per cent., because 27½ per cent. is the difference between the materials and the labor combined, and the value of the products, he leaves out of the computation expenses aggregating not far from 20 per cent.

It should be borne in mind that the value of the product as given in the census is the value in the market. Freight is not deducted, com-

missions are not deducted, repairs are not deducted, taxes are not deducted, insurance is not deducted, interest on money borrowed is not deducted, many other items of expense are not deducted. Instead of the lumberman's profits being 27½ per cent., I want to say to my friend from Ohio [Mr. OUTHWAITE] that last year the lumber-manufacturing mills in my State did not make a profit of 6 per cent., and on the average for ten years they have made no more than other industries.

Gentlemen will see that when they use the census figures in this careless way—and those figures have been used in such a way in other manufacturing industries all through this debate—they reach results which were never intended by those who presented those statistics. Those figures do not include the whole cost of manufacturing; only two elements in the cost—materials and labor—are included; and, while the figures are correct in themselves, when the gentleman adds the labor to the cost of materials and says that that is the cost of manufacturing, the cost of carrying on the industry, and this deducted from the value of product in the market gives the manufacturers' profits, he does himself and the manufacturers a great injustice. No such inference can be legitimately drawn from the figures of the census.

[Here the hammer fell.]

Mr. OUTHWAITE. Mr. Chairman, I wish to ask the gentleman two questions. First, I want to ask him whether these statistics were not furnished by the men themselves who are engaged in these industries?

Mr. DINGLEY. Yes, sir; and they correctly give the facts which they undertake to cover.

Mr. OUTHWAITE. And you say now that the figures do not include the cost of supplies at the mills?

Mr. DINGLEY. Certainly not. They include nothing but the round logs.

Mr. OUTHWAITE. This book says "value of logs, value of mill supplies," and there are given here thousands upon thousands of dollars for which they claim credit—

Mr. DINGLEY. But no such items as those which I have enumerated are included. "Mill supplies," as used in the census, means chains and other tools. They do not include insurance, nor taxes, nor freight, nor interest, nor repairs, nor commissions.

Mr. GUENTHER. I move to strike out several words, and I wish to ask the gentleman from Ohio [Mr. OUTHWAITE] whether he calls insurance and taxes "mill supplies?"

Mr. OUTHWAITE. No.

Mr. GUENTHER. Then what do you mean?

Mr. OUTHWAITE. I simply asked the gentleman from Maine [Mr. DINGLEY] if these figures did not include mill supplies, and he said they did not, and I showed him that they did.

Mr. GUENTHER. Mr. Chairman, he who takes the statements made on the free-trade side of this House yesterday and to-day, including that of the gentleman from Ohio [Mr. OUTHWAITE] a few minutes ago, seriously must come to the conclusion that the American lumberman is the greatest rascal unhung, a veritable pirate, who for the last twenty-seven years has unmercifully robbed the people of the United States in a most outrageous manner.

Mr. OUTHWAITE. If you choose to put it in that way, put it that way; I have no objection.

Mr. GUENTHER. You want to make the people believe that his profits have been excessive, outrageously excessive.

Mr. OUTHWAITE. No; I only show what the census shows were his profits.

Mr. GUENTHER. But you want to create the impression upon the minds of the members of this House and of the people that the profits of the lumber manufacturers have been outrageously excessive, while the figures do not bear you out. Now I happen to know better. I live among the lumbermen, and I know something about saw-milling, and I say that this cry for free lumber, when not accompanied by some offer of just compensation to the people engaged in this industry, is an act of gross injustice, a virtual confiscation, at least a partial one, of their property and an unjust diminution of their earnings.

Logs and round unmanufactured timber and ship timber and ship planking are now on the free-list. I will accept the definition of the revenue reformers or free-traders and call these articles raw material for the manufacturer of sawed boards, planks, deals, hubs, posts, last-blocks, wagon-blocks, oar-blocks, heading-blocks, staves of all kinds, pickets and palings, laths, shingles, clapboards, etc. These articles, although certainly not raw material, are all placed on the free-list by this Mills bill, while heretofore and now protected by a duty of from 10 to 20 per cent. It certainly can not have been done under the plea of free raw materials. Why, then, I ask, is it done? Why do you take away all protection from the manufacturer of lumber and leave other industries protected on an average of about 33 per cent.?

Mr. OUTHWAITE. Because I want the consumers of Ohio to buy it without paying tribute to those people.

Mr. GUENTHER. Oh, yes, you want the consumers of Ohio to buy lumber cheap because you do not produce it in Ohio, and you want to have all the articles that you produce protected, as is done in the Mills bill.

Mr. OUTHWAITE. Not at all. What about free wool?

Mr. GUENTHER. You probably do not represent much of a free-wool district, and you think you are safe.

Mr. OUTHWAITE. I live in the district of the greatest wool protectionists in this country.

Mr. GUENTHER. Then they ought to send somebody else here to take care of their interests. [Laughter.]

Mr. OUTHWAITE. They had the opportunity, but they did not see fit to do it.

Mr. GUENTHER. You place a tariff on almost everything the lumberman and the millman uses—on their axes, saws, machinery, clothing, sugar, rice, medicines, etc.—but you exempt the products of his labor.

Mr. OUTHWAITE. Why, it is the laborer that uses all those things that you enumerate, and not the manufacturer.

Mr. GUENTHER. They are both using them. I want to tell you that the wages paid to-day in the woods of Michigan and Wisconsin are 22 per cent. higher than they were in 1872, while the price of lumber is about 22 per cent. less than it was in 1872.

Why should the lumberman and the millman be singled out? Where is your jewel-like consistency? [Laughter.] Placing manufactured timber on the free-list means free trade in all these many manufactured articles, for the Canadians with us, while we under this bill receive nothing whatever in return.

Mr. OUTHWAITE. Now, I want to ask the gentleman a question in good faith.

Mr. GUENTHER. Well, if it is not too long, you may.

Mr. OUTHWAITE. You take your ten dollars of product and divide it; you know all about that—

Mr. GUENTHER. I do not understand your kind of division.

Mr. OUTHWAITE. Divide it between labor and capital and all the other elements—

Mr. GUENTHER. I do not understand your kind of division nor your addition, but I would like now to have some of your silence for a few minutes. [Laughter.]

[Here the hammer fell.]

Mr. WILSON, of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed.

There was no objection.

Mr. GUENTHER. I am very much obliged to the gentleman for his courtesy, and I hope some of my other friends on the Democratic side will follow his example. [Laughter.] Mr. Chairman, the lumber industry of the United States, which is the largest of any, as I will show later on, when I will obtain the floor again, can not flourish if you place it in unrestricted competition with Canada, with her lower stumpage, her cheaper labor, and her lower taxation.

When I first saw this now so notorious Mills bill, and read the first twenty lines, I said to myself (and the person whom I addressed fully agreed with me [laughter]; yes, I usually agree with myself when I am right [laughter]), "This is a great scheme; a masterpiece of untutored political economy; the veriest raw material of enlightened statesmanship; a delightfully cool proposition for the annexation to Canada of at least four great States of this Union; in fact the greatest, never before precedent somersault of any disciple in either ancient or modern political stupidity. As a practical illustration of 'heads I win, tails you lose,' it takes the cake." [Laughter.]

Were it not for the serious drawback that we are the fellows who do the losing, we could join in the general merriment. Every million feet of lumber imported deprives fifty American workmen of employment every year, and thereby directly injures two hundred and fifty people in our own country.

If you are bound to do something for the benefit of Canada, do it at least in such a way that we will derive some corresponding benefits. Negotiate a just and equitable reciprocity treaty with Canada, something like what my genial friend before me [Mr. BUTTERWORTH] advocates, so that those of our citizens living near the Canadian border can exchange the products of their labor on equal terms with Canadian citizens; but do not give all the advantage to them and nothing to us, as you do by this bill.

The average duty collected on Canadian lumber is less than 16 per cent. This percentage is less than the difference of the price of labor in the two countries. Wages are at least one-third lower in Canada than in the United States. Canadians come over every year to work in our mills and lumber camps, while nobody goes to Canada from here to get work.

Mr. OUTHWAITE. I would like to ask the gentleman, as Canada has a protective tariff, why it does not bring up the rate of wages in Canada.

Mr. GUENTHER. Canada has a protective tariff on her exports, but I am now speaking of the question of our imports.

Mr. ANDERSON, of Iowa. I thought these gentlemen were in favor of home industry; yet they allow foreigners to come over and carry away our high wage-money.

Mr. KELLEY. Most of those who come over become citizens of this country.

Mr. ANDERSON, of Iowa. No; the gentleman from Wisconsin states that they come over to work and then return.

Mr. GUENTHER. I did not state that, although it is so in some cases; but that makes no difference with my argument.

But it is said that many lumbermen in Michigan and Wisconsin are advocating to place manufactured lumber on the free-list. Mr. Chairman, I know there are some, but I am glad to say there are not many of that class of patriots. I also know that whenever you scratch off the thin "free-trade coating" of such an individual you at once discover the peculiar metal from which he derives his magnetic, free-lumber attractions. [Laughter.] As a general rule, he used to be a pine-land operator in the United States or a saw-mill owner. He has made money—sometimes a good deal. His pine lands in the United States are gone. For a number of years he has bought standing pine in sleepy Canada at a very low figure. "Give me free trade in lumber," he says to his patriotic soul, "and I can double and treble the value of my Canadian investment."

[Here the hammer fell.]

Mr. BOUTELLE obtained the floor.

The CHAIRMAN. If there be no objection, the *pro forma* amendment will be considered as withdrawn. The Chair hears no objection.

[Mr. BOUTELLE withholds his remarks for revision. See APPENDIX.]

Mr. WILSON, of Minnesota. Inasmuch as I propose to make a few remarks in answer to the gentleman from Wisconsin, if he is allowed to be recognized again, I would prefer to have him go on now. I am willing he should go on and complete his remarks before I take the floor.

The CHAIRMAN. The Chair has recognized the gentleman from Missouri.

Mr. WILSON, of Minnesota. I do not give up my time if he is not to proceed.

The CHAIRMAN. The Chair can recognize the gentleman later in the day if he desires it; but the Chair has now recognized the gentleman from Missouri [Mr. BLAND].

Mr. BLAND. Inasmuch as we had a speech from one gentleman from Kansas yesterday [Mr. PETERS] on this lumber question I desire to have a few remarks read from what was said by another gentleman from Kansas in the Forty-seventh Congress.

The Clerk read as follows:

Mr. ANDERSON. The Legislature of Kansas has passed the following resolution:

"That our Senators and Representatives in Congress are hereby requested and instructed to use their best effort to have the duty upon lumber of every description removed so that the same may be placed on the free-list."

I shall obey these instructions, and I suppose it is not necessary to make any defense of the Republicanism of the State of Kansas, the State of John Brown, a State casting from 50,000 to 70,000 Republican majority in Presidential elections. I wish to say in this connection that in the votes which I have cast upon this bill I have been influenced by a sincere adherence to the principles and practice of the Republican party. I have been in favor of lower rates than those presented in it. I have been and am in favor of a competitive tariff as a guard against monopolies. I am in favor of reducing the burden of taxation when the tariff is a tax. I am in favor of reducing the surplus. And now upon this question I stand upon the national platform of the Republican party of 1880, reaffirming that of 1876, which said:

"The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interest of American labor and advance the prosperity of the whole country."

You will find the same thing affirmed in the platform of 1872:

"And that revenue, except so much as may be derived from the tax upon tobacco and liquor, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and to promote industry, prosperity, and the growth of the whole country."

I stand there to-day, Mr. Chairman. I exercise the right of judging for myself and for those I represent as to what is requisite for the prosperity of the whole country.

Take now this case: You have the lumber region of Maine contiguous to a somewhat densely settled country in Canada. You then go West to Michigan, Wisconsin, and Minnesota, contiguous to a portion of Canada which is not settled at all. I admit all that the gentleman from Michigan [Mr. Horr] has said in regard to the development of the lumber industry up to this time. I accept his statistics in full. Yet the question remains in my mind whether in order to preserve the present development of the lumber industry of Michigan we would be really promoting the prosperity either of the whole country or even of the larger part of the country.

This is a case in which you are not creating an original material. Whatever you do in the manufacture of lumber is based not upon a creative process, but upon a destructive process. It is not, as in the case of making cotton fabrics, or pen-knives, or steel rails, where you have the original material abounding inexhaustibly, so that your product will go to the development of the prosperity of your country. In this case you are stripping off the forests that God planted on this continent.

The question comes up whether it is really for the prosperity of the whole country, or even of the larger part of the country, that year after year you shall put a premium upon the starting of fires to destroy your forests—

Mr. HOAR. What is that?

Mr. ANDERSON. That you should put a premium on the cutting down of your forests in order to manufacture lumber. Then in the coming years what will be the result? You will have removed the original supply of lumber from your continent and placed yourselves inexorably in the hands of Canada.

The CHAIRMAN (Mr. Robinson, of Massachusetts). The time of the gentleman has expired.

Mr. ANDERSON. I would like to have five minute's more time.

Mr. SPRINGER. I think that should be allowed him. He has to speak for a whole State on this subject. His State has instructed her Representatives on this question and should be heard.

Mr. BRENTS. He is not representing any timber State.

The CHAIRMAN. If there is no objection, the gentleman will be allowed to proceed.

Mr. BLAND. Now, I want to know from the gentlemen from Kansas on this floor whether they propose to obey the instructions of their

State Legislature, or whether they come here for the purpose of standing in not only with the lumber trust but with all the trusts and combines trying to defeat this bill?

There is another question in regard to which the farmers not only of Kansas but throughout the country feel a deep interest, and that is the effect our forests have upon the seasons, upon the rains which descend upon the earth, and which are so necessary to the success of agriculture. It is contended that the destruction of the forests is the occasion of the dry seasons year after year throughout the Northwest and West, and especially in Kansas, where they have been affected by drought which has cut down their crops one-half. I have read in the presence of the gentlemen from Kansas the views of their constituents, their voters on this question, to ascertain whether they are in harmony and sympathy with their people on this subject. [Applause on the Democratic side.]

Mr. BUKROWS. I ask by unanimous consent that the gentleman from Wisconsin [Mr. GUENTHER] be allowed five minutes in addition.

The CHAIRMAN. Is there objection?

Mr. HEARD. I have never yet objected to anybody being allowed to proceed and complete his remarks. [Cries of "Then do not do it now."]

The CHAIRMAN. Is there objection?

There was no objection, and it was so ordered.

Mr. GUENTHER. Mr. Chairman, whenever an American citizen invests his money, the money he has made in this country, in a foreign one, he ceases to be a reliable counselor where American interests are concerned. [Applause.] He becomes an unsafe guide to show us the road to American prosperity. [Applause.]

He becomes an ally of foreign interests. In this case he joins in the cry of free access to our lumber markets, that was started in Montreal and by other fellows of his ilk. He bargains away the interests of his people, among whom and through whom he became wealthy.

He becomes another Benedict Arnold, an American Judas Iscariot. I have no sympathy whatever with that kind of American citizens who expect to make their investments in foreign countries profitable at the risk of injuring, aye, even destroying that industry at home, which, if left with the present moderate protection, will prevent them from realizing large profits abroad.

While I radically differ with the theories of the "out and out" free-trader, I can respect him for his convictions and for his consistency. But, taking an inventory of my different kinds of respect, I fail to find any for that person who is in favor of the Mills bill, protecting almost every home industry, although under vigorous protest, but places lumber and wool on the free-list.

If you insist upon such an unjust course, give us at least something to compensate us for this great injury and injustice. Give us at least free sugar, free rice, free woollens, and free medicines.

A MEMBER. And free molasses.

Mr. GUENTHER. Yes, and free molasses. [Laughter.]

Mr. MACDONALD. And taffy. [Renewed laughter.]

Mr. GUENTHER. Mr. Chairman, there may be lumbermen who, by reason of their Democratic tendencies, indorse everything dictated by their party leaders (and you know what portion of our beloved country they hail from), men who would rather be Democrats than men of unbiased judgment and ideas of their own; men who from sheer force of habitual prejudice oppose everything Republicans advocate; men who dare not say that their souls are their own if so decreed by modern Democracy; men who delegate their thinking to the professional Democratic whipper-in; men who think more of a little Federal office than of the well-being of their community. I have no harsh words for them; it is not anger, but pity I have for them. I even do not hold them in contempt, although they seem to be justly entitled to it.

And I have no harsh words to utter. [Great laughter.] But in a Christian spirit I commend them and I say, "Father, forgive them, for they know not what they do." [Laughter.] At the same time, however, for their own good I want to have a guardian appointed to prevent them from squandering that which the Republican protective policy gave to them. [Laughter and applause.]

Mr. OUTHWAITE. They are men who made their wealth under a protective tariff. [Applause.]

Mr. GUENTHER. Yes, and I trust you did too.

I want to prevent them from treating the Canadians to our good things, filling Canadian stomachs with substantial food and choice dainties on top of it, while our people have to regale themselves on Democratic free-trade fizz. [Laughter.] And when we complain that this kind of windy diet is neither palatable nor nourishing, you free-traders say, "But it is good old Democratic doctrine, and, besides, it does not overload your stomach, and thereby may save you a doctor's bill. [Laughter and applause on the Republican side.] And then you think that this old worn-out chestnut, this stale "Democratic doctrine phrase," will fill the vacuum in our digestive organs. [Renewed laughter.] You who advocate this lumber schedule, you poor deluded innocents, are made to pull the chestnuts from the coals for these unselfish patriots with large investments in Canadian pine.

But pass this bill, and you will soon learn that by placing manu-

factured lumber on the free-list, the consumer in the United States will not be benefited, but the owner of that Canadian pine will rake in the persimmons, while you, unsophisticated, verdant free-traders will scratch your poor little aching heads in pitiable astonishment and wonder with mouths wide open, eyes dilated, and ears turned down, why this is so. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GUENTHER. Then I move to strike out the last two words.

Mr. WILSON, of Minnesota, was recognized.

