
APPENDIX.

APPENDIX

TO THE

CONGRESSIONAL RECORD.

Change of Commencement of Presidential and Congressional Terms of Office.

REMARKS
OF
HON. ALLEN R. BUSHNELL,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, January 10, 1893.

The House having under consideration the joint resolution (H. Res. 98) proposing amendments to the Constitution substituting the 31st day of December for the 4th day of March as the commencement and termination of the official terms of members of the House of Representatives and of United States Senators, and providing that Congress shall hold its annual meeting on the second Monday in January, and substituting the 30th of April for the 4th of March as the date for the commencement and limitation of the terms of the President and Vice-President—

Mr. BUSHNELL said:

Mr. SPEAKER: I entirely agree with the gentleman from New Jersey [Mr. ENGLISH] that our Government is not sufficiently responsive to the will of the people, and that no Congress of the United States that has been discredited by a vote of the people by the election of a new Congress with a majority in opposition to the majority in an existing Congress, ever ought to sit again to legislate for this country.

The chief object, the great purpose of the resolution reported by the committee, and which I favor, is to make the Government of this great republic more directly responsible, and more quickly responsive to the will of the people. It is now less so than are some constitutional monarchies; less so than most if not all of the present constitutional monarchies.

We saw here in this republic two years ago last fall, a two-thirds majority elected by the people to this House, in condemnation of the onerous taxing measures and policy theretofore for many years pursued by this Government. That Congress then elected is now sitting here in its second and last term. It has not yet been possible for us to effect the enactment of one single law touching that policy of this Government upon which the people of this country passed their sentence of disapproval two years ago.

Again this last fall we saw another House of Representatives and a President of the United States, elected by overwhelming majorities upon that same issue. Again the people spoke most emphatically in favor of the reduction of our high protective tariff taxation. And we are yet powerless to enact any law that will in the least relax the highest protective feature of our tariff laws.

In this respect, Mr. Speaker, our Government is less responsive to the will of the people than is that perhaps of any constitutional monarchy on the face of the earth. The Government of Great Britain is much more responsive to the will of the people than is ours. It is equally true of Germany and of Italy, and perhaps of every one of the constitutional monarchies of the civilized world.

In Great Britain how is it? A change in the majority in the House of Commons elected by the people brings about immediately the change in favor of which the people have spoken, in reference to any governmental policy. When the House of Commons, which is analogous to our House of Representatives, has a majority against the ministry, there is but one of two things

to do. In that government the Queen is a mere figurehead, and is not the real ruler. The prime minister is responsible for and represents the policy of the Government.

When there is a majority in the House of Commons against the ministry, there is but one of two things to do. Either that ministry must at once resign and the Queen call upon the leader of the opposition to form a new ministry, or else the Queen must prorogue Parliament and send it down to the people to have a new House of Commons elected. And if in the new House of Commons then elected, there shall still be a majority opposed to the ministry, that ministry must resign.

We have seen that done there during the past year when the people of Great Britain elected a House of Commons in opposition to the then existing ministry, and Mr. Gladstone was called to form the present ministry, against the real wishes of the Queen. When she inquired of her prime minister, Lord Salisbury, whether she might not in some way avoid calling Gladstone to form a new ministry, she was answered that she might do so by one resort only; and that was to abdicate the throne; but if she was not ready to abdicate, she must name William E. Gladstone to succeed him, and to form a new ministry to administer the Government of that Empire in accordance with the wishes of the House of Commons elected by the people. So she named William E. Gladstone, now prime minister of Great Britain.

Such delays as we have had in this country as to the yielding of the Government to the will of the people expressed two years ago, and again this last fall, would create a revolution in Great Britain. And yet here in this great Republic of America, we have the spectacle of a free people, a people supposed to be governing themselves, voting by overwhelming majorities for two years in favor of a change of a far-reaching and burdensome taxation policy of this Government, utterly fruitless of relief.

And if it shall happen that the next Senate of these United States shall still have in it a Republican majority, it may be two years longer, and more, before the expressed will of the people can enforce response to their demanded change in the policy of this Government.

I say, Mr. Speaker, that it is time, in my judgment, that the people of this great Republic were trusted with power to as great an extent as are the people of the most conservative constitutional monarchies of the civilized world to-day.

Why, Mr. Speaker, the Constitution was framed as an experiment. It was framed by those who did not have full confidence in the ability of the people to govern themselves. They entered upon the experiment with fears and misgivings, and they sought to throw about the exercise of unlimited power in the people, safeguards against impulsive and too sudden changes of governmental policy.

Mr. CRAIN. Will the gentleman yield to me?

Mr. BUSHNELL. Certainly.

Mr. CRAIN. Right in the line of the gentleman's argument I want to suggest—and it is a partial response to the suggestion of the gentleman from New Jersey [Mr. ENGLISH]—that the framers of the Constitution provided, in their wisdom, the language which the gentleman from New York [Mr. COCKRAN] has stated, that amendments might be offered by Congress or by the States in convention.

Mr. BUSHNELL. Thank you. That is true. They knew that they were entering upon an experiment, and by the provisions of the Constitution itself provided for the amendment of that instrument.

They did not believe that they were framing and adopting a perfect Constitution; a supreme national compact that would ex-

actly meet and provide for all the exigencies of the future, that could possibly arise. But it was the best they could agree upon; and they provided in that instrument itself that it might be amended as we propose here to amend it. That is by a resolution originating in Congress and adopted by a two-thirds vote, and ratified by the Legislatures of three-fourths of the several States, or by amendment coming up from the Legislatures of the several States. They knew that it was imperfect, and thus they sought to provide for the doing of just what we ought now to do in this future.

You can not make laws, constitutional or otherwise, that will anticipate every possible exigency that may arise in the future. We must trust largely to the good common sense, the judgment, wisdom and patriotism of those who will come after us. No government can be wisely enough planned to make its vicious administration, good government.

The gentleman from New York [Mr. COCKRAN], tells us that we need exactly the provisions of our present Constitution in reference to the Congress that shall count the electoral vote for President, a Congress that has been in existence for some two years, that shall determine who has been elected, and settle the Presidential succession. He refers to the Tilden-Hayes electoral commission. Does he think the Congress which contrived that commission, recommended itself as a feature in our system of electoral counting that ought to be perpetuated? Remove those proceedings a few years further away from the horrors of our four years of civil war, and who believes they could be repeated without precipitating a conflict of arms?

The gentleman from Texas [Mr. CRAIN], very clearly and appropriately pointed out that the amendment here proposed provides that there shall be a Congress in session at the expiration of the proposed Presidential term of office; a Congress that shall assemble on the second Monday of January of each year, and which shall continue in session four months instead of three as now in this short session. That Congress duly organized, determining for itself the election and qualification of its members, elected by the people that elected the President to be installed, it seems to me will be fully as apt to determine upon the regularity of the election of the President in accordance with the expressed will of the people, as a Congress that has been in existence for two years and has been, perhaps, discredited by an overwhelming majority vote of the people; having a majority membership of a party in power seeking to retain that power, and favoring perhaps some public policy which the people have just seen fit to demand shall be changed.

Mr. Speaker, I submit to the candid judgment of this House that if we are to trust the people with government, if we are to rely upon the correctness of the very foundation principle upon which our Government rests, that the people are capable of governing themselves, the Congress elected by the people of this country, by a majority of the people, organized according to the constitutional methods, the qualification and election of members of that Congress determined by the constitutional methods, I submit that that Congress is as well qualified and better entitled, to pass upon any questions arising as to the regularity of the election of the President, than the preceding Congress, which has perhaps just been condemned by a two-thirds vote of the people. It seems to me that that is the only objection which has been suggested here which is worthy of consideration. All the other objections suggested have been simply questions of mere conservative sentiment or of how to do it; whether the one method or the other method is best to accomplish the purposes which it is conceded should be accomplished.

At the last session of this Congress, when this House had under consideration a resolution reported by this committee, for an amendment of the Constitution providing for the election of United States Senators by a direct vote of the people, I had the honor to submit some remarks that are appropriate here, and I beg leave to refer the House to the remarks I then submitted.

Some of the framers of our Constitution sought to guard against what they thought might prove too great power in the hands of the people. They were afraid of trusting them too far. The Republic was an experiment. There was some leaning towards monarchism. They provided safeguards against what they feared might be the impulsive, inconsiderate, and unreasonable demands of the uneducated masses of the people, and sought to prevent too sudden changes of policy in the administration of the Government.

They fixed the Presidential term at four years and provided for the election of the President, not directly by a vote of the people, but by an electoral college. They fixed the Senatorial term at six years, and required Senators to be elected, not by a direct vote of the people, but by the State Legislatures. They made the term of Representatives in Congress two years; and a little later it was provided that this House of Congress, which stands nearest to the people and is the most responsive to their

will, should not meet and begin to have a voice in the making of our laws, or as to any matter of public policy, for more than a year after their election; and when met they are powerless to change any law, or enact a new one, without the consent of the Senate and President.

For a hundred years this distrust of the people, as embodied in our national Constitution, has stood congealed, fixed, and immovable. The cause of free government in the several States has steadily advanced, until now in the best governed among them, the will of the intelligent masses of the people is truly sovereign.

The idea that all governments derive "their just powers from the consent of the governed;" that the will of the people shall rule, upon which the fathers of the Republic, cautiously and fearfully, founded our Government, exemplified and expanded, tried, tested, and not found wanting, as it has been in the several States, has spread triumphant over the whole western hemisphere. It has crossed the Atlantic and swept over Europe. Thrones have crumbled before it, and out of their wrecks, or upon their ruins, have been builded governments whose administration is immediately responsible and responsive to the popular will, through the elected lawmakers of the people.

And wherever, amongst the civilized nations of the earth, the true sovereignty of the people is denied, or sought to be suppressed or abridged, may be observed the ominous mutterings of discontent, constant dread of nihilistic bombs, signs of socialistic upheaval, or the earnest voice of protest and respectful prayer for relief, which those charged with the execution of the sovereign will, of right, servants, and not masters of the people, will do well to heed.

The right given to elect United States Senators by a direct vote of the people, will be a step in advance for the great Republic; a step toward making our National Government more directly responsible, and more quickly responsive to the will of the people. It is but a short step in that direction. We owe it to ourselves, we owe it to the world, to take at least that constitutional step.

It may be that this House is not ready to take this further step now under consideration. But for myself, Mr. Speaker, thoroughly believing, as I do, that our fathers made no mistake when they founded this Government upon the consent of the governed through the rule of the majority, I am ready now, to make this advance towards placing the world's great Republic in the front rank of all the nations of the earth, in whose governments that principle is recognized and in any way enforced.

Whence have we most to fear may again come civil strife? Shall we most look for it from the machinations of a desperate and audacious minority in power, and bent on retaining it against the expressed will of a majority of the people demanding a change, or from the endeavors of the duly elected representatives of that majority, seeking to enforce their constitutional prerogative, of effectuating that demanded change?

Suppose, Mr. Speaker, we had now here, a Congress that had passed an odious tariff law; that had sought to fortify their party in power against an anticipated majority of the opposition, by the admission of a lot of new States that would return friendly Senators and Representatives, some of them with less than half the population of a single Congressional district; that had passed a force bill that would enable them to put their hands into the public Treasury and take out of it ten or more millions of dollars and use it, practically as a party campaign fund, at each Presidential and Congressional election; and that to pass those measures through this House, that Congress had overturned the rules and precedents of all the Congresses we ever had before; how much further would they have to go to overthrow the results of last fall's election, whereby the people passed sentence of condemnation upon those measures, by a vote all combined, of over a million and a half majority?

Judging from all our past history, and from the make-up and temper of the American people, will yielding to and following the popular will duly expressed, or attempting to thwart and defy that popular will, prove most dangerous?

I seems to me that in view of what I think is the general sentiment, that our Government ought to be made more directly responsible, and more quickly responsive to the will of the people; in view of the fact that our present methods permit a Congress that has been discredited and condemned by a vote of the people, to meet again, to legislate in their behalf; in view of the fact that our Government is less responsive to the will of the people than some of the constitutional monarchies; that the people are less trusted here than in the government of Great Britain, against whose tyranny our forefathers rebelled when they set this glorious Government of ours; in view of all this, and of the further fact that the adoption of this joint resolution will not, in the least necessarily interfere or conflict with the adoption of the bill proposed by the gentleman from Mississippi [Mr.

HOOKER] should the House see fit to adopt that; it seems to me, Mr. Speaker, that in view of all this, the resolution proposed here now by this committee ought to be adopted.

We surely can trust the people to govern themselves. If we can not, if it is not true that "all governments derive their just powers from the consent of the governed;" if the expressed will of a majority of the people is not to directly control; if power vested in the people is not safely reposed, then ought we to begin to establish a monarchy or some kind of an aristocracy, and look about to find somebody to rule over us and take care of us in a paternal way, and stop trying to carry on a government of the people, by the people, and for the people. [Applause.]

Death of ex-President Hayes.

REMARKS

OF

HON. JOSEPH D. TAYLOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 18, 1893.

The House having suspended public business on account of the death of ex-President Rutherford B. Hayes, a motion to adjourn was proposed and withheld for the purpose of hearing remarks, when—

Mr. JOSEPH D. TAYLOR said:

Mr. SPEAKER: The sad message of the death of ex-President Hayes comes to us so suddenly and so unexpectedly that we can hardly realize that it is true. The National House of Representatives has suspended business in honor of the distinguished dead, and it is but a fitting tribute to his life and memory that something be said by the Representatives of his own State upon this floor. I ask the indulgence of the House while I very briefly call attention to a few of the prominent characteristics and incidents in the life of Gen. Hayes—for this is the title he preferred above all others, not only before he was elected President of the United States, but also since that time.

Few men in the history of this country have had so remarkable and so successful a career as Rutherford B. Hayes.

Graduating at the age of 20 from a college where only merit wins reward, he was made valedictorian of his class. In the largest city in his State he was appointed city solicitor by the city council soon after he became a lawyer, and was subsequently reelected by the people.

When the cloud of war darkened the horizon he was among the first to leave his home and family to take part in the struggle which ultimately resulted in the preservation of the Union. While he was in the field he rose from major to major-general. While in the army he was nominated and elected member of Congress, and while he was a member of Congress he was elected governor of Ohio, and while he held the office of governor he was elected President of the United States; and I know of no such signal illustration, Mr. Speaker, among the public men of whom I have any knowledge, of the maxim that "the office should seek the man and not the man the office."

I remember well (for I was a member of the State convention in 1875) when Gen. Hayes was nominated for governor the third time. He was not present, and in response to a telegram he answered that under no circumstances could he accept the nomination. The convention took a recess and waited and waited and waited, and only after a great many telegrams had been sent importuning him and representing to him that he owed it to his party and to his State to accept the nomination did he consent to be again a candidate.

I remember, too, when in 1876, in the city of Cincinnati, he was nominated for the Presidency of the United States. Very little comparatively had been said about his candidacy and very little attention was paid to it by the great body of people then in that city.

The followers of Blaine and Conkling and Morton and Hart-rant, heralded with great pomp and exultation the crowning merits of their respective candidates, parading the streets of the city day and night, but the headquarters of Gen. Hayes were at an isolated room on Fourth street, where there was no music, no uniformed clubs, no processions, no clamor, and yet he was nominated. This nomination, like all the others, came in a kind of inexplicable way, but in a way that was responsive to the second sober thought of the American people.

I can not speak at length of his subsequent career as President of the United States. The gentleman from Pennsylvania [Mr. O'NEILL] has well said that he was always kind and cour-

teous, patient and painstaking. The inauguration of President Hayes marked a transition period in the nation's history. The war had ended but the conditions of war had not yet passed away. The maintenance of State governments in the South by the power of the General Government did not meet with the full approval of the North, and State after State was falling into the Democratic column. It was apparent to President Hayes that the day was not far distant when the States would be left to make their own laws and manage their own affairs, and he thought the sooner this was done the better, hence he inaugurated a policy looking in this direction. His administration was pure and clean, wise and conservative, and the success of the Republican party in 1880 was largely the result of the magnificent administration which President Hayes gave the country.

President Hayes took advanced positions on all public questions, and viewed in the light of later events the wisdom of his judgment has been vindicated.

In his letter of acceptance he announced his belief in the one-term principle and strictly adhered to it. He denounced the "spoils system" when he was governor of Ohio, and recommended a constitutional remedy. He urged the registration of voters as the only safeguard of the ballot box. He recommended minority representation and introduced it in Ohio before he became President. He held it to be the duty of the General Government to educate every ex-slave and to protect the ballot of every voter.

The country is indebted to him for the promulgation of the doctrine, "He serves his party best who serves his country best." As a soldier in the field, as a member of Congress, as governor of Ohio, and as President of the United States—all through his public career—he adhered to the doctrine that his duty was not primarily to his party, but to his district, to his State, and to his country.

When I have said this much in regard to ex-President Hayes I have not told half the story. His private life is nobler and grander than his public life. I heard President Hayes say on one occasion that he had one objection to being President of the United States, that while he appreciated the great honor, there seemed to be no place in this country for an ex-President, and that, if elected, he would not know what to do with himself after his term of office as President should expire.

But, Mr. Speaker, he solved this problem grandly when the time came. He has been just as busy a man since his retirement from the Presidency as he was when a soldier in the field, as a member of this House, or governor of Ohio.

Only a few weeks ago I met President Hayes in the city of Chicago in attendance upon a meeting of one of the auxiliary associations of the World's Fair, which was preparing for benevolent work. The meeting was held late at night, and he, although not well at the time, remained until its close.

He was president of the board of trustees of the Ohio University at Columbus, Ohio; a member, if not president, of the board of trustees of Wesleyan University, at Delaware, Ohio, as well as a member of several other educational boards. He was connected with many charitable institutions; was president of the Prison Reform Association. He took an active part in all the questions of the day and was on the right side of every question—the friend of education and all institutions and associations that have for their object the uplifting of the race.

Much has been said and written about the beautiful home life of Gen. Hayes. We all know him in his family as gentle, affectionate, and lovable. His wife occupies almost the same position in this country that President Hayes himself holds. The courage and conscience she displayed in banishing wine from the White House gave her world-wide fame and endeared her to all Christian people. In this, as in all other fields of her benevolent and Christian work, she had the cordial support of her husband, and will ever hold with him a home in the hearts of the people.

The high moral and Christian character of Rutherford B. Hayes was the rock upon which he built every structure and upon which he depended in every storm. When a student he was a rare example of candor and integrity. No vulgar or profane word ever fell from his lips. His personal character in every position has been above reproach. In his country, as in his home and family, his memory will be cherished as one of the greatest men this country has produced, a man whose public life is worthy of emulation and whose private life will always be admired as a type of true American manhood.

Gen. Sheridan, on his return from the centennial anniversary of the adoption of the Constitution of the United States, said that he had met President Hayes there and had spent considerable time with him, and in the conversation took occasion to explain why the ex-President was not regarded as social as some men. He said that the President did not play cards, or drink, or smoke, and hence lacked these methods of drawing men about him, but the general said that he had spent all the

time with him that he could, and expressed the satisfaction it gave him to honor such a man as President Hayes.

I always admired Gen. Hayes's campaign speeches. He was always argumentative, but never offensive. If he could not convince his opponents he never abused them. Democrats would listen to his speeches and call him a gentleman, however much they differed from his views. This is an illustration of his dignified and courteous manner, and it characterized his public and professional life as well as his social and private life.

In Ohio we all feel that ex-President Hayes was our friend and our neighbor, endeared to us not only by the wounds he received in the war in defense of our common country, not only because he honored the State in the high office he filled with such signal ability and wisdom, but because as a renowned citizen of Ohio he has spent his whole life in doing good and in making the world better. His home, his birthplace, and the place of his burial belong to Ohio, and around his grave will gather Ohio's sons and daughters to mourn his loss as friends and neighbors. The symbols of mourning will not be confined to the church which he represented or to the party to which he belonged, but this grief will be universally a sorrow which will touch every heart and reach every home.

For—

One who never turned his back, but marched breast forward,
Never doubted clouds would break;
Never dreamed, though right were worsted,
Wrong would triumph;
Held we fall to rise again; are baffled, to fight better,
Sleep, to wake!

A Uniform System of Bankruptcy.

SPEECH

OF

HON. WILLIAM C. OATES,

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 26, 1893.

On the bill (H. R. 9348) to establish a uniform system of bankruptcy throughout the United States.

Mr. OATES said:

Mr. SPEAKER: The word bankrupt is popularly regarded as one of opprobrium, when in fact it is the embodiment of an idea of beneficence. Metaphorically it is taken for him "that hath wasted his estate and removed his bank, so as there is left but a mention thereof." Bankruptcy legislation originated with the Romans. The system of discharging persons who were unable to pay their debts was transplanted from the Roman law into continental jurisprudence at an early period.

VIEWS OF JUDGE STORY.

Judge Story said:

To the glory of Christianity let it be said that the law of cession was introduced by the Christian emperors of Rome, whereby if a debtor ceded or yielded up all his property to his creditors he was secured from being dragged to jail by violence.

That distinguished jurist also says that—

The general objects of all bankrupt and insolvent laws is, on one hand, to secure to creditors an appropriation of the property of the debtor's *pro tanto* to the discharge of their debts whenever the latter are unable to discharge the whole amount; and, on the other hand, to relieve unfortunate and honest debtors from perpetual bondage to their creditors, either in the shape of unlimited imprisonment to coerce payment of their debts or of an absolute right to appropriate and monopolize all their future earnings.

The latter course obviously destroys all encouragement to industry and enterprise on the part of the unfortunate debtor, by taking from him all the just rewards of labor, and leaving him a miserable pittance dependent upon the bounty or forbearance of his creditors. The former is, if possible, more harsh, severe, and indefensible. It makes poverty and misfortune, in themselves sufficiently heavy burdens, the subject or the occasion of penalties and punishments. Imprisonment, as a civil remedy, admits of no defense, except as it is used to coerce fraudulent debtors to yield up their present property to their creditors, in discharge of their engagements.

But when the debtors have no property, or have yielded up the whole to their creditors, to allow the latter at their mere pleasure to imprison them, is a refinement in cruelty, and an indulgence of private passions, which could hardly find apology in an enlightened despotism; and are utterly at war with all the rights and duties of free government. Such a system of legislation is as unjust as it is unfeeling. It is incompatible with the first precepts of Christianity; and is a living reproach to the nations of Christendom, carrying them back to the worst ages of paganism.

One of the first duties of legislation, while it provides amply for the sacred obligation of contracts, and the remedies to enforce them, certainly is, *pari passu*, to relieve the unfortunate and meritorious debtor from a slavery of mind and body which cuts him off from a fair enjoyment of the common benefits of society, and robs his family of the fruits of his labor and the benefits of his paternal superintendence. A national government which did not possess this power of legislation, would be little worthy of the exalted functions of guarding the happiness and supporting the rights of a free people. It might guard against political oppressions, only to render private oppressions more intolerable and more glaring.

The same eminent author says that—

The power to pass laws on the subject of bankruptcies was not in the orig-

inal draft of the Constitution. The original article was committed to a committee together with the following proposition: "To establish uniform laws upon the subject of bankruptcies, and respecting the damages arising on the protest of foreign bills of exchange." The committee subsequently made a report in favor of incorporating the clause on the subject of bankruptcies into the Constitution; and it was adopted by a vote of nine States against one. The brevity with which this subject is treated by the Federalists is quite remarkable. The only passage in that elaborate commentary in which the subject is treated is as follows:

"The power of establishing uniform laws of bankruptcy is so intimately connected with the regulation of commerce, and will prevent so many frauds, where the parties or their property may lie, or be removed into different States, that the expediency of it seems not likely to be drawn in question." The language finally adopted in the Constitution, paragraph 4 of section 8, is " * * * to establish uniform laws upon the subject of bankruptcies throughout the United States."

Before the adoption of the Constitution the States each possessed the exclusive right to pass laws upon the subject of bankruptcies and insolvencies. This right was incident to their general sovereignty. Why was it that the framers of the Constitution saw fit to delegate or grant this power to the Government of the United States? The considerations which led the convention to vest in Congress the power to pass uniform laws upon the subject of bankruptcy, says Judge Story, were—the importance of preserving harmony, promoting justice, and securing equality of rights and remedies among the citizens of all the States.

It is—

he continues—

obvious that if the power is exclusively vested in the States each one will be at liberty to frame such a system of legislation upon the subject of bankruptcy and insolvency as best suits its own local interests and pursuits. Under such circumstances no uniformity of systems or operations can be expected. One State may adopt a system of general insolvency; another, a limited or temporary system; one may relieve from the obligation of contracts; another only from imprisonment; another may adopt a still more restrictive course of occasional relief; and another may refuse to act in any manner upon the subject. The laws of one State may give undue preferences to one class of creditors, as for instance, to creditors on bond or judgment; another may provide for an equality of debts, and a distribution *pro rata* without distinction among all. One may prefer creditors living within the State to all living without; securing to the former an entire priority of payment out of the assets.

Another may, with a more liberal justice, provide for the equal payment of all, at home and abroad, without favor or preference. In short, diversities of almost infinite variety and object may be introduced into the local system, which may work gross injustice and inequality, and nourish feuds and discontents in neighboring States. What is here stated is not purely speculative. It has occurred among the American States in the most offensive forms, without any apparent reluctance or compunction on the part of the offending State. There will always be found in every State a large mass of politicians, who will deem it more safe to consult their own temporary interests and popularity, by a narrow system of preferences, than to enlarge the boundaries, so as to give to distant creditors a fair share of the fortune of a ruined debtor. There can be no other adequate remedy than giving a power to the General Government to introduce and perpetuate a uniform system.

Shakespeare commends the clemency of men "Who from broken debtors take a third, a sixth, a tenth, letting them thrive again on their abatement."

In the progress of civilization nearly every State of the American Union has abolished imprisonment for debt. Who has not read the colloquy between Sam Weller and the chancery prisoner who had languished in prison for twelve years for no other offense than his inability to pay the costs incurred by his honest effort to have probated the will of an old country gentleman, "a humble relation of whom" he had married, and who was named as a legatee in the will.

The writings of Dickens against the inhumanity, almost savagery, of the laws of Great Britain allowing imprisonment for debt was one of the greatest factors which wrought their repeal. The poor people of that country should build a monument to his memory reaching up into the very skies for the freedom which his pen brought them.

In June, 1840, when Henry Clay was discussing the then pending bankruptcy bill in the Senate, he used the following language:

The Declaration of American Independence, which announced our existence as a nation, solemnly proclaims, as a self-evident truth, that the right of every individual person to life, liberty, and the pursuit of happiness is unalienable. Does the wretched bankrupt, sunk down and overwhelmed by perhaps unmerited misfortunes, against which no human foresight or prudence could guard, enjoy the benefit of this maxim? He is not, indeed, deprived of life; but he drags out a miserable and lingering existence, without one cheering hope.

The humanity of progressive civilization has exempted his person from incarceration in the dark cells of a public jail; but the liberty which is granted to him enables him only to see more distinctly, in the light of heaven, and intensely to feel the misery of his condition. Stripped of all motives to human exertion, with the incubus of an immovable mass of debt upon him, surrounded by a family, sharing, without being able to alleviate, his sorrows and sufferings, he is mocked by the privilege of "the pursuit of happiness," pronounced to be unalienable in the most memorable declaration of human rights that was ever promulgated to the world. Let us, sir, make that guaranty substantial, practical, available, by fulfilling the duty imposed upon us in the power delegated in the Constitution to pass this law.

Judge Story, who wrote seven years before Clay spoke, made this pointed utterance in his Commentaries on the Constitution, which is quite as applicable to the condition of our country today as it was to the country at the time it was written:

One of the most pressing grievances, bearing upon commercial, manufacturing, and agricultural interests at the present moment, is the total want of a general system of bankruptcy. It is well known that the power has

lain dormant, except for a short period, ever since the Constitution was adopted; and the excellent system then put into operation was repealed before it had any fair trial upon grounds generally believed to be wholly beside its merits and from causes more easily understood than deliberately vindicated.

The same learned author continues:

It can not but be a matter of regret that a power so salutary should have hitherto remained a mere dead letter. It is extraordinary that a commercial nation, spreading its enterprise through the whole world and possessing such an infinitely varied internal trade, reaching almost to every cottage in the most distant States, should voluntarily surrender up a system which has elsewhere enjoyed such general favor as the best security of creditors against fraud and the best protection of debtors against oppression.

AS TO OUR ABILITY TO PASS A WISE BANKRUPTCY LAW.

It is asserted by some of those who oppose the passage of this bill that all experiments hitherto on bankruptcy legislation in this country and in England have proved signal failures. It is quite true that in this country we have not yet enacted any law upon the subject which has remained many years upon the statute books, but this must not be taken as a demonstration of the inability of Congress to enact a law which would meet the approval of the public at large. It is not true that bankruptcy legislation has proven a failure in England.

Why, sir, they have had upon their statute books a bankruptcy law continuously for hundreds of years. If it were the dismal failure which has been asserted by the opponents of this bill why has not Parliament repealed the law and given up the experiment? I totally dissent from the assertion of our inability to enact a good and wholesome law which would meet the approbation of the honest people of our country.

THERE IS A NECESSITY FOR A BANKRUPTCY LAW.

The first question to be considered is whether there is a necessity for such a law or any law upon the subject of bankruptcy. Thousands and hundreds of thousands of good men have made honest ventures in business and failed, and are to-day loaded down with debt beyond what they can hope to discharge in the usual way.

In my State, sir, and I believe throughout a large portion of our country, especially in the South and the West, money is exceedingly scarce, and the rates of interest charged upon loans and advances excessively high. Nearly all of our agricultural products have for the two or three years just passed brought in the markets a very low price, in many cases less than the actual cost of production. In these large sections of the country agriculture is the chief avocation of the people. Nearly every business is dependent upon its success. From the causes which I have just enumerated and from others I might name a large number of our farmers have become involved in debt beyond their ability to pay, and that, too, in the main without any fault on their part.

Their inability to pay their debts has caused an unusually large number of failures among the merchants and business men. Strong appeals have been made to Congress for relief from these hard conditions through Federal legislation. Many of the measures for relief proposed were unconstitutional or chimerical and impracticable. Others which were practicable and calculated to give some relief, though not the full measure which the conditions require, have not been responded to favorably by the Representatives and Senators from other sections of the country.

Sir, under these circumstances I know of no law which Congress could enact at this time which would give to our people, oppressed by the burdens of debt as they are, one-fourth the measure of relief which this bill would give them if enacted into a law.

TO BENEFIT ALABAMA.

The statisticians' department of the Treasury has compiled a lot of tables, by States and for the whole country, from the annual sheets of one of the mercantile agencies, and from it I take the Alabama table for the years 1879 to 1891, inclusive, as follows:

| Years. | Number of failures. | Number engaged in business. | Percent of failures. | Liabilities. |
|--------|---------------------|-----------------------------|----------------------|--------------|
| 1879 | 24 | 5,483 | .44 | \$202,109 |
| 1880 | 47 | 6,597 | .71 | 759,694 |
| 1881 | 104 | 7,050 | 1.46 | 2,041,340 |
| 1882 | 85 | 7,364 | .15 | 1,188,276 |
| 1883 | 55 | 8,159 | .67 | 650,710 |
| 1884 | 68 | 8,388 | .80 | 1,453,311 |
| 1885 | 39 | 8,616 | .45 | 1,017,135 |
| 1886 | 118 | 9,018 | 1.31 | 1,878,716 |
| 1887 | 99 | 9,587 | 1.03 | 1,637,477 |
| 1888 | 161 | 10,172 | 1.58 | 1,692,622 |
| 1889 | 134 | 9,886 | 1.35 | 1,308,252 |
| 1890 | 186 | 10,315 | 1.81 | 2,226,300 |
| 1891 | 258 | 10,229 | 2.52 | 3,396,365 |
| Totals | 1,378 | | | 19,512,307 |

It will be seen from the above tables that in 1879 there were only 24 failures in the whole State, and that at that time there were engaged in business 5,483 persons, firms, or corporations. The percentage of those who failed to those who were engaged in business was therefore only forty-four hundredths of 1 per cent. In the last of the above years it will be noted that the number of failures had increased to 258, while those engaged in business had increased in numbers to but 10,229. The percentage of failures was, therefore, 2.52 per cent. The liabilities of those who failed in the first of the above years was, as will be seen, only \$202,109, while in the latter of the years it was increased to the enormous amount of \$3,396,365.

An examination of the tables for the whole country discloses the fact that the percentage of failures in 1879 was ninety-five hundredths of 1 per cent; that is, very much in excess of those in my State. The average result for the whole country for 1891 was 1.07 per cent, while in my State it was 2.52, as above stated.

It can not be that the people of my State are increasing in dishonesty, or that they are more inefficient in their business methods than men engaged in similar enterprises in other States. On the contrary, I know that our citizens will compare favorably in honesty and capability with those of every other State.

I attribute this enormous increase in the number and percentage of failures somewhat to the wonderful development which we have experienced, and think it probable that there has been attracted to our State, by reason of our great resources, a certain number of those who perhaps are not skilled in the undertakings which they have assumed. But still I do not think that these reasons are sufficient to account for the whole increase as above.

In looking for additional causes to those already stated, I believe them to consist in the fact that although preferences are forbidden, still means have been found to circumvent our law upon that subject, and, as a result, numbers of men have been driven out of business by a contest between their creditors for preferences, with the resultant effect of the downfall of the debtor, the payment of the costs of the struggle from his estate, the inequitable distribution of what was left at the end of the controversy, and he left a debtor for the unpaid balance.

It seems conclusive to my mind that our debtors and creditors are not properly protected under the State laws, and as I know they would be under the bankruptcy bill as proposed.

The liabilities of those who have failed for the thirteen years embraced in the table as above is \$19,512,307. A part of this amount was, of course, paid out of the assets of those who failed; but taking into account the part which was not paid the enormous amount of costs incurred in the administration of the assets, the conducting of litigation connected with it, and the dissipation of good wills, and the amounts lost in sacrifice sales, and the grand aggregate is enormously large. The thought occurs, Who has suffered this loss; is it the people of Alabama or the people of other States?

Much of it has fallen upon our people without the possibility of reimbursement in any form; much of it has fallen upon creditors outside of the State, and in so far as they are manufacturers, jobbers, and bankers they will ultimately in effect recoup their losses from our people; i. e., instead of selling goods at the smallest margin of profit, and loaning money at the lowest possible rate of interest, they will in turn charge an additional per cent on account of losses heretofore sustained, and on account of the possibility of future losses, with the ultimate result of our people paying directly or indirectly all of the financial losses incident to the calamities of our citizens.

My wish, therefore, is to see a law enacted which will protect the debtors of my State from being unnecessarily bankrupted while endeavoring to conduct our business and promote our enterprises; a law which will enable our creditors, when dealing with people at home or abroad, to collect the amounts due to them; in other words, a law which will enforce the rules of equity in all transactions conducted on credit.

PERCENTAGE OF COMMERCIAL FAILURES.

The statistics of the commercial agencies, as compiled by the Treasury Department, show that in 1887 the percentage of those engaged in business for the whole country who failed was ninety-one hundredths of 1 per cent. In 1888 the percentage was 1.02 per cent; the next year it was 1.04 per cent. In 1890 it was ninety-eight hundredths of 1 per cent, and in 1891 it was 1.07 per cent.

These figures show two facts: First, that the percentage of commercial failures is on the increase; second, that the bankruptcy law will apply to the affairs of a very small percentage of those engaged in business; that is, on the average for the whole country there will only be a little over one man in a hundred who will be affected by it as a bankrupt. Of course, there may be a good many who will be interested in the estates as claimants against them.

PREFERENCES.

The American Lawyer contains an interesting table headed "Commercial laws tabulated." From it I have gleaned facts as follows with reference to the State laws upon the subject of preferences. Of the forty-four States, the District of Columbia, the Indian Territory, and the four Territories, thirty of them do not permit the giving of preferences; eight do not permit the giving of preferences except under certain limitations; that is, a total of thirty-eight in the full number of fifty have deemed it unwise to permit the giving of preferences. Six of the remainder permit the giving of preferences; four permit them under certain limitations, and two have no statutes upon the subject.

MEANING OF WORDS AND PHRASES.

In a bill like the one under consideration, which is replete with words and phrases the exacting meaning of which is of the utmost importance, it would be necessary to repeat at great length certain words and phrases unless a section were inserted in the nature of a dictionary. The more complete the dictionary is, the greater the certainty as to the exact meaning of the words used in the bill, and the less the danger of its being misunderstood by the people whose interests it will affect, and wrongfully construed by the courts.

For example, the word "(3) 'bankrupt' shall include a person against whom an involuntary petition or an application to set a composition aside, or to revoke a discharge, has been filed, or who has filed a voluntary petition, or who has been adjudged a bankrupt." Except for this definition it might be necessary when the word "bankrupt" appears in the bill to use in lieu of that word the definition just given of it; that is, in lieu of the one word the thirty-seven words of the definition. There is included in this definition an additional word which is defined in the dictionary clause; that is the word "person."

In order to make it comprehensive and exact it might be necessary to include also in connection with the word "bankrupt" the fifty-two words which give the absolute meaning to the word "person," so that accuracy might require that when the word "bankrupt" was used it should be followed by possibly as many as eighty-nine words in order to prevent a misunderstanding on the part of those who were stupid, or, worse than that, the technical individuals who do not wish to understand whenever it is possible to misunderstand. It is needless to say that there would be danger that this verbose use of words would obscure the meaning of the phrase and thus defeat the clearness of the bill; but happily this inconvenience and danger has been avoided in the above and similar instances by this very carefully worded section.

ACTS OF BANKRUPTCY.

A suit in bankruptcy can not be maintained, speaking in general terms, unless the defendant has been guilty of fraudulent acts with reference to his property, or has become insolvent and has in addition committed or permitted some act which subjects his estate to the danger of being appropriated by a few of his creditors in violation of the equitable rights of the others.

A suit in bankruptcy can only be begun under very careful restrictions; it never can result in breaking up an honest man and leaving him with a burden of debt or in the securing of an advantage by one creditor over another. The reward, therefore, for precipitate action by creditors is entirely removed. All debtors are not sued who might be; the same will be true of all persons who might be sued in bankruptcy.

In fact the inducement for the bringing of ordinary suits is greater than it will be for bringing of suits in bankruptcy, because in the former case there is a selfish reward, in the latter there is not; in the former the result must be that the debtor, unless he is able to defeat or pay the obligation due to the creditor, must be forced into liquidation, have his property applied to the payment of the debt of the plaintiff in full, and be left as a debtor to the other creditors whose debts have not been paid for the remainder of his life; while the result of a proceeding in bankruptcy will be, at its worst, that the debtor may obtain a compromise (which will give him a longer time in which to pay his debts in full, either with or without security, or, if he is hopelessly insolvent, enable him to pay a percentage as a settlement in full), or, in the event of an administration, a discharge, if he is honest.

A proceeding in bankruptcy can not be instituted on any ground for which an ordinary suit might not be instituted against the defendant, except subsequent to the institution of such proceedings. It can not be commenced on large numbers of grounds, for which ordinary suits may be instituted.

For example, any creditor who has, or thinks he has, a claim against a debtor may institute proceedings in ordinary cases without let or hindrance, and without limitation as to amount. (In a bankruptcy proceeding it must be for \$500 or over, above

securities held, and three creditors must concur in the petition, unless the creditors are less than twelve in number, and in that event one or two creditors may bring the petition provided they hold such claims.) A trial must follow; delays and continuances may be obtained (as they may be in bankruptcy), but sooner or later the court in ordinary cases must pass judgment as between the parties.

If it be in favor of the plaintiff he is entitled to his execution, and the officer receiving it must levy it upon the property of the defendant at his own peril, to respond upon his bond in the event he does not do so according to law; the property levied upon must be sold, unless it is exempt, for what it will bring at a constable, sheriff, or marshal's sale. If property which is exempt should happen to be found in the hands of a person other than the defendant, it, too, under the laws of many of the States, may be sold and be thereby lost to the defendant. Under proceedings in bankruptcy the course just outlined would not occur in that harsh and destructive way, but would be conducted under the rules of equity for the betterment of both the debtor and the creditors as a class.

For example, proceedings in bankruptcy could not be predicated upon an open account, no matter for what amount, and no matter if the defendant were hopelessly insolvent. The reason for not giving to creditors the right to institute proceedings on such a ground is the fear that defendants might be coerced into paying amounts not due in equity because of the threat of the institution of proceedings in bankruptcy. The same is true with regard to the liability growing out of an alleged refusal to comply with the terms of any oral or written contract; the same is true with reference to any alleged liability growing out of the commission of a tort. In all suits in bankruptcy the defendant will have "his day in court," and will, if he desire, have a jury to determine the facts in the case.

His property will remain in his possession without disturbance after the filing of a petition and before the adjudication, unless the creditors shall file affidavits showing that there is danger to the estate therein, and shall give a bond to indemnify him for any damages he may sustain in the event he is not adjudicated a bankrupt. In that event he may, if he desire, give a forthcoming bond and retain possession of the property. In a proceeding in bankruptcy the defendant will be entitled absolutely to the exemptions provided by the laws of the State in which he lives as of the date of the filing of the petition, and this, too, irrespective of whether the articles of property specified are actually in his possession or in the possession of another.

Thus it will be seen at every point of contact the advantages are unqualifiedly in favor of the debtor in proceedings in bankruptcy as compared with proceedings under the laws of the States. The position of the creditors is that they have extended credit to the common debtor, and, pursuant thereto, furnished money or property upon a common basis, and are therefore in equity entitled to their pro rata part of their debtor's estate in the event of its being administered in bankruptcy. They will be greatly benefited by the passage of the bill in this: That each, in turn will be protected from the danger of having any one of the other creditors begin proceedings, and thereby obtain in full the payment of his claim to their detriment.

Any creditor might be ruined if a large number of his debtors should simultaneously give preferences to other creditors; the danger from such a possible contingency would be much lessened under a law which provided that the worst that could come to him would be to lose a small percentage of his claim against such debtors. The creditors would be greatly benefited as a class by any law which would lessen the probability of a financial calamity to their debtors, because it costs them money to secure the patronage of debtors, and anything which deprives them of that patronage is therefore a direct financial detriment to them. Most of the creditors become debtors in the purchase of large quantities of supplies, and they are therefore absolutely dependent upon other debtors to receive them in turn. If they were not able to dispose of their goods; that is, pass them on to other people, who are in turn debtors, they would be absolutely bankrupted, although having the goods in hand, the purchase of which constituted them debtors.

The result, therefore, of the provisions of the bill are to absolutely advance the interests of honest debtors; to absolutely advance the interests of honest creditors; both without in any sense abridging the rights of the other class.

The acts of bankruptcy which relate to fraud on the part of the debtor are the following:

(1) Concealed himself, departed or remained away from his place of business, residence, or domicile with intent to avoid the service of civil process and to defeat his creditors; (3) made a transfer of any of his property with intent to defeat his creditors; (7) procured or suffered a judgment to be entered against himself with intent to defeat his creditors; (8) secreted any of his property to avoid its being levied upon under legal process against himself and to defeat his creditors.

It will be noted that all of the above acts must be perpetrated by the debtor with the purpose of defeating the creditor. Turning to the dictionary clause, we find that the word "defeat" shall include "defraud, delay, avoid, hinder, and impede." These acts justify, in most if not in all the States, an attachment against the debtor by the creditor. Under such an attachment, if it be sustained, the attaching creditor would apply the property to the satisfaction of his own claim in preference to those of the other creditors. In some of the States there is a modification of this rule, but whether it would be a benefit to one of the creditors or to all of them, it would result in the bankruptcy of the defendant, unaccompanied by the right of a discharge and the opportunity incident thereto of beginning financial life anew.

Another ground which would support a proceeding in bankruptcy is as follows:

(2) Failed for thirty days while insolvent to secure the release of any property levied upon under process of law for \$500 or over, or if such property is to be sold under such process then until three days before the time fixed for such sale and until a petition is filed.

The proceedings on this ground can not prove a detriment to the financial interests of the debtor. It will be observed that as a condition precedent to this failure, constituting an act of bankruptcy, the defendant must be insolvent. The amount must be for \$500 or over; if for a less amount it does not constitute an act of bankruptcy.

Let me consider the position of the debtor under this heading, first in view of his being a dishonest man, and second as an honest man. Under the first supposition, the action may not be a bona fide action, but one which is designed to ultimately benefit the debtor with the result of defeating the rights of his creditors. It may be known only to the plaintiff and defendant whether or not the action is one in good faith; their concurrence, therefore, may result in an absolute sweeping away of the entire estate for fraudulent purposes. By giving the right to the other creditors, under the careful restrictions explained, to commence bankruptcy proceedings prior to the sale of the property under the execution would therefore prevent this prospective fraud in a most effective way, without running the risk of affecting the equitable rights of either the creditors or debtor in the event it should prove a bona fide or fraudulent transaction.

Second, in the event the proceedings had been begun in good faith and upon a just claim it ought not to prevail in the interests of the creditors at large, because it would result in an inequitable distribution of the estate; that is, in the payment of the claim of the petitioner in full, with a corresponding loss upon other creditors. The debtor can not, of course, be interested in a financial sense in the application of his estate, since he is insolvent, and can not in any event receive any financial benefit except that which accrues out of the securing of his exemptions.

This ground therefore can not prove a hardship as against the debtor, either upon the theory of his honesty or dishonesty, nor can it work any hardship as against the bona fide creditors, since they are all interested in having a pro rata distribution of the assets of all bankrupts, and therefore do not wish in an individual case that a favored creditor shall receive more than the pro rata part of the estate.

The fourth ground upon which a suit in bankruptcy might be brought is as follows:

(4) Made an assignment for the benefit of his creditors or filed in court a written statement admitting his inability to pay his debts.

The debtor can not complain of this ground, because it is predicated upon his own voluntary act. The creditor can not complain of it, because it is in effect surrendering the estate for a pro rata distribution.

The fifth ground is as follows:

(5) Made while insolvent a contract, personally or by agent, for the purchase or sale of a commodity with intent not to receive or deliver the same, but merely to receive or pay a difference between the contract and the market price thereof at a time subsequent to the making of such contract.

The debtor can not justly complain against this ground, because after becoming insolvent he ought not to expect to be indulged in gambling in futures; if solvent, he might do as he liked, but when he becomes insolvent the creditors have a right to interpose and say that they do not wish the possibility of the payment even of a part of their claim to be subjected to the hazard of a turn in a speculative market. The creditor can not complain of this ground, because while as a solvent man he might wish to deal in futures, it is not at all probable that he would wish his debtor, who had already become insolvent, to take any such chances with a view of "paying out."

Men engage now with impunity in these transactions, and without the possibility of being called to account, except in an individual way by creditors, and with the usual result of a collapse, a scramble among creditors, and tedious proceedings with the old, old story of large bills of cost, property disposed of at sacrifice sales, and additional illustrations of the necessity for a

commercial probate law for the orderly distribution of the estates of bankrupts, and the preservation of the equities between creditors.

The sixth ground for instituting proceedings is as follows:

(6) Made while insolvent, a transfer of any of his property or suffered any of it to be taken or levied upon by process of law or otherwise for the purpose of giving a preference.

This act must have been committed while the defendant was insolvent, and in addition the act perpetrated must have been for the purpose of giving a preference. By turning to section 60 we find that a preference is defined as follows:

A person shall be deemed to have given a preference if, being insolvent or in contemplation of insolvency or bankruptcy, he has procured or suffered a judgment to be entered against himself in favor of any person, or made a transfer of any of his property with intent to (1) defeat the operation of this act, or (2) enable any one of his creditors to obtain a greater percentage of his debt than any other of such creditors of the same class.

This heading is simply to preserve the property of the debtor who is insolvent for an equitable distribution among his creditors. If it is a dishonest preference, there is no theory under which it ought to be maintained; if it is a preference on bona fide indebtedness, it ought not to be maintained in the best interests of all the creditors. To the honest debtor it is of no moment except a sentimental desire to befriend a particular creditor or creditors, which should not be gratified at the expense of other creditors who hold claims of equal merit.

The ninth heading is as follows:

(9) Suffered while insolvent an execution for \$500 or over, or a number of executions aggregating such amount, against himself, to be returned no property found, unless the amount shown to be due by such executions shall be paid before a petition is filed.

Proceedings on this ground could not be commenced against a solvent person, and it will not therefore work any hardships against debtors in States where executions can not be levied upon land.

This ground presupposes as a condition precedent that the defendant has had his day in court, that final judgment has been entered against him and execution issued thereon for \$500 or over, that the officer to whom it was directed has not been able to find any property subject to levy and has therefore returned it "no property found," and that he is insolvent. This ground certainly can not work a hardship as against an honest debtor; he is execution proof and so far as he is concerned the only result which can follow these proceedings will be his discharge under the law, with the consequent opportunity of possibly recouping the losses which he has sustained. The creditors of a dishonest debtor, who has all his property beyond the reach of the law, will, under this heading, have an opportunity to endeavor to secure the property and have it ratably divided.

The tenth and final heading is as follows:

(10) Suspended and not resumed for thirty days and until a petition is filed, while insolvent, the payment of his commercial paper for or aggregating \$500 or over.

The amount reported and admitted to be due, over his own signature to the commercial paper, must be for the sum of or aggregating \$500 or over. The defendant must be insolvent. If the amount of the paper is less than that stated, or if the defendant is not insolvent or has not been in default for thirty days or over, it will not constitute an act of bankruptcy.

Under the laws of all the States a proceeding might be commenced on a note on the very day it becomes due, and without waiting thirty days; such a proceeding might be commenced although the amount involved is trivial; the proceedings may in most of the States be by attachment; in Massachusetts the attaching creditor is not even required to give a bond; in Colorado, the fact that the note is past due will justify the attachment, and consequently there will be no right of action on the bond; the same is true in that State with regard to any liability, including an open account.

A proceeding of this kind upon a note just due must everywhere result, whenever the defendant is thought to be insolvent, in a stampede among the creditors, with the result of breaking up the debtor in business, without the possibility of his continuing in his chosen occupation except as the agent of his wife or some other person, or in some incorporated capacity, and the loss of claims by creditors, resulting in an increase of the price of commodities to consumers. Usually the fraudulent debtor escapes with his ill-gotten gains at the expense of honest people, to again in some other community continue the practice of fraud without merited reproof in the form of punishment for his dishonest acts.

Under the last bankruptcy act the failure to pay commercial paper within fourteen days after maturity was an act of bankruptcy, irrespective of whether the defendant was or was not insolvent. I am confident that the much more considerate provision will not work any hardship upon debtors.

The above are all of the grounds upon which proceedings in bankruptcy may be commenced, and an examination of them will

disclose the fact that proceedings in bankruptcy can not be instituted upon any grounds which will not justify the institution of proceedings in ordinary cases; that proceedings in bankruptcy can not be instituted upon many grounds which will justify the institution of plain suits, with infinitely worse consequences to both debtors and creditors. It can not, therefore, be said that it is possible that the question of proceedings in bankruptcy will work a hardship upon any honest debtor or honest creditor.

But it can be anticipated with confidence that a suit in bankruptcy will always be a powerful aid to the honest debtor in giving him an opportunity to handle his financial affairs in the best possible way without the selfish interference of individual creditors and give him an opportunity in the above event to secure a favorable compromise; that they will always redound to the benefit of the honest creditor, and never enable one of them in his own selfish interest to destroy a debtor for a financial consideration.

Among the members of this House who favor bankruptcy legislation there is a difference of opinion as to whether there should be any provision for involuntary bankruptcy. Sir, for one, while I wish to afford the amplest facilities for relief to the poor debtor loaded down with debts beyond his remotest hope of ever discharging without doing any injustice to his creditors, on the other hand I would provide the honest creditor with the means of proceeding against his debtor to secure a surrender, for the equal benefit of all his creditors, of all his property over and above what is exempt to him by the law of the State wherein he resides.

Another reason of the justice of the provisions for involuntary bankruptcy is that if one or two heartless creditors cause their honest debtor's property to be seized by execution or attachment and sold for the satisfaction of their debts, the more merciful and indulgent creditors would thereby be deprived of sharing in the property in which they equally with the more exacting, to say the least, would be entitled. These provisions are therefore of a preeminently equitable and beneficent character. All harsh provisions which the bill ever contained have been completely eliminated. It is not, as has been alleged by some, a mere process for the collection of debts due to merchants and business men.

In many of the States it is of too frequent occurrence that a dishonest trader will obtain credit, buy a large stock of goods, set them up for sale in competition with the honest merchant, sell the bulk of the stock at perhaps cost or less, and then fail and hide the proceeds, convey his property to friends or relatives, or pay his home creditors with the property he has fraudulently obtained beyond the limits of his State. Such conduct is not only wrong *per se* but is a serious injury to the good name and business standing of the community in which it occurs. It is an absolute wrong to his honest neighbors who are engaged in similar trade.

The involuntary provisions of the bill under consideration, Mr. Speaker, would remedy this evil to a large extent by enabling the creditors to throw such a debtor into bankruptcy, dissolve the preferences, reach his assets if, as is often the case under the present laws, they have been placed beyond the reach of his creditors, and subject them to the payment of an equal percentage to all of his creditors of the same grade. At the same time it would deny to the wretch who had perpetrated such fraud a discharge from his debts.

Under this and other restrictions contained in the bill the involuntary features of it, to which such strenuous objection is made, will apply to a comparatively small number of persons.

VOLUNTARY AND INVOLUNTARY BANKRUPTCY.

The report of the Committee on the Judiciary contained under this head the following:

There have always been in connection with the discussions of the bankruptcy question many advocates of the complete system, embracing both the voluntary and involuntary features, and a few advocates of a purely voluntary system. But no purely voluntary bill has ever successfully stood criticism in this or in any other country, so far as we know.

The evident purpose of the advocates of the partial or purely voluntary system is, as we think, to give to the debtor advantages without at the same time giving to the creditor any corresponding ones. Such a law would not benefit the debtor, for whose express advantage it would be ostensibly passed; but, on the contrary, would have a tendency to curtail credits and drive many solvent concerns into liquidation.

The words debtor and creditor may be misleading. Very few people are purely the one or the other. If they are they may at any time pass from the one class to the other or become members of both. In the ordinary acceptance of the terms a debtor is considered a poor person, and yet probably the largest class of creditors in the country is made up of those who have wages due to them. A creditor is commonly thought of as a person of large property interests, and yet the largest class of debtors in the country consists of the railroads; they owe six times the amount of the national debt. The next largest class of debtors is the banks.

It is therefore apparent that those who are pursuing the mistaken course of advocating a voluntary bill for the benefit of the poor people do not know who the debtors of the country really are.

The honest person can of course be relied on at all times to act equitably with reference to his creditors, if he be a debtor, and with reference to his

own debtor and his associate creditors, if he be a creditor, unless the laws are such as to permit or compel him, in the interests of his dependents or friends, to act differently. Beyond question his interests would always be advanced, and incidentally the interests of the community in which he lives, by following the equitable rule; such a person will therefore be strengthened in his position by the passage of a law which is but the embodiment of his conduct in business affairs.

If the laws are lax, uncertain, and in their nature permissive of wrongdoing honest men will sometimes be compelled against their own wishes to do wrong. Such laws always enable the wrongdoers to thrive to the detriment of their fellow-men. Such laws, therefore, do irreparable injury to honest debtors and honest creditors.

We do not believe that it would be right for a large employer of labor to be able to deliberately make away with his property without there being a remedy on the part of his employees to institute a suit in bankruptcy and secure an equitable distribution of his estate. The same principle holds good as against any debtor and in behalf of all bona fide creditors.

It does not seem right for a middleman to purchase and sell goods and to have remedies against the person from whom he purchases them without having at the same time corresponding remedies against the person to whom he sold them. There is a homely but true saying that "it is a poor rule which does not work both ways." It applies exactly to this subject.

The people do not demand a partial law. Among all of the petitions, memorials, addresses, and resolutions which have been filed in Congress upon this subject there is not one, so far as we are informed, on behalf of debtors asking for a purely voluntary law, or one on behalf of creditors asking for a purely involuntary law, but, on the contrary, they either advocated or opposed the law as a whole.

A law that would permit a dishonest debtor to deliberately prepare for, and then go into, bankruptcy without the possibility of interference on the part of his creditors, would be, in our judgment, in a very great degree, destructive of the true interests of the great bulk of the men who conduct transactions on credit, both as debtors and creditors.

Every transaction on credit creates a debtor and a creditor; the debt of the one and the claim of the other are exactly equal. It follows that the total amount of all debts exactly equals the total amount of all claims. Debtors and creditors each voluntarily joined their class, and ought therefore to be in the enjoyment of exactly equal rights.

We do not believe that it would be good morality, politics, or statesmanship to pass a one-sided law, *i. e.*, a purely voluntary measure.

It must be conceded, therefore, as it seems to the committee, that the law would not protect the rights of those interested if it did not provide for both voluntary and involuntary bankruptcy.

THE TIME WITHIN WHICH PROCEEDINGS IN BANKRUPTCY MAY BE COMMENCED.

Under the old law dishonest persons not infrequently secretly committed acts of bankruptcy, and the time within which they could be taken advantage of expired before the creditors were aware that they had been committed. This condition was always in the interest of dishonesty and never in the interest of honesty and fair dealing.

A paragraph has therefore been added to this section providing that the six months within which proceedings may be begun shall begin to run from the time the honest creditor has had notice of the commission of the act, either by the records of the proper county or by the taking possession of the property openly and notoriously by the person who is to be benefited thereby. These provisions certainly can not be complained of by the advocates of honesty and fair dealing, and the complaints of the dishonest, or those who are so inclined ought not to prove availing in our discussion of this subject.

WHO MAY BECOME BANKRUPTS.

Everybody who is in debt and wishes to do so can petition for the benefits of the act. The bill prohibits corporations from becoming voluntary bankrupts, otherwise it does not place any limitation as to who the petitioner may be, nor as to the amount owed. In other words, the courts of bankruptcy are open to whomsoever may wish to apply for the benefits of the act under the provisions of the bill except corporations. Those who present their petitions, if they have property over and above their exemptions, may surrender it to be distributed *pro rata* among their creditors; if they have no property the creditors will of course not be benefited, and the debtors will be benefited only in the event they secure a discharge. Their rights to a discharge will depend upon the provisions of the bill relating to that subject, irrespective of whether their estates do or do not pay a dividend.

A petition may be filed, under careful limitations, against any debtor who owes \$500 or over, except a National bank, a person engaged chiefly in farming or the tillage of the soil, or a wage-earner.

National banks are exempted from the provisions of the bill, because under the laws now in force for their inspection, control, and liquidation it is thought that they can be better handled in the interests of the people than under a general law of this nature.

The farming classes in general have suffered greatly in many parts of the country, and have in good faith contracted debts which they are unable to pay. It is understood that they do not wish to be proceeded against in bankruptcy, and they therefore have been exempted from such a possibility, but at the same time will be permitted to go voluntarily into bankruptcy if they so desire. The same is true of the wage-earner. The tillers of the soil have for all time been the pioneers who have developed the country in the beginning, and have subsequently and continuously produced the greater part of the wealth of the coun-

try, and those therefore who have by mistaken judgment sown their seed upon a soil which would not yield to their husbandry, or who have by the force of circumstances or the ever-changing seasons become financial sufferers, ought not to be omitted from the terms of a well-considered law.

PARTNERS.

The provision made for the administration of partnership estates is in accord with the general law with reference to the marshaling and distribution of the assets of individuals when consolidated into copartnerships, and is therefore necessary for the completeness of the bill.

EXEMPTIONS OF BANKRUPTS.

The bill does not undertake to say what the exemptions shall be, but simply says they shall be allowed out of estates according to the law of the State wherein the adjudication is made as of the date of the filing of the petition. The debtor can not complain of this provision since he ought not to ask a greater exemption than that which has been allowed by the State within which he lives. If they are insufficient or parsimonious his recourse is to his own Legislature. The creditor can not complain of this provision, as we think, because the credit extended to the bankrupt was in view of the provisions of the law of the State.

DUTIES OF BANKRUPTS.

The administration of the estate can, of course, be expedited, and the expenses lessened by the coöperation of the bankrupt; if adjudged a bankrupt because of dishonesty his estate ought to pay in full and leave a surplus for him. In that event he is interested in giving his assistance in its prompt and economical administration. Although he may be insolvent, still if he is honest it would be but reasonable on his part to wish to assist in securing the largest possible dividend to the creditors.

If he is dishonest and has brought about bankruptcy to himself and financial loss to his creditors thereby it seems but proper, from every view of the case, that he should be required to make amends so far as possible to the creditors by giving his assistance in undoing his wrongs and in reimbursing his creditors upon his contracts so far as possible. If he is not discharged he will be interested in having the estate pay as large a dividend as possible, as his indebtedness will be reduced to that extent.

DEATH OR INSANITY OF BANKRUPTS.

The provision made by the bill is in the interest of economy. That is, if the proceedings in bankruptcy were only to be maintained in the event of the continued life and sanity of the bankrupt, it might be that they would be transferred to the probate court in the event of one of those sad calamities at great expense and delay without any resulting good. In the case of insanity, after being transferred to the probate court proper, the bankrupt might become sane with the result that the case would be again returned to the bankruptcy court. These provisions are unquestionably in the interest of a proper and economical administration of bankruptcy estates.

PROTECTION AND DETENTION OF BANKRUPTS.

Paragraph *a* of the bill under this heading is devoted to the protection of the bankrupt from apprehension upon civil process. His imprisonment for debt can be secured in comparatively few States; this section will therefore have but a limited application.