The CHAIRMAN. The gentleman had permission by unanimous consent to proceed for five minutes, which time has expired; and the gentleman from Minnesota is entitled to the floor.

Mr. WILSON, of Minnesota. Mr. Chairman, this is not a question of levity.

Mr. REED. Oh, no. [Laughter.]

Mr. WILSON, of Minnesota. It is a matter which touches the interests of somebody.

The CHAIRMAN. The Chair will interrupt the gentleman to state that debate upon the pending amendment is exhausted; and if there be no objection it will be considered as withdrawn.

There was no objection.

Mr. WILSON, of Minnesota. Then I move to strike out the last word.

I say, Mr. Chairman, that this is not a matter of levity. Somebody is suffering from the state of things that now exists, or will suffer from the change proposed by this bill should it become a law. Let us see, then, what the question before the House really is.

On yesterday I asserted when I had the floor in debate in the presence of the gentleman from Wisconsin [Mr. GUENTHER], who has just surrendered the floor, a gentleman who is well informed on this question, that within my own personal knowledge there had been in the last twenty-five years more millionaires who made their fortunes in the lumber business than he could point out in all the United States prior to that time.

I said further, Mr. Chairman, that within my own knowledge the pine lands of that region of country that he and I have the honor in part to represent on this floor had within the last fifteen years risen in value from 300 per cent. to 500 per cent., or even, in some instances, 1,000 per cent.

Mr. GUENTHER. How much is real estate property in St. Paul worth now, and what was it worth twenty years ago? How much has it risen in value?

Mr. WILSON, of Minnesota. That illustrates the argument that gentlemen deem it fit to submit in support of a grave question. But let us examine this question for a few moments without being distracted by suggestions that are hardly relevant.

As I have said, I stated that as a rule it would not be questioned that the pine-land property—the property of the lumbermen—had risen in value within the last fifteen years 300 to 500 per cent., and even in some cases as high as 1,000 per cent., and I stated in the same connection, and before the same gentlemen—

Mr. GUENTHER. Well, give me time to reply as you go on.

Mr. WILSON, of Minnesota. I stated that the property of the agriculturist in a district whose soil is as rich and good as there is to be found anywhere (and this statement applies not alone to my State but to the Northwestern States generally) during the same time had not risen in value 1 per cent.

The answer of the gentleman to the suggestion was this: That the increase of the wealth of the lumber-men has grown out of the rise of stumpage, out of the rise in value of the pine lands themselves, and not in the manufacture of lumber. Do I quote the gentleman correctly?

Mr. GUENTHER. Yes, sir, and that is a correct statement of fact.

Mr. WILSON, of Minnesota. These premises being conceded, let us for a few moments consider them and the lessons which they teach.

If pine lands have risen so much in value for that period as is conceded here, why is it? And if agricultural lands have not risen in something like the same ratio, or at all, why is that so? The answer to these questions is not far to seek. When an industry is prosperous its plant and property rise in value, and the rise is a fair index of the degree of prosperity. When crops are bountiful and prices high, agricultural lands go up. When crops are poor or prices low, such lands go down.

When mining is profitable, mineral lands go up; when unprofitable, they go down. When the products of the dairy go up grazing lands go up. This is just as true in all such branches of industry as it is that when a bank or a railroad company is earning money rapidly the stock goes up, and goes up in proportion to the earnings. This is the surest touchstone that can be applied in such case to test the prosperity of any business. And by this sign it is seen that the lumber industry has been exceptionally prosperous for a long time, and that for the last fifteen years or more agriculture has been unprofitable.

To the people of that part of the Northwest in which I am acquainted it needs no evidence to establish these facts. It will be there conceded, as I understand my friend from Wisconsin [Mr. GUENTHER] here to

concede, that the lumberman and the pine-land owner have been exceptionally prosperous, while the agriculturists have been merely able to hold their own by industry and economy.

Now, I want some man to answer this question: Why should these men who are making not one farthing, but are merely holding their own, be forced to contribute \$2 a thousand feet on any lumber consumed to an industry which is making millionaires of the men engaged in it? [Applause on the Democratic side.] Let somebody answer this question, and then he will have "touched the nub" of this issue. This deserves a serious answer. It will not do to go off and joke about this thing. I can well understand why a gentleman who represents a constituency who are making fortunes out of that industry can joke about it and how his constituents can laugh, but that the constituents of my friend from Iowa [Mr. WEAVER] before me, the constituents of my friend from Illinois, and of my friends from Kansas and Missouri can laugh and joke about it is something I can not understand or believe.

It was shown here but a moment since that a few years ago the Republicans did not assent to the high-protection theories of to-day. But things have changed. The protectionists of this country have got the Republican party by the throat. They have the purse and the party organization, and no man is in good standing who does not subscribe to their creed.

When they can not meet the argument against that protection which compels the weak to protect the strong, the poor to protect the rich, they try to distract attention from the real issue. But the issue stands out so clear that it can not be obscured or misunderstood. It is whether the agriculturists and the masses of the people generally shall be compelled to contribute, not for the support of the Government, but for the enrichment of these prosperous protected industries.

[Here the hammer fell.]

Mr. MILLS. If I am recognized I yield my time to the gentleman from Minnesota.

The CHAIRMAN. The Chair will ask unanimous consent that the gentleman from Minnesota be allowed to continue his remarks for five minutes.

There was no objection.

Mr. WILSON, of Minnesota. Now, after this, I hope the gentlemen from these great Northwestern States will answer the question why poverty should "protect" wealth. That is the question that touches the masses of the people and which they would like to have answered. Says the gentleman, our laborers are benefited. The man that stands up to-day and says labor in the lumber industry receives higher wages than in other like industries, protected or not protected, makes a statement that can not be sustained.

Several MEMBERS on the Republican side. No one said that.

Mr. WILSON, of Minnesota. I am glad that you disclaim such a position. To say that laborers in the lumber protected industries receive higher compensation than in other industries is an absurdity.

Mr. FUNSTON. No one made that assertion.

Mr. WILSON, of Minnesota. The gentleman from Wisconsin made substantially that assertion, whatever may have been his particular words. He said protected labor now received so much per month, while years ago it received much less, and he attributed that to the protective tariff on the lumber industry.

Mr. DOCKERY. If the labor does not get it, who does?

Mr. WILSON, of Minnesota. The millionaires get it. [Applause.]

Mr. REED. If it were true that profits of a thousand per cent. were made by the imposition of a tariff of 18½ per cent., there might be some reason for the observations of the gentleman from Minnesota. But it simply needs the statement of it to pierce the absurdity of what the gentleman has just said.

Mr. WILSON, of Minnesota. Will the gentleman permit me—

Mr. REED. I will if the House will give me ten minutes.

Many MEMBERS. Yes.

Mr. WILSON, of Minnesota. Did I say—

Mr. REED. Your statement was that the lumber lands had increased in value a thousand per cent.

Mr. WILSON, of Minnesota. In fifteen years.

Mr. REED. I do not care in what time it was; but the inference which the gentleman would have the House draw from his statement was that owing to a tariff of 18½ per cent. the value of the forests of the United States had been increased a thousand per cent.

Now, what a preposterous statement that is. Why have values increased in the United States? It is on account of the prosperity of this country. A Kansas friend of mine said to me the other day, "I bought my land for \$1.25 an acre only ten years ago." I said, "You will sell it to me at the rate at which you got it from the Government?" He said, "No, I want \$10 an acre."

How did that land rise in price a thousand per cent? It rose on account of the prosperity of this country. Why is it that everything in this country has risen in value? It is because the system which has been adopted here has made the country prosperous beyond the utmost dream of any other land in the past history of the world.

Mr. BLAND. I wish to ask the gentleman a question. The increased value of the land that he speaks of has come from improve-

ments; but I affirm that naked, unimproved lands are not worth as much per acre as they were years ago.

Mr. REED. That is what the gentleman from Missouri calls a question. [Laughter.] That is his idea of a question. I have had occasion time and again to point out the twisted ideas and the twisted uses of words which present themselves on the other side, and this is a very good illustration.

Mr. FUNSTON. What the gentleman from Missouri [Mr. BLAND] says may be true of Missouri, but it is not true of Kansas.

Mr. REED. Mr. Chairman, it does not need any argument to show that all this talk of gentlemen about "lumber kings" and about people who have made money has no relation to this question. This question is whether we shall continue to preserve the American market for the American people, and the reason we say that it ought to be preserved is because the whole history of the country shows such a state of prosperity under that system that bright, smart men have succeeded in making money, not only in the lumber trade or by the purchase of lands, but also by the upspringing of great cities, the value of the land of which has in some instances increased more than 10,000 per cent. The great population which has flowed into this country has come here because this country is prosperous. What makes land valuable? Did gentlemen even consider what is the foundation of the value of land? I have said it here before, and I beg leave to repeat it. What is the reason why land in the center of London is worth such incalculable sums of money? It is because that land is surrounded by five millions of people. Why is it that land is so very valuable in the city of New York? It is because it is surrounded by two millions of people. Why is land so cheap in Texas and in the very far West? Because there are fewer people there. As more people come to occupy this country the land of the individuals and the land of the nation increases in value, and the people come here because the country is prosperous, and we want to keep it prosperous.

We want to keep it prosperous by preserving all its industries, by keeping them all going. We want to preserve the wealth of this country and keep it here to be distributed among our own people. The gentleman knows, if he knows anything about this matter, that the introduction of lumber free into this country means an increase in the value of timber lands in Canada. My friend from Wisconsin [Mr. GUENTHER] put it very well. Many of our lumber men have gone over to Canada and bought timber lands, and you gentlemen, with your outcries against "monopoly," are endeavoring to increase the fortunes of the very men whom you undertake to denounce by giving them greater opportunities in the rise in value of their timber lands in Canada. Is land any less valuable now in Iowa at \$35 or \$40 an acre because it has risen from \$1.25 an acre?

Mr. GEAR. From 80 cents an acre.

Mr. REED. Now that thing has happened; that thing has taken place; and the question is, land being of that value, what shall we as legislators do with regard to it? The gentleman, I suppose, would not venture to say that the United States ought to charge for new lands from \$30 to \$40 an acre because in the progress of ten years similar land in the State of Nebraska has increased to \$30 or \$40 or \$50 an acre. That increase is the result of our prosperity.

[Here the hammer fell.]

Mr. MILLS was recognized and yielded to Mr. WILSON, of Minnesota.

The CHAIRMAN. The Chair desires to state that the request for leave to extend the time of the gentleman from Maine [Mr. REED] was not submitted to the committee. The Chair endeavored to interrupt the gentleman in order to submit the question, but did not succeed.

Mr. REED. I will take my other five minutes later, after the gentleman from Minnesota gets through.

Mr. WILSON, of Minnesota. I do not wish to interrupt the gentleman. [Laughter.]

The CHAIRMAN. Debate on the formal amendment has been exhausted.

Mr. WILSON, of Minnesota. I wish to ask the gentleman from Maine [Mr. REED] if he is through with his remarks.

Mr. REED. Oh, go right on.

Mr. WILSON, of Minnesota. I understand that the gentleman is through?

Mr. REED. Yes.

The CHAIRMAN. Debate on the pending amendment is exhausted. Mr. WILSON, of Minnesota. I move to strike out the last two words. I beg pardon of the committee for occupying further time, and I do not intend to take but a moment. This matter, however, should not be permitted to pass without an answer. If I know how to state a proposition clearly, I stated that within the last fifteen years the property of the lumbermen has risen in value from 300 to 500 per cent. and some as high as 1,000 per cent.; that within the same period in the section of country to which I referred the property of the farmer had not risen 1 per cent.

Having made those two statements, I asked somebody to tell me why the man who was barely making a living should be compelled to pay a tax or tribute for the enrichment of the man whose property had risen in this exceptional manner.

In reply to that question we have had the speech to which we have just listened. Has the question been answered? I submit to the Committee of the Whole whether it has or has not.

Mr. Chairman, the gentleman [Mr. REED] has not said that my premises were false, but he has placed himself upon assumption. I have spoken here in the presence of gentlemen who know; and they have not only tacitly but verbally admitted that the facts are as I stated them. I see sitting near the gentleman from Maine the gentleman from Michigan [Mr. BURROWS], one of the most prominent men in this House. He lives in one of the finest countries on earth. I would not be afraid to ask him whether agricultural property in his district is worth more now than it was fifteen years ago. He will not say it is. I am not afraid to ask my friend from Iowa whether agricultural property in his district would sell for more to-day than it did fifteen years ago.

Mr. WEAVER. It would not.

Mr. STRUBLE. In my part of the State there has been a rise.

Mr. FUNSTON (to Mr. WILSON, of Minnesota). Ask me?

Mr. REED. Yes, ask a Kansas man.

Mr. WILSON, of Minnesota. The gentleman from Maine undertakes to put on the stand his own witness, and to put into his mouth just what he would have him say. Does the gentleman from Maine mean to imply that the testimony of the gentleman from Michigan [Mr. BURROWS], who does not undertake to contradict my statement, is not worthy of acceptance.

Mr. REED (to Mr. WILSON, of Minnesota). Ask a Kansas man.

Mr. WILSON, of Minnesota. I do not know about Kansas. I am different from the gentleman from Maine. I do not deal in poetry, but in prose. I deal in facts of which I have some knowledge. The agricultural property of that great country to which I have referred, one of the richest to-day under the shining sun, has not risen. Now, let me state the exceptions, and I will state them fairly. The gentleman from Wisconsin, to answer me, says, "See how property in St. Paul and Minneapolis has risen." Yes, but who has gotten the advantage of that rise? The land-speculator and the rich man. The masses of the people who buy lumber to build their houses and their fences have not enjoyed any of the benefits of that rise.

Again, go out upon the frontier where the Government gives away land for nothing. A man goes there and makes a farm. That is enhanced in value of course. Would you therefore say that property generally has risen? Is that a fair argument? Is that meeting a plain proposition in fairness? It is as well as gentlemen can meet it. The necessity of their case requires such an answer. That is the reason for such prevarication. But I stated that where improved property in this country is now in the same condition in which it was fifteen years ago it is not worth any more than it was then, as a rule, unless you go to the suburbs of a city, or to the frontiers, as I have suggested.

Several MEMBERS. That is true.

Mr. WILSON, of Minnesota. Now, under these circumstances the question is, Why this industry which is growing wealthy beyond precedent should require that these men, who are merely making a living, shall contribute to the support of their wealthier fellow-citizens by paying \$2 a thousand on lumber?

[Here the hammer fell.]

Mr. MILLS. We have now spent nearly all day on these two lines that bring to the Government revenue to the amount of \$198.80. I think we might go on now to the next clause of the bill.

Mr. REED. I would like to make a few remarks before we leave this question.

Mr. MILLS. Let us go to the next paragraph, and we can continue the discussion. I would like to have a vote on these two lines. We ought to make a little progress.

Mr. REED. I would like to say a few words upon these two lines.

Mr. MILLS. I will yield for the present; but when the gentleman from Maine gets through, I must ask that we go into the House to close debate on these two lines.

Mr. TAULBEE. I desire to be recognized when the gentleman from Maine has concluded.

Mr. REED. Mr. Chairman, the gentleman from Minnesota thinks I have evaded his question, but as that question has been answered during the general debate more than fifty times I did not suppose it necessary to go into general discussion, nor do I intend to do so now. I have risen for the purpose of pointing out to him what is the fundamental error in his remarks. He says there has been a rise of 1,000 per cent. in the value of timber land, and he undertakes to insinuate to the House that this was on account of a tariff of 18½ per cent. He then says that he made a comparison between the rise of timber lands and the rise of agricultural lands.

Well, now, does he not know the agricultural lands which have already had their rise had it before the fifteen years commenced? If he would go back far enough he would find the rise of agricultural lands had as large a percentage as the rise of timber lands. I venture to say that in the State of Maine the timber lands have actually not risen in value at all in the last ten years. They had their rise before that. The lands when the country gets developed, when railroads are run through them, then reach their full value.

Now the gentleman asks about land in Iowa. He confines himself to the last fifteen years. Why there are lands in Iowa to-day that are selling and will sell for \$50 an acre which were purchased for 80 cents.

A MEMBER. Under land warrants.

Mr. REED. A rise greater than the most productive of timber lands, allowing him his own figures. And he attempts to compare the timber lands and farm lands by taking the timber lands during that period of rise and taking the farm lands after they had their value raised. In other words, he insists the farming lands must not only rise when it is their turn, but they must keep on rising when it is the turn of the other class of lands. It seems to me that is an absurdity that needs no more demonstration. [Laughter and applause.]

Mr. MILLS. I move that the committee do now rise.

The committee divided; and there were—ayes 105, noes 89.

Mr. KELLEY demanded tellers.

Tellers were ordered; and Mr. MILLS and Mr. BAYNE were appointed.

The committee again divided; and the tellers reported—ayes 104, noes 57.

So the motion was agreed to.

The committee accordingly rose; and Mr. McMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, and had come to no resolution thereon.

Mr. MILLS. I would like when we go into committee the debate on lines 6 and 7 shall be closed in twenty minutes. Do the other side object to that?

Mr. McKINLEY. I think the gentleman should not undertake to limit debate in committee this evening.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole on the state of the Union; and pending that motion I move that all debate be closed on the pending paragraph and all amendments thereto in one minute.

Mr. RANDALL. I desire to say a few words, and hope the gentleman will make it five minutes.

Mr. MILLS. I will move, then, that all debate on the pending paragraph and amendments thereto be closed in ten minutes.

Mr. TAULBEE. I would like to ascertain how that time is to be divided.

The SPEAKER *pro tempore*. The Chair supposes it will be divided equally between the friends and opponents of the measure.

Mr. MILLS. I demand the previous question on the motion to close debate. [Cries of "Division!" on the Republican side.]

The House divided; and there were—ayes 107, noes 69.

Mr. BAYNE demanded tellers.

Tellers were ordered; and Mr. MILLS and Mr. BAYNE were appointed. The House again divided; and the tellers reported—ayes 107, noes 43.

Mr. BAYNE. No quorum.

The House again divided; and the tellers reported—ayes 111, noes 52. So the previous question was ordered.

The question then recurred on Mr. MILLS's motion to close the debate in ten minutes.

The House divided; and there were—ayes 101, noes 44.

Mr. REED demanded tellers.

The SPEAKER *pro tempore*. The hour of 5 o'clock having arrived, the House takes a recess, under the order, until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called to order by Mr. McMILLIN, the Speaker *pro tempore*.

Mr. MORRILL. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. DOCKERY in the chair.)

Mr. MORRILL. Mr. Chairman, I ask unanimous consent that we may take up bills upon the Calendar in the order in which they appear, their titles being read, and if the consideration is not asked for, that each bill as it is reached be passed over, retaining its place on the Calendar, commencing where we left off on last Friday.

There was no objection, and it was so ordered.

L. J. MCGOFFIN.

The first pension business on the Private Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (S. 1146) granting a pension to L. J. McGoffin.

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 and limitations of the pension laws, the name of L. J. McGoffin, late a private in Company C, Sixth Regiment West Virginia Volunteer Infantry.

The report (by Mr. MORRILL) was read, as follows:

Your committee adopt the report of the Committee on Pensions of the Senate, and recommend the passage of the bill.

SENATE REPORT.

Lemuel J. McGoffin enlisted as a private in Company C, Sixth Regiment West Virginia Volunteer Infantry, December 26, 1861, and was discharged with company, December 19, 1864.

On July 8, 1880, he made application for pension, alleging in his declaration that on or about June 20, 1863, he received a rupture of the left side of the abdomen, caused from lifting while building a block-house.

The Commissioner of Pensions rejected the claim June 28, 1885, on the ground of there being on record and of the claimant's declared inability to furnish evidence showing incurrence of the alleged hernia in the service.

The Adjutant-General United States Army furnishes the following military history: On muster-rolls from enrollment to April 30, 1863, present; roll to June 30, 1863, absent building a block-house; same to August 31, 1863; roll to October 31, 1863, present; same to October 31, 1864; mustered out with company December 19, 1864.

The claimant gives as a reason for his inability to furnish the testimony of his captain or lieutenants that they were not present at the time of the incurrence of the rupture; that he was detailed with others under charge of Corporal Trimby to build a block-house at Bridgeport, W. Va., in June, 1863, under supervision of Lieutenant Carnico; that Corporal Trimby, who had knowledge of the fact, is dead; that the addresses of the privates who were in the detail are unknown to him; that the surgeon who examined him for re-enlistment is dead; he refused to accept me; have had no medical treatment since discharge, except liniments and other patent medicines.

Capt. J. M. Godwin, in an affidavit, swears—
"The claimant enlisted as a veteran on or about the 20th day of March, 1864, and was examined by Surgeon John T. Wharton, and was by him rejected, and I understood he was rejected on account of hernia or rupture."
John C. Garlits and wife state that—

"They have known the claimant over forty years; that he worked for them prior to enlistment for about three years; that he worked on the farm, doing general work, and in the timber; that during all that time claimant was never sick a day or complained of any trouble, but that upon his return from the Army on furlough, in 1864, in the summer, he complained of a rupture that he claimed to have received while building a block-house in the summer of 1863."

The board of examining surgeons at Junction City, Kans., November 12, 1884, make the following report of their examination to the Commissioner of Pensions:

"We find left oblique inguinal hernia; opening large enough to admit index finger; varicose veins of both legs from knee down; skin in poor condition; muscles soft and atrophied. In the opinion of the board entitled to a one-half rating for disability caused by hernia."

Since his discharge his neighbors testify to his sufferings and its continuance, and agree that for more than seventeen years past he has been unable to perform one-fourth of a day's manual labor.

A numerous signed petition of his fellow-citizens testify to his good character and habits, and straitened circumstances, financially.

Your committee therefore recommend that the bill pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

INFANT CHILDREN OF MICHAEL A. MORAN.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. PERKINS) was the bill (S. 1037) granting a pension to the infant children of Michael A. Moran.

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 and limitations of the pension laws, the names of the infant children of Michael A. Moran, late of Company K, Seventeenth United States Infantry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Pensions in the Senate, in their report, submitted March 6, 1888, make a very full and complete statement of this case. It shows that this soldier enlisted March 28, 1861, and for over seventeen years served his country faithfully. His death was not directly the result of his service, though it is probable that had he not incurred the disability for which he was pensioned his death would not have occurred at the time and in the manner it did.

Your committee can not believe that there will be any hesitation in placing upon the pension-roll the helpless children of this soldier, and, adopting the report of the Senate committee, recommend the passage of the bill.

SENATE REPORT.

The soldier enlisted March 28, 1861, in Company A, United States Infantry, and was discharged January 22, 1864; re-enlisted January 22, 1864, in Company H, Fourth United States Infantry, and was discharged January 22, 1867; re-enlisted February 7, 1868, and was discharged February 7, 1871, by expiration of term of service as sergeant in Company K, Seventeenth Regiment United States Infantry; re-enlisted in the same organization February 7, 1871, and was discharged February 7, 1876; re-enlisted February 7, 1876, and was discharged April 2, 1878, as a sergeant, on surgeon's certificate of disability on account of varicose veins of left leg and general debility.

At the date of his death the soldier was drawing a pension at the rate of \$18 per month.

Application for pension for John Francis, Mary Ann, and Louisa Moran, minor children of the late soldier, was rejected February 1, 1886, on the ground that the cause of the soldier's death originated since his discharge from the service, and is not shown to have been the result of the disease for which he was pensioned or the service.

The petition praying for the granting of pension recites that on the morning of July 23, 1882, soldier was proceeding with his family to church, and owing to the crippled condition of his limbs from varicose veins, he had a chair placed in his wagon in order to rest his limbs, and as the wagon proceeded the chair was upset, throwing soldier out, causing his death the next day, namely, July 24, 1882. Owing to the crippled condition of his limbs from varicose veins aforesaid, having to wear bandages and elastic stockings, it was necessary to have the chair in the wagon. Thus situated he was unable to prevent the fall, which was the approximate cause of his death.

A claim for pension for the minor children, namely, John Francis, born June 16, 1870; Mary Ann, born July 22, 1874, and Louisa Moran, born October 20, 1878, was filed December 28, 1885, and rejected February 1, 1886, on the ground that soldier's death was not due to varicose veins, for which he was pensioned, but to a fall from his wagon.

Dr. D. Frank Etter, of Yankton, Dak., testifies that he was the late soldier's family physician; that said soldier received an injury July 23, 1882, which resulted in his death; that said soldier, prior to his death, was greatly disabled by reason of varicose veins, and that the accident which resulted in soldier's death was due to his crippled and helpless condition.

Hon. Alexander Hughes states that owing to the helpless condition of soldier, on account of varicose veins of legs, he was unable to prevent a fall from his

wagon, which resulted in his death July 24, 1882; that he was a gallant soldier, and the claim of his minor children for pension ought to be favorably considered by the Government in whose cause soldier served long and faithfully.

Your committee believe this to be a meritorious case, and therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY E. WOODWARD.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (S. 2167) granting a pension to Mary E. Woodward.

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 and limitations of the pension laws, the name of Mary E. Woodward, widow of Dr. James B. Woodward, late surgeon of the Tenth Regiment Kansas Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The report of the Pension Committee in the Senate sets forth fully the facts in this case. Just what the connection was between the disability of the soldier and the cause of his death no human power can ever know. The conclusion is irresistible that had it not been for his weakened and debilitated condition his death would not have resulted from the slight accident.

Your committee recommend the passage of the bill.

SENATE REPORT.

Dr. James B. Woodward, husband of petitioner, was surgeon of the Tenth Regiment of Kansas Volunteers, and while in service contracted disease which compelled him to apply for discharge. This was granted on the certificate of the medical director of the St. Louis district, of May 20, 1864, which stated that the applicant was suffering from dyspepsia and general debility of several months' standing; that on account thereof he was unfit for duty, and that discharge from the service was indispensable to his recovery. Dr. Woodward continued an invalid from his discharge to his death; and for three years after leaving the service he was unable to practice his profession or attend to business. Gradually he became strong enough to engage in a limited practice, in course of which, while performing an amputation, he received a slight cut, which produced blood poisoning, and which, in his weakened condition, ended his life.

On application for pension by his widow it was rejected on the ground that the fatal disease was not contracted in the service. That the weak and diseased condition of the system, however, enabled the poison to take deathly hold upon him, is shown by the fact that the two assisting surgeons in the amputation, receiving abrasions also, being healthy men, suffered only with slight sores. It is presumed that if the decedent had died of the simple wasting away of the vital forces, such death might logically have been referred to the "general debility" in which he left the service; but such "debility" having been continuous in a greater or less degree to his death, it is difficult to see that the intervention of a specific disease, which he was too weak to resist, should deprive his widow of the benefit of this original disability.

The committee report by bill granting a pension to petitioner, and recommend its passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THEODORE F. CASAMER.

The next business on the Calendar (the consideration of which was asked by Mr. PETERS) was the bill (S. 2157) granting an increase of pension to Theodore F. Casamer.

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 Theodore F. Casamer, late of Company C, Tenth Michigan Volunteers, and pay him at the rate of \$36 per month, in lieu of that which he is now receiving.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2157) granting increase of pension to Theodore F. Casamer, submit the following report:

Your committee, after a careful consideration of the case, adopt the report of the Senate committee, and recommend the passage of the bill.

SENATE REPORT.

Theodore F. Casamer enlisted in Company C, Tenth Regiment Michigan Infantry, in September, 1861; was discharged February 5, 1864, to re-enlist as a veteran, which he did the following day; was shot through the right shoulder joint, shattering the scapula, at Jonesborough, Ga., September 1, 1864; lay in hospitals until June 30, 1865; was pensioned, first at \$8 per month, and afterwards by successive increase at \$15 and \$18, until, under the act of March 3, 1883, it was raised to \$24 per month.

The act of August 4, 1886, provides—

"That from and after the passage of this act all persons on the pension-rolls and all persons hereafter granted a pension who, while in the military or naval service of the United States and in the line of duty, * * * shall have lost an arm at or above the elbow or a leg at or above the knee, or been totally disabled in the same, shall receive a pension of \$36 per month."

Under this act the pensioner applied for the increase to \$36 per month, and at his request was examined on the 27th April, 1887, by a board of medical examiners, who, after giving a technical description of the nature of the wound, state its results to be—

"Complete ankylosis of shoulder-joint, the arm being close to the side, and bound and held there by adhesion and contraction of tendons inserted into upper part of humerus; complete atrophy of muscles of the shoulder and of the upper third of arm; arm can not be moved out from side, but can be moved a little backward and forward by the sliding of the scapula; the right elbow is not ankylosed, but he can not completely flex or extend it on account of atrophy of muscles of arm; the muscles of forearm are also largely atrophied; wrist-joint not ankylosed, but flexor tendons on front of wrist and tissues there are contracted on account of a burn on lower part of forearm on its anterior aspect; the little and ring fingers are semi-flexed from the same cause, and the remaining fingers slightly flexed; the muscles of right hand are also atrophied, and movements of fingers are much restricted from above causes; none of finger or thumb joints are ankylosed; there appears to be no loss of sensation in hand or arm; there is almost complete loss of power and great loss of motion in the hand and the entire limb, to the extent that he can make no practical use of either, and in the opinion of the board, as it understands the term, there is total disability of the right hand and of the entire limb."

This testimony, which is official and ample, is supplemented by the evidence of near neighbors and intimate acquaintances, who testify that what the doctors say he is not and ought not to be able to perform as a matter of professional opinion, he does not and can not perform as a matter of fact. It is difficult to conceive a case coming more completely within the plain provisions of the act of August 4, 1886, which grants a pension of \$36 a month to the soldier who, within its limitations, "shall have lost an arm at or above the elbow," "or been totally disabled in the same;" and it is still more difficult to conceive the indifference or the audacity of the official who, when the pensioner, having fruitlessly furnished the complete evidence above given, asks the privilege of further examination to substantiate his claims, is denied such privilege in the terms and for the reason following:

"DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
Washington, D. C., February 15, 1888.

"SIR: In your pension case above described you are advised that you are not entitled to an examination looking to an increase, as the evidence recently filed (lay) fails to show that you are so disabled by reason of gunshot wound of right shoulder that you can do no manual labor.

"It may be that you can do no manual labor with the wounded arm, but there is no reason given why you can do no work with the other hand and arm.

"Your rating is believed to be correct.

"Very respectfully,

"THEO. F. CASAMER, Detroit, Mich."

"JOHN C. BLACK, Commissioner.

In this impertinent communication to this crippled soldier the Commissioner fails to give any reason why he presumes to restrict and render inoperative the plain provision of the law enacted for this soldier's benefit. No justifying reason can be given. The law provides the specific pension for the specific disability, which is fully proven to exist, and so proven by all the official and lay testimony in the case; the Commissioner assumes the prerogative of disregarding the law in its application to a point so clear that it can receive no elucidation by argument or statement of fact; and in thus refusing to give the pensioner the rating to which the law entitles him the Commissioner is guilty of an inexcusable violation of its requirements.

The pensioner is entitled, by virtue of his officially-proved disability, to the pension of \$36 per month, as provided in the bill, which is hereby reported favorably and recommended for passage.

Pending the reading of the report,

Mr. FORD. Mr. Chairman, this report, so far as read, indicates why the pension was granted to this soldier, for the loss of an arm, and I ask that its further reading be dispensed with.

Mr. McMILLIN. I think the report had better be read.

The report was read at length.

Mr. CARUTH. Mr. Chairman, I give notice to the gentleman who introduced this bill that I shall demand a quorum upon its passage, in view of the unwarranted attack that report makes upon the Commissioner of Pensions. There are reflections in the report upon a public officer, endeavoring to do his duty to the people and to the country, that I do not think ought to be sanctioned by this House.

Mr. MORRILL. I appreciate the criticism of the gentleman from Kentucky, but want to say this, that it is a Senate report, and that individually I should never have used such language in drawing the report myself.

Mr. CARUTH. But the committee adopted the Senate report, and unless it is withdrawn I shall demand a quorum. Unless the objectionable features of the report shall be stricken out, I do not propose to allow it to go upon the record if I can avoid it, certainly not without my protest.

Mr. NELSON. That report comes from the Senate. It is not a House report, and I am myself sorry for some of the statements embodied in it. This soldier now, although from a Michigan regiment, is a constituent of mine; and it is further a case where he is clearly entitled to the relief asked. Evidently there was a mistake here, but to hold the Commissioner of Pensions responsible for it we all know is unwarranted, because in consequence of the large mass of these letters from that Department, they are necessarily written by clerks, and he can not take time to read them all, although he must bear the responsibility. I would not think for a moment of charging it to him.

Mr. CARUTH. But that report does so.

Mr. NELSON. But I hope this soldier will not be made to suffer for that.

Mr. CARUTH. Let the report be withdrawn.

Mr. MORRILL. I move that the report be not printed in the RECORD.

Mr. CARUTH. But the House committee adopted the report, and as it is I shall object to it.

Mr. WHEELER. It seems to me that it should be recommitted to the committee for a different report.

Mr. MORRILL. I hope, Mr. Chairman, that will not be done. The report can be omitted from the RECORD.

Mr. CARUTH. I shall oppose, and if I can I shall prevent any such report being printed in the RECORD.

Mr. MORRILL. I desire to explain as to this, that the Committee on Invalid Pensions have had all the work that they could possibly do; and when we find a case meritorious and have before us a Senate bill we usually adopt, as in this case, the report of the Senate.

Mr. CARUTH. I regard this as a gratuitous insult to a faithful officer of the Government; and as long as I can help it I do not propose to allow any such charge to go uncontradicted.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the bill be laid aside to be reported to the House with a favorable recommendation, and that the report be not printed in the RECORD.

Mr. FORD. I presume the gentleman from Kentucky [Mr. CARUTH] does not want to punish this man because the Senate committee have made this comment upon the letter from the Pension Office.

Mr. McMILLIN. It occurs to me the gentleman from Kentucky can obtain the relief he wants by agreeing that the bill shall be recommitted and shall not lose its place on the Calendar when reported back.

Mr. MORRILL. That postpones the bill for a week.

Mr. CARUTH. I do not care if it should be postponed for a week or forever.

Mr. McMILLIN. I made that suggestion with the view of compromising this matter. If you act favorably upon the report you concede that the report is correct. Although you keep it from being printed in the RECORD, yet you found your legislative action upon it. I make the suggestion I have submitted as a means by which the case can be prevented from losing its place on the Calendar, and will be sure to be considered this session.

Mr. NELSON. I think this is standing upon a technicality. I think this soldier should not suffer because some gentlemen have seen fit to criticise a Democratic office-holder. If the gentleman is to be so technical as that, we might as well be technical in other directions. We have submitted a fair proposition to let this bill pass and not have the report printed in the RECORD. If that is not sufficient, I want to know why. I do not want this soldier to be punished because some gentleman thinks there is something here that might possibly reflect upon the Commissioner of Pensions.

Mr. CARUTH. We are asked to pass an act pensioning this soldier. On what ground? On the ground that the Commissioner of Pensions of the United States was false and derelict in the discharge of his duty. That is the record we are asked to make in this Congress as against this officer, whose record would defy any such charge as that. While I do not want to punish any soldier, and while the House will bear me witness that I have voted as cheerfully for pensions as any man on either side, still I do not propose to reward this man at the expense of a faithful officer of the Government. I therefore move that this case be laid aside with the recommendation that it be recommitted to the Committee on Invalid Pensions.

Mr. LAFFOON. The case not losing its place on the Calendar.

Mr. CARUTH. Yes.

Mr. HUNTER. Without unanimous consent the case must lose its place on the Calendar if recommitted.

Mr. RYAN. If the gentleman from Kentucky insists on recommitting the bill it seems to me he does not accomplish anything about not having the report printed in the RECORD. The report has been read, and unless we agree by unanimous consent it must go into the RECORD and becomes a part of the record of the proceedings of this House. That can be avoided by gentlemen agreeing to let the bill pass. The course the gentleman from Kentucky is pursuing necessarily gets the matter into the RECORD, and it does an injury to an innocent person, the beneficiary of the bill.