Paragraph *b* is for the purpose of preventing the fraudulent bankrupt from running away within six months after the adjudication in the event his departure will defeat (that is, "defeat, defraud, delay, avoid, hinder, or impede") the proceedings in bankruptcy.

It is specially provided that the bankrupt shall not be imprisoned. In the event process is issued under this heading there shall be an immediate hearing, and unless it is necessary in the best interests of the estate, the bankrupt will not even be detained in the custody of the marshal. Under the old law this restriction was much more severe, and I never heard of its being improperly exercised; but for fear that it might be, these modifications have been made, so as to prevent the possibility of this bill being justly chargeable with harshness.

EXTRADITION OF BANKRUPTS.

This section is simply for the purpose of subjecting absconding bankrupts to the provisions of the extradition laws now in force.

SUITS BY AND AGAINST BANKRUPTS.

The staying of suits after the filing of the petition in bankruptcy is simply for the purpose of securing the ratable distribution of the estates of bankrupts.

The provision for the defense of suits by trustees, and of the institution and prosecution of suits is simply for the purpose of liquidating certain classes of claims.

The limitation with regard to the bringing of suits by or against the trustee is fixed at two years after the close of the estate. It is thought that within that time all existing rights should be discovered and proceedings for their enforcement begun or else they ought to be barred.

COMPOSITIONS WHEN CONFIRMED.

Under the first of the bankruptcy laws there were no provisions for the settlement of debtors with their creditors. Under those laws, if proceedings were commenced, there was no way provided by which they might be terminated short of a complete administration. The law of 1867 contained an incomplete provision of this kind. This law contains a most carefully drawn provision upon that subject, and it seems probable that the result will be the compromise of a greater number of cases than will be tried and administered.

Under the last law a good many impositions were practiced under a corresponding incomplete provision; that is, the bankrupt not infrequently, by misrepresentations as to his financial condition, secured concessions at the hands of his creditors which amounted to actual fraud. They not infrequently made promises of settlement which they must have known in advance they could not comply with, using it only as a means of ascertaining the views of the creditors, and subsequently withdrew such offers and substituted those which were less favorable.

It seems but reasonable that the debtor who wishes to ask an extension of time within which to pay his debts, either with or without security, or for their payment in full or a partial payment, in full settlement should, as a condition precedent, permit his creditors to make inquiry of him as to his financial affairs; this is secured by the bill, which provides for an examination at a meeting of the creditors or in open court. An honest debtor could have no objection to making a disclosure of his financial affairs to those from whom he has obtained money or goods, wares or merchandise. The dishonest debtor may object to such a disclosure, but ought, as it seems to me, to be required to make it not only in the best interests of his creditors, but as an example to deter others from being guilty of fraudulent acts.

The creditors of a bankrupt, in order to know whether they should or should not accept a proposition for settlement, ought to have an opportunity to calculate the worth of their claims in the presence of a statement showing the property owned by the bankrupt and how much and to whom he is indebted; these facts can be best disclosed by the bankrupt's submitting an abstract from his books, or making a statement in the event he does not keep books, consisting of a schedule of his property and a list of his creditors.

After the debtor has explained in person the condition of his estate and the reason for his misfortune, and the creditors have had an opportunity to consider the worth of their claims by consulting the schedule of property and list of creditors, they ought to be sufficiently informed to say whether they will or will not advocate a settlement upon the basis which may be offered by the bankrupt. If he makes an offer which is so inadequate, either by promising too little or too much, it would not be worth while to have the same considered in court unless it were accepted in writing by a majority in number and amount of the creditors.

It is therefore provided by the bill that before the offer shall be filed in court it must have been accepted by a majority in number and amount of the creditors. It then may be filed in court, together with whatever is to be paid in composition to the creditor, added to which must be an amount sufficient to pay all debts which have priority and the costs of the proceedings. This provision will prevent unnecessary meetings growing out of either the enthusiastic bankrupt promising more than he can comply with or the fraudulent bankrupt promising more than he intends ultimately to offer to his creditors. These conditions having been complied with, a time will be fixed by the court and a meeting of all the creditors called.

At this meeting the debtor and all of the creditors will have an opportunity to be heard, and the court will confirm the composition—

If satisfied that (1) it is for the best interests of the creditors; (2) the bankrupt has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to his discharge; (3) the embarrassment of the bankrupt is not due to his fraudulent acts, and (4) the offer and its acceptance are in good faith and have not been made or procured except as herein provided or by any means, promises, or acts herein forbidden.

If the settlement is confirmed the judge will distribute the amount to be paid by the bankrupt to the creditors and the proceedings will be dismissed.

Under this provision I anticipate with confidence that every honest man who becomes financially involved will be able to make a fair settlement for his own and his creditors' benefit. The fact that such a law as this were in existence would result in deterring creditors from commencing suicidal actions, in a financial sense, as at present, against their debtors, and must of necessity lead to many settlements in accordance with the provisions of the bill, even before the institution of proceedings, either in the form of a voluntary petition by the bankrupt or a petition by the creditors.

COMPOSITIONS, WHEN SET ASIDE.

Compositions in good faith are, of course, the only ones which should be upheld; if they should be obtained by fraud it is of course in the best interest of honest people of every degree that they should be set aside. Accordingly, the bill makes provision that fraudulent compositions may be set aside upon petition filed within six months after they are confirmed.

DISCHARGES, WHEN GRANTED.

Bankrupts, except corporations, may be discharged upon application made after the expiration of two months after the adjudication in bankruptcy, and within the next four months, that is to say, within the last four of the first six months. The reason for not permitting the application to be made immediately is that there ought to be a reasonable time within which fraudulent acts may be discovered. The petition may be heard at any time, but it must be filed within the time stated unless the petitioner shall submit evidence to the judge showing that the failure to file the petition within that time was unavoidable, in which event the petition may be filed within the next six months; if not filed within the extended time it can not be filed at all, and as a result the bankrupt will never be able to secure a discharge.

It is confidently believed that all honest bankrupts will be able to file their applications within this reasonable time, and it is not the intention of the bill to benefit dishonest bankrupts. If the dishonest bankrupt could file his application without limit of time he would simply wait until his witnesses had died or moved away and then secure his discharge simply because there is no one to oppose it.

The paragraph defining the reasons why a discharge shall not be granted, is as follows:

b The judge shall hear the application for a discharge, and such pleas as may be made in opposition thereto by parties in interest, at such time as his convenience will permit and as will give parties in interest a reasonable opportunity to be heard, and discharge the applicant unless he has (1) committed an offense punishable by imprisonment or fine as herein provided; (2) giving a preference as herein defined, under an assignment for the benefit of creditors, or otherwise, which has not been surrendered to the trustee; (3) knowingly made a materially false statement in writing concerning his financial condition to any person for the purpose of obtaining credit or of being communicated to the trade or to those from whom he has sought or obtained credit; (4) made a transfer of any of his property which any creditor who has proved his debt in the proceedings might, at the time of the bankruptcy, have impeached as fraudulent if he had then been a judgment creditor, unless such property shall have been surrendered to the trustee; or (5) with fraudulent intent destroyed or neglected to keep books of account or records from which his true condition might be ascertained.

c The confirmation of a composition shall discharge the bankrupt from his debts other than those agreed to be paid by the terms of the composition and those not affected by a discharge.

No honest man will be prevented from securing a discharge because of these provisions, but I confidently believe it will prevent every dishonest man from securing a discharge. There may be cases, of course, in which a discharge will be granted to a dishonest debtor because creditors do not look after their own interests; but under like circumstances such fraudulent debtors would go unwhipped of justice under this or any other law which might be enacted by Congress or the States.

It seems to me that the debtor or the prospective debtor who wants any more liberal terms for a discharge than are here provided must anticipate that from the standpoint of honesty he will have occasion to need clemency, or be possibly in the condition of the man mentioned in the anecdote who was counseled by a friend who had great confidence in the court by saying "You are sure to get justice in this tribunal," followed by the reply that "It is not justice that I want, but an acquittal."

The creditor who is not satisfied with the above very carefully framed provisions seems to me would have very little confidence in his ability to show the wrongdoing of his debtor, or else was hypocritical as the result of not being willing to have his honest debtor discharged upon any ground whatsoever.

There are many men of unquestioned integrity who are averse to the exercise of the power in behalf of the individual to step in and say that when a man has made a contract he need not comply with it, but shall be discharged either by the payment of a part of it or possibly no payment at all. There are debtors who are so sensitive to the moral obligation to pay their debts that they do not seek and would not accept a discharge as an ultimate adjustment of their obligations, but having taken advantage of it has the benefit of it in the nature of a stay, and will ultimately pay his debts, notwithstanding the discharge.

The views of the creditor as above must give way to the demands of a wise public policy; that is, the State has a greater interest in the freedom and prosperity of each individual citizen which entirely overrides the necessity for the enforcement of the obligation between citizen and citizen which comes in conflict with the greater obligation to the State to support their dependents and prevent them from becoming charges upon the community, and to educate their children, and thereby lessen

the probability of their becoming members of the criminal classes.

Those gentlemen who are inclined to oppose the enactment of the bankruptcy bill must in the event of a successful opposition take the responsibility of denying the boon of a discharge to many hundreds of thousands of our honest fellow-citizens. They may be in doubt as to the wisdom of the passage of the bankruptcy bill all in all, but it seems to me that they ought to content themselves with voting against it, so that in the event of its passage their constituents may receive the benefits accruing from its enactment, and if it will not result in the accomplishment of good they can then introduce a measure for its repeal. The Constitution contemplated that such a law should at all times be upon the statute books and the boon of citizenship under this free Government must continually be curtailed to that extent unless Congress shall enact a bill upon this subject.

The granting of a discharge is a beneficence, a Christian provision in which I am happy to believe that nearly all the members of this body concur.

The bill does not extend the right of discharge to corporations, who are the largest debtors in this country. The railroad corporations, according to the report of the last census, owe \$5,753,541,542—nearly six times as much as the national debt. The next largest class of debtors is the banks, which are also corporations, and the same authority shows their aggregate indebtedness to be \$2,529,256,699.

A large part of the indebtedness of these corporations is held in small amounts by the common people, and consist of the savings of the industrial classes. Among these creditors are the employees of corporations and wage-earners, who are paid at stated periods and after their services have been rendered. These debts can not be discharged by these corporations, as they can not voluntarily go into bankruptcy under the provisions of this bill.

DISCHARGES, WHEN REVOKED.

It would not accord with public policy to have fraudulent discharges maintained; it is therefore provided that all such discharges may be set aside upon application filed within two years after they are granted.

CODEBTORS OF BANKRUPTS.

Anyone who has become responsible financially for the payment of any debt ought not of course to be relieved therefrom simply because one associated with him failed. The bill therefore provides that the liability of a person so situated shall not be affected by a discharge of one of his codebtors.

DEBTS NOT AFFECTED BY A DISCHARGE.

It is not thought that public policy would be best served by permitting a bankrupt to be discharged from taxes, debts which have not been duly scheduled, unless the creditor had notice or actual knowledge of the proceedings, or which were created by fraud, embezzlement, or defalcation while acting as an officer or serving in any fiduciary capacity.

JURISDICTION OF COURTS OF BANKRUPTCY.

The district courts of the United States in the several States and in the Territories, and the supreme court of the District of Columbia, are given jurisdiction in law and at equity to administer the act. Their proceedings are not limited to their usual terms, but jurisdiction is given them in vacation in chambers as well.

One of the results of this power will be that in effect the courts of bankruptcy will be open the year round, and there will therefore be no long delay in bankruptcy proceedings as now occurs in State courts between terms in the administration of bankruptcy affairs.

The question has been very seriously considered as to whether jurisdiction to confer the act might not be conferred upon the State courts having a similar jurisdiction, but it has been found impracticable for a number of reasons.

First, since Congress alone has power to pass such a law it must be a Federal instead of a State enactment. It has been repeatedly held that Congress can not compel State courts to execute any of its laws in the absence of a willingness on their part to do so. If this jurisdiction was conferred it would follow that any judge of a State court might refuse to exercise it and thereby, in effect, suspend the operation of the act within his jurisdiction and thus destroy the uniformity of it as required by the Constitution.

Second, no matter how plain a law may be, still certain phases of it will of necessity be left to the courts to be construed, and the efficiency of the act must depend in a large degree upon securing a uniformity of construction. The result would be, if the attempt were made to confer jurisdiction upon State courts, that there would be a great diversity of constructions, and the act would be correspondingly inefficient.

If an attempt were made to try a novel experiment by having

appeals taken from a State to a Federal court, in order to have the final construction determined by the Supreme Court of the United States, there would be very great danger of a conflict of authority, which would be a wide departure from our hitherto well-defined State and Federal jurisdictions. After all of the experimental theories have been followed to a logical conclusion, they are wanting either in power or practicability, and therefore have been abandoned for the simple, plain proposition of having a Federal law administered in the Federal courts.

PROCESS, PLEADINGS, AND ADJUDICATIONS.

Upon the filing of an involuntary petition (under the very careful restrictions hereafter referred to) a copy of it, together with a writ of subpoena, will be served upon the defendant, in the same manner as simple process is now served upon defendants in equity cases. The writ will be returnable within fifteen days, unless, for cause, the judge shall fix a longer time. The defendant and any of the creditors not joining as petitioners may appear within the ten days after the return process and file an answer to the petition. If it shall transpire that ten days is not a sufficient length of time the court may allow additional time. In order to prevent the filing of frivolous pleadings so far as possible it is provided that such pleadings as set up matters of fact shall be verified under oath.

If issues are joined by the making of a defense the case will be tried before the court, with or without a jury. If the issues are found for the defendant the case will be dismissed as in other proceedings. If the verdict is for the plaintiffs, the defendant will be adjudged a bankrupt, and unless satisfied with the judgment will have his right of appeal.

If on the last day within which pleadings may be filed none are filed, the judge will, if present, on the next day, or as soon thereafter as practicable, inquire into the case and either make the adjudication or dismiss the case. In cases wherein default has been made as above and the judge is not present, the clerk will forthwith refer the case to the referee, who will in like manner dispose of it. If the parties in interest should be dissatisfied with this disposition of the case, they may, upon application and without the giving of a bond, have it certified into court to be considered and finally passed, subject to the right of appeal, as above stated.

In voluntary cases the judge shall consider the petitions as filed, if present, and if absent they shall be referred to the referee with like power, as in cases of involuntary petitions in which defaults have been made.

I confidently believe that the proceedings as here provided will prove to be prompt, but not precipitate; deliberate, but not so long delayed as to be a practical denial of justice, as is now too often the case in proceedings in some of our State courts.

JURY TRIALS.

All persons who care to have the facts involved in the issues tried by a jury may have one by stating the fact of their desire in their answer or filing it at the same time. Of course if no answer is filed default will be taken and the case will be disposed of as just explained; but if an answer is filed, accompanied by an expressed wish for a jury, one shall be summoned. This provision secures absolutely the right of trial by jury in every case whenever it is so desired.

It has been suggested by gentlemen who are deservedly eminent among their professional brethren, and whose experience has been such as to give to their opinions great weight, that they think that all facts in bankruptcy cases should be found by the court without the intervention of a jury. I do not concur in that view, as I think that the jury system is one of the bulwarks of our liberties, and that the right of submitting matters of fact in controversy for final determination to a jury is desirable in every case. The fact that such is the rule in all courts of the country except the purely equity courts would result in creating a general dissatisfaction with the bankruptcy law which did not make that provision.

It is not attempted to provide any other or different means by which the rights of a trial by jury may be secured or enjoyed than as now or hereafter provided by laws upon this subject.

OATHS, AFFIRMATIONS.

For the convenience of creditors in preparing their claims against bankruptcy estates, it is provided that oaths may be taken or affirmations made before referees, State or national officers authorized to administer oaths, and diplomatic or consular officers of the United States in foreign countries.

EVIDENCE.

Courts of bankruptcy may, upon application of parties in interest, require persons who are competent witnesses to appear in court before a referee or a judge of a State court to be examined concerning facts in issue in bankruptcy proceedings. Depo-

sitions may be taken as in other cases, except that additional notices may be given, so as to insure the preservation of the rights of all parties interested.

Certified copies of proceedings before a referee are put upon the same plane as certified copies of clerks of the district courts.

Under the old law the title of the property of the bankrupt, upon the adjudication invested by operation of law in an officer called the register in bankruptcy, and upon an appointment of the assignee, a conveyance was made to him by the register of the property of the bankrupt. Under this law the title vests by operation of law as of the date of the filing of the petition directly in the trustee, and notice thereof is imparted by the filing of record of the certified copy of the order approving the bond of the trustee.

A certified copy of the order of the court, affirming or setting aside a composition or granting or setting aside a discharge not revoked usually constitute conclusive evidence of the jurisdiction of the court, the regularity of the proceedings, and of the fact that the order was made.

In cases in which a composition is affirmed, the title of the bankruptcy property reinvests in him by operation of law, and a certified copy of the order to that effect shall impart the same notice as a deed to him would impart to the public.

REFERENCE OF CASES AFTER ADJUDICATION.

Whenever the adjudication is made, the court will refer it to the proper referee or retain it in court and cause it to be administered without a reference, or certain branches of the case may be referred for the taking of evidence or other proceedings which may prove necessary. In order that the convenience of all parties may be served, it is provided that cases may be transferred from one referee to another.

JURISDICTION OF UNITED STATES CIRCUIT COURTS.

The jurisdiction of the United States circuit courts is limited to exactly that which it would have possessed had the controversy arisen between the bankrupt and his creditor or debtor, if bankruptcy proceedings had not intervened.

Suits which are brought by the trustee can only be brought in courts which would have had jurisdiction of the controversy between the bankrupt and the adverse claimant, if bankruptcy proceedings had not intervened, or by consent of the proposed defendant suit might be brought in the court of bankruptcy.

In order to secure as prompt a disposal of cases in which it is charged that offenses under the act have been committed as possible, the United States circuit courts are given concurrent jurisdiction with the courts of bankruptcy of such cases.

JURISDICTION OF APPELLATE COURTS.

Courts having appellate jurisdiction from courts of bankruptcy are vested with power to hear and decide appeals in vacation in chambers and during term time. The same is true of the Supreme Court of the United States, in so far as it exercises appellate jurisdiction from courts of bankruptcy not within an organized circuit and from the supreme court of the District of Columbia.

The conferring of jurisdiction upon these courts in chambers in vacation will tend to the prompt disposal of bankruptcy business, without interfering with the disposal of the ordinary business before those courts. This provision is necessary, as I think, because when the act first takes effect there will probably arise a good many cases of construction which could not have been foreseen and which ought to be promptly decided. This condition grows out of the fact that Congress has for so long a time refused to exercise the power to pass such a law that there has been a great accumulation of business which could not be disposed of in any other court or courts relating to the discharge of honest insolvents who have been constant sufferers all during the period within which there has been no such law.

In order to insure adequate notice to the parties in interest of disposal of cases upon appeal, it is provided that within ten days after the appeal is returnable the case shall be set down at some future time for hearing, with due reference to the exigencies of the case, that is, if it should happen that among the bankruptcy cases there was one which would prove decisive of others, that it of course should have precedence as being the more important.

The appellate courts are given a general superintendence of the bankruptcy courts in cases, except in which an appeal may be taken or a writ of error sued out, when the interest of the aggrieved party exceeds \$500, and the appeal or petition has been filed within ten days after the action or refusal to act complained of; such jurisdiction will be exercised in a summary way, as in a court of equity, after the adverse party shall have had ten days' notice.

APPEALS AND WRITS OF ERROR

Under the old law a specific bankruptcy appeal was provided, and as a result the members of the bar were annoyed by there

being one form of appeal in ordinary cases and another in bankruptcy cases, and litigants were put to large expense and subjected to inconvenient delays because of the necessity for securing a construction of these provisions by the Supreme Court of the United States. In this bill the opposite course has been pursued, in this, that appeals are likened to appeals in other cases, so far as applicable, and it is to be hoped that they will neither prove annoying to the members of the bar nor expensive to the litigants.

Appeals may be taken or writs of error may be sued out in controversies involving \$500 and over, adjudications upon petitions, the granting or refusal of applications for the removal of cases, and the granting and dismissal of petitions for discharges; they shall be prosecuted within ten days after the order complained of, or refusal to grant an order prayed, unless further time be granted by the judge. As stated, they will be taken in pursuance of the provisions of law now in force on that subject, or such as may be hereafter enacted.

Trustees shall not be required to give appeal bonds.

Appeals can not be taken to the Supreme Court of the United States, nor can writs of error be sued out in that court, except as now provided by law.

ARBITRATION OF CONTROVERSIES.

The spirit of the age is to arbitrate controversies. This bill, therefore, makes ample provision for arbitration as a substitution for an appeal to the courts.

In the administration of bankruptcy affairs there are frequently many vexed questions which ought to be settled in the best interests both of the creditors and of the adverse claimants, but which would result naturally in the expenditures of a greater amount of costs than the amount involved if it were necessary to go into court and litigate the subjects. It has therefore been provided that the arbitration may be had under careful restrictions to prevent the perpetration of fraud through the connivance of the person intrusted with the title of the creditors for the purpose of the marshaling and distributing of the assets.

COMPROMISES.

In order to enable compromises to be made in cases in which it is evidently for the best interests of the estate that the trustee should pursue that course, it is provided that he may do so, with the approval of the court. In order to prevent the possibility of the estate being imposed upon by the bad judgment or improper acts of the trustee, it is provided by section 58 of the bill that the creditors shall all have at least ten days' notice by mail of the proposed compromise of every controversy.

DESIGNATION OF NEWSPAPERS.

In order to enable parties in interest to see all notices which are given in bankruptcy by publication, it is provided that a newspaper shall be designated in which they shall be published. If the convenience of parties will be promoted thereby, the court may in a particular case designate some additional newspaper in which notices and orders referring to such case shall be published.

It is of the greatest importance that due publicity should be given of proceedings, and it is thought by this means that end will be accomplished. The notice of the first meeting of creditors in each case shall be published at least once, and oftener if so directed by the court, and the last publication shall be at least one week prior to the date fixed for the meeting. Other notices may or may not be published, as the exigencies of the case shall require.

The purpose of having notices published is to prevent the possibility of proceedings being had without the knowledge of all parties in interest. This might frequently occur if the parties were at liberty to publish notices in any newspaper, as they would, if they had occasion to endeavor to secure secrecy, publish notices in papers in which they did not usually appear, and thereby succeed in effect in securing proceedings which were unknown for the most part to the public. By this arrangement, anyone interested in a general way in bankruptcy proceedings can by a glance at the designated paper obtain information as desired.

OFFENSES.

The maximum term of punishment for the commission of offenses under the bill is two years, and the minimum is the smallest conceivable time. The offense must, of course, have been wilfully committed and the defendant must have been found guilty in proceedings exactly similar to those for the trial of other offenders in United States courts.

The first offense is as follows:

Appropriated to his own use, embezzled, spent, or unlawfully transferred any property belonging to a bankrupt estate which came into his charge as trustee.

There certainly can be no objection to the inflicting of this

comparatively light punishment upon one who shall have been fairly found guilty of having committed such an offense.

The second offense is as follows:

Attempted to account or accounted for any of his property, or attempted to account or accounted while a bankrupt for any of the property belonging to his estate by fictitious losses or expenses.

It was, as I remember it, a usual form of hiding away property by making entries upon books of fictitious losses and expenses, to account for property which was by that means hidden away, in one of the many forms. I have been told that in one jurisdiction a lot of worthless railroad bonds were so often purchased by proposed bankrupts in turn, only to be accounted for as part of their assets, and then sold at auction for a nominal sum, with the result of their worth upon the books having been hidden away by the bankrupt, that it became quite a scandal. It seems necessary that the law should contain this provision to prevent a recurrence of such wrongful acts.

The third ground is:

Concealed while a bankrupt, or after his discharge, from his trustee any of the property belonging to his estate.

This offense is a theft by the bankrupt from his creditors, and is therefore properly punishable as here provided.

The fourth ground is as follows:

In case of any person having to his knowledge, after he has become a bankrupt, proved a false claim against his estate, failed to disclose that fact, within one month after coming to a knowledge thereof, to his trustee.

This offense would simply constitute the bankrupt as *particeps criminis* with the person who shall have in this way secured property from a bankrupt estate to which he is not lawfully entitled, and therefore it ought to be punished. Under the duties of a bankrupt he is required to make this disclosure immediately, but it does not become an offense punishable as here provided unless he shall have failed to do so for one month.

The fifth offense is as follows:

Made a false oath in, or in relation to, any proceeding in bankruptcy.

I have never heard of anyone yet who was not willing that perjury should be punished at least as severely as provided in this section.

The sixth offense is as follows:

Made a substantially false valuation, as a bankrupt, of any of the property of his estate in his schedule of property, or omitted therefrom any of the property of his estate, or from the list of his creditors any person to whom he is indebted in a substantial amount, or included therein any person to whom he is not indebted, or included therein a creditor for an amount substantially more than the true indebtedness.

It is provided in the section with relation to compensations that as a basis of settlement a schedule of property and list of creditors as required shall be filed. If the debtor should willfully pervert these facts, it would result in a wrong to the creditors amounting to an improper appropriation of property in which they are interested, to say the least of it. This heading is very carefully guarded by the use of the qualifying words: "Substantially false valuation," and "Substantial amount," and "An amount substantially more than the true indebtedness."

The seventh heading is as follows:

Obtained on credit any property with intent not to pay for the same or with intent to use the same to prefer a creditor or increase his property in contemplation of bankruptcy.

Obtaining goods under false pretenses is certainly an offense by common consent. It is, of course, immaterial whether the goods so obtained were for the benefit of some other creditor or for the increase of assets in bankruptcy or for the benefit of the debtor personally, as the loss to the aggrieved party would be the same in each instance.

The eighth heading is as follows:

Presented any false, or substantially exaggerated, claim for proof against the estate of a bankrupt, or used or offered to use any such claim in composition personally or by agent, proxy, or attorney, or as agent, proxy, or attorney.

The claim as presented must be false or substantially exaggerated; the allowance of such claim would result in deteriorating the claims of bona fide creditors. Not only would the act willfully done by the principal, but by the agent, proxy, or attorney justify his punishment, but it would also justify a punishment of the agent, proxy, or attorney. In other words, it is proposed to punish all of those persons who willfully endeavor to defraud an estate by the attempt to use, or the actual using of false or substantially exaggerated claims.

The ninth offense is as follows:

Received any property or the promise of the same, or paid or promised to pay any property as a consideration to act or forbear to act in any proceeding in bankruptcy.

Bribery in all of its forms ought at all times to be punished.

The tenth heading is as follows:

Secreted any of his property to avoid it being levied upon under legal process against himself or administered in bankruptcy, or any document relating to his property or which is a part of or relates to an estate in his charge.

The word "secreted" as here used includes, according to the

dictionary clause of the bill, the following: "Secreted, concealed, falsified, mutilated, removed, and suppressed." The secreting of property is always of course for the purpose of preventing its proper disposal under the law, and is therefore intended to be tantamount to a theft. The act ought therefore to be punished accordingly.

The eleventh and final heading is as follows:

Transferred, otherwise than in the ordinary course of his business, and in contemplation of bankruptcy, any property which he has obtained on credit.

Those who part with property ought to be protected as against the willful act of those who obtain it in contemplation of bankruptcy and then dispose of it otherwise than in the ordinary course of business. Honest men certainly would have no reason to do so, and dishonest men ought to be deterred therefrom, and hence this provision.

A fine of not to exceed \$100 may be inflicted upon anyone convicted of any of the offenses, as follows:

(1) Acted as a referee in a case in which he is directly or indirectly interested; (2) neglected while an officer to furnish, in writing and transmit by mail, information, such as is within his knowledge or as may be shown by the records and papers in his possession, to the Attorney-General for statistical purposes, within thirty days after being requested by him to do so; (3) neglected for thirty days, while a referee or trustee, to furnish such reasonable information, concerning an estate in process of administration before him or of which he is trustee, as may be requested by parties in interest; (4) practiced while a referee as an attorney and counselor at law, solicitor in equity, or proctor in admiralty in any bankruptcy proceeding; (5) purchased while a referee directly or indirectly any property of an estate in bankruptcy; or (6) refused while a referee or trustee to permit a reasonable opportunity for the inspection of the accounts relating to the affairs of, and the papers and records of, estates in his charge by parties in interest.

A person shall not be prosecuted for any offense arising under this act unless the indictment is found or the information is filed in court within one year after the commission of the offense.

The limitation for the punishment of offenses enumerated in both paragraphs of this section is one year.

The punishments for these offenses are much milder than under the former bankruptcy acts, and it is believed that they will suffice to prevent the doing of a large amount of wrong which now goes unwhipped of justice. I do not believe that it is the severity of punishment which prevents the doing of wrongful acts, but the certainty that the offense will be detected and the punishment inflicted.

I can not believe it possible that any honest debtor will object to this section of the law, but, on the contrary, believe that they will welcome it. It is but expected that the dishonest and those who are so inclined will cry out against it, but I believe that it is necessary as a part of the law, and that it will result in the promotion of morality, and never in the slightest degree militate directly or indirectly against the best interests of the honest man.

RULES, FORMS, AND ORDERS.

The Supreme Court of the United States is authorized by the act to promulgate and, from time to time, modify and change rules, forms, and orders as to procedure, and for carrying the act into force. There are many provisions in the nature of rules, forms, and orders which can better be provided for in this way than in the law itself, as there may be occasion to modify them from time to time as experience may necessitate.

Courts of bankruptcy will control their own rules and orders, so far as occasion may necessitate, subject to such as may be prescribed by the Supreme Court.

COMPUTATION OF TIME.

In order to prevent a diversity of the computation of time in the several States, it was thought best to prescribe a uniform rule; the rule here adopted is the one most favorable to those interested in the prolongation of time.

TRANSFER OF CASES.

The several courts of bankruptcy have jurisdiction to (1) adjudge persons bankrupt who have done business, resided, or had their domicile within the respective territorial jurisdictions for the preceding six months, or the greater portion thereof, or who do not do business, reside, or have their domicile within the United States, but have property within their jurisdictions, or who have been adjudged bankrupts by courts of competent jurisdiction without the United States, and have property within their jurisdictions.

Under this provision, proceedings might be filed simultaneously against the same person, if it happened that he did business in one jurisdiction, and resided in another, or, in the case of a nonresident, it might happen that he had property under the jurisdiction of each of the district courts of the United States, and there might, therefore, be great confusion if it were not for this section providing for the transfer of cases. If it should happen that the court refuses to transfer a case upon petition, it can be taken to an appellate court and there determined.

CREATION OF TWO OFFICES.

In view of the large amount of business which has accumulated by reason of there being no law upon the subject, it has been thought best to provide for an office which is in effect that of as-

sistant to the judge of the district court. The business which has accumulated and which must be disposed of, and which ought to be done without interfering with the other business of the courts, is such that it has not been attended to by the State courts, and could not be so attended to, because of the provisions of the Federal Constitution conferring upon Congress the sole power to pass a bankruptcy law.

This officer is not to be any expense to the Government, nor to the county or district in which he has jurisdiction.

The trustee will be elected in each instance by the creditors of the estate, and will not be of any expense to the State or Government.

If the bill did not provide for the appointment of the referees it seems probable that it would be necessary to provide an additional number of members of the district Federal bench, and if so the occupants would be paid from the national Treasury.

APPOINTMENT OF REFEREES.

The referee will be appointed by the courts of bankruptcy, and may be removed as occasion requires. Their territories will be fixed by order, and may be changed from time to time.

QUALIFICATION OF REFEREES.

It was a cause of common complaint under the old law that relatives of the judges were too often put into these lucrative positions. Under this bill applicants for these positions must be competent persons, who are not in office other than commissioners of deeds, justices of the peace, masters in chancery, or notaries public, and not related by blood or marriage within the third degree to any of the judges or justices, and residents of or having their offices in the district for which appointed.

OATHS OF OFFICE OF REFEREES.

Since referees are assistant judicial officers they will be required to take the same oath of office as prescribed for judges.

NUMBER OF REFEREES.

The number of referees will be determined by the amount of business which may be submitted to the bankruptcy courts for transaction. In the beginning it is probable that this volume will be very large and that it will gradually decrease until it will be very small. It is, of course, due to parties in interest that the business should be disposed of promptly, and it is but proper, therefore, that the bill should provide the necessary machinery to meet their reasonable demands, especially so since it can be done without costs except to those interested.

JURISDICTION OF REFEREES.

Referees do not have any final jurisdiction, but their findings are always liable to be reviewed by the judge; the transfer of a case or finding from the referee to the judge can be made without expense to the party in interest desiring such removal; that is, the referee must, upon request, certify the case into court, and the judge will then pass upon it. In order to secure this result it will not be necessary to give an appeal bond or to pay any costs.

Jurisdiction to consider petitions is confined to such cases where in there has been a default, and where voluntary petitions have been filed. The jurisdiction in this case extends only to acting in the absence of the judge. While they are authorized to administer oaths and to examine persons as witnesses and to require the production of documents, they are not authorized to commit recalcitrant witnesses or custodians of documents. In the absence of the judge from the district, or of his sickness or inability to act, where great hardships might arise to both debtors and creditors with reference to the seizure and release of property, it is therefore provided that this officer may act in that event; but, as before stated, whatever he may do will be subject to revision upon certificate to the judge.

This officer does not have jurisdiction under any circumstances of questions arising out of the applications of bankrupts for compositions or discharges, as it is thought that those questions ought to be determined by the court itself. There may be cases in which it would greatly expedite proceedings to employ a stenographer, and hence it is provided that this may be done by that officer, at the expense of the estate, upon the application of the trustees.

DUTIES OF REFEREES.

The referee is the custodian of the records in each case pending for administration before him. These records will embrace among other things the list of the claims which have been allowed and the reports of the trustees showing the amount of money on hand belonging to estates. He therefore is the proper officer to declare dividends and to prepare a list of creditors showing to whom they should be paid. Since it is necessary that schedules of property and lists of creditors should be supervised and corrected if occasion shall require, this officer seems to be the proper one to do so.

Under the old law notices to creditors were given by the offi-

cer corresponding to the trustee under the present law; he was usually a different individual in each case, and not infrequently was an individual without clerical experience or accomplishments, and as a result notices were frequently not given according to law, and in most instances were faulty in many respects. To avoid this condition of affairs it has been provided that all notices shall be given by the referee, as he will sooner or later become proficient therein, although possibly wanting in experience in the beginning. The making up of records and transmitting them to the judge is his duty, in connection with securing in effect an appeal from him to the judge in all contested matters.

There may be cases in which the bankrupt will refuse or neglect to make up the schedules of property and lists of creditors as required by law to be filed in every case; in such an event the referee will make up such schedule and list as best he can from the best obtainable sources. The other duties, are such as I think should be performed by him, without the possibility of controversy between the friends and enemies of the proposed legislation.

These officers are prohibited from acting in cases in which they are interested or participating as counsel in bankruptcy proceedings, and from purchasing property of estates in bankruptcy.

COMPENSATION OF REFEREES.

The referee shall receive a ten-dollar filing fee in each case, and a commission of 1 per cent on the net result of estates administered before them, or 1½ of such per cent in cases in which there are compositions. In certain cases in which they perform only part of the duties they will receive only part of such compensation.

Under the old law the compensation of officers corresponding to these was altogether out of proportion to the services rendered. It may be that this bill has gone to the extreme in the line of economy; but if so it certainly is an error on the right side.

For myself, I believe that it will be possible to secure the services of competent men to perform these duties, since the holding of a commission as referee would not seriously interfere with the practice of an attorney, unless there were enough business pending before him to pay him a reasonable compensation at the prices fixed.

It is always esteemed an honor to hold an appointment under a national law, and I do not believe that this will prove an exception to the general case.

I have learned in many parts of the country of movements which had already been made by gentlemen looking to securing these appointments, and am told that in every instance the proposed applicants were men of good character and of established reputations.

CONTEMPTS BEFORE REFEREES.

The referee ought to be protected in the performance of his duties, and hence this section is submitted for enactment. It was not thought that an officer of this limited jurisdiction ought to have authority to punish for contempts, and the provision is added, therefore, which refers the whole matter to the court with authority to hear evidence as to the act complained of, with final jurisdiction to dispose of the matter as if the act complained of, if actually committed, had occurred before the court.

RECORDS OF REFEREES.

The recordings of proceedings in bankruptcy are to be kept by the referee as nearly as may be in the same manner as records are now kept in equity cases in the circuit courts of the United States. They are to be kept in separate books so that as soon as a case is concluded the records may be returned to court instead of being kept on file with the referee. Keeping the records in this manner will also facilitate their transmission from the referee to the court in case of a hearing in court, and vice versa.

Under the old law the records were duplicated with the effect of multiplying papers, increasing fees for the officers, and the consequent absorption of estates.

The system here provided is as simple as it is possible to make it with due reference to keeping proper records, and the labor of preparing them will be paid for by the ordinary compensation of the referee.

REFEREE'S ABSENCE OR DISABILITY.

In order to prevent inconvenience to parties in interest by changes on account of the absence of referees, it is provided that the judge or some other referee may act in the absence of any one before whom proceedings are pending.

APPOINTMENT OF TRUSTEES.

It is provided that the creditors shall select a trustee and fill vacancies. If they fail to do so the court shall act in their behalf.

This arrangement for the appointment of trustees will avoid the possibility of certain classes of abuses which were perpetrated under the old law by certain evil-disposed members of the judiciary, who were said to have appointed favorites in all cases.

It is believed that since the estate is to be administered primarily for the benefit of the creditors they ought to control the appointment of the trustee. They also fix the amount of his bond.

QUALIFICATIONS OF TRUSTEES.

Trustees may be individuals or trust companies authorized by law to act in that capacity. The limitation both as to individuals and to corporations to those who reside or have an office within the district from which appointed is for the purpose of having them at all times subject to the order of the court.

DEATH OR REMOVAL OF TRUSTEES.

Ordinarily the death or removal of the trustee would abate any proceedings with which they were connected, either as plaintiff or defendant. It is intended to change this in the interest of expedition, and hence this section.

DUTIES OF TRUSTEES.

The duties of trustees have been carefully enumerated for the guidance of those officers, as it is expected that they will be different persons in each case, and hence will desire specific directions for the performance of their duties.

It will be noted that the trustee is to account for all interest received upon the property of the estate. This provision is but proper, and will tend to prevent a delay in the distribution of an estate, as might be the case if the trustee was permitted to loan it out at interest for his own benefit. The requiring of the deposit of all moneys received, and the disbursement of same only by check or draft, is for the purpose of preventing "vest-pocket cash accounts," which frequently result in primarily unintentional but actual embezzlement of estates.

COMPENSATION OF TRUSTEES.

Trustees shall receive a \$5 filing fee in each case, and a commission of 5 per cent on the first \$5,000 or less paid to creditors in dividends and to officers, 2 per cent on the second \$5,000, or part thereof, and 1 per cent on additional sums.

It will be noted that this officer does not receive any commissions on amounts paid out for expenses of the estate, and that the amount to be received must be computed upon the net result of the administration of the estate. He will therefore be financially interested in an economical and prompt administration.

The possibility of there being successive trustees for one estate, and of each desiring to draw full commissions, has been carefully guarded against by a provision that they shall be divided by the court, and shall not under any circumstances collectively exceed the amount as above provided.

In order to insure a proper performance of duty by trustees it is provided that in the event they are removed for cause all compensation may be withheld by the court.

ACCOUNTS AND PAPERS OF TRUSTEES.

It is not intended that the trustee shall hold any secrets from the parties in interest, and hence it is provided that they shall have access to his accounts and papers.

BONDS OF REFEREES AND TRUSTEES.

The referee is forbidden to practice as a lawyer in any bankruptcy proceedings; he is forbidden to purchase directly or indirectly the property of any bankrupt estate; he is required to permit a reasonable opportunity for an inspection of the accounts and papers of estates in his charge by parties in interest. If he refuses to do any of these things he shall, upon conviction, be punished by a fine. He shall also be liable upon his bond to parties whom he may have injured by these forbidden acts.

The trustee is required to qualify within ten days after his appointment, or conditionally within five days thereafter. The amount of the bond will have been fixed by the creditors at the time of the appointment of the trustee. It is provided that the creditors may at any time increase the bond as occasion may require. In the event of their failure to fix the amount of their bond the court shall do so.

Very careful provisions have been made to the end that there shall be at least two solvent sureties on each bond, and that the actual value of their property above their liabilities and exemptions shall equal the amount of the bonds.

Sureties may be individuals or corporations organized for the purpose of becoming sureties on bonds.

Bonds shall be filed and may be sued upon in the name of or by the person injured for a breach of their conditions.

The failure to give bonds as required on the part of trustees or referees shall create a vacancy in their offices.

Suits upon referees' bonds shall not be brought subsequent to two years after the alleged breach.

Suits upon trustees' bonds shall not be brought subsequent to two years after the estate has been closed.

DUTIES OF CLERKS.

The district clerk shall account for the fees received by them. Under laws now in force clerks are permitted to charge fees. They shall account for all amounts received, and retain as their own the fees up to a certain maximum amount; when they exceed such amount the surplus shall be paid into the national Treasury. This provision does not change the rule in this regard.

The fees due to the clerk, referee, and trustee shall be collected by the clerk prior to the filing of the petition; fees payable to the two latter officers shall be retained by the clerk until the cases on which they have been collected have been closed, and then he shall pay them over to these officers. They are required to exchange papers with the clerk as occasion may require.

COMPENSATION OF CLERKS.

In each case the clerk shall receive a filing fee of \$10 in full for all services rendered in such case. Doubtless in many cases this amount will be too small; certainly in other cases it will be too large, but it is thought that upon the average it will be a fair compensation for the services rendered in bankruptcy cases.

In cases in which the amount received by the clerk exceeds the maximum amount allowed to the clerk it will be immaterial to him if the amount shall prove rather small for the services actually rendered. In cases in which the fees received do not reach the maximum it may work a hardship upon the individual clerk, but if such shall prove to be the case the matter can be remedied by amendment.

Under the old law this officer received in most cases an excessive compensation to the detriment of the estates administered in their courts. If, under this law, an error to the other extreme has been committed it can be corrected as above stated.

DUTIES OF ATTORNEY-GENERAL.

It is provided that the Attorney-General shall collect bankruptcy statistics and lay them before Congress. The purpose is to ascertain what proceedings are taken and what results are obtained under the act to the end that Congress may make such amendments as may seem desirable in view of the workings of the law.

STATISTICS OF BANKRUPTCY PROCEEDINGS.

In order to enable the Attorney-General to collect the statistics as above required it is made the duty of officers to furnish them upon written requests.

MEETINGS OF CREDITORS.

It is contemplated that the first meeting of creditors shall be held not less than ten nor more than thirty days after the adjudication. It seems that at least ten days should expire after the calling of the meeting before it is held to the end that all parties in interest may be notified and be given every opportunity to be represented at such meeting. It is provided that the meetings shall be at the county seat of the county in which the bankrupt has done business, resided, or had his domicile, but if the holding of the meeting at such place would be manifestly inconvenient to the parties in interest, it may be held at a more convenient place. If by any mischance it is not held within that time, the court may fix the date when it shall be held.

At the first meeting claims against the estate will be considered, and the bankrupt will be examined if such is the desire of the creditors.

A notice of the first meeting shall be published; this provision is to prevent anything in the nature of a "snap" meeting.

Meetings subsequent to the first may be held by the written consent of all the creditors.

Meetings shall be called by the court when one-fourth of the creditors file a written request to that effect. If the signers represent a majority in number and amount of claims proven they may designate the place of the meeting.

A final meeting will be held whenever the estate is ready to be closed.

VOTERS AT MEETINGS OF CREDITORS.

In order to prevent the necessity of repeating from time to time in the body of the bill what vote of creditors shall be required in order to carry a proposition in the affirmative, it is provided in this section that it shall always require, except when otherwise specified, a majority in number and amount of creditors.

Creditors holding claims which are secured or have priority shall not be entitled to vote at creditors' meetings, nor to have their claims considered in computing the amount of claims. The reason for this is manifest; that is to say, secured creditors will be able to realize the amount of their claims above securities held, or above the value of property upon which they hold liens, and creditors having claims which are entitled to priority will

be paid in full before plain claims will be entitled to any percentage. It is therefore thought that the estate ought to be managed in the interest of the unsecured claimants; as it is they and not the secured claimants, or those whose claims have priority, who must suffer in the event the estate is not well managed.

PROOF AND ALLOWANCE OF CLAIMS.

Most of the claims which are presented against a bankrupt estate are admitted to be due by the books of the bankrupt, and hence the proof and allowance of these claims is made purely formal in the first instance, and in order to prevent estates being plundered by improper claims it is provided that they may be suspended upon motion of parties in interest, or upon motion of the court, and in that event that they shall be proven in the same way that claims are ordinarily proven in court.

Evidence as to such claims may be taken under the provisions of law now in force for the taking of depositions. Notice in each instance shall be filed with the referee, and when the purpose of taking the evidence is to defeat a claim, notice thereof shall also be served upon the claimant.

NOTICES TO CREDITORS.

Creditors shall have at least ten days' notice by mail of examinations of the bankrupt, hearings upon applications for the confirmation of compositions or the discharge of bankrupts, of creditors' meetings, of proposed sales of property, the declaration and payment of dividends, the filing of final accounts, when and where they will be passed upon, the proposed compromise of any controversy, and the proposed dismissal of the proceedings.

These careful provisions with regard to the giving of notice will prevent all classes of "sharp practice," which so often occasioned scandals under the old law.

The notice of the first meeting of creditors shall be published in the newspaper designated to publish notices, and in others if the court shall so order, and the last publication shall be at least one week prior to the date fixed for the meeting. This provision is to the end that the public and all parties in interest shall have notice and be given an opportunity to appear, if they so desire.

Notices shall be given by the referee, unless otherwise ordered by the judge. This provision is both in the interest of economy and efficiency. Economy, because the referee, in giving all the notices, can practice certain economies which could not be practiced by the individual trustees. As the trustee is presumably a different person in each case, and will in all probability not be skilled in clerical work, it will probably be more efficiently done if attended to by the referee.

WHO MAY FILE AND DISMISS PETITIONS.

A bankrupt may file his own petition.

An ordinary suit may be filed by a person with a real or imaginary grievance, irrespective of the amount of the claim in dispute, but in involuntary proceedings in bankruptcy it is provided that proceedings can not be commenced except by the concurrence of at least three creditors, and they must be those who have claims aggregating in amount, in excess of securities held by them, \$500 or over; if the creditors of the proposed defendant are less than twelve in number, then one or two of such creditors having such claims may file the petition.

It is thought that these very carefully guarded provisions will prevent the filing of petitions, in all cases, for improper motives.

Since the petitioners can not obtain under any circumstances more than their pro rata part of the estate the selfish motive which now induces large numbers of creditors to bring compulsory proceedings against debtors will be removed and the probability will therefore be that a fewer number of suits will be brought against debtors than at present. The absence of a purely selfish motive for instituting proceedings will, without doubt, tend to beget a more conservative feeling between debtors and creditors and must in the end result to the advantage of both.

Ample provisions are made both for the determination of the number of creditors in the event the petition has been filed by less than three and there is a controversy as to whether the creditors are more than twelve in number. It is provided, in computing the number of creditors for determining how many must join in the petition, that those who are employed by the debtor at the time the petition was filed, or are related to him within the third degree, and have not joined in the petition, shall not be counted.

Presumably, the relatives and employees of the defendant would be under his control so far as the institution of proceedings is concerned, and it was therefore thought best that they should not be counted in computing the number of his creditors. If the employees and relatives desire to join in the petition, and are not secured, they may do so. If the adjudication is made, the rela-

tives and employes holding bona fide claims will be entitled to exercise all of their rights, the same as other creditors.

All of the creditors are given a standing in court; if they do not wish to join as parties plaintiff, they may enter their appearance as defendants and assist in opposing the action. The purpose of this arrangement is manifest; that is, all of the creditors are interested, and it is proper that they should be heard in determining the matter in controversy.

In order to prevent the dismissal of petitions for improper purposes, it is provided that the creditors shall have ten days' notice by mail of the proposed dismissal of the petition before the order of dismissal shall be entered. This provision is but a companion piece of the others in the bill, which tend to secure fair and square dealings in all bankruptcy proceedings.

RIGHTS OF DEBTORS AND CREDITORS UNDER THE PRESENT INSOLVENCY STATE LAWS AND UNDER THE PROPOSED BANKRUPTCY LAW.

The report of the Committee on the Judiciary under this heading is as follows:

A debtor can not, under the present insolvency laws of most of the States, secure an extension of time or a settlement except by the voluntary clemency of every one of his creditors: under the proposed bankruptcy law he may, with the concurrence of a majority of his creditors, secure more time to pay his debts or effect a compromise by which the amounts owed will be reduced.

A creditor who wishes to secure a settlement for a debtor, under the laws of most of the States, may be practically coerced into purchasing the claims of other creditors who have it in their power to prevent a settlement, and in that way secure a price for their consent; pursuant to the provisions of the bill now recommended creditors of the same class will enjoy equal rights and can not therefore impose upon each other.

A debtor can not legally secure even a limited discharge under many of such State laws; he can not under the laws of any of them secure a discharge from a nonresident creditor. Under the measure in question he may, if an honest man, secure a discharge not as a matter of clemency but as a right under the provisions of the Federal Constitution.

A creditor who donates or sells a release to a debtor, by the laws of most of the States, knows that some other creditor may have joined therein on more advantageous terms, participated in fraudulent misrepresentations, or become the subject of favoritism; under the proposed law every creditor will receive only what in equity belongs to him and will be bound by the decree of the court confirming the settlement.

A debtor's property, under the present laws of most of the States, may be attached while he is temporarily embarrassed and the debtor broken up in business, although amply able, if given a little time, to pay his creditors and have a surplus left; if the law advocated by the committee be passed, attachments will not be availing solely to the creditors causing them to be levied, provided the defendant is adjudged a bankrupt under a petition filed within four months after the levy of the attachment.

A creditor under many of the present State insolvency laws is frequently compelled, through fear that some other creditor will take advantage of a common debtor, to make an affidavit as to facts he does not know to be true, and to give a bond in order to secure a ruinous attachment against an honest debtor; owing to the provisions of this bill he can deliberately inquire into the affairs of his debtor, and, if necessary, render him assistance in the form of an extension of time, of the scaling of the debt, or of the loan of money, with the assurance that his generosity will be appreciated by the debtor and that he will be protected by the court.

A debtor can not, as a practical proposition, have a meeting of his creditors under the present insolvency laws of many of the States; because, if a notice calling such a meeting were sent out, there would be a scramble among the creditors to secure their claims by attachments, garnishments, and replevins; by the terms of the proposed law, he may have a meeting of his creditors whenever and as often as he likes, since they can not get an advantage over him or over each other upon learning that he needs their assistance.

A creditor can not secure the confidence of his embarrassed debtor under the present insolvency enactments of most of the States, because the debtor knows that the creditor would be compelled in his own selfish interest to take advantage of him and the other creditors. If the proposed law be enacted the creditor can always have the confidence of his debtors and be thereby enabled to assist them in avoiding trouble and to help them if it comes, with advice and with money, if occasion requires.

A debtor, by the terms of many of the present State laws, may be induced to give or coerced into giving preferences, and thereby bring on his financial ruin without actual necessity, with the result of favoring a few creditors and being compelled to continue to owe the others; the proposed act forbids the giving and receiving of preferences, and, as a result, the creditors will receive their equitable share of the estate, and the debtor, if honest, will be discharged.

A creditor, in view of the provisions of many of the present insolvency laws, suffers a nightmare of apprehension lest his debtors should, in anticipation of real or imaginary dangers, dispose of their estates to his financial detriment. Under the measure submitted for passage he will be without fear, as he knows that whatever misfortune may befall his debtors he will receive his share of their estates over and above their exemptions.

A debtor frequently commits moral, and occasional legal, wrongs with regard to his property in the protection of his dependents under present laws; he will not have occasion to do so after the passage of the proposed law, as it will permit him to retain the exemptions allowed by the laws of his State, grant him a discharge if he is honest, and thereby enable him to honorably perform his duties to his dependents.

A creditor, at present, when selling goods or loaning money, must take the chances of his debtor giving secret liens and conspiring with others to defraud him; under the bill, now favorably reported, such secret liens can not be enforced and such frauds may be prevented; he will, therefore, be liberal in extending credit and thereby greatly benefit his debtors.

A debtor may now, almost without restraint, engage in reckless speculation, buy goods not intending to pay for them, and make away with his assets with but small risk of punishment; under the proposed act such conduct, if the creditors protect their interests, will result in a liquidation of his estate, the refusal of a discharge, and in his punishment; the effect will be a diminution of illegitimate transactions and the promotion of conservative methods in the affairs of commerce.

A creditor, under the present laws of many of the States, is without remedy as against his fraudulent debtor; by the provisions of the proposed law an adjudication may be secured; the entire property and all property rights will thereupon vest in the trustee, who will be entitled to use all processes

known to the State and Federal courts for securing the property and enforcing the property rights for the benefit of all of the creditors.

A debtor, in view of the present laws, can not now secure reasonable financial concessions from his creditors, because they prefer to obtain judgments against him and hold them over him; after the proposed law is enacted he can obtain such concessions as he may be equitably entitled to, because his creditors will know that, unless they are granted, he can go into a bankruptcy court and enforce them.

A creditor knows that less than 2 per cent of the people engaged in conducting the credit transactions of the country fail annually, and realizes that all of such debtors may now defraud him of every cent of his claim, and that such a result would cripple him financially; if the bill in question becomes a law such claims would all be collectible in part, and hence it would be impossible for him to be seriously crippled by the failure of that percentage of his debtors.

Debtors and creditors both know that the present laws are neither uniform nor complete; that concert of action between them is impossible; that through ungrounded fears and misapprehensions large amounts are unnecessarily spent and valuable good wills dissipated; they know, too, that the passage of this bill would be the substitution of one good law for many poor ones, and under it intercourse would be cordial and action always in harmony with mutual interests, the expenses trivial, and the results consonant with the rights of all parties.

The poor and the rich both know that under present insolvency enactments fraud, chicanery, and deceit are daily practiced in the administration of the estates of unfortunates; they also know that the bankruptcy bill is the embodiment of an earnest desire to enforce the rule that "honesty is the best policy" and hence the great masses of them are in favor of its enactment.

PREFERRED CREDITORS.

The distinction between a preferred creditor and one who has a lien should be very carefully noted. A preferred creditor is one who has received a payment from a debtor who is insolvent, with intent to defeat the operation of this act, or for the purpose of obtaining a greater percentage of his debt than other creditors of the same class. A lien creditor is one who, at the time of loaning money or extending credit to the debtor, has taken a valid security therefor.

The former is one who, having entered a class of unsecured creditors, thereafter undertakes to obtain an advantage over the other members of his class, after the common debtor has become insolvent, by securing a greater percentage on his claim than the other creditors of the same class; to enable him to do so would be inequitable. The attempt to secure preferences results in the destruction of a great many debtors who, if the giving or receiving of preferences were forbidden, might be saved to the business world, and their good wills preserved as a part of the accumulated wealth of the country.

Most States have forbidden the giving of preferences, but still, in one form or another in most of such States these local laws are circumvented, and as a result the struggle for them continues, with the ever-recurring result, that is, the breaking up in business of honest men, the payment of large bills of cost out of their estates, and in the end the inequitable distribution of the residue of the estates.

This section of the bill will not in any way interfere with or affect bona fide transactions between honest men who are solvent. It will simply relate to the giving of preferences by insolvent men in contemplation of bankruptcy.

If a preference, as described, shall have been given "within four months before the filing of the petition, and the person receiving it or to be benefited thereby, or his agent acting therein, shall have had reasonable cause to believe that it was intended thereby to give a preference, it shall be voidable by the trustee, and he may recover the property, or its value, from such person." In order to establish the fact that the preference has been given it will be necessary to prove that the giver was insolvent, or gave it in contemplation of insolvency, that in fact it constituted a preference, and that the person receiving it had reasonable cause to believe that it was given to him as a preference. These facts must be proven affirmatively. It will therefore be seen that the party acting in good faith will not be in danger of having his transaction upset, and, on the other hand, that transactions not in good faith will always be in jeopardy.

DEPOSITORIES FOR FUNDS.

It is provided that the bankruptcy courts shall appoint banking institutions as depositories for bankruptcy funds. This provision is to prevent trustees from depositing funds in banks which they may wish to favor, but which might be insecure as places of depositary. It is also in the line of lessening the probability that trustees will make private arrangements for personal advantages on account of leaving funds on deposit instead of paying them out promptly to the creditors in dividends.

EXPENSES OF ADMINISTERING ESTATES.

The expenses of estates which are to be paid are limited to those which are "actual and necessary;" they shall be "reported in detail under oath, and examined and approved or disapproved by the court" before being paid.

DEBTS WHICH MAY BE PROVED.

Liquidated claims may be proved and allowed against the estates, but unliquidated claims shall be liquidated before being proved and allowed.

The litigation incident to the liquidation of claims will occur in the courts which would have had jurisdiction of such actions if bankruptcy proceedings had not intervened, except that the proposed defendant, who is a contestant with the trustee, may consent to be sued in the bankruptcy court, or if he objects, the proposed complainant may bring his action in that court, but such is not the privilege of the trustee—he is limited to the court to which the bankrupt must have resorted if the proceedings had not been instituted.

DEBTS WHICH HAVE PRIORITY.

Debts owing to the United States, a State, or municipality, must be proved and allowed like other claims; they shall have priority only in the event and to the extent to which they constitute a lien upon the property of the estate. If they do not by law constitute a lien, they will only be paid the same as other claims.

A discharge will not release a bankrupt from any tax or any balance which may be owing after a dividend has been paid thereon from the estate.

Aside from taxes, the debts which have priority are, and they shall be paid in order as follows: The filing fees paid by creditors in involuntary cases; the costs of administration; wages due to workmen, clerks or servants, which have been earned within three months before the date of the filing of the petition, not to exceed \$300 to each claimant, and debts owing to any person who by the laws of the States or the United States is entitled to priority.

A composition which has been fraudulently granted may be set aside upon application made within six months after it was granted. A discharge may be set aside upon like terms within two years after being granted. The purpose of the composition and the discharge is to enable the defendant to again engage in business, but since the possibility of the composition being set aside or the discharge revoked exists in the first instance for six months, and in the latter for two years, it might be that the persons who had received the one or the other might not be able to obtain credit for that length of time, because if the same were set aside, the money loaned or property sold might be swallowed up in the payment of old debts.

In order, therefore, that full faith and credit shall be given to compositions which have been confirmed and discharges which have been granted until they shall have been in the ordinary courts set aside or revoked, a provision is here inserted that debts created by an individual who has had a composition confirmed or a discharge granted, after the confirmation or granting of the same and prior to the filing of the petition for setting the same aside, shall be paid in full out of the property acquired after those events, before any of the old debts shall be paid. This provision is strictly in accordance with the rules of equity and the ends aimed at by this bill.

DECLARATION AND PAYMENT OF DIVIDENDS.

Dividends shall, of course, be of an equal percentage of the allowed claims other than those which have priority or are secured. They shall be paid out of funds remaining after the claims having priority and those which have been secured have been paid.

The first dividend shall be declared within thirty days after the adjudication, if the money available therefor amounts to 5 per cent or more. The dividend shall be declared by the referee; he shall make out a dividend sheet showing the amount to be paid, and to whom to be paid. It shall be paid within ten days thereafter by the trustee; all creditors shall have notice of the proposed payments.

Dividends subsequent to the first shall be declared upon like terms, and as often as the amount shall equal 10 per cent or more and upon closing the estate. The judge may order dividends to be declared oftener and in smaller amounts, if for the best interest of the estate.

Bona fide dividends which have been paid shall not be disturbed by the proof and allowance of the claims of late comers, but their amounts shall be made good to them out of the estate before further dividends shall have been paid to the creditors who first received them.

UNCLAIMED DIVIDENDS.

Whenever dividends shall not be claimed within the first six months after the final dividend has been declared, the amount shall be paid by the trustee into court. If they continue to remain unclaimed for two years, the amount shall be distributed to unpaid creditors until they are satisfied, and the residue, if any, shall be paid to the bankrupt.

LIENS.

Claims which would not have been valid liens as against the claims of the creditors of a bankrupt shall not be liens as against his estate. That is to say, a claim against an estate shall not

constitute a lien against it which would not have constituted a lien over the claims of creditors against the bankrupt if proceedings had not intervened.

In the event a creditor is prevented from enforcing his rights against a debtor who afterwards becomes a bankrupt by the operations of the act, the rights which he had may be enforced by the trustee for the benefit of all of the creditors.

In order to prevent unsecured creditors from taking advantage of each other, or attempting to do so, and conducting their fight at the expense of the estate of the common debtor, and with the assured result of destroying him financially, it is provided that they shall not, as the result of any proceeding instituted within four months prior to the date of the adjudication, obtain a lien against his property. If any such lien has been obtained it shall be set aside as one of the results of the adjudication. If it has been created and realized upon the amount received, less taxable costs, shall be paid to the trustee.

To illustrate the necessity for the above provision, let me take an imaginary case in which A has borrowed money without having given security from X, and purchased goods on open account from Y; in the event of his insolvency and inability to pay both of his creditors in full, they ought to be paid pro rata out of his estate. It would be inequitable and wrong for X to obtain one hundred cents on the dollar of his claim, and Y to receive a smaller amount or nothing at all. This result would be attained in violation of the rules of equity, if it were possible for X to obtain a lien by securing a confession of judgment levying an attachment, or securing an attachment on a plain suit in advance of Y's being able to obtain the same result.