Mr. CARUTH. I submit this proposition: The Committee on Invalid Pensions of this House have submitted this report, which has been read, and which comes before the House as the action of the entire committee. There is no minority report. Upon that report we are asked to found this legislation.

Mr. MORRILL. I ask leave by unanimous consent to withdraw that report. Then I will ask permission to make a statement of the case and will ask the Committee of the Whole to pass the bill on that statement.

Mr. CHIPMAN. I wish to say I never joined in a report censuring the Commissioner of Pensions. Still, I hope the beneficiary of this bill will have a favorable report, and I am glad the gentleman from Kansas [Mr. MORRILL] has proposed to withdraw the report.

Mr. MORRILL. I ask unanimous consent to withdraw the report and to be permitted to make a statement of the case.

Mr. TAULBEE. I would like to ask the gentleman from Kansas—

Mr. CHIPMAN. He has withdrawn the report.

Mr. TAULBEE. That is still pending. I would like to ask the gentleman from Kansas a question. I see it stated in the report that the disability for which this soldier has been pensioned entitles him by the examination of the medical board of the office to \$24 per month, and he seems to be now rated on the pension-roll at \$24 per month. The bill proposes to give him \$36 a month.

Now, the question I want to ask the gentleman from Kansas is whether or not, according to the report of this medical board, \$24 a month is not all that this man is entitled to under the law.

Mr. MORRILL. Strictly speaking, that is all that the Pension Office can give him; but I explained once before to the gentleman from Kentucky that the act of August 4, 1886, fails to provide for an equivalent rating. No provision is made by that act for a rating for wounds that are equivalent to the amputation of an arm.

Mr. CARUTH. And yet you blame the Commissioner for doing what he was compelled by the law to do.

Mr. MORRILL. I do not blame him at all.

Mr. CARUTH. Well, it is in the report.

Mr. TAULBEE. Mr. Chairman, the facts stated by the gentleman

from Kansas [Mr. MORRILL] are correct. He and I had to do with the passage of that law, or with the action of the Committee on Invalid Pensions with reference to it, and I think he will agree with me that its failure to provide for an equivalent disability to the loss of an arm was due more to an oversight on the part of the committee than to anything else.

Mr. MORRILL. I think you are right about that.

Mr. TAULBEE. The gentleman will agree with me also that the passage of special acts giving a rating for disabilities equivalent to the loss of an arm has been frequent in this House. Now there is one feature in this case to which I invite attention in connection with statements of the committee in the Senate report based upon the letter of the Commissioner of Pensions which that report presumes to criticize. The point to which I invite attention is that this letter of the Commissioner of Pensions is in perfect keeping with the law, because there was no law authorizing him to give a rating for a disability equivalent to the loss of an arm. Hence the criticism in this report is unfounded.

Mr. MORRILL. Entirely so. I agree with the gentleman.

Mr. TAULBEE. And I think the statement of the gentleman from Kansas [Mr. MORRILL] is correct in his statement as to the adoption of the Senate report, a practice which I know to have been common in the committee in the Forty-ninth Congress without a close and rigid scrutiny of its language. I think the committee inadvertently adopted that Senate report, which contained a reflection upon the Commissioner of Pensions, and so far as I am concerned I am perfectly willing that permission shall be given for the withdrawal of that part of the report, and that this bill shall be considered upon its merits; but I would not be willing to take action based upon a report like that criticizing the Commissioner of Pensions discourteously and wrongfully, when he did all that he could under the law, especially as I feel that I am as responsible as anybody else for the failure of that law to provide for a proper rating of this pensioner.

I am willing to take my part of that responsibility, but I am unwilling to give any sort of sanction to such criticism as that contained in the Senate report (which has now become a House report) upon an officer who has discharged his whole duty. Therefore, sir, I hope the request of the gentleman from Kansas [Mr. MORRILL] will be granted, that the committee will be allowed to withdraw the report, and that we shall act upon the facts as they appear in the case.

Mr. CHIPMAN. I hope the report in this case will be withdrawn, and the motion of the gentleman from Kentucky [Mr. CARUTH] adopted. I think that is the sense of the committee.

Mr. NELSON. To recommit the bill? I object to that.

Mr. WHEELER. Mr. Chairman, I do not think we do justice to this report in speaking of it as a criticism of the Commissioner. It is a direct insult to one of the highest officers of the Government. I do not know, nor do I care, what Senator prepared the report. I am as anxious to see this claimant receive what the committee seem to think is due him and what I believe this House feels is due him, and I do not see any necessity for any great delay in granting it. We can agree that when the committee rises to-night this bill shall be recommitted to the Committee on Invalid Pensions, reported back by them this evening, and acted upon by the House this evening. By adopting that course there will be no necessity for any postponement, or any risk as to the case losing its place upon the Calendar, and at the same time we shall avoid giving any countenance to this report.

Mr. MONTGOMERY. I have no feeling about this matter so far as this pension is concerned; but I think a more serious question is involved than the simple question of a few days' or a few weeks' delay in considering his case. That this report ought to go back to the committee seems to be conceded upon all hands. That the criticism contained in the report is discourteous, improper, not justified by the circumstances connected with the case is admitted on all sides, and, Mr. Chairman, it is due to other pensioners having claims pending that such a report as this be not permitted to come into this House to prejudice other pension claimants.

If this report stands—if the committee or any member insists on the report standing without being referred back to the committee and their judgment returned that they do not approve of this unjustifiable censure of the Commissioner of Pensions—it will certainly have a tendency to prejudice the cases of other pensioners whose claims ought not to be prejudiced in that way in this House. That this report has gotten in here through inadvertence is, I think, manifest. In justice to ourselves, to the Commissioner, to the pensioner, and all other pensioners who are seeking to get bills through here, I think it proper that the report be recommitted, and that the committee not only refuse to adopt the Senate report, but actually censure a report which is so utterly without justification in the facts of the case.

Mr. CARUTH. Mr. Chairman, I think there ought not to be any difficulty in this matter. Every member of the Committee on Invalid Pensions who has spoken here to-night agrees that the criticism passed upon the Commissioner of Pensions in this report of the Senate committee is unjust; that it inflicts a gratuitous insult and a great wrong upon a faithful public officer. The acting chairman of the Committee on Invalid Pensions [Mr. CHIPMAN] agrees with me that this case ought to go back to the committee and that a new report should be made.

I do not want to delay the granting of the pension to this applicant. I want to treat him fairly; I do not want him condemned for what is the fault of somebody else. But I do want all this obnoxious matter to be expunged from this record. I do want the Commissioner of Pensions set right before the American people. I do not want the House to adopt any legislation based upon a report which embraces an allegation that an officer whom we all know to be faithful in the discharge of his duty has neglected that duty.

I do not care how soon this matter may come up; but I shall certainly insist that the case be recommitted to the Committee on Invalid Pensions, so that this report of the Senate committee may receive the disapproval which it deserves.

Mr. WHEELER. The Committee of the Whole might rise now; the House might at once recommit the bill; and it might be reported back in a few moments.

Mr. NELSON. Mr. Chairman, to insist on recommitting this bill is, as I have already suggested, standing too much on ceremony. It is doing injustice to the claims of a soldier in order to gratify a bit of sentiment in respect to the Commissioner of Pensions. I think this soldier should not be made to suffer in that way. While the Commissioner was undoubtedly right in this matter as a matter of law, I ask gentlemen to read the letter and say whether there is not in it something that treats this applicant for a pension in a cavalier manner.

Mr. TAULBEE. The gentleman from Minnesota should bear in mind what he is doubtless well aware of—that it would be utterly impossible for the Commissioner of Pensions to read all the letters that issue from his office over his signature.

Mr. MORRILL. He can not even sign them all.

Mr. TAULBEE. As the gentleman suggests, the Commissioner can not even sign with his own hand all such letters, much less read them.

Mr. NELSON. I have already conceded that the Commissioner is not to be blamed personally in this matter.

Mr. TAULBEE. I wish to call the gentleman's attention to the additional fact that in nine cases out of ten these letters are prepared and examined by persons who are not in sympathy politically with the Commissioner of Pensions. Is that true or is it not?

Mr. CHEADLE. I think it is not true. I believe the clerks immediately about him are men of his own party.

Mr. TAULBEE. But it should be remembered that the clerks immediately about him in the Pension Office are not the persons who prepare and examine these letters; possibly they never see them.

Mr. NELSON. Assuming that these letters are written by Republican or "hold-over clerks" who were connected with the last administration—assuming that to be true, why all this "fuss and feathers" about this matter?

Mr. TAULBEE. Because the Senate has brought this question up. I know of no person in sympathy politically with the Commissioner of Pensions who has been instrumental in the agitation of this question. We simply propose to stand by the proper administration of the Pension Office; and if blame is to be attached to anybody in consequence of the phraseology of that letter, let the blame rest where it ought to rest.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. NELSON] insist on his right to the floor?

Mr. NELSON. I insist on my right to the floor; but I am perfectly willing to yield to any gentleman for any question or statement. I simply insist on behalf of this Union soldier that after the committee has agreed to withdraw this report, his case ought to go on.

Mr. CARUTH. What right has the committee or any member of the committee to withdraw this report without the unanimous consent of the House? Will it not go into the permanent record as the report of the House committee?

Mr. MORRILL. Oh, no; not if unanimously withdrawn.

Mr. CARUTH. No individual member has a right to withdraw it.

Mr. NELSON. Mr. Chairman, if the gentleman from Kentucky [Mr. CARUTH] is so terribly anxious to make a fight upon a Union soldier, here is an old soldier who is ready for him. [Laughter.]

Mr. Chairman, I quote from the act of August 4, 1886, as cited in the report:

That from and after the passage of this act all persons on the pension-rolls and all persons hereafter granted a pension, who, while in the military or naval service of the United States, and in the line of duty * * * shall have lost an arm at or above the elbow, or a leg at or above the knee, or been totally disabled in the same, shall receive a pension of \$36 per month.

That is the law as quoted in this report. Now, here is this letter of the Commissioner; and I want to call attention to its phraseology. While as a matter of law perhaps the Commissioner may be technically right, I say that the tone of this letter addressed to an old soldier seeking an increase of pension is, to say the least, discourteous.

Mr. CARUTH. Does the gentleman say that the Commissioner himself wrote that letter?

Mr. NELSON. Well, if it was written by a clerk without his knowledge, why all this fuss? If, on the other hand, the letter was written by the Commissioner, I say that he in his high position, drawing a pension of \$100 a month and a salary of \$5,000 a year, has no right to address a wounded Union soldier in this manner.

I want to read from this letter what is an insult to this old soldier, and it can not be got rid of by raising this tempest in a teapot. [Laughter and applause.]

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
Washington, D. C., February 15, 1888.

SIR: In your pension case above described you are advised that you are not entitled to an examination looking to an increase, as the evidence recently filed fails to show that you are so disabled by reason of gunshot wound of right shoulder that you can do no manual labor.

It may be that you can do no manual labor with the wounded arm, but there is no reason given why you can do no work with the other hand and arm.

If he can do no manual labor with the wounded arm, that is the language of the law and that is the spirit of the law. The spirit of the law was that if a man is disabled in one arm, or disabled to an extent equivalent to that, he is entitled to \$36 a month. Yet this Commissioner writes to this old soldier that it may be he can not do any manual labor with the wounded arm, although he may be disabled from doing duty by using that arm, nevertheless it does not follow he is not able to do something with the other arm; and for that reason he would not grant him the humble privilege of going before an examining board. Is that your idea of courtesy? It is not mine. It is an insult on the part of the Commissioner to this old soldier which he had no right to indulge in.

Mr. CARUTH. Is that an insult for the Commissioner to say if you can not work with one arm you may be able to work with the other?

Mr. NELSON. It may not be from one equal to another, but for a man occupying the high position of Commissioner to use such language and to assign such reason for not granting the poor privilege to this old soldier of going before an examining board, it is an insult. It is not proper nor just for the Commissioner to indulge in any such tone.

Mr. CARUTH. Is it an insult to say he may be able to work with the other arm?

Mr. NELSON. If the gentleman wants to know it, I will say that if the Commissioner should address me as a private soldier in that way, if I were an applicant and had lost one arm, or was disabled in one arm in the late war, and he should tell me, "Mr. NELSON, you may be disabled in your left arm, but there is no evidence you can not do manual labor with your right arm, and therefore I will not allow you to go before the examining board," by heavens and the eternal God I should consider it an insult, and should answer it as it deserves. [Applause.] Are you satisfied? [Laughter and applause.]

Mr. CONGER. Will the gentleman permit me to ask him a question?

Mr. NELSON. Certainly.

Mr. ADAMS. I would like to ask the gentleman a question.

The CHAIRMAN. Which one?

Mr. NELSON. I will yield to one or both.

Mr. CONGER. I desire to call your attention to the last lines of the report of the examination made by the Commissioner's own board—

Mr. ADAMS. That was my object.

Mr. CONGER. In which they say—

There appears to be no loss of sensation in hand or arm; there is almost complete loss of power, and great loss of motion, in the hand and the entire limb, to the extent that he can make no practical use of either, and in the opinion of the board, as it understands the term, there is total disability of the right hand and of the entire limb.

As the report of the committee states:

It is difficult to conceive a case coming more completely within the plain provisions of the act of August 4, 1886, which grants a pension of \$36 a month to the soldier who, within its limitations, "shall have lost an arm at or above the elbow," "or been totally disabled in the same."

Take the law which gives a pension for an arm totally disabled; take this report of the examining board, made to the Commissioner, and it will be seen that he has not followed the law. No man can read the law and take that statement of the examining board and say that the Commissioner has followed the law.

Mr. NELSON. The gentleman is correct and I am immensely obliged to him. I feel like a man at camp-meeting. We read in the Holy Writ of how pious men were carried away by their emotions, and can it be expected, then, that we poor mortals in the Fiftieth Congress should not occasionally get excited?

The gentleman from Kentucky standing in the face of this law, standing in the face of the facts in this case, merely because the Senate committee saw fit to criticize in their report the action of the Commissioner in view of his action in going contrary to the report of the examining board, and in this matter there is no doubt the conduct of the Commissioner was susceptible of criticism on this account, I say the gentleman from Kentucky opposed the request of the gentleman from Kansas to withdraw this report.

Mr. TAULBEE. Will the gentleman allow me to ask him a question?

Mr. NELSON. Certainly.

Mr. TAULBEE. Do you not know the letter of the Commissioner of Pensions as to the rating which he asks in the Pension Office, that the Commissioner's decision as quoted in the letter read was not based on the report of the examining board of that office, but is in perfect consistency with the rules of that office, the testimony being "lay" in its nature, which word the gentleman from Minnesota did not read, but which he pretended to read to the House; that because it was "lay" in its nature the re-examination was unauthorized under the

rules adopted and carried out for many years in the Pension Office? I wish the gentleman in answering that would state why he omitted to read that portion of the report and attempted to create the impression upon the committee that the letter of the Commissioner of Pensions was based on the certificate of the examining board in the Pension Office.

Mr. NELSON. I yield now so much time as he may want to the gentleman from Indiana [Mr. CHEADLE].

Mr. CHEADLE. I shall only want two or three minutes.

Mr. TAULBEE. I would like first to hear an explanation of the gentleman as to why he left out a portion of that report.

Mr. NELSON. I want to answer the gentleman from Kentucky this: In the first place, the whole report has been read, and I did not undertake to read the whole report myself, but only to call attention to the substance of it, to which I wished to address my remarks. The report is already public property and before the House. In the next place, the private pension bills are passed here upon the theory that because of some technicality, because of some lapse in the law, or some missing link in the chain of evidence necessary to complete the claim it can not come within the strict meaning of the law, and hence the applicant must apply before this forum for relief; and if there ever was a case where the applicant should come and fairly ask relief, with the belief that it would be granted, this is just such a case.

Mr. TAULBEE. Now will the gentleman indulge me for a moment?

Mr. NELSON. For a question; but if the gentleman wants to make a speech he must take his own time.

Mr. TAULBEE. Very well; I will take my own time.

Mr. NELSON. If the gentleman wants simply to ask a question I do not object.

Mr. TAULBEE. I wanted to ask a question which the gentleman might construe as a speech, for it is in part a reiteration of my former question slightly enlarged.

Mr. NELSON. Very well; I shall be glad to hear the gentleman.

Mr. TAULBEE. I wish to say that it is not competent for the gentleman from Minnesota to answer my interrogatory by saying that he did not read all of the report. He left out in the reading a part of that report, and a very essential part—one word, and one word only; but which word singularly enough absolutely changes the entire meaning of the letter in which it is embodied, and hence affects the whole report. Now I ask the gentleman the reason for that omission; and he attempts to evade the question by saying that the report is public property.

Mr. CHEADLE. Will the gentleman yield to me now?

Mr. NELSON. I yield to the gentleman from Indiana.

Mr. CHEADLE. Mr. Chairman, I think there is enough in this case for us not to lose our temper and get out of humor in regard to it; and I want to say in the spirit of the greatest charity to the gentleman from Kentucky that the answer to the question submitted by him to the gentleman from Minnesota is contained in the report itself.

This man was examined, as the report shows, for an increase of his pension by the board of medical examiners; and the report was made by the board of the Pension Department, which is embodied in the committee's report also; and notwithstanding the fact that this report of the medical board states that there is a total disability of the right hand and of the entire limb, no increase was granted to the pensioner, and then subsequently—

Mr. TAULBEE. I do not presume the gentleman wants to be misunderstood by the committee, or to misunderstand the facts of the case himself. If he will reread the report he will find that the Commissioner of Pensions denies the claim for an examination which the pensioner seeks because the lay evidence filed in support of it does not show the disabled condition claimed, and on that very letter denying the examination the Senate committee makes the criticism of which complaint is made.

How can it be that the criticism is just when the examination has been had, and the report of that board is final, and the Commissioner acts upon it? If, then, the gentleman will examine again he will find that the examination is one that was had prior to the writing of the letter and upon which the Commissioner acted; and the purpose of that letter is to deny the examination, which the rules of the Pension Office and the circumstances did not justify or warrant.

Mr. CHEADLE. Let me say this to the gentleman from Kentucky, that he will find on an examination of this report that the act under which this man is pensioned is set forth in the report, and provides that any person on the pension-rolls, or person hereafter granted a pension, who was in the military or naval service and in the line of duty, and who, in the language of the law—

shall have lost an arm at or above the elbow, or leg at or above the knee, or have been totally disabled in the same, shall receive a pension of \$36 per month.

Now on the 27th day of April, 1887, a medical board of the Pension Department submitted a report, which it is not necessary to read in full, but the conclusion is in the following words:

There is almost complete loss of power, and great loss of motion, in the hand and the entire limb, to the extent that he can make no practical use of either, and in the opinion of the board, as it understands the term, there is total disability of the right hand and of the entire limb.

Subsequently thereto, when this increase was not granted, it is true the petitioner submitted lay evidence; but the point the committee of the Senate make is that under the finding and the report made by the medical board of the Pension Department there would be no question of fact that the pensioner is entitled to the rating of \$36 a month, and because of the fact that on the 15th day of February, 1888, that is after the medical board of the Pension Department found he was totally disabled in the arm, and notwithstanding that there had been filed other lay evidence that he was totally disabled in the arm, and still the increase was refused, then this letter referred to here was written, and it was because of that fact that the report was couched in this language.

Mr. Chairman, I am very free to admit that there is not full and proper courtesy of expression in the report, such as there should be, and yet I want to state the fact that there is perfect heartlessness in the ratings of pensions under the law.

Mr. TAULBEE. I agree with you.

Mr. CHIPMAN. And I agree with you.

Mr. CHEADLE. And I say that it is only just that the attention of the country should be called to the fact that there is a perfect and utter disregard of the ratings under the law.

Mr. STRUBLE. Where do you locate the heartlessness?

Mr. CHEADLE. In the fact that when the medical board says a man is totally disabled, I say to this committee and the country that there ought to be but one thing for the Department to do, and that is to obey the law. When it does not, it is open to the criticism I have made.

Mr. STRUBLE. Where does the responsibility lie?

Mr. CHEADLE. It lies in the Pension Department. I want to say a word more.

Mr. CHIPMAN. Will the gentleman allow me to make a suggestion?

Mr. CHEADLE. Yes, sir.

Mr. CHIPMAN. I agree with the gentleman there is heartlessness; but in my judgment the heartlessness is in the law.

Mr. CHEADLE. It is not always in the law; it is in the utter disregard of the law. The Commissioner of Pensions himself draws a pension of \$100 a month for physical disability, and in addition thereto this House accorded him a salary of \$1,000 a year more than was authorized by law. The officers of a government by the people and for the people ought to be at least liberal in their construction of the laws of the land.

There are one hundred thousand pensioners of the number who are on the rolls to-day, as my colleague stated the other day, rated at from 3½ cents to 13 cents a day. This is a land flowing with milk and honey, and its Treasury is groaning beneath its weight of gold and silver, and the laws of the land, if liberally and faithfully construed, would have given this applicant \$36 a month and kept this case out of the House.

Mr. TAULBEE. Will the gentleman allow me a question?

Mr. CHEADLE. Yes, sir.

Mr. TAULBEE. Of these one hundred thousand volunteers of whose rating the gentleman complains, I would be glad to have him state—

Mr. NELSON. I wish to interrupt this discussion.

Mr. TAULBEE. I desire to ask just one question.

Mr. NELSON. I understand the gentleman from Kentucky intends to make the point of no quorum on this bill.

Mr. TAULBEE. Not I.

Mr. NELSON. I mean the gentleman's colleague [Mr. CARUTH].

Mr. CARUTH. I say so long as we have this report, with these reflections upon a public officer, I do not propose to allow this bill to pass without my protest.

Mr. NELSON. Does the gentleman intend to insist upon a quorum?

Mr. CARUTH. I say that without a quorum it shall not pass.

Mr. NELSON. Do you mean to call a quorum?

Mr. CARUTH. I do.

Mr. NELSON. Under those circumstances, as there are other soldiers whose cases are on the Calendar and other gentlemen who have bills for soldiers which they desire to have passed upon, I am unwilling to stand in the way of those soldiers.

Mr. CANNON. Will the gentleman from Minnesota yield to me for a moment?

Mr. NELSON. Yes, sir.

Mr. CANNON. I wish to say that I do not think the dignity of the Commissioner of Pensions if he were here present and could speak would demand the call of a quorum as against the sense of the House or the call of a quorum as against the sense of a majority of the members present. I do not think he would consider that necessary to vindicate his dignity.

Mr. BRECKINRIDGE, of Kentucky. Will the gentleman from Minnesota yield to me for a moment?

Mr. NELSON. Yes, sir.

Mr. FORD. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FORD. What is the regular order?

The CHAIRMAN. The gentleman from Minnesota has the floor and is entitled to yield to the gentleman from Kentucky.

Mr. BRECKINRIDGE, of Kentucky. I rise for the purpose of suggesting if the gentleman will agree to recommit this bill—

Mr. NELSON. That suggestion has been made before.

Mr. ADAMS. I ask the gentleman from Minnesota to yield to me.

Mr. NELSON. I yield to the gentleman from Illinois five minutes.

Mr. ADAMS. When I read in the report the letter of the Commissioner I was struck by the word "lay," which I did not entirely understand at the time. I turned to the report and was informed that that expression referred to the testimony of neighbors and friends. But I wish the gentleman from Kentucky would take notice that the board of medical examiners had given the decision that this case came within the law; and in this report it is stated that this testimony, which is sufficient and ample, is supplemented by the evidence of mere neighbors and friends. To my mind the case comes very clearly within the law.

I object to a withdrawal of the report or a withdrawal of the bill. I do think we ought to guard ourselves against admitting the principle that a committee of either House of Congress has not the right to criticize an executive officer for a plain mistake or neglect of duty.

There is no question that the board of examiners did bring the case within the law. There is no question, in my mind, that when the Commissioner used that word "lay," intimating that the evidence was not the evidence of the medical board, as I understand it, he did overlook what had taken place in his office. There is no question, in my mind, therefore, that he is in some form, and in some phrase amenable to criticism by either House of Congress that first takes cognizance of his action.

Mr. WASHINGTON. Will the gentleman permit me—

Mr. ADAMS. Allow me to finish this point. The only question is, whether we shall, by our action, admit the theory that the House of Representatives or the other legislative body of Congress ought not to notice a clear dereliction of duty on the part of an executive officer. I am willing to admit there should be a certain decorum of language in all such criticisms, but that it should not be criticised and severely criticised, I shall never admit.

Mr. WASHINGTON. The gentleman says he thinks the House ought to reserve the right to criticize a public officer, and so do I; but does the gentleman think this fair criticism: "This impertinent communication?" Does the gentleman think that is fair and parliamentary criticism when applied to the chief of any division?

Mr. ADAMS. Let me call the gentleman's attention to the language which appears previous to that in the report, and I did not learn from the gentleman from Kentucky [Mr. CARUTH] which particular phrase he objected to.

The committee criticised the Commissioner in this way:

It is difficult to conceive a case coming more completely within the plain provisions of the act of August 4, 1886, which grants a pension of \$36 a month to the soldier who, within its limitations, "shall have lost an arm at or above the elbow," "or been totally disabled in the same;" and it is still more difficult to conceive the indifference or the audacity of the official who, when the pensioner, having fruitlessly furnished the complete evidence above given, asks the privilege of further examination to substantiate his claims, is denied such privilege in the terms and for the reason following:

Now, I will admit that there should be a certain degree of decorum in all such matters, but I have not been informed either by the gentleman from Kentucky [Mr. CARUTH], or anybody else, exactly what rules should be used in a report of Congress criticising an executive officer.

Mr. TAULBEE. Is it not a fact that if, as you have stated, the medical board—

Mr. ADAMS. I have stated my impression. I have not pretended to perfect knowledge of the subject.

Mr. TAULBEE. If it is true that the medical board of the Pension Office has rated this claimant at \$36 per month, is it not a fact that even though the Commissioner of Pensions should refuse to place him on the roll at that rate, it is perfectly competent for the claimant to appeal to the Secretary of the Interior, whose duty it then becomes to take such jurisdiction of the matter on appeal as the Commissioner of Pensions originally had? And is it not true that that remedy has never been sought by this claimant?

Mr. ADAMS. Will the gentleman answer a question in his turn?

Mr. TAULBEE. If I can; but ask me an easy one. [Laughter.]

Mr. ADAMS. Admitting that it is the right of the claimant to appeal, and even that in one sense it is his duty to appeal, yet if the medical board did bring his case clearly within the law, and the Commissioner of Pensions in his letter to the claimant clearly ignored that ruling, is not the Commissioner subject to criticism in some form? And does the fact that the soldier has the right to appeal take away from a committee of Congress the right to criticize the Commissioner?

Mr. TAULBEE. I will answer that question by stating—

The CHAIRMAN. The time of the gentleman from Illinois [Mr. ADAMS] has expired.

Mr. NELSON. I now yield two minutes to the gentleman from Kansas [Mr. MORRILL].

Mr. TAULBEE. I wish the gentleman would yield to me to answer the question of the gentleman from Illinois.

Mr. NELSON. I have not the time. I yield to the gentleman from Kansas [Mr. MORRILL] to make a request, and then we will end this discussion.

Mr. TAULBEE. I would like to answer the question of the gentleman from Illinois [Mr. ADAMS], but, not having the time, I of course submit to the rule.

Mr. MORRILL. It is very evident, Mr. Chairman, that we are wasting valuable time in this discussion and that we are accomplishing no good either for the soldiers of the country or for the Commissioner of Pensions. The request I desire to make is for unanimous consent that this report shall not be printed in the RECORD, and that all of this discussion which has taken place in regard to it shall also be withheld, so as to leave the matter as if the report had not been made, and then that the bill shall be considered upon a brief statement of the case which I will make. I think that ought to be satisfactory to all parties. It will let us out of this dilemma and let us go on with the regular business of the evening.

Mr. NELSON. Does the gentleman from Kentucky [Mr. CARUTH] agree to that?

Mr. CARUTH. No, sir.

Mr. MORRILL. Why not? It is better for all concerned.

Mr. CARUTH. I will tell you why. This report is the report of a committee of this House. I will state what I want in this case and what I propose to stand by, not only now, but hereafter when the case comes up for consideration. That is that there shall be a report from the Committee on Invalid Pensions of this House withdrawing the language of this report, which I consider to be an insult to the Commissioner of Pensions. So long as that language remains unwithdrawn so long shall I fight this case.

Mr. MORRILL. Then I ask unanimous consent to withdraw the report.

Mr. CARUTH. The gentleman can take a vote of the Committee on Invalid Pensions and bring in a proper report here and I will not object to the passage of this soldier's claim.

Mr. MORRILL. That seems to be standing on a technicality.

Mr. CARUTH. It is not standing on a technicality. It is standing on right and on justice to a distinguished and faithful public officer.

Mr. NELSON. I yield one minute to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I want to see whether I understand this case. I gather the facts to be that it is admitted upon all hands that it is the case of a soldier of the late war, honorably discharged and under the law probably, and in God's chancery actually, entitled to the relief proposed to be given by this bill.

Mr. CARUTH. If the gentleman will excuse me, I do not admit that proposition. I would like to have the record examined.

Mr. CANNON. I understand that it has been examined.

I understood it to be admitted, and it is so claimed on this side. But the gentleman says that this case shall not pass until some language in a report which he thinks reflects upon the dignity of the Commissioner of Pensions is modified by the committee. In the mean time the merits of the case are thrown aside and the soldier, who is entitled to this relief and to whom but for this criticism the relief would be granted, goes without the relief. If the gentleman wants to insist on that position, well and good.

Mr. NELSON. I am unwilling, Mr. Chairman, to take up further the time of the committee, so I move—

The CHAIRMAN. There is a motion pending.

Mr. NELSON. What is it?

The CHAIRMAN. The gentleman from Kentucky [Mr. CARUTH] will please state his motion.

Mr. CARUTH. My motion is that this bill be laid aside, to be reported to the House with a recommendation that it be recommitted to the Committee on Invalid Pensions, not to lose its place on the Calendar.

Mr. NELSON. I object. That report, for the gentleman's satisfaction, will be printed in the RECORD.

The CHAIRMAN. Does the gentleman yield the floor?

Mr. NELSON. I withdraw the bill.

The CHAIRMAN. The bill is properly before the Committee of the Whole under the order.

Mr. CHIPMAN. The gentleman can not withdraw the bill; he is not on the committee.

Mr. NELSON. I then call the attention of the gentleman and the Chair to the fact that the motion to recommit is not debatable.

The CHAIRMAN. The gentleman from Minnesota is in error. The motion is that the bill be laid aside to be reported to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

Mr. WHEELER addressed the Chair.

The CHAIRMAN. Does the gentleman from Minnesota yield the floor?

Mr. NELSON. Yes, I yield the floor.

Mr. WHEELER. Mr. Chairman, the gentleman from Minnesota [Mr. NELSON] does great injustice to the gentlemen on this side of the House when he intimates—I might say asserts—that we are unwilling to pass the bill which allows a pension to the soldier whose case is now being considered.

The gentleman will remember that when it became apparent that the dignity of the House demanded that the improper language should be eliminated before action was had upon the report I urged that the committee should immediately rise and report the bill to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions, coupled with the request that said committee should immediately report it back, and that the bill should not lose its place on the Calendar.

I also called attention to the fact that a quorum of that Committee on Invalid Pensions was present, and they could make the report almost instantly, so that scarcely a minute would be occupied in the entire proceedings, and the bill could have been passed in half the time which has been consumed by the speech which he has made, and in which he will admit he has indulged in reflections from which he might with great propriety have abstained. But as the gentleman from Minnesota [Mr. NELSON] and other gentlemen have spoken on the bill—some insisting that the language in the report was entirely proper, some endeavoring to justify the objectionable wording of the report, and some having gone out of their way to criticize the distinguished soldier, General Black, who for three years has efficiently discharged the duties of Commissioner of Pensions—it has become necessary for us to examine the facts and circumstances which have brought about this unfortunate episode.

It seems to be admitted that the letter to the claimant was written by a clerk who is not in political sympathy with the Commissioner, General Black; that this letter, together with thousands of others, were placed before another clerk who with a stamp affixed General Black's name thereto, and that General Black never did, and in the nature of things, never could have seen the letter.

I presume every member of Congress knows that it is impossible for the Commissioner of Pensions to give his personal attention to this class of correspondence. To show the utter impossibility of the Commissioner signing these letters, I will state that I am informed that from 3,000 to 8,000 such communications leave the Pension Office every day.

Now, with these well-known and well-established facts before us, we are confronted with a report which sets out the letter to the claimant so as to convey the impression that the letter was written by and signed by the Commissioner in person, and that the verbiage was the language of his choice.

The report shows upon its face that the House committee adopted the Senate report, and the acting chairman, the distinguished gentleman from Michigan [Mr. CHIPMAN], states that the objectionable language escaped the attention of the members of his committee, and he asks that the report be recommitted, so that a proper report may be prepared and submitted to the House. This is all that any man on his side of the House demands, and they will lend all possible aid in hastening this action.

Could any one ask us to do more for the pensioner, and would it be proper for us to do less than that to preserve the dignity of this House? Ought the gentleman from Michigan [Mr. CHIPMAN] do less than he proposes in preserving the dignity of his committee?

What is the language which some gentlemen call "mere criticism?" No one can deny but that the gentleman who is responsible for the report knew that, under all the circumstances of the case, General Black never could have seen the letter, and yet, immediately following the letter purporting to be signed by General Black, he proceeds to characterize it in these words:

In this impertinent communication to this crippled soldier.

Will any gentleman say that such language is in keeping with the decorum which should govern Congress in referring to the action of prominent officials?

He then says:

The Commissioner fails to give any reason why he presumes to restrict and render inoperative the plain provision of the law enacted for this soldier's benefit.

The report then proceeds to say that—

No justifying reason can be given.

In other words, without any grounds or any evidence to justify it, he makes a grave charge against the official integrity of the Commissioner.

Mr. FARQUHAR. Mr. Chairman, I rise to a question of order. What is the question before the committee?

The CHAIRMAN. The question pending is on the motion of the gentleman from Kentucky [Mr. CARUTH] to lay the bill aside to be reported to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

Mr. FARQUHAR. Does the Chair entertain debate on that proposition?

The CHAIRMAN. The Chair is of opinion that debate is in order.

Mr. WHEELER. It is stated by the acting chairman of the Committee on Invalid Pensions [Mr. CHIPMAN] that that report was adopted inadvertently, and he asks permission to have the report recommitted, because it is due to the dignity of the Commissioner and the dignity of this House that it be done.

Some gentlemen say there is nothing impertinent in this report made by a Republican committee of the Senate.

Mr. LIND. May I ask the gentleman a question?

Mr. WHEELER. Yes, sir.

Mr. LIND. Is it not a fact that the chiefs of division in the Pension Office are in harmony with the Administration?

Mr. TAULBEE. No, sir.

Mr. WHEELER. Some are and some are not. It is stated and admitted by many gentlemen who are better informed of the facts than I am—and I am pretty well informed—that the clerks in the Pension Office who prepare these letters are very few of them in harmony politically with the Commissioner of Pensions. This case comes from what is called the middle division. I am told that all the clerks and all the chiefs of sections in that division belong to a political party not in harmony with the administration.

Mr. LIND. Is it not a rule in all the Departments that every letter written by an inferior clerk is read and approved by the chief of the division, and his initials marked in the corner of the letter before it is allowed to be placed before the head of the Department for his signature?