It is therefore provided by the bill that if the one or the other undertakes by compulsory proceedings to take advantage of his co-creditor that the other, in the event of bankruptcy proceedings within four months after the commencement of such suit or the giving of such judgment by confession, shall share pro rata in the estate, notwithstanding such attempt.

If the dissolution of the lien so obtained would militate against the best interests of the estate it shall not be dissolved, but the trustee may enforce it for the benefit of the estate.

Liens given by the bankrupt prior to the filing of the petition in good faith, and for a present consideration, which have been recorded, if such was necessary in order to impart notice, shall not be affected by this bill. This provision will protect all bona fide liens which are given in the ordinary course of business, and will prevent the usual and ordinary business methods from being interfered with even where one of the parties to such transaction becomes a bankrupt.

It is shown by statistics covering a period of fourteen or fifteen years past that only a little over 1 per cent of the men engaged in business annually fail, either as a result of insolvency, dishonesty, or precipitate action by creditors. It will therefore be seen that these provisions will not in any way affect pretty nearly 99 per cent; that is, ninety-nine in every one hundred of men engaged in business per annum.

SET-OFFS AND COUNTERCLAIMS.

This is a provision to secure the proper set-offs between bankrupt estates at the time the petition was filed and debtors or creditors, and at the same time to prevent the improper transfer of claims against estates, with the result of the advancement of the interest of one creditor over that of the other.

POSSESSION OF PROPERTY.

Ordinarily the property of a person against whom proceedings have been commenced will remain in his possession until after the adjudication, and until the trustee has been appointed, but in order to prevent the possibility of improper depredations being committed upon property within that time, it is provided that the judge may, upon satisfactory proof by affidavit, issue a warrant to the marshal to take possession; but before the warrant is issued, a bond must be given conditionally to indemnify the defendant in the event the seizure shall prove to have been wrongfully obtained.

The bankrupt may give a forthcoming bond in the event he wishes to retain the property, and if adjudged a bankrupt he must turn over the property or pay the value of it in money to the trustee.

These provisions are, in effect, an execution in aid of an attachment, but are much more favorable than the ordinary attachment, since the defendant has a right upon giving a bond to retain the property.

TITLE TO PROPERTY.

The title of the property of the bankrupt, other than his exemptions, shall vest in the trustee as of the date of the filing of the petition by operation of law.

The personal property shall be appraised. It shall be sold when practicable, subject to the approval of the court. If not so sold, it shall not be sold unless for at least 75 per cent of its

appraised value. All real or mixed property shall be sold, subject to the approval of the court. These provisions are to prevent the possibility of the sacrifice of property sales without due notice to parties in interest, and without their being given an opportunity to see that it brings its value.

In the event a composition is set aside, or a discharge revoked, the title of the property of the bankrupt, other than his exemptions, shall vest in the trustee as of the date of the filing of the application or the petition.

The trustee may avoid any transfer by the bankrupt which any creditor might have avoided, and may recover the property so transferred, or its value, from the beneficiary unless he was a bona fide holder for value prior to the date of the filing of the petition.

Upon the confirmation of a composition offered by a bankrupt, the title to his property shall thereupon reinvest in him by operation of law.

EFFECT OF THE PASSAGE OF A BANKRUPTCY LAW UPON THE PRICE OF GOODS AND INTEREST ON MONEY.

The report of the Committee on the Judiciary under this heading is as follows:

The people living where there are practically no laws have but a limited credit, and, as a result, must buy such goods as they purchase on credit at a high price; this high price is primarily to the detriment of consumers; as it is, they have to pay the profits which are added by the manufacturer, the wholesaler, and the retailer, who in turn handle the goods; and because of the risks incident to trying to make collections under bad laws, each one adds a percentage to reimburse him for his losses. They may, of course, be fortunate enough to avoid the total losses expected, and in that event have the percentage collected as added profits. The honest consumer, it will be noted, pays—always pays—and hence has a direct moneyed interest in a law which is designed to prevent wrong doing and to reduce the hazards of business.

The same statement of facts applies to the lending and borrowing of money. If the laws secure him the creditor is willing to loan his money without or upon slight security; whereas if they do not protect him and the collection of the sum due under the law is not certain, he will be loath to loan his money and will exact a high rate of interest to make up for the losses suffered through the dishonest; the more imperfect the laws, the higher will be the rate of interest exacted.

With regard to the purchase of goods on credit and the borrowing of money at interest, the truth is that honest people who pay their debts pay, in effect, the debts of rogues, in the form of multiplied profits upon what they buy and increased interest on the sums they borrow.

It follows that those who buy or borrow will be benefited if the laws are so framed as to prevent roguery and swindling of all sorts. The passage of this law will therefore redound to the direct financial benefit of honest people in every station in life; and the greater the distance they are from the commercial centers, the more imperfect the laws under which they now live, and the poorer they are, the more will they be benefited.

It will not do to say that such a law should not be enacted because it contains provisions under which creditors may call upon their debtors for an accounting; all the States have enacted laws for the collection of debts, and in those States where such laws are effective it will be found that goods can be bought on a small margin of profit and that money can be borrowed at a low rate of interest.

If there were no credit there would be no creditors and no debtors. It is therefore of the greatest importance that a fair law should be enacted, as it will promote and extend credit.

Speaking in a general sense, the whole country has been developed, and its commerce is being conducted, on credit. A small part of the business transactions of the country are made on a cash basis, but the great bulk of them are on time. The statistics show, we believe, that over 90 per cent of the business of the whole country is done on credit and that less than 10 per cent only is done on a cash basis.

The demand for a law which will make credit secure to the giver and to the receiver is not a local one. It comes from every part of the country, because the credit system is the rule and business for cash the exception. It will be to the advantage of the citizens of every State to have credit strengthened.

Those who grant credit and those who receive it know that in case of financial difficulties happening to the debtor, he needs the help of his creditors on the basis of their mutual interests, irrespective of whether the estate is to be wound up or he is to be tied over the difficulty in which he is involved, with a view to his continuance in business.

Concert of action between the debtor and all of his creditors is impossible under the laws as they now stand; but such action could be enforced under the proposed law. If an administration is determined on, it would be upon the basis of exact justice to the creditors, and if the debtor is honest he would be discharged. If the debtor wished to compromise and the creditors were willing, a compromise could be readily agreed upon to their mutual advantage.

It is, therefore, apparent that the passage of a bankruptcy law by Congress will do away with suspicions and begot confidence between creditors and debtors and result in the reduction of the price of goods and of interest on money.

RECOMMENDATION OF THE COMMITTEE ON THE JUDICIARY.

The people are entitled to enjoy all of the rights secured to them by the Federal Constitution; one of these rights is to have enacted a bankruptcy law; that right can not be enjoyed except pursuant to an enactment by Congress; bodies of all sorts and petitioners of all classes from every part of the country have been for years, and are now, demanding the passage of this bill with an impressive unanimity. The right exists, the demand is made, and Congress ought to act.

We believe that this bill is a wise, conservative, and economical measure, and meets the just demands of the people. It is so guarded in its provisions that it will not be subject to the abuses and corrupt practices which prevailed in the administration of former bankruptcy laws.

Mr. Speaker, I must be pardoned for the extent of my remarks. The House will see the necessity for my speaking at length in view of the fact that the bill under consideration contains seventy sections, and extends over sixty-one pages of printed matter.

I deem it necessary that I now reply to the strictures and criti-

cisms which have been made upon the bill by the minority of the Judiciary Committee.

CRITICISMS, BUT NO SUBSTITUTE.

Four of the fifteen members of the Judiciary Committee have filed what they style "The views of the minority." They admit a condition of affairs with regard to insolvency and fraudulent acts which should be bettered, but content themselves with a criticism of the bill recommended by the eleven remaining members of the committee without suggesting any better bill or any other or different remedy.

THE OLD BANKRUPTCY LAWS.

Their "views" are prefaced by a condemnation of the laws upon this subject which have heretofore been enacted in this country. It is not my purpose to defend the former bankruptcy laws, because the differences between those and the one under discussion are so great that, irrespective of whether there was a preponderance of good or evil under those laws, they ought not to guide us in our action upon the bill in question.

The last law is the only one with which many of us had any acquaintance in person. It was enacted at the close of the war; it was for the purpose of relieving the great multitude of men who were financially wrecked by that unfortunate struggle. Having been enacted to meet the selfish demands of the financial classes it was a one-sided law; it was subsequently amended so as to be even worse than in the beginning. It was administered, in a part of the country at least, by a set of worse than irresponsible men, the acts of whom in this and in other respects constituted one of the most unpleasant memories of an unfortunate period in our national existence. There is no gainsaying the fact that very large numbers of unfortunate men were relieved from debts which they could never have paid, and who have since taken a conspicuous part in promoting the well-being and prosperity of the country.

THE QUOTATION FROM A MESSAGE OF EX-PRESIDENT GRANT.

I am quite sure that "the minority" did not follow the leadership of Gen. Grant in his acts, which in the minds of the historians are thought to have been his most important ones, but I regret to note that they are willing to follow him in an expression of views, which upon the face of them are erroneous as applied to the bill in question.

The expression as quoted is to the effect that men involved in debt may be injured by the institution of bankruptcy proceedings; and at a time of stringency in monetary matters, might be imposed upon by obdurate creditors under threats.

As to the present bill, at least, the propositions quoted are entirely untenable, but are applicable as regards the present laws of nearly every State in the Union. Any man who is in debt may be proceeded against by his creditors in every part of the country; such has always been the case, except for a time in the Indian Territory. It does not follow under present laws that everybody who is liable to be sued will be sued; nor will it follow that every man who may be proceeded against in bankruptcy will be proceeded against.

At the time of the monetary disturbance in 1890 a memorial was presented to the Senate, as follows:

ST. LOUIS, December 1, 1890.

To the United States Senate:

Your memorialist, the national convention of the representatives of the Commercial Bodies of the United States, respectfully calls the attention of your honorable body to facts as follows:

The financial affairs of the country are in a perilous condition. Business men in all of the States of the Union are apprehensive that there will be a panic. Citizens in general are alarmed at the outlook. Values of property are decreasing. Persons, firms, and corporations are daily failing whose assets are largely in excess of their liabilities.

There is but a single cause for all of the above conditions, and that is a want of confidence. As a result of that single cause, money is being withdrawn from circulation, and the evils which are following, and are likely to continue to follow, are innumerable. There is but a single certain remedy for such single cause. The putting into circulation of more money may or may not avert the danger, as there is no limit to the amount of money that can and will be hoarded so long as the single cause, want of confidence, continues.

Such single remedy is the enactment of a law by Congress as provided by the Constitution pursuant to the provisions of which the property rights of every citizen, in every condition in life and irrespective of the State in which he resides, will be preserved and may be enforced.

Your memorialist further respectfully represents that confidence can not be readily restored under existing laws, because they do not contain adequate provisions pursuant to which the creditors of a common debtor may meet, counsel together, and render to him the assistance he needs, and extend him such favors as may be in his and their best interests.

State laws encourage the selfish instinct of self-preservation, and as a result creditors seek preferences and, failing therein, endeavor to secure them by compulsory process without regard to whether the debtor's conduct has warranted it, whether he is or is not solvent, and in absolute disregard of the equities of his creditors.

In consideration of the possible wrongs which may be perpetrated under such laws property rights are insecure at all times, and especially when there is, as now, a prevailing want of confidence.

The debtor's property is in peril under the circumstances above recited, because real or pretended creditors may attach it with impunity in any State where found, other than where he lives, irrespective of the bona fides of their claims. More than enough property is always levied upon under

compulsory process to pay the amount claimed and costs, and is sold at sacrifice sales, so that no man can safely say that he is solvent if he but becomes the subject of attack from his creditors who are contending, not for the preservation of his property and the enforcement of their rights in the quickest possible manner and at the least possible expense, but to secure the payment of their claims in full without regard to his or their costs.

The creditor's claim against a debtor is not secure and will not yield a normal revenue, under the conditions above stated, because his debtor may, by any one of the innumerable fraudulent methods, become execution proof; even if the debtor, in anticipation of financial disaster, gives him a preference, it may prove necessary to expend its value in litigation in an endeavor to retain it; if the preference be given to another creditor, he must lose the amount of his claim or fight for it, with the knowledge that whether he wins or loses he will have wasted his time and incurred costs and counsel fees.

In the event of a commercial failure the difficulties encountered in the settlement of the rights of parties, when they are all honest, are perplexing under the laws of a single State, but when you add the element of a dishonest debtor and dishonest and rapacious creditors, and consider the variance of statutory procedure in the different States, and contemplate the chaotic condition incident to the determination of the rights of parties in interest by the several State courts having jurisdiction of parts of an estate, it is a wonder that men without property do not refuse to become debtors, and men with property do not hoard it and thereby stop the wheels of commerce.

Your memorialist further represents that on July 24, 1890, there was passed by the House of Representatives a bill known as the Torrey bankrupt bill, and that thereafter and on August 26, 1890, the Committee on the Judiciary of your honorable body reported it with amendments and recommended its passage; that it makes ample and explicit provisions for the meeting of creditors of a common debtor to make a fair compromise, arrange an honorable extension of the time within which he may pay his debts, or appoint a trustee to make an equitable division of the assets; the discharge of honest insolvents who have made a full disclosure of their affairs and a complete surrender of their property; the adjustment by arbitration of matters in controversy; the dissolving of enforced liens in the event of an adjudication in bankruptcy is had within four months thereafter; the allowance to bankruptcy officers of moderate fees for their services and the payment of them in such manner as to expedite the administration of bankrupt estates; the restoration of confidence at present and the prevention of the loss of confidence in the future by the proper administration of justice and the perpetuation of integrity in the transactions between creditors and debtors, the grand aggregate of which constitutes the commerce of the world.

Your memorialist, in view of the foregoing, respectfully petitions for the immediate consideration and passage of that measure, on behalf of hundreds of commercial, industrial, and other bodies of all parts of the country; hundreds of thousands of men whose capital consists in part of credit justly founded upon confidence, and whose prospects are likely to be blighted and property swept away as a result of a continuance of the present conditions, and a million or more of United States citizens who have been beggared and are now compelled to labor in menial places because there is not a bankruptcy law in force providing for their relief as contemplated by the Constitution of their country.

The conclusion I therefore reach is that they have, with due deference to the knowledge of the commercial needs of the country and its financial conditions by these gentlemen, followed the lead of Gen. Grant at a time when they could ill afford to do so.

WRONGS ARE PERPETRATED AND RASCALITY PRACTICED AT ALL TIMES.

It would seem from the statement of "the minority" that the periods when bankruptcy laws have been in force in the United States were the only periods when fraud was perpetrated and rascality practiced. It is known to them, to you, and to the business world, that for all time perjury has been committed by those who know not the truth, that fraud has been committed by the designing, and that rascality has been practiced by scoundrels.

The entire time of the courts of the country is now, and for all ages has been, devoted to upholding the right and putting down the wrong. Even the wrongdoers do not want bad laws. If it were not for the fear of the unrighteous to have unrighteous laws enacted, the battle for good government would be very much more one-sided than it is.

The passage of this law will result in untold good and will prevent the perpetration of a large number of frauds which are now perpetrated because there is no probability under existing laws that the wrongdoers will ever be called to account. Its enforcement will directly benefit every honest man and will place the seal of condemnation upon none but the dishonest.

Wrongs will be perpetrated and failures will occur; there must be laws on the subject; it is therefore our solemn duty to enact them. The bill presented is the embodiment of all the wisdom evolved from all past legislation and experience on the subject.

ENGLISH BANKRUPTCY LAWS.

I am indebted to "the minority" for their reference to the English bankruptcy laws. They admit that in England there has been a law in force on this subject for more than three hundred years. It is true that it has been amended and revised from time to time, but still the fact remains that that great nation has had continually during that time, and still has such a law. It has been necessary to amend it, but it never has been repealed. These laws have never eradicated all of the wrongs incident to transactions on credit, but they have so far succeeded as to have always been necessary and have remained a part of the laws of that Empire, which is evidence that such laws are necessarily a part of modern civilization. In that country as in this changes are constantly being made in the laws. No human invention is perfect.

The constitutions and statutes of our older States have been amended, revised, and in some instances abolished and new ones

enacted in their stead. In all of the States and Territories legislative bodies are continually meeting and making changes and modifications of the laws. Even the Constitution of the United States has been amended fifteen times as the necessities of the country have demanded it.

The fact, therefore, that England has attempted to keep its bankruptcy laws abreast of the times, and has found from time to time that it was necessary to place additional safeguards around honest men to protect them against the machinations and chicanery of dishonest ones, is but an encouragement to us to place upon the statute books this law, and hereafter improve it as occasion may require.

In the plan of government formulated by the Revolutionary fathers it was provided that the bankruptcy laws should be national in character or uniform throughout the Union. If the first Congress had acted wisely, and its successors had amended the law from time to time, there never would have been any State insolvency laws. Congress has only enacted three bankruptcy laws, and upon finding them insufficient has repealed instead of amending them.

Does this mean that there was no necessity for such a law? However rash the presumption in some cases, it is not to be presumed that Congress will do a foolish or useless thing. If there had not been such a necessity, Congress in the first place would never have enacted one; and in the second place the several States would not have enacted laws in the absence of Congressional action. Since there is such a necessity and since the power was conferred on Congress to make the law uniform throughout the Union, what ought we to do? If by our failure to act we could prevent commercial failures or acts of dishonesty on the part of debtors, and at the same time preserve the rights of debtors themselves—those I mean who have become so honestly—I would of course not be in favor of Congressional action.

But since according to the statistics between 95 and 100 per cent of all the men who engage in mercantile business sooner or later fail, and since all of this great per cent of our citizens are entitled to the protection guaranteed by the Constitution, that they shall have a discharge if honest, I should feel that I were untrue to the oath of office I assumed upon taking my seat in this body if I did not do everything I could honorably do to secure the enactment of this law. Debtors demand it; creditors demand it; and there is no opposition to it outside of Congress, so far as I know, except upon the part of some governed by ignorant prejudice and a few great houses who find it to their advantage to have the laws so insecure that they may take advantage of their small competitors and those who patronize them.

ABSTRACT FROM A SPEECH OF SENATOR CONKLING.

Again, "the minority" follow an otherwise to them "strange god" in his errors upon this subject. Senator Conkling undertook to excuse some of the evils of the old bankruptcy law upon the ground of "geographical difficulties," and because it would not be possible to "carry justice to every man's door."

The dictates of reason suggest that in a densely populated country or city, where debtors and creditors are adjacent to each other, they may know of each other's affairs, and hence can act with more expedition in the case of wrongdoing or financial embarrassment than they can where they are separated by long distances and a sparsely settled country, in which case they must feel a great deal of necessity for just, wise, and equitable laws.

Suppose, for example, that a New York merchant were to have an application to sell goods in Cuba on credit. He would be governed very largely by the laws of Cuba with reference to collection of debts. If there was no law in that country upon that subject, or if the debtor could easily secure a discharge of his indebtedness without an honest surrender of his property, the merchant would of course refuse to sell his goods except for cash. If the laws there were imperfect in character, and their administration was lax, the goods might be sold; but if so, the seller would add a very large profit in addition to the ordinary price as an insurance for the risk of losing his debt.

This condition remains the same, although you may substitute Texas, California, Oregon, or any other State of the Union for Cuba. It therefore follows that the more sparsely settled the country the greater is the necessity for a law which will insure to him who buys goods against being wrongfully attacked by his creditor, and being made to pay for the rascality of others, and on the other hand will insure the creditor against chicanery, fraud, and favoritism on the part of the debtor.

The objection of Senator Conkling that justice could not be taken to every man's door, although adopted by "the minority" in the first part of their views, is inconsistent with their objection to the bill in question because it provides that there may be appointed in every county, without expense either to the county or to the nation, a referee in bankruptcy, to aid in the administration of the commercial probate affairs of the country. Senator Conkling was mistaken, and so are those who quote him.

AS TO ELECTION AND BANKRUPTCY LAWS.

The suggestion that the exercise of a power to pass a bankruptcy law is analogous to the power of making or amending State regulations for electing Representatives in Congress, as implied in the quotation from Mr. Stephenson of Virginia, is not at all applicable. There is no analogy between the power conferred upon Congress by the Constitution in relation to holding elections for members of Congress and that conferred as to a national bankrupt law; the former is a contingent grant, and is only necessary to be exercised in order to preserve the Government in the event that any State should refuse to provide for such election. On the other hand, the grant to enact uniform laws upon the subject of bankruptcy is an unconditional grant which may be exercised at any time, and which, I think, ought to be exercised so that there should be upon the statute books at all times a just law upon the subject. If the power was not to be exercised, why was it granted?

The States must have elections, and can better provide for the election of members of Congress, and at less expense, than the Federal Government can do it, to say nothing of other reasons in that behalf; but, as above stated, the States can not legislate in a comprehensive way upon the subject of bankruptcy, so as to secure the discharge of an honest debtor. They can not provide for a prompt and inexpensive marshaling of the assets of the insolvent if part of the property is in one State and part in another. Commerce has become so extended that very large numbers of individuals are doing business in more than one State; many concerns are doing business in all of the States.

A great many individuals have been ruined financially by the fact that proceedings were commenced in one State by frightened creditors, and as a result creditors in other States pursued the same course as a necessary means of self-protection; the outcome has been the destruction of large property interests without any corresponding benefits to the debtors. In such an event, under a national bankruptcy law, the property would all be administered in one court, quickly and economically, and as a result great good would accrue to the creditors without damage to any one. The debtor instead of being ruined could get a composition and perhaps be saved.

NEED FOR A NATIONAL LAW.

The fact that there have only been three bankruptcy laws enacted by Congress, instead of being an argument against an equitable law upon that subject, coupled with the fact that the States have all done the best they could in that direction, constitutes an admonition to us to give immediate heed to the subject by enacting the bill.

"TRY, TRY AGAIN."

It is admitted "that there are some evils under existing State legislation which need correction." It is impossible for the States to correct the "evils" referred to, and it is therefore left only for Congress to do so.

The claim that because preceding laws have not been successful and have been repealed is a reason why we should not fulfill our obligations to the people, is an argument which, if applied to the everyday affairs of life, would result in the abandonment of all classes of enterprise, the reduction of business to a minimum, and a consequent retrograde movement in all human affairs. It is no argument to a man about to enter into business that some one in the same line of business in the same place theretofore failed, if by an examination of the outlook he is satisfied that there is an opportunity for a hopeful, intelligent man to succeed. It is no argument to a bridge engineer who is solicited to build a bridge across a stream that one contrived by a predecessor fell in and was washed away. The motto, "Try, try again," is the one which was taught to us in childhood, and just in proportion as we adhere to it we are successful in life.

APPEALS FROM BODIES AND INDIVIDUALS.

The organizations, both great and small, and in almost every part of the country, having for their objects the promotion of every kind and class of business and enterprises, have, with unanimity unprecedented, demanded the enactment of this bill. Thousands of petitioners from every walk of life, and from every State of the Union, have sent their appeals for this legislation, and yet it is argued because of the theoretical fears of some gentlemen upon this floor that the prayers of all these bodies and of all of these people ought to be denied.

COMPARISON OF DIVIDENDS RECEIVED UNDER STATE AND NATIONAL LAWS.

The statement of "the minority," showing a disparity of dividends received by creditors under bankruptcy laws as compared with State laws, that is, that "not over one-third as much has been received by the creditors on their debts under bankruptcy laws as under State insolvent laws," is so indefinite as not to convey conviction to the mind of a fair man. Do they refer to the three bankrupt laws which have heretofore been in existence, or to one or more of them?

Why do they not give us the statistics to which they refer if they have them? What State laws do they refer to, and for what period? If they have the statistics why do they not produce them for our information? They allege that "well informed persons state from their experience and observation" these facts. Why do they not give the names of the persons to whom they refer, and the extent of their "experience" and "observation" that others may have an opportunity of passing on the credibility of their witnesses.

An examination of the statistics on file in the office of the Attorney-General of the United States, collected there as the result of the administration of the last law, are not sufficiently complete or so arranged as to be the basis of any intelligent opinion. The Department of Statistics of the Treasury Department has not and can not give any information as to where statistics on this subject can be gathered. I therefore challenge these gentlemen to produce any statistics from any well authenticated source to substantiate their indefinite and unsatisfactory statements.

THE BILL PERFECTLY FAIR AND IMPARTIAL.

I respectfully submit that the impression made upon the minds of "the minority" by the report of the Committee on the Judiciary to the effect that the Torrey bankruptcy bill was framed by creditors for the benefit of the debtor is not justified in the minds of fair men.

The bill and the report speak for themselves, and I respectfully submit that both are fair and impartial; the bill completely and fairly embraces on the one hand the rights and the responsibilities of the man who is in financial distress, and on the other hand, with equal fairness, defines the rights and responsibilities of those who have claims against him.

There is no reason why legislation should be asked at the hands of Congress by fair-minded men in the interest of any one class. The fact that hundreds of thousands of men in different lines of business, and pursuing every sort of avocation in every part of the country, have petitioned for this bill, is, as it seems to me, proof positive that it in every respect comprehends the rights of all the parties who will be affected by it. Who is there in this country so poor but that he may not to-morrow have untold wealth? Who is there so rich but that in a short time he may become of necessity an applicant for the benefits of the law? Who is a debtor to any considerable extent without also being a creditor?

Every manufacturer to a greater or less extent buys his raw material and hires his labor on credit, and is therefore a debtor; he also sells his goods on credit, and is thereby a creditor. There are probably no exceptions to the rule that the jobbers buy largely on credit, and in turn extend credit throughout a large territory, frequently embracing many States. Even the cross-roads store is on the one hand a purchaser of goods on credit, and on the other a creditor for goods sold to the consumer.

The farmer and planter sell their products on time and thereby become creditors. The laborer sells his labor and waits until payday for his wages. Wherever there is a debtor there is also a creditor. Where, then, I ask, is the motive for any of the bodies or the individuals or the officers or committeemen who have in an unselfish way promoted the passage of this bill to have it other than it purports to be, a fair and impartial measure?

In one paragraph of their "views" the minority of the committee argue that dividends under State laws are three times larger than under national bankruptcy laws. In the next paragraph they argue from impressions received and opinions formed that this is a creditor's bill and is gotten up in the interest of merchants to enable them to collect debts. These gentlemen are the first who have ever said of the creditor classes of the country that they had no more sense on financial matters than to ask for a law which would reduce their dividends from bankrupt estates threefold.

These contrary conclusions in adjacent paragraphs is but an additional illustration that however sound their views may be upon other subjects they can not be accepted as safe guides upon this one.

THE AUTHORSHIP OF THIS BILL.

I quote from this remarkable collation of "views" the following statement:

The original of this bill was framed and furnished to this House by the employed counsel of the wholesale grocers of the city of St. Louis, as was charged in the last Congress, and not denied.

It is immaterial to me who drew the bill, and the only question of moment is, whether it is a fair and comprehensive measure, and one which will meet the demands of the people for legislation upon this subject. I am surprised that four gentlemen, all of them able lawyers and fair-minded men, should predicate a fact upon an irrelevant statement made in a debate in Congress because it had not been denied by a gentleman not entitled to be heard on the floor.

The facts are that this bill was drafted by Judge Jay L. Torrey,

of St. Louis; that he is the council of the Associated Wholesale Grocers of that city, and is compensated by that body when services are rendered, but is not paid a salary; that he has not received any compensation whatsoever from that body for the drafting of this bill, or for any services in connection with it; that all sums which have been expended in connection with the movement and for the expenses of Judge Torrey while he has been in Washington have been raised by voluntary subscriptions in small amounts from all over the country from bodies and individuals.

My knowledge of the man, and his earnest belief that the passage of the bill will prove a proclamation of amnesty to hundreds of thousands of honest insolvents, prevent the needless waste of millions of dollars annually in costs, and prevent the doing of wrong by large numbers of men, convinces me that no member of Congress can entertain any feeling other than that of pleasure at having met him. Certainly no member can complain of the intelligent, straightforward and earnest manner in which he has urged the bill having these objects in view. I wish that every other important bill that I represent had an equally earnest and intelligent advocate.

In the last Congress I spoke and voted against the Torrey bankruptcy bill because of certain provisions it then contained. At the same time I stated that in other respects it was one of the best considered and best framed bankruptcy bills I ever examined. At the beginning of this Congress Judge Torrey came to me and asked if I would introduce the bill, and so amend it as to remove my previous objections and advocate its passage. I told him I would do so with pleasure. I with my subcommittee and the full Judiciary Committee went through the bill last spring four or five times making sundry amendments which were embodied with the original bill in the substitute which I now advocate.

During this consideration, Judge Torrey, at the request of the committee, sat with us. I wish to say in justice to him that I have received great aid and information from him touching the various and complicated subjects embraced in the bill.

The passage of the bill will prevent

"WIDESPREAD RUIN."

I agree with some of the opponents of the bill, that the condition of "the people of the agricultural sections" is not at all satisfactory—that there is financial distress, that the very best way and the only way under present surroundings to ameliorate the condition is for Congress to pass this bill, which would beget confidence between men of different classes and in different sections of the country, and thereby prevent "widespread ruin."

Under the present State laws the institution of a suit by one creditor usually imperils all of the claims of other creditors, and as a result, the institution of a single suit is a signal for a mad rush between the creditors, resulting in the destruction of the property interests and the future prospects of the debtor. The fact that the rule of "first come, first served" is in most of the States enforced as to the assets of the debtor, constitutes a financial reward for the creditor who shall first begin the attack which is to result in the financial wreck of the debtor and his property.

The enactment of a bankruptcy bill will change this condition, and will result in the equitable distribution of the assets of the bankrupt and his discharge from further annoyance if he has been honest. In this way the financial reward for precipitate action will be abolished and conservative fair dealing will take its place; the result will be that debtors will be less in the power of the creditors than at present; there will be fewer failures and consequently a large saving annually of amounts which are now lost by slaughter sales of goods, the dissipation of good wills, and the payment of needless costs.

THE CLEARNESS OF THE BILL.

The statement of "the minority" that "many of its provisions are of obscure and uncertain meaning" are contradicted by the bill. I say, without the fear of successful contradiction, that the superior of this bill in the terseness of expression, the purity of diction, the accuracy of words used, and the arrangement of the entire subject never has been exceeded in any bill which has been presented to Congress upon this subject. There is not a single instance in which a discretion has been given to the court or to the judge for the performance of a single duty which could have been anticipated in advance with a reasonable probability that there would not be a need for discretion in view of the varying circumstances in each case which might come before the court.

THE BANKRUPTCY OFFICIALS.

The statement that "this bill requires more officials to administer its provisions than the law of 1867" is misleading. The assistant judge is properly called a referee; the individual who has received the title to the bankrupt's property for the benefit of the creditors is appropriately called a trustee. The duties of

these officials are in essential respects different from officers named in the old laws as registers in bankruptcy and assignees.

Again, and in this instance, we have a significant illustration of the inconsistency of the gentlemen who have undertaken the burden of opposing the passage of this bill. First, they are opposed to it because it is like the old law; but in this instance they are opposed to it because it is unlike the old law.

THE NUMBER OF REFEREES.

The statement that "the referees will not be less than twenty-three hundred" is not borne out by the provisions of the bill. The section relating to the number of referees reads as follows:

Such number of referees shall be appointed as may be necessary to assist in expeditiously transacting the bankruptcy business pending in the various courts of bankruptcy.

The provision as to the appointment of referees with reference to districts is as follows:

Designate, and from time to time change, the limits of the district of each referee so that each county may constitute at least one district.

If it shall transpire that twenty-three hundred referees are needed "to assist in expeditiously transacting the bankruptcy business" they will be appointed; otherwise they will not be. If more referees shall be needed for that purpose they will not be limited to "four times that number," but may be increased to any needed number.

The appointment of a large number of referees will result in bringing the administration of bankruptcy affairs to the doors of the parties in interest.

THE PAYMENT OF REFEREES.

The fact is referred to that the original bill provided that the referees should be paid from the Treasury of the United States. When this bill was adopted in the last Congress, one of the gentlemen who now concurs in "these views" based his argument in opposition to its passage chiefly upon the fact that the payment of the salaries as proposed would constitute too great an expense to the Government. The bill having been changed to meet that objection, it is now urged that the compensation is too small. This change of front on the part of the opponents of the bill illustrates conclusively that they are bound to find fault with it no matter what its provisions are or may be.

APPOINTMENT OF REFEREES AND TRUSTEES.

The bill provides justly, as we think, that the referees shall be appointed by the courts. Very careful provisions are made that the appointees shall not be related by consanguinity or affinity to the judges of any of the courts; other restrictions are imposed which I confidently believe will result in meritorious appointments. Their term of office will be two years. The trustees will be elected by the creditors, but if they fail to act, will be appointed by the courts; these provisions will result for the most part in the appointment of a different trustee for each estate.

At present the United States courts appoint commissioners and masters in chancery to assist in the performance of their duties, and I apprehend no bad results from the appointment of referees under this bill.

The expression of groundless fears as a substitute for argument is but an illustration of how scarce arguments are in opposition to the proposed legislation.

PROCEEDINGS IN BANKRUPTCY.

The statement that "some of the acts for which a debtor may be thrown into bankruptcy under this bill are exceedingly harsh and oppressive," is not borne out, either by the quotations made from the bill, or the bill itself.

The opponents of the bill say:

Again, if an execution is returned "no property found," the debtor can be thrown into bankruptcy, although his real estate may be worth many times as much as his debts. In the State of Virginia, and perhaps in other States, real estate can not be sold under execution except for debts due the State. * * * Yet under this bill, if it becomes a law, such a debtor is liable to be thrown into bankruptcy, although his lands would sell for two or three times the amount of his debt.

Once more I have an absolute and unqualified contradiction upon the same page of this remarkable collection of "views." As stated in quotation marks further up on the same page from which I have quoted, it appears that the provision of the bill with reference to the return of an execution embodies the provision that the debtor must also be insolvent. The quotation referred to is as follows:

Having suffered while insolvent an execution for \$500 or over or a number of executions aggregating such amount against himself to be returned "no property found," etc.

The bill does not provide that a person who is solvent may be adjudicated a bankrupt except for acts of dishonesty.

It is impossible that the hardships as claimed could occur under the bill, since the returning of an execution "no property found" would not of itself constitute an act of bankruptcy; such return would of necessity be accompanied by a condition of insolvency on the part of the debtor in order to enable a suit to be prosecuted with effect in a bankruptcy court, and insolvency as

used in the bill means that all his property at fair valuation would not pay his debts.

PROPER GROUNDS FOR PROCEEDINGS IN BANKRUPTCY.

The bill is designed not only to be an aid to the honest unfortunate by granting to him a discharge, but to secure a ratable distribution of the assets of those who are guilty of dishonest acts and who have become insolvent and are therefore unable to pay the amounts which they owe. In a financial sense it is immaterial to the creditor whether the depreciation of the debtor's estate is the result of dishonesty or misfortune. The fact remains the same that his claim is not worth 100 cents on the dollar, and he therefore ought to have an opportunity for collecting a part of the debt before the estate is further dissipated.

It is therefore but reasonable that acts of bankruptcy should not only include grounds which result from dishonest acts, but those which are the result of insolvency.

RELATIONSHIP OF DEBTORS AND CREDITORS.

To one unfamiliar with the usual cordial relationship existing between debtors and creditors, "the views of the minority" would convey the impression that all creditors necessarily entertain a desire to break up their debtors in business, and to have their assets sacrificed instead of devoted to the payment of their claims. There may be cases in which the creditor maliciously pursues his debtor, but even in such a case it rarely goes to the extent that he does not earnestly desire to collect 100 cents on the dollar of his claim.

Debtors are always anxious to be on good terms with their creditors because their ability to borrow money, buy goods, or secure credit is dependent thereon; creditors always desire to be upon cordial terms with their debtors because upon that condition depends the most of their opportunities for lending their money or selling their goods. The relationship between them as to financial interests is always cordial and kind in the absence of dishonesty and unconscionable greed, which are the exceptions rather than the rule.

It will therefore not do to say that the creditor wishes to take any step which will imperil his chances for the collection of his entire claim. Under the present laws he is frequently forced into the position of destroying his debtor by compulsory process in order to collect his claim and prevent some other creditor from getting into court ahead of him; but if this bill is passed the inducement to such harsh and hasty action is thereby taken away, and every creditor will be interested in promoting instead of interfering with the business of the debtor; the position of both parties thereby being strengthened.

THE AID OF BANKRUPTS.

The bankrupt is not required to perform any duty which is not essential to the proper administration of the estate. The filing of a schedule of property and list of creditors is but the making of an abstract of his books, if he has kept books, or a plain statement of his financial condition, if he has not done so. If it should transpire that he needs the assistance of an attorney for his guidance it will be competent for the court to have the fees paid for such services as proper expenses of the administration. The bill now so provides.

The bankrupt is interested in a prompt and economical administration of the estate. His assistance as directed will greatly facilitate the promptness with which the state of his affairs can be arrived at and adjusted; it might be both expensive and inexpedient to learn of his financial condition from other sources. A compromise must be predicated upon his financial condition, as otherwise the creditors would not know whether his transactions had been above reproach, or what the value is of their claims.

Sir, it can not be truthfully said that any of the duties imposed by this bill are unusual or more onerous than they must be in ordinary cases of insolvency under State laws.

THE EXAMINATION OF THE BANKRUPT.

The bill does not require the answering of any questions by the bankrupt which are not lawful. The honest bankrupt will make a full exposition of his affairs; if the dishonest bankrupt does not wish to do so, he can exercise the privilege of refusing to answer questions propounded to him upon the ground that his answers may subject him to criminal prosecution.

THE RIGHT OF TRIAL BY JURY.

Ample provision is made for the exercise of the right of trial by jury in all cases in which it is desired on the part of the defendant. Ten days is the time specified within which the answer shall be filed, unless the time is extended by the court. The defendant can have a jury trial by asking for it.

OBTAINING OF EVIDENCE.

The word "debtor," section 21, has been inserted by amendment, which meets the criticism thereon made in the report of the minority of the committee.

ACTS FORBIDDEN BY THE BILL.

Some who oppose the bill say that "it bristles with offenses." It contains but one section which prohibits the doing of certain fraudulent and dishonest acts, and provides for one class of them imprisonment not exceeding two years, and for the other a fine not exceeding \$100. It was thought best to leave the exact punishment within these limits to the court and jury, who would be familiar with the facts and circumstances in each case and could "make the punishment fit the crime." It is not desired to have the offenses more numerous, nor the penalties more severe than will suffice to protect honest people against the machinations of the dishonest.

CORPORATIONS.

The power to enact uniform laws upon the subject of bankruptcy is a general grant of power, and consequently it seems competent for Congress to include corporations among those to whom the provisions of the bill may apply. Only the involuntary provisions apply to them. To exclude corporations from the provisions of the bill might, and probably would, work very great hardships in some cases. It would be to say to the members of a copartnership "your status with regard to proceedings in bankruptcy will be changed entirely if you obtain a charter as a corporation and transfer your assets to it and thereby put yourselves beyond its reach."

Corporations are artificial persons and possess individuality for all the purposes of their creation, and therefore, although there may be doubt about the power to thus have adjudged a State corporation, the bill, I think properly, includes corporations among those against whom proceedings may be instituted, and at the same time deprives them of securing a discharge.

FORFEITURES TO THE UNITED STATES, A STATE, OR A MUNICIPALITY.

The objections to section 57 seem to be groundless.

The section of the bill referred to provides that the pecuniary loss sustained, together with reasonable and actual costs and interest thereon, shall be paid. There is certainly no reason why any greater amount should be taken from estates simply because there is supposed to exist a power to do so.

THE TAKING OF APPEALS AND WRITS OF ERROR.

The provisions of the bill with regard to appeals and writs of error simply provides that they shall be prosecuted under the laws which now exist upon this subject, except that the time is abbreviated and the amount necessary to justify an appeal or writ of error increased. Under the last bankruptcy act specific provisions for appeals and writs of error were made different from the usual course, and great confusion resulted. This bill will cause no such expense, confusion, and delay.

COMPENSATION OF OFFICERS.

One of the most serious objections to the old law was the excessive fees which were paid to officers, which not only resulted in waste of the estate but in prolonged delays which were injurious alike to debtors and creditors. It may be that this bill has gone further than it should to the other extreme, but if it has the error is certainly one which will not prove serious and which can be readily remedied in the event it is found to exist.

The alleged injustice to the clerk of the bankruptcy court, pointed out by the "minority" of the committee, will not exist in a great many cases. In fact, in a large number of cases the amount received as a filing fee will be an overpayment, and just that far it will be an additional compensation for those cases in which it is an insufficient amount. These officers receive certain fees for services rendered, and when they amount to more than a stated sum the surplus is paid into the national Treasury. It is therefore apparent that, if there be cases in which the compensation to the clerk is not as large as in other cases, it will not work any hardship upon him, except where the fees do not, in the course of the year, reach the maximum amount.

A HUMANE AND JUST BILL.

I regret exceedingly that this great economic question has not been fully considered by all of the members. I know too well from my experience the difficulty we have in considering this class of subjects, in view of the great amount of work which we are called upon to do by our constituents.

This subject has proven of great interest to me, and I have therefore devoted much time and attention to it, and thereby become thoroughly familiar with the provisions of the bill. All of its provisions are humanitarian, just, and expedient, and I therefore urge my associates to pass it; I especially appeal to those who have not given the subject their undivided attention to give to it the benefits of any doubt which they may entertain, and vote in favor of its passage.

There is no doubt of the constitutional right of Congress to pass this measure; the necessity for it has been shown, and the bill, as perfected, is submitted with the confident belief that it should and will pass.

Close the World's Fair on Sunday.

SPEECH

OF

HON. ELIJAH A. MORSE,
OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 7, 1893.

The bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes, being under consideration—

Mr. MORSE said:

Mr. SPEAKER: I begin my argument against the repeal of the Sunday-closing provision of the World's Fair appropriation bill by saying that on the low ground of the financial success the friends of this Exposition can not afford to ask to have the Exposition opened on the Lord's Day.

The Book says that "Godliness is profitable unto all men having the promise of the life that now is," and it is not necessary to state that the friends of the Christian Sabbath and those who are opposed to Sunday opening are among the most thrifty, provident, and well-to-do of the citizens of the Republic, and from this class its patrons must largely come; and it is idle to conceal the fact that if the religious convictions of the thousands and millions of our citizens are violated by Sunday opening, many of them will show their displeasure by refusing to patronize the Fair at all; and I submit that great harm has already been done the Exposition by the appearance of bad faith on the part of the commissioners and in the agitation of this subject, which was supposed to have been settled by the action of Congress at the last session.

I have received, in common with other members of Congress, the letter of November 26, dated at Chicago and signed by the president of the Exposition, asking for a reconsideration of the Sunday-closing proviso, and giving reasons therefor.

It is fair to presume that no change of opinion upon this subject has occurred in the minds of these gentlemen since the Sunday-closing proviso was adopted; and had they communicated their opinion to Congress upon this subject prior to the passage of the appropriation, I submit that no appropriation would have been made, and I submit further that had it been demonstrated that the prevailing sentiment of that locality was in favor of Sunday opening, the Exposition would never have been located in Chicago. It would have been in this city or elsewhere, where the religious convictions of thousands and millions of our citizens in regard to the Lord's Day would have been respected.

This letter, addressed to members of Congress, to which I have referred, is remarkable principally for what it does not say. It is entirely silent in regard to the fact that the unanimous voice of the churches and Christian people of Chicago, at least of the Protestant churches, is opposed to Sunday opening, and that they have raised their voice in earnest protest against it. It is silent also in relation to the fact that thousands of our citizens, representing millions of our countrymen, have petitioned Congress for the Sunday-closing proviso.

This letter speaks about a religious service that may be held in some corner of the ground, giving different sects alternate Sundays. As it is a World's Fair, of course the disciples of Mohammed, Confucius, and Buddha would claim representation, and a religious service in one corner of the grounds, and a bull fight in another on the Lord's Day, would be a sight for gods and men.

This letter from the president of the Exposition is also silent in regard to the admission fee of 50 cents that would be charged to participate in these exercises. It is also silent in regard to the fact that Sunday opening would involve the running of hundreds of excursion trains to Chicago on the Lord's Day, requiring the employment of thousands of additional employes on the railroads, and of large additional police force at Chicago to control the motley crowd of lawless, Sabbath-breaking men that would be emptied into the city from the surrounding cities and country.

The ridiculous claim is made that the saloons, brothels, and gambling dens of Chicago are opposed to Sunday opening. The claim is preposterous, especially in view of the fact that many of the Chicago saloons are said to have displayed a placard reading, "Open the World's Fair on Sunday. Stop and sign a petition."

There is no disguising the fact that these bad houses desire the Sunday opening, and would expect to reap a rich harvest from the dregs of other cities that would be emptied into Chicago on that day.

This letter is also silent in regard to the fact that the railroad employes, and the great Brotherhood of Locomotive Engineers that spans the continent, have petitioned Congress for the Sunday closing proviso and against its repeal. The talk about a "silent Exhibition," in view of these facts, will deceive nobody.

I desire here to append a letter, which I have received from a citizen of Chicago, withholding only the name, as follows:

CHICAGO, ILL., December 15, 1892.

DEAR SIR: I notice a clipping in the Chicago Tribune, with comments on your letter to Bishop Potter. I am a member of two clubs (social) in this city. I know that members of said clubs have signed dozens of petitions for Sunday opening. When a petition was presented to a gentleman at the club the other evening, with whom I was playing a game of whist, he replied: "I have already signed half a dozen." "That makes no difference, sign this."

Not only the liquor trade have signed, but the slums of this city have been raked for signers. It means, if the World's Fair is opened wide on Sunday here, an open hell. I am essentially "a man of the world," but I know that it means the debauchery of hundreds of young men and women who will take advantage of cheap Sunday excursions to come here and meet their ruin.

I have lived here for twenty-six years, am a business man, own quite a little property, and have a family. I am, however, not entirely lost to moral honesty. I hope Congress will take no step backward.

Respectfully,

HON. ELIJAH A. MORSE, M. C.

The above letter throws a flood of light upon the sentiment of the citizens and property-owners of that city who make no professions of being religious, but who, in the language of this man, protest against turning the city into a "hell" every Lord's Day.

It is the practice of the advocates of Sunday opening to claim that the boards of trade and business organizations of the country desire it. I brand that statement as false. I have before me the action of the Board of Trade of Providence, as well as that of the "Business Men's Association" of Pawtucket, in both of which organizations resolutions favoring Sunday opening were laid on the table by large majorities.

The Lutheran Observer, a religious paper of large circulation, sums up the allies of Sunday opening as follows:

They will have for their allies, aiders, and abettors every rumrunner and gambler, every blackleg and scoundrel, every anarchist and socialist, every criminal and prize fighter, with all the enemies of religion and morality in the country. All these, with a few Seventh-Day Baptists and others, will cooperate in this movement to desecrate the Christian Sabbath and trample on the Christian sentiment and laws of God and our country.

The Chicago Advance lets daylight upon the motives which have inspired the Sunday-opening sentiment in the following editorial, and I have no doubt that they speak the sentiment of the best people of that city:

Another misappropriation that ought to be corrected is one which has been well backed up by the Fair officials themselves. It relates to the question of opening the gates on Sunday. The idea has been extensively circulated that the Directory wants the Fair open on that day for the benefit of the laboring man, but this is a mistake. The Directory wants the Fair open on Sunday for the gate receipts. It doesn't care who comes on that day. The half-dollar, and not the man, is what it wants.

When the great dedication exercises were held, the laboring man was left out, and he would be left out every day in the week, if his money was not wanted. It has been estimated that there would be more than \$2,000,000 in an open Sunday. It is a tempting amount, and there is no end of cunning in the play for it.

The ancient Commonwealth, which I have the honor to represent upon this floor, not only voted to close its own building and exhibit on the Lord's Day, but the Legislature has passed resolutions unanimously, without a dissenting vote, in favor of closing the entire Exposition.

The resolutions of the Massachusetts Legislature referred to were offered on Thursday, June 11, 1891, by the oldest member of the house of representatives, Rev. S. Hopkins Emery, of Taunton, Mass., and were as follows:

Whereas Massachusetts has always been true to the Pilgrim spirit which planted the Old Colony and laid the foundation of this grand Republic:

Therefore, in the opinion of this house, it is meet and proper that in the coming World's Columbian Exposition, in the city of Chicago, this State should make manifest to the world, in every possible manner, the prevailing sentiment of the people on the subject of the observance of the Lord's Day, as it is expressed by public statute and the practice of the inhabitants of the Commonwealth.

The Massachusetts house of representatives consists of 240 members, representing every part of the State and all forms of religious faith and all political parties, and there was not a hand or a voice raised against these resolutions.

At a mass meeting held in Boston recently the following resolutions were unanimously adopted, which undoubtedly voice the sentiment of a large majority of the people of Massachusetts.

Whereas Congress, by a large majority, appropriated \$2,500,000 to the World's Fair to be held in Chicago in 1893 on the express condition that the gates of the Columbian Exposition be not opened to the public on the first day of the week, commonly called Sunday; and

Whereas the Chicago directory and the World's Fair National Commissioners have accepted said appropriation under the conditions enjoined by Congress; and

Whereas there is at present a persistent effort being made throughout the country to influence Congress to rescind its action and throw the gates of the Exposition open to the public on Sunday: Therefore

Resolved, That the residents of Boston and citizens of the United States, in mass meeting assembled, heartily approve the action of Congress in mak-

ing the aforesaid grant, and in imposing the Sunday closing restrictions as wise and good in the interest of public morality, and is emphatic in its testimony to the value of that divinely appointed day of rest, which has had such wise observance in America's history.

Resolved, That we earnestly condemn as false the statement industriously circulated that the saloon-keepers in Chicago favor a closed Fair on Sunday, and we call the attention of the public to the fact that a recent canvass of these saloons has shown that they are actively engaged in securing signatures to the petitions asking Congress to open the Fair to the public on the Sabbath.

I call attention to the fact that by the census of 1890, there were 13,000,000 of members of the evangelical churches, whose general conferences, assemblies and conventions have petitioned against the Sunday opening.

Can the promoters of this Exposition afford to offend so large a body of thrifty, well-to-do citizens of our country?

The following, which I clip from the Christian Statesman in regard to the financial results of opening the great Metropolitan Museum of New York on Sunday, is germane to this aspect of the question:

The Metropolitan Museum of New York has a second time found itself in financial difficulties because of Sunday opening, to which its trustees unwisely yielded because of newspaper clamor, after first refusing to open on conscientious grounds.

When it was proposed to close the museum on the Sabbath some time since, because those who had cried for Sunday opening had not been as generous as they had been clamorous, and because of the rough crowd, which treated the place as a dime museum, a committee was appointed, consisting of Dr. Rainsford and others, to raise the needed funds; but the promised money is not forthcoming, while the Christian people, who furnish nearly all the contributions for public institutions have been alienated, and again there is talk of closing.

But these gentlemen attempt to meet us on our own ground and recite the names of clergymen who are in favor of Sunday opening, Bishop Potter, of New York, I am sorry to say, for one. The Rev. Minot Savage, of Boston, comes here as a champion of Sunday opening. Mr. Savage's views on this subject will surprise nobody in New England conversant with his preaching and religious views upon other subjects.

But I submit that, as respectable as are the gentlemen said to favor Sunday opening, they are insignificant and unimportant as compared with the great number of Christian ministers, headed by such men as Dr. John Hall, of New York, who denounce such opening.

Finally, we propose to hold the greatest Exposition of all history to which we have invited the world. Shall we not show them an American and Christian Sabbath?

I have said before and repeat now that I believe the success and prosperity of any State, nation, family, or individual in all history may be measured by their regard for the Sabbath Day.

We profess to be a Christian nation. Can we afford to give national sanction to the desecration of the Sabbath by rescinding our vote to close the Exposition on that day? We must not and we will not, and may we be spared from being numbered among and sharing the fate of the States and nations that disobey and forget God.

The preposterous claim is made that the sentiment of Chicago is well-nigh universal in favor of Sunday opening. Private advices which I have from that city satisfy me that such claim is not true, and that a very large and respectable number of the business men and best citizens of that city are opposed to Sunday opening, and that the words spoken to Elijah, the prophet, in Ahab's day, are true with reference to Chicago—

Yet I have left me seven thousand in Israel, all the knees which have not bowed unto Baal, and every mouth which hath not kissed him.

Alexander K. Craig.

REMARKS

OF

HON. JOHN J. SEERLEY,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 3, 1893.

The House having under consideration resolutions of respect to the memory of Hon. Alexander K. Craig, late a Representative from the State of Pennsylvania—

Mr. SEERLEY said:

Mr. SPEAKER: It is a pleasure for me to be permitted to add a few words to the many kind ones which have been said in this House in memory of Mr. Craig.

His term of service in the House of Representatives of the United States was short, but by his frankness and his integrity he had won the respect of all who had become acquainted with him.

The honorable life which he led at home and the respect in which he was held by all his friends and acquaintances have been

told by Representatives from his own State, and I can add nothing thereto. However, I desire to say, as one of those appointed by the Speaker to attend his funeral, that I was deeply impressed not only by the action of his friends and neighbors when they spoke of his many virtues and what he had done for the people among whom he had always lived, but also by the love shown by the young men and women and even the children for their teacher and adviser and their sorrow at his untimely death.

The first time I ever met the deceased was when he was visiting his son in Keokuk, Iowa, and I found him then to be the same upright and honorable gentleman that he proved himself to be while making his contest for a seat in the Fifty-second Congress. We talked over the campaign through which he had just passed, and he ended the conversation by saying, "I believe I was duly and legally elected to Congress from my district. My friends are confident that I was elected. I propose to present my case fairly to the House, as I did to the people. If the members of the Fifty-second Congress think I was legally elected by the people I want my seat. I think it an honor to be a member of Congress, but I do not want to be a member of Congress if I was not honestly elected."

From my acquaintance with his son, Hon. John E. Craig, of Keokuk, Iowa, I soon became intimately acquainted with Mr. Craig and met him almost daily in Washington during the time he was making the contest. During all that time I never heard from him even so much as a suggestion that his case should be decided in his favor upon any technicality or because his political party had the power. His entire plea was to lay prejudice aside and do justice regardless of what might be the result. Such a showing when so many political battles are sought to be won without regard to the means employed speaks volumes in honor of the man to whose memory we do credit this day.

It was this manliness of character which also protected him during the heat of the political contest through which he passed and his subsequent contest in this House from those political assaults which are a disgrace to our American journalism. But his life demonstrated the fact that a character built up by observing the Golden Rule is a shield which is able to protect even a candidate for office against misrepresentation and abuse. I believe if he had been spared he would have made a useful legislator and would have always been found working for the interests of his people.

At the time of his death he was representing a district now historic. Until the great labor problem shall have been settled the word "Homestead" will be a warning and a lesson to both laborers and capitalists. That herculean struggle which, in my judgment, did much to decide the great political contest of 1892, had just commenced when his labors were ended. Sickness kept him from taking any part in seeking its settlement.

He lived upon a farm, but near the greatest manufacturing center of the world. With such surroundings he studied the great political and social questions. He gained his knowledge not only by reading, but from observation. From his experience thus gained he undertook to legislate. He was the friend of the farmer, and the laborer. He demanded equal rights for all. He believed the only way to preserve and perpetuate free institutions was by doing justice to all interests and all people.

It was such a man the Fifty-second Congress and the people lost by the death of Mr. Craig—a man who was loved and respected as husband, father, citizen, and statesman.

John W. Kendall.

REMARKS

OF

HON. CHARLES E. BELKNAP,

OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 4, 1893.

The House having under consideration resolutions of respect to the memory of Hon. John W. Kendall, late a Representative from the State of Kentucky—

Mr. BELKNAP said:

Mr. SPEAKER: I can not let this occasion pass without paying my humble tribute to the memory of John W. Kendall. Michigan unites with Kentucky in sympathy with the family of our deceased brother.

In the brief time allowed me I can not properly express my sentiments, my regards, my admiration of the man as a citizen of the country, a soldier of the Confederacy, and a servant of his people.

My acquaintance with him began in this Congress. We occupied seats near each other. I found him an unassuming, industrious member, almost the first man to occupy his seat each morning of the week.

Early and late, day after day, he was at his desk laboring for his constituents. The hours of the day were not long enough for him, but the hours of the night that should have been devoted to rest and sleep were given up to the many demands of his office.

As a soldier who fought in defense of the Union, I can not help but have an admiration for the men who fought in the ranks upon the other side. There has ever been and ever will be with me respect and regard for the men who marched and fought in the ranks of the Confederate armies. They were brave men although they were wrong, and were fighting in what the Union people of the country believed an unholy cause, and as the years pass all people of the country, both North and South, are agreed was wrong.

From a study of his life I am convinced he was not a politician in any sense of the term. He was in his character too honest to be a politician. But he was independent in his life, doing as his own judgment and conscience dictated. Men who have the courage to think for themselves are rare, and it is said that our deceased brother was one of that rare kind.

It is said of him that when war's shrill cry alarmed the land he thought his duty called him to side with the South. He did not enlist as a soldier thinking it a holiday matter, a day's or a month's frolic, but that it meant serious work. He enlisted first in the Fifth Kentucky Infantry, Confederate troops. By his ability and industry he won the attention of that master of rough riding, John Morgan, and was made by him the adjutant of the Tenth Kentucky Cavalry. His service was in Kentucky, Tennessee, and Virginia, participating in many battles and campaigns.

By superb horsemanship and daring he escaped death in the Confederate disaster at Cynthiana, Ky., when nearly every other man was either killed, wounded, or captured. He seemed in all the years of the war to bear a charmed life.

He was not one whom death did much dismay;
Life's terrors, all death's terrors to him far outweighed;
This life that Heaven had lent him for a day,
He stood ready to pay back when it was time to pay.

Men who have felt the sting of the bullet and heard the crash of the cannon's shell, or have witnessed the scenes of havoc and desolation, rarely appeal for war to settle their grievances.

Wars are usually made by civilians or politicians, bold and defiant in the forum, but when the storm comes they seek the shelter of their homes or safely behind the skirts of their wives and mothers, view their innocent fellow-citizens as they catch the peltings of the pitiless storm.

This is a magnificent country, beautiful in its form, in its diversity. I believe the sentiment of the country is rapidly changing, and finally we will have no designation of North and South. Whosoever dwells upon a foot of soil on which the flag of the United States floats is a citizen of a common country. You might as well attempt to move the Cumberland Mountains to Europe to-day as to move Kentucky out of the Union.

The love of one's country, and of one's birthplace, is natural and universal. The natives of the mountain regions of this country, although it calls for constant struggle to eke out of earth enough to keep body and soul together, are most boastful and proud of their birthplace. Whereas the natives of other sections of the country, where the soil is rich, migrate like bees from an overcrowded hive. But all are Americans, and proud of the whole country.

The present age may be justly described as the age of revolutions. The whole civilized world is agitated with political convulsions, and seems to be struggling after some uncertain, perhaps unattainable, good.

When the pride of exploded opinions and the old war cries of parties shall have been silenced in the grave of antebellum politicians, the new generation will recognize and maintain that sovereignty of the Union which is essential to the highest welfare of all sections.

The characters of men are generally molded by the circumstances in which they are placed. They seldom put forth their strength without some powerfully exciting motive. But in a country like ours, where the most obscure individuals in society may, by their talents, virtues, and public services, rise to the most honorable distinctions and attain to the greatest offices which the people can give, it is indeed true that but few who run in the race for political honor can obtain the prize. But although many come short yet the exertions and progress which they make are not lost either on themselves or society. These are some of the benefits peculiar to a popular government—benefits which we have long enjoyed.

Our deceased friend had the basis of all high character, unspotted integrity and honor. If he had aspirations they were high, honorable, and noble. There was nothing low and selfish that came near the head or heart of Mr. Kendall.

Firm in his purpose, he was perfectly patriotic and honest in the principles he espoused and in the measures he defended, aside from that regard for that species of distinction that conducted him to eminent stations where he has benefited the Republic.

In the allotment of Providence he was placed in a pleasant and beautiful country—a country where the mountain sides are clothed with forests, and where the valleys are sparkling with laughing springs and sparkling rivers.

Life is all a mist in whose shadows we meet our fortunes. He has emerged from the mists. Gently and silently he passes from our sight.

Let us think of him as still hearing the music of winds in the trees upon the mountain side; as still listening to the laughter of the mountain brooks, the warbling of the birds; his spirit guarding from all harm the bereaved companion of his manhood and the fatherless children who are left behind.

He sleeps among the hills
Where the mountain roses
Drink the dew as day reposes.
The world is ever as we take it,
And life is ever as we make it.

Pensions.

SPEECH

OF

HON. DAVID B. HENDERSON,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 14, 1893.

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions for the fiscal year ending June 30, 1894, and for other purposes.

Mr. HENDERSON of Iowa said:

Mr. CHAIRMAN: I regret that confinement to my rooms on account of disabilities has prevented my taking part at an earlier day in the debates that have taken place on the subject of pensions. Still more, however, do I regret that a sordid and cruel and unpatriotic spirit could exist in this country strong enough to inaugurate the war now being waged upon the crippled and suffering defenders of our country.

I have, however, anticipated this attack, and have seen its coming ever since the last Presidential election. The result of that election gave encouragement and boldness to the soldier-haters of the land.