Mr. WHEELER. That may be the fact with regard to other Departments, but the gentleman knows that Commissioner Black has done more business since his accession to this office than any Commissioner who ever preceded him, and, besides, I am informed that the chief of the middle division also belongs to a party not in harmony with the administration.

Mr. LIND. That does not answer my question.

Mr. WHEELER. He has granted more pensions and done more for the soldiers than any Commissioner who ever held the office. The reports show that he has allowed some 56,000 more pension claims since he has been in office than any of his predecessors allowed in the same length of time.

Would gentlemen have a Commissioner who has supervised and directed this phenomenal amount of work forced to read and sign his name to each one of the thousands of letters sent out from his office every day?

Now, I say placing such a letter as that in a report coming before this House as though written by himself, and then criticising it as it has been criticised, is neither right nor proper to this officer; nor is it in harmony with the dignity and decorum of the House of Representatives.

But to return to the objectionable language of the report. After stating what the maker of the report asserts the law to be, it proceeds in these words:

The Commissioner assumes the prerogative of disregarding the law in its application to a point so clear that it can receive no elucidation by argument or statement of fact; and in thus refusing to give the pensioner the rating to which the law entitles him the Commissioner is guilty of an inexcusable violation of its requirements.

This is a direct and unequivocal allegation that "the Commissioner has been guilty of an inexcusable violation of the requirements of the law." That is a direct charge against one of the highest officers of the Government that he has been guilty of an offense which is characterized as an inexcusable violation of the law.

Some gentlemen say it will obviate all objections if it be stricken out; but this has gone on the records of the House, and it can not be stricken out. It is a report coming from the Committee on Invalid Pensions. All the House asks is that the reports which are submitted to it for its action shall be proper, dignified, and worthy of the House of Representatives. That is all this House asks. They will be glad to be able to give the crippled soldier his pension, but it must be done in a regular and proper way.

Mr. NELSON. Will the gentleman allow me to ask him a question?

Mr. WHEELER. Certainly.

Mr. NELSON. Does the gentleman from Alabama propose to allow the dignity of this Democratic official at the head of the Pension Office to stand between the gratitude of the people of the United States and this crippled soldier?

Mr. WHEELER. No, sir; and no one here proposes to do so.

Mr. NELSON. Is he above criticism? Is he the sacred white elephant? [Laughter and applause.]

Mr. WHEELER. No, he is not above criticism. He is not above censure, nor does he desire to be so considered; but it is neither right nor proper nor just to him or to this House that such imputations as deface this report should be indulged in against him. To allow any such report to remain upon record would be a dereliction of duty on our part. For one I would not consent to it.

Mr. NELSON. But we will not consent to the old Union soldiers of the country being rebuked in the way they have been attempted to be in this matter.

Mr. WHEELER. The gentleman knows that in making the statement he does the gentlemen on this side of the House very great injustice. He is fully aware of the fact that those on this side of the House in sympathy with the Commissioner would be glad to pass this bill. All they ask is to have the matter presented in the regular and

proper way. We do not want a report to be brought in this House containing charges which are equally uncalled for and unjust.

That is all we ask, that this officer shall not be insulted in this manner. If necessary I will move the committee rise so that the report may be recommitted to the Committee on Invalid Pensions, so that the matter may be again reported to the House and we can pass the bill to-night. When the committee rises and we get into the House we can recommit this matter to the committee for immediate action, and if I can do so I will move to amend the motion of the gentleman from Kentucky. But as the gentleman from Maine [Mr. MILLIKEN] desires it, I will now yield him two minutes of my time.

The CHAIRMAN. Does the gentleman move that the committee rise?

Mr. WHEELER. I will withdraw that motion, and yield a minute to the gentleman from Maine.

Mr. MILLIKEN. I hope now, in the interest of peace and the saving of time, the report will be recommitted, as seems to be the desire on the other side.

I do not see that anybody is going to alter his position, or that anybody here is going to gain anything, by taking the other course.

If this committee has reflected upon the Commissioner of Pensions it is a Democratic committee, and a majority of his own party have sanctioned the reflection. I can not see, therefore, why there should be any division of party on this question. I do not see why the Republicans should interfere in this matter where a Democratic committee has sanctioned this report.

[Here the hammer fell.]

Mr. WHEELER. I will yield another minute to the gentleman if he desires it.

Mr. MILLIKEN. A few moments longer.

Mr. CHIPMAN. If I can be recognized I will yield five minutes to the gentleman from Maine.

The CHAIRMAN. The gentleman from Alabama has the floor.

Mr. MILLIKEN. Now Mr. Chairman—

Mr. CARUTH. Will the gentleman allow a question?

Mr. MILLIKEN. Yes, if it is not a hard one. [Laughter.]

Mr. CARUTH. Was it not a Republican member of the Committee on Invalid Pensions who made the report to the committee in this case?

Mr. RYAN. It is the unanimous report of the committee.

Mr. MILLIKEN. I do not know whether it is made by a Republican or a Democrat; but I will agree, if the gentleman wants me to do so, that it was a Republican. As I understand it the reports that come from that committee have to be authorized by the committee as a whole; and I do not presume that any member of any committee of this House would make a report to the House that was not authorized by the committee.

I have been informed, although I do not know personally whether that is correct or not, that this is the unanimous report of the committee.

What I was about to say, however, is this: That I can not see the least reason in the world why there should be the slightest partisan feeling, which seems to have cropped out on this question.

If a Democratic committee of this House has made such reflections upon a Democratic official as are improper, I do not see why we should grieve over it.

I do not see, I repeat, why there should be any division here at all on such a question; and I hope that my friend from Minnesota [Mr. NELSON] will accept the proposition of the gentleman from Kentucky to let the bill be recommitted and a new report made to the House.

Mr. WHEELER. I now yield ten minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, the gentleman from Kansas [Mr. MORELL] who submitted this report to the House from the Committee on Invalid Pensions has stated his desire to withdraw it, and I think he should be permitted to do so.

Mr. CHIPMAN. He has no right to do so.

Mr. SPRINGER. The report is no part of this bill. It is the argument of the Committee on Invalid Pensions in support of its action in recommending the passage of the bill. If recommitted to the Committee on Invalid Pensions, it will be the duty of the committee to report it again; and they should give their reasons for the action they recommend, and in language that would not be objectionable, as the gentleman has indicated his desire to do.

I hope that will be done, but before that action is taken I desire to call the attention of gentlemen on the other side to the fact that this report is entirely inadmissible in a parliamentary sense, and ought not to have come into this House. I hope it was the result of inadvertence on the part of the gentleman who made the report, as I believe it was. It was certainly a manifest injustice to the Committee on Invalid Pensions. That committee can not be, and should not be, held responsible for the language of the report. The gentleman from Maine seems to assume that these reports are all authorized by the committee.

The fact is, as he well knows, that the committee authorizes the member to submit the report for a certain amount. That is agreed to by the committee, and the gentleman having charge of the case—

Mr. MILLIKEN. Will the gentleman permit me—

Mr. SPRINGER. Not now; I will complete my statement. The gentleman having charge of the case prepares the argument on it and brings it in here. That is the course of all the committees of this House, and the Committee on Invalid Pensions can not be held responsible for the particular argument which the gentleman supporting this case has submitted. That is my observation in all cases.

Mr. MILLIKEN. Will the gentleman allow me to ask him one question?

Mr. SPRINGER. Yes, sir; for information.

Mr. MILLIKEN. Does not the gentleman know, because he has been in Congress longer than I have and ought to know, that no member of a committee can make a report to this House without being authorized by his committee?

Mr. SPRINGER. The gentleman has asked me a question which he can answer as well as I can. I had stated that before, and the gentleman if he had been paying attention to what I was saying would not have desired to ask this question. I stated the committee authorized the fact to be submitted and the amount to be allowed—

Mr. MILLIKEN. But the committee is responsible for every report submitted.

Mr. SPRINGER. And that the argument was supplied by the gentleman having charge of the case. The gentleman knows that is the practice in the House, and it was not necessary for him to interrupt me.

The report in which this objectionable language occurs is a Senate report; and as submitted to that body it was, I may say without being unparliamentary, in the language of the report itself, "impertinent." [Cries of "Vote!" "Vote!"] Gentlemen will pardon me. I think this is the first time this session that I have addressed the committee in regard to pension cases. I desire to address myself to this case, and am serious about it.

Gentlemen know well enough, every one who has had any experience with the Pension Office, that the number of letters from that office in a day goes into the thousand frequently, and it is utterly impossible for the Commissioner of Pensions to know the contents of the various letters that go out of that office. Gentlemen know, also, that cases based on rulings of officers of the Department come up to the Commissioner in a perfunctory way, and his name is signed by a stamp.

It is well known that it is impossible for the Commissioner of Pensions to understand the rulings upon all these cases. They come up from those constituted to make these reports, and his signing of them is merely official and perfunctory.

Now, who are the gentlemen in this office who make these decisions under the civil-service policy which has been adopted by this Government, and which has been carried out faithfully by this Administration? [Derisive laughter on the Republican side.]

Mr. STRUBLE. Now, you break us up!

Mr. SPRINGER. The gentleman will please be seated. I hope to wake you up. Of the officers in the Pension Office, more than 75 per cent. are Republicans, and were there when Commissioner Black took possession of the office; and under the civil-service system the Secretary of the Interior could turn every one of them out.

A MEMBER. He could not get along without them.

Mr. SPRINGER. That is the old cry. There was a similar cry three years ago last fall, that we could not run this Government. We have proved we can. It is running well, and will continue in the same channel for the next four years. [Applause on the Democratic side.]

Under this policy these gentlemen have been retained in the Pension Office when thousands of Democrats all over the country were fully competent and perfectly willing to take these places.

If there is any blame to be attributed to General Black it is that the subordinates in his office, who appear from this report to be incompetent, ought to have been removed long ago and competent Democrats put in their places.

Mr. ADAMS. Will my colleague yield to me—

Mr. SPRINGER. Not now, but later.

This letter, about which so much has been said, which seemed so impertinent to the Senate committee, was a ruling in rather forcible language to the effect that the claimant was receiving all the pension to which he was entitled. He was not denied an examination, but a re-examination. He had already had the examination provided by law. The report of that examination is set forth in this report. So it is not a case of denying him a hearing and examination. But he asked the re-examination of the case when no new evidence was brought forth to support it. That is all there is to it.

Now, if I had been writing the letter, or if the honorable gentleman from Kansas [Mr. MORRILL] who brought in this report (a gentleman who is always amiable) had been writing it, either of us would perhaps have used several more polite phrases than are found in this letter; but we would have said substantially the same thing. There is really no ground of offense in the letter, and I hold that gentlemen are not justified, that this body is not justified, that the Senate is not justified in adopting such language toward a judicial officer as is found in this report.

Mr. DINGLEY. Mr. Chairman, can not we have a vote without any more talk on this subject?

Mr. CHIPMAN was recognized, and yielded to Mr. DOCKERY.

Mr. DOCKERY. Mr. Chairman, it does seem to me that the discussion of this question has proceeded to sufficient length. The interests of other soldiers are to be considered and ought to be considered by this committee. Speaking frankly and candidly, I think there is nothing here but that can be easily explained and harmonized with proper respect to the Commissioner, to the Senate, and to the House of Representatives. I do not agree with some gentlemen who appear to find language that they esteem discourteous in the letter of the Commissioner to this claimant.

As a matter of fact, however, I do not imagine that the Commissioner ever saw that letter. We all understand that such letters are prepared by the clerks in the Pension Bureau, and that it is impossible for the Commissioner to have personal knowledge of the contents of all of them. But assuming that this is the letter of some clerk, I do not believe it warrants the criticism that has been made upon it by the Senate committee. But, Mr. Chairman, what is the situation here?

This is now the report, not of the Senate committee, but of a committee of our own body, presented by one of our most estimable members, the gentleman from Kansas [Mr. MORRILL], who, in my opinion, is incapable of intentionally doing an injury or an injustice to any man, whether in public or in private life. I do not believe that the Committee on Invalid Pensions intended to reflect improperly upon anybody. In other words, I think there is an entire absence of intention to wound or to offend anybody, except as it may appear in the report of the Senate committee, and of that I shall not speak.

So far as we are concerned here, I do not think there has been any intention to injure or to offend anybody. I do not believe there has been any intention, so far as this body is concerned, to reflect harshly upon the Commissioner of Pensions or unduly or unnecessarily to criticize him, and yet I think that the language of this report is not quite courteous. Therefore, Mr. Chairman, in the interest of harmony, and in the interest of other pension bills that await consideration, I suggest that this case be recommitted to the Committee on Invalid Pensions, the bill not to lose its place on the Calendar, and that the committee return it to the House with another report. I think this suggestion, if adopted, will settle this matter, and I ask unanimous consent that the bill take that course.

Mr. CHIPMAN. Mr. Chairman, I wish to say this, that in all this debate there is one party who has been lost sight of; that is the soldier who wants this pension. I was perfectly astounded when my friend from Minnesota [Mr. NELSON], a gentleman whom I consider without a peer intellectually in this Congress, stood up here and made the remark which he did.

The remark made by my legal friend from Illinois [Mr. ADAMS] did not astonish me. I have seen men and I have seen men. [Laughter.] But that my friend from Minnesota should forget the soldier and think only of making a political point did astonish me. It paralyzed me. [Laughter.] He is a man from whom I expect great things; great things in the enfranchisement of our trade and commerce; great things in favor of our great West; and I must say that after what took place here to-day, when we set up the chaplet of fame, the tribute of a country's gratitude and love, as the last thing upon which the eyes of that great hero who now lies dying may look upon, it astounded me that to-night any discussion, any irritation, any difference, should arise here upon the rights of the soldier.

Remember that General Sheridan lies dying, and remember that the day will come when General Black will lie dying.

Mr. NELSON. What about Casamer, this soldier?

Mr. CHIPMAN. I say give this man his pension.

Mr. NELSON. Let us give it to him to-night.

Mr. CHIPMAN. I say give it to him to-night. I do not care about this matter. General Black is so high, so good, so noble, that this report, which was not made by the majority of the committee or by the Democrats of the committee, will do him no harm.

Mr. SHERMAN. That is right.

Mr. CHIPMAN. Give him his pension now. I will vote for it. But why stop to spit venom on General Black? The day will come when you will be ashamed of your course in this matter. The day will come when you will stand over this man's tomb and pronounce eulogies on him.

Gentlemen, let us put this bill through. Do not take this soldier, who deserves a pension, and throw him back and forth in your political machine to be ground and destroyed. Let us give him his pension to-night.

Mr. WHEELER. I now yield to the gentleman from Tennessee [Mr. WASHINGTON].

Mr. GUENTHER. I rise to a parliamentary inquiry.

Mr. WASHINGTON. I believe I have the floor.

The CHAIRMAN. The gentleman from Tennessee [Mr. WASHINGTON] has been recognized.

Mr. GUENTHER. I wish to know what has become of the request for unanimous consent.

The CHAIRMAN. The request has never been stated, because the gentleman from Michigan took the floor.

Mr. GUENTHER. I thought it had been stated. Can it not be stated now? Mr. Chairman [Mr. DOCKERY in the chair], I renew the request that you made when on the floor.

Mr. WASHINGTON. I believe I have the floor.

The CHAIRMAN. The request, which will be stated when the gentleman from Tennessee yields the floor, was that the bill with the report be recommitted to the Committee on Invalid Pensions, not to lose its place on the Calendar, and that the committee submit another report in lieu of the one now before the Committee of the Whole.

Mr. WASHINGTON. Before that question is put to a vote, I wish to state as a Democratic member of this House, and from what I have seen here, that there is no disposition among my brethren on this side to fail in doing justice to the soldier.

A MEMBER on the Republican side. We know all about that.

Mr. WASHINGTON. You may talk as much as you please; but the remark is true. I think we proved it pretty conclusively the other day when we passed one bill appropriating over \$80,000,000 for pensions for the next fiscal year. But be that as it may, while the present bill is before us I want to enter my protest against its passage, even if the objectionable language which has been used in criticizing the Commissioner of Pensions be stricken from the report. My reason for objecting to the passage of the bill is that this soldier has already had his pension under the law increased two or three times; and, as this report states, he is still entitled under the law, if he can prove a certain amount of disability, to a pension of \$36 a month, which can be granted to him by the Commissioner of Pensions upon an examination by a proper medical board.

Now, if I understand anything about our special pension legislation, it is the intention that Congress should act specially on such cases only as are not provided for by general law. This case is provided for by law. This man has his opportunity under the law to have his pension increased to \$36 per month. I say let him go to the Commissioner of Pensions and file his proof; let him go before a board of medical examiners; and let his case not be decided here on one-sided testimony or upon a sentimentality.

Mr. STRUBLE. Does not the gentleman understand that this man's case has already been presented in the Pension Office, and that the Commissioner has denied his application?

Mr. WASHINGTON. I do; but that does not put him outside of the law; that does not make this a special case. We had a similar case here one week ago—a case which came from this side of the House; and we did not find the members on the other side boiling over with enthusiasm to override the Commissioner and pass the bill.

Mr. STRUBLE. In view of a long line of precedents in this and prior Congresses, was not this claimant entitled to come here and ask for Congressional action?

Mr. WASHINGTON. While the general law upon the statute-book allows him an increase?

Mr. STRUBLE. But his application has been denied at the Pension Office.

Mr. WASHINGTON. Let him go and perfect his proof.

Mr. STRUBLE. A board of medical examiners has already declared him entitled to the increase.

Mr. WASHINGTON. But in the face of a letter of the Commissioner of Pensions which denies the application for an increase upon what seems to the Commissioner very good ground, you ask Congress upon this insulting report to override the action of the Commissioner—

Mr. STRUBLE. The point to which I am directing attention is that this man has the right to come here to Congress with his application for an increase, upon the denial by the Commissioner of the increase which he asks.

Mr. WASHINGTON. He has the right to come; but why should he not proceed in the regular way, and by making proof properly get the increase to which he may be entitled? Why should we in cases of this kind, where a man makes application for an increase, pass a special act in his behalf? In this case there is a law giving this man a pension of \$36 a month, if he can prove a certain extent of disability; and upon this question the Commissioner of Pensions, with his able boards of examiners all over the country, is more competent to form a judgment than this committee and this House. I shall therefore protest against the passage of this bill in any shape.