Before this session commenced the purpose to strike at the pension roll manifested itself in the Democratic press, in Democratic interviews, and Democratic speeches throughout the country, and the nation was prepared to see the Democratic knife of reform plunged in the pension laws at the first opportunity.

On December 15, 1892, the gentleman from Texas [Mr. ANTONY] introduced a bill (H. R. 9895) to repeal the great act of June 27, 1890. I am glad to state that the Committee on Invalid Pensions saw fit to ignore this bill. But that committee has not been trusted in other quarters, for the Committee on Appropriations has again and again at this session, since the Presidential election, usurped the prerogatives of the Committee on Invalid Pensions, and has fearlessly led the charge against the pensioners of the late war, commencing their attack on those who had lost their arms, legs, and had otherwise been shot to pieces in their country's defense. The poor devils who are still paying the "war debt" and will continue to pay it until they pay the final debt of nature were first selected for the knife of Democratic reform. This House put in the knife to the hilt, and with set teeth turned it again and again in these mangled bodies.

THE COST OF PENSIONS.

The real excuse for all this is "the cost of the pension roll." All else is mere talk and the bushes behind which the "bushwhacker" may be found.

Our national pension roll as it stands and will stand when it reaches its highest point is the cheapest and best investment this country ever made. It demonstrates that this land can dispense with the cost of a great standing army. There are but two questions to be answered about that roll:

First. Is it clean and honest? In other words, are those on the roll in need of its benefits?

Second. Is the country able to pay it?
No enlightened and honest man can say "no" to either question.

FRAUDULENT PENSIONS.

We hear much talk of frauds in connection with pensions. This again is one of the cries of the "bushwhacker." There is no just foundation for the charge. A cleaner pension roll can not be found on earth. On this point I invite special attention to the letter of Gen. Green B. Raum, Commissioner of Pensions, which I will incorporate in my remarks.

PARTY PLATFORMS.

The two great parties have made generous promises to be just and kind to the defenders of the Union. The Republican party has kept the faith. It has kept step to the heart-beat of patriotism and the voice of all its platforms.

When a Democratic convention adjourns, the party pledges are forgotten and the war on the Union soldier begins at once. For one, I want to say to the Democratic warriors against pensioners that we understand your every movement, and for one I will not hunt for soft words for such treachery.

THE PROOFS.

Now for proofs touching the various charges under cover of which the fight is on against our pensioners.

On January 13, 1893, I addressed the following letter to the Commissioner of Pensions:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., January 13, 1893.

DEAR GENERAL: Because of much talk that I hear nowadays about pensions I would thank you to give me full information on the following propositions:

1. What proportion, if any, of the pension claims allowed and under which pensions are now being drawn, are fraudulent. Please give me the fullest information on this point.
2. What, in your opinion, will be the final number of names that will be placed upon the pension rolls, and what will be the probable cost. What I want under this head is a careful estimate, based upon your extensive knowledge of pension matters, of the total number of pensioners that will finally go upon the rolls when all claims shall have been disposed of.
3. State what number are dropping annually from the rolls and the amount of the pensions so dropped. Please cover this point fully, with an estimate embracing the future, so far as you can.
4. Please give me, in detail and fully, the history of pension legislation in this country, covering all wars and embracing everything that has been done and is being done by the Government towards those who have defended its flag. Let this embrace not only pensions, but land warrants and everything that the Government has given in recognition of the services of her soldiers; and make your statement in such a way that I can see what has been done for the soldiers of the late war in comparison with the soldiers of any of the former wars.

Very respectfully, yours,

D. B. HENDERSON.

HON. GREEN B. RAUM,
Commissioner of Pensions.

On February 1, 1893, Gen. Raum answered, and his letter I submit for the information of the committee and the country. The facts here furnished leave not an inch of ground on which the assailant of our pension roll can stand.

Let those who say that our pensioners are not crippled and needy, listen.

Let those who say that the roll is filled with deserters and bounty-jumpers, listen.

Let those who say we have a pension roll filled with fraud, listen.

Honest men will listen and be satisfied; haters of the Union soldier and the cause of the Union will not be.

Men who love their land and have hearts for the woes that saved it will be satisfied; those who would coin human blood and build fortunes on the shattered lives of those who saved them and their country will not be.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, February 1, 1893.

DEAR SIR: I acknowledge your letter of the 13th ultimo, in which you ask to be informed fully of many important questions connected with the present pension service, as well as the history of pension legislation in this country covering all wars and embracing everything that has been done and is being done by the Government in behalf of those who have defended its flag, including not only pensions but land warrants and everything the Government has given in recognition of the services of her soldiers.

In reply to your first inquiry, "What proportion, if any, of the pension claims allowed and under which pensions are now being drawn are fraudulent?" I have to state that it is very difficult to make an estimate. A considerable force of the law division and of the special examination division of this office are engaged upon the work of investigating alleged frauds and of prosecuting persons believed to be guilty of fraud, and the United States district attorneys and marshals are earnestly cooperating with this office in the arrest and prosecution of persons believed to be guilty of such practices.

These violations of the law may be classified substantially as follows: Personating a soldier and obtaining a pension under a fictitious name; drawing two pensions at the same time for different enlistments; personating the widow of a soldier in a widow's claim; the suppression of the fact of remarriage; continuing to draw a pension lawfully obtained as a widow after remarriage; and obtaining a pension for alleged disabilities which have no existence in fact.

Fraudulent claims of these various descriptions are constantly brought to the attention of the office and every effort is made, as before stated, to bring such persons to punishment and to recover whatever pension money has been unlawfully obtained.

But all of these classes of cases combined constitute an inconsiderable per-

centage of the present number of persons who are drawing pensions. Persons who commit frauds of this description are constantly in danger of detection. Their neighbors are usually cognizant of the fraud and are liable to give information. Special examiners traveling throughout the country are charged with the duty of investigating alleged frauds, and the pension agents also receive information in regard to such matters and communicate the facts to this office for action.

You will see by reference to page 32 of my last annual report that 147 persons were indicted last year for pension frauds, 122 convicted, 18 acquitted, and 3 prosecutions nolle prossed.

My understanding is that the complaint against the pension roll is not particularly directed against this class of frauds. The charge is that the roll is largely made up of deserters, bounty-jumpers, persons who skulked to the rear, persons who served in the Confederate army, and persons who, though regularly mustered in and out of the service, served but a short time and performed little or no military service. The claim is that the pension roll is largely composed of persons who have no just claim upon the Government, and that if it was sifted the remaining few would constitute a roll of honor to whom the people of the United States would gladly see pensions paid.

This view of the case has been presented so often, so elaborately and in such colors by certain prominent newspapers that the public—who are always disposed to accept as true statements printed in newspapers—have come to believe that there is a great deal of truth in these charges, and have been disposed to accept as true the general charge that the Government was about to be bankrupted by the granting of pensions to hundreds of thousands of unworthy persons.

You have no doubt observed that the complaints against the pension roll relate solely to those who have obtained pensions because of service in the war for the Union. The opinion seems to prevail that too many persons who served in that war are drawing pensions, and it occurs to me that it will not be out of place to invite attention to the fact that from 1861 to 1865 we had a great civil war in this country, and that in no age of the world has there been such an assemblage of armed men in a period of four years as those who followed the standard of the Union.

During that period 2,123,948 soldiers and 105,938 seamen and marines—making a total of 2,234,911—were enlisted (excluding reenlistments) and mustered into the service. These men were not trained soldiers; they were citizens engaged in the various pursuits of life, who quit their homes in response to their country's call to take up arms in defense of the national flag. These people did not fix the time nor the terms of their service—these were determined by law and the proclamations of the President.

I have before me a statement from the War Department giving the various calls made for men for the Army during that war, the length of service to be performed under each call, and the number of men enlisted under those calls. I find that men were called for three months, for six months, for one year, for two years, and for three years; and that in April and July, 1864, a call was made for one hundred days' men.

The War Department reports that under these various calls 1,864,998 men were enlisted for three years, 427,954 were enlisted for one and two years, and 279,099 men were enlisted for periods less than one year. This includes 91,816 men who responded to the first call of President Lincoln for the defense of the capital, the great majority of whom reenlisted for three years, and 83,612 one hundred days' men who were enlisted in 1864 upon the recommendation of the loyal governors; and the War Department also reports the enlistment of 172,744 militia for three years, and 15,508 men for shorter periods.

It will thus be seen that of this mighty concourse of people who rallied under the flag 2,037,742 persons enlisted for three years. The records of the War Department also show that there were 543,333 reenlistments in the Army of men whose terms of service had expired or were about to expire.

It becomes an interesting question to ascertain in a general way what became of these men. During the progress of the war a considerable number of men deliberately deserted the ranks to avoid military service, while many others were borne on the rolls as deserters who never intended to permanently abandon the service, but who absented themselves on account of sickness and other causes. In regard to the number of deserters I quote from a statement from the War Department as follows:

"The actual number of deserters at large at the close of the war has been estimated at 117,247, and this estimate was accepted by this office in the preparation of its memorandum of March 31, 1890, relative to the probable number of survivors of the war. From the best information to be obtained it is estimated that since the close of the war 25,542 charges of desertion have been declared to be erroneous, or have been removed under the various acts for the relief of soldiers charged with desertion. Of this number about 18,234 were cases falling under the acts of Congress, and about one-half of these (9,117) were of deserters at large, at the close of the war, who were honorably discharged under one of the various laws."

I have before me a statement from the War Department to the effect that during the war the losses of the Union Army in killed was 4,142 officers and 62,916 enlisted men; that 297,058 men died of wounds or diseases, and that 280,040 persons were reported as wounded; I also find a general summary of soldiers received and treated in the hospitals of the United States from April, 1861, to June 30, 1866, reported at page 641, part I, Medical and Surgical History of the Rebellion. It appears that 5,825,480 persons were admitted to these hospitals during the said period. These figures not only suggest the magnitude of the great struggle, but the enormous drafts which were made upon the vitality of those engaged in it.

The first enlistments were made for a short period, because it was hoped that the struggle would be of short duration; but as time went on the enlistments were made for three years, or during the war, but these long-term soldiers were from time to time reinforced by men of short enlistment.

Military life was new to these men. They were subjected to a change of water, a change of climate, a change in the character of food. They took up the work of becoming soldiers—of drilling, of marching and carrying heavy burdens, of standing guard by night and by day, and of fighting battles.

An examination of the medical history of the war shows that about one-fourth of all the cases admitted to the hospitals were suffering from attacks of fever, typhoid malarial fever being the most common. It also appears that almost one-fourth of those who were admitted to the hospitals were suffering from acute diarrhea, and that from these two classes of diseases alone 78,436 persons died.

It also appears from the report of the War Department that 196,629 of these soldiers were captured during the war and confined in Confederate prisons, and that of this number 30,212 died, leaving 166,417 of these prisoners who were finally released.

The hospital service of the United States during the war was necessarily upon an immense scale, for probably two-thirds of all the men who were enlisted in the Army were at one time or another treated for some wound, disease, or disability contracted in the service, and although the sympathy and generosity of the public poured out millions of money to the Government through the Sanitary Commission and the Christian Commission to aid in the care of the sick and wounded, yet under the most favorable circumstances of treatment in hospitals recovery was slow and uncertain; the comforts and sympathy of home were lacking.

There can be no doubt that the change to a military life, the exposures, the hardships, the physical and mental strain upon the soldier, laid the foundation in thousands of cases for permanent and incurable disease.

Then take prison life, which, under the most favorable circumstances, is calculated to undermine the constitution; is it to be supposed that these 166,000 men who were confined in Confederate prisons escaped unharmed? Let us look into this matter a moment. Take the testimony of Mr. Richardson, a correspondent for the public press, who testified before a committee on the conduct of the war. He said:

"I was captured on a hay-bale in the Mississippi River, opposite Vicksburg, on the 3d day of May, 1863, at midnight. After a varied experience in six different prisons I was sent to Salisbury on the 3d of February, 1864, from which place I escaped on the 18th of December following.

"For months Salisbury was the most endurable prison I had seen. There were six hundred inmates. They were exercised in the open air, comparatively well fed, and kindly treated. Early in October ten thousand regular prisoners of war arrived. It immediately changed into a scene of cruelty and horror. It was densely crowded; rations were cut down and issued very irregularly; friends outside could not even send in a plate of food.

"The prisoners suffered considerably and often intensely for the want of bread and shelter. Those who had to live or die on prison rations always suffered from hunger; very frequently one or more divisions of one thousand men would receive no rations for twenty-four hours; sometimes they were without food for forty-eight hours. A few who had money would pay from \$5 to \$20 dollars in rebel currency for a little loaf of bread. Many, though the weather was inclement and snow frequent, sold the coats from their backs and shoes from their feet. I was assured, on authority entirely trustworthy, that a great commissary warehouse near the prison was filled with provisions. The commissary found it difficult to find storage for his corn and meal, and when a subordinate asked the post commander, Maj. John H. Gee, 'Shall I give the prisoners full rations?' he replied, with an oath, 'No; give them quarter rations.' I know from personal observation that corn and pork are very abundant in the region about Salisbury.

"For weeks the prisoners had no shelter whatever. They were all thinly clad, thousands were barefooted, and not one in twenty had an overcoat or blanket. Many hundreds were without shirts and hundreds were without blouses. One Sibley tent and one A tent were furnished to each squad of one hundred. With the closest crowding these sheltered about half the prisoners. The rest burrowed in the ground, crept under the buildings, or shivered through the night in the open air upon the frozen ground.

"If the rebels at the time of our capture had not stolen our shelter tents, blankets, clothing, and money, they would have suffered very little from cold. If the prison authorities had permitted them, either no parole or under guard, to cut logs within 2 miles of the prison, the men would have built comfortable and ample barracks in one week; but the commandant would not consent. He did not even furnish one-half of the fuel needed."

I also quote from a "Report of an expedition to Andersonville, Ga., July, 1865, for the purpose of identifying the graves and inclosing the grounds of a cemetery created there during the occupation of that place as a prison for Union soldiers in rebel hands." This report shows that there were 30,000 prisoners, and that 12,920 of these died in prison. It states:

"The inclosure was made in January, 1864, and enlarged during the summer to 25½ acres, being a quadrangle of 1,295 by 895 feet. The greatest length is from north to south, the ground rising from the middle towards each end in rather a steep, rounded hill, the northern one being at once the highest and of the greatest extent. A small stream, rising from springs a little to the eastward, flows across it through a narrow valley filled with a compost washed down by the rains.

"The inclosing stockade is formed of pine logs, 20 feet in length, and about 8 inches in diameter, sunk 5 feet in the ground and placed close together. This is again surrounded by two successive and precisely similar palisades, a portion of the last of which is gone. It seems never to have been completed. The two inner walls remain entire. Within the interior space, at the distance of about 17 feet from the stockade, runs the famous dead-line, marked by small posts set in the ground, and a slight strip of pine board nailed on the tops of them."

In further describing the conditions under which the prisoners lived, the report states:

"The treacherous nature of the soil, parching to seams in the sun and gully and sliding under their feet with every shower, must have augmented their ills almost beyond conception. I watched the effect of a heavy fall of rain upon the inclosed grounds and in thirty minutes the entire hillside, which had constituted their sole abiding places, were one rolling mass of slippery mud, and this the effect of a mere summer shower. What of the continued rains of autumn? Think of 30,000 men penned by close stockade upon twenty-six acres of ground from which every tree and shrub had been uprooted for fuel to cook their scanty food, huddled like cattle, without shelter or blanket, half clad and hungry, with the dreary night settling in after a day of autumn rain.

"The hilltops would not hold them all, the valley was filled with the swollen brook; 17 feet from the stockade ran the fatal dead-line beyond which no man might step and live. What did they do? I need not ask where did they go, for on the face of the whole green earth there was no place but this for them; but where did they place themselves? How did they live? Ay, how did they die?

"But this is only one feature of their suffering; and perhaps the lightest. Of the long dazzling months when gaunt famine stalked at noonday, and pestilence walked at night, and upon the seamed and parching earth the cooling rains fell not, I will not trust me to speak. I scarce dare think. If my heart were strong enough to draw the picture there are thousands upon thousands all through our land too crushed and sore to look upon it.

"But after this, whenever any man who has lain a prisoner within the stockade of Andersonville would tell you of his sufferings, how he fainted, scorched, drenched, hungered, sickened, was scoffed, scourged, hunted, and persecuted, though the tale belong and twice told, as you have your own wrongs appreciated, your own woes pitied, your own cries for mercy heard, I charge you, listen and believe him. However definitely he may have spoken, know that he has not told you all. However strongly he may have outlined, or deeply he may have colored his picture, know that the reality calls for a better light and a nearer view than your clouded, distant gaze will ever get."

The foregoing statements are simply examples of the printed accounts of the suffering of persons confined in those prisons. Harper's Weekly and other illustrated papers will be found to contain pictures of many of these unfortunate persons as they were brought into the Union lines for exchange.

And finally comes the question as to the number of survivors of the war. From the best available data it is estimated that 1,209,968 of these men are now living, and 1,024,944 are dead. It is from the ranks of the living soldiers that the pension roll of invalid pensioners is made up, and from the representatives of these dead soldiers that the list of widows, orphans, and other dependents are pensioned.

On June 30, 1892, there were 158,871 widows and orphans borne upon the rolls, and there were 156,239 widow claimants, making a total of widow pensioners and claimants of 315,110. Assuming that all of these claims shall be allowed, there would remain 709,834 dead soldiers not represented on the pension roll by either a widow, orphan, or dependent mother or father.

It is the concurrent history of the world that war is not only a great destroyer of human life, but also a great destroyer of the health and strength of the soldier. The military operations of our civil war included the District of Columbia and sixteen States of the Union. The campaigns of the Army involved long and arduous marches, sieges, and battles at all seasons of the year, and the fatigues, the hardships, the exposure and the exciting dangers of those campaigns constantly told upon the strength of the Army. It was found that the losses were so great that it required every possible effort on the part of the Government and people to supply the urgent demand of commanding officers for more troops.

Nothing could more completely illustrate this than a reference to the reports of the organization and strength of the Army and Navy at the opening of the campaign of 1864, and it also demonstrates that the veteran organizations of the Army which took the field early in the war were still at the front.

The Navy consisted of 510 vessels, carrying 3,249 guns, with 6,000 officers and 45,000 men. These men were the remnant of 103,963 who had been enlisted.

In May, 1864, when Gen. Grant had made his great preparations for the campaign of that year, the military organizations under Gens. Meade, Butler, Gilmore, Banks, Rosecrans, Hunter, Augur, Dix, and Sherman comprised an aggregate of 832 regiments of infantry, 148 regiments of cavalry, and 249 batteries of artillery, with 402,502 men reported present for duty. These organizations originally numbered 1,034,800 men, but they had lost 630,000 of their number by the usual casualties of war, and these armies in turn during the great campaigns of that season were again greatly depleted. The Army of the Potomac from that date until April, 1865, lost 12,356 killed and 63,582 wounded, while Sherman's army lost 4,988 killed and 24,827 wounded.

The number of men in the Army of the Potomac from May, 1864, to the surrender of Gen. Lee was 266,736, yet the returns for March 31, 1865, reported but 121,647 men, showing a reduction in the force from various causes of 145,089 men.

In spite of all these great losses there were borne upon the rolls to be mustered out at the close of the war the names of 1,000,000 men.

With all these facts before us it is to be wondered that the pension roll is a large one? How could it be otherwise if the existing laws of Congress are enforced with the degree of liberality and humanity which their provisions indicate was the intention of Congress? It certainly is not so that these pension laws were intended simply for ornamental statutes, not for use.

In reply to any suggestion that the pension roll is largely made up of deserters, bounty jumpers, and others who shirked their military duty, it is proper for me to state that the War Department is the custodian of the muster rolls of the Army and of the hospital registers used during the war, and that no soldier is ever pensioned by this office until the War Department has reported the military record of the claimant and his hospital record, if he has one, to indicate whether he was treated for wounds, disabilities, or disease while in the service, and where the law fixes as a condition to a pension the honorable discharge of the soldier no claimant can receive a pension from this office until the War Department has certified that he has been honorably discharged from the service.

The War Department is invested with authority to remove a charge of desertion under certain circumstances. When this has been done and the soldier has been given an honorable discharge, the law restores him to the same rights in regard to a pension that other soldiers enjoy against whom no such charge was preferred, and the Pension Office considers claims of this description in the light of the law and evidence bearing upon them, and grants or refuses to grant a pension as the evidence in the case seems to require.

I am informed by the chief of the record and pension office of the War Department that in 25,542 cases the charge of desertion has been removed by the War Department, and that about 17,880 of these men survive. It therefore appears that if all the deserters who have received discharges were admitted to the pension roll, they would constitute less than 2 per cent of the roll; but it is perfectly safe to say that no soldier against whom a charge of desertion appears has been granted a pension by this office in violation of law, unless in some extraordinary case where the facts failed to reach the attention of the office.

In regard to the pensioning of bounty jumpers and others who shirked their military duty, it is proper for me to say that I know of no list of such persons accessible to the Pension Office, and that if such persons should apply for pensions, this Bureau would be compelled to rely upon the records of the War Department for a history of the military services of these people, and if there was nothing reported by the War Department to impeach their rights to a pension under the law, it would be impossible for the Bureau of Pensions to be otherwise advised of the military shortcomings of the applicants.

In regard to the charge that Confederate soldiers are drawing pensions, a few persons who served for a time in the Confederate army and afterwards enlisted in the Army of the United States are, no doubt, drawing pensions, and a great many persons who served in the Confederate army are now drawing pensions for service in the Mexican war.

In regard to the charge that the roll is largely composed of persons of short service, it is a complete answer, as far as the Pension Office is concerned, to say that if the law authorizes the granting of a pension to a man with a short service and he shows himself entitled to it, the Bureau of Pensions would be derelict if it failed to grant the pension; but the conclusive answer to the question is that it is not true. The records of this office show that not more than 1½ per cent of those now on the pension rolls are of persons who served an enlistment of three months and under.

I lay before you a table giving the length of service in months of 475,915 pensioners whose claims have been recently examined in the course of the preparation of certain statistics for this office. You will find from this statement that only 9,931 of these persons served for a period of three months and under; of soldiers who served 34 months there were 31,517 pensions issued, and of soldiers who served 35 months there were 31,500 pensions issued; these periods of service being those to which the largest number of pensions were issued.

This table shows that 331,169 of these soldiers served for a period of twelve months and upwards, and 136,746 soldiers served for a period of eleven months and under. This table further shows that 235,000 pensioners served from twenty-four to forty-eight months.

This table comprises the record of about two-thirds of the soldiers on the pension roll and is believed to be a fair representation of the entire list as to the length of service, and is, in my opinion, a complete refutation of the oft repeated statement that the men who were drawing pensions had performed short service during the great struggle for the Union. The fact is, it is impossible that it should be otherwise than that the pension roll should be made up of men of long service, considering that more than two millions of men were enlisted for a period of three years.

I beg respectfully to submit that these figures show that a great body of the names borne upon the pension rolls are of men who must have, judging from their length of service, borne valuable and conspicuous part in the war for the Union, and, aside from any evidence which may have been produced in their claims, it is reasonable to infer from the length of their service that

they incurred disabilities such as would entitle them to pensions under existing laws.

Until the passage of the act of June 27, 1890, known as the "disability bill," the right of a soldier to a pension depended upon his ability to show, by competent proof, that he was suffering from a wound, injury, or disability which was of service origin.

After twenty-five years of experience under this law since the war it was found that thousands of claims were pending in the office, or had been rejected, of claimants who were shown conclusively to be seriously disabled, but were unable to prove to the satisfaction of the office that their disabilities and diseases were caused by their military service.

In the case of the claims of widows, they were required to prove that the death of the soldier was the result of disabilities sustained in the service. It was found that in many cases where the soldier himself had secured a pension for serious disabilities his widow would be unable to obtain a pension for the reason that she could not satisfy the office that the soldier's death had any relation to the disabilities for which he was pensioned.

Another class of claims of soldiers in which there was great complaint was where it was obvious that the claimant was suffering from a number of complicated disabilities, entitling him to a large pension if they were of service origin, but he was unable to satisfy the office that such was the case and he was granted a small pension for a disability for which he was treated in the service, and the principal part of his claim would be rejected.

You, of course, understand that in all invalid claims and claims of widows, under the general law, the Pension Office obtains from the War Department a report of the hospital record of the soldier. In a large proportion of the cases it was reported that there was no hospital record of the claimant.

In this connection I wish to invite your attention to an important fact made public by the chief of the record and pension office of the War Department in his last annual report. He states that since the entries in the medical registers in use during the war have been copied upon the "index record cards," and these cards duly arranged for easy reference, for the purpose of testing the accuracy of the old system as compared with the new, 1,000 cases were drawn of soldiers who applied for pensions, and whose claims had been examined by direction of the Surgeon-General, with the view of reporting any hospital treatment which the soldier may have received, and in which claims the reports had been that the soldier had not been treated in the hospitals, it was found when these cases were tested by the entries upon the index record cards that nearly one-third of these soldiers had been treated "in from one to a dozen hospitals in each case."

This officer remarks: "It is somewhat startling to think that under the old system that almost one-third of the claims returned without evidence, many of which were cases of widows and orphans, direct and positive record evidence of disability was in existence and would have been found under a better system, such as that now in force."

It is well understood that where a claimant alleges a state of facts which, if true, would appear of record, and upon an examination of the record it appears that the allegation is untrue, great doubt is thrown upon all other statements made by the claimant, and he necessarily finds himself seriously embarrassed in the production of parol testimony which will be accepted to disprove the record.

It is obvious, from the report of Col. Ainsworth, that for more than twenty-five years the difficulty of finding the hospital records of soldiers as they had been entered line by line in the 30,000 hospital registers used during the war, was so great that in thousands of cases where "direct and positive evidence of disability was in existence," reports were made to the Pension Office that there was no record of treatment in hospital. I have no doubt thousands of just claims of soldiers and their widows for pension, under the general law, have been rejected upon these reports in such cases. The fault was with the Government in not being able to trace the record evidence of the soldiers' disability, the injury falling alone upon the soldier and those depending upon him.

It was known that all over the country there were many soldiers who could not earn a living by manual labor and were living on charity because of their inability to establish their pension claims. The poorhouses were filled with such unfortunates and the Grand Army posts all over the United States were supporting their disabled comrades.

A demand was made upon Congress for additional pension legislation, and for many months the subject was before the committees of Congress and generally discussed in the public press throughout the country.

There seemed to be but one sentiment, and that was that the pension laws should be liberalized, and, in response to this public demand, Congress passed the act of June 27, 1890.

This law enacted— "That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States and be entitled to receive a pension not exceeding \$12 per month and not less than \$6 per month, proportioned to the degree of inability to earn a support."

Said law also authorizes the granting of a pension to "the widows of such soldiers who are without other means of support than their daily labor."

On the 30th day of June, 1892, there were on the pension rolls under this law the following-described pensioners:

| | |
|---------------------------------------|---------|
| Army invalid pensioners..... | 283,734 |
| Army widows, minor children, etc..... | 44,696 |
| Navy invalid pensioners..... | 9,334 |
| Navy widows, minor children, etc..... | 2,917 |

Making a total of..... 340,681

It is well understood that this law has had the effect of swelling the pension roll far beyond anything that could have occurred under the laws previous to its passage. Eight hundred and sixty-nine thousand four hundred and ninety-one claims of all descriptions have been filed under this law to January 31, 1893. A large proportion of these claims, you will understand, were filed by persons who were drawing small pensions under the general law and who applied for an additional pension under this act.

This law relieved the claimant from the duty of proving that his disability was produced by military service, the only limitation being that he should not be pensionable if the disability for which he claimed pension was the result of vicious habits.

Widows were also relieved from the necessity of proving that the death of their husbands was caused by army service, but they were required to establish the fact that their pecuniary condition was such that they were without other means of support than their own daily labor.

It was no surprise to those who were familiar with the physical and pe-

culinary condition of hosts of old soldiers to find that the pension roll was very largely increased as the result of the passage of the act of June 27, 1890.

This law was passed after my appointment to the office of Commissioner of Pensions, and it has been enforced so far during my incumbency of the Pension Office. I have given ever phase of the law and its administration the most careful study, and I have no hesitancy in declaring that that act has been enforced in the most careful and painstaking manner, and that every safeguard has been thrown around the adjudication of claims filed under it that was necessary to secure its efficient and faithful administration.

The military and medical history of each claimant has been called for and certified to by the War Department as a part of the record in each case; the invalid claimants have been required to pass the lawful medical examinations to disclose their present physical disabilities, if any exist; the testimony necessary to establish their claims as provided by the law and regulations of the office, have been required in each case; the legal aspect of each claim has been passed upon in the adjudicating divisions, under the supervision of the chiefs of those divisions and the Deputy Commissioners of Pensions, and in turn the cases have been examined in the board of review by reviewers and re-reviewers, under the superintendence of the chief of the board of review and the Commissioner, while the medical questions involved in each case have been passed upon by a medical examiner and a reviewer, under the superintendence of the medical referee and his assistants, supervised by the Commissioner.

This work, involving the opinion of at least three persons upon the legal questions and at least two persons upon the medical questions, has, as I believe, been conscientiously performed, and in my judgment every precaution has been taken to prevent the allowance of unjust claims; and I have no hesitation in expressing the opinion that a very small percentage of the cases allowed consist of fraudulent and unjust claims. But if false and fraudulent claims have been allowed the names of such persons should be stricken from the rolls and they should be prosecuted for their frauds to the extent of the law, for in my opinion there can be no graver offense than the perpetration of a fraud upon the Government through the pension system.

The loss of the money in such cases is of course an important question, but it is nothing to be compared to the injury such frauds inflict upon the honor and character of the pension roll itself. I am a thorough believer in the idea that the pension roll was intended to be and should be kept a roll of honor.

Information received from all parts of the United States clearly indicates that this act of June 27, 1890, has brought relief to a very large and deserving class of soldiers, whose disabilities were such that their ability to earn a living by manual labor was seriously impaired, and I give my opinion without reserve that the measure was eminently just and humane.

There can be no doubt that thousands of persons who now have claims of various kinds pending are suffering the pangs of poverty as the result of long-continued disabilities which have deprived these men of their power to earn a living by labor. Letters from the claimants, from their wives, from their neighbors, are received by hundreds daily from all parts of the United States telling the same sad story of distress. This has been going on ever since I took charge of this office. If the most hardened opponent of pensions should spend a week in the mail division of this office reading these letters, I feel sure that if he had a drop of the milk of human kindness remaining in his nature he would soften toward these people.

For more than two years the air has been filled with denunciations of the present administration of the Pension Office. No efforts have been spared to bring the whole pension system into disrepute before the public. It has been urged that anybody could get a pension; that the greater part of the daily issues were to persons not entitled to receive pensions, and that the whole business was one of impudent greed on the part of the old soldiers. During this whole time members of both Houses of Congress have been daily appearing at the Pension Office urging the most speedy action in thousands of claims.

Over 400 members of the two Houses have filed calls for the status in 592,702 cases, and thousands of cases have been made special upon evidence filed by them. Not a single member has ever raised a warning voice to the Commissioner suggesting that in his opinion fraudulent claims were being prosecuted by persons in his district or State, or that the claims which he was so diligently urging the allowance of were without merit and based on fraud. The whole tenor of the advice and suggestions of Senators and Representatives has been that these, their constituents, were worthy and honorable people and that their claims were just and should be speedily allowed.

If there is a concerted movement throughout the United States of men and women to rob the Government by means of fraudulent pension claims, would not somebody somewhere inform the Senators and Representatives of the fact, and would they not bring the matter to the attention of the Bureau? Many of these representatives of the people visit the Pension Office daily. It can not be possible that they know or suspect this alleged pillage of the public funds to be true and aid in the work of spoliation instead of seeking to prevent it.

It is possible that the boards of medical examiners throughout the United States are laboring under a common hallucination that a large proportion of the claimants for pensions examined by them are seriously disabled by various diseases, when in truth and in fact these claimants are enjoying reasonably fair health and are well able to perform manual labor as the common run of men in the community who performed no military service?

The newspapers which have led the assault upon the pension system and the Pension Office are known to have arrangements for gathering news from all parts of the United States, so that if there were any considerable number of persons in any community who are drawing pensions fraudulently they would be able to ascertain the facts, yet not a single case of fraud has been brought to the attention of the office through their instrumentality. They have charged fraud right and left without a case before them upon which to found their charges.

An investigation of the Bureau was ordered by the House of Representatives and the testimony taken fills two large volumes. A host of unfriendly witnesses familiar with the workings of the Bureau were examined. Many hundred of cases were looked over by an employé of the committee. Innumerable letters of complaint poured in upon the manager for the committee from all parts of the country; every scheme that malice and falsehood could invent was adopted to throw discredit on the office, and not a single case could be found in which the slightest irregularity existed or that was tainted with partiality on the part of the Bureau or fraud on the part of the claimant.

And yet, without a single case brought forward upon which to found a charge that the public funds are being wasted in the payment of undeserving pensions, the people of this country, who are now enjoying the blessings of free government, with the Union saved, and who in times past have regarded the old soldier with respect and love, are called upon to perform the grossest act of stultification and ingratitude that any people were guilty of, namely, to favor the repeal of laws granting pensions to men who aided in saving their country.

The people of the United States should understand that the original attack upon the Commissioner of Pensions and the work of the Bureau was the re-

sult of an intrigue on the part of a lot of Pension Office employes and persons who had been dismissed from the Pension Office, and that this was taken up by a few newspapers for the purpose of creating a sensation, and finally it has been pursued systematically for the purpose of breaking down the Pension system.

I note your request to be furnished with a statement of the number of persons who are annually dropped from the rolls and the amount of pensions so dropped. In reply I beg to inform you that during the four last fiscal years 82,657 names have been dropped from the rolls, with an aggregate annual value of \$13,871,001.27. The records of this office show that during said period the average number of persons dropped annually from the rolls was equal to 35 per 1,000 persons carried on the rolls, and that the average value of the pensions dropped was largely in excess of the average value of the pensioners on the rolls; so that it appears, as might be anticipated, that those who are dying off most rapidly are persons to whom the largest rates of pensions have been granted. I have no doubt that there will be a gradual increase in the rate of persons dropped from the rolls from year to year, with the advancing age of the pensioners.

I also note your request for an estimate of the final or greatest number of names that will ever appear upon the pension rolls and the probable cost thereof. In reply to this request I beg to invite your attention to a table upon this subject accompanying this letter.

The calculations in this estimate are based upon the number of pensioners on the roll December 31, 1892, and the number of claims pending in the office at that time.

My estimate is that during the next two years, if the work of this office is pushed, all the claims now pending in the office, and those that may be filed during that time, can be disposed of by issuing 544,461 certificates, and that these certificates will carry, as first payments, \$96,135,478.77, and that December 31, 1894, there would be on the pension rolls 1,171,918 pensioners, with an annual value on the roll of \$155,895,094.

In my judgment the maximum annual value of the roll will be reached with the issuing of these certificates.

In my opinion the number of persons who will be dropped from the rolls the first year after said maximum will be 44,932, and that the percentage of persons who will be dropped will steadily increase and that the roll will be steadily reduced in number and value after that date forward.

To give you an accurate idea of the work of this Bureau under the present Administration, I have to inform you that on March 1, 1889, there were 472,920 persons on the rolls, while on the 31st of December, 1892, there were 931,224 pensioners on the rolls; being an actual increase of persons on the rolls of 458,304, exclusive of those who were dropped from the rolls in the mean time.

From the 1st of March, 1889, to December 31, 1892, this office issued 849,103 certificates in original and increase claims and 20,615 certificates for accrued pensions and duplicates, making a total number of certificates issued of 869,718. And during that time claims were rejected as follows:

| | |
|------------------------|---------|
| In original cases..... | 122,114 |
| In increase cases..... | 182,912 |

Total rejections from March, 1889, to December 31, 1892..... 305,026

The total first payments on 849,103 certificates carrying first payments issued from March 1, 1889, to December 31, 1892, were \$161,196,308.15. The annual value of the roll July 1, 1889, was \$34,246,552.36, and the annual value of the roll June 30, 1892, was \$116,879,867.24.

I also note your request to be furnished a statement in detail, giving a history of the pension legislation of this country covering all wars and embracing everything that has been done and that is being done by the Government towards those who defended its flag, both as to pensions and land warrants, and everything that the Government has given in recognition of the services of her soldiers. In reply I beg to state that the laws upon this subject are so numerous and cover such a multitude of questions that it would require too much space to give the details of these laws. I think, however, that I can give you a summary which will probably answer your purposes better. I find that no pension law was enacted for the benefit of the soldiers of the Revolution until the act of April 10, 1805, granting pensions for known wounds.

Laws, however, were enacted by the Continental Congress and by the State Assemblies during the war, making provision for large grants of land to the officers and soldiers of that war in consideration of services; but from April 10, 1805, to March 9, 1878, twenty different laws were enacted in regard to pensions for officers and soldiers of the Revolutionary war, and to their widows, orphans, and other dependents. These laws became more and more liberal in their provisions as time passed on, and while the act of February 2, 1848, limited the pensions to widows who had married prior to January 1, 1794, yet by the act of February 3, 1853, this law was repealed, and finally, by the act of March 9, 1878, it was enacted that a service of fourteen days of a soldier should entitle the widow to a pension, and by the same act the pension was increased from \$8 to \$12 a month.

In regard to the grant of lands to Revolutionary soldiers it seems that our forefathers followed the example of their English ancestors, and made these grants in consideration of military service and not on account of wounds and disabilities. I have before me a list of officers of the Army and Navy who have received lands for Revolutionary service in the Continental and State lines. These grants were made by Virginia prior to the cession of the Northwest Territory. This list contains the names of 1,711 officers, amongst which are found some of the most distinguished officers who served in the war. I give you the names of a few of these men with the quantities of land received by each:

| | Acres. |
|----------------------------------|--------|
| Maj. Gen. Gates..... | 17,500 |
| Brig. Gen. (Baron) Steuben..... | 15,000 |
| Brig. Gen. Daniel Morgan..... | 23,333 |
| Brig. Gen. George H. Clarke..... | 10,000 |
| Brig. Gen. Peter Muhlenberg..... | 13,194 |
| Brig. Gen. Hugh Mercer..... | 10,000 |
| Brig. Gen. Charles Scott..... | 15,273 |
| Brig. Gen. Edward Stevens..... | 10,000 |
| Brig. Gen. Robert Lawson..... | 10,000 |
| Brig. Gen. William Woodford..... | 10,000 |
| Brig. Gen. Weedon..... | 13,333 |
| Lieut. Col. Henry Lee..... | 8,240 |
| Capt. Benjamin Harrison..... | 4,000 |
| Col. Charles Harrison..... | 6,666 |
| Col. Robert H. Harrison..... | 6,000 |

These lands were located in Kentucky and Ohio. The Western Reserve of Ohio, comprising twenty-two counties of that State, was set apart for grants for military service. The military tract of Illinois, lying between the Illinois River and the Mississippi River, also a tract lying between St. Francis and Arkansas Rivers, and a large body of land in Michigan, were all set apart for grants for military services.

While upon this subject, of the grant of lands to the soldiers, I will state that the Congress of the United States, by various laws, granted lands for military service to the soldiers of the war of 1812, to the soldiers of all the

Indian wars, and to the soldiers of the Mexican war; fourteen days' service in the war of 1812, or a shorter service if the soldier was engaged in a battle, gave claim to land warrants under those acts, and land warrants were issued in satisfaction of these claims. I have before me an abstract showing that 602,600 land warrants have been issued under these various laws, constituting a sufficient area to cover Ohio, Illinois, and the State of New Jersey. These grants were made pure and simple in consideration for military services, and had no relation whatever to any disability incurred by the soldier. Unlike the grants under the feudal system, which at the outset were incurred with the duty of future military service, these titles were in fee simple.

While all the soldiers of the Republic from the Revolution down to 1861 have been granted public lands for their services, the soldiers who fought in the war for the Union have never received such a recognition, they have never been granted lands in consideration for their military service, the only concession made to the Union soldiers in regard to the public lands was, that in making a homestead settlement, he was entitled to a credit of the length of his military service on the five years' residence on the land required to perfect his title.

It must also be understood that laws have been enacted from time to time granting pensions for military services to the surviving soldiers and widows of every war from 1775 to 1861.

Coming down to the war of 1812 I have to advise you that by the act of January 11, 1812, pensions were to be granted to officers and soldiers of that war for wounds or other disabilities received in line of duty, and by the act of August 2, 1813, the rates of these pensions were more definitely fixed.

I find also by the act of May 13, 1846, pensions were to be granted to the officers and soldiers of the Mexican war for wounds and other disabilities incurred in line of duty.

I also find that there was a general pension law upon the statute book at the time the war of the rebellion broke out, but by the act approved July 14, 1862, broad and comprehensive provisions were made for the granting of pensions to all persons who, after March 4, 1861, should incur any wounds or other disabilities in line of duty while serving in the Army, Navy, or Marine Corps. It therefore appears that the enlistments for the war of 1812 and for the Mexican war and for the war of the rebellion were made in view of the pension laws then in existence, and I respectfully submit that when a soldier enlisted in the Army that the right to a pension according to the terms of the law in existence at the date of his enlistment was as much a part of the contract of service as the statute granting him pay at the rate of \$13 per month, and if Congress from time to time passed laws increasing the rates of pension and otherwise liberalizing the provisions of the law, it must be assumed that the law-making power recognized that the services rendered and to be rendered by the soldier was an ample equivalent for such legislation. If this view of the case be correct, any suggestion that pensions are a gratuity or in the nature of alms to the soldier must be rejected.

It is a fact well established by the concurrent history of the world that governments have in every age remunerated their soldiers for their services beyond the stipulated monthly wages. The feudal system of land tenures established in France and in all other continental states was based upon military service. The grants were made in consideration of military service rendered and to be rendered by the lord and his retainers. When William of Normandy conquered at Hastings he created 60,215 military fiefs in England as a reward to his followers for their military service; every soldier who fought under his banners received this recognition.

When the legislation of our own country, both national and State, for the benefit of their soldiers is considered, the laws for granting pensions, for granting extra pay, for granting the public lands, for their care in national and State soldiers' homes, for their burial at the public expense, for the pensioning of their widows, orphans, and dependent mothers and fathers, and the education of their children, it is evident that the people feel that their obligation to the soldier does not end with his honorable discharge from the service, but that it continues to him and to his family.

We must believe that the soldier who fought the battles for the Union was induced to enlist in the Army by a high sense of public duty and not simply by the expectation of receiving \$13 a month pay; and the people of this country whose battles they fought have not been content to have them put off with the paltry sum which they received from the paymasters during the war.

During the campaign of 1864, when the destinies of this nation were trembling in the balance, the paper promises of the Government with which the soldiers were paid were worth 40 cents on the dollar, so that the purchasing power of the money received by a private soldier who accompanied Gen. Sherman on his great campaign of three and a half months against Atlanta would be worth \$18.20 towards the support of his family when he sent it home. And those men were expected to stand by the flag, and they did so; and marched with Sherman to the sea and were with him in his great campaign through the Carolinas, and at last, amidst the plaudits of their country, they marched in the great review in Washington at the close of the war.

To say that these men are to be treated as paupers by the Government, in its dealings with them in respect to pensions, is a proposition to which every right-minded citizen should object.

Before the act of June 27, 1890, was enacted it was understood for a time that a dependent clause would be inserted into the bill, and there at once arose all over the country a loud objection on the part of the soldiers, as they did not wish their comrades to be required to allege and prove poverty as the basis for a pension. They felt that the law should be so framed as to allow a man to retain his self-respect and yet draw a pension for his disabilities.

It is urged that the pension roll shall be a roll of honor. Every soldier agrees to this. The question is, what shall be the standard of which this roll of honor shall be judged? My conception is that the law creates the standard. There may, in the public estimation, be degrees of honor on that roll, the higher places being for those who performed the most arduous service and received the most grievous injuries; but if the soldier shall have performed valuable services to his country and has shown himself to be entitled to a pension under some existing law, he has a right to have his name placed upon the roll.

No one can impeach his right to a place on that roll if the facts in his case fulfill the requirements of the law. Be his enlistment long or short, if he performed honorably and faithfully the duties devolved upon him by those in authority over him, and his service and present condition give him title to a pension, he should be placed upon the roll of honor.

The services of these men must be considered in connection with the cause for which they fought. They fought in the greatest war in which civilized man has ever been engaged. They preserved the Union. They preserved our system of free representative government by deciding that an appeal from the ballot box to the sword could not succeed. Like their British ancestors have always done before them, they wrought out of civil war enlarged liberty and prosperity for the people, and increased stability for the Government.

No one now whose opinion is worth considering for a moment will declare that it was not to the interest of the South that the Confederate cause should fail. The prosperity, repose, and progress of the South was as much bound up in the tremendous issue of saving the Union and perpetuating the Government created by our forefathers as was that of the North and West.

The men whose heroism saved the Union did not precipitate the war. They accepted the issue with reluctance. They fought out to the end not with malice, but from a sense of great public duty. The surrender at Appomattox brought peace, and the world has approved the issue.

Now, let the country do its duty to the men who made these sacrifices, and let that duty be done grandly and without grudging.

Very respectfully,

HON. D. B. HENDERSON,
Committee on Appropriations, House of Representatives.

GREEN B. RAUM, Commissioner.

Estimate of the number of cases to be allowed by the Bureau of Pensions (by which the work of the Bureau will be made of current date), and the value of the total first payments in said cases; also an estimate of the maximum number of pensioners to be reached on the rolls, and the total annual value of said maximum pension roll.

| | |
|---|---------|
| Number of original cases to be allowed..... | 315,790 |
| Number of additional cases to be allowed..... | 97,281 |
| Number of increases to be allowed..... | 131,390 |

| | |
|---|-----------------|
| Total number of cases to be allowed..... | 544,461 |
| Total first payments in all cases to be allowed—544,461×\$176.57..... | \$96,135,478.77 |

| | |
|--|---------|
| Number of pensioners on rolls December 31, 1892..... | 931,224 |
| Number to be dropped (35 per M for first year)..... | 32,592 |

| | |
|--|---------|
| Number to be dropped (35 per M for second year)..... | 898,632 |
| | 31,452 |

| | |
|---|---------|
| Number of original allowances to be added to rolls..... | 315,790 |
| Number to be dropped (35 per M for one year)..... | 11,052 |

| | |
|--|---------------|
| | 867,180 |
| Maximum number of pensioners on rolls..... | 1,171,918 |
| Annual value of maximum number of pensioners on rolls— \$133×1,171,918..... | \$155,865,094 |

Statement showing the number and length of service, in months, of invalid pensioners, as prepared from statistical cards on file in the Army and Navy survivors' division, which represents about 66 per cent of the whole number of invalid pensioners on the roll at the present time.

| Months. | Num- ber. | Months. | Num- ber. | Months. | Num- ber. |
|---------|--------------|---------|--------------|------------|--------------|
| 1..... | 572 | 25..... | 4,841 | 51..... | 1,670 |
| 2..... | 1,024 | 26..... | 4,176 | 52..... | 1,362 |
| 3..... | 8,328 | 27..... | 3,732 | 53..... | 769 |
| 4..... | 20,713 | 28..... | 3,653 | 54..... | 676 |
| 5..... | 10,957 | 29..... | 3,822 | 55..... | 593 |
| 6..... | 10,567 | 30..... | 3,538 | 56..... | 388 |
| 7..... | 12,418 | 31..... | 4,079 | 57..... | 366 |
| 8..... | 12,477 | 32..... | 11,697 | 58..... | 249 |
| 9..... | 22,617 | 33..... | 31,517 | 59..... | 218 |
| 10..... | 23,454 | 34..... | 19,430 | 60..... | 362 |
| 11..... | 13,629 | 35..... | 31,500 | 61..... | 162 |
| 12..... | 14,568 | 36..... | 17,738 | 62..... | 99 |
| 13..... | 9,431 | 37..... | 9,072 | 63..... | 105 |
| 14..... | 7,219 | 38..... | 5,641 | 64..... | 110 |
| 15..... | 8,366 | 39..... | 3,164 | 65..... | 125 |
| 16..... | 10,999 | 40..... | 2,709 | 66..... | 113 |
| 17..... | 12,505 | 41..... | 2,542 | 67..... | 55 |
| 18..... | 12,292 | 42..... | 3,191 | 68..... | 53 |
| 19..... | 10,286 | 43..... | 3,765 | 69..... | 43 |
| 20..... | 9,334 | 44..... | 5,338 | 70..... | 52 |
| 21..... | 7,818 | 45..... | 6,284 | 71..... | 175 |
| 22..... | 6,870 | 46..... | 5,664 | 72..... | 1,559 |
| 23..... | 6,624 | 47..... | 5,172 | | |
| 24..... | 8,383 | 48..... | 3,487 | | |
| 25..... | 5,752 | 49..... | 2,378 | Total..... | 475,915 |

S. L. TAGGART,
Chief Army and Navy Survivors' Division.

Pensions.

SPEECH OF HON. CASE BRODERICK, OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893,

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. BRODERICK said:

Mr. CHAIRMAN: In behalf of a large soldier constituency I most earnestly object to these proposed amendments to the pension laws, as well as to the manner of presenting them to this House. I have not heard what seemed to me a good reason in support of one of these amendments, but I want to say a word especially respecting the proposition to transfer the pension agencies to the Treasury Department.

If this amendment had been pending here for a sufficient time for the soldiers to have expressed their views and preferences, every member representing a soldier constituency would have been

flooded with letters and petitions against this wholly indefensible proposition. If the bill had been introduced and referred to the Committee on Invalid Pensions, as it should have been, the country would have been advised of what was in contemplation, and there would have been time for the exercise of the right of petition. But this was not done, and these questions are presented here under cover of an appropriation bill, which is always given the right of way. This is only part of the vice. If the clerks employed at the agencies can be disposed of it gives more patronage to other States.

But I take it that this amendment will not prevail unless it can be shown that the change will either benefit the pensioners or result in a saving to the Government. It has not been seriously contended, however, that the soldier would be benefited by the transfer, but, on the contrary, it is perfectly apparent to all that such change would be to his detriment.

An investigation of the methods of payment at the agencies will satisfy everyone who is willing to concede anything in favor of the soldiers that the work is now being done with greater dispatch and less cost than could possibly be accomplished from the Treasury Department. The pension agency at Topeka, Kans., is the largest in the country; and the views of the agent, supported as they are by the facts and the record, ought to be entitled to some consideration.

I have here a letter from Hon. Bernard Kelly, which shows the methods of doing business at that agency, and which I desire to read and have appear in the RECORD. The letter is as follows:

UNITED STATES PENSION AGENCY,
Topeka, Kans., February 1, 1893.

My DEAR SIR: I have the House bill of January 27 before me. Had Mr. MUTCHLER and the committee inquired of the several agents touching payments of pensions, they never would have reported such a bill. To illustrate: We begin our payment on next Saturday. There are on the rolls of this agency at the present time \$9,940 pensioners. Of these perhaps 91,000 or 95,000 will be paid.

Now, under the management of this agency we have succeeded in paying from nine to eleven thousand of these pensioners each day with thirty-nine clerks. We begin at 7:30 and run until 9 at night, or until such time as we make our daily balance.

To pay the same number and do the same amount of work in Washington City would require instead of thirty-nine clerks one hundred and fifty, and if they do not attend to the payment of pensioners more promptly than to other business, it will require six months at least to make the payment.

To illustrate: We issue a check to a pensioner and on the 3d of February, or the day before the payment begins, he dies not having signed his check. In order to have this check made payable to the widow it must go to the Secretary of the Treasury and be paid by his order. Now, it requires from three to six months to secure the payment of said check; and I could multiply cases of this kind.

At this agency we pay 100,000 pensioners and do all the work connected with it with thirty-nine clerks, at an average cost to the United States (counting everything) of from \$2.05 to \$2.35 per thousand. At each of these quarterly payments there are from twenty to thirty checks miscarried or lost. This notwithstanding the fact that the territory is so close to the agency. Now, suppose that all these checks were sent from Washington City. The loss will very largely increase. As a matter of convenience to the pensioner and less expense to the Government, the agencies are vastly superior for the payment of pensions to any Department located in Washington City.

I think I could show any committee of ordinary sense in a fifteen minutes talk the impracticability of paying these pensions from Washington, and I think the Committee on Appropriations could do no better service to the Government than to order one or two practical agents to come before it and give their experience touching the difficulties connected with the payment of these pensions and the great care necessary to protect the Government from losses. I think that this agency has saved the Government from fifty to sixty thousand dollars in the last three years.

There are many other things touching this matter, but I will not intrude upon your time.

Yours, sincerely,

B. KELLY.

Hon. CASE BRODERICK, Washington, D. C.

Pensions.

SPEECH OF HON. MARSHALL ARNOLD, OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893,

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. ARNOLD said:

Mr. CHAIRMAN: Within the limited time allotted, I shall be able to make but one or two observations on the pending bill. Section 7 of the amendments, as reported by the committee, provides that from and after July 1, 1893, no person shall be paid a pension under any general law, as the widow of a soldier of any

war, unless said widow was married to the soldier as the widow of whom she draws a pension within five years after the close of the war in which her husband served.

No one, Mr. Chairman, will go further than myself toward eliminating the frauds and abuses of our pension system. It is notorious that our pension roll is loaded down with glaring instances of frauds upon the taxpayers of the country. Men who saw little if any service, others robust and able to earn a living, blot and blacken its pages from beginning to end. Under an appeal to human cupidity has been gathered a great political contingent, ready to obey the behests of that party which will thus pander to this element in their natures. These should be cut off, and cut off summarily, in order that the deserving pensioner's name may not be disgraced by such association.

No one, however, I apprehend, desires to withhold from the meritorious pensioner the just bounty of his Government. And if not from him, why from his widow, no difference when married to the soldier? This provision reverses all known law relative to the property rights of a widow in her deceased husband's estate, and announces the novel doctrine that limitation shall determine whether or not such rights shall vest. Moreover, it is retroactive and violative of the contract entered into between the soldier and his Government. I know it is held, and with great plausibility, that no such contract exists; that the granting of pensions is a mere gratuity on the part of the Government.

It may be well to remind gentlemen that the old definitions of government are fast becoming obsolete. We no longer regard it as an incorporeal, intangible something, destitute of moral or legal responsibility. No longer is inscribed on its temple, "The king can do no wrong." The government is now the people, and to it we apply the same standards of right and wrong, of legal and moral responsibility, as obtains among individuals. The giving of rewards for meritorious services finds its sanction not only in human but divine law. Moreover, it is the foundation of that comity of sentiment and feeling without which society could not exist.

Furthermore, usage or custom makes law, and as it has been the usage or custom of civilized nations to reward their military defenders, our country can not certainly claim to be a shining exception to the rule. Hence the granting of pensions may well be denominated the unwritten law of nations.

Sir, I can see no reason why this exception should be made in the case of a woman married five years after a war. I can see no more reason why this legal principle should be overturned in this case than in any other. Here are rights resulting from the most sacred human relation struck down at one fell blow. Truly, the artist of the future, if he would place upon immortal canvas the picture of the strong trampling upon the weak, let him not turn to Cromwell and his Ironsides, as they ride roughshod over prostrate Ireland. Rather let his genius be directed to the spectacle of the valiant and chivalric American Congress riding at full tilt with lances directed towards a band of helpless women and children.

Purge your pension list, strike therefrom every fraudulent pensioner, his widow and children, but do not invade the property rights of the marriage estate, which have met the approval of the best men of our age.

This bill further provides that from and after July 1, 1893, no pension shall be paid to a nonresident who is not a citizen of the United States except for actual disabilities incurred in the service. The words "except for actual disabilities incurred in the service" should be stricken out.

The section does not go far enough. Whenever a pension is given to a soldier, the implied condition attaches that he shall do no act to forfeit his citizenship. There could be no impropriety, for example, in the Government's withholding a pension from one who should rebel against its authority or voluntarily expatriate himself. That man who is supported abroad by enforced contributions at home not only possesses monumental cheek but is an enemy to our institutions, and it may well be made a question whether it was not mercenary rather than patriotic motives that induced him to take up arms.

Sir, we have a country of unparalleled resources and unsurpassed geniality of climate; of laws and institutions surpassing those of all other lands. And as year by year our Government emerges upon a loftier, broader, and more enduring plane, it should become in proportion an object of deeper solicitude and admiration. I have no patience with that American who can see aught in the effete monarchies of Europe to compare for one moment with what we have here, and with that liberty of thought and action handed down to us by the Puritans on the one hand and the Cavaliers on the other. True American manhood spurns all apishness of foreignism.

We are a peculiarly distinctive nation. All foreigners must and should here lose their national identity. Nothing ought to be engrafted on our system which would mar its beauty and

symmetry. America for its loyal citizens, of whatsoever race or nationality, and for them alone.

Let Congress, then, wipe from its statute book all un-American legislation, and say to these gentlemen, who prefer to bask in the sunlight of other Governments, you shall not do so at our expense. Why should our citizens desire a foreign residence? Would they farm? Let them go to the boundless West, the seat of true opulence, "the magazine and nursing mother" of the Western world.

There, too, they will find healthful associates. There they will find the men who have transformed savagery into civilization, forests into cultivated fields, buidled cities that are forging to the front as great commercial centers, developed mines of wondrous richness, and written as it were on the very heavens: Westward the star of empire takes its way.

Would they seek the treasures of the mine? Here gold and silver lie dormant awaiting the touch of enterprise, while the baser metals abound in inexhaustible quantities. Here, too, they may amass fortunes more colossal than ever dreamed of in other countries. Or would they seek that boon which all covet, health and long life? Here they may breathe the air fresh from heaven and pure as its cerulean home, and drink of crystal waters that flow in glad abundance.

There can be no reason why one should desire to live under another government except that spirit of toadyism which disqualifies for citizenship in a free country.

Sir, I but echo a deep-seated sentiment when I say the plain people resent this innovation of foreign ideas, tastes, and policies. They do not wish to see this Government polluted by their baneful touch. Sir, we are a world within ourselves. We are practically independent of all the nations of the earth. While other countries may come and go, ours, yet in its youth and vigor, will continue to grow and expand.

The people are becoming weary of this catering to foreign policies, which have already done much towards elevating classes at the expense of the masses. Take, for example, your financial legislation of the last twenty years. In 1873 you struck down a money which from 1792 had been the equal and often the superior of gold. At whose dictation? That of Wall street, the agents of England. That crime was committed in the dark, and yet only the other day you attempted openly to duplicate it; and why? Simply to make money scarcer, farm products lower, and to increase all public and private indebtedness.

What has been the effect of your financial legislation? Let the people who are staggering under the load answer. Look at the farming classes, the prop and support of Government, without whom it must fail. They are but pensioners on the money power. They toil on from year to year, with no corresponding reward for their labor, while is seen plainly the handwriting on the wall, that under present conditions they are fast being relegated from the position of peasantry to that of tenantry. And you have done and are doing all this under the hypocritical pretense that it will bring about free silver coinage. This ought to make men and gods laugh. Here you have had silver in jail for twenty years, and you now propose to take it out and execute it in order that it may in some way rise from the dead as the regenerated and redeemed money of the Constitution.

And this leads to the remark that there has been attempted to be created between gold and silver an impassable gulf. The advocates of the former, by that assumption which has characterized the arrogant of all ages, have imagined themselves standing on a great height to which human reason may not climb. They would have us believe that somehow and in some way—never stated or explained—through the dispensations of an all-wise Providence, gold has been crowned king of the monetary world. To my way of thinking it is much more probable that the devil has danced the principal attendance on this coronation.

But, to proceed, the assumption is neither axiomatic nor borne out by history. It is the fiat of law that makes money. Silver is not only the more ancient, being money "current with the merchant" in Abraham's time, but was the measurer of the value of gold throughout the civilized world until 1816, when England demonetized it by adopting the gold standard. Yet, notwithstanding this, and as if to show the imperishable nature of silver as money, from 1257 to 1664 the value of gold coins, as compared with the standard silver coins, was regulated in England by proclamation; and from 1664 to 1717 silver constituted the legal-tender money of the realm, while gold fluctuated in the market as any other commodity. Hence we see that law made gold money in England.

So, in this country, the act of April 2, 1792, establishing the mint fixed the value of the gold as well as the silver dollar and from that time down to the present, while the weight of pure gold in the gold dollar has been twice changed that of pure silver in the silver dollar has remained unaltered. Thus again did law create money out of gold, and hence its title to a "mansion in the

skies" falls to the ground. But the significant fact remains that from 1792 to 1873 our gold and silver dollar were practically of the same value.

Now, if the unlimited coinage of both metals insured their parity for more than eighty years, how illogical the comparison of their present relative values. After having struck down silver, you have the cheek and audacity to upbraid it, because it does not manifest that vitality which you have carefully nursed in the more robust growth of gold. Yes, you bemoan the depreciation of silver. You had best rejoice over the appreciation of gold.

Nothing but the act of 1873 and subsequent legislation by Congress have brought about the disparity of value in the two metals. England, the creditor nation of the world; Germany, with her immense war indemnity paid in gold, might possibly afford to adopt the single standard, but it was reserved to the United States to shut the gates of mercy and justice on her people by lowering the price of all commodities, increasing all manner of indebtedness, and violating the letter and spirit of all contracts involving the payment of money. Had the mask been torn from this infamous proposition in the beginning, its advocates had long since been placed in the pillory of public indignation.