The CHAIRMAN. The question is on laying the bill aside to be reported to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

The motion was agreed to.

EMMA S. FREE.

The next business on the Private Calendar (which was called up for consideration by Mr. MORRILL) was the bill (S. 431) granting a pension to Emma S. Free, widow of Thomas S. Free, late major of the United States Army.

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 and limitations of the pension laws, the name of Emma S. Free, widow of Maj.

Thomas S. Free, deceased, late a major of the Tenth Regiment of Volunteers of the United States Army, at the rate of \$25 per month, the same as was allowed by law to her husband at the time of his death.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 431) granting a pension to Emma S. Free, widow of Thomas D. Free, late major of the United States Army, respectfully report:

The report of the Committee on Pensions of the Senate sets forth fully the facts in this case as follows:

"Your committee, January 31, 1888, made the following report in this case: 'The claimant is the widow of Thomas D. Free, whose rank was first lieutenant, Eleventh Regiment Colored Infantry. During his life the Pension Office allowed him a pension at the rate of \$50 a month. After his death the widow was pensioned at the rate of \$17 a month and \$2 a month for each of her three children, commencing February 8, 1887. This bill is to pension her at the rate of \$50 a month. It is stated that this amount is needed for the comfortable support of herself and family. What she is now receiving is the rate fixed by law and paid to all widows of first lieutenants.'

"The committee is not aware of any reason for a liberal discrimination in this case, and believing that as a precedent it would stimulate appeals for legislation of this kind, the bill is reported adversely, with a recommendation that it be indefinitely postponed."

"On the 9th of February, however, the bill was reconsidered and recommitted by reason of further information received by the committee."

"Major Free enlisted as a private in the Tenth Iowa Infantry July 31, 1861, and by exceptional and meritorious conduct won his way successively to the rank of major, which rank he held at the time of his discharge, March 22, 1866."

"The soldier served as first lieutenant from April 30, 1863, to July 20, 1863, when he was appointed major. The disability for which he was pensioned was incurred, in the language of the Pension Office, 'about one month prior to his promotion to major, and while he was serving as first lieutenant and adjutant,' so that, although he afterward served three years as major, his widow is only entitled under the present law to \$17 a month, the pension allowed the widow of a first lieutenant."

"Major Free at the time of his death was drawing a pension of \$50 a month on the ground of softening of the brain and insanity, consequent upon disease of the nervous system induced by wounds received at Milliken's Bend while in the line of duty. This loss of his mind occasioned heavy expense to his family for medical attendance, etc., and he was much of the time confined in the Dakota Asylum for the Insane."

"The widow is left without means of support with a family of three children, one of which is in an imbecile and helpless condition, the hereditary effect of its father's insanity."

"The Commissioner of Pensions in his last report makes the recommendation that 'rank subsequently acquired bona fide should be considered by the Commissioner in determining the amount of pension to be allowed.'"

"Your committee, in consideration of the long and meritorious service of Major Free, who also was inspector-general of Mississippi, adjutant-general of the Vicksburg district, adjutant-general of Dakota, and who served in the Freedman's Bureau under General Howard, and in view of the terrible affliction that has been visited upon his child as a consequence of disabilities received in the service, and of the recommendation of the Commissioner of Pensions, recommends the passage of the bill as provided by its terms when originally introduced."

"Your committee are unable to reach the same conclusions as the Committee of Pensions of the Senate and recommends that the bill be amended by striking out the word 'fifty' and inserting the words 'twenty-five,' and as amended that it do pass."

The amendment of the committee was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MRS. HETTIE K. PAINTER.

The next pension business on the Private Calendar was the bill (S. 424) granting a pension to Mrs. Hettie K. Painter.

Mr. MORRILL. I move that the bill be laid aside to be reported back to the House with the recommendation that it be indefinitely postponed, as a similar bill has been already passed.

There was no objection, and it was ordered accordingly.

GEORGE PARK.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (S. 1299) granting a pension to George Park.

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 and limitations of the pension laws, the name of George Park, dependent father of William C. Park, Company H, Fifty-seventh Massachusetts Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1299) granting a pension to George Park, submit the following report:

The report of the Senate Committee on Pensions is adopted and the passage of the bill recommended.

SENATE REPORT.

The petitioner, George Park, alleges that his two sons, H. L. Park and William C. Park, both minors, enlisted in Company H, Fifty-seventh Massachusetts Volunteers. H. L. Park, the eldest, was killed in the battle of North Anna River, June 24, 1864, aged nineteen years. William C. Park was wounded in the battle of the Wilderness; returned to his regiment from hospital; was taken prisoner at the springing of the mine at Petersburg, and sent to the prison at Danville, N. C., where he died January 6, 1865, aged eighteen years.

The mother is drawing a pension on account of the death of the eldest son, and the petitioner is advised that he can not be allowed a pension under existing laws because the mother is receiving a pension on account of the death of one of their deceased sons.

Petitioner is seventy-three years old; is unable to support himself without outside help; is troubled with varicose veins in his limbs and rheumatism in his shoulder-joints. The Commissioner of Pensions writes to the chairman of this committee in regard to this case:

"The parents had two sons, who were killed or died in the service. Unless the parents are living apart or at variance, the father can not be pensioned under the laws as they now exist."

F. Wessen deposes, August 22, 1886, that William C. Park worked for him for the last two years previous to enlistment, and that deponent paid his wages to the petitioner, amounting to about \$40 a month.

October 13, 1866, said Wessen and one F. F. Hopkins made a joint affidavit: Wessen deposing that he employed William C. Park from July, 1860, to December, 1863, at which time he enlisted, and that he, Wessen, paid the father the son's wages, at the rate of \$25 to \$30 a month, the father being in delicate health and nearly dependent on the earnings of his son for the support of his family of wife and four children.

Hopkins deposes that he has known the father and family four years, and that the above statement is true in all respects.

Both deponents also state that the soldier left surviving one sister (Theresa), whose age on January 3, 1866, was five years.

This claim was rejected by the following indorsement:

"May 13, 1867. Rejected. The mother alive."

In view of all the facts in this case, your committee recommend the passage of the bill which is herewith submitted.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

VIRTUE SMITH.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (S. 1957) granting a pension to Virtue Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension law, the name of Virtue Smith, widow of David W. Smith, late a private in Company A, of the First Regiment of Minnesota Volunteers, and to pay her a pension from and after the passage of this act.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1957) granting a pension to Virtue Smith, submitted the following report:

The claimant is the widow of David M. Smith, late of Company A, First Regiment Minnesota Volunteers. She filed an application for pension in 1880, which was rejected "on the ground that the soldier's death from disease of lungs was not a result of the alleged wound or of the service."

The soldier was pensioned in 1867 at \$6 per month, for gunshot wound of right elbow-joint; increased from November 9, 1872, to \$8; increased from August 4, 1875, to \$10 per month; gunshot wound of right elbow, right thigh, and nervous debility, and prostration resulting from wounds.

His wounds were received in service in Minnesota, and he suffered greatly in consequence of a nervous shock, not only from his wounds, but from lying thirty-six hours in the grass under the fire of the Indians.

Mrs. Dr. Edson, a respectable physician of Washington, D. C., testifies to her acquaintance with him for many years prior to his death. His food did not assimilate, and he wasted away. There were several medical examinations, and the reports all refer to his nervousness, suffering, and physical depreciation in consequence of his wounds. There was a special examination had, at which Dr. St. Clair testifies that he died of softening of the brain, which was a result of his prostration and suffering, and there is a large amount of testimony corroborating this conclusion.

The conclusion of the special examiner is that the soldier was not suffering from phthisis pulmonalis, but that the death cause was white atrophic softening or degeneration of the brain, due primarily to defective innervation, as a result of the anchylosis of the elbow, and secondly to age and mental avocations of the soldier.

The report of the health department of Washington, where he died, is: "Cause of death, wounds in Army."

Dr. Reyburn says he died of consumption, and this is the basis of the Pension Office rejection.

The committee is at a loss to see how any one, reading a history of his case, could come to any other conclusion than that he died in consequence of his wounds, after years of suffering.

The bill is reported favorably, 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.

JOHN LINSLEY.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (S. 2332) granting a pension to John Linsley.

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 and limitations of the pension laws, the name of John Linsley, father of Robert Harrell, alias Harrid, deceased, late a private in Company E, Eighty-first Regiment of United States Colored Troops.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2332) granting a pension to John Linsley, submit the following report:

The claimant is the father of Robert Harrell, late a private in Company C, Eighty-first Regiment United States Colored Troops, who died in service of diarrhea December 4, 1864. The father is nearly eighty years of age, almost blind, and utterly destitute. The Pension Office rejected the claim on the ground that it was not shown that the claimant was dependent on the soldier at the time of death. He is now dependent. It might be further stated that claimant gave three sons to the Union Army.

Your committee recommend the passage of the bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES H. ORDWAY.

The next pension business on the Private Calendar (the consideration of which was asked by Mr. GALLINGER) was the bill (H. R. 8762) granting an increase of pension to Charles H. Ordway.

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 increase the pension of Charles H. Ordway, late a private in Company H, Seventh New Hampshire Volunteers, from \$35 to \$50 per month, from and after the passage of this act.

The report of the committee (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8762) granting an increase of pension to Charles H. Ordway, having considered the same, report as follows:

Charles H. Ordway was a private in Company H, Seventh New Hampshire Volunteers, and was wounded at the charge on Fort Wagner, Charleston Har-

bor, July 18, 1863, receiving a flesh wound from a shell, and also by being struck by a ball which entered the chest and lodged in the right lung, where it still remains. That lung is but little used, and the right arm is partially paralyzed, the wound remaining open.

Soldier was pensioned at \$24 per month, which rate was increased by special act in 1882 to \$36 per month. To give a clear idea of the present condition of claimant the following affidavits from two distinguished surgeons are given:

"239 BOYLSTON STREET, BOSTON, MASS., March 15, 1888.

"I attended Charles H. Ordway in the Boston City Hospital in October, 1887, for two weeks and four days. I operated on him for necrosis of a rib and removed a sequestrum from the pleural cavity. A sinus of 6 or 8 inches in length extended up into the lung; air and pus came from it. I was obliged to resect a sound rib to reach and remove the sequestrum. He had exhibited great endurance to have lived through this condition for twenty years.

"Now he has a slight necrosis of the edge of the excised rib; much pus still flows from the sinus. He holds up well, but the prognosis for complete recovery is long and indefinite.

"DAVID W. CHEEVER, M. D.

"COMMONWEALTH OF MASSACHUSETTS,

"Suffolk County, ss:

"BOSTON, March 16, 1888.

"Then personally appeared the within-named David W. Cheever and made oath that the foregoing statement by him subscribed was true.

"Before me,

"[SEAL.]

GEORGE A. SAWYER,

"Notary Public."

I, Granville P. Conn, of Concord, in the county of Merrimack and State of New Hampshire, on oath depose and say: That I am a physician and surgeon, and have been in the active practice of the same in the city of Concord aforesaid since 1863; that I have known Charles H. Ordway, of this city, for more than fifteen years; that said Ordway has been under my care and supervision from time to time during this period; that said Ordway was wounded in the right side during his service in the United States Army, and now carries a ball in that side; that said ball when it entered the side struck the edge of a rib, which became diseased, causing an open sore more than ten years since; that the abscess did not heal by reason of the diseased bone; that last October (1887), by my advice, said Ordway entered the City Hospital in Boston, Mass., and endured a severe and dangerous operation in having a portion of the diseased rib removed; that since his discharge from said hospital he has again come under my care; that the wound is still open, and, in my opinion, it will remain in substantially the same condition so long as he may live; that at present it discharges full 3 ounces of pus per diem; that the cavity is so situated that considerable portion of this pus must be removed by a tube and pump by his wife or some other attendant, and that he has and will require this aid and assistance from some one, not only to dress the wound, but also in many other ways in order to render him comfortable.

"I further depose and say that I have no interest whatever in said Ordway's claim for an increase of pension.

"GRANVILLE P. CONN, M. D."

"CONCORD, N. H."

"MERRIMACK, ss:

"Personally appeared before me, register of probate court, the same being a court of record within and for said county, Granville P. Conn, and subscribed and made oath that the foregoing affidavit by him so subscribed is true according to his best knowledge and belief, and I further certify that the said Granville P. Conn is a practicing physician in good professional standing, and that said affidavit is in his hand writing, and that I have no interest, direct or indirect, in the prosecution of said claim.

"Witness my hand and seal of said court this 19th day of March, A. D. 1888.

"[SEAL.]

JOHN P. NUTTER,

"Register of Probate Court for Merrimack County, N. H."

The Pension Office is unable to give relief in this case, as soldier does not require the constant attention of another person, which would entitle him to \$50 per month, but he does require attention a portion of the time, for which no provision is made in the general laws. Besides this he is a great sufferer, with a painful disability, incurable in its nature, and which makes life a constant burden.

Your committee recommend that the bill be amended by striking out the word "fifty" in the sixth line and substituting therefor the words "forty-five," and that as amended the bill do pass.

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.

ORDER OF BUSINESS.

Mr. MORRILL. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having taken the chair, Mr. DOCKERY reported that the Committee of the Whole House having had under consideration the Private Calendar under the special order, had directed him to report sundry bills with various recommendations.

BILLS PASSED.

The bill (H. R. 8762) granting an increase of pension to Charles H. Ordway, reported from the Committee of the Whole with an amendment, was considered, the amendment adopted, and the bill as amended ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Senate bills of the following titles, reported from the Committee of the Whole without amendments, were severally considered, ordered to a third reading; and being read the third time, were passed; namely:

A bill (S. 1146) granting a pension to L. J. McGoffin;

A bill (S. 1037) granting a pension to the infant children of Michael A. Moran;

A bill (S. 2167) granting a pension to Mary E. Woodward;

A bill (S. 1299) granting a pension to George Park;

A bill (S. 1957) granting a pension to Virtue Smith; and

A bill (S. 2332) granting a pension to John Linsley.

The bill (S. 431) granting a pension to Emma S. Free, widow of Thomas S. Free, late major of the United States Army, reported from the Committee of the Whole with an amendment, was considered, the amendment adopted, and the bill as amended read the third time, and passed.

The bill (S. 2157) granting an increase of pension to Theodore F. Casamer, reported from the Committee of the Whole with the recommendation that it be recommitted to the Committee on Invalid Pensions, was considered and the recommendation of the committee concurred in.

The recommendation of the Committee of the Whole that the bill (S. 434) granting a pension to Mrs. Hettie K. Painter be indefinitely postponed was agreed to.

Mr. CHIPMAN moved to reconsider the several votes taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. GALLINGER. I demand the regular order.

The SPEAKER *pro tempore*. The regular order is a motion to go into Committee of the Whole, or else a motion to adjourn.

Mr. GALLINGER. I wish to make a brief statement before withdrawing the demand for the regular order.

I am, as gentlemen know, a member of the Committee on Invalid Pensions, and have not asked for recognition during these sessions, while a great many gentlemen whose bills I have reported have been recognized to get them considered.

The next bill on the Calendar is in behalf of a woman who is eighty-four years of age, and in extreme destitution, and I hope the House will allow me to call it up to be considered.

The SPEAKER *pro tempore*. The Chair has recognized the gentleman from Connecticut [Mr. RUSSELL], but will endeavor to recognize the gentleman during the course of the evening.

Mr. GALLINGER. I withdraw the demand for the regular order.

GRISWOLD ROGERS.

Mr. RUSSELL, of Connecticut. I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill (H. R. 8984) granting a pension to Griswold Rogers, and put it upon its passage.

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 limitations and restrictions of the pension laws, the name of Griswold Rogers, late a private in Fourth Company, Third Regiment Connecticut Militia, in the war of 1812.

Mr. RUSSELL, of Connecticut. I ask unanimous consent now to make a brief statement embodying the substance of the report in order to save the time of the House, and let the report be printed in the RECORD.

This claimant is ninety-two years of age, and served in the war of 1812. The records of the War Department do not show service of sufficient length of time to entitle him to secure his pension under the general law; but there are affidavits of those who served with him in his company and in engagements to show that he did serve the length of time required. The trouble is that there is some defect in the records.

Mr. WASHINGTON. How long did he serve?

Mr. RUSSELL, of Connecticut. He served seventeen days, and the law required only fourteen days' service.

Mr. DOCKERY. He can not live long to enjoy it, and I hope it will be granted.

Mr. RUSSELL, of Connecticut. He is now supported by charity.

The report (by Mr. BLISS), which was ordered to be printed, is as follows:

The records of the Departments show that the claimant served in Capt. J. Manwaring's Company, Connecticut Militia, war of 1812, and was paid by the United States Government for a period of eleven days, from August 15 to 25, 1814. He was granted a bounty-land warrant for 100 acres of land by the Pension Bureau, because of his military service. In addition to the above service he claims to have been in an engagement with the British at Rope Ferry Bridge, near New London, Conn., and to have assisted in the repulse of the enemy when an attempt was made to burn the shipping at Essex.

The Third Auditor, United States Treasury Department, reports that there is no record on file of either of these engagements, but an examination of the files of newspapers of that time shows that the engagements took place as alleged, and a full account of the repulse at Essex is given on pages 534 and 535 of Connecticut Historical Collections, by John Warner Barber (1836).

The fact that the claimant participated in the battle of Rope Ferry Bridge is testified to by Anson Smith, of Circleville, Ohio, who was present and took part in the engagement as a volunteer; he states that the claimant served with the members of Captain Manwaring's Company at the time.

The claimant is now ninety-two years of age, and is in need of assistance. He is represented to your committee as a man of credibility and truth, and in every way worthy of the assistance of the Government.

Your committee are of the opinion that the bill should pass, and return it to the House with such recommendation.

There being no objection, the bill was considered and ordered to be engrossed for a third reading; and being engrossed, it was read the third time, and passed.