One more thought and I have done. When I see a farmer or mechanic in my district go into a village store and purchase as much with a silver as he could with a gold dollar; when I see debts paid in this money or its representative in value, and when I observe that our entire domestic commerce is carried on without gold, I ask, in all earnestness, why is not the money of the people good enough for the money-changers?

Why should a few individuals who possess the gold of the country be permitted to depreciate all labor and property values? Why has this particular kind of money been allowed to depart from its proper function of a measurer to the improper one of a determiner of values? The answer is to be found in that divinity which doth "hedge a king." It is the argument of the oppressor of all ages.

The history of the human race is but one mighty cry under the lash of a master. It has been the work of centuries to emancipate man from the tyranny of man. Over the great masses has been placed by designing hands a leaden sky through which no ray of freedom and intelligence should enter. And these autocrats would if they could divest the masses of the liberty of thought itself.

It is from this monstrous assumption that have grown all governmental oppressions. The act of 1873 is the product of its loins. From it have sprung monopolies and armies of tramps, land grants to corporations, and ousted homesteaders, the palatial mansions of the rich, and the log cabins of the poor.

It was under the spur of this malevolent idea that the McKinley bill became a law. But the people resented that action, and submerged under a sea of votes its sponsor, the Republican party. They said taxation shall be equal. You shall not fetter the wings of trade. That aerial messenger shall be permitted to wing his wonted flight from land to land wherever the sun of commerce "does his successive journeys run." They said class legislation shall no longer be misnamed protection, and they accordingly tore off the mask, revealing the spectacle of the great bulk of our population paying tribute to a favored few.

And yet, with this lesson fresh from the people and their emphatic protest against the domination of England's financial policy, this House, but a few days ago, sought the enactment of a measure, in the far-reaching effects of which may be seen the financial slavery of the American people.

Mr. Chairman, there is no power stronger than the power of the people. They will not tolerate this catering to foreign policies, no matter by whom desired or dictated. Nor can they be deceived by these insidious attacks. Never before in the history of the human race was there such widespread intelligence, such acquaintance with political problems, and such a relentless disposition to probe to the very bottom of economic questions. They will no longer be led by your *ita lex scripta*.

Old times have changed, old manners gone,
A stranger fills the Stuart's throne.

So, then, recurring to this bill, the people demand a Government for the benefit of its citizens and not foreigners. And to this must we come if we would preserve uncontaminated our republican institutions. This canker, believe me, has not reached the people. I have confidence in American manhood and independence. The men behind this idea are not a band of modern Jack Cades. No, it is an army of patriotic thinkers, whose steady tramp, "regular as rolling water," may be heard in its forward march to the solution of the great problem. A Government for the benefit of the resident American citizen, of whatever nationality, and for him alone.

And, Mr. Chairman, the people will solve this question to their own satisfaction, even though such solution shall involve the unknighting of political Warwicks and the uncrowning of Presidents.

Pensions.

SPEECH

OF

HON. LEONIDAS F. LIVINGSTON,

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 11, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. LIVINGSTON said:

Mr. CHAIRMAN: As a Southern man and one who enlisted on the side of the Confederacy against the Union, I approach the discussion of this bill and its amendments with a great deal of reluctance. But this is a day of some latitude and liberality even toward those who were on the other side in that controversy. We have just seen an outgoing Republican Administration compliment the Democratic party and the country by the appointment of a Southern man and a Democrat to a position on the bench of the Supreme Court of the United States.

It is reported that the incoming Democratic Administration, in its liberality and generosity, has selected a Republican as Secretary of State. In the language of the Morning Post, "the millennium is about to dawn upon us unawares."

Mr. HARRIS. By what authority do you say he is a Republican?

Mr. LIVINGSTON. Well, when that question comes under discussion I shall be ready to show cause for the intimation and to give authority as good as the gentleman from Illinois who has accepted the position could put over his own signature.

But, I say, Mr. Chairman, with such generosity and liberality on the part of the outgoing and the incoming Administration, making wide and deep gaps in political partisanship, I suppose that a Southern ex-rebel will at least have sympathy, if not the consideration of our friends on the other side, when he undertakes to discuss this delicate question.

I admit, Mr. Chairman, that the discussion of this subject excites not only Democrats and Republicans on the floor of this House, but the entire country from North to South and from East to West. I am not at all surprised to see Republicans indulge in such conduct as that of my friend from South Dakota [Mr. PICKLER] a few days ago on this question—wild, rabid, extreme, unreasonable. Why, sir, it is in his whole make-up. His future, political and otherwise, is all wrapped up in his opinion on this one question.

I am not surprised to see extreme Southern men come at this pension business like a bull with both horns down and tail up. [Laughter.] We understand these things. The "cruel war" between the States did not leave a good feeling between the sections, and that feeling has not died out yet. Therefore a reasonable man expects excitement on the floor of the House when this question is under discussion.

But I want to appeal to the Committee of the Whole that is now considering this bill and its amendments, gentlemen, that is not the best or the wisest course to pursue; we are not here as partisans, I hope, on this question. And I repeat, I take with a great deal of allowance anything that has been said on the other side of the House about the Southern men, for we did what we could on our side to divorce the South and North for four years, and if we could have beaten you in the fight we would have done so; there is no doubt about that.

Mr. PICKLER. Not a word has been said about Southern men.

Mr. LIVINGSTON. Mr. Chairman, let me tell you what has been said since I voted for some of these amendments in the committee room. It has been said that "the South is once more in the saddle;" it has been said that "Johnny Rebs" are controlling legislation in this House against the pensioners and the deserving veterans who fought through the war for the Union. And my friend must know it. Even my friend from Massachusetts [Mr. O'NEIL], my colleague on the committee, is now dubbed from one end of this land to the other a "Johnny Reb;" and he can not get rid of it.

Now, Mr. Chairman, this is a great question. This bill carries the largest appropriation of any bill that will go through this House this session and will be increased annually for the next fifty years. It is a great question for another reason. In this measure every man is interested who took his musket or sword for the defense of the Union. It is great because the wives and the children of such men are interested in these pensions and this pension law.

You can not wipe out this state of facts. And I want to say here for Southern Democrats, for Southern men so far as I represent in part that people here to-day, that we never expect to repeal just pension laws on your statute books. But is it true that the Southern man, reconstructed under the flag and in the Union and with his oath recorded to stand by the Constitution and the laws of the country, can not participate in the amendment of pension laws, can not suggest proper amendments without being harshly criticised?

I say to my friends on the other side that the time is coming when you will be glad for a reform on this question. No man or set of men will suffer under the present pension system more than the veterans who fought the battles for the Union if you allow this thing to go as it is going now. This world is controlled and moved by extremes at periods; so are men; so are measures. And if you continue the abuses that the public believes pertain at present to your pension system, the time will come when the masses of the people will spring to the other extreme and will adopt legislation which will be absolutely to the hurt and damage of the very class of people whose interests you are so careful to preserve to-day.

I give you notice that that will be the result. Not that the South will get into the saddle and do it; not that the ex-rebels will do it; your own taxpayers will demand it. When we get so far removed from the war that the young growing masses of the people can not feel this excitement, this intense pressure, that is brought upon you to-day, they will repeal this pension legislation, and they will do it "at one fell swoop."

Why not, then, join us in the reform of these pension laws, so far as they need reform? The war is over. I want to suggest to my friends on the other side that there is no use of a man taking his clothes off and pulling his hair out of his head on a question like this. Why not come to the discussion of this question as sober, sensible men, remembering that there are more than seventy millions of people in this country interested in this question—not only 987,000 veterans, and more, who are now on the pension list, but 70,000,000 of the tax-paying people are interested in this question. Ah, my friends and colleagues on this floor, you must remember that the prosperity and the honor of this country for a century and perhaps for centuries to come are involved in this question.

Now, I want to say, on behalf of the Committee on Appropriations, that we did not intend to do any injustice to either the Republican party or to the Democratic party. Nor did we intend to do injustice to a single Union soldier who lives, or has his representative on the pension rolls, through a pension granted to his wife or children, or any member of his family, not one. And for that committee let me say that we have been harshly criticised as assuming duties that do not pertain to the Committee on Appropriations, taking from other shoulders the burdens we were not authorized to bear, and taking the place of the other committees of the House in the discharge of our duties and all that.

I want to say in this presence that while such men as COGSWELL, DINGLEY, BINGHAM, and GROUT remain on that committee my own opinion is that the Republican party is amply protected and fortified against any improper innovation from our side of the House. I have served with them not only long enough to admire and respect them, but I have unlimited confidence in their judgment and patriotism.

Mr. RAINES. Did they vote for these amendments?

Mr. BOUTELLE. Do I understand that these gentlemen accorded these amendments?

Mr. LIVINGSTON. I did not say they did. I do not know how the gentleman can infer such a thing.

Mr. RAINES. Did they support the amendments or give them their assent in any way?

Mr. BOUTELLE. I should not want to be interrogated too severely as to what the gentleman has said, but certainly his language admitted of that construction.

Mr. LIVINGSTON. Not at all. I said that there was no necessity for harsh, unfair, or unjust criticism on the Committee on Appropriations for what they have recommended in this bill, especially from that side of the House, so long as these gentlemen hold their positions in the committee room, for I have the utmost confidence not only in their integrity and patriotism, but in their good judgment and common sense.

Mr. WILLIAM A. STONE. You ought to have voted with them, then.

Mr. LIVINGSTON. I am not called upon to say how they voted. I presume they will speak for themselves when the proper time comes, and I think they have the courage to say what they believe on this or any other question.

I want to repeat, Mr. Chairman, that Southern men are not opposed to pensioning the Union soldiers. Long, long ago that question was settled not only as just and proper, but inevitable in this country.

Now, for a short time—I am not going to detain the committee long—I want to talk about two or three amendments proposed in this bill. I want to say now, and preface what I have to say with this remark, that some of my friends on this side of the House, when intimations have been made here on the floor that there was fraud or maladministration and all that in the affairs of the Pension Department, members have jumped up shouting for "instances," and I want to inform gentlemen now, and put them on notice, that if they do it while I have the floor I will give them both.

Mr. PICKLER. That is just what we want to hear.

Mr. LIVINGSTON. But I prefer you to keep your seat, my friend. [Laughter.] I do not want to expose men or give names if I can avoid it; but I repeat I put you on notice that if you come at me for instances I will give them.

Mr. RAINES, Mr. DOLLIVER, and others. That is just what we want. Let us have them.

Mr. PICKLER. If you know yourself of fraud or wrongdoing in any of the Government Departments in Washington you are doing wrong yourself unless you expose them.

Mr. LIVINGSTON. Very well; I am giving you fair notice; if you want to get into it you can put your foot there now.

Mr. PICKLER. Well, I want to put both feet in.

Mr. LIVINGSTON. The first amendment the bill carries is in my judgment a most important one, and I am free to confess that if it is adopted it will lead, in my humble opinion, to all of the reforms we need, perhaps, on this subject. I want to be candid with the committee in this regard. I repeat that I think the first amendment proposed by the committee, if adopted, will, in all probability, lead to all of the necessary reforms needed in this department at the present time, and perhaps for years to come. I mean the amendment proposing the transfer of the Pension Bureau to the War Department.

I want to give to my friends on the other side of the House, in a brief way, a few reasons here why that transfer ought to be made, because I want to talk to your heads and not your sympathies. I do not want to talk to you because you are from Massachusetts or New York or elsewhere, but because you are members of this House, sworn members to do what you think right and proper under the circumstances.

This amendment should be adopted, first, for the reason that formerly and up to 1849 this Bureau was a part of the War Department. It is not therefore an experiment or an untried proposition. Now, I have heard several members say privately and one or two publicly on the floor that we are going out into deep water here without rudder or compass to guide us on this question.

That is a mistake; for, I repeat, up to 1849, when the Interior Department was created, the Pension Bureau was a part of the War Department. And I want to say here now that it was by the merest chance that it ever got into the Interior Department at all. When that Department was created it went begging for work, and all the odds and ends of the executive business were gathered up and put into a bundle and turned into that Department, simply and solely to give it something to do. And with that bundle was the Pension Office or Pension Bureau, and that is just how it got over there.

I want to say in the next place that the Pension Office has no natural association with the Interior Department, but it has with the War Department. If the argument of the eternal fitness of things can be applied here, why, certainly any member on this floor will admit that there is a natural association, a natural alliance, a natural fitness in the proposition that the Pension Department should be returned to the War Department and kept there. I want to say that the soldier's title to a pension accrued when he was in the service of the War Department.

In it are filed all the records on which his claim for a pension must be adjudicated. In it and to it must be referred every single demand for a transcript of the record of the soldier on whose service the claim is based. No man or woman is pensioned over in the Interior Department or at the Pension Bureau until this whole thing has been gone over at the War Department.

Mr. BOUTELLE. Will the gentleman permit me to suggest that there would be no change, then, in that regard? All the safeguards in the way of examination of records, etc., are availed of now, just as they would be under the change proposed.

Mr. LIVINGSTON. It costs a great deal of time and trouble and money to do it in the present way, a great deal more than is necessary.

Mr. BOUTELLE. Then it is the matter of expense that the gentleman is talking about?

Mr. LIVINGSTON. More than that, the matter of time and trouble. The War Department must be called upon to decide these various questions in addition to furnishing this transcript which is the basis for the adjudication over in the other Department.

What else must the War Department do in this matter? They

are called upon to decide every one of the many questions that are constantly arising in pension claims concerning military laws, military customs and military usages. Now, I want to repeat that. Every single question that arises in the Pension Bureau touching military law, military custom or military usage must be sent over to the War Department, a great batch of clerks put to work, and the answers given and transported back to the Interior Department and received by a great batch of clerks and the entries there made.

Mr. BOUTELLE. What does the gentleman propose to do with the naval pensions?

Mr. LIVINGSTON. Well, I will come to that in a moment.

Mr. WAUGH. Will the gentleman permit me for a moment? You would not advocate the actual transferring of the force employed in the Pension Office from its present quarters in the Pension Building over to the building occupied by the War Department? Suppose, now, this transfer is made of the Pension Bureau, so that it will be under the War Department. I wish to ask the gentleman whether the distance between the Pension Office and the War Department will not be the same then as now?

Mr. LIVINGSTON. One of the provisions of the bill before the House is that the entire concern, with all its records, with all its clerks, shall be transferred.

Mr. WAUGH. The gentleman has spoken of the inconvenience of having the two departments separated and the distance to be traveled. Will not the same distance have to be traveled in any event?

Mr. LIVINGSTON. More than that, Mr. Chairman, under the present arrangement a large force of clerks in the one office is constantly engaged in making calls for information that must be answered by another large force of clerks from another office, costing much time, labor, and expense, in the way of salaries and otherwise, which would be obviated.

Mr. BOUTELLE. Will the gentleman explain how it would be obviated?

Mr. LIVINGSTON. It would be obviated by bringing the record office and the adjudicating office together.

Mr. BOUTELLE. Let me ask the gentleman—because I want to understand his proposition—how do you propose to actually bring these two large forces of clerks together?

Mr. LIVINGSTON. It is one of the most common expressions in the language. It would be done by bringing them together. I think the gentleman can apprehend that, if he can apprehend any proposition in the world.

Mr. BOUTELLE. The gentleman, in his own estimation, has undoubtedly been very lucid, but I confess I do not understand how the two forces of clerks will be brought any nearer together.

Mr. LIVINGSTON. I will answer the gentleman by saying that it will do away with two heads of the two departments, and put one head over the whole thing.

Mr. BOUTELLE. But that does not bring the two forces of clerks in different buildings any nearer together.

Mr. LIVINGSTON. It will take all the clerks who are now under the control of the Pension Bureau and put them under the control of the War Department, and it will take the control away from the Superintendent of the Census and put it in the officer in charge of the division of records and pensions.

Mr. BOUTELLE. The gentleman has not made it quite clear yet.

Mr. LIVINGSTON. Wait until I get through, and I will show you how I will bring them together.

Further, we will bring them together by putting all the clerks and heads of departments under one management, and there will be no friction and conflict or trouble or worry in that way. Why, the gentleman remembers (for he was a soldier) that without one head or without one chief to control and direct an army corps there could be no concert of action and no certainty of victory. Here we have two heads, with the responsibility divided between the two in the two departments, with the records and transcripts and everything else in one and the adjudication of claims in the other.

Mr. BOUTELLE. The gentleman does not yet quite comprehend my inquiry. We have a large number of clerks employed on pensions.

Mr. LIVINGSTON. Mr. Chairman—

Mr. BOUTELLE. I do not want to make a speech. I want to see if we can get these people together, as the gentleman proposes. Do you intend to abolish the present Pension Office—physically, I mean? Where are you going to put all these clerks?

Mr. LIVINGSTON. I will go this far, and you can understand me. Every single detail in the Interior Department that relates to pensions will be turned over to the War Department, and that Department will control all of them.

Mr. BOUTELLE. What building will it be in?

Mr. LIVINGSTON. That is a matter of detail; and do you want me to discuss that?

Mr. BOUTELLE. It seems to me that it is a very important matter.

Mr. LIVINGSTON. Would you like to discuss the character of the building and the ventilation as well?

Mr. BOUTELLE. If the gentleman will allow me, a few moments ago you represented with a good deal of unction the delay caused by having these clerks in different Departments. Will you explain how that is caused by having two different classes of clerks in two different buildings? I am trying so see how you propose to get them together.

Mr. LIVINGSTON. If you only want to know how and where these people are to be located, if you only want the buildings and street numbers, you are wasting the time of the House with such details as never enter into legislation.

Mr. BOUTELLE. I think that that would be a very good way of getting rid of a good deal of the apprehension.

Mr. LIVINGSTON. This bill does not indicate whether the clerks shall be put in a hog pen or in a mansion, or where. [Laughter.] The details are left to the good sense of the Secretary of War; and the gentleman has been in Congress long enough to know that in no legislation can you dive and delve into all the details, and that if you do you never would get anything done.

Mr. BOUTELLE. I think the gentleman does better in the open.

Mr. LIVINGSTON. The committee did not intend to indicate the details to carry out the reform here intended, and the only purpose of the gentleman [Mr. BOUTELLE] seems to be to consume my time with details that must be left to the Secretary of War.

Mr. BOUTELLE. You have not got these clerks together yet.

Mr. LIVINGSTON. If I get them under one head and under one administration, and then if you can not see how this brings them together I am not responsible for the balance. [Laughter.]

Now, I want to say, with all due regard to the gentleman from Maine, that we expect a very large reduction when we take the clerical force and put it under one administrative head, a reduction not only in clerical force but a great saving in time, and with a much better system or method of getting at and disposing of pension claims.

Mr. BOUTELLE. Of course, what the gentleman has said may be about a matter of detail, but you have not said what you will do with the Second Auditor's office.

Mr. BUTLER. Mr. Chairman, I rise to a point of order. We are anxious to hear this debate, and I insist that if any gentleman breaks in upon debate he shall first address the Chair.

Mr. LIVINGSTON. Mr. Chairman, I say that I would like to stand here and answer questions of members, and I could answer many of their questions, but gentlemen must remember that we have a limited time to consider this bill to-day.

I want to suggest, Mr. Chairman, that the next reason why this Department ought to be transferred to the War Department is this. As the Pension Office is now organized it is inseparably connected with politics.

Now, Mr. Chairman, if we had no other reason than that, it seems to me that that would fortify my position, that it would not be so expensive as it is now. That is sufficient, it seems to me, to carry every Republican and Democrat on the floor of this House in favor of it.

Where is the Republican, whose party has had the administration of the affairs for twenty-five years, whose head has not rested uneasy on his shoulders on account of this pension business? Where? It is said that a single stroke of a pen cost Mr. Cleveland the Presidency of this country. Whether that be true or not I do not know. It is charged of him.

Why, Mr. Chairman, you know full well that there is no Democrat or Republican in this House who would like to take charge of that Bureau to-day if he felt that he had a political future or if his aspirations amounted to anything.

Mr. Chairman, it has been stated and denied so often upon this floor that I do not care to go into details, but I am willing to say this, that under Gen. Black's administration that office was political; I am willing to say that under Mr. Raum's administration it is political; I am willing to say that under Mr. Cleveland's next administration—and I do not know who the Secretary of the Interior will be—it will be, to a large extent, political in spite of Mr. Cleveland's liberality.

I repeat that under the present organization of the Pension Office it is inseparably connected with politics; you can not divorce politics from its present organization; that is impossible. Political feeling and influence ramify the whole organization down to your local boards all over the country. Just prior to the last election the local boards were very busy on one line and in

one direction; and when the election was over they got extremely careless and indifferent on that same line. [Laughter.]

Mr. PICKLER. Well, that does not harm the pensioners, does it?

Mr. LIVINGSTON. Mr. Chairman, while it may not harm the pensioners, it will certainly besmirch any political party that will either authorize or countenance such conduct. But it is a part of the administration of the office as at present organized and you can not get rid of it. Therefore, why not, as Republicans and Democrats, join hands to-day and say that we will remove this department and place it where neither party, under any Administration, can be further besmirched in this way?

Mr. PICKLER. Will the gentleman permit a question there?

Mr. LIVINGSTON. Yes, sir.

Mr. PICKLER. Is there any "besmirching" of a party that is simply insisting on the active administration of the laws which exist for granting pensions? And will it not be to the interest of the pensioners that that Bureau does remain in such a position that political parties must take cognizance of it? Will not the pensioners have a better show for that reason?

Mr. LIVINGSTON. Now, Mr. Speaker, that is a beautiful question for the gentleman to ask me! [Laughter.]

Mr. PICKLER. Well, it is one that is worthy of your consideration.

Mr. LIVINGSTON. You can see between the lines what the gentleman means but does not say. When he puts that question to me, you can see that he means to say, between the lines: "Why would a Southern man or a Democrat fight or oppose the proper administration of the pension laws?"

Mr. PICKLER. Oh, no.

Mr. LIVINGSTON. I now say to you, sir, that we do not do that, either in this bill or any other.

Mr. PICKLER. There was no idea about Southern men in my mind in putting that question.

Mr. LIVINGSTON. But I say this further to the gentleman, that while he may be conscientiously trying to have the pension laws administered in the best possible way, he dare not deny that there are a great many men in his party who do not seek for an honest, legal, proper administration of those laws.

Mr. PICKLER. If you will name them we will get the officers after them.

Mr. LIVINGSTON. That is just what I expected the gentleman would say, and now I send up a letter which I ask to have read from the Clerk's desk. I will endeavor to stop the gentleman's mouth for once at any rate. [Laughter.]

The Clerk read the letter, as follows:

ATLANTA, GA., December 12, 1892.

MY DEAR SIR: I have no doubt but that grave irregularities in pension matters exist in the South.

I feel certain that rigid and honest investigation would uncover a sink of depravity here in regard to the distribution of pensions among the negroes. As you know, the present Administration has been represented in Georgia by one A. E. Buck, who apparently has had the most absolute control of the organization of examining boards and the appointment of examining surgeons, it being within my knowledge that no charges or allegations were needful when his recommendation was had to procure the removal of individual members of boards.

I am assured by members of existing boards that the negro claimants exceed the whites in proportion of 5 to 1, and in over two years' service on the Atlanta examining board I can only remember one negro claiming pension for gunshot wound, while the list of "miseries in de back," and "pains in de side," and "aches in dat laig, boss," make a burlesque and a travesty on the honorable intent of this Government to care for those who were honorably disabled in the service.

Negroes frequently made statements to me during my service on examining board that they were assisted in their efforts to obtain pensions by certain Republican officials, or that they were employed by those persons, and showed plainly by their demeanor that they had reason to believe that such statements would affect the action of the board in reference to their cases.

I know an instance where a member of an examining board went to Buck and demanded the entire reorganization of his board, stating that he preferred to lose his own position than that the board should continue to exist as then constituted. Affirming that his action was only taken from considerations of decency and justice, and alleging incompetence and continued disregard of departmental instructions, and specifying instances of such incompetence and disregard, and producing a witness of same, yet the only result of his action was that he himself was taken off of the board, while the other two members, who were presumably more compliant, were retained.

I believe that boards have been instituted at needless points in the South, and that negroes have been piloted before them, and after having been granted or refused a rating, they have been assisted to make immediate re-application for increase or review, and that the whole procedure was engineered and accomplished either for the political subornation of the negro or for his political reward.

I think that no one who knows the possibilities of perjury among the negroes will doubt the ability of a jack-leg lawyer claim agent to make the hack of a grass sickle on the shin of a Georgia negro stand out brightly as the honorable saber cut of a cavalry charge, and supported by more affidavits than would satisfy the most extravagant demands that the Pension Department could make upon the claimant.

In view of all this, and knowing that you join with me in high regard for the typical old soldier who "smelled powder" and did a soldier's full duty, and now by reason thereof is receiving the stipend from his Government or his State that his wounds entitle him to or premature age necessitates, and which is made more honorable by its isolation from perjury and fraud, I beg to suggest for your consideration:

First. The entire reorganization of the present system of medical examinations.

Second. The institution of a board of five surgeons of over five years' prac-

tice, two of whom (three if possible) have seen service in some capacity in the Union Army (not necessarily as surgeon), who shall sit as a board of final examination at such dates and places as shall be accessible to pensioners within a designated district.

Third. That there be one or more special examiners detailed in such district to aid said board, and who shall inspect and report upon the proofs in the case and the methods by which such proofs were obtained.

There can be much said pro and con as to pensions granted to widows of soldiers who became wives in the last years, or days, of the soldier's life. And yet more debatable is the propriety of paying pensions to persons now in the Army and Navy of the United States, or on the retired list of same.

Trusting that your consideration of this delicate question may result in the elimination of fraudulent political preferences on the pension roll and the exercise of benignant liberality by this Government toward its honorable and dependent defenders, I am, etc.,

Very respectfully, your friend,

J. W. STONE.

Hon. L. F. LIVINGSTON, Washington, D. C.

Mr. LIVINGSTON (to the Clerk before the reading was concluded). That will do.

Mr. PICKLER and others. Let us have it all.

The Clerk resumed and concluded the reading.

Mr. FUNSTON. When was he turned out?

Mr. LIVINGSTON. I will answer your question. I am glad you propounded it, for this man comes from near your home; he is one of your "boys." That gentleman, Mr. Chairman, was a soldier in the war for the Union from its beginning to its end, and he carries three wounds to-day.

Not only that, but he is an officer in one of the posts of the Grand Army of the Republic. Not only that, but he was an honorable member of a local examining board in the city of Atlanta and honestly helped to execute the laws controlling that position.

Mr. FUNSTON. Yet they turned him out, did they?

Mr. PICKLER rose.

Mr. LIVINGSTON. Now, Mr. Chairman—

Mr. PICKLER. I want to ask you one question, as you addressed yourself to me. I want you to tell the House what charge—

Mr. BUTLER. I rise to a question of order.

Mr. LIVINGSTON. If the gentleman from South Dakota will sit down I will answer him.

Mr. BUTLER. Mr. Chairman—

Mr. PICKLER. Let the gentleman from Iowa be patient. The gentleman from Georgia has addressed himself to me personally half a dozen times—

Mr. LIVINGSTON. I will answer your question.

Mr. BUTLER. I insist that the gentlemen should address the Chair.

Mr. LIVINGSTON. I hope this will not be taken out of my time.

Mr. PICKLER. I ask the honorable gentleman from Georgia—

Mr. LIVINGSTON. I will answer you if you will sit down. I know what your question is.

Mr. PICKLER. The question is this—

Mr. LIVINGSTON. You need not restate it; I know what it is.

Mr. PICKLER. I want to know what definite charge that letter shows which any officer can take hold of, and whether you have referred it to the Commissioner of Pensions to have action thereon. [Derisive cries of "Oh!" "Oh!" on the Democratic side.]

Mr. PICKLER. You may laugh, gentlemen; but that is the way to do, if the office is to take care of these cases.

Mr. LIVINGSTON. This gentleman said on the floor of the House three days ago that no man on this floor dared give an instance of political corruption or anything of that kind—

Mr. PICKLER. And your man does not name any parties—

Mr. LIVINGSTON. That letter mentions the name of the political boss of the Republican party in my State. It says that he controls the appointment of those boards, and that when one of the members of that board was conscientious enough to apply to him to have the other two either corrected, reformed, or dismissed he had the complaining man dismissed and another put in his place who was the subservient tool of himself.

Mr. PICKLER. My inquiry has been, where are the persons who are fraudulently drawing pensions?

Mr. LIVINGSTON. Is a deserter a fraudulent pensioner?

Mr. PICKLER. No, sir; under certain circumstances he is not. But there are no deserters drawing pensions; that is the answer to the gentleman.

Mr. LIVINGSTON. The gentleman said three days ago that there was not a deserter drawing a pension. I will refer him to the Adjutant-General's report; and while I will not call the name, I will pass a letter to him—

Mr. PICKLER rose.

Mr. LIVINGSTON. Wait a moment.

Mr. PICKLER. The gentleman is mistaken. I said there is no deserter drawing pension under the law of 1890. Neither is

there. And there is no deserter drawing pension anywhere unless he incurred his disability while he was a good soldier and before he deserted. I know what the law is.

Mr. LIVINGSTON. Now, Mr. Chairman, I hold in my hand a report by the Adjutant-General in regard to a certain man who belonged to a certain New York regiment and company, who is to-day in the Navy Department and who was a deserter first from the Federal Army into the Confederate army, and then from the Confederate army back into the Federal Army in May, 1865; and his offense was condoned upon the ground that he deserted from the Confederate army. He is drawing a pension to-day under the act of 1890. I have his name here, with his street and residence, and the gentleman can see it.

Mr. PICKLER. Then the Commissioner will put an inspector on his track in twenty-four hours if that is true.

Mr. LIVINGSTON. But you said there were no such cases.

Mr. PICKLER. I do not believe there are.

Mr. LIVINGSTON (offering a letter). There is his name (if you will promise not to repeat it), with his residence and his street.

Mr. PICKLER. I mean to say this: We want to know who they are—

Mr. LIVINGSTON. Now, Mr. Chairman, let the gentleman either "put up or shut up." [Laughter.]

Mr. PICKLER. If the gentleman from Georgia knows of this fraudulent pensioner he must be in collusion with him if he does not inform the proper authorities. I have said that if there were such cases we want to ascertain them. I do not say that there are not; but we want to know them, and we have the law now to take care of them. That is what I said.

Mr. LIVINGSTON. Now, Mr. Chairman, I want to answer the gentleman in all candor and courtesy, and say to him and to my Republican friends that we are desirous, on our side, of doing only what is just and fair for the pensioners in this regard. I am not criticising your folks or your army in any manner whatever. I know that there were deserters. There were deserters on both sides.

But I do say to the gentleman now that I will give him privately, if he wants it, the names of one hundred men deserters who are drawing pensions, and I will take him up to the War Department and convince him.

I will give him the streets and the names and the numbers of the men if he will permit me.

Mr. PICKLER. Give them to the Commissioner of Pensions. He will take care of them. [Derisive laughter on the Democratic side.]

Mr. LIVINGSTON. Oh, no; I am not the prosecuting officer.

Mr. PICKLER. You do not have to be. An anonymous letter will bring the attention of the office to the matter.

Mr. LIVINGSTON. This is not an anonymous letter, sir, neither do I prefer that method of giving information.

Mr. PICKLER. I did not say it was.

Mr. LIVINGSTON. If you think it is—

Mr. PICKLER. I am not saying it is. But I say that an anonymous letter will accomplish the purpose.

Mr. LIVINGSTON. I repeat, if you think it is an anonymous letter, just read the Adjutant's report on it.

Now, I repeat, and I want to say again in the presence of this House, and especially of my friends on the right, that I am not opposing pensions. But I will tell you why I did not want any more of that letter read. My friend over there on the right called for the reading of it. The reason I did not want it read was because there was a personal compliment contained in it, which simply took up the time to which I was entitled to the floor, and I reckon you discovered it.

Mr. BOUTELLE. Now, the gentleman has alluded to me I presume.

Mr. LIVINGSTON. I can not give way now. I have not the time.

Mr. BOUTELLE. I think the gentleman will hardly decline to permit me after making such a pointed allusion to me.

The CHAIRMAN. The gentleman declines to be interrupted.

Mr. BOUTELLE. I am not interrupting the gentleman without his consent, and would not interrupt him now but for the fact that he has made an allusion to me. The gentleman having gone out of his way in his argument on pension matters to make a personal assault on a distinguished gentleman now a resident of Iowa—

Mr. LIVINGSTON (interrupting). I did not.

Mr. BOUTELLE. Oh, yes; you did. You allowed it to be done by a letter read from the desk.

Mr. LIVINGSTON. Very well. I did not cause the letter sent to the Clerk's desk, but was defied for an instance where politics entered into the control of books, etc.

Mr. BOUTELLE. If you propose to introduce here a trial or a discussion of the merits of the gentleman to whom you have

referred through that letter, I should like to be heard on the subject, if I do not live in Georgia. I want to say that Mr. A. E. Buck is a native of my State and a gentleman of the very highest character and a Union soldier, a man who earned his stripes by his valor, who went to Georgia and lived there—

Mr. LIVINGSTON. I am not discussing Mr. Buck's character and intend no reflection upon his character, but the letter demonstrates political partisanship.

Mr. BOUTELLE. Well, do not undertake to do it in that insidious way.

Mr. LIVINGSTON. I am not doing it at all; but I am not surprised to hear the gentleman from Maine get up and come to his rescue when I understand the affinity that exists between them.

Mr. BOUTELLE. Yes, the affinity is that we fought under the same flag for the Union when you were fighting against it. [Applause on the Republican side.]

Mr. LIVINGSTON. I did; but I am doing as much for it now as the gentleman from Maine dares to do.

Mr. BOUTELLE. And you ought to be ashamed to get up here after fighting against it and strike an insidious blow at the men who kept that flag flying and enabled you to be here.

Mr. LIVINGSTON. I am not doing so; but thank God I stand up here proclaiming the fact that we are not afraid to defend the right and denounce the wrong in the presence of ex-Union soldiers from Maine or from anywhere else.

Mr. ENLOE. Let the proclamation of peace be read. [Laughter.]

Mr. MILLIKEN. The gentleman from Georgia himself would not be here if these men had not defended the cause of the Union.

Mr. MUTCHLER. Mr. Chairman, I rise to a question of order. I think these continual interruptions of the gentleman from Georgia are entirely unjustifiable and ought not to be allowed.

The CHAIRMAN. The Chair has been endeavoring to preserve order on the floor and will continue to do so.

Mr. LIVINGSTON. I was saying this, Mr. Chairman: Every gentleman here knows that as the Pension Office exists in its present organization it will be a political millstone hung about the neck of any political party connected with the administration of this Government, and for that reason I ask gentlemen who fought in the blue, as well as those who fought in the gray, to stand here in hand in hand, and heart in heart, together to remove this terrible trouble that reaches throughout every hamlet and home in all this broad land of ours.

What does the soldier care whether he draws a pension through a Democratic administration or a Republican one? What has his title to a pension got to do with the politics of this country? What has the adjudication of his claim got to do with the politics of this country? And yet no man dare say on this floor that in tens of thousands of instances preference and partiality do follow a man's politics, in his application. That should not be.

Mr. MILLIKEN. I would like to ask the gentleman one question.

Mr. LIVINGSTON. I can not yield any more.

Mr. MILLIKEN. I would like to ask the gentleman if he speaks from any knowledge, or whether it is a simple statement upon his own guess?

The CHAIRMAN. The gentleman can only be interrupted by his own permission.

Mr. MILLIKEN. It is easy enough for a man to say a thing.

Mr. LIVINGSTON. The abolition of the offices of Commissioner, deputy commissioner, and medical referee, and the transfer to the War Department would do what? If it would do nothing more it would divorce the management of the office from politics; and I want to suggest to gentlemen on the other side that you will not always have a Republican to administer the Interior Department; and if you have so little faith in a Democratic administration when it comes to pension questions, you ought heartily to join with us now in seeking to transfer the office to a Department where politics shall have no effect.

Mr. PICKLER. Is the gentleman's statement a threat?

Mr. LIVINGSTON. No; it is not a threat.

Mr. PICKLER. What is it?

Mr. SPRINGER. It is a fact.

Mr. LIVINGSTON. It is a prophecy that the Democratic party will take control of this Government, and keep it until Gabriel blows his horn. [Applause on the Democratic side.]

Mr. MILLIKEN. We did not know that Gabriel was going to blow so soon.

Mr. COGSWELL. Nor so loudly. [Laughter.]

Mr. LIVINGSTON. Now, Mr. Chairman, such a course as this would not only bring relief to both political parties, or to all political parties—for I believe we have a third political party on the floor now—

Mr. OTIS. Yes, we have.

Mr. LIVINGSTON. It would not only bring relief to the two great political parties, but to the young political party that is just beginning to show its head above the western horizon.

Mr. OTIS. It will soon be in power.

Mr. LIVINGSTON. Not only that, but those who will follow me in this discussion who are members of the committee will show that we will reduce expenses, and that perhaps to a surprising extent.

Mr. DINGLEY. If my friend from Georgia will pardon me right at that point, I want some light in that direction. If it was true that the transfer of this department from the Interior Department to the War Department would divorce it entirely from politics, there would be great force in the gentleman's argument. Now, I would like to ask how the transfer of this department from the control of the Secretary of the Interior to the control of the Secretary of War will, as a matter of fact, tend to divorce it from politics?

Mr. LIVINGSTON. The gentleman's question is a fair and honest one, and I will answer it by saying that the heads of departments in the War Department are not put there with any consideration whatever as to their political biases or prejudices or beliefs, not one of them, and the gentleman knows that; their commissions are for life, and not subject to political changes or influences. Now, I refer you further to the administration of those who are there, and I ask if in dealing with them you have not discovered that is the condition in the War Department.

Mr. DINGLEY. But you are speaking now of the heads of bureaus. Now, as the officials who would be under the head of the record and pension division of the War Office, are they not in every case appointed by the Secretary of War?

Mr. LIVINGSTON. But the heads are the responsible ones.

Mr. DINGLEY. I speak of the positions outside of the civil service. Are they not appointed in the same way as in any other Department not under the civil-service laws?

Mr. LIVINGSTON. The whole detail of the War Department is under the heads and chiefs in that Department, and they alone are responsible. Now, if those chiefs or heads are non-political in their administration of the law, then I ask why should you go into details and ask me as to the subordinates? And if you ask whether a single exception might not occur, I say, yes, it might, but these officers who are the heads of Departments hold for life. There is no stimulation behind them to make them strong partisans either one way or the other. If there is a place in this world to-day where politics is less thought of, less cared for than in any other, it is an army officer's head and heart where his position is a life position.

Mr. DINGLEY. Now as to all these special examiners, would they not be appointed by the Secretary of War just as they are now appointed by the Secretary of the Interior?

Mr. LIVINGSTON. I will come to that.

Mr. GROUT. If the gentleman will allow me one question, I would like to ask, under the authority to appoint in certain cases from civil life, would not the administration of the office to that extent be left still in politics, still under control of the President?

Mr. LIVINGSTON. I want to say to my colleague on the committee that possibly instances of that kind might happen. But I want to say further to my colleague, whom I know to be an honest, fair-minded man, for I am serving with him, that that would not be the rule.

Mr. GROUT. It may take place.

Mr. LIVINGSTON. It may take place, and the heavens may fall, and you might get into Mr. Cleveland's cabinet. What do you think about that? [Great laughter.]

Mr. GROUT. I hope I may avert that calamity. [Renewed laughter.] My question was, why not transfer—

Mr. LIVINGSTON. Mr. Chairman, there is so much confusion I can not hear the gentleman.

The CHAIRMAN. The committee will be in order.

Mr. GROUT. Why not designate the present chief of the record and pension division as the person to act as Commissioner.

Mr. MUTCHLER. I want to ask my colleague, will you vote for the bill if we do?

Mr. GROUT. I am inclined to think I will.

Mr. LIVINGSTON. So will I.

Mr. MUTCHLER. So will I.

Mr. GROUT. With other amendments.

Mr. MUTCHLER. If we will do that will you do it?

Mr. PICKLER. Not this Congress.

Mr. GROUT. The gentleman from Pennsylvania is talking to me about my vote. If he will place this office in charge—

Mr. MUTCHLER. I am willing.

Mr. GROUT. Oh, you are drawing me out, and I want to be understood. If you will place this office in charge of the present chief of the record and pension division of the War Depart-

ment, giving him the authority of Commissioner as now prescribed by law, I will vote for that amendment.

Mr. MUTCHLER. So will I. [Several cries on the Republican side, "So will I."]

Mr. LIVINGSTON. I will discuss that question with you when we come to it.

I want to repeat that there is no other Department, and no other class of officer known to this form of Government where this Department can be transferred and to whom it can be transferred with any security that it would be divorced from politics except the War Department. I know this, Mr. Chairman, and I take the position, too, that I expect, as long as my head is hot and my posterity follow me, for at least one generation that that Department will be presided over by a man who fought on your side of the great civil war. I know that.

I know another thing, Mr. Chairman. That so long as that Department is presided over by an ex-Union soldier that ex-Union soldiers will get their rights and preferences there—perfect justice and perfect equity. And you know it, too.

Mr. PICKLER. I would rather risk the Democratic party.

Mr. LIVINGSTON. A gentleman sitting at my side says he would rather risk the Democratic party than the War Department.

Mr. PICKLER. I would.

Mr. LIVINGSTON. I will tell you what he would rather do. He would rather risk the devil than the Democratic party. [Laughter.]

Mr. BOUTELLE. We are unanimous on that.

Mr. LIVINGSTON. Such an answer does not become the gentleman.

Mr. PICKLER. I believe that. I believe in making some party responsible here for pensions; and I want to hold the Democratic party responsible while it is in power.

Mr. LIVINGSTON. I desire to repeat that such a change would not only divorce this entire Pension Bureau from politics, but I would say further that it would be a godsend to the Union soldiers of this country if that could be accomplished.

It would be a godsend to the Administration, whether it was Democratic, or Republican, or People's party. It would be a godsend to the women and children who are to-day knocking at the door of the Pension Office asking for pension, or for increase, or for reinstatement. There is not a gentleman on this floor—and my colleague on the committee, Mr. GROUT, knows it—there is not a gentleman on this floor who does not know that with these applications accumulating in such enormous numbers something must be done, some order, some system must be introduced, some executive ability (if gentlemen on that side of the House will excuse the expression) must be put into that department, or your people will suffer, gentlemen, not mine.

[Here the hammer fell.]

Mr. COGSWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia [Mr. LIVINGSTON] be given time to conclude his remarks.

There was no objection, and it was so ordered.

Mr. LIVINGSTON. Mr. Chairman, I thank my colleague [Mr. COGSWELL] and the Committee of the Whole very sincerely for this extension, and I promise to trespass upon the time of the House but a very few minutes longer if I can keep my friends on that side "in the saddle." [Laughter.]

I was proceeding to show that not only would the Pension Office be divorced from politics by this change, but that expenses would be reduced and business methods would be introduced which would insure a swift and ready compliance with the application of those who are to-day rightfully seeking pensions.

There is another point that I hoped I should have time to dwell upon for a few minutes. I shall take an opportunity when the bill is considered, under the five-minute rule, to discuss one other amendment that we have proposed, I mean the one abolishing the local boards. I have the authorities, the facts, and figures here on my desk to show that that is the most expensive and the most unreliable system of passing upon pension claims that has ever existed in any land from time immemorial until now. And back of that proposition, Mr. Chairman, we have the medical referee; back of that we have the Third Auditor; back of that the Secretary of War; and back of that stands every important witness that appeared before the committee.

And now, Mr. Chairman, in conclusion, I make this appeal to my friends on the other side of the House, and to my Democratic friends who live in districts where pensioners are numerous, I say to one and all of them: Gentlemen, if you believe that the soldier will be benefited by this transfer, if you believe that money will be saved to the Government by this transfer, if you believe that the Pension Office will be divorced from politics by this transfer, then dare to do what is right, and your people will stand behind you and indorse you as certainly as they become cognizant of the facts. [Applause.]

Pensions.

SPEECH

OF

HON. WILLIAM C. OATES,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. OATES said:

Mr. CHAIRMAN: In the brief time accorded to me I can say but a few words in refutation of the misrepresentations of the position of ex-Confederates in this House upon the subject of pensions to Union soldiers which have been made by the gentleman from Maine. His charge is a general one that ex-Confederates here have uniformly voted against the pensioning of Union soldiers. The gentleman stated also that that was in pursuance of what had been declared in this House by one of them, that the effort should never cease until the last vestige of war legislation was wiped from the statute books.

That charge was made in the Forty-sixth Congress against the gentleman from Kentucky, Mr. BLACKBURN, who, when it was made, then and there denied it and asserted that it was false. The gentleman from Maine ought to know that fact, and I say he can not show in the RECORD that such an utterance was ever made. There was an issue at the time to which I have referred between the gentleman from Ohio, Mr. McKinley, and the gentleman from Kentucky, Mr. BLACKBURN, as to whether the latter had ever made that declaration, and he positively denied it.

There was an intimation made in the Senate some years ago by Senator Ingalls of this same charge which Senator BLACKBURN again refuted and characterized as false. The declaration has never been charged to any other gentleman from the South, and I put the denial of the gentleman from Kentucky against the charge of the gentleman from Maine and leave it to the country to determine which will be believed.

Mr. BOUTELLE. I beg the gentleman to understand that I did not impute the statement to Mr. BLACKBURN. Indeed I had forgotten who it was that made it.

Mr. OATES. Yes; but I happened to remember. Your memory is treacherous. [Laughter.]

Mr. BOUTELLE. It does not matter who made it. I simply spoke of it as expressing the general sentiment and purpose.

Mr. OATES. Yes; and it was false, as shown by the occurrence I have mentioned and the RECORD.

Mr. BOUTELLE. Why, Mr. Chairman, it has been demonstrated here day after day.

Mr. OATES. That I emphatically deny. Mr. Chairman, several other statements made by the gentleman from Maine were equally unfortunate and ill-founded. He cited the fact that many Confederates voted against putting Gen. Grant back into the Army and on the retired list, "in his final sickness," the gentleman said, when every one knows, and the record shows, that it was not in his last sickness, but was before he was stricken down.

The gentleman from Maine ought to know, because he was present and heard expressions from myself and other ex-Confederates, that our attitude on that subject arose out of no opposition to Gen. Grant, a man whom I and many of us admired as a soldier. Our opposition was to the principle of taking any man who had resigned from the Army to accept civil office and putting him back into the Army for the purpose of retiring him upon a salary.

Mr. McMILLIN. If my friend will permit me I will remind him of one instance which illustrates what he has just said, an instance that has occurred in this Congress. There was a proposition here to put a Democrat back in the Army by such legislation, and the proposition was defeated by a two-thirds vote in this House. There was nothing partisan in it. The principle which the gentleman from Alabama speaks of has long been well settled or contended for by patriotic Democrats.

Mr. O'NEILL of Pennsylvania. Will the gentleman allow me to say a word just there?

Mr. OATES. I can not yield; my time is too limited.

The gentleman from Maine referred also to the votes of members from the South upon the bill to increase the pensions of widows from \$8 to \$12 per month, when he knows, or ought to know, for he was present, that the ground of opposition to that measure was that it was an unreasonable increase to be made at that time.

More than twenty years had passed since the close of the war; the purchasing power of money was twice as great at the time the proposition for increase was made as at the time the original rate was fixed; the gentleman's own party had had full control of the House, the Senate, and the Presidency through all those years and had never thought proper to make the increase. They had neglected this "high duty" as the gentleman terms it, until we had a Democratic President and a Democratic House, and then he and his party pressed it most vigorously. This was in March, 1883.

The ex-Confederates who voted against it did so because it was an utterly unreasonable proposition at that time. It added to the appropriations and consequently to taxation of the people many millions of dollars at a time when \$3 per month would purchase as much of the necessities of life as \$16 would during the ten or fifteen years immediately succeeding the war. There was no good reason for making it at that time. It is but one of the instances of improvident legislation upon the part of the gentleman and his party that now makes pension appropriations mount up in the aggregate to nearly \$200,000,000 per annum. [Applause on Democratic side.]

Why, sir, we would be untrue to the people we represent if we did not scan appropriations closely and do what little we may be able to do against extravagant and improper pension legislation. But neither the gentleman himself nor anyone else in this House can charge me or any ex-Confederate within my knowledge of having ever voted here against a proper pension to a Union soldier, a soldier who was worthy and for his disability entitled to be pensioned. Never in any case can the gentleman point to any such record.

I, in common with many others, have voted against giving the widow of a major-general, whether her husband had been a Democrat or a Republican, \$2,000 a year, when the widows of private soldiers receive but \$144; and I have done so on this principle: That the widow of the poor private who perhaps got his head shot off in the front rank, is entitled to the same benefaction from a grateful Government as the widow of the major-general who could remain in the rear, and who perhaps died in bed long after the war. [Applause.]

Why this discrimination in a government conducted on democratic principles which declare in favor of equality to all and special privileges to none? Why vote such a pension to the one and withhold it from the other? Why make such a distinction between two widows after their husbands have passed away? Is the widow of a man who happened to hold the commission of a major-general any better than the widow of the poor private? I have thought, sir, from experience that of all soldiers on either side in any war, the man entitled to the greatest honor is the humble private who discharges his duty faithfully. [Applause.] Such discrimination in favor of rank and position is undemocratic, un-American, and is most odious class legislation.

Where does this money come from that pays this pension roll? It comes from the people, through our systems of taxation. As nearly as can be estimated, the people of the eleven seceding or Southern States contribute about one-third of the taxes which reach the Treasury. This is now, for payment of pensions alone, more than \$50,000,000 per year drawn from the people of those States, and I do not believe that \$5,000,000 of this sum are paid out in those States for pensions, thus draining our people by taking out of circulation among them forty-five or fifty millions dollars per annum and distributing this large sum among the people of the Northern States. Did the gentleman from Maine ever think of that?

What is the financial condition of our people? Of the \$25 per capita of money in circulation to-day throughout the Union there is but little more than \$5 per capita to be found among the Southern people. Yet they, though struggling for an existence, have been voting through their representatives here for the pensioning of every gallant Union soldier who is shown to have been a soldier in fact disabled or needing a pension in consequence of injuries received in service—everyone falling within the ordinary rules that should regulate pensions.

But for opposing appropriations for the wholesale pensioning of bummers and camp-followers as though they had been gallant soldiers the gentleman from Maine arraigns us as enemies of all pension legislation and as full of disloyalty and hatred of Union soldiers.

To-day there are 1,000,000 people on the pension roll, and being largely supported from the Treasury. The appropriation for payment of pensions next year, if no modification be made in the law and rules of construction adopted by the Pension Bureau, will be not less than \$200,000,000; more than sufficient to pay the expense of the immense standing army of any of the great powers of Europe.

How much longer will this expenditure grow and develop?

Mr. Chairman, my observation since I have been a member of

Congress in respect to pension legislation is that there has been in every Congress a rivalry between Republicans and Democrats from Northern States of the Union as to which could obtain the greatest number of pensions and the most liberal legislation in favor of the pensioners. They have all had voters behind them to stimulate them in that direction, and it has been considered most patriotic and meritorious to obtain the very largest pensions possible; and it is not putting it too harshly to say that there has been much demagoguery displayed in these contests, while in nearly all of them the ex-Confederates here from the South have usually sat as silent spectators and had nothing whatever to say, only when they were called upon by yea-and-nay vote, and then, usually a majority of them have voted nay, not because they were opposed to reasonable pensions, but because of the extravagance and recklessness of the measure proposed.

Sir, it may not be unprofitable to inquire for a moment as to the true basis for the granting of pensions. Is a pension voted to a soldier as compensation for the loss of a limb or other injury? An attempt to measure, by a pecuniary standard, his loss, his sufferings? No, sir; that is quite impossible, as everyone will admit who has had an experience similar to my own. Is the pension then a mere gratuity? No; it is a recognition of the meritorious and valuable services rendered by the soldier to his Government.

It proceeds upon the idea that a man who has bravely fought for the cause of his country, and in consequence of a disability thus incurred, shall not live in greater poverty than he would in the absence of such misfortune. It would be unpardonable parsimony and ingratitude in a Government which a man had been disabled in faithfully serving to allow him to beg his bread in the streets or to linger in a poorhouse as a public charge; and, on the other hand, the pension granted, in order to be just, should not be more than the soldier with fair opportunity could have earned in the absence of his injury incurred in the Army.

Our pension legislation, in thousands of cases, has gone far beyond this standard in the amount allowed. There should be some consideration extended to the taxpayers. Why should the widow of a soldier who lost his life in the service be pensioned? Because that service deprived her of his assistance to maintain, support, and comfort her; and also the widow of every soldier who died after the war, whose death, if premature, is traceable to injuries received in the service, is likewise entitled to a pension.

But why should a widow who married a soldier after the war be entitled to a pension in consequence of the death of her husband? During the war she was not deprived of his company or his services, and when she married him more than a year after the war she took him *cum onere* and the Government is under no sort of obligation to pay her a pension on account of his death.

Our people, though weighed down with this burden of taxation, are uncomplaining. Looking to their representatives here they expect us to speak for them and to say what, if they had a voice here, they would say for themselves: "We would vote a pension to everyone deserving a pension for service to his country which seriously impaired his ability to make a living, and to the widows who lost their husbands, and to no others." At the same time they hold us and should hold us responsible to see that none of their hard earnings are taken from them and voted to those who are not entitled to pensions by the rules of common sense or by the fair construction of the existing pension laws.

The burdens which these impose are hard at best. Just think how our poor maimed ex-Confederates, with no pension, hop along after the plow upon a wooden leg, or wield the ax or the hoe with a single hand to earn bread for a good wife and hungry children, paying his part of the taxes necessary to pension his late adversary who fought upon the Union side, and then say if you do not think that his late comrade who represents him here ought at least to see to it that no unmerited or extravagant pensions are allowed.

Sir, I undertake to say that there is not an ex-Confederate soldier in this House who ever has refused, or ever will refuse, in a proper case, to vote a pension to a Union soldier. In speaking on this question to public audiences I have never found one yet that, although composed in the main of ex-rebels, so-called, did not respond with loud applause to the sentiment in favor of voting a reasonable pension to every Union soldier who lost his arm, or his leg, or his health in the service of his country, or to his widow if he lost his life in the service. Such a sentiment is uniformly applauded. There is no truth in the assertion of general disloyalty and hostility to all pensions, as charged by the gentleman from Maine.

No, 'tis slander,
Whose edge is sharper than the sword, whose tongue
Outvenoms all the worms of Nile; whose poisonous breath
Rides on the posting winds, and doth belie
All corners of the world.

[Applause.]

With all the burdens our people in the South have to bear in consequence of the war and its results and with no government to pension our cripples, thank God I have never yet seen one of them begging.

I am not going to undertake to follow the gentleman from Maine in his tirade, if I may be allowed to so characterize it. In his personal relations he is usually genial and pleasant. While I knew his politics were bad in the main, I did not think they were so dreadfully out of repair as to need such a bloody-shirt exhibition. His political status must be very thoroughly wrecked in his own estimation to render it necessary to thus exhibit himself to this House and the country. I will not undertake to follow him all through his discourse. I wish, however, in the interests of correct history to say a few words more.

The gentleman from Maine complains most bitterly that on the passage of the arrears of pension bill in 1878 there were 61 Democrats who voted against it and that 58 of them were from the late Confederate States, and also the next year, on the passage of a bill providing for the issue and sale of bonds by the Government to pay the arrears of pension, that 78 Democrats voted against it and that 69 of those were from the South; and also that of the 67 votes against the pension appropriation bill of that year appropriating money to pay the arrears 61 were from the South.

What was the arrears of pension bill? It was a bill of a retroactive character, a kind of legislation which is universally admitted to be reprehensible. It gave to the Union soldiers on the pension rolls, who had been drawing pensions from the date they were admitted thereto, back pay to the time of the injury received for which they were pensioned; and this involved the Treasury in the payment of millions on top of millions of money. The pensioners were satisfied with what they had been receiving until demagogues got up this scheme of plundering the Treasury to give them more. Many of them received several thousands of dollars in a lump.

I knew of one carpetbagger who was rather a notorious and offensive character in Alabama and no one in the circle of his acquaintance had discovered that he ever received any injury in the service, but notwithstanding this he got a pension and over \$7,000 of arrearages. None of those who knew him, unless perhaps his witnesses, ever supposed that he was under any disability whatever until he received this large amount of money from the Treasury.

His next complaint is that in 1885 there were 67 votes from the late Confederate States against the Mexican pension bill, with the "Senate's Union soldiers' amendment." I remember that well. The House had passed a bill to pension the Mexican war soldiers. A Republican Senate, by amendment, put on that bill all of the Union soldiers, numbering about 1,000,000, giving them a service pension; and but for a filibuster and the strenuous opposition interposed by the gentlemen from "the late Confederate States," under the leadership of Mr. Hewitt of Alabama, the measure would have passed, and would have bankrupted the Treasury much more thoroughly and much earlier than the gentleman's party has since practically accomplished it.

He also complains that 56 votes in opposition to the dependent pension bill of 1890 came from the late Confederate States and that 16 votes against it in the Senate came from the same section. That bill, if I am correctly informed, increased pension expenditures \$50,000,000 a year and is still climbing. Its provisions were, as is well known, to pension all those who could prove that they were unable to make their living by manual labor and were dependent or in indigent circumstances.

Had these various measures made only reasonable provisions and had applied only to those who were entitled to aid from the Government upon the true principles which should be the basis of all pension legislation, I undertake to say that no ex-Confederate would have recorded his vote against either of them. It was not the fact that provision was being made to pay pensions to Union soldiers who had fought bravely and had been disabled in the cause of their country, or the widows and children of those who had sacrificed their lives in that cause, for to all of these every ex-Confederate is always willing to vote a reasonable pension; but it was the unreasonable, extravagant, and unjustifiable provisions of these acts which caused the Confederate here to vote against them. We had the courage of our convictions, and did right. With such a consciousness of duty faithfully performed the shafts of denunciation, hurled at us by the gentleman from Maine, fall harmless to the ground.

Mr. Chairman, the gentleman from Maine, during his very drastic discourse, saw proper several times to speak of the Confederates as those who wickedly engaged in a war for the destruction of the Government of the United States. He speaks of the Union soldiers as those "who saved the life of the Government." In order to cast odium upon the cause of the Confederates and make us look as hideous to the people of his State as possible, he charges us with all imaginable crimes and wicked-

ness, as though our effort had been to knock the Government of the United States into smithereens and completely blot it out of existence. What a travesty upon the truth of history! Yet his statement, should it go forth to the country uncontradicted, will be read and received by many people—presumably all those at least whom he represents—as the entire truth, when it is less than half the truth.

Why, sir, the question which was involved in that conflict was simply this: The people of the Southern States believed they had a right to withdraw from the Union and set up a government of their own, which they believed would be homogeneous and under which they could live in peace and harmony. They wished to avoid any conflict or contention with just such people as the gentleman from Maine. Every man with ordinary sense and information knows that, owing to the vast extent of our country, the difference in the business pursuits and habits of the people, in sections of it remote from each other, there are conflicting interests; everyone knows that there is not perfect homogeneity.

A law of Congress which may suit the people of New England and be to their interest may not be to the interests or tastes of the people of Alabama, Georgia, and Mississippi. This is an inconvenience which results from the vast extent of our territory.

Slavery lawfully existed in the Southern States, and the people of those States alone were responsible for its continued existence. They alone had the right to abolish it. The people of Maine and other New England States were not at all responsible for its continuance, nor was it any of their business under the Constitution and laws of the country. Yet they continued to intermeddle with it and denounce the people generally where it existed, as he characterized secession to-day as a slaveholders' conspiracy, and thus produced great irritation and bad feeling. The attempt at secession and formation of a Southern Confederacy was an effort to withdraw from the quarrel and to seek for peace and the rights of local self-government; and to this day it is an open question whether they did not have such right.

In all the amendments to the Constitution, originated in the Congress of the victorious Union, there is not one word or syllable to this day which declares that no State has a right to withdraw from the Union, and yet the gentleman from Maine arraigns as disloyal the 58 ex-Confederates in this House for voting against Baker's resolution in 1876, which declared that "the late war of the rebellion was causeless and indefeasible on any theory of right or constitutional law." He is disappointed that we do not acknowledge ourselves to have been traitors and have not joined the Republican party.

The people of the South having submitted the question to the arbitrament of the sword accepted in good faith the decision against us of the high court of force, and expect ever loyally to abide by and uphold it. Why, sir, so distinguished an authority as the gentleman from Massachusetts [Mr. LODGE], now a member of this House, but who has recently been elected to the Senate by the Republican Legislature of his State, in his book upon American Statesmen, when treating of Daniel Webster, at page 176, uses the following language:

When the Constitution was adopted by the votes of States at Philadelphia, and accepted by the votes of States in popular convention, it is safe to say that there was not a man in the country from Washington and Hamilton on the one side, to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States, and from which each and every State had the right peacefully to withdraw, a right which was very likely to be exercised.

In this Mr. LODGE represents all the great fathers of the Republic and the citizens throughout the country at the time the Constitution was adopted as believers in the right of secession and regarded it as one which might be exercised by the States at any time.

It was declared in the Virginia and Kentucky resolutions of 1798 and 1799 to be the right of each State to judge of infractions of the Constitution as well as the mode and measure of redress.

If it were treason to advocate or exercise secession, why was not Jeff Davis brought to trial and the question thus involved settled by the courts? Had he been condemned he need not have been executed. It would not, therefore, do to say that his release from prosecution was a mere clemency.

When, therefore, the gentleman from Maine assumes, as he does substantially, that secession was treason and that the so-called rebels were red-handed criminals, that assumption is as unwarranted as many other of his premises. The States of the South asserted their right to withdraw from the Union and associate themselves together as a confederacy. The Union denied this right, and thus a great political issue was formed which no man nor human tribunal was capable of deciding.

It could be settled alone by war. That issue was fought for bravely upon both sides, and finally, by weight of numbers and superior resources, the Union triumphed. The States of the

South resumed their allegiance to the Union, and here are those who fought for their convictions on the losing side now just as true to that flag which floats over the dome of this Capitol as the gentleman from Maine or any man who fought on the side of the Union. [Applause.]

It was an honorable contest, and when men have met upon the field in bloody conflict and there settled the issue between them by wager of battle, it is not praiseworthy nor can it ever excite the admiration of the impartial for the victor ever afterwards to be exulting over the vanquished and charging him with being a miserable sinner! Such conduct never receives the praise of lofty minds and is rebuked by God himself.

Not a single soldier in the Confederate army ever harbored for a moment the thought of destroying the Government of the Union. All that we fought for was separation, to be let alone, to govern ourselves in our own way, and to leave the Union intact to take a similar course.

"The life of the nation" was not even menaced. No Confederate contemplated the slightest interference with the Government of the Union. Eleven of the States undertook to withdraw from the Union, leaving the remaining twenty-five States to run that Government in their own way.

The gentleman from Maine, for the purpose of harrowing up all the bitterest memories of the past, tearing open afresh for political purposes the wounds of the war, now about entirely healed, brought forth the horrors of Andersonville prison during the war. He was not satisfied with the language his own fertile brain brought to his aid to describe them, but he saw proper to quote from Prof. Draper's history, which is a powerful exaggeration of the situation and treatment of the prisoners at Andersonville. He quotes from Draper wherein the latter says that—

The climate there is such that the thermometer sometimes rises in summer as high as 110° Fahrenheit, its mean degree for that season being 88° in the shade. In the winter it descends below 20°, and ice 2 inches thick occasionally forms.

It is doubtful whether the thermometer there ever did rise to 110°, and why was it stated when it was not claimed that it rose that high during the imprisonment; nor was there during that period any weather in which the thermometer fell so low as he says it sometimes does, nor did ice form 2 inches thick. He also says that when the rains came the tread of so many thousands covered the ground with slush a foot deep, and that the whole surface was like a cesspool, which any reasonable man knows was a tremendous exaggeration. Men's feet can never make mud half so deep. Draper also says that the hands of dead men were mutilated with an ax to remove the rings from their fingers, and that—

The condition of things became so dreadful that on passing up and down the railroad, if the wind was favorable, the smell of the stockade could be perceived for 2 miles.

This account every reasonable man is bound to believe very largely overshoots the mark and is wanting in evidence to sustain it. I, however, freely concede that it was bad, indeed a horrible prison, and there was much suffering and great mortality.

It is bad enough, when the exact truth is told, but Draper displayed in his description an imagination of boundless resources. The actual condition there was worse than any Confederate desired it should have been. But whose fault was it? The supplies of the Confederates were well near exhausted; our own soldiers half the time subsisting on parched corn, which they shared with the horses. Where were the rations to come from to feed the prisoners as they should have been fed? The supplies of the Confederates were exhausted or inaccessible and the railroads were worn out and broken. The fault in fact was with the Federal Government. Stanton, the Secretary of War, refused every overture which was made by the Confederate authorities for the exchange of prisoners.

When the Government of this Union knew the condition and sufferings of the prisoners, why were they not immediately relieved by a cartel of exchange, which the Confederates would have been only too glad to have entered into? No; it was a part of the policy of the Union to allow their prisoners to remain at Andersonville and in other prisons as a means of weakening the Confederacy and winning the victory; and the only excuse for the cruelty of that policy is that it finally succeeded.

The cruelty was not altogether on one side. Look at the 300 Confederate officers who were placed under the fire of the guns at Fort Sumter, and fed upon half rations of the most unwholesome kind, and many other instances of cruel treatment of Confederate prisoners of war.

The truth is that war is cruel at best, and the sooner gentlemen on both sides of that unfortunate conflict learn not to revive its memories, except in a pleasant and friendly manner, the better it will be for them and the country.

The sensible, conservative people, North and South, are tired of bloody-shirt exhibitions. With all of the gifts or arts of the gentleman in that line in the last campaign his party was snowed under by an unprecedented majority. The good people of the country are tired, thoroughly tired, of such performances as that which the gentleman from Maine has just given this House.

Immigration and Contract-Labor Laws.

SPEECH

OF

HON. MYRON B. WRIGHT,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

The House having under consideration the bill (S. 3240) to facilitate the enforcement of the immigration and contract-labor laws of the United States—

Mr. WRIGHT said:

Mr. SPEAKER: When, on January 7, this Senate bill was reported to the House and placed on the Calendar, it contained an important amendment added by the House Committee on Immigration, which read as follows:

SEC. 5. That section 1 of the act of March 3, 1891, in amendment of the immigration and contract-labor acts, be, and hereby is, amended by adding to the classes of aliens thereby excluded from admission into the United States the following:

"All persons physically capable and over 16 years of age who can not read and write with reasonable facility their own language, except that an aged person not so able to read and write who is the parent or grandparent of an admissible immigrant may accompany or be sent for by such immigrant.

"Persons blind or crippled, or otherwise physically imperfect, so that they are wholly or partially disabled from manual labor, unless it is affirmatively and satisfactorily shown on special inquiry that such persons are sure of an abundant support and not likely to become a public charge.

"Persons belonging to any society or organization which sanctions or justifies the unlawful destruction of life or property."

On February 20, 1893, the bill as thus amended was recommended to the House Committee on Immigration, which, on the following day, reported back the original Senate bill with the said amendment struck from it.

In my opinion this amendment contained more merit than the whole bill as it now stands.

The practical effect of the restrictions set up by the said amendments would, in my opinion, be to exclude at least 60 per cent of the most undesirable class now let in and which are now, without let or hindrance, freely admitted to all the benefits of American citizenship without assuming any of its responsibilities.

The records show that all immigrants over age of 16 who entered the port of New York, from February 1, 1892, to October 31, 1892, inclusive, the percentage of illiterates of the different nations was as follows:

| Nation. | Per cent. | Passengers over 15 years. | Number who can neither read nor write. |
|--------------------------|-----------|---------------------------|--|
| Norway..... | 0.6 | 10,228 | 67 |
| Holland..... | 0.6 | 3,676 | 25 |
| Denmark..... | 0.6 | 6,322 | 43 |
| Sweden..... | 0.7 | 25,439 | 179 |
| Spain..... | 1.0 | 117 | 12 |
| Switzerland..... | 1.0 | 4,134 | 43 |
| Scotland..... | 1.4 | 2,776 | 41 |
| England..... | 1.9 | 11,868 | 232 |
| Germany..... | 1.9 | 44,643 | 890 |
| France..... | 1.9 | 2,120 | 41 |
| Finland..... | 4.9 | 4,572 | 226 |
| Bohemia..... | 6.1 | 3,363 | 208 |
| Wales..... | 6.1 | 1,220 | 32 |
| Belgium..... | 6.8 | 1,929 | 133 |
| Ireland..... | 7.8 | 25,736 | 1,916 |
| Turkey..... | 8.2 | 133 | 11 |
| All other countries..... | 9.9 | 2,522 | 252 |
| Greece..... | 10.3 | 427 | 44 |
| Austria..... | 17.6 | 17,797 | 3,140 |
| Russia..... | 20.0 | 21,761 | 4,331 |
| Hungary..... | 27.9 | 22,400 | 6,265 |
| Armenia..... | 44.0 | 664 | 292 |
| Portugal..... | 49.0 | 1,658 | 820 |
| Poland..... | 56.0 | 17,178 | 9,755 |
| Italy..... | 66.3 | 42,648 | 28,279 |
| Total..... | | 274,471 | 57,267 |

The proposed educational qualification would prevent the landing of the larger part of those coming from Southern Italy, Poland, and other adjacent sections, and would practically be a restriction based on a geographical line through southern Europe.

If there were added to this educational qualification another excluding persons belonging to societies which have for their object or which sanction unlawful destruction of life or property it seems to me that a long step would be taken in the direction of protecting American citizenship.

Statistics show that immigrants from various nationalities bring with them money as follows:

Money brought by persons over 20 years of age from January 1 to October 31, 1892 inclusive.

| Nationalities. | Number bringing less than \$100. | Number bringing \$100 or over. | Passengers. | Average per capita. |
|--------------------------|----------------------------------|--------------------------------|-------------|---------------------|
| France..... | 1,630 | 261 | 1,891 | \$54.09 |
| Wales..... | 318 | 59 | 377 | 40.10 |
| Switzerland..... | 2,538 | 251 | 2,789 | 39.71 |
| Australia..... | 2 | 6 | 8 | 29.00 |
| Turkey..... | 72 | 6 | 78 | 26.06 |
| Germany..... | 28,742 | 2,704 | 31,446 | 35.50 |
| Spain..... | 112 | 9 | 121 | 30.00 |
| Greece..... | 281 | 20 | 301 | 28.58 |
| Holland..... | 2,689 | 167 | 2,856 | 27.97 |
| Belgium..... | 1,461 | 122 | 1,583 | 27.83 |
| Denmark..... | 4,673 | 301 | 4,973 | 27.32 |
| England..... | 7,550 | 441 | 7,991 | 26.70 |
| Bohemia..... | 2,001 | 125 | 2,126 | 23.85 |
| Sweden..... | 17,545 | 798 | 18,343 | 22.78 |
| All other countries..... | 1,511 | 92 | 1,603 | 21.74 |
| Scotland..... | 1,956 | 85 | 2,041 | 21.32 |
| Norway..... | 6,718 | 241 | 6,959 | 21.00 |
| Russia..... | 14,300 | 564 | 14,864 | 20.80 |
| Armenia..... | 604 | 31 | 635 | 20.00 |
| Ireland..... | 18,892 | 573 | 19,465 | 16.78 |
| Austria..... | 10,409 | 337 | 10,746 | 15.83 |
| Finland..... | 3,781 | 80 | 3,861 | 14.60 |
| Italy..... | 36,148 | 559 | 36,707 | 13.77 |
| Hungary..... | 15,691 | 227 | 15,918 | 12.10 |
| Portugal..... | 1,090 | 33 | 1,123 | 12.10 |
| Poland..... | 13,627 | 209 | 13,836 | 11.94 |
| Total..... | 194,400 | 8,295 | 202,695 | 21.10 |

I would not exclude a person simply on the grounds that he was poor, but would require that he have funds enough to exist for at least three months without being obliged to accept inadequate wages, and thus displace an American laborer, or failing to do this become a charge upon public or private charities. I would go further than this. I would permit no alien immigrant to come to this land to enjoy its benefits until the proper American officials shall first ascertain by thorough investigation what his antecedents, surroundings, and circumstances have been, and upon its becoming evident that such person was one whose coming would be a positive gain to our country and institutions, I would then permit such persons to come, and only such persons, as were thus found desirable.

Believing, as I do, that American citizenship is too lightly bestowed upon any and all, worthy and unworthy alike, and believing that the welfare of our whole country demands that America should be for Americans first, and that self-protection requires the closest scrutiny and the severest measures towards all those who would partake of its benefits, I support this bill, believing it to be a small step in the direction indicated.

Relief of Dr. John B. Read.

SPEECH

OF

HON. BENJAMIN H. BUNN,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

On the bill (S. 1312) for the relief of Dr. John B. Read.

Mr. BUNN said:

Mr. SPEAKER: This act was carefully considered by the Committee on Claims and by that committee unanimously referred back to the House with a favorable recommendation. I hope the bill will pass.

I have thought it would be of interest to this body and to the country to know what the exact condition of matters pending before the Committee on Claims is. This will be shown by the following statement of the work of the Committee on Claims of the House of Representatives, Fifty-second Congress:

There have been referred to the Committee on Claims for consideration during the Fifty-second Congress the following:

| | |
|--|-----|
| House bills with accompanying papers | 179 |
| House bills with no accompanying papers | 650 |
| House resolutions | 5 |
| Senate bills | 142 |
| Joint resolutions | 2 |
| Miscellaneous documents, findings, Court of Claims | 34 |
| Petitions asking for relief | 28 |
| Miscellaneous papers | 14 |
| Executive documents | 6 |
| Letters from Departments | 5 |

Aggregating 1,065

These have been disposed of as follows:

| | |
|--|-----|
| Favorably reported with or without amendment | 295 |
| Adversely reported | 25 |
| Referred to Committee on— | |
| War Claims | 39 |
| Military Affairs | 4 |
| Pensions | 2 |
| Patents | 1 |
| Appropriations | 1 |
| Indian Affairs | 1 |
| Post-Office and Post-Roads | 1 |
| Commerce | 1 |
| Sent to the Senate Committee on Claims | 1 |
| Referred to subcommittees not reported by | 219 |
| Pending but unreported to any subcommittee | 445 |

Aggregating 1,065

Of the bills, etc., reported by this committee, the subcommittees have considered and reported as follows:

| | |
|--|-----|
| First subcommittee—Messrs. Mansur, Kendall, and Smith | 92 |
| Second subcommittee—Messrs. Stahlnecker, Bullock, and Reyburn | 28 |
| Third subcommittee—Messrs. Byrns, Cox of Tennessee, and Atkinson | 57 |
| Fourth subcommittee—Messrs. McGann, Cox of New York, and Loud | 36 |
| Fifth subcommittee—Messrs. Page, Wever, and Bunn | 107 |

Aggregating 320

Reports recommended by subcommittees have been made by members as follows:

| | |
|-----------------------|------|
| Bills reported by— | |
| Mr. Bunn | 54 |
| Mr. Mansur | 60 |
| Mr. Stahlnecker | 16 |
| Mr. Bullock | 23 |
| Mr. Byrns | 27 |
| Mr. Cox of Tennessee | 130 |
| Mr. McGann | 119 |
| Mr. Cox of New York | 1236 |
| Mr. Kendall | 4 |
| Mr. Page | 47 |
| Mr. Reyburn | 9 |
| Mr. Atkinson | 7 |
| Mr. Smith of Illinois | 28 |
| Mr. Loud | 18 |
| Mr. Wever | 6 |

Aggregating 320

Mr. BUNN, chairman, reported back to the House, to be referred to other committees, 51 bills.

The aggregated amount of appropriations carried by the bills referred to this committee, the same being stated in the bill. \$242,516,755.13
Approximated amount, where no amount is stated 7,500,000.00

Aggregating 250,016,755.13

Aggregate amount of appropriations covered by bills reported.

| | Original bills. | Reports. |
|---|-----------------|----------------|
| Amount of House bills | \$35,840,817.57 | \$2,372,501.13 |
| Amount of Senate bills | 477,257.13 | 468,655.88 |
| Aggregate | 36,318,074.70 | 2,841,157.01 |
| Aggregate House and Senate bills | | 36,318,074.70 |
| Reduced by adverse reports and amendments | | 33,476,907.69 |
| Amount reported to House | | 2,831,167.01 |
| Total amount of bills reported | | 36,318,074.70 |
| Reduced by adverse reports | 30,308,649.16 | |
| Reduced by amendments | 3,168,258.53 | |
| | | 33,476,907.69 |
| Amount recommended by committee | | 2,831,167.01 |
| Sibley bill, tabled by House | 37,700.11 | |
| Amount of bills passed | 59,409.62 | |
| | | 97,109.73 |
| Balance on the Calendar | | 2,734,057.28 |

Bills reported.

| Report No. | H. R. bill. | Relief of— | Reported by Mr.— | Amount of claim. | Amount allowed by report. |
|------------|-------------|---|------------------|------------------|---------------------------|
| 371 | 569 | Certain revenue gaugers | Bunn | No amount | |
| 1601 | 815 | James H. Dennis | Cox, Tenn | \$29,638.00 | \$29,638.00 |
| 1748 | 865 | George W. Taylor | Kendall | 1,513.15 | 1,513.15 |
| 92 | 915 | Noah Noble | Bunn | 583.70 | 583.70 |
| 839 | 918 | George McDougall | Mansur | 81,250.00 | 81,250.00 |
| 22 | 919 | Western Paving and Supply Company | Mansur | 1,653.31 | 1,653.31 |
| 1195 | 927 | Forman Mathews et al. | Loud | (a) | |
| 2018 | 934 | William Brice & Co | Byrns | 14,165.00 | 14,165.00 |
| 34 | 973 | Elihu Root | Mansur | 2,000.00 | 2,000.00 |
| 921 | 975 | James M. Wilbur | Bullock | No amount | |
| 1599 | 975 | James M. Wilbur | Bullock | No amount | |
| 58 | 997 | Skrainka Construction Co | Mansur | 311.10 | 311.10 |
| 718 | 998 | George W. Murray | Mansur | 1,000.00 | (b) |
| 1730 | 1003 | Continental Insurance Company et al. | Smith, Ill | 39,595.30 | 26,607.25 |
| 23 | 1051 | Selma and Meridian Railroad Company | Mansur | 3,898.00 | 3,898.00 |
| 705 | 1058 | John Nickles | Mansur | 1,252.80 | 1,252.80 |
| 836 | 1089 | William P. Wood | Mansur | 10,000.00 | 5,000.00 |
| 89 | 1110 | Joseph Haxthausen | Bunn | 110.00 | 110.00 |
| 93 | 1112 | W. J. Tapp & Co | Bunn | 240.10 | 240.10 |
| 835 | 1163 | B. F. Myers | Mansur | 410.00 | 410.00 |
| 834 | 1164 | Maurice G. Griffith | Mansur | 572.70 | 572.70 |
| 24 | 1223 | Owners Schillinger patents | Mansur | (a) | |
| 355 | 1187 | John Howard Payne | Page | 205.92 | 205.92 |
| 702 | 1218 | Charles M. Kennerly | Mansur | 600.00 | 600.00 |
| 1701 | 1238 | Holmes & Leathers | Mansur | 13,361.34 | 12,910.35 |
| 1198 | 1240 | William J. Bryan | Loud | 9,601.73 | 9,601.73 |
| 1604 | 1440 | Chauncey M. Lockwood | Smith, Ill | (a) | |
| 1550 | 1441 | Joseph C. Hogan | Page | 8,046.00 | 3,021.00 |
| 21 | 1466 | H. H. and C. K. Sibley | Mansur | 37,700.11 | Tabled. |
| 511 | 1468 | George H. Plant | Loud | 6,700.00 | 5,216.85 |
| 512 | 1497 | Potomac Steamboat Co | Loud | 5,390.00 | 5,390.00 |
| 1234 | 1484 | Mary A. Lewis | Smith, Ill | 411.22 | 411.22 |
| 720 | 1495 | Louisa S. Guthrie | Bunn | 684.00 | 288.91 |
| 665 | 1497 | Lewis McKenzie | Page | 2,098.95 | 2,098.95 |
| 1609 | 1520 | Emile M. Blum | Reyburn | 10,880.96 | 10,880.96 |
| 1726 | 1521 | George K. Otis | Bullock | No amount | |
| 813 | 1529 | Western Beet-Sugar Co | Cox, Tenn | 34,435.45 | (b) |
| 1197 | 1530 | J. M. Billings | Loud | 900.00 | 850.00 |
| 59 | 1534 | D. W. Winn | Mansur | 500.00 | 500.00 |
| 62 | 1535 | William F. Young | Mansur | 94.75 | 94.75 |
| 1474 | 1614 | William J. Landrum | Bunn | 5,346.26 | 5,346.23 |
| 1056 | 1648 | Thomas P. Morgan | Cox, Tenn | 4,898.04 | 4,898.04 |
| 25 | 1678 | E. R. Shipley | Mansur | 460.00 | 460.00 |
| 1763 | 1714 | Theodore Teed | Bullock | 1,140.00 | 1,140.00 |
| 1161 | 1716 | Joseph and Eliza J. Redfern | Reyburn | 2,738.40 | |
| 2038 | 1744 | Mrs. Maria McMurdie | McGann | 5,000.00 | 5,000.00 |
| 2012 | 1782 | Cogswell & Co | Byrns | 1,306.00 | 1,306.00 |
| 838 | 1905 | John W. Kennedy | Mansur | 1,500.00 | 1,500.00 |
| 1596 | 1922 | R. D. Beckley and Leon Howard | Cox, N. Y. | 736.00 | 736.00 |
| 1480 | 1934 | W. J. Smith and D. M. Windsor | Bunn | No amount | |
| 2014 | 2012 | N. C. and H. J. Winslow | Byrns | (a) | |
| 130 | 2099 | Mrs. Louisa Harrington | Smith, Ill | 2,321.50 | 91.25 |
| 119 | 2100 | Julius C. Zanora | Smith, Ill | 4,525.00 | 4,525.00 |
| 1236 | 2109 | P. H. Doyle & Co | Page | 15,600.00 | 8,325.00 |
| 809 | 2126 | C. B. Bryan & Co | Cox, Tenn | 3,643.60 | 3,643.60 |
| 763 | 2129 | W. J. Kountz | Bunn | 14,038.75 | 14,038.75 |
| 118 | 2150 | Thos. J. Smith | Smith, Ill | 20.20 | 20.20 |
| 378 | 2346 | W. S. Hosack | Bunn | No amount | Tabled. |
| 1547 | 2391 | Hot Springs Reservation | Smith, Ill | do | |
| 1464 | 2393 | W. Jasper Blackburn | Bunn | 5,417.00 | 5,597.23 |
| 794 | 2480 | Davis B. Bonfoy | Bullock | 45,878.47 | 45,878.47 |
| 667 | 2481 | National New Haven Bank | Page | 3,519.15 | 3,519.15 |
| 370 | 2573 | William H. Quinn | Bunn | 4,000.00 | 940.00 |
| 930 | 2803 | C. J. Cowles and G. B. Hanna | Bunn | 2,000.00 | 2,000.00 |
| 90 | 2850 | F. Y. Ramsey | Bunn | 430.42 | 430.42 |
| 1476 | 2857 | James J. Haynes | Bunn | No amount | |
| 2294 | 2889 | George C. Ellison | Atkinson | 5,000.00 | 5,000.00 |
| 1069 | 2923 | Arthur P. Selby | Byrns | 946.00 | 946.00 |
| 2011 | 3157 | Benjamin F. Jones | Byrns | 97.00 | 97.00 |
| 837 | 3183 | H. C. Stolle et al. | Mansur | No amount | |
| 833 | 3305 | Thomas C. Monroe | Mansur | 190.44 | 190.44 |
| 703 | 3307 | William Moss | Mansur | 14,175.00 | 14,175.00 |
| 1700 | 3309 | Henry Gumberts, sr | Mansur | 443.75 | 443.75 |
| 1196 | 3312 | W. H. Ward | Loud | No amount | |
| 880 | 3323 | Daniel Woodson | Byrns | 1,162.46 | 1,162.46 |
| 872 | 3338 | James Hooper | Cox, Tenn | 28,150.20 | 28,150.20 |
| 717 | 3341 | M. C. Mordecai | Wever | 6,400.00 | 6,400.00 |
| 1227 | 3475 | John J. Brown | Page | 1,230.50 | 230.50 |
| 1228 | 3478 | H. B. Wilson | Mansur | 5,000.00 | 5,000.00 |
| 2014 | 3495 | First National Bank, Newton, Mass. | Mansur | 249,039.95 | 39,746.15 |
| 2039 | 3530 | James Clarkson | Mansur | 8,255.60 | Tabled. |
| 667 | 3545 | Frank J. Burrows | Page | 4,022.00 | 4,022.00 |
| 381 | 3580 | Scow Rowena | Byrns | (a) | |
| 668 | 3583 | William M. Maynadier | Page | 3,826.56 | 3,826.56 |
| 882 | 3675 | W. T. Scott et al. | Bullock | 5,500.00 | 5,500.00 |
| 701 | 3680 | James S. Ham | Mansur | 4,000.00 | 4,000.00 |
| 715 | 3714 | Dwight Hall | Page | 157.00 | 157.00 |
| 663 | 3716 | Charles T. Russell | Page | 3,100.00 | 3,100.00 |
| 2270 | 3881 | Robert Adger et al. | Mansur | (a) | |
| 674 | 4013 | James E. Kelsey et al. | Cox, N. Y. | 1,883.89 | 1,883.89 |
| 372 | 4016 | John B. Read | Bunn | 117,000.00 | 17,000.00 |
| 1484 | 4054 | New York, Lake Erie and Western Railroad Co | Smith, Ill | (a) | |
| 1779 | 4055 | Port wardens, New York and Brooklyn | Page | 8,927.67 | 8,927.67 |
| 683 | 4057 | Edwin A. Merritt | Wever | 1,723.00 | 1,723.00 |
| 673 | 4076 | Old Dominion Steamship Co | Cox, N. Y. | 1,166.66 | 1,166.66 |
| 356 | 4103 | Gendron Iron Wheel Co | Page | 256.17 | 256.17 |
| 1524 | 4235 | City of Cairo, Ill | Smith, Ill | 734.68 | 734.68 |
| 1064 | 4264 | Samuel G. Hunter | Byrns | (a) | |
| 60 | 4267 | John S. Logan | Mansur | 1,000.00 | 1,000.00 |

Bills reported—Continued.

| Report No. | H. R. bill. | Relief of— | Reported by Mr.— | Amount of claim. | Amount allowed by report. |
|------------|-------------|--|------------------|------------------|---------------------------|
| 61 | 4270 | D. P. Abbott <i>et al</i> | Mansur | \$4,728.80 | \$4,728.80 |
| 1703 | 4295 | Wetherby & Gaffney | Mansur | 8,000.00 | 6,921.72 |
| 881 | 4303 | Franklin Lee <i>et al</i> | Cox, N. Y. | 10,200.00 | 10,200.00 |
| 790 | 4311 | B. J. Van Vleck | Page | 4,520.20 | 4,520.20 |
| 1728 | 4381 | Merchants and Miners' Transportation Company | Smith, Ill | (a) | |
| 1465 | 4415 | Mrs. Louis Fregre | Bunn | (a) | |
| 812 | 4475 | Simpson County court, Kentucky | Cox, N. Y. | 362.12 | 362.12 |
| 1601 | 4507 | Schooner W. B. Chester | Reyburn | (a) | |
| 2269 | 4695 | William M. Pleas <i>et al</i> | Mansur | (a) | |
| 1003 | 4709 | J. R. Eggleston | Bullock | 320.00 | 320.00 |
| 373 | 4807 | Henry Setzer | Bunn | 386.46 | 386.46 |
| 2015 | 4853 | Agnes and Maria De Leon | Mansur | 2,056.00 | 2,056.00 |
| 706 | 4893 | Edward S. Armstrong | Mansur | 1,673.14 | 1,673.14 |
| 1589 | 4983 | John W. Ferris | Page | 2,107.16 | 2,107.16 |
| 795 | 5024 | Andrew J. Callahan | Page | 500.00 | 500.00 |
| 764 | 5043 | P. B. Kennedy | Bunn | 674.96 | 356.12 |
| 2025 | 5213 | Joshua Bishop | Byrns | (a) | |
| 864 | 5242 | Horace Capron | Page | 332.00 | 332.00 |
| 889 | 5271 | Catherine P. Culver | Page | 840.00 | 840.00 |
| 1549 | 5380 | Jacob R. Davis | Page | 1,500.00 | 1,500.00 |
| 1194 | 5426 | James Grace | Loud | 155.00 | 155.00 |
| 1163 | 5428 | M. S. and M. W. Walker | Loud | No amount | |
| 2024 | 5504 | John Finn | Byrns | 7,066.64 | 7,066.64 |
| 793 | 5563 | Council Bluffs, Iowa | Byrns | 2,165.08 | 2,165.08 |
| 1584 | 5650 | Patric P. Burton | Bunn | 202.00 | 202.00 |
| 666 | 5732 | William F. Wilson | Page | 300.00 | Adverse. |
| 742 | 5832 | Brisco B. Bouldin | Bunn | 500.00 | 500.00 |
| 2026 | 5896 | W. S. Hamaker | Byrns | 2,558.45 | 2,558.45 |
| 1727 | 5899 | A. St. Clair <i>et al</i> | Cox, N. Y. | 1,244.00 | 1,244.00 |
| 1066 | 6060 | James Garrett Sadler | Page | 450.00 | 450.00 |
| 1723 | 6204 | Thomas S. Lutterloh | Bunn | 40,000.00 | 37,500.00 |
| 2037 | 6870 | James S. Crawford | Atkinson | 800.00 | 800.00 |
| 1729 | 7144 | Catherine E. Whitall | Smith, Ill | 1,034.50 | 1,034.50 |
| 2073 | 7351 | S. Wachner | Bunn | 317.41 | 317.41 |
| 1595 | 7392 | Charles Bachman | Cox, N. Y. | No amount | |
| 1475 | 8012 | J. E. Merriam | Bunn | 120.00 | 120.00 |
| 1583 | 8256 | Benjamin F. Gulic | Bunn | No amount | |
| 1507 | 8296 | John Waller | Cox, N. Y. | 800.00 | 800.00 |
| 1548 | 8318 | Philip C. Rowe | Page | 13,000.00 | 8,000.00 |
| 1699 | 8486 | James McCabe | Mansur | 500.00 | 500.00 |
| 2074 | 8499 | S. Kirkpatrick | Bunn | 532.00 | 532.00 |
| 2298 | 8736 | Shibley & Wood Grocer Co. | Cox, Tenn | 259.68 | 259.68 |
| 1722 | 8852 | Martin Maddox | Bunn | 972.00 | 720.00 |
| 2020 | 8962 | C. S. Waite | Byrns | 75.00 | 75.00 |
| 2019 | 8961 | James Manning | Byrns | 42.60 | 42.60 |
| 2017 | 8963 | John M. Burks | Byrns | 50.00 | 50.00 |
| 1613 | 8985 | Herman Runer <i>et al</i> | Bunn | 4,255.20 | Adverse. |
| 2295 | 8986 | Alfred G. Benson | Bullock | No amount | |
| 1797 | 9119 | Merrill Denham | Bullock | 68.00 | 68.00 |
| 1702 | 9276 | Daniel Marcy | Mansur | 325.40 | 325.40 |
| 1773 | 9290 | Edward Hurley | Bunn | 456.55 | 456.55 |
| 1690 | 9347 | Lincoln, Nebr | Cox, Tenn | 11,519.30 | 11,519.30 |
| 2296 | 9312 | Walter O. West | Cox, Tenn | (a) | |
| 2028 | 9359 | John Scott | Page | No amount | |
| 2350 | (c) | Daniel Morgan | Bunn | 30,000,000.00 | Adverse. |
| 2335 | 939 | Jabez Burchard | Smith, Ill | No amount | |
| 2347 | 2054 | William De Ford, trustee | Bunn | 4,653.75 | 4,030.50 |
| 2301 | 9562 | Clara C. Graves <i>et al</i> | Page | 2,317.77 | 2,317.77 |
| 2348 | 10053 | Robert C. Burton | Bunn | 30.00 | 30.00 |
| 2249 | 10131 | C. P. Gooch | Bunn | 65.00 | 65.00 |
| 2555 | | Richmond and Danville Railroad Company | Cox, Tenn | No amount | |
| 5166 | | To refund certain duties | McGann | 8,993.80 | Adverse. |
| 5469 | | James M. Lowry | Cox, Tenn | 217.73 | Adverse. |
| 2653 | | New England Distilling Co. | Loud | 1,650.97 | Adverse. |
| 1805 | | Mrs. E. M. Moore | Smith, Ill | No amount | |
| 1057 | | E. S. Allin | Bunn | 100,000.00 | Adverse. |
| 1536 | | Thos. G. Macke <i>et al</i> | Cox, Tenn | 22,500.00 | Adverse. |
| 3252 | | C. T. Brant | Mansur | 210.00 | Adverse. |
| 3522 | | A. J. Hudson | Cox, Tenn | 370.00 | Adverse. |
| 3843 | | Albert G. Brown | Cox, Tenn | 1,574.00 | Adverse. |
| 1061 | | Phineas Burgess | Wever | (d) | |
| 6861 | | Nasario Gonzales | Atkinson | (d) | |
| 5655 | | George Tait | Byrns | 275.59 | (d) |
| 1654 | | H. H. Watts | Cox, N. Y. | (d) | |
| 2427 | 1061 | Phineas Burgess | Wever | (d) | |
| 2429 | 2834 | Mellert Foundry | Reyburn | 2,622.00 | 1,029.00 |
| 2472 | 6246 | Jacob Kern | Mansur | (a) | |
| 2466 | 6036 | Louis L. Williams | Mansur | 395.70 | 395.70 |
| 2400 | 4990 | William A. Burt | Page | 250,000.00 | 20,000.00 |
| 2474 | 4959 | Willbert Bowen | Mansur | 87.51 | 87.51 |
| 2467 | 1533 | D. C. Haynes | Mansur | 1,691.20 | 1,349.99 |
| 2465 | 1416 | Albert Wood | Mansur | 11,580.00 | 11,580.00 |
| 2469 | 906 | Henry Ayers | Mansur | 3,282.68 | 3,282.68 |
| 2462 | 6194 | Heirs of Thomas Gilliat | Page | No amount | |
| 2478 | 6007 | Hugh V. Washington | Cox, Tenn | 1,000.00 | Adverse. |
| 2484 | 1067 | Erskine S. Allen | Page | 100,000.00 | 10,000.00 |
| 2488 | 10481 | Mrs. F. Selina Buchanan | Mansur | 855.00 | 855.00 |
| 2471 | 1204 | William C. Watts | Mansur | 5,606.20 | 5,606.20 |
| 2477 | 10395 | W. W. Rollins | Bunn | 1,569.15 | 1,569.15 |
| 2485 | 10306 | Elenora G. Goldsborough | Wever | No amount | |
| 2473 | 3663 | W. H. L. Pepperell | Mansur | 1,545.00 | 1,545.00 |
| 8135 | | United States Regulation Firearms Company | Mansur | 85,000.00 | Adverse. |
| 741 | 1803 | Albert Blaisdell | Bunn | 1,000.00 | 1,000.00 |
| 719 | 1374 | Martin A. Barnett | Mansur | 164.20 | Adverse. |
| 739 | 5084 | St. Timothy Church | Cox, Tenn | No amount | |
| 917 | 3754 | J. J. Lents | Wever | 1,289.33 | 1,000.00 |
| 918 | 6015 | Bark Arctic | Page | 50,000.00 | 23,500.00 |
| 1721 | 3252 | Charles T. Brant | Bunn | 210.00 | Adverse. |
| 1749 | 8640 | United States steamer Dispatch | Smith, Ill | No amount | |
| 5027 | 8273 | Night inspectors, New York and Boston | Page | do. | |
| 2206 | 1774 | John C. Rowe | Page | 66,907.00 | 66,907.00 |
| 2297 | 9960 | A. B. Phillips | Cox, Tenn | 585.00 | 585.00 |

Bills reported—Continued.

| Report No. | H. R. bill. | Relief of— | Reported by Mr.— | Amount of claim. | Amount allowed by report. |
|------------|---------------|--|------------------|------------------|---------------------------|
| 2250 | 8687 | A. H. Sympton | McGann | \$230.51 | \$230.51 |
| 82 | | State of Florida | Bullock | 716,667.15 | 716,667.15 |
| 2345 | 10322 | Mrs. Victor Thunot | Bunn | 1,603.00 | 1,603.00 |
| 10204 | | Samuel Robbins | Smith, Ill | 2,000.00 | 2,000.00 |
| 9171 | | Lincoln, Nebr | | 10,802.26 | 10,802.26 |
| 1185 | | John Wightman | | 7,383.75 | 7,383.75 |
| 4512 | | A. G. Walter | | 30,000.00 | 14,000.00 |
| 2491 | | C. P. Culver | | 840.00 | 840.00 |
| 4944 | | Asa Townsend | | 109.37 | 109.37 |
| 6840 | | Certain claims | | 12,000.00 | 12,000.00 |
| 8067 | | Lieut. Col. G. H. Elliott | | 40.00 | 40.00 |
| 1633 | | Ames & Deirick | Loud | No amount | |
| 1124 | 3804 | David Regan | | No amount | |
| 5655 | | George Tait | | (a) | |
| 6861 | | Nasario Gonzalez | | (a) | |
| 480 | | Richmond and Danville Railroad Company | Cox, Tenn | No amount | Adverse. |
| 3843 | | Albert G. Brown | | 1,574.00 | Adverse. |
| 3653 | | New England Dispatch Co | | 1,650.97 | Adverse. |
| 3522 | | A. J. Hudson | | 370.00 | Adverse. |
| 5469 | | James M. Leary | | 217.73 | Adverse. |
| 1805 | | Emma M. Moore | | 5,000.00 | Adverse. |
| | | | | 32,601,508.84 | 1,056,532.02 |
| | | | | 2,694,565.89 | 861,235.37 |
| | | | | 35,386,074.73 | 1,917,768.29 |
| | | | | 454,732.84 | 454,732.84 |
| | | | | 35,840,817.57 | 2,372,501.13 |
| | | | | | |
| Report No. | Sen-ate bill. | Relief of— | Reported by Mr.— | Amount of claim. | Amount allowed by report. |
| 2276 | 29 | Wetmore & Bro | Cox, Tenn | \$220.00 | \$220.00 |
| 974 | 43 | Adelicia Cheatham | Cox, Tenn | 32,074.00 | 32,074.00 |
| 97 | 69 | Betts, Nichols & Co | Bunn | 250.00 | 250.00 |
| 1640 | 130 | Wm. M. Maynadier | Page | (f) | |
| 904 | 205 | G. C. Goodloe | Bunn | 3,333.31 | 3,333.31 |
| 2272 | 232 | Otto A. Risum | Mansur | 78.00 | 78.00 |
| 1493 | 234 | National New Haven Bank | Page | (g) | |
| 1519 | 236 | Wm. Bond & Co., <i>et al</i> | Bullock | 237,725.00 | 237,725.00 |
| 1588 | 259 | Amanda G. Walter | Page | 14,000.00 | 14,000.00 |
| 1478 | 263 | John Howard Payne | Page | (h) | |
| 1551 | 352 | Geo. F. Roberts | Page | 44,515.01 | 44,515.01 |
| 1582 | 390 | Frank Rother | Bunn | 225.00 | 225.00 |
| 2044 | 460 | George K. Otis | Bullock | No amount | |
| 1599 | 466 | James M. Wilbur | Bullock | No amount | |
| 978 | 479 | Mrs. E. Trask | Cox, N. Y. | 213.00 | 213.00 |
| 1332 | 577 | W. H. Ward | Loud | (i) | |
| 1601 | 567 | James Harry Dennis | Cox, Tenn | 25,638.00 | 25,638.00 |
| 787 | 636 | Chester B. Sweet | McGann | 198.65 | 198.65 |
| 1828 | 655 | Emile M. Blum | Bullock | (i) | |
| 685 | 726 | P. B. Sinnott | Page | 2,146.39 | 1,565.14 |
| 2215 | 730 | H. W. Shipley | Page | 2,487.38 | 2,487.38 |
| 786 | 781 | John Little and Hobart Williams | Atkinson | 2,000.00 | 2,000.00 |
| 2043 | 826 | Tallapoosa | Bullock | No amount | |
| 1225 | 838 | John Ericsson | Cox, N. Y. | 13,930.00 | 13,930.00 |
| 1093 | 852 | Mary L. Moss | Byrns | 89.27 | 89.27 |
| 380 | 875 | Thomas Guineau | Byrns | 160.00 | 160.00 |
| 1734 | 975 | Royal M. Hubbard | Smith, Ill | 600.00 | 600.00 |
| 1733 | 796 | A. W. Tabor | Smith, Ill | 3,896.94 | 3,896.94 |
| 1732 | 977 | B. F. Rockefeller | Smith, Ill | 614.11 | 614.11 |
| 1731 | 978 | William M. Keightley | Smith, Ill | 1,350.00 | 1,350.00 |
| 1579 | 982 | Southern Railroad Assoc'n | Bullock | 4,636.01 | 4,636.01 |
| 1698 | 1026 | Sarah K. McLean | Atkinson | No amount | |
| 1608 | 1030 | F. F. White | Reyburn | 530.00 | 530.00 |
| 1092 | 1065 | Thomas Chambers | Byrns | 3,654.56 | 3,654.56 |
| 1581 | 1106 | John W. Lewis | Bunn | 521.97 | 521.97 |
| 379 | 1122 | James C. Booth | Byrns | 1,841.87 | 1,841.87 |
| 686 | 1216 | W. R. Wheaton, and C. H. Chamberlain | Loud | 3,800.00 | 3,800.00 |
| 779 | 1312 | John B. Read | Bunn | (j) | |
| 1130 | 1423 | M. C. Mordecai | Wever | (k) | |
| 2193 | 1455 | Frank J. Burrows | Loud | (l) | |
| 883 | 1538 | James S. Ham | Mansur | (m) | |
| 884 | 1539 | John W. Vose | Mansur | 11,000.00 | 11,000.00 |
| 1705 | 1612 | Thomas G. Hayes | Cox, N. Y. | 800.00 | 800.00 |
| 1492 | 1662 | Dwight Hall | Page | (n) | |
| 1696 | 1940 | R. B. Woodson | Kendall | 142.00 | 142.00 |
| 1497 | 2001 | Cutter Gallatin | Page | No amount | |
| 1600 | 2271 | Nancy E. Day | Bullock | 3,041.66 | 3,041.66 |
| 2271 | 2380 | Lennas A. Jackson | Mansur | 270.00 | 270.00 |
| 1730 | 2381 | Citadel Academy | Bunn | No amount | |
| 2117 | 3115 | Clements Reeves | Atkinson | 627.85 | 627.85 |
| 3027 | 3221 | Thomas Rys Smith | Page | No amount | |
| 2147 | 2476 | State of Nebraska | Byrns | 50,000.00 | 42,000.00 |
| 2334 | 1713 | George C. Foulk | Page | 2,630.14 | 2,630.14 |
| 115 | | William W. Burns | Smith, Ill | 7,987.00 | 7,987.00 |
| 2428 | 1987 | Samuel Collins | Kendall | (o) | |
| 2464 | 1578 | First National Bank, Newton | Mansur | (p) | |
| 2468 | 1357 | Elihu Root | Mansur | (q) | |
| 2470 | 114 | William Moss | Mansur | (r) | |
| 2499 | 707 | George H. Plant | Loud | (s) | |
| 2501 | 262 | Jabez Burchard | Smith, Ill | | |
| | | | | 477,257.13 | 463,055.88 |

a Court of Claims.

b Adverse, tabled.

c Petition.

d Court of Claims.

e House resolution.

f See H. R. 3583.

g See H. R. 2481.

h See H. R. 1187.

i See H. R. 1520.

j See H. R. 4016.

k See H. R. 3311.

l See H. R. 3545.

m See H. R. 3680.

n See H. R. 3714.

o See H. E. 3195.

p See H. E. 973.

q See

It will be seen from this statement that the bills unreported by us carry \$213,698,680.43. There was no proof offered to sustain these bills, but from their nature it was apparent that over \$200,000,000 could not be sustained by evidence. The committee has examined the claims submitted upon proof with great care, as will be seen from their work.

I owe it to the committee to say to the House that the whole committee have done their duty to the claimants and to the country and shown marked ability. They spared no pains to protect the Treasury of the United States against unjust claimants, while they have labored zealously to do justice to those having just claims, as the statement presented will show.

Our efforts to pass our bills have proven almost entirely without avail. While we have had poor success in passing our bills, we have left upon the record of this Congress our opinions as to the unjust demands made upon the public Treasury, for the information of those who may follow us in the discharge of the arduous, important, and unappreciated duty imposed upon us.

Pensions.

SPEECH

OF

HON. W. W. DICKERSON,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. DICKERSON said:

Mr. SPEAKER: There is no necessity for being excited about this measure and no necessity for engaging in anything like rude language to the members of this House at the close of this session when we are about to part, and ought to part feeling kindly to each other. I am not a strict economist, but I believe the House ought to spend money in such a manner that it can always justify its action and make it consistent with a manly, courageous course. The gentleman from Ohio [Mr. OUTHWAITE] has alluded to the cowardly conduct of the House, which he anticipates if it does not adopt this resolution.

Mr. Speaker, I recur to a little scene, not very long ago, within the week when I alluded rather unpleasantly to the cowardly conduct of the House of Representatives, and said (and I am sorry for it now, sir) that I had been ashamed of the House of Representatives; but it was true. On another occasion I saw this House of Representatives, when it concealed its action by voting in Committee of the Whole, hiding from its constituencies the responsibility for individual conduct in the last session just before they were to submit their record and their behavior to the approval of their constituents, voted by a large majority in the Committee of the Whole for clerks, and when called upon, like men, to indorse that action and record it so that their constituencies could read it, sir, they turned about and voted against the measure overwhelmingly upon a recorded vote.

Mr. HOLMAN. They certainly will not do it this time.

Mr. DICKERSON. Now, Mr. Speaker, just after gentlemen have been elected, when the years of their term are before them, they, at a late hour in the night, ask the expiring Congress to take the responsibility for an extravagance that must redound to the exclusive benefit of the incoming Congress. It has been said that those of us who have not been reflected are in a condition to take the responsibility of leading in an occasion like this. This was addressed in a spirit that I know gentlemen would like to withdraw. It is as much as to say: "You who are not reflected are not responsible for what will occur hereafter; you need not fear a constituency that you are to serve no longer, and you are at liberty to take the lead and to take the place of some other man who is to be here in the Fifty-third Congress, who may be too timid to do it."

Mr. HOLMAN. After the election, and not before. Laugh-ter.

Mr. DICKERSON. Now, Mr. Speaker, I appeal to gentlemen who are about to retire to rise above the atmosphere of the demagogue; and if there is a man here who will not return to the next House that would not vote for giving clerks to those who will when he believes they are entitled to them, then he is unfit to be in this House. If there is a man who will vote for it, or attempt to vote for it now, under these circumstances, and

dodge his responsibility because the election is remote, he is not as manly and as courageous as he ought to be. Let him in the next Congress, when he makes his record in response to the last election, vote for the bill, assume the responsibility, and not lay the burden upon the gentlemen who are now retiring.

The SPEAKER. The time of the gentleman has expired.

Mr. DICKERSON. Mr. Speaker, I ask unanimous consent to say this much more because of a minority report I made on this question.

This bill increases the expenditures of the Government \$300,000 during the life of each Congress; and more than that, Mr. Speaker, if we have clerks we must have offices for them, if we have any use for clerks we do not want them at our residences, we want them at offices, and we must have an equipment for more than three hundred offices. [Cries of "Oh!"] Which will be at least \$1,000,000 more. Gentlemen cry "Oh," but, sir, the example of the Senate will be followed inevitably, and like Senators, luxurious offices will be provided.

The SPEAKER. The time of the gentleman has expired.

Mr. DICKERSON. Mr. Speaker, I ask this indulgence to respond to this long-drawn sigh.

The SPEAKER. The time of the gentleman has expired, and the gentleman can not proceed without unanimous consent.

Mr. DICKERSON. I understand that.

The SPEAKER. Does the gentleman ask unanimous consent?

Mr. DICKERSON. I do not want to trespass further on the time of the House at this hour—midnight.

Pension Appropriation Bill.

SPEECH

OF

HON. TOM L. JOHNSON,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. JOHNSON of Ohio said:

Mr. CHAIRMAN: I desire to submit the following letter as a part of my remarks on the pending appropriation bill. To the gentleman from Michigan [Mr. BURROWS] who made such a hard fight against printing Henry George's book, Protection or Free Trade? in the RECORD, I address this communication, in the nature of a report from our literary bureau, and as showing the efficiency of the document to which he objected:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 15, 1893.

DEAR SIR: The most telling of the agencies that in the last election brought about a result that astounded the politicians of both parties was unquestionably the wide circulation of Henry George's Protection or Free Trade?

The republication of this work in the speeches of members of Congress having made it a part of the CONGRESSIONAL RECORD and thus opened to it the franking privilege, I had it put into a 64-page pamphlet, and printing 100,000 copies, offered to send it to the order of whoever might subscribe to its cost at the rate of 1 cent a copy. The first 100,000 were issued in May, 1892. But so rapid and continuous were the calls for what proved the most popular public document ever issued that by November 1, 1892, 1,032,000 copies had been printed, of which 1,034,000 were circulated before the election and the rest have been called for since.

These books were paid for by subscriptions ranging from a single postage stamp to as high as \$1,000 in one individual case and \$3,000 in another, the greatest number coming in sums of \$1 to \$5, with instructions as to where the copies should be sent. The largest quantities sent out by organizations were 150,000, sent by the Reform Club through the Northwest, particularly through Wisconsin, and 70,000 sent by the Democratic national committee through Indiana. By one of the private subscriptions referred to over 200,000 were circulated in Ohio, with the result that the election there astonished no one so much as it did the local Democratic managers who had all along given up the State as hopelessly protectionist.

But there was no State or Territory of the Union that did not receive at least some copies. A large number were purchased by members of Congress, Republicans as well as Democrats, in response to requests from their constituents.

Few of these books were sent out in bulk with consequent liability to waste, but were in most cases mailed to addresses furnished by subscribers or obtained from Congressional or other lists of actual voters. The effect of this wide circulation of a work conceded to be the clearest and most thorough discussion of the tariff, and cognate subjects ever yet written was not of course fully felt in the last election, but is even now awakening and stimulating thought, and will continue to do so.

But though much has been done, much more remains to do. The rapid disintegration of political parties, the breaking of old prejudices, and the growing pressure of economic issues which the last election has opened rather than settled, make this opportunity for the dissemination of sound Democratic doctrine more inviting and more important. Between now and the election of next year at least another million copies ought to be circulated in the United States, in addition to the orders from Canada, Australia, and Great Britain now beginning to arrive.

I shall continue to print, from a new set of plates, the 1-cent edition of

Protection or Free Trade? But, in response to many suggestions, I have also begun to print another edition (No. 2) from type two sizes larger. This edition, a copy of which I send you, makes a handsome and most easily read book of 112 pages. It will be mailed at the rate of 2 cents a copy.

For those who may wish it I shall also print a third edition (No. 3), of over two hundred pages duodecimo, in leaded brevier type, with stout paper cover. The cost of this will be 5 cents a copy.

Contributions to the circulation of these books may be sent to me, or preferably, to the contributor's Representative in Congress, and books to the amount will be mailed postage free to any addresses ordered in the United States, Canada, or Mexico; or, if the proper postage is included, to any other country. Where a number of books are ordered to any single address in the United States they will be separately inclosed in franked envelopes, which the receiver may mail to any other part of the country, thus taking advantage of provisions for the dissemination of knowledge which have been heretofore almost exclusively used by protectionists for the propagation of misleading fallacies and crooked figures.

I shall also be glad to receive contributions for the purpose of extending the circulation of this book over parts of the country not yet reached or fully reached, in which purpose many Congressmen who are extremely anxious to have it circulated among their constituents, but themselves lack means to pay the cost, will gladly aid. Where the edition to be circulated in this way is not specified by the contributor, I will use the 2-cent edition (No. 2), as that seems to me calculated to yield the best results.

Soliciting your cooperation in this great work, I am,

Yours, truly,

HON. J. C. BURROWS,
House of Representatives, Washington, D. C.

TOM L. JOHNSON.

Pensions.

SPEECH

OF

HON. W. W. DICKERSON,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. DICKERSON said:

Mr. CHAIRMAN: I move to strike out the last word.

Mr. Chairman, if I believed a sense of gratitude to the veteran impelled gentlemen to such zealous advocacy of these amendments which so unjustly enlarge the personal privileges and increase the bounty to be paid to him, I could sympathize with the sentiment and have some patience with the proceedings.

I sincerely wish for the good name of the House that their ardor could be attributed to that high motive. But, sir, we can not do so. The personal knowledge of every member and the action of the committee a moment ago precludes that happy explanation. In my judgment, sir, political cowardice is the solitary incentive.

It is fear of the next election that compels this servile obedience to the mercenary demands of the camp-follower who is masquerading in the honorable title of "old soldier," who has fixed a price upon patriotism and political party fealty, and that drives this headlong raid upon the Treasury and creates this strife to outdo each other in humiliating subservency for their votes.

Mr. Chairman, no other proof is required to support this assertion than the scenes upon this floor and the action of this committee a few moments ago.

A motion was made by the gentleman from Missouri [Mr. DE ARMOND] to amend the bill so as to stop the payment of pensions under the act of June 27, 1890, to all persons who have an income of \$1,000. To that I proposed an amendment striking out "one thousand" and inserting five hundred. In view of the fact that the average income of an able-bodied, industrious farm laborer is less than \$150 per year when he works every working day, I thought the pension might very justly be withheld from a man who had an income more than six times as great.

But, Mr. Chairman, these amendments touched the resident voting pensioner, and immediately gentlemen rushed into the arena, contending for the first place in their eagerness to champion the cause of the battle-scarred veterans. They declaimed in vehement and threatening language against both propositions and the proposers, and declared the old soldier would never submit to such wrong, and that he would vote against any man or any party who supported either proposition. The potency of those speeches was sufficient and both propositions were overwhelmingly defeated.

Then, sir, the proposition was made to amend the bill so as to cut off the pensions of the nonresident foreigner. These defenders of the Union had no vote, and then it was discovered that many gentlemen who voted against the former amendments,

moved with great alacrity into the column of retrenchment and reform. They were heard in some instances to say this is a safe vote, and proceeded to vote a sentiment and policy that, as a member who is an old veteran said, would have excluded La Fayette from the roll and retained the meanest "coffee-cooler."

Such actions made me ashamed of the House of Representatives.

Mr. FITCH. Will the gentleman yield for a question?

Mr. DICKERSON. Not now. Why, Mr. Chairman, have we reached that stage of political decay when patriotism, independence, and manhood have fled this Chamber, and when the desire to retain our positions consumes every exalted impulse to serve the country and deadens every sense of obligation to the humbler constituency who plead with us for justice and equality?

No country whose institutions rest upon the patriotism of its people can afford to deal partially and unjustly between them. A free-born American will not passively submit to a discrimination against him in favor of any other citizen. He will demand a decent and equal regard. He will discharge all the obligations of gratitude properly impose, and will liberally reward the old soldier for all he suffered, but he will resent this effort of the pensioner to make a prey of his entire estate.

Mr. Chairman, I am not an alarmist, nor do I find pleasure in prophesying evil. But let me call the attention of the committee and the country to the following facts. The average wages of a farm laborer is less than \$12.50 per month, and less than \$150 per year. This is too meager to supply a family with the most ordinary comforts. It maintains the most frugal boards, excludes every luxury and buys no delicacies for the sick.

Under our tariff system of taxation we enter this humble home and demand of him a contribution of \$13.48 per year for pensions alone. This condition has stealthily crept upon him; he has not realized the enormity of the burden pensions have imposed. But, sir, these enormous sums annually appropriated, the resulting suffering to the poor who are not pensioners will at last arouse him. The cry of his children for food and raiment will cause him to investigate the conditions. And when he discovers that men who have incomes of many thousands of dollars, men who hold offices where the salary of one month is more than he receives for a year, still demand that he shall bear taxation of this grinding and relentless character he will feel outraged and wronged and in a spirit of revenge will demand the repeal of the whole pension system.

Gentlemen who are now recipients of the bounty had better check these tendencies to demand more, lest they kill the goose that lays the golden egg. If their demands provoke a contest with the poor tax-ridden agriculturist; if the farmer is arrayed against them, their votes will become as potent upon the minds and conduct of representatives as the soldier now is, and the pension law will be wiped from the statute books, the victim of its own greed and rapacity.

Pensions.

SPEECH

OF

HON. CHARLES H. PAGE,

OF RHODE ISLAND,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. PAGE said:

Mr. CHAIRMAN: I feel that it is my duty to say a few words upon the question now pending in this House, and I realize that in what I say I shall be obliged to disagree with many of my Democratic colleagues on this floor; but in doing so I only express the sentiments which I have entertained ever since the war closed.

I believe we should take no step backward in the matter of pension legislation at this time, and I am surprised that any Representative from a Northern State should now advocate the repeal of pension laws, which many of them have supported and helped to pass heretofore.

I believe it is not only bad policy, but that there is no such demand made by the taxpayers and the masses of the people of the country for this reversal of our former attitude in regard to pension legislation.

If these laws were not proper when they were enacted by Con-

gress, why were they not opposed at that time by the men who now seek to repeal them?

It is much easier to prevent the passage of a law than to repeal it after it has been put upon the statute books and gone into operation.

That the Government has been generous towards its soldiers can not be disputed; and that the soldiers were patriotic and showed their fidelity to the Government in its hour of peril and time of need must also be acknowledged.

That there has been fraud in the administration of the pension laws is also true, but the fault has not been so much with the soldiers as with the Government, for the pension laws, if properly administered by the officials appointed by the Government, are amply sufficient to keep out every case of fraud and to keep the pension roll, as Mr. Cleveland says it should be, a roll of honor, and if the object is to have an honest pension roll it can be accomplished without arbitrary legislation of this character.

Mr. Chairman, there is no good reason shown in the arguments here presented why our pension laws should be repealed, and while some gentlemen who advocate their repeal claim that they are the friends of the soldiers and that the soldiers themselves demand it, they must see that it is legislation which will deprive a large class of pensioners of their rights; who are equally honest with others who will remain upon the list; for instance, hundreds and thousands of men who came home from the war, although disabled by the hardships they had endured and from which they are perhaps suffering continually, were still able to earn a living and would not and did not apply to the Government for a pension, but as they grew older and their disabilities increased they make application for pensions and find that they are unable to prove the origin of their wound or disease from the fact that after a quarter of a century has passed the comrades who could give this testimony are either dead or gone where they can not be found.

Why should these soldiers be deprived of a pension simply because they were honest and did not take money from the Government at a time when they could have proved their claim?

Again, why should a woman who married a soldier five years and one day after the war closed, or at a subsequent period, be deprived of a pension after the death of her husband any more than one who was married one day before five years after the war closed?

There is certainly no good reason for any such legislation; these women were just as honest, just as sincere, and married from just as pure motives as those who were married sooner, and probably the cases are very rare, if there are any, where a woman has married a soldier because he was a soldier, or because they ever thought of getting a pension by the marriage. A very large proportion of the men who enlisted in the army were young men, in many cases mere boys; their calling in life had not been established, many of them were not out of school, but were educated after coming home from the war.

These men were not prepared to marry when the war closed. They had to get their education, select a calling in life, and get established in business after they returned home, and this might take five, ten, fifteen, or even twenty years, and they were still, comparatively speaking, young men. If they married during that time it is great injustice to say that their widows and minor children should be cut off from the benefit of a pension.

Again, why should a man who gets an income of \$600 per year be stricken from the pension roll? This would deprive machinists, railroad employes, and even many laborers and farmers of the pensions to which they are entitled.

Many of these men who are suffering continual misery for which money can not repay them on account of disability incurred in the war, are still able to earn \$600 a year on account of their frugal and industrious habits, while others who are not industrious and do not earn \$600 a year could have the benefit of a pension from the Government. It is an inducement for men to earn less than \$600 per year and also a kind of legislation which deprives those who mean to be honest of the benefits which others less honest, perhaps, can receive.

Besides, no such arbitrary law should be passed, but all these matters left in the discretion of the pension officials under the existing laws and the cases decided upon their merits when they arise.

Six hundred dollars would be a much greater benefit to one man than \$1,600 would be to another, depending upon his situation in life, family, etc.

And, further, the Bureau of Pensions should not be transferred to the War Department.

There can be no good reason for such a change.

The adjudication of pension claims is purely a civil business and requires none of the straight-laced proceedings of the regular Army administration, by men who from their education, training, and associations are unfamiliar with civil affairs of business.

It would be much more appropriate to place the administration of the Pension Bureau under the Department of Justice if it was to be changed at all; but no change is necessary.

It would only hinder and delay the adjudication of claims.

No one doubts that there exists more or less fraud in and through the Pension Bureau, but that is the case in all branches of Government, as well as all other institutions and private business enterprises; and in this case it is not the fault of the soldiers, but of the Government officials, for the existing laws are ample, if properly administered, to detect and prevent all fraud, with the power of the Pension Bureau, its great corps of special examiners, detectives, and other officials.

With all these facilities to detect fraud and curtail expenses of the Government, it seems strange to hear men get up and shout about bounty jumpers, coffee boilers, deserters, and loafers getting on the pension roll.

The history of this country since the war has shown that the soldiers as a class do not belong to this list, but that they are and have been doing their full share as good, intelligent citizens, to build up the institutions of this great country and to develop its resources, which have increased much faster since the war than the indebtedness has increased on account of the pension roll.

The soldiers as a class have shown themselves to be capable, industrious, and upright in all the walks of life, and have had and enjoyed the confidence of the American people.

They came forward promptly and with good and patriotic principles, ready to sacrifice their all to save the nation.

They were not then looking for pensions when they left the shops, the stores, the farms, the schools, and other vocations, leaving their poor old mothers, their fathers, their little children, their wives, and other kindred and loved ones, in many instances the soldier being their only protection and support, taking their lives in their hands and leaving all their loved ones behind watching for their return, weeping and sorrowing for their sufferings and privations, in many instances that being their last parting on earth.