Mr. RUSSELL, of Connecticut, 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.

ROBERT McCLEAN.

Mr. GLASS. I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill (H. R. 1069) granting a pension to Robert McClean, and put it upon its passage.

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 and limitations of the pension laws, the name of Robert McClean, late a private in Company F, Second Illinois Cavalry Regiment.

Mr. DOCKERY. I ask unanimous consent that the reading of the report may be dispensed with, and that it be printed in the RECORD.

There was no objection.

The report (by Mr. HUNTER) is as follows:

Robert McClean was enrolled July 30, 1861, in Company F, Second Regiment Illinois Cavalry Volunteers, and honorably discharged June 22, 1865.

On April 23, 1879, he filed application for pension, alleging that he contracted bronchitis at La Grange, Tenn., November 30, 1862, and was sent to College Hospital, La Grange, Tenn., where he remained under treatment of Dr. McNeal, surgeon in charge, until June 25, 1863; also was in general hospital, Vicksburg, Miss., June 1, 1865, until discharge. The claim was rejected by the Pension Department on the ground of inability of claimant to furnish medical evidence showing treatment therefor in service or soon after discharge, and for the further reason that the lay testimony as to origin is unsatisfactory. The medical records are very imperfect and many of them are not on file. However, they show that he was in general hospital, Memphis, Tenn., January 19, 1863, and at La Grange, Tenn., December 2, 1862, to June 30, 1863, and at Vicksburg, Miss., June 11, 1865, and was discharged from service June 23, 1865.

There is abundance of evidence to show that the soldier was sound at the time he enlisted, and that he was sick a considerable of the time during his term of service; that he was in bad health at the date of his discharge, and that he has been troubled with bronchitis and general debility almost continuously ever since. Jones Green testifies that he was in hospital with soldier at Vicksburg; that he had very bad health, constantly coughing as though his lungs were badly affected. The doctor called his malady bronchitis.

While the medical evidence as to the disease having been incurred as stated is quite meager, yet the committee believe that there is sufficient evidence to justify a favorable report, and we therefore recommend the passage of the bill.

There being no objection, the bill was considered, ordered to be engrossed for a third reading; and being engrossed, was read the third time, and passed.

Mr. GLASS 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.

MRS. ANNA BUTTERFIELD.

Mr. GALLINGER. I ask for the present consideration of the bill (H. R. 8761) granting a pension to Mrs. Anna Butterfield.

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 and limitations of the pension laws, the name of Mrs. Anna Butterfield, dependent mother of James A. B. Butterfield, late a lieutenant in the Second Illinois Cavalry.

The Committee on Invalid Pensions recommended the following amendment:

In line 7 strike out "lieutenant" and insert "sergeant."

Mr. GALLINGER. I have myself considered this case, and the entire committee have acted upon it. It is the case of a dependent mother, and I think there can be no objection to it.

Mr. WASHINGTON. I ask for the reading of the report.

The report (by Mr. GALLINGER) was read in part.

Mr. WASHINGTON. I withdraw the request for the reading of the report in full.

The report in full is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8761) granting a pension to Mrs. Anna Butterfield, have had the same under consideration, and beg leave to submit the following report:

The beneficiary named in the bill is the mother of James A. B. Butterfield, who enlisted August 8, 1861, in Company A, Second Regiment Illinois Cavalry, and was discharged August 13, 1864. He remained in Louisiana, as the mother is advised, in the service of the Government, until April, 1865, when he took passage on the steamer Sultana, and with about 1,700 other sick and discharged soldiers he lost his life in the explosion of said steamer near Memphis, Tenn., April 27, 1865, while under charter by the Government.

In 1870 or 1871 she placed in the hands of Hon. James G. Blaine, letters and other papers from the soldier showing her dependence upon him, to be used as evidence in a bill he introduced in the House for her relief. Unfortunately these papers were lost or misplaced, and although Mr. Blaine and others have made search for the same, they have not been found. She is thus deprived of the proof usually required by Congress in the consideration of private bills, but the existence as well as their loss is shown by letters of Mr. Blaine and others.

The mother, while a widow, raised and educated the soldier out of her small earnings as a mill operative, having no other income from any property or otherwise. He contributed to her support while in the Army, and until his untimely death. She is now eighty-eight years of age, unable to support herself by labor, and is compelled to subsist on \$1.25 a week, her only income from a small amount on deposit, which she laid up from her hard labor in her younger days, and which is rapidly growing less year by year.

Your committee are of opinion that the long services of the son, and her extreme old age, coupled with poverty, entitle her to favorable consideration at the hands of Congress, and therefore unhesitatingly report favorably on the accompanying bill, and ask that it do pass, amended, however, by striking out the word "lieutenant" in line 7 and inserting therein instead the word "sergeant."

The amendment was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GALLINGER 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.

MRS. JUDITH DEIG.

Mr. CARUTH. I ask unanimous consent to consider at this time the bill (H. R. 9364) granting a pension to Mrs. Judith Deig. 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 the name of Mrs. Judith Deig on the pension-roll, subject to the provisions and limitations of the pension laws.

The Clerk commenced to read the report (by Mr. HUNTER).

Mr. NELSON (interrupting the reading). I wish to ask whether that report is courteous to the Commissioner of Pensions?

Mr. CARUTH. It is.

Mr. WASHINGTON. Let us hear it read.

Mr. NELSON. I think there is no necessity for that. I do not want to punish the soldier in this case in order to punish the gentleman from Kentucky.

Mr. LEHLBACH. I ask unanimous consent to dispense with the further reading of the report.

There was no objection.

The report in full is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9314) granting a pension to Judith Deig, submitted the following report:

Andrew Deig was a resident of the town of Lebanon, Ky., and joined the home-guard company of Lebanon. The rebel general John H. Morgan having invaded Kentucky, and threatening Lebanon, the company of which Deig was a member was called into action, and while fighting the battles of his country, although not regularly mustered into the service, the said Deig was, on the 12th day of July, A. D. 1862, wounded by a gunshot, and from this wound he next day died.

The widow, Mrs. Judith Deig, applied for a pension, but her claim was rejected on the ground that, while her husband was killed fighting the battles of his country, he had never been mustered into the Army, consequently there was no law under which the claim could be allowed. Congress has been in the habit of providing for such cases by special acts.

This is a meritorious case. The widow is poor and needy, and your committee report the bill favorably and recommend its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CARUTH 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.

The SPEAKER *pro tempore*. The hour of 10.30 p. m. having arrived, it is the duty of the Chair to declare the House adjourned until 11 o'clock to-morrow.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ABBOTT: A bill (H. R. 10283) for the relief of J. Q. St. Clair—to the Committee on War Claims.

By Mr. BELDEN: A bill (H. R. 10284) for the relief of Mary A. Kelley—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 10285) granting a pension to Rebecca Stone—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10286) for the relief of Richard Guilford—to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 10287) granting a pension to Sylvia C. Dunham—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 10288) to remove charge of desertion against Rufus M. Kinser—to the Committee on Military Affairs.

Also, a bill (H. R. 10289) granting a pension to Miss Emily Romine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10290) directing the Secretary of War to correct his records in the case of Lieut. Joseph T. W. Barnitt—to the Committee on Military Affairs.

By Mr. HUNTER: A bill (H. R. 10291) granting a pension to Jane Jackson—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 10292) for the relief of John N. Hays—to the Committee on War Claims.

Also, a bill (H. R. 10293) for the relief of Standwix H. Mayfield—to the Committee on War Claims.

Also, a bill (H. R. 10294) for the relief of Andrew Deans—to the Committee on War Claims.

By Mr. HUNTER: A bill (H. R. 10295) granting a pension to George W. Prickett—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 10296) for the relief of S. S. Stearns—to the Committee on War Claims.

By Mr. ROBERTSON: A bill (H. R. 10297) for the relief of William B. Smith—to the Committee on War Claims.

By Mr. PERKINS: A bill (H. R. 10298) granting a pension to James Radley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10299) granting an increase of pension to Michael Shirkey—to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 10300) for the relief of Simon T. Irvin—to the Committee on War Claims.

By Mr. J. D. TAYLOR: A bill (H. R. 10301) for the relief of Emily Cross—to the Committee on Invalid Pensions.

By Mr. E. J. TURNER: A bill (H. R. 10302) granting a pension to Lucy A. Nicholson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. BURNETT: Petition of the Clinton Turnverein, relative to foreign immigration—to the Committee on Commerce.

By Mr. CLARDY: Resolutions of the Missouri State Medical Association, asking for Federal control of the quarantine stations—to the Committee on Commerce.

Also, protest of the Merchants' Exchange of St. Louis, Mo., against House bill 4923, to create a national bureau of harbors and waterways—to the Committee on Rivers and Harbors.

By Mr. CLEMENTS: Petition of heirs of Fielding Kay, of Gordon County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, papers relating to House bill 9817, granting a pension to William H. Reynolds—to the Committee on Invalid Pensions.

By Mr. CRAIN: Petition of M. J. Mulcahy and 69 others, citizens of Galveston, Tex., for the investigation of certain charges against officials of the United States district court for the eastern district of Texas, etc.—to the Committee on the Judiciary.

Also, letter from M. J. Mulcahy, of Galveston, Tex., relative to the alleged murder of John F. Graham by W. R. McCullough on the high seas—to the Committee on the Judiciary.

By Mr. A. C. DAVIDSON: Papers in the claims of William A. Kelley, of Robert Milling, of George M. Campbell, of Moody H. May, of John M. Leech, of Joseph H. Peples, of Joseph Blake, of John M. Hays, of S. H. Mayfield, of Andrew Deans, and of Philip S. Fulford, of Alabama—to the Committee on War Claims.

By Mr. J. S. HENDERSON: Petition of J. R. Cline and others, citizens of Catawba County, North Carolina, for the passage of a bill to eradicate pleuro-pneumonia—to the Committee on Agriculture.

By Mr. HOOKER: Petition of Mattie S. Whitney, administratrix, for payment of war claim—to the Committee on War Claims.

By Mr. LEE (by request): Petitions of Charles O. Embrey, for estate of Tabitha A. Waugh, and of W. A. Bickers and John Bickers, administrators of James Bickers, of Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition for the relief of Arthur Gunnell—to the Committee on War Claims.

Also, petition in favor of House bill 8381—to the Committee on Military Affairs.

By Mr. LONG: Petition of Charles E. French, of Boston, Mass., concerning the public debt—to the Committee on Ways and Means.

By Mr. PEEL: Petition of Samuel Foster, of Rogers, Ark., for a pension—to the Committee on Invalid Pensions.

Also, petition of L. C. Moss, of Newton County, and of Mary A. Wisenor, of Washington County, Ark., for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PHELAN: Petition of John Warren, administrator of James Pankey, of Hardeman County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RANDALL: Petition of W. T. Beard and others, for the passage of the Chace copyright bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of W. S. Armitage, of Verona; of Mrs. A. E. Baron, and of the representatives of M. Coyle, of Croghan; of M. S. Wood, of Clinton; of A. Bickford, and of M. Tipple, of Camden; of W. H. Nelson, and of O. S. Kenyon, of Taberg; of G. Weldon, of Prospect; of representatives of S. R. Howe, of Oriskany Falls; of J. H. Wilcox, of Port Leyden; and of Fred. J. Glendale, and of F. J. Crandall, of Glendale, N. Y., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. W. L. WILSON: Paper in the claim of H. C. Worthington—to the Committee on Military Affairs.

The following petition in favor of House bill 9716, for the better protection of free labor from convict labor, was received and referred to the Committee on Labor:

By Mr. RYAN: Of Knights of Labor of Kansas.

The following petitions for the repeal or modification of the internal-revenue tax of \$25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. JACKSON: Of druggists and physicians of Rochester, Pa.

By Mr. TOOLE: Of sundry citizens of Montana.

The following petition for the more effectual protection of agriculture, by the means of certain import duties, was received and referred to the Committee on Ways and Means:

By Mr. YARDLEY: Of farmers of Montgomery County, Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were

in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. CONGER: Of L. Gill and 45 others, members of R. L. Clingan Post, No. 203, Grand Army of the Republic, of Minburn, Iowa.

By Mr. PEEL: Of citizens of Newton County, Arkansas.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were referred to the Committee on Education:

By Mr. HALL: Of 180 citizens of Mercer and Crawford Counties, Pennsylvania.

By Mr. STEPHENSON: Of 27 citizens of Price County, Wisconsin.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ROBERTSON: Of J. M. Odom and other citizens of Louisiana.

HOUSE OF REPRESENTATIVES.

SATURDAY, June 2, 1888.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

CENSUS COMMITTEE.

The SPEAKER appointed Mr. WASHINGTON on the Select Committee on the Eleventh Census to fill existing vacancy.

FURNITURE OF PUBLIC BUILDINGS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury in relation to the unexpended balance of appropriation for furniture and repairs of furniture in public buildings for 1888, and transmitting an estimate from the Supervising Architect of appropriation to be immediately available therefor; which was referred to the Committee on Appropriations, and ordered to be printed.

CREE INDIANS, MONTANA.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with inclosures, a letter from the Commissioner of Indian Affairs recommending legislation for the relief of the Cree Indians, Montana Territory; which was referred to the Committee on Indian Affairs, and ordered to be printed.

AGRICULTURAL STATIONS.

The SPEAKER also laid before the House the bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the act supplementary thereto," with amendments by the Senate.

Mr. BLOUNT. I ask the attention of the chairman of the Committee on Agriculture [Mr. HATCH]. The amendments which have been made to this bill by the Senate are merely verbal. The Senate requests a committee of conference. I think the gentleman from Missouri, the chairman of the Committee on Agriculture, will verify what I have said; and, if so, I ask that the amendments be concurred in.

Mr. HATCH. This bill is simply to correct an error or an omission in the original act in relation to the acceptance of the act known as the experimental-station act on the part of certain States whose Legislatures have been in session since the passage of the act. The original act allowed, under certain circumstances, the acceptance to be made by the governors of the State. Georgia and perhaps one or two States have had adjourned sessions of their Legislatures, and there has been some trouble about the construction of the act. This is simply to correct that; and the amendments placed upon the bill by the Senate, as the gentleman from Georgia has stated, are simply amendments. I hope the House will concur in the Senate amendments.

Mr. BLOUNT. I move concurrence.

The SPEAKER. The gentleman from Georgia asks unanimous consent to concur in the amendments of the Senate. Is the reading of the amendments requested?

The reading of the amendments was not requested; and the question being put, they were concurred in.

Mr. BLOUNT moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS THE TENNESSEE NEAR CHATTANOOGA.

The SPEAKER also laid before the House the bill (H. R. 7564) to authorize the construction of a bridge across the Tennessee River at or near Chattanooga, Tenn., with amendments of the Senate thereto.

Mr. CRISP. I ask unanimous consent that the amendments of the Senate be concurred in. The bill contains all the usual provisions of a bridge bill.

The SPEAKER. Is the reading of the amendments demanded?

Mr. BURROWS. How do the amendments affect the bill?

Mr. CRISP. There is no material change. The amendments are not long, and if the gentleman desires they can easily be read.

Mr. BURROWS. I do not care to detain the House.

The Senate amendments were concurred in.

Mr. CRISP 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.

BRIDGE ACROSS THE TENNESSEE NEAR GUNTERSVILLE, ALA.

The SPEAKER also laid before the House the bill (H. R. 8623) authorizing the construction of a bridge over the Tennessee River at or near Guntersville, Ala., and for other purposes.

Mr. CRISP. I ask unanimous consent that the amendments of the Senate be concurred in.

Mr. FORNEY. Mr. Speaker, one end of that bridge will be in my district. I have examined the bill and it is all right.

The SPEAKER. Is there objection to the request of the gentleman from Georgia that the amendments of the Senate be concurred in?

Mr. BURROWS. What bill is that?

The SPEAKER. It is a bridge bill.

Mr. BURROWS. The same one that was up a few minutes ago?

The SPEAKER. Another one.

There being no objection, the amendments of the Senate were concurred in.

Mr. CRISP moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS STATEN ISLAND SOUND.

The SPEAKER also laid before the House the bill (H. R. 5929) to extend the time of the completion of a bridge across Staten Island Sound.

Mr. CRISP. I ask that the amendment of the Senate to that bill be read, and I ask unanimous consent that it be concurred in.

The Clerk read as follows:

Page 1, line —, after "eighty-six," insert "but this act shall have no other effect whatever than to operate as if the time herein mentioned had been embraced in the said act."

The amendment was concurred in.

Mr. CRISP moved to reconsider the vote by which the Senate amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read twice, and referred as indicated:

The bill (S. 287) to quiet the titles of settlers on the Des Moines River lands in the State of Iowa, and for other purposes—to the Committee on the Public Lands.

The bill (S. 2986) to incorporate the American Historical Association—to the Committee on the Library.

Joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast—to the Committee on Naval Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWDEN, for three days, commencing on Monday next, on account of important business.

To Mr. O'NEAL, of Indiana, for three weeks, on account of important business.

To Mr. SCULL, for five days, from June 4, on account of important business.

To Mr. GLASS, for two weeks, on account of business.

To Mr. MCCLAMMY, indefinitely, on account of sickness in his family.

LEAVE TO PRINT.

Mr. GALLINGER, by unanimous consent, obtained leave to extend his remarks of yesterday in the RECORD.

WITHDRAWAL OF PAPERS.

Mr. WADE, by unanimous consent, obtained leave to withdraw the evidence filed by E. R. Shipley, late postmaster in Springfield, Mo., in his claim for relief under special bill in the Forty-ninth Congress.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 615) for the relief of James B. Mitchell; and

A bill (H. R. 4735) for the relief of Douglas Chapman.

PUBLIC BUILDING AT JACKSON, MICH.

Mr. O'DONNELL. I ask unanimous consent to take from the files of the House for present consideration the bill (H. R. 8592) for the erection of a public building at Jackson, Mich.

Mr. HATCH. I must call for the regular order. I have had a few minutes yielded to me for the purpose of calling up the agricultural appropriation bill.