They went forth to perform what they believed to be their duty to their country and to their families. They suffered hardships which many men who to-day are in favor of repealing pension laws would not undergo for the highest pension ever paid by this generous Government. While the amount paid for pensions in this country is large the risk which the soldiers took from 1861 to 1865 for their country was also large. The soldiers do not ask for this legislation, the taxpayers do not demand it; the people are proud of their soldiers and appreciate the sacrifices made by them.

The liberal pension laws are the greatest means of educating our people in patriotism and love of government. It stimulates and makes them ever ready to defend the flag of our country if it is assailed by enemies.

It shows to the world that we do not have to maintain a large standing army at an enormous expense, but that our people are good citizens and brave soldiers at the same time.

It was a warning to the nations of the earth of our great power when, within a few weeks after the war cry sounded, hundreds of thousands of our citizens from every town and hamlet in the country, regardless of their political faith, had responded and were well-drilled soldiers in the camps and upon the battlefields; and within a few weeks after peace was declared those who survived were again at home peaceful and reputable citizens, engaged in their different vocations all over the country, helping and contributing by their industry and enterprise to bear the burden of the Government in times of peace as they had in time of war, cheerfully assisting to pay to the soldiers whatever pensions the Government might allow.

We can throw the mantle of charity over the opinions of those who fought upon the other side in this great conflict, when it comes to the enactment of laws for the payment of pensions to Union soldiers. They suffered during the terrible strife. They believed their cause was a just one, and many of them have shown a liberal spirit towards the Union soldiers since the war closed, for which they deserve great credit and the gratitude of our people.

Under all these circumstances, while I am in favor of economy in the administration of the Government, I do not believe we should commence to practice it upon the soldier of the Union Army who took \$13 per month in money which was worth only 40 cents on the dollar, while the bondholders and capitalists took their pay in gold, worth 100 cents on the dollar.

In my humble opinion, if the Government is obliged to break faith with any class of people they should commence with those who received the benefits and can afford to bear the losses.

The money paid to the soldiers for pensions is so distributed throughout our country that it benefits our farmers, merchants, and laboring classes alike.

The highest sum that can be paid a soldier under the act of 1890 is \$12 per month, and from that down to \$2 per month.

This amount would not deplete the Treasury very rapidly if all claims were allowed, and the pension roll must soon begin to grow less on account of the death of the veterans, and this is not the time to cut them off, when we might economize by cutting off in other directions millions of dollars of extravagant and almost needless appropriations from which the masses of the people realize little or no benefit.

I know not, Mr. Chairman, what the motives are for repealing the pension laws. It may be that the monopolists and bondholders expecting a reduction of the tariff and knowing that some other means must be provided to meet the expenses of the Government, perhaps an income tax, are anxious to cut off the paltry sum of from \$2 to \$12 per month paid to the old soldiers instead of taking it from their own rich coffers; if so, I stand ready to help defeat any such scheme and to place the burden where it belongs, upon those who are able to pay it, rather than to take it out of the pockets and from the families of those who deserve it. All the people of this great Government are interested in this question to-day as they were in 1861.

The Government declared to its volunteers of the late war, "If you enter the Army and become disabled in the service, you shall be provided for by a pension, and in the event of your death in such service your widow and minor children shall be pensioned, and should you leave neither widow nor minor children, then your dependent mother shall receive a pension."

The person who comes within the benefits of such enactments can demand his or her pension as a right and needs not to supplicate it as a favor.

Mr. Chairman, this was not an issue in the last campaign, when the Democratic party, the party of the people, gained such a glorious victory.

Had it been an issue the result might have been very different.

On the contrary, the Democratic party, by their platform at Chicago, declared strongly their friendship to the soldiers in the matter of pensions, and the Democratic orators all over the country during the campaign proclaimed loudly their friendship to the soldier in the matter of pensions. I am ready, Mr. Chairman, to keep that pledge sacred by casting my vote against these amendments and against the repeal of pension laws, as long as we have the richest and most prosperous government on earth.

Pensions.

SPEECH

OF

HON. JERRY SIMPSON,

OF KANSAS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. SIMPSON said:

Mr. CHAIRMAN: Coming as I do from a State that has more old soldiers within her borders than any other State in the Union, and from a district that has 20,000 old soldiers within its borders, I had hoped to have more time to discuss this question, as it is one of vital interest, not only to the people of the whole Union, but particularly of interest to the people of my district.

I am opposed to these amendments. I am particularly opposed to the amendment turning over the Pension Bureau to the War Department; and I am surprised that a Democratic committee should recommend a measure of this kind. The Democratic party has stood as a staunch opponent of all forms of centralization. This is a centralization beyond which I do not believe the Republican party would like to go. It is centralizing this Government into the most dangerous Department of any Department in the Government—the War Department. It is to create and make a necessity for the continuance of the Army.

Now, gentlemen will readily understand, particularly gentlemen from the South, in this country this pension question to-day has grown out of the fact that we have been believing in this country for years in a spirit of warfare. Every man as old as I am will well remember that the North, in the discussion of this slavery question, exhausted every argument. They proposed to fight the battle out on the lines of argument and reason. When the South discovered that they were beaten in the arena of debate, they resorted to the argument of force to set

up a government, a government in which should be perpetuated a system of slavery, a system that proposed to take from 4,000,000 people the product of their labor. How they failed is a matter of history.

Our Southern friends must remember that this pension system that they complain of is the outgrowth of their appeal to the arbitration of the sword, they must remember that the generous North offered everything within the range of honor in order to avert bloodshed; for thirty years they exhausted conciliation and compromise, they tried every expedient, they relinquished every right, the North offered to meet in convention her sister States to arrange terms of peaceable separation even, but all these generous terms were refused by the South, nothing would do but an appeal to the God of War, and to-day we are reaping the results, which are a crop of evils that are greater than the evils we attempted to cure, and they are the legitimate fruit that always grows out of such a parent plant and follows, as a natural consequence, the transgression of the laws of right and justice.

We admit that it is a hard lesson, but let us learn to bear it manfully and in the future profit by the experience of the past, and, if possible, avoid a repetition of these grievous errors and thereby prevent a recurrence of these evils in the future.

Mr. Chairman, if these evils of the pension system were the only ones it would not be so hard, but that is only one of the many. Look at the vicious legislation that came in with the war period. The excuse for levying tribute upon trade was one of the expedients of the war. Through that people have been robbed for twenty-seven years, untold millions have been flowing from the hands of productive labor into the pockets of trusts and combines, the legitimate offspring of our tariff legislation that was hoisted upon us as an excuse for meeting the large expenditures growing out of the civil war.

Then another twin evil, our bonded indebtedness that has come to be a national curse, has cost, according to the statement of the gentleman from Pennsylvania [Mr. BINGHAM], a Republican in good standing, nearly \$2,500,000,000 in interest alone, to say nothing about the principal, and yet that debt hangs over us and bids fair to drag the nation down to national bankruptcy.

These two evils alone have probably had the effect to draw from productive labor more wealth in the twenty-seven years since the close of the war than slavery had done for a hundred years, and has had the effect of impoverishing not less than 60 percent of the surviving veterans of the war, who fought to defend the nation against the destroyers; has had the effect, Mr. Chairman, to leave them in a condition to require national aid through our pension system as a preventive to keep them out of the poorhouse.

Now, to my mind, the way to cure this evil is to strike at the root of the disease. First teach our children by precept and example that war is unnecessary, that it is a very cowardly way to settle a dispute; stop worshipping military heroes, stop building military forts and arsenals; stop building ironclads, navies and all these things that make war possible; for these things are part of the war system and may all be resolved into preparations for war, and when you have made preparations for anything you generally get it sooner or later, and yet men who are crying out against the burdens of pensions, have in this Congress voted large sums of money to create all the instruments and agencies, all the adjuncts and accessories, all its furniture and equipage, all its forts, navies, armies, military displays—all going to build up its war system—that keeps alive in the minds of men this barbarous plan of settling a dispute.

And these same gentlemen that complain of this heavy burden of taxation, brought all about by this pension system, come forward with the plan to transfer this civil pursuit of adjusting the pensions, comprising thousands of employes and the expenditure of millions of money, to the War Department, which, to my mind, would have the effect to strengthen and fasten this terrible evil upon the Government and make it a still greater menace to civil liberty.

Nor can the people of the North escape a part of the responsibility; for thirty years we refused to hear the appeal of those that cried for justice for the blacks.

The warning cry of Garrison and Phillips of the dangers that threatened us were met with rotten eggs and mob violence, and the brand of political and social ostracism was put upon every one who dared to defend the slaves; and to be an Abolitionist in those days had the effect to brand him as an enemy to society; it had the same effect as it has to-day to brand one with the name "Anarchist."

And so out of this unreason and refusal of the people to do justice has come this burden of taxes, and the sins of the fathers will have to be borne by the children.

Then, another abuse has grown out of this attempt of a generous people to reward the men that fought to maintain this Government. All will agree, certainly every honest man and every

one who loves his country will also agree, that those who risked their lives to defend and battle for the grandest principles that ever were fought for on a battlefield—that these men should be rewarded by the Government they defended, no one, I trust, will dispute. But even Republicans will admit that their party has, in their efforts to maintain supremacy while in power, granted pensions to some parties that were not entitled to them. It is a well-known fact that the Democrats also, in their desire to remove the charge of disloyalty, have tried to outbid the Republicans for the support of the soldiers. It is also true that all parties, anxious to draw to their ranks the soldier vote, have made very liberal promises, which, if put into effect, would bankrupt the nation.

But now that we see the result, let us not attempt to cure this evil by any half-way measures, not certainly by tacking this legislation onto appropriation bills, where there is not time nor opportunity to debate or reason upon the question, but rather let us have it come up in a bill by itself, in the way of general legislation upon this subject, in the next session of Congress, when there will be ample time and opportunity for all the facts to be set before Congress; go about it in a manly way, and not by covert and indirect ways to try and lop off a few limbs here and there, trimming the top of the branches merely, when the tree ought to be dug up by the roots.

Let us go at it in a way that after careful investigation we may strike at the very root of the evil, and put the burden of taxation to pay pensions upon those that have grown rich out of these abuses—the vicious legislation they were enabled to fasten upon the people when their minds were diverted to the putting down of the rebellion.

It will not be out of place probably for me to suggest what I consider one of the remedies for this evil.

The fact that so many people in this country, so many old soldiers, are applying for pensions is evidence to me that they need them because of their poverty.

The question arises, why should so large a class of worthy citizens in this great country of ours, with all its boundless resources, with its improved machinery, with its facilities for producing wealth—why should so large and honorable a class be seeking to become pensioners upon the people? Down underneath our system of society there must be a grievous wrong, there must be an evil that is producing this result. And it is the part of statesmen to inquire into and hunt up these evils and apply the remedy at once, if possible.

To my mind the primary cause of poverty is, that people are denied their natural rights and denied access to their natural inheritance, the earth. You give men and women the chance to produce for themselves the things they need by opening to them the opportunities to earn their own living and they will scorn to ask their fellowmen to maintain them. Open up to them the opportunities to earn their own living, that is, such of them as are not maimed or crippled and incapacitated for work; let him employ his own labor to that inexhaustible storehouse of wealth that the great Creator has provided for all mankind.

To secure this reform we must secure it by such legislation as will prevent the monopoly of a few of the rights of the many, and so open up the avenues to labor. If you will do this to prevent the monopoly of land, and the 2,000,000 of people now standing idle every day in this country could but get the opportunity to produce the wealth that we all need and desire, and but awaits the touch of the laborer's brawny hand, guided by his skillful brain, when he would fill this little world of ours with wealth enough that the hundred and sixty million that goes to the pensioners would become insignificant in comparison to what then would be the income of the Government.

To bring this about we should first tax back to the community all the values that come to land by the increase and wants of the population and their needs for land, thereby putting into the public purse the value that they create and instead of, as it is now, going into the landlord's and speculator's pockets. By this you would set free for the use of man his natural inheritance, containing all forms of wealth.

The next step will be to remove all restrictions on trade by allowing to him the privilege of trading wherever his desire for gain taught him that there was a good market.

Next, we should take charge of the public highways, over which must pass so much of what we must exchange and thereby leave in the hands of the producer a large part of the wealth that is now taken, and taken wrongfully, from him and goes into the pockets of those who control this monopoly, and is paid out on interest on inflated values and watered stock.

Again, take from the national banks the right to control the currency, and restore it to the Government, where it belongs, so that the means to carry on trade may be obtainable without paying tribute to the money-changers.

Every gentleman must conceive that crimination and recrimination, waving the bloody shirt, or saying, "You did it," or "It

was your fault," will not cure this evil. All must acknowledge that this pension system is firmly fixed upon us. The right thing, the correct thing to do is to so adjust the system that in our taxing system this burden may fall equally upon all and not upon a few, as it does at present.

Your system of taxation at present is one in which it shifts all the burdens onto the wealth-producers.

These idle drones in society have got advantage of the people by having granted to them by special privileges these monopolies through which they draw from the people so large a part of their wealth by indirect taxation.

Let us see to it, then, that the rich men of this country, the ones that are generally to blame about bringing on wars—let us see to it that they at least bear their share of the burden. It may be after this they will be a little more careful about rushing a nation into war.

To-day there is a large and growing party in this country that is ready to plunge this nation into a war. The outgoing Administration has sought every chance and pretext for getting ourselves involved with foreign nations during their Administration, and that a foreign war has been averted is largely owing to the fact that foreign nations saw that the party in power would soon be cast from place and power and that in all probability the incoming Administration would be averse to this policy.

To my mind, Mr. Chairman, this pension trouble has grown out of an appeal to brute force in settling our disputes. To my mind, Mr. Chairman, this nation should set the example to all the world that liberty and justice can best be secured without resorting to bloodshed and violence; that in our nation's armory the best weapon of defense is the ballot. We should see to it, then, that the ballot is cast by intelligent people, and not by a lot of beggars depending on a moneyed aristocracy for their daily bread.

I have a firm belief, however, in our institutions in carrying this through and over every difficulty. I believe in the end we will come out right. Happily, I think we have passed the age of money-grabbing and wealth-accumulating; that the present race of statesmen, who see value in nothing except there is money in it, will give way to a race of statesmen who have a higher ideal of statesmanship, and have an idea that the aims of a statesman should be to secure human happiness; and I can not better close this speech than by quoting the words of Wendell Phillips in his lecture on Lincoln's election:

Oh, no! Not such the picture my glad heart sees when I look forward. Once plant deep in the nation's heart the love of right, let there grow out of it the firm purpose of duty, and then from the higher plane of Christian manhood, we can put aside on the right hand and the left these narrow, childish, and mercenary considerations. But for us, the children of a purer civilization, the pioneers of a Christian future, it is for us to found a capitol whose corner stone is justice, and whose top stone is liberty; within the sacred precincts of whose holy of holies dwelleth One who is no respecter of persons, but hath made of one blood all nations of the earth to serve Him. Crowding to the shelter of its stately arches I see old and young, learned and ignorant, rich and poor, native and foreign, Pagan, Christian, and Jew, black and white, in one glad, harmonious, triumphant procession!

"Blest and thrice blest the Roman
Who sees Rome's brightest day;
Who sees that long victorious pomp
Wind down the Sacred Way,
And through the bellowing Forum,
And round the suppliant's Grove,
Up to the everlasting gates
Of Capitoline Jove!"

Pension Appropriation Bill.

SPEECH

OF

HON. TOM L. JOHNSON,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893,

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. JOHNSON of Ohio said:

Mr. CHAIRMAN: I desire to submit the following as an addition to the remarks made by me on the pending appropriation bill.

The relief that would come to the farmers by a system of direct taxation, showing the enormous source of taxable values in timber stumpage, mineral, and other forms of royalties, including urban rents:

ROYALTIES.

In his annual report for 1892, Henry A. Robinson, commissioner of the Michigan State labor bureau, asks this question:

If the tariff tax laws are amended by the incoming Congress to such an ex-

tent that the legitimate expenses of government will not be covered by the receipts from this source, from what other source can the deficit be made good with the least burden upon capital, labor, and enterprise? And, above all, what position are the wealth-producers of Michigan in to meet any call in this direction from the National Government upon their resources?

This question leads Commissioner Robinson to a consideration of the subject of royalties, which he divides into two classes—one, the charges paid by operators to mine-owners for the privilege of working mines; the other, commonly called "stumpage," the sum paid by mill men, or their agents, to owners of timber land for the privilege of cutting the forests and converting timber into the lumber of commerce. He points out that the term "royalty" arose from the old-time usage of paying dues to royalty, meaning the crown or the state, which in turn performed certain public duties.

But under present conditions ownership in such privileges entails neither payment of such dues on the one hand, nor the performance of such public functions on the other. The owners of those lands yielding iron, coal, gypsum, lead, phosphate, copper, nickel, gold, silver, sulphur, soapstone, talc, grindstone, asbestos, potters' clay, asphaltum, lime, cement, salt, petroleum, glass sand, and many other useful minerals, are exempt from the obligations of ancient royalty. They are sovereigns with all the income but none of the expenses that were attached to the original grant.

And as with the mineral dues so with the timber dues, yet both of these classes of dues or royalties, formerly taken by society for common uses, are now enjoyed by individuals without returning to society any sufficient equivalent therefor.

Here is a source of revenue worthy the attention of the legislative bodies of the nation and of the State. What will be the effect of a tax on royalties? Can it be made to yield a legitimate revenue for the necessary expenses of government and that without burdening either capital or labor? Should not all royalties be paid to the State instead of to the individual? What is the extent of the royalties now annually paid by consumers to the owners of forests and of coal and iron mines, leaving out of consideration all other mineral royalties?

Commissioner Robinson finds the basis for his estimates in the figures of the United States Census Bureau for 1890. The units used in the computation are for timber, 1,000 feet board measure; for coal, 2,000 pounds, called a "short ton;" and for iron, 2,240 pounds or a "long ton."

AGGREGATE ROYALTIES AND STUMPAGE.

The aggregate royalties and stumpage paid to the owners of iron and coal mines and of timber lands in 1889 in the United States, as shown by the supplemental reports of the United States Census Bureau, were:

| | |
|--|---------------|
| Timber stumpage..... | \$421,245,680 |
| Coal royalties..... | 21,336,931 |
| Iron-ore royalties..... | 8,614,985 |
| Total royalties on iron, timber, and coal..... | 451,197,596 |

The table of land values, upon which the above is computed, is:

| | |
|--------------------|-----------------|
| Timber land..... | \$6,318,685,500 |
| Coal land..... | 236,685,016 |
| Iron-ore land..... | 78,474,481 |

Total value of land used in timber, coal, and iron industries. 6,623,845,127

The stumpage value of the timber is obtained by deducting from the value of the timber product of the country, that is to say the trees before entering the mill, which was \$907,620,000 in 1889, the total cost of production. This cost is made up of wages of choppers in the woods, of teamsters, of cost of transportation to their market, of clerks, of keep of animals, of interest on active capital, and all such miscellaneous expenses as are necessary to the conducting of the business. The total value of the timber product of the United States in 1889 was \$907,620,000. The total labor cost, including interest on active capital was \$424,766,160.

This shows that the stumpage paid by the consumers of timber to the owners of timber land in that year was \$421,245,680, which is 46.4 per cent of its market value. And there is still a profit remaining to capital of \$61,608,160. The timber-land value of the country is the sum of \$421,245,680 multiplied by 15, which is as many years as the present owners of timber land are willing to figure profits. No doubt, however, the forest growth remaining at the expiration of fifteen years will have as great a commercial value as at present.

The land value of the coal mines is given by the Census Bureau; so also is the iron-ore land value; and this Bureau quotes the figures as given by the United States Census Bureau. The cost of the timber product in the three States canvassed—Michigan, Wisconsin, and Minnesota—averages \$6.52 per 1,000 feet, board measure, ready for market. These are the figures used in the aggregate timber-product computation.

Those who closely examine the supplementary sheets of the United States census reports will see that the totals and the figures from which the totals are obtained do not always agree. Discrepancies have crept in, although nowhere, as far as has been discovered, are these mistakes of any vital importance. This Bureau has accepted the totals as given by the United States census reports as practically correct, and in so far as it lies in its power it has made the items of expense and the profit on capital agree with these totals. But it has been found impossible to come to an exact agreement in every particular case.

The total value of the product of the timber lands and the coal and iron mines of the United States for the census year was:

| | |
|-------------|---------------|
| Timber..... | \$907,620,000 |
| Coal..... | 160,223,323 |
| Iron..... | 33,351,978 |
| Total..... | 1,101,195,301 |

This product was distributed to labor, capital, and royalties as follows:

| | |
|--|---------------|
| <i>Timber.</i> | |
| To labor for wages and all other expenses of production..... | \$424,766,160 |
| To capital as profit..... | 61,608,160 |
| To landowners as royalty..... | 421,245,680 |
| Total..... | 907,620,000 |

| | |
|-------------------------------|---------------|
| <i>Coal.</i> | |
| To labor for wages..... | \$109,130,923 |
| To all other expenses..... | 18,828,590 |
| To capital as profit..... | 10,929,864 |
| To landowners as royalty..... | 21,336,931 |
| Total..... | 160,223,323 |

| | |
|--|--------------|
| <i>Iron.</i> | |
| To labor for wages and all other expenses..... | \$21,341,519 |
| To capital as profit..... | 3,434,968 |
| To landowners as royalty..... | 8,614,985 |
| Total..... | 33,391,472 |

| | |
|---|--------|
| <i>Per cent of royalties, profits, and labor cost to total product.</i> | |
| Stumpage..... | 46 |
| Royalty on coal values..... | 13 |
| Royalty on iron values..... | 25 |
| Average royalty on 1,000 feet lumber, board measure..... | \$3.02 |
| Average royalty on 1 ton of coal..... | .15 |
| Average royalty on 1 ton of iron..... | .59 |
| Average cost of 1,000 feet of lumber, board measure..... | 3.50 |
| Average cost of 1 ton of coal..... | .90 |
| Average cost of 1 ton of iron..... | 1.47 |

TIMBER.

Michigan, Wisconsin, and Minnesota have for the past ten years produced an annual aggregate production of 10,670,000,000 feet, board measure, of pine lumber. The average stumpage value was \$4.49 per 1,000 feet, an aggregate annual stumpage of \$47,908,300. These figures represent the value of the timber in the tree—the stumpage value. The pine-timber product of these three States is stated by the Census Bureau to equal one-third of the whole pine product of the United States; consequently the total stumpage value of the white-pine lumber of the nation was \$143,724,000 in the year 1890.

The labor cost of the timber of Michigan, Wisconsin, and Minnesota is computed from the reports of the 3,140 establishments which reported, producing 7,138,749,000 feet, board measure, of raw material. In these reports is stated the cost of felling the timber and delivering it at the nearest shipping points. This covers all the necessary expenses in carrying on the industry. The averages of these figures are the basis on which is computed the total cost of producing the timber of the country.

Prof. Sargent, in the employ of the United States Census Bureau, in estimating the timber product of the United States for 1880, gave its value at \$700,000,000. Adding the increase as given by the Census Bureau for the intervening years makes a total value of \$907,620,000.

The average cost per 1,000 feet to the market, in the establishments reporting for Michigan, Wisconsin, and Minnesota for 1890 was \$6.69. The total expense was \$3.12 per 1,000 feet. The difference is represented by stumpage and profits, \$3.11 for stumpage and 45 cents for profit.

A summing up of results as to the value of sawmill and lumber mill products is presented in the following table:

| | |
|--|---------------|
| Total cost raw material for all establishments reporting for Michigan, Wisconsin, and Minnesota..... | \$44,506,167 |
| Stumpage cost..... | 22,303,511 |
| Other cost..... | 22,302,656 |
| Labor cost per 1,000 feet..... | 2.93 |
| Other cost per 1,000 feet..... | .194 |
| Total cost per 1,000 feet, except stumpage..... | 3.124 |
| Stumpage per 1,000 feet..... | 3.11 |
| Total cost per 1,000 feet..... | 6.234 |
| Selling price per 1,000 feet..... | \$6.69 |
| Profit per 1,000 feet..... | .45 |
| Total number feet produced..... | 7,138,749,000 |

| | |
|--|---------------|
| Stumpage in \$1 of product..... | \$0.464 |
| Return to capital in \$1 of product..... | .068 |
| Cost in \$1 of product..... | .468 |
| Total product..... | \$907,620,000 |
| Total cost of production..... | \$424,766,160 |
| Total stumpage..... | 412,245,680 |
| Total return to capital..... | 61,608,160 |
| | 907,620,000 |

COAL.

The total area of coal lands known in the United States was, in 1889, 218,780 square miles. The product reported in the census year reached a total of 141,229,513 short tons. The value at the mines ready for shipment was \$160,223,323, and no part of this value was due to transportation. The three factors between which the value was divided was land, labor, and capital.

The grand total charged as expenses of mining and developing of mines, cost of coal cars, etc., much dead work, and interest on capital invested was \$148,536,280. The grand total of capital invested was \$342,757,929, which included the land value of mines under development and the buildings, fixtures, machinery, animals, supplies, and implements. The following table shows the total profits of coal mining, the total royalties, the total cost of mining, the total labor cost for the United States, with the several units of cost and profits.

The land value of the investment was \$226,685,046. The charge \$146,536,280 as total expenses in the United States Census Bureau report is an erroneous one, for \$15,421,591 of the amount was paid as interest, which is profit, no matter to whom it was paid. The real expense was \$127,959,528. The selling price at the mines per ton was \$1.13, the average selling price for bituminous coal being 99 cents, and the average selling price of anthracite coal \$1.44.

The grand total of wages paid was \$109,130,128, and the average wages for a year's work, including the highest salaried officer and the lowest paid slate-picking boy, was \$364.30 per person employed. There is no increase in wages in the industry up to the close of 1892, but the selling price of coal at the mines has very materially increased, though there is no general increase in the selling price of soft or bituminous coal. What occasioned this increase in the price of anthracite coal is under advisement by a Congressional committee, and the result has not been announced at this writing.

| | |
|--|---------------|
| The grand total of all employees in the coal industry was..... | 299,559 |
| Number of foremen..... | 5,144 |
| Number of mechanics..... | 8,603 |
| Number of miners..... | 158,070 |
| Number of laborers..... | 97,184 |
| Number of boys under 16 years of age..... | 27,632 |
| Number of all other employees..... | 2,946 |
| The grand total of all wages paid was..... | \$109,130,128 |
| Total of all wages about the mines..... | 105,937,058 |
| Total area used in square miles..... | 2,721 |
| Total capital invested..... | \$342,757,929 |
| Total expense of mining..... | 127,959,528 |
| Total of all supplies and materials of all kinds used..... | 18,828,560 |

The \$342,757,929 capital was divided as follows:

| | |
|--|---------------|
| Land used, 1,754,501 acres, value..... | \$226,685,046 |
| Buildings and fixtures..... | 64,065,329 |
| Implements, tools, and supplies..... | 35,086,081 |
| Working cash capital..... | 16,926,473 |

IRON ORE.

The total product of iron ore in the United States for the census year 1890 was 14,518,041 long tons, valued at the mines at \$33,351,978, an average of \$2.30 per ton.* Of the twenty-six States and two Territories producing iron ore in 1890, the four leading ones are Michigan, 5,856,169 tons; Alabama, 1,570,319 tons; Pennsylvania, 1,560,234 tons, and New York, 1,247,537 tons; aggregating 10,234,259 tons, or 70.49 per cent of the total product.

The number of employees engaged in mining iron ore was 37,707, who were paid in wages \$13,880,108. The capital invested was \$110,766,199, distributed as follows: Land, \$78,574,881; buildings, fixtures, etc., \$7,673,520; tools, implements, etc., \$8,045,545; cash and stock on hand, \$15,572,253. Land value is 71.5 per cent of the investment. The average wages paid employees was \$368 per year.

TOTAL VALUE OF IRON MINES IN 1890.

| | |
|---|---------------|
| Total investment..... | \$110,766,199 |
| Land..... | \$78,574,881 |
| Buildings and fixtures..... | 7,673,520 |
| Tools, implements, live stock, machinery, etc..... | 8,945,545 |
| Cash and stock on hand..... | \$15,572,253 |
| Number tons iron ore mined..... | 14,518,041 |
| Total value at mines, \$2.30 per ton..... | \$33,351,978 |
| Total expense of mining ore, long ton, \$1.71..... | 24,825,860 |
| Labor cost of mining ore, long ton, \$1..... | 15,389,123 |
| Grand total of all wages paid, including contract work..... | 14,469,151 |
| Grand total of all expenditures not wages..... | 10,372,507 |

*\$3,500,000 of the \$10,372,507 was for developing new mines and for royalties which, deducted from the total expense, shows what amount really is royalty. This bureau accepts the statement of the Census Bureau that many mines

*These figures are incorrect, for if 14,518,041 tons are multiplied by \$2.30 the product is \$33,391,494.30. It is impossible to locate the error in the United States Census report. All that can be done is to publish the figures as supplied.

are worked by lessees upon a royalty per ton, particularly in Michigan, and that such royalty is charged against production as a part of the expense, for this is in harmony with information sent direct to this bureau. Indeed there is reliable information of at least \$1,000,000 being paid for royalty per ton to owners of Michigan mines. The charge for new work, opening new mines is really surplus capital—profits—devoted to new uses. Therefore, it has no right in the column of expenses of producing iron ore, and is in all the following computation eliminated. With these changes the total cost of mining one ton of iron ore averages \$1.47 instead of \$1.71 as given by the Census Bureau. The profit per ton, then was 83 cents, and the royalty part of this profit was 59.34 cents, leaving capital profit \$23.66 cents per ton.

RECAPITULATION.

From the foregoing it appears that taxation on timber stumpage and coal and iron royalties could raise—

| | |
|-------------------------|---------------|
| Timber stumpage..... | \$421,245,680 |
| Coal royalties..... | 21,336,931 |
| Iron-ore royalties..... | 8,614,085 |
| Total..... | 451,197,596 |

It has been computed that the total amount now annually taken from merchants, manufacturers, and farm and industrial labor of the United States for the support of government—national, State, and local—is over \$1,000,000,000. This is an average of sixteen to twenty dollars for each individual, or from eighty to a hundred dollars a family. Taxing timber stumpage and royalties on iron and coal for national, State, and local purposes, then, would pay forty to forty-five per cent of this vast sum.

But there are other royalties besides these, and Commissioner Robinson observes that when it is remembered "that the royalties on gold, silver, copper, and lead mines must alone run into the millions of dollars, and that the royalties on other forms of natural wealth must amount to still other millions, it is not at all improbable that in the one item of royalties—wealth created by the community—intelligent and honest legislators should find a source from which every legitimate expense of government could be drawn." In short, a tax on royalties might be made to yield sufficient revenue to enable legislators to repeal every other form of taxation.

In this broad definition of royalties would come the land values of cities, towns, and villages, which a conservative estimate puts at \$2,000,000,000 annual rental, one-half of which would alone "yield sufficient revenue" to enable the abolition of "every other form of taxation," and this without calling on the farmers or laborers to pay one cent, either directly or indirectly. It is these valuable privileges—monopolies of mineral wealth and city land—that should bear the burden of taxation, instead of being laid, as now, mainly on the wealth-producing classes, farmers and city laborers.

MICHIGAN'S RELIEF.

As Michigan's quota is one-thirtieth of the \$1,000,000,000 of aggregate taxes in the United States, her taxpayers would be relieved to the amount of not less than \$15,000,000 by the taxation of merely stumpage and iron and coal royalties.

Stumpage and royalties in Michigan in the last census year.

| | |
|-------------|--------------|
| Lumber..... | \$17,979,304 |
| Iron..... | 3,630,787 |
| Coal..... | 753 |
| Total..... | 21,610,844 |

RELIEF OF OHIO FARMERS.

The farmers of Ohio pay over \$15,000,000 towards the support of the United States Government by indirect taxation on consumption, not a cent of which would be required if the various forms of royalty previously described were taxed.

*This is probably less than 50 per cent of the true amount. The census report says \$8.50 per 1,000 feet, board measure, has been paid for stumpage. To obtain the figures above given, stumpage has been estimated at \$3.11 per 1,000 feet. It is a well-known fact that there has been no sale of any considerable amount of standing pine in Michigan at this figure for years.

Pension Reform.

SPEECH

OF

HON. B. A. ENLOE,

OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole for the consideration of the pension appropriation bill—

Mr. ENLOE said:

Mr. CHAIRMAN: I am glad to see so many of the members of this House courageous enough to take up the pension system and deal with it as they deal with every other public question. For the past four years I have devoted much time and labor in an

effort to create a public sentiment which would demand reform in the pension system and in the administration of the Pension Bureau. The time is not far behind us when it was regarded as little short of treason to question any sort of proposition to increase expenditures in this direction.

The Pension Bureau was too sacred to be treated as the other bureaus of the Government, and many members of Congress spoke as though they thought it was political sacrilege to doubt or question the honesty or the purity of its methods of administration.

The natural result followed. Under the cloak of sanctity was concealed a political ulcer, which has festered and rankled until the honest soldiers and the no less patriotic taxpayers are demanding that Congress shall apply the surgeon's knife where it is needed to restore healthy conditions.

The true soldiers of the Union, the men who fought for principle and not for pay, are to be congratulated over the prospect that Congress will draw the line between the patriot and the mercenary, between the soldier and the bum, between honor and dishonor, between the pension which evinces the gratitude of the Republic to its defenders and the pension which is given or procured dishonestly or unworthily.

Now, sir, I am not astonished at the character of some of the speeches which we have heard here upon this question. There are some men, few in number I hope, in Congress or active throughout the country, who are living in the dead past of twenty-five years ago. It is not astonishing, therefore, that these gentlemen should appeal to prejudices and passions which were supreme a quarter of a century past for the purpose of preventing the Congress of the United States from doing its duty in this direction, and to prevent members from applying to this great question the same rules of common sense, common honesty, and common fairness which it is their duty to apply to every public question.

The pension roll should be made what it was intended to be,

A ROLL OF HONOR, NOT OF DISHONOR.

The Pension Bureau should be made, what it was intended to be, a business agency of the Government, administered with strict justice and impartiality, and not a political agency to distribute pensions as bribes in the interest of politicians and parties. More, Mr. Chairman, the condition of the Treasury, and the condition of those who earn by their toil the money to pay pensions demands that reforms shall be effected. With a depleted Treasury and a tax-burdened people,

IT IS TIME TO CALL A HALT.

not only to call a halt, but it is time to retrace our steps and undo the wrongs which have been done to the honest soldier and the honest taxpayer alike. I doubt very much, sir, whether the Democratic party or any other party is capable of administering that office, while treated as a part of our civil establishment, in a way which will free it from all political abuses. I believe the proposition embodied in this bill to transfer the Bureau of Pensions to the War Department is a move looking in the right direction. I have been advocating and favoring it from the beginning. I have been trying to bring about reforms in the administration of that Bureau, and have cause to know the political abuses growing out of it.

Mr. MILLIKEN. Will the gentleman permit me to ask him a question on that point?

Mr. ENLOE. Certainly.

Mr. MILLIKEN. Is there any gentleman in Washington who is very much interested in having the Pension Bureau transferred to the War Department for the sake of being promoted to a brigadier general or something of that kind?

Mr. ENLOE. Not so far as I know.

Mr. MILLIKEN. A gentleman who has already once been promoted?

Mr. ENLOE. It provides that the Commissioner of Pensions shall have the rank of colonel.

Mr. MILLIKEN. I was referring to some one who is perhaps working this scheme up, and who has been promoted in military life for what he has done in a civil service. I merely ask for information.

Mr. ENLOE. I will say to the gentleman that if there is any such effort made on behalf of any individual I am not aware of it, and I probably understand the gentleman's allusion; but I have no knowledge of any such thing. More than that, I would not advocate this measure from any such narrow motive. The Pension Office is too great an institution, it has too important a bearing upon the administration of the Government, with its immense disbursements and the immense patronage at its disposal, to be used for the purpose of promoting the fortunes of men in politics.

The Commissioner of Pensions in his letter to the gentleman from Texas [Mr. SAYERS] shows that there were on the pension

rolls the 1st of January, 1893, 931,224 pensioners, involving an expenditure of \$13,702,699.58 for the month of December, 1892.

There were added to the list of pensioners 708 names each working day from the 1st day of July, 1892, to the 1st day of January, 1893. The expenditures for pensions for the calendar year 1892 amounted to \$154,454,588.63. The present bill carries an appropriation for the year ending June 30, 1894, of \$166,000,000, and the deficiency will be about \$20,000,000, which will make the expenditure for the next fiscal year about \$186,000,000.

Calculated on a basis of 62,000,000 of population this would make a tax on each inhabitant of \$3 per year.

Allowing one voter for every five inhabitants, it would be a tax of \$15 per year on every voter in the United States.

It costs more to support this army of pensioners than it does to maintain the complete and active military establishment of any power in Europe except Germany, and if we continue on the lines we are now traveling our annual tax for pensions will exceed the cost of maintaining the imperial army of Germany on a war footing.

It takes the earnings of

620,000 FARM LABORERS

to support our pension list. I make the calculation on the basis of \$300 as the average earnings of farm laborers, though I believe the statistics of the last census when published will show the average to be less.

Of this annual burden the Southern States pay in the neighborhood of \$50,000,000, and they receive in pensions returned to them less than \$7,000,000, representing an annual loss to them of \$43,000,000. It is a loss more disastrous than destruction by flood or fire of that amount of money, because the money goes to the more fortunate and wealthier States for distribution, and still further increases the disparity in their conditions. The people of the South have borne this inequality of burdens and benefits for a quarter of a century, which is a draft on their patience and forbearance far exceeding the ordinary demands of patriotism.

I will say, in passing, that any system of collection and expenditure which operates so unequally and so unjustly can not be defended and ought not to be continued. This tax should be raised from incomes, by a graduated income tax, so that the main burden would rest upon those who are best able to bear it, and not on the already overburdened laborers of the country. It would rest, too, where it ought to rest, mainly, upon those who coined their fortunes from the sacrifices of the soldiers who went to battle and from the sacrifices of those who remained at home to care for their families and to produce by their labor the supplies which supported the armies in the field.

Pardon this digression, Mr. Chairman, and I will address myself to the main question before the committee.

STARTLING FIGURES.

Some of the figures in the Commissioner's last annual report are startling in their significance. He says that 1,915,334 original claims have been filed since the year 1861, 1,236,291 claims have been allowed, and at the date of his report there were still pending under the general law 315,702 claims awaiting adjudication and 315,312 claims on the rejected files; and under the act of June 27, 1890, there were pending for adjudication 485,315 claims, and on the rejected files 96,959 claims, thus showing that of all classes of claims on the files there were the enormous number of 1,213,288 claims. The invalid list alone shows 687,862 soldiers of the late war disabled in a pensionable degree and now on the rolls as invalids; and on July 1 there were on the files the applications of 442,326 claiming pensions as invalids.

Now, if these latter claimants are disabled as they claim, we have 1,130,188 soldiers of the late war disabled in a pensionable degree. The Commissioner estimates the number of soldiers of the late war now living at 1,200,000 and the number originally enlisted at 2,300,000. Of those enlisted it is estimated that 199,000 deserted. That left 2,101,000 soldiers occupying a pensionable status. Of these the Commissioner estimates, as before stated, 1,200,000 now living, and he gets his estimate from the superintendent of the last census.

These figures, if they show anything, would lead to the conclusion that there are only 70,000 of that grand army of 2,101,000, who are living, who are not suffering from any disability; or we must conclude that the 199,000 deserters are among those who have been pensioned or are asking to be pensioned. These figures speak more eloquently than any words could speak, the need of a thorough revision of our pension system and a thorough examination of the pension roll.

It is easy enough to trace the processes, legislative and administrative, by which the pension system so beneficently designed has been debauched and degraded.

LEGISLATIVE ABUSES.

In the matter of promoting extravagance and abuses of the pension system the legislative has not been behind the executive

branch. The proceeding by unanimous consent, by which thousands of private pension bills have been passed, which the executive branch disallowed, is an unmitigated abuse. As applied to pensions and all other legislation the practice is wrong, radically wrong. The success of no measure should be made to depend on the silence of Representatives. The passage of every private pension bill and of thousands of other private bills under our rules depends more on the silence of Representatives than it does on the merits of the measure.

It is a system which offers a bribe to the member to stifle his honest opinion and remain silent in order to avoid the objection which would be fatal to his local bill. "If you object to my bill, I will object to yours," is the menace which hangs not only over every session for the consideration of private pension bills, but it hangs over all proceedings by unanimous consent. The House, like the Senate, should have a code of rules which would afford an opportunity for the House to pass upon and finally dispose of every measure that comes before it on its merits.

In passing I will say that the rules of this House, like the rules of many of its predecessors, have been framed so as to constitute in the House of Representatives an oligarchy which has no right to exist under our system of Government.

There is a disposition in this House to ridicule the rules of the Senate, but the next House would do well to study the Senate rules in connection with the House rules before adopting a code for its government.

To show the abuse of legislative power in the matter of granting private pensions, it is only necessary to call attention to the fact that President Cleveland vetoed 250 private pension bills from March 4, 1885, to 1889, and not one of his vetoes was overruled by Congress. This is the minor abuse of the legislative power. The greater abuse is found in the increase of pensions all along the line, purely for political purposes. It has been a race between political parties for the support of the soldier, and the Democratic party, eager as many of its leaders have been, has never realized on the investment.

ORIGINAL PENSION RATES.

When the war was not yet ended, when patriotism had no practical significance except opposition to secession and rebellion, when the Republican party was in full possession of every branch of the Government, and the Confederate soldier, like the Confederate sympathizer, had no voice or influence in the matter, the leaders of the Republican party decided that \$8 per month was a sufficient pension for the widow of a soldier, and \$8 per month was a sufficient pension for a private soldier totally disabled. This rate was based on the pension laws prior to 1861, and it expressed the cool and deliberate judgment of the Republican party formed in the white heat of the war in 1862.

There has been much said about the promises and pledges made to the volunteers of the late war, by politicians who found it more profitable to send their friends to war than it was to go themselves, but in answer to that I call attention to the promise which the law enacted in 1862 by a Republican Congress gave to the soldier and his widow. I am frank to say that I do not think \$8 per month a sufficient pension for the soldier or the soldier's widow. I do not object to the rates of pensions paid to private soldiers and their widows, and under the uniform law I do not consider them excessive, but where the uniform rate has been departed from, by granting pensions for specific disabilities, they are often excessive. Gentlemen have declaimed with great vigor about the promises made to the soldiers to induce them to enlist. They draw on their imaginations for facts, which history fails to furnish.

PENSION RATES INCREASED.

I submit a table showing the original rates fixed for certain specific disabilities and the increases which have since been made. I extract from the pension laws the disability, the date of the law, and the amount of the pension, and give the table in that order:

Act of July 4, 1861.

| | |
|--|---------|
| Loss of both hands | \$25.00 |
| Increased June 4, 1872, to | 31.25 |
| Increased June 4, 1874, to | 50.00 |
| Increased June 17, 1878, to | 72.00 |
| Increased February 12, 1880, to | 100.00 |
| Loss of both feet | 30.00 |
| Increased June 4, 1872, to | 31.25 |
| Increased June 4, 1874, to | 50.00 |
| Increased June 17, 1878, to | 72.00 |
| Loss of both eyes | 25.00 |
| Increased June 4, 1872, to | 31.25 |
| Increased June 4, 1874, to | 50.00 |
| Increased June 17, 1878, to | 72.00 |
| Loss of sight of one eye, other having been previously lost, act of June 6, 1866 | 25.00 |
| Increased June 4, 1872, to | 31.25 |
| Increased June 4, 1874, to | 50.00 |
| Increased June 17, 1878, to | 72.00 |
| Loss of one hand and one foot, act of March 3, 1865 | 20.00 |
| Increased June 4, 1872, to | 24.00 |
| Increased February 28, 1877, to | 36.00 |

| | |
|---|---------|
| Total disability in one hand and in one foot, act of June 6, 1866 | \$20.00 |
| Increased June 4, 1874, to | 24.00 |
| Increased February 28, 1877, to | 36.00 |
| Loss of a hand or a foot, act of June 6, 1866 | 15.00 |
| Increased June 4, 1872, to | 18.00 |
| Increased March 3, 1883, to | 24.00 |
| Increased August 4, 1886, to | 30.00 |
| Loss of an arm, at or above the elbow, or the loss of a leg at or above the knee, act of June 6, 1866 | 15.00 |
| Increased June 4, 1872, to | 18.00 |
| Increased June 4, 1874, to | 24.00 |
| Increased March 3, 1883, to | 30.00 |
| Increased August 4, 1886, to | 36.00 |
| Loss of leg at hip joint, act of March 3, 1879 | 37.50 |
| Increased August 4, 1886, to | 45.00 |
| Loss of an arm at shoulder joint, act of March 3, 1885 | 37.50 |
| Increased August 4, 1886, to | 45.00 |
| Loss of the leg so near the hip joint, or of an arm so near the shoulder joint, as to prevent the use of artificial limb | 45.00 |
| Total and permanent disability in both feet, act of June 6, 1866 | 20.00 |
| Increased June 4, 1872, to | 31.25 |
| Total and permanent disability in both hands, act of June 6, 1866 | 25.00 |
| Increased June 4, 1872, to | 31.25 |
| Total and permanent disability, in one hand or one foot, act of June, 1866 | 15.00 |
| Increased June 4, 1872, to | 18.00 |
| Increased March 3, 1883, to | 24.00 |
| Increased August 4, 1886, to | 30.00 |
| Total and permanent disability, requiring the regular personal aid and attendance of another person, act of June 6, 1866 | 25.00 |
| Increased June 4, 1872, to | 31.25 |
| Increased June 4, 1874, to | 50.00 |
| Increased June 17, 1878, to | 72.00 |
| Disability causing incapacity for any manual labor, but not so great as to require personal aid and attendance, act of June 6, 1866 | 20.00 |
| Increased June 4, 1872, to | 24.00 |
| Increased March 3, 1883, to | 30.00 |
| Disability equivalent to the loss of a hand or foot, act of June 6, 1866 | 15.00 |
| Increased June 4, 1872, to | 18.00 |
| Increased March 3, 1883, to | 24.00 |
| Total deafness, act of June 4, 1872 | 13.00 |
| Increased August 27, 1888, to | 30.00 |

NO CONFEDERATE BRIGADIERS IN IT.

So it appears that in 1862, when there were no Confederate brigadiers here to harrow the feelings and excite the alarm of the bloody-shirt orators, who seek to prove their patriotism by their words where they failed to impress it upon history by their deeds, the Republican party with its overwhelming majority in Congress and with its President to approve laws, decided that \$8 per month for the totally disabled soldier, and \$8 per month to his widow after his death, was the measure of public obligation, either on the face of the contract or under the obligations of gratitude.

In 1864, when the necessities of war confronted a Republican Congress and it became necessary to offer bounties to create a patriotism which refused to develop except under the stimulating influence of cold cash, it was also deemed expedient to fix certain rates for specific disabilities, none of which, of course, would be greater than the total disability rated at \$8 per month. It will be seen by reference to the laws represented in the table, that \$25 per month was the measure of the original contract or of public gratitude to repay the soldier who lost both hands. Now it is \$100 per month, so that political exigencies have caused us to quadruple the sum of our obligations in the contract, or the public gratitude under political stimulus has increased fourfold. Under the same influences the ratings for loss of both feet have increased from \$20 to \$72 per month; for the loss of both eyes from \$25 to \$72; for the loss of one eye, the other having been previously lost, from \$25 to \$72; for the loss of one hand and one foot from \$20 to \$36 per month, and so throughout the entire list.

If, as some gentlemen so vehemently declare, we are under a contract to the soldiers of the late war, then they should not demand more than the terms of the contract would award them. These rates, fixed in 1862 and in 1864, afford the only basis for a contract.

There has been no new consideration since that time, unless political action is to be considered as such. I deny the doctrine of contract, but if gentlemen insist upon it, they should be made to live up to the letter of the contract. I admit the inducements offered for enlistments, and I admit the force of the obligation which a government owes to its defenders. A pension is either a gratuity, evincing the gratitude of a government to its defenders, or it is "a stipend paid to hire a slave to serve a master."

If it is a contract, every pensioner of the Government is receiving more than he is entitled to under his contract.

If it is gratuity, the Republican party fell far short of its duty to the soldiers when it fixed the original rates for disabilities, or we have far exceeded our duty since.

INCREASED VALUE OF PENSIONS.

When the private soldiers' pension was fixed at \$8 per month in 1862 and when all these specific rates were fixed, the purchasing power of the dollar was from 25 to 50 per cent less than it is now. It takes two bushels of wheat, two pounds of pork, and three pounds of cotton from the farmer to pay his part of the pensions, where it took one when the contract was entered into, if it was a contract.

If \$25 a month was enough to support a pensioner from 1864 to 1872, \$100 per month now paid to the same individual ought not only to fill the cup of his patriotism, but it ought to furnish him a surplus sufficient to enlist him in the ranks of the bondholders and monopolists.

I make the statement, based upon these official figures, that the abuses of the pension system are due to the legislation of Congress in enacting laws to influence votes as much as to the violations of the law in the administration of the Pension Bureau for the same corrupt and dishonest purpose.

The ratings for pensions adopted by the Pension Office and fixed by law range from \$1 per month to \$416.66½ per month. The distinctions drawn are refined to a degree that appears to me to be perfectly absurd.

Those who are pensioned at \$1, \$2, and \$4 per month are either entitled to a larger pension or they are entitled to none. The disabilities for which such ratings are given are not such as to diminish the earning capacity of the pensioner.

EARNING CAPACITY AS A BASIS.

Prior to March 19, 1883, the Government measured the earning capacity of the private soldier at \$8 per month, in fixing the pension for his widow at that rate, and from that date it has been measured at \$12 per month.

The husband living may receive from \$12 per month for total disability to \$72 per month, where the disability is such as to require the constant aid and attendance of another person. It is not a question as to what a man would take for his arm or his leg, but is a matter of compensation to the soldier and his family for loss of earning capacity. The average soldier who went into the Army from the ranks of labor and whose earning capacity could not have exceeded an average of \$300 per annum, is given \$45 per month for the loss of an arm at the shoulder joint, or of a leg at the hip joint. You might give such a man as many arms as Briareus, or as many legs as a centipede, and you could not bring his earning capacity up to \$45 per month.

In such cases the Government, instead of compensating for the loss of earning capacity, goes beyond and pays far more than the pensioner ever had or ever could have had. If \$20 for a disability requiring the regular personal aid and attendance of another person was enough in June, 1866, certainly \$50 per month ought to be enough now, and yet the political competitive bidding has advanced the rate to \$72 per month. The widows of officers have been advanced at the expense of the widows of private soldiers until their rating ranges from \$15 to \$416.66½ per month as against the \$12 per month uniformly allowed to the private soldier's widow.

INFLUENCE OF OFFICIAL RANK AND SOCIAL PRESTIGE.

The widow of a second lieutenant receives \$15; first lieutenant, \$17; captain, \$20; major, \$25; lieutenant-colonel, \$30; brigadier-general, \$30; major-general, \$30.

These pensions are not uniform, for it is not unfrequently the case that the widows who have social prestige and are able to come to Washington and organize a lobby are advanced by special act of Congress over their equally deserving sisters. Such favoritism has become so notorious that it almost amounts to a public scandal.

In many instances we are paying too much to the officers and the widows of the officers who reaped the glory, and too little to the private soldiers who fought the battles and gained the victories. There should be perfect uniformity in the system so that every officer and soldier would receive the same pension for the same disability, and the widow of every officer and of every soldier should receive a pension at an equal and uniform rate.

SOLDIERS OF FORTUNE.

We have on the pension rolls 3,412 foreigners, to whom we are paying \$471,410.77 per annum. I introduced the first bill in the Fiftieth Congress, providing for the discontinuance of pensions of those who have surrendered their citizenship and no longer owe allegiance to our Government. I still believe that the pay and the bounty discharged all obligations to those who came here and followed the flag for pay during the war and have since returned to their former allegiance. The soldier who fought for the Union on principle should stand on a different footing from the soldier of fortune whose sword was hired in the market.

Where there is no allegiance due to the Government there is no obligation resting on the Government to pay pensions. Service for hire is always compensated in the payment of the stipulated price. Some gentlemen scorn the idea that mercenaries were hired to fight the battles of the Union in the late war. Schouler's History of Massachusetts in the Civil War, pages 621 and 622, tells a story that shows how foreigners became soldiers of the United States Army. Schouler says:

We find on the files of the Government several letters from Secretary Seward in regard to certain men who came to Boston from Belgium and other

countries on the continent of Europe and enlisted in Massachusetts regiments. These men were brought here by a Boston firm, partly from patriotic motives and partly for speculative purposes. There were about a thousand altogether.

The men, before coming on board the vessel, signed papers pledging themselves to enter into employment, the nature of which was not clearly stated in the papers which they signed, but it was stated by the firm referred to that the men understood that they were to enlist as soldiers. Upon their arrival in Boston these men, with a few exceptions, did enter the volunteer service and were mustered in by the United States mustering officers. Their passage to this country cost them nothing, but the parties who brought them here were remunerated for their outlay by the State paying them the bounties provided by law, which amounted to \$325 to each man, which made the speculation a profitable one. These men were brought here in the year 1864. After they had enlisted, and were mustered into the service, some of them complained that they had been deceived, and that they had been forced into the Army against their will, and had been brought to this country by false representations.

It is not our purpose to decide whether these complaints were just or not; it is sufficient to say that they were made, and were brought to the attention of Secretary Seward by the gentlemen representing the governments to which these men belonged, and by him to the attention of Governor Andrew. The correspondence shows very clearly that no blame could possibly be attached to the State government, or to the United States officers who had mustered them into the service. It appears that the explanations made by Governor Andrew and the mercantile firms who had brought them into this country were satisfactory, as none of the men were discharged from the service; and, after awhile, the controversy ceased.

The complaint that these men were deceived and forced into the Army did not hold good upon investigation made by representatives of their respective governments. That they enlisted as hirelings is the inevitable conclusion. They could not even speak English, knew nothing about the issues involved in the struggle, and they cared nothing for the flag, the Constitution, or property rights in this country, because they had no interest in anything American.

When such men returned to Europe and continued their allegiance as a matter of choice where it was formerly due to their royal masters, it is an outrage upon patriotism and loyalty in this country to say that such men should be paid pensions out of the earnings of the taxpayers of the United States.

These historical facts should not be necessary to prove to the gentlemen who strain their powers of speech in the effort to be eloquent over the promises made to the soldiers, and the sacred obligations of the Government to keep the terms of the alleged contract with the soldiers, that there are on the pension rolls today the names of many undeserving men who never served the Government for one hour from patriotic motives. Even if the assumption that a contract existed was not a false assumption such doctrine could not apply to the men who were either hired or driven into the Army.

THE TRUE PATRIOTS.

No one will deny that the great body of the Army enlisted in defense of the flag from patriotic motives. No one will deny to such men all the honors and all the benefits due them. What I object to, and I speak for myself, is the effort to place the men who enlisted for bounty, the men who were drafted, the substitutes, and the men who enlisted to escape the penalty for crime, all upon a common ground.

The bounty paid the man who enlisted for its sake, the drafted man, had no claim for patriotism; the substitute was paid in cash at the time, and the criminal was paid in his escape from the punishment to which he had been sentenced by the courts.

DRAFTED MEN AND SUBSTITUTES.

The records show the results of the various drafts as follows: Drafted men mustered into the Army under the draft of 1863, 172,712; under the call of March 14, 1864, 63,638; under the call of July 18, 1864, 122,411; under the call of December 19, 1864, 90,554; a total of drafted men of 449,315. During the same period there were 58,843 substitutes accepted for service. (See Medical Statistics of the Provost Marshal General's Bureau, vol. 1, pages ii and iii.)

There is no record of the men who enlisted to escape the penalties of the police courts and to get out of jail, but such enlistments were numerous. The loudest and most importunate howlers for the sanctity of the pension rolls and the greatest sticklers for the rights of contract are to-day to be found among these professional patriots, whose patriotism was developed by cold cash or at the point of the bayonet.

The soldier who fought for the flag of the Union because he loved it, the man who volunteered before the bribe of a bounty was offered, and the men who volunteered afterward from patriotic and not from mercenary motives, such men are justly proud of their achievements and jealous of the honor which attaches to the name of the volunteer soldier, but the men who enlisted for bounties, the men who sold themselves as substitutes, and the men who were forced into the Army by the draft are strangers to pride and a high sense of honor, and they are the most clamorous to-day for indiscriminate and unlimited pensions. If any man raises his hand or his voice against fraud in the granting of pensions, these are the men who are readiest with the cry

of treason, and such are the men who shake the bloody shirt to divert the attention of the country from the stealing that is going on under the cloak of patriotism. Such patriotism is, as usual, the last refuge of a scoundrel.

LOOSE METHODS.

We have the authority of the late Surgeon-General Baxter, when he was the chief medical officer in the Provost-Marshall General's Bureau, for believing that thousands are pensioned for disabilities which originated prior to the war. He says:

The loose manner in which medical examinations had been performed when recruitment was under control of the State authority demanded a radical reform in that direction, for it had been fully demonstrated that the placing of men in the field who are physically disqualified for performing the duty and enduring the hardships incident to the life of a soldier was not only poor economy, but fatal to the successful prosecution of military operations. [Vol. 1, p. 11, Medical Statistics, Provost Marshal General's Bureau.]

This loose policy of placing men in the field who at the time of their enlistment were physically disabled was not only poor economy at the time, but under a loose and often corrupt administration of the pension laws it has added greatly to the burden of pensions upon the people. Under the law no man could be pensioned for disabilities originating prior to enlistment, but such persons have been pensioned in violation of the law. Until these latter years the office rules required proof under the general law that the man was free from the disability claimed for at the time of his enlistment, and that it was incurred in the line of duty, but under the present administration the burden of proof has been shifted from the claimant to the Government.

The Government must now show that the disability was not of service origin, it being held that its acceptance of the soldier as a sound man at the time of his enlistment shifts the burden of proof from the claimant to the Government. This ruling was made, of course, in the face of the known facts to which the late Surg. Gen. Baxter called attention.

PENSIONS MADE EASY.

There are other loose and reckless methods pursued in the pension office in the manner of proving claims.

Many millions of dollars are annually paid out on pension claims, which were allowed on evidence which would not be considered sufficient to make out and support any other claim on earth.

The testimony of two disinterested loyal citizens of good repute and standing is often considered insufficient to establish a claim for supplies furnished the Government, and oftener still it will not be accepted to establish the fact of loyalty, which is an essential fact to secure the allowance of such a claim. The testimony of a reputable citizen supported by the testimony of two white men or two black men, loyal men and Republicans, is frequently held to be insufficient to take a dollar from the Treasury to pay an honest claim for property taken and used by the Army, even after the Court of Claims has tried the case, and the Government has exhausted its every defense, and the court has found in favor of the claimant; but the testimony of a claimant for a pension supported by the testimony of one comrade, when two can not be found to support it, is held sufficient to take millions of dollars every year from the Treasury to pay pensions.

The testimony is taken in the form of affidavits made out by the claimant's attorney to fit the case, with no cross-examination except where the claim is sent out for special examination. These affidavits are sworn to by the witnesses indicated by the claimant. There is often, in fact generally, no cross-examination. The postmaster or some else is called on through a letter from the Pension Office for information as to the credibility of the witness, and the reply as to that is accepted. The witness is written to perhaps as to his knowledge of the particular facts which his testimony supports, and he consults the claimant or his attorney and finds out what he alleged in his affidavit and confirms it.

Mr. Chairman, the further we get from the war, and the more difficult it becomes to prove material facts not of record, the more the rules of evidence in the Pension Bureau are relaxed to facilitate the allowance of pensions. Parol testimony as to material facts drawn from the memory of witnesses, is often accepted to contradict facts of record. When a claimant reaches a point where he can not prove by positive testimony that he had the disease for which he claims, he is permitted to prove his claim by testimony showing that he complained of the disease which he alleges caused his disability. Under no other system of jurisprudence known among men is it allowed a party in interest to establish his claim by proving his own admissions of facts in his own interest.

A PREMIUM ON FRAUD AND PERJURY.

The present system affords every opportunity for the commission of perjury. It holds out the inducement to the dishonest claimant and the dishonest attorney to resort to perjury and the

subornation of perjury to make out the claim. Immunity from discovery is practically guaranteed, and immunity to the perjurer is almost positively assured. Under the present Commissioner of Pensions, Special Examiner F. M. Taylor exposed the fraud and perjury in an Iowa case—the Brown claim, and three other special examiners sustained him. What, sir, was the result? Mr. Taylor was discharged, Gen. Bussey took up the case without appeal, allowed it, and Commissioner Raum approved it, and the fraudulent pensioner drew several thousand dollars from the Treasury. This is an instance where the criminal was permitted to execute the executioner. Such is the progress of reform under Commissioner Raum.

HON. J. A. BENTLEY'S TESTIMONY.

Now, sir, I will call attention to the fact that one of the ablest and purest men who ever administered the Pension Bureau, Hon. J. A. Bentley, a Republican Commissioner under Presidents Grant and Hayes, pointed out the evil in the present system of adjudicating pension claims in language which applies with greater force and pertinency now than it did at the time he wrote.

In his annual report dated October 15, 1876, for the fiscal year ending June 30, 1876, he says:

While in a class of cases in which the main facts were matter of record, or were openly to be seen by any person whose attention might be called to the subject, as was the fact with a large proportion of those filed during and for several years subsequent to the war, the present system of adjudication may have been regarded as effective, yet, after a careful study of the subject, I am convinced that it is radically defective and deficient when applied to cases involving obscure questions of fact and of medical science, as was the case with some of the early cases, and is with most of those of later years.

It provides for the settlement of claims upon *ex parte* testimony exclusively, given by witnesses who are entirely unknown to the office, and whose affidavits are almost universally prepared by claim agents who can receive no compensation for their service unless the claim is allowed. Moreover, the examining surgeon, who certifies to the existence, character, and degree of disability, is, almost universally, the neighborhood practitioner, whose professional interest it is to please the claimant at the expense of the Government. So not only is the door thrown wide open for the perpetration of fraud and deception, but every interest connected with the preparation of the case for adjudication—the claimant, his attorney, and the examining surgeon—is adverse to the Government. A mere statement of the substance and character of the present system would, it would seem, be enough to condemn it for the class of cases we now have without any statement of its practical workings as known to the office.

It is not thought that absolute justice will be attainable in all cases, whatever the character of the system may be, but common sense and common experience justify the belief that a system reasonably calculated to elicit a fair and impartial presentation of the existing facts in the various cases will better subserve the ends of justice and of honest claimants than one of an opposite character.

In his supplemental report, dated October 31, 1876, pages 703, 704, in further reference to settling claims on *ex parte* testimony, he says:

In place of the present system under which the claims are established by *ex parte* affidavits, generally framed by the claimant's attorney, of persons unknown to the office, and by the certificates of examining surgeons whose relations to the claimant, as the neighborhood practitioner, constitutes a powerful temptation to unduly favor him, a system should be adopted which will give the office an opportunity to closely question both the claimant and his principal witnesses, and secure medical examinations by skillful surgeons who have no interest adverse to the Government.

In his annual report dated October 15, 1878, for the fiscal year ending June 30, 1878, he again calls attention to it. He says:

SPECIAL INVESTIGATION.

Considering the extraordinary opportunities for the successful prosecution of fraudulent or unmeritorious claims which exist under the present system of adjudication, in connection with the fact that the Commissioner of Pensions has no authority to go out and hunt for fraud, but is limited by the statute to the investigation of such cases only as suspicion attaches to in the usual routine of the office, the investigations of the last year as well as those of the preceding year, furnish a very suggestive lesson. I am convinced that a great number of persons have been pensioned who had no just title, and that the number of that class is being constantly increased in the settlements which are now going on, and this must continue to be the case until some measure shall be adopted by which the truth of the parol testimony which is offered can be tested. No such test is possible under the present system.

* * * * *

CHANGE IN SYSTEM OF SETTLING CLAIMS.

In my annual report for each of the last two years, I took occasion to recommend that the system of settling pension claims be so changed as to bring claimants and their witnesses face to face with officers of the Government, by dividing the country into districts and assigning one learned surgeon and one competent clerk to each district, who should go from place to place in the district and collect the testimony offered in support of the claims. Another year's observation and experience has only tended to confirm my opinion that such a change is necessary, and that it is both feasible and economical.

I respectfully renew my recommendation upon this subject and invite attention to the considerations set forth at length in my former reports in support of the recommendation.

In his report dated November 1, 1880, for the fiscal year ending June 30, 1880, he says:

CHANGE OF SYSTEM FOR PRESENTING EVIDENCE IN CLAIMS.

You attention is again invited to the subject of a change in the method of presenting the evidence in claims and making the medical and surgical examination of invalid claimants and pensioners.

The necessity of substituting for the present secret *ex parte* method, a plan for taking the testimony in support of the claims before officers of the Government by public proceedings in the neighborhood of the claimant and witnesses becomes more and more urgent as the number of claims and the amount involved in each case increases, both to secure an early and just settlement of meritorious claims and to protect the Treasury against fraud.

It is unnecessary to repeat the various considerations which have been urged in support of my former recommendations upon this subject, or to supplement them with the numerous additional suggestions to the same purpose which might be made, and I therefore dismiss the topic with a respectful and earnest recommendation that the attention of Congress be again called to the importance of early legislation of the nature above pointed out.

Commissioner of Pensions Hon. W. W. Dudley, in his report dated October 1, 1883, for the fiscal year ending June 30, 1883, makes some comments in line with the former Commissioner. He says:

The greatest difficulty encountered by those who are charged with the duty of judicially determining the merits of claims for pensions and deciding questions affecting title thereto arises, amongst other causes, from the fact that an *ex parte* presentation of the evidence is often given an undue bias by the remote claim agent who prepares it and the carelessness with which already prepared affidavits are signed by reputable affiants without a full knowledge of their contents.

Material facts are thus specifically sworn to, aspiring to prove trivial events (which in the particular case become important and quite material) after a lapse of twenty years, stated in the language of an unknown person, often squarely contradicting the facts disclosed by the record made at the time by those officers whose duty it was to make it from an unprejudiced standpoint. I mention this to call attention to the necessity of a cross-examination of material witnesses who are uncorroborated by or contradict a record made at the time. * * *

This is not Democratic but Republican testimony, and I hope that it will not be rejected on that account by gentlemen on the other side, who can see no wrong in the pension roll as it stands.

DISHONORABLE DISCHARGE NO BAR TO PENSIONS.

Under Gen. Black's administration it was held that a soldier dishonorably discharged had no more claim on the bounty of the Government than a deserter. The Raum-Bussey régime overturned that decision, which drew a line of distinction between honor and dishonor, and admitted this disreputable element to the pension rolls.

From the days of Cushing down to the days of Bussey was a long period in which it was held that to entitle a soldier to a pension for a disability resulting from an injury received in the service, the injury must have been received by the soldier while in the line of his military duty. The uniform decisions as to what constituted the line of duty did not commend themselves to the great and profound legal mind of Gen. Bussey, who, when he entered upon his duties as a legal expert, had never enjoyed a speaking acquaintance with statute or common law, and he proceeded to stretch the soldier's line of duty until it covered everything from foraging on pie stands to robbing a tent to get whisky.

It was in this manner, sir, that the Board of Pension Appeals stretched the law like India rubber and made it cover thousands of cases not heretofore pensionable under the law.

TANNER'S RULE.

Early in the present administration Commissioner Tanner took the Pension Bureau with the contract to redeem in cash from the Treasury the political promises made to elect Mr. Harrison in 1888, and when he took charge of this great political machine he gave it a turn that made even the head of the President himself grow dizzy. He made a hole in the Treasury vaults that threatened to swallow up the Administration very speedily. The President called a halt. Secretary Noble in his lordly style called Mr. Tanner down, and sent a committee of experts to overhaul his performances in the rating line.

That commission reported that they had only examined a part of the rated cases, and they furnished a list of 3,122 cases, with evidence showing that the chiefs of divisions and many other pension office employés had entered into a conspiracy and rerated themselves, thereby robbing the Treasury of several millions of dollars in a very short time. Gen. Bussey testified before a committee of this House that the amount taken out as arrears in a number of these cases was about \$1,600 in each case.

Here, Mr. Chairman, we have positive evidence that nearly \$5,000,000 were illegally taken from the Treasury, and a part of it virtually stolen. How many millions of dollars have been thus illegally taken will perhaps never be known. Gen. Bussey said if it had continued it would have taken \$800,000,000 additional to apply the rule to the entire pension rolls. Not one dollar of this money was ever recovered, and no attempt was made to recover it. Not one of the pensions admitted to have been illegally increased was ever reduced, and no steps were ever taken to reduce them. A few of the most prominent of the conspirators were dismissed, the Commissioner also was dismissed, to give place to a much worse man, and then the conscience of the Administration was appeased.

The testimony of Secretary Noble and of Assistant Secretary Bussey, given before the investigating committee of this Con-

gress, shows that they knew of these fraudulent and illegal pensions, and the numbers of the claims and the names of the pensioners, a number of whom were employés in the office, and yet they never took a single step to correct these abuses or to separate the fraudulent increase from the legitimate pensions. This ought to be done yet, and it would save millions of dollars to the Government.

RAUM'S DISOBEDIENCE TO LAW AND ORDER.

Mr. Chairman, I have not time to enumerate in detail the abuses in the management of the Pension Bureau, but there is one violation of the law, and at the same time a violation of the orders of the Secretary, by the Commissioner, so outrageous and so far-reaching in its effect that it merits the severest punishment. The act of June 27, 1890, required proof "that the soldier served at least ninety days;" that he received a final honorable discharge from the service, that there existed a permanent physical or mental inability to earn a support, and that the soldier's disability is not the result of his own vicious habits.

I am informed that no evidence except the soldier's statement is required to prove that his disability is not the result of his own vicious habits, except when the disability itself so indicates. I do not think it would be an easy matter to find a man who would admit that his disability is the result of his own vicious habits, even if no inducements were offered to him to deny it, and when a pension of from \$6 to \$12 per month is made to depend on the denial, it is not to be expected that any applicant will make such admission. The law is perfectly plain, but it is nothing unusual for the Commissioner who had to execute this law to violate pension laws or to construe them wrong when they are not in accord with the policy of the Administration. Sir, this Commissioner, not content with his usual policy of liberalizing, went further and adjudicated over three hundred thousand cases under that act, very many of them in direct violation of the law and in violation of the orders of his superiors.

That law provides a pension for present dependence, and the rating depends on the extent of the reduction of the earning capacity by reason of the disability. Under the old law certain ratings were fixed by the Department for specific disabilities, and pensions were based on these ratings without regard to the effect the disability might have on the earning capacity of the claimant.

ADDING TOGETHER MINOR DISABILITIES.

The Commissioner admitted to the rolls pensioners at \$6, \$8, and \$10 per month where the addition of the minor disabilities of the claimant according to the rating under the old law would aggregate those sums, without regard to the effect such disabilities actually had on the earning capacity.

For instance, the loss of any finger except the index finger is rated under the old law at \$2 per month; the loss of any toe except the great toe is rated at \$2 per month; and a small varicose is rated at \$2 per month. Under the old law these three disabilities would have entitled a soldier to a pension of \$6 per month, if they were incident to the service, and yet they would not diminish the earning capacity of the pensioner in any appreciable degree, and no laboring man in the United States not a soldier would admit that such disabilities affected his earning capacity, but he would on the contrary demand the full pay for a day's work and he would do a full day's work for the pay.

The table of rates fixed by the Commissioner under the old law embraces fifty-one different ratings for these minor disabilities for which a soldier may be pensioned, where the disability is incident to the service, and yet very few of them diminish the earning capacity of the pensioner. Commissioner Raum added these minor disabilities together, whether they were of service origin or not, and pensioned thousands under the act of June 27, 1890, who were not entitled to pensions under either the new or the old law.

MILLIONS TAKEN FROM THE TREASURY IN VIOLATION OF THE LAW.

Mr. Chairman, there is no present means of knowing how many thousands are thus pensioned under the act of June 27, 1890, who are not so entitled, and it is impossible to estimate how many millions of dollars the Commissioner has thus caused to be taken illegally from the Treasury, but there can not be any doubt about the fact that the loss to the Treasury runs up into the millions. It was such a serious matter that the Secretary called the attention of the Commissioner to his violation of the law and to his flagrant disregard of the plain and positive orders previously given to him.

Perhaps the obligations of the President to the Commissioner stood between the Secretary and his insubordinate subordinate and prevented him from attempting an earlier execution of the sentence of removal from office pronounced upon Commissioner Raum by the people of the United States at the polls last November.

I have not time to further discuss the abuses practiced by Gen. Bussey as the head of the board of pension appeals, and by Gen. Raum as Commissioner of Pensions. The testimony taken in the investigation will show something of that.

THE NATIONAL SOLDIERS' HOMES.

I will invite attention to the provisions of the bill relating to the soldiers' home. The proposition of the committee to require applicants for admission to and inmates of the national soldiers' homes who remain there, to surrender to the board of managers or to pay over to their dependent families all of their pension money except \$5 a month, is just, and it ought to be agreed to by the House. In 1888 and 1889 Gen. William W. Averill, United States Army, "Assistant Inspector General of the National Homes for Disabled Volunteer Soldiers," inspected the State homes for disabled soldiers and sailors and submitted his report to the president of the Board of Managers of the national homes, and the report was printed by order of the House, Fiftieth Congress, second session, as Miscellaneous Document No. 103.

That report shows that California and New York required the applicant to surrender his entire pension to the home while an inmate. Connecticut, Vermont, and Nebraska require the applicant to surrender his pension to his dependents or to the home while he remains. Illinois, Minnesota, Michigan, Ohio, Pennsylvania, and Massachusetts will not admit anyone receiving a pension until all needy nonpensioners are first cared for, and they will not admit any pensioner who receives more than \$12 per month. In New Jersey the pensioner must pay from \$2 to \$8 per month to the home, according to the rate of pension. Iowa and Wisconsin are the only States having State homes which do not make any regulation regarding the pensioners.

Thus it will be seen that twelve out of fourteen State homes have adopted some regulation similar to that proposed by the committee. While Gen. Black was Commissioner of Pensions, in the fall of 1885, he detailed three special examiners to inquire into the matter of high grade pensions paid to inmates of the national soldiers' homes. Gen. Black was then, as he is now, a member of the Board of Managers of the National Homes for Disabled Volunteer Soldiers.

That commission reported that they found 416 pensioners in these homes in receipt of \$24 per month or more; 283 receiving \$24 per month; 3 receiving \$25 per month; 119 receiving \$30 per month; and 11 receiving from \$36 to \$72 per month. Two hundred and thirty-four of those drawing \$24 per month or more were away from homes on furlough and were not interviewed by the commission. Of the 416 first mentioned 53 had accumulations from \$200 to \$10,000. Eight of the 53 had accumulations of over \$2,000. In addition to the 53, but included in the 416, were 23 who owned residence property; 5 others whose wives owned residences; 3 others who owned farms, and 2 others who owned unimproved lands.

In addition to these there were in the Dayton Home over 70 men who had cash deposits ranging from \$300 to \$3,800, or having invested or expended during three years' residence in the home sums ranging from \$500 to \$1,500. The average age of these capitalists who live on public charity and crowd out from homes less fortunate and more worthy ex-soldiers was under 52 years; 59 per cent of them were single; 58 per cent of foreign birth; and 38 per cent of the whole were both single and foreign born. Mr. Chairman, these facts show what character of men seek the homes.

The soldier who draws over \$12 per month ought not to be admitted to the exclusion of the more needy and unfortunate. The very idea of living on public charity is highly offensive to the mind of the average American citizen. That alone should exclude all except those who are forced to the homes by necessity; and the native or foreign-born ex-soldier who receives as much as \$24 per month ought to be made to choose between his pension and the home.

A single man receiving from \$24 to \$72 per month, clothed, fed, housed, and nursed by the Government without a cent of cost to him, ought to become a capitalist, but, as I understand it, these national homes were not established to develop capitalists, but to care for the poor, the sick, the disabled, the unfortunate soldiers who have no other refuge which they can call home.

Such a regulation as that proposed would retire these capitalists and make room for the more needy and hence the more deserving.

THE HOPE OF REFORM.

I have little hope, sir, of any reform that must come through Congress, except it shall start with the people and drive its way through Congress by the sheer force of public opinion behind it. This is a question upon which the people must lead the politicians if there is to be any legislative reform. This opinion is justified when we see members shut their eyes and ears to all

facts which show the need of reform, and blindly howl about the services of the soldier and the weight of the obligation we are under to them.

The great hope of an early and healthy reform depends on the character of the man who will administer the Pension Bureau after the 4th of March next. I trust that President-elect Cleveland when he enters upon his duties will place at the head of that Bureau a man who will have the honesty, the courage, and the determination which has signalized his own career as a public official; a man who will go there with the will of an Andrew Jackson, determined to root out fraud and corruption and to eliminate all illegal pensions from the rolls. With such a Commissioner we will have reforms in the pension system which will redeem that Bureau from the disgrace into which it has fallen. The pension roll will be purified and the pension system will not be weighted down with the odium which attaches to the illegitimate and undeserving pensioners. I call attention to an extract from the letter of Gen. Gibbon to Gen. Black on this subject:

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,
Vancouver Barracks, Wash., January 10, 1888.

DEAR SIR: * * * As a matter of course it is the desire of all patriotic people that the pensions of the Government should be worthily bestowed upon all who have incurred disabling wounds or lost health in the service of the country, and that the heirs of those whose lives were sacrificed in war should be properly provided for. There is, however, a sentiment which is not as prevalent as it ought to be. That is, that a pension bestowed upon an unworthy object—one who really has no war claim for it—is not only money thrown away, but it is calculated to bring into discredit those pensioners who have the best right in the world to share in the bounty of the Government.

Very respectfully, your obedient servant,

JOHN GIBBON,
Brigadier-General, United States Army.

Gen. JOHN C. BLACK,
Commissioner of Pensions, Washington, D. C.

(Page 17, Report of Commissioner of Pensions, June 30, 1888.)

Mr. Chairman, the rules of evidence should be adapted to honest methods in adjudicating claims. The medical division should be presided over by a man of ability and experience, who is in thorough accord with the Commissioner. The local medical boards should be overhauled and their decisions freed from local prejudices for or against claimants, and their action regulated upon some uniform principle.

The papers in every case where a pension has been granted should be carefully reexamined and the case fully investigated to determine its merits. Every claim that appears to have been improperly allowed should be reopened and steps taken for its disallowance, with due notice and a fair hearing given the claimant. Such administrative reforms would in my opinion save to the taxpayers \$50,000,000 per year.

If foreigners are to be dropped from the rolls and excessive pensions reduced, that can only come by the taxpayers making the issue in the elections and sending men to Congress committed to these reforms. I hope the intelligent press of the country will take no step backward in the demand for pension reform and that the movement now inaugurated will go forward until every soldier who is entitled to a pension shall receive it, or until every undeserving pensioner shall have been stricken from the rolls. This pension question is one of the great questions before the country. It is a prime factor in every calculation about the revenues and the expenditures of the Government. It is bringing itself to the fireside of every taxpayer of the country. It is compelling public attention everywhere.

We can not evade it or escape it. We must take hold of it and deal with it as its importance demands. The country is experiencing a growing feeling of disgust for the hyena brand of statesmanship which howls in the graveyards of the past and skulks and hides from the light of truth.

Every honest soldier and every honest citizen will demand that Congress shall no longer permit the plea of patriotism to be used to cloak the designs of dishonest men. I know it is not pleasant to some to hear the truth about these matters, but I do not expect such men to approve of my utterances. The pensioner with an honest claim has no better or truer friend than I, and the pensioner whose claim is dishonest has no more determined foe.

Mr. Chairman, I have felt the weight of the hand of those who thrive by perjury, fraud and corruption in pension matters. I know it is a heavy hand, and that it represents a strong power, but if the district which I represent could be sold and delivered to such purchasers I would consider defeat in such a cause an honor. I have been in this fight for four years, sir, and I will be in it so long as I may be honored with a seat on this floor or until I see realized my hope of a purified pension list, representing at once the honor of the soldier and the gratitude of the Republic.

John G. Warwick.

REMARKS

OF

HON. OWEN SCOTT,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 18, 1893.

The House having under consideration resolutions of respect to Hon. John G. Warwick, late a Representative from the State of Ohio—

Mr. SCOTT said:

Mr. SPEAKER: The grim destroyer does not respect persons in reaping his rich harvest. When he cut down the Hon. John G. Warwick, of Ohio, he took one of nature's noblemen.

A brief acquaintance during the first session of this Congress was sufficient to enable me to estimate fully his high character. It was impossible to come in but casual contact with this true man without becoming his sincere admirer.

He was chairman of one of the committees on which I had the honor to serve. In this capacity I came in close contact with him and we became fast friends. If to know him so briefly and yet to form so strong an attachment for him, what must have been the enduring relation existing with those with whom he associated for a lifetime?

Coming into Congress as a new member, he at once assumed that station to which his natural abilities, strengthened by long public service in his State entitled him. Ever true and loyal to his friends he had their closest confidence. He was always ready to serve them to the extent of his ability. Having traveled extensively and being a great reader, he was fully abreast of the times in which he lived.

This tribute, though brief, is yet meant to express a sincere admiration for one who in life was an upright, able, and dignified gentleman.

Pensions.

SPEECH

OF

HON. LEMUEL AMERMAN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. AMERMAN said:

Mr. CHAIRMAN: This bill carries the largest appropriation ever carried by any bill reported to this House. One hundred and sixty-six million dollars are needed to pay pensions to the soldiers of this country for the next year. I am assured that this amount is necessary, and therefore I must heartily support and advocate it.

It is astounding that nearly thirty years after the war is ended there are those who strive for political purposes to stir up the spirit of strife and in bitter words would fight the war over again.

There are two classes of statesmen. The only ambition of the one class is to promote the peace and prosperity of the country and to secure to its people the fullest measure of happiness; the other class, if by their words and actions we may judge them, have for their highest ambition party success. To the one the State is all, to the other party is supreme. In season and out of season, upon every proposition, on every occasion, this latter class is waging a contest for party advantage. To them truth has no sacredness. Every opponent is an enemy. The party to which they do not belong is the party in their wordy declamation whose success brings disgrace, dishonor, destruction, and ruin to the country. The prejudices and passions of the people are appealed to, and their judgments are sought to be bound by party ties.

Sir, in the discussion of this bill this latter class would have it go out to the country that the Democratic party is opposed to pensions, is unfriendly to the soldier, and is only awaiting an opportunity to consign the old, the sickly, the wounded soldier to the poorhouse. Nothing could be more untruthful. The American people, without regard to party, are a just, a patriotic, and a grateful people. We declare that the pension roll is a roll of honor, that it must never be made a roll of paupers. Let us purge it from all fraud, but never dishonor it. Erase from

it every unworthy name, and then write opposite all that remains the country's gratitude.

If any declare that the Treasury is too poor to pay these pensions, to them I reply, we are too rich in patriotism, gratitude, and justice not to pay them. Without patriotism, gratitude, and justice we would be poor indeed. Drafts drawn on these we have never dishonored and never will. We of to-day are no less patriotic than those who, forgetting all but the honor and integrity of the Union, willingly offered their lives that the Union might be preserved. Our patriotism is not that which manifests itself only in cheers and noise, and retreats when sacrifice is demanded. A patriotism that does its assistance as alms and meets the defenders of the flag at the poorhouse door is not the patriotism of the American people, be they Democratic or Republican. Show the people that these pensions are due in gratitude and justice, and we will hear from them no complaints either as to their number or their amount, no matter to which party they may belong. This is not a party question. They are the enemies to the soldier who would make it such. They are traders in politics, seekers after spoils and office. They are unworthy of leadership and dangerous to be followed. Under the pretense of defending the soldier they are striving to serve themselves.

I repeat, Mr. Chairman, the subject of pensions is not a party question. It is not a sectional question. The ex-Confederate soldier and the Union soldier vote together on this subject. Who, whatever be his party, that remembers the trying days of the war, or who that has heard or read of the peril of the flag and all it represents, is without gratitude to those who preserved it. They were not partisans, but patriots. General and private alike forgot to call himself Democrat or Republican. They came in equal numbers from both parties. They fought a good fight. They returned to their homes when the war closed no less patriots than when in the field. With them the war is over; not so with the demagogue and place-hunter.

With justifiable pride we think of our vast domain upon which the sun is always rising and upon which it never sets, of our vast resources of field, forest, and mine, of our great lakes and rivers, and of our ocean coasts with innumerable harbors offering us unsurpassed facilities for commerce among the States and with the world. We think with greater pride of our Constitution, a little less than inspired, recognizing the equality of all men, a great central truth of the gospel, the brotherhood of man. We think with still greater pride of our 65,000,000 law-abiding, liberty-loving, industrious, thrifty, enterprising people, making this the greatest country on the globe in material wealth and opportunity for the poorest to prosper and be happy. What might this all have been if those who are now pensioners had consulted their ease, pleasure, and profit? He who has not a world of gratitude for these men is sadly and abnormally deficient in heart.

As a rule the veterans of the war are poor. It is not generally their fault. They spent the prime of their manhood in the service of their country, not for mercenary reward or the hope of it, but from patriotic motives. They received but paltry pay and that in greatly depreciated currency. This they sent home to wife and family and loved ones who were forced to consume every cent of it for sustenance. Those who came from the Army—alas! how many thousands never returned—began life anew, without capital, many of them with shattered constitutions and broken health, while those who remained at home embraced the stimulated opportunities, engaged in large enterprises, made profitable by the war, and thus laid the foundations for large fortunes. This is why the veteran in many cases is poor, while many others are rich.

In justice we owe these old veterans of the war and the families of those who laid down their lives more than we are paying them. In equity they are but receiving what rightly belongs to them.

At the time of their enlistment there were express promises by those in authority, who had a right to speak and in whom the soldier had a right to place confidence, that the wives and children, old fathers and mothers, should not be without protection, and that the lasting gratitude and needed care would be given to the sick and the wounded by the country. It is true that these promises do not have the weight of law, and were made without any specific authority at the time; yet the whole people, without regard to party, recognize them as their agents, and by every act and deed from that time to this have ratified these promises.

The great war governor of Massachusetts, John A. Andrew, in 1861, in a speech to the soldiers of his State as they were about to march to the front, said:

We stay behind to guard the hearthstones you have left, and whatever may be the future we will protect the wives and the children you leave behind. As you will be faithful to the country so will we be faithful to them.

President Lincoln, recognizing these and like promises made by Democrats and Republicans alike, said at Gettysburg:

Let us strive on to finish the work we are in, to bind up the nation's

wounds, to care for him who has borne the battle, and for his widow and orphans; to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

These pledges are being fulfilled and let come what may they must never be repudiated.

We paid the bondholder, who in time of the country's need loaned us his money for the prosecution of the war, his principal and interest in gold, and never complained of the burden of the debt. Our honor, our sense of justice would not have tolerated the suggestion of repudiation in whole or in part in these cases. Without a murmur, without a protest, without even intimating that the bondholder had paid less than 100 cents on the dollar—at one time I believe but 38 cents on the dollar—we kept our promise and paid him a full hundred cents on the dollar. This is a cause of gratification and has given us a credit, unlimited, in all the money markets of the world.

This was not a party question. No one sought to make it one. No more is the pension question a party question, and only the demagogue and spoilsman seeks to make it one.

Mr. Chairman, I earnestly oppose all the proposed amendments, as I am fully persuaded a majority of all my party does. The nonresident pensioner, though his disabilities were not contracted during the war, has not forfeited his just claim, though in the exercise of his inalienable right of the pursuit of happiness he has for a time or for all time gone to a distant country. A pension is a debt and not a charity. The abode of the creditor in justice can never affect the right and the duty of the debtor to pay him.

The amendment which proposes to cut off the pensioner under the act of 1890 of all who can not affirmatively prove that they are disabled from manual labor and have an annual income of less than \$600 per year, I also oppose. A pension is not a charity; it is a debt founded upon gratitude and justice. Let this principle once be established in the minds of the people and pensions will be more cheerfully paid.

I, sir, am in favor of a service pension for all soldiers at some age to be fixed. We have granted pensions for service and disability to the soldiers of every war in which we were ever engaged, whether the disability was contracted in the service or not, and why should we make any distinction against our latest veterans? It is estimated that under existing laws by June, 1894, there will be on the pension roll 1,209,968. It is estimated that at the close of the war the number of soldiers living were 1,727,353. It is estimated that the number of soldiers surviving to-day is 1,236,076.

By making a calculation, according to the tables of mortality for each year, the survivors of the war will be: In 1894, 1,209,968; in 1895, 1,182,887; in 1896, 1,154,810; in 1897, 1,125,725; in 1898, 1,095,628; in 1899, 1,064,524; in 1900, 1,032,418; in 1901, 999,339; in 1902, 965,313; in 1903, 930,380; in 1904, 894,585; in 1905, 858,002; in 1910, 626,231; in 1920, 251,727; in 1930, 37,033; in 1940, 340; in 1945, none.

If these tables be correct it would add but little to the expense to simply grant a service pension to all surviving at the age of 55 or 60. It would be but just to the old veteran in his declining years. It will be but a few years until under the act of 1890 nearly all of the survivors will be justly entitled to pensions.

This roll appears large. To some it is the first suggestion of the magnitude of the war. Look at the statement of the number of men engaged in the war and the number of pensioners on the roll will be accounted for.

Statement of number of men called for by the President of the United States and furnished during the war.

| States and Territories. | Quota. | Men furnished. | Paid commutation. | Total. | Aggregate reduced to a three-years' standard. |
|---------------------------|---------|----------------|-------------------|---------|---|
| Maine..... | 73,587 | 70,107 | 2,007 | 72,114 | 53,776 |
| New Hampshire..... | 35,897 | 33,937 | 692 | 34,629 | 30,849 |
| Vermont..... | 32,074 | 33,288 | 1,974 | 35,262 | 29,008 |
| Massachusetts..... | 139,095 | 146,730 | 5,318 | 152,048 | 124,104 |
| Rhode Island..... | 18,808 | 23,236 | 463 | 23,699 | 17,866 |
| Connecticut..... | 44,797 | 55,864 | 1,515 | 57,379 | 50,623 |
| New York..... | 507,148 | 448,850 | 18,197 | 467,047 | 392,270 |
| New Jersey..... | 92,820 | 76,814 | 4,196 | 81,010 | 57,908 |
| Pennsylvania..... | 385,369 | 337,636 | 28,171 | 365,807 | 265,517 |
| Delaware..... | 13,935 | 12,284 | 1,388 | 13,670 | 10,322 |
| Maryland..... | 70,965 | 46,638 | 3,678 | 50,316 | 41,275 |
| West Virginia..... | 34,463 | 32,068 | ..... | 32,068 | 27,714 |
| District of Columbia..... | 13,973 | 16,534 | 338 | 16,872 | 11,506 |
| Ohio..... | 395,322 | 313,180 | 6,479 | 319,659 | 240,514 |
| Indiana..... | 199,788 | 196,363 | 784 | 197,147 | 153,576 |
| Illinois..... | 244,496 | 259,062 | 55 | 259,117 | 214,133 |
| Michigan..... | 95,007 | 87,354 | 2,008 | 89,372 | 80,111 |
| Wisconsin..... | 100,080 | 91,327 | 5,067 | 96,394 | 79,260 |
| Minnesota..... | 26,326 | 24,020 | 1,032 | 25,052 | 19,663 |
| Iowa..... | 79,521 | 75,242 | 67 | 75,309 | 68,630 |
| Missouri..... | 122,496 | 102,111 | ..... | 102,111 | 86,530 |
| Kentucky..... | 100,782 | 75,760 | 3,265 | 79,025 | 70,832 |

Statement of number of men called for by the President of the United States and furnished during the war—Continued.

| States and Territories. | Quota. | Men furnished. | Paid commutation. | Total. | Aggregate reduced to a three-years' standard. |
|---------------------------|-----------|----------------|-------------------|-----------|---|
| Kansas..... | 12,931 | 20,149 | 2 | 20,151 | 18,706 |
| Tennessee..... | 1,560 | 31,092 | ..... | 31,092 | 26,584 |
| Arkansas..... | 780 | 8,289 | ..... | 8,289 | 7,596 |
| North Carolina..... | 1,590 | 3,156 | ..... | 3,156 | 3,156 |
| California..... | ..... | 15,725 | ..... | 15,725 | 15,725 |
| Nevada..... | ..... | 1,080 | ..... | 1,080 | 1,080 |
| Oregon..... | ..... | 1,810 | ..... | 1,810 | 1,773 |
| Washington Territory..... | ..... | 964 | ..... | 964 | 964 |
| Nebraska Territory..... | ..... | 3,157 | ..... | 3,157 | 2,177 |
| Colorado Territory..... | ..... | 4,903 | ..... | 4,903 | 3,697 |
| Dakota Territory..... | ..... | 206 | ..... | 206 | 206 |
| New Mexico Territory..... | ..... | 6,561 | ..... | 6,561 | 4,432 |
| Alabama..... | ..... | 2,576 | ..... | 2,576 | 1,611 |
| Florida..... | ..... | 1,290 | ..... | 1,290 | 1,290 |
| Louisiana..... | ..... | 5,224 | ..... | 5,224 | 4,654 |
| Mississippi..... | ..... | 545 | ..... | 545 | 545 |
| Texas..... | ..... | 1,965 | ..... | 1,965 | 1,632 |
| Indian Nation..... | ..... | 3,530 | ..... | 3,530 | 3,530 |
| Colored troops*..... | ..... | 99,337 | ..... | 99,337 | 96,033 |
| Total..... | 2,763,670 | 2,778,304 | 86,724 | 2,865,028 | 2,324,516 |

*Colored troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which can not be so assigned.

Now compare this with all our other wars, and you will have some conception of the vast army in the late war:

Statement of the number of military and naval forces of the United States engaged in the following named wars, from the commencement of the war of the Revolution to the commencement of the war of the rebellion.

| Wars. | Date. | | Troops engaged. | | | |
|---|----------------|----------------|-----------------|---------------------------------|--------|---------|
| | From— | To— | Regu- lars. | Militia and volun- teers. | Navy. | Total. |
| War of the Revolution. Estimated additional. | Apr. 19, 1775 | Apr. 11, 1783 | 130,711 | 58,750 | 15,000 | 204,461 |
| Northwestern Indian war: Gen. Harmer..... | Sept. 19, 1790 | ..... | 320 | 1,132 | ..... | 1,452 |
| Gen. St. Clair..... | ..... | ..... | ..... | ..... | ..... | 2,303 |
| Gen. Wayne..... | ..... | Aug. 3, 1795 | 2,843 | 2,387 | ..... | 5,230 |
| ..... | ..... | ..... | ..... | ..... | ..... | 8,983 |
| War with France..... | July 9, 1798 | Sept. 30, 1800 | ..... | ..... | 4,593 | 4,593 |
| War with Tripoli..... | June 10, 1801 | June 4, 1805 | ..... | ..... | 3,330 | 3,330 |
| Northwestern Indian war: Gen. Harrison..... | Sept. 11, 1811 | Nov. 11, 1811 | 250 | 680 | ..... | 930 |
| Creek Indian war..... | July 27, 1813 | Aug. 9, 1814 | 690 | 13,181 | ..... | 13,871 |
| War of 1812 with Great Britain..... | June 18, 1812 | Feb. 17, 1815 | 85,000 | 471,622 | 20,000 | 576,622 |
| Seminole Indian war..... | Nov. 20, 1817 | Oct. 21, 1818 | 1,000 | 6,911 | ..... | 7,911 |
| Black Hawk Indian war..... | Apr. 21, 1831 | Sept. 31, 1832 | 1,339 | 5,126 | ..... | 6,465 |
| Cherokee disturbance or removal..... | 1836 | 1837 | ..... | 9,494 | ..... | 9,494 |
| Creek Indian war or disturbance..... | May 5, 1836 | Sept. 30, 1837 | 935 | 12,483 | ..... | 13,418 |
| Florida Indian war..... | Dec. 23, 1835 | Aug. 14, 1843 | 11,169 | 29,933 | ..... | 41,122 |
| Arroostook disturbance..... | 1838 | 1839 | ..... | 1,500 | ..... | 1,500 |
| War with Mexico..... | Apr. 24, 1846 | July 4, 1848 | 30,954 | 73,776 | 7,500 | 112,230 |
| Apache, Navajo, and Utah war..... | 1849 | 1855 | 1,500 | 1,061 | ..... | 2,561 |
| Comanche Indian war..... | 1854 | 1854 | ..... | 503 | ..... | 503 |
| Seminole Indian war..... | 1856 | 1858 | ..... | 2,687 | ..... | 2,687 |

Time will not permit me to discuss the other amendments. I oppose them all, because I do not believe they will be of any advantage to the pensioner, or the people of the country at this time.

All the old veterans are anxious that the pension rolls should be thoroughly purged of fraud. I believe the day is coming when through their organizations they will assist in doing this for they do not desire that those not entitled to pensions should be unjustly drawing them.

We are rich enough, just enough, and grateful enough to pension all the survivors of the war entitled to the same. The day for fighting the war over again in wordy declamation has gone by. The bloody shirt is no longer valuable in campaigns. The demagogue, whose whole stock in trade is the issue of the past, has ceased to draw. The partisan who seeks his own and his party's advancement by striving to make pensions an issue will fail, for the old soldier well knows that the great popular sentiment of a happy, prosperous people, growing out of their gratitude and sense of justice, makes his pension sure, regardless of which party is in power.

Adopting the language of Governor Andrew:

As they were faithful to the country so will we be faithful to them.

Pensions.

SPEECH

OF

HON. ALLEN R. BUSHNELL,

OF WISCONSIN.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 17, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. BUSHNELL said:

Mr. CHAIRMAN: As I understand it I am in favor of the amendment offered by the gentleman from Missouri [Mr. DE ARMOND]. I have not heretofore expressed my views upon the amendments to this bill proposed by the Committee on Appropriations, because I was not wholly for them nor wholly against them, and the gentlemen controlling the general discussion, did not see fit to grant me the necessary time unless I would agree to take one side or the other.

I am of the opinion that the pension laws of this country, and the administration of them, need some careful revision. I have not been satisfied with the proposed amendments that have been offered here by the Appropriations Committee, because they were clearly imperfect, disjointed and ill-considered. There was not a man upon that committee who would say that he believed those amendments were what they ought to be. Everyone said they needed perfecting by further amendments. In my judgment they did not jibe and fit together, and into the rest of the pension laws as they should, and nobody could tell us, or if they could they did not, exactly what the further amendments were to be, or their effect.

When we touch so delicate a subject as this, one affecting the rights and interests of so many individuals on the one hand, and such sacred and vital obligations of the Government on the other, some responsible committee should present their views and propose the necessary amendments to the laws; amendments which upon their face will bear evidence of having been well considered, and which that committee will say they believe to be the right thing to correct the wrongs in the existing laws. We have not had that. Therefore, I have not favored the amendments offered by the committee.

Knowing the ability and careful character of the gentleman from Missouri [Mr. DE ARMOND] who has offered this amendment, it having his sanction, and it appearing to me to be well considered, correct in principle, and simple and easy of execution, I shall vote for it.

If adopted what would be its effect? It leaves every soldier who received or incurred any disability in the line of duty, to receive his pension, no matter if he be a millionaire, or what may be his income; and it only goes to the extent of requiring a soldier receiving a pension under the law of June 27, 1890, to make affidavit that his income is not as much as \$1,000 a year, and perhaps the affidavits of two credible neighbors that they believe he tells the truth. This can readily be added to the ordinary pension vouchers now required to be executed, without any additional expense.

It seems to me that a man who never incurred any disability whatever in the military service, in the war of 1831, should not yet receive a pension if his income is over \$1,000 a year. Nobody in this House questions the fitness of our long-established pension system. Its justice and reasonable maintenance is conceded by all. But the people who bear its burdens, who pay the money, are entitled to demand that there shall be a just and reasonable limit to the amount of the pensions paid, and that our pension laws, and the administration of them, shall not be perverted to political ends and purposes.

I would like to call the attention of the House to the comparative size of this pension appropriation bill. Gentlemen upon the other side here, talk about the paltry recognition by this Government of the Union soldier. Why, sir, the soldiers have been treated with the most munificent liberality by this Government. The annual pension bill we are proposing to pass here and will pass, nobody opposes it, is almost double the whole amount of the cost of maintaining the immense standing army of the German Empire, which keeps armed and equipped ready to take the field any day, over 2,000,000 of soldiers, with 500,000 horses, and 3,500 cannon, with a reserve ready to swell the number to 3,000,000 of men, and makes Germany the first military power of the world. France keeps up a rival military establishment. We hear about

the enormous burdens upon the people of those countries of supporting the standing armies of Germany and France. Why, Mr. Chairman, our pension list alone costs more than the amount of the total cost of maintaining both those gigantic standing armies. And this is called a paltry recognition of the services of our less than three million Union soldiers. And it is paid on their account annually over a quarter of a century after their services in the field have ceased.

When our pension list had reached only \$35,000,000, James A. Garfield, then chairman of the Appropriations Committee of this House, felt called upon to apologize for its magnitude, and said that in the ordinary course of nature it must soon begin to diminish. Has it done so? Since then it has quintupled. The estimates now called for lack only a little of \$167,000,000; and we are told by the official estimates that we may expect the pension list to increase under our present laws, until it reaches \$188,000,000 a year. By the pending bill we shall appropriate \$166,400,000 to pay pensions. We know from past experience that this will leave us with a deficiency of from ten to fifteen million dollars to make up; and we have equally good reason to believe that the estimated high-water mark of \$188,000,000 will be carried up to \$200,000,000, and probably more.

Last year when a bill was reported favorably to this House by the Committee on Pensions, proposing by a special act to grant a pension to a "dependent daughter aged 78 years of a Revolutionary soldier," I took occasion to oppose the establishment of any such a precedent; and insisted that this Congress should not attempt to run a race with the Fifty-first or the Fiftieth Congress in the matter of passing pension acts. The Fiftieth Congress passed 1,058 special pension acts which President Cleveland approved. The Fifty-first Congress passed 1,454 special pension acts which President Harrison approved, and besides passing the act of June 27, 1890, under which a soldier who served ninety days, but who was never in the least disabled in the line of duty, may get his pension even though his income be a million dollars a year. And the circulars of Pension Commissioner Raum showed that he was then issuing new pension certificates at the rate of twenty-eight thousand per month. If pensions are to be granted to the children of Revolutionary soldiers, there will follow pensions to the children of soldiers of the war of 1812, and of the Mexican war, and of the Indian wars, and of the war of 1861; and when will the pension list begin to decrease?

There is constant pressure in the direction of more and larger pensions. This has been regarded as the direct and only way to get solid with the soldier vote. The tendency in Congress to yield to that pressure has arisen largely and almost wholly from the belief that in so doing they were answering the demands of the soldier element.

But I say to you there is nobody to whom the withstanding of that pressure is now of more vital importance than the meritorious pensioners themselves. The burden yearly of \$3 per head for pensions, now resting upon each person in every community in the United States that lives as well and pays as much Federal taxes as the average of all the inhabitants of the United States, including 8,000,000 negroes in the South, and the paupers in cities and the country, can not be much increased without danger of a sweeping and too radical a reaction. An extreme of this sort in one direction always begets another extreme in the opposite direction.

Justice and fairness in all our pension laws, and freedom from frauds and political ends, in the administration of them, should be demanded by everyone who has truly at heart the welfare of our pensioners. There is a very general belief that there are not a few fraudulent pensioners upon the rolls. Most of us have heretofore known of some such cases. That all such should be discovered and weeded out, and the pension roll kept a roll of honor untainted, is conceded by all.

The class of pensioners which would be stricken out by this amendment, is one who never asked for the passage of a law giving them pensions. In all pension legislation, just and reasonable discrimination should be made as to the disability to be in some measure recompensed, the services rewarded, and the needs of the beneficiaries, on the one hand, and the burdens to be imposed on those who are to pay them, on the other.

In my judgment, our pension laws do not properly discriminate in these respects. Their history is that of legislation to subserve political ends, rather than those of justice to the soldier. They are the response to and outgrowth of, such talk as we heard to the soldiers at the North during the latter part of President Cleveland's first administration, when reverend and grave demagogues cried at soldiers' reunions: "Boys, there is plenty of money at Washington. The Treasury is overflowing. If you don't get what you want go down there and help yourselves." And then some of the boys would cheer. They did not

reflect that on that plan the fellow with two good legs would get there first, and when there, the fellow with two hands would get twice as much as he with only one hand; that the cripples, and they who needed it most would get the least.

Under the pension laws framed in answer to that cry, he who is able to press hardest and most persistently his claim, may get his pension first and most of it, no matter if he needs it least or not at all.

While I could not favor the amendments to this bill proposed by the Committee on Appropriations because they were ill-considered and imperfect, and the scope of some of them I do not approve, I do not by any means regard them as an attack upon our general pension system and evincing a design to overthrow it, as alleged by the Republican side of this House.

The chief features of those proposed amendments are, the transfer of the Pension Office from the Interior Department to the War Department; payment of pensions directly from the Treasury Department, instead of, as now, through pension agencies; medical examination of claimants and pensioners by special medical examiners appointed by the War Department, instead of as now by local boards; uniform ratings for like disabilities of pensioners; limitation of pensions granted by the act of June 27, 1890, to persons whose income is less than \$600 a year, and of all pensions to the widows of soldiers of any war, to such as were married to the soldier within five years after the close of the war in which her husband served; no further payment of pensions to non-resident aliens except for actual disabilities incurred in the service; retention of all over \$5 per month of the pensions of soldiers supported in the national homes for volunteers, except when applied to the support of his family; public access to the pension rolls, to the end that frauds upon them might be discovered and corrected; and finally, the appointment by the Speaker of this House, of a committee of the members-elect of the next House of Representatives, to investigate the operation and administration of all our pension laws, and report to the next Congress, what modifications and reforms thereof are needed, if any. And the chief amendment insisted upon was the transfer of the Pension Office to the War Department in order to take it out of politics.

The details of these proposed amendments were confessedly insufficient and imperfect; we have had no accurate or reliable figures as to the cost or saving, if any, of the proposed administrative changes; some of them are otherwise objectionable; but neither, nor all of them, would deprive the soldier who incurred disability in the service, of any part of his pension.

There are few but will concede that our pension laws and the administration of them, need revision and modification. I was in hopes that the amendment for the appointment of a committee to investigate and report upon those subjects, would prevail. I am not among those who object to a needed measure because it does not come from the right committee. I am willing to be bossed by the Appropriations Committee, if they will only do it well. The least judicious man among them may give us wise suggestions. But that amendment has gone out upon a point of order. Others have gone the same road, and all the rest have been overwhelmingly voted down. There now remains out of the wreck of all those proposed amendments, only this modified form of one of them, offered by the gentleman from Missouri [Mr. DE ARMOND], to the effect that of those soldiers who did not incur any disability in the service, only such as have an income of less than \$1,000 a year, shall draw a pension; and this amendment I think should be adopted.

But from the standpoint of a Union soldier, I can not permit this occasion to pass by without saying that I deprecate and utterly condemn the efforts that have been made by the other side in this discussion, to stir up and aggravate the rebel brigadiers, the ex-Confederate soldiers in this House. And I desire to express here and now, my great admiration for the coolness and self control with which those same ex-Confederates have received the cold-blooded taunts that have been hurled at them.

The tomb of the dead past has been violated; the war fought over again; the horrors of Andersonville and Belleisle portrayed; the "serried columns" of the Union dead paraded before us; and we are told that Stonewall Jackson, that most typical old Puritan of those who fought on either side of that war, who prayed and fought, and fought and prayed, and gave thanks to God for his victories, at one time was in favor of raising the black flag against Northern invaders.

It might have been truthfully said that on our side early in the war, not a few were in favor of hanging every rebel as fast as caught. But finally we did not even try anybody for treason, and they did not raise the black flag.

Stonewall Jackson from his standpoint, found plenty of Bible precedent for his proposed method of warfare, and worse. Both sides might have found like precedent for going much further in the same direction than either proposed. And neither had to

go very far back into modern history to find parallels for all of the barbarities, and worse than those occurring on either side. Who has not heard of the blowing of Sepoy prisoners from the mouths of English cannon in India; the black hole of Calcutta; the British prison hulks of our own Revolution, and the turning loose upon our frontiers of their savage allies, whose known mode of warfare was the slaying and scalping of our women and children. Why, Mr. Chairman, it is scarcely more than two centuries ago when it was the regular practice of the most civilized nations of the world to kill all prisoners of war except the officers, and they were only kept alive for the ransom money that could be gotten for them. No war ever was a pleasing and agreeable spectacle to contemplate in its details.

War! War! What is war? It is the killing of men; the hunting to kill men, and being hunted to be killed; the desolation of a land; the bereaving of families; the making of widows and orphans, and the destruction of the means of subsistence. Death, devastation, and ruin—this, this is war.

The stories thought meet to be told on either side by warring peoples, to fire the soldier's heart with hate against the enemy, have always had in them too much of truth, and much to kindly souls revolting. There is a lurking tiger in the human heart, often unknown and unsuspected by its owner; which when occasions rouse leaps forth with all the fierceness of his native jungle. What brutal and bloody deeds may then be done, with peace restored, should not be harshly harrowed over to keep alive the hates of war, and foster family broils; and designing knaves or fools, alone will do so.

Seen close and better known, the rebel brigadiers drink less blood, than we once were told they did; and they I believe, find us Yanks not so well provided with hoofs and horns, as they once were taught to think.

In truth we find the ex-Confederate soldiers within these Halls to be among our most conservative, careful economical and patriotic members of Congress. When a few months ago the present Republican Chief Executive, against the judgment of some of us, felt called upon to bear hardly against the Republic of Chile, none so quick as they to hold up his hands; and on all occasions none are more ready than they, to do whatever may be necessary to sustain the honor and integrity of the old flag, which their fathers and ours together, upheld at Bunker Hill, and Kings Mountain, and Cowpens; at Saratoga, and Yorktown; on the seas, and the inland lakes; at New Orleans, and Buena Vista, and Chapultepec. None here are so invariably opposed to extravagance of every form. They have to be so; their hard-pressed constituents demand it. Frugality, the art of saving itself, has departed from its native heath, the sterile soil of New England, and taken up its abode in the South.

We Northern Democrats are told by the other side, that we are now marching with the Confederate column. I answer that this indissoluble Union was not preserved for the Republican party alone, but for all the citizens of our glorious country, and the ex-Confederate soldiers among them; and I am ready to go with them, as well as with the negroes of the South, and of the North, and everybody else, who will march with me to correct all and every whit, of the accumulated misrule and mal-administration of the Republican party.

That gallant Union soldier from Pennsylvania (Gen. BINGHAM) may well say as he did upon this floor the other day, that he believes the subject of legislation as to pensions to Union soldiers would be as safe in the hands of ex-Confederates as anywhere else. His fourteen years' experience and observation as a Republican Representative in this House gives him opportunity to know whereof he speaks. My own observation corroborates him. The ex-Confederate soldiers on this floor are entitled to great credit for their course in this regard. They in the South take care of their own maimed and crippled comrades as best they can, help pay the pensions to our Union soldiers, and are often too loth to help us prevent or correct abuses of our pension system. The rule among them generally is to leave pension legislation to members from the North; and if existing abuses are to be corrected and others prevented it has got to come from the North.

Those same ex-Confederates are of our own blood and kindred. They are in the Union and they are in to stay. Should civil strife ever again rear up its gory head among us, which God forbid, and there can be no necessity for it, the lines will be drawn elsewhere than they were in 1861.

We have not forgotten the history in process of making thirty years ago. Washington was then an armed camp; a cordon of fortifications round about it, bristling with cannon; soldiers, bluecoats and shoulderstraps everywhere; along the Potomac the Union hosts guarding this capital upon whose anxious ears the sound of hostile guns often came floating over upon the winds. Abraham Lincoln, that typical representative of the common people of the border Southern States, and who did more than any

other one man to rouse and consolidate the power of the North and hurl her millions of soldiers upon the armies of the South, was then in the Presidential chair.

We have not forgotten the war 1861, and all that it then meant, and still means. It is not difficult for some of us to call back the memories of that stupendous struggle, the closing scenes of which occurred almost a generation ago. For four years the great business of our whole country was war. We remember the anxious prelude when ordinances of secession were being passed in the South, and Southern statesmen were leaving Congress; the shock of the first hostile guns, the call for troops, the rousing of the people, the mustering under arms, the departure of loved ones, sons, brothers, husbands, fathers, to the front; the sad leave-taking, often the last on earth; these we recall.

For four years the smoke of countless camp fires, the tramp of opposing armies, the sound of battle, the wail of mourning for the slain, filled the land.

Those of us who were at the front have other memories, too. We remember the long days in camp, the regular drill, the learning to be soldiers, the campaign, the weary sleepless march, the opening guns of battle, the hurtling shot, the bursting shells, the stern command, "Forward! in line, march!" and then the roar and crash of musketry, the storm of whistling bullets, the screaming grape and hissing cannister, the rebel yell, the charging foe, their thinning ranks, the repulse, the Union cheer, the fixing of bayonets for the supreme moment, and the victory. Then the hasty burial of the dead, and the hospitals full of wounded.

We remember, too, defeat and retreat, the blanched cheeks at Washington, the cry for reinforcements and the hurrying forward of more men.

For those four years, the loins of the North and South alike were girded up for war. Every muscle and sinew was strained to the utmost tension. All the resources of human skill, art and science were drawn upon. All industries, occupations and professions contributed of their best for its support, and on both sides over half a million men perished in the contest.

Whether we admit it or not, we, and the country, now know and recognize the true cause, the meaning and philosophy of that war. Neither the men who wore the gray, and fought in the Confederate ranks, nor the Southern people, were wholly responsible for that war. It was the culmination of the irrepressible conflict in our laws, a remnant of the world old conflict between freedom and slavery, civilization and barbarism.

The colonies from Massachusetts to Georgia had implanted in them, almost forced upon them by the British crown, a large share of whose perquisites were then a share of the profits of the slave trade, that old relic of barbarism, human slavery. Our fathers recognized it as a great evil, but left it in our national constitution to be disposed of by the several States, believing that under the prevalent spirit of liberty in this country it would gradually become extinct. While it was retained in the mild climate and richer soil of the South, where slave labor could be made temporarily profitable to large owners, it did become extinct in the poorer soil of the colder North, where it was cheaper to hire needed labor during the pressing season than it was to own it and support the laborer and his family the year around. The thrifty Northern slaveholders found it most profitable to sell their slaves South; and so they got rid of slavery as a matter of economy.

Burdened with the incubus of this great evil, which cursed at once the slave and the slaveholder, the South, with all its superior natural advantages, proved a laggard in material advancement, and the North greatly outstripped it in the race of progress.

It was not that the practice of slavery itself was always as bad as it was painted. The mutual confidence, faithfulness and affection often existing between the slave and his master and family testify the contrary. But the possible evils, etc., inhumanities that could and often did grow out of it were appalling.

In the full blaze of the enlightenment of the nineteenth century, it came to pass that, while we of the North conceded the right of those States where slavery existed, to deal with it as they saw fit, we yet thought that this great evil ought to be confined to its then limits; that there should be no more slave territory in this free Republic; and Abraham Lincoln was elected President on that issue.

Then arose secession, and drew after her more than a third part of the stars from our political firmament, with the avowed purpose of dissolving our glorious Union, and establishing a separate slaveholding republic out of a portion of this fair heritage from our fathers.

The mighty war of the rebellion followed, and slavery met its death in the contest. Truly

God moves in a mysterious way,
His wonders to perform.

No arm of authority was raised against slavery in the States where it then was, but slavery attempted to secede, and slavery was swept from off the face of all our land.

It was done at an enormous sacrifice, but who shall say it was not worth all it cost? That blight which wherever it existed, impoverished and dried up the fountains of wealth, that benighted and robbed of manhood and womanhood, four millions of human beings—termed by John Wesley "the sum of all villainies,"—a constant threat against our well being, a malignant cancer upon our body politic, is extirpated and gone forever.

Along the pathway of human progress lie buried the bones of slaughtered millions. All great and continued national wrongs against humanity, ever have had, and ever will have, sooner or later, their atonement in blood.

Victor Hugo, in his "Les Misérables," makes the dying old conventionalist of the French revolution say to the good bishop in answer to the atrocities of 1793, "Yes! The brutalities of progress are called revolutions. When they are over, this is recognized. The human race has been harshly treated, but it has advanced." Yes! Our great civil war was a harsh remedy; but through it our country has advanced. That great wrong against human liberty, in view of which Thomas Jefferson said, "I tremble for my country when I reflect that God is just, and that His justice can not sleep forever," has been abolished, by the supreme law of the land. The one great blot upon our national escutcheon has been effaced. The foundations of our grand "government of the people, by the people, and for the people," have been broadened and deepened, and laid more sure, in the great principles of human rights, and our country made free in fact, as in name.

The Union preserved, slavery abolished, peace restored, the cause of strife removed; twenty-eight years of unexampled progress and development in all that makes a nation great; recognized by the powers of earth as one of the leading factors in the world's affairs; no threatenings of foreign foes; no whisperings of internal discords; government for the best good of the masses of the people and of our whole common country now recognized and accepted by all; these, all these, now testify to the beneficent results growing out of that sad dispensation of Providence and the inestimable value of the noble lives, given in it to their and our country. We will ever cherish their memories; and no ex-Confederate soldier raises his voice against giving liberal pensions to their widows and those dependent upon them.

On Fame's eternal camping ground,
Their silent tents are spread;
And Glory halos all around
The bivouac of the dead.

But while we do all honor to our heroic dead who wore the blue, nor yield a single laurel from their crowns, let us be just to the boys who wore the gray. They, too, were brave soldiers and honorable foemen. Though mistaken, they yet believed in the justice of their cause and prayed to the same God for success, as did we.

I have at home a copy of the "New Testament of our Lord and Saviour Jesus Christ," pretty well preserved. It was presented to me in 1861, by the pious ladies of Platteville, Wis., when our company left there for the war. I have also at home another copy of that same sacred book, bearing more marks of use. It once belonged to J. V. Myers, of Company A, Ninth Regiment Louisiana Volunteers. Under his name in it is the date, July 16, 1862, and it says: "When at home, is at Homer, Claiborne Parish, Louisiana." I picked it up as I stepped over his dead body, when we fell back from our attack on Stonewall Jackson's division entrenched in the railroad cut, across the ground fought over on August 30, 1862, at the battle of Second Bull Run. It lay close by his side, where it had fallen from his dying hand. Had I fallen on that field, my testament would have been found in my trunk over here in Washington. His he carried with him to the last. His glazing eyes looked upon it, and he only parted with it when his nerveless fingers relaxed in death. Which was the better Christian? Whose the better intentions?

On which side he and his comrades fought was the accident of birthplace and associations. There is no bitterness at heart between the veterans who wore the blue, and those who wore the gray. The Yanks and the Johnnies who were long thrown into close proximity on the picket line, or in the trenches, soon became trustful and considerate enemies, and no truce made for trade and barter between them was ever known to be violated.

When that overruling Providence which shapes the destinies of nations gave final victory to the Union arms, they accepted the situation, returned to their homes and their peaceful pursuits, and no attempt towards organization to repeat the struggle has ever been heard of among them. And now when they annually decorate the graves of their fallen comrades, they do not forget to bestow some of their choicest flowers on the graves of our Union dead, so many of whom lie buried in their Southern clime.

If they, defeated, can be thus magnanimous, we, victorious, can surely afford to be equally generous. They are our countrymen.

Where the blades of the grave-grass quiver,
Asleep are the ranks of our dead,
Under the sod and the dew,
Waiting the Judgment Day:
Under the one the blue,
Under the other the gray.

Senator JOHN SHERMAN well said in his speech made at Nashville a few years ago:

The courage, bravery, and fortitude of both sides are now the pride and heritage of us all.

Nations have their birth pangs. The history of the world shows no nation ever to have achieved greatness, without internal strifes and commotions, as well as struggles from without. England had her thirty years' war of the roses, and later Cromwell and her Roundheads and Cavaliers; France has swam in the blood of her revolutions; Germany, Italy, Spain, have had their turnings and overturnings; nihilistic bombs are a constant menace to the throne of Russia. And shall we expect our great American Republic to wholly escape the internal ills that nations are, and ever have been, heir to?

Thus far our storms and trials have but strengthened and developed the thews and sinews of our young nation. The vigilant patriotism of her sons has proven equal to every emergency. May those who come after us down through all the centuries to come guard well the sacred trust which we bequeath to them, under the watchword of liberty and eternal right. From all the memories of the past let us here and now, take renewed faith in the future of our country, ever remembering, that though we may sometimes see—

Wrong appear to triumph,
And error claim the throne,
Yet over all, is God,
Keeping watch above his own.

Pensions.

SPEECH

OF

HON. JOSEPH H. O'NEIL,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

On the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes.

Mr. O'NEIL of Massachusetts said:

Mr. CHAIRMAN: I desire to call the attention of the House to a few figures on this question of pensions, so that the people of the country may judge whether this pension system is exceeding its original intention and the promises originally made.

It appears by the statement submitted by Dr. Ainsworth, the head of the record and pension division of the War Department, that the total number of men who enlisted in the Union Army during the war of the rebellion was 2,865,023, but a large number of those were reenlistments, and this number, variously estimated, has been placed by him at 543,393, making the actual number of men in the Army during that war, 2,128,948.

The total number of enlistments in the Navy and Marines was 105,963; this, too, includes a large number of reenlistments and transfers from the Army; and after deducting these it leaves 84,417 individuals actually serving in the Navy during the war. So that in the Army and Navy the total number of men was 2,213,365; and of these 1,727,353 were alive at the termination of service, excluding deserters.

The greatest strength of the Army, according to the same authority, was on May 1, 1865, when it numbered 38,632 officers and 961,884 enlisted men, making a total of 1,000,516 present and absent. And the greatest number reported present at any time, not at the front, but present at all stations of the Army, was 797,907 men. Now, the total number of men on the pension rolls on January 31, 1893, was 742,173, and there is no question that before the close of the present fiscal year there will be more men on the pension roll than there were at any time at the front during the war.

For the sake of comparison let us look at the history of pensions granted for other wars and the number of men who were enlisted in them. It will surprise many to know that there were 309,791 enlisted men in the Revolutionary war; of course many

of these enlistments were reenlistments, perhaps 50 per cent. In the war of 1812 there were 576,622 enlistments, regulars, militia, and naval, and it is true that perhaps 50 per cent of these were also reenlistments; so that, taking the total number of soldiers and sailors in all the wars previous to the war of the rebellion, which was 1,115,811, it is safe to estimate that there were at least 720,000 individuals in the army and navy in all wars previous to 1861.

Now, up to January 31, 1893, the total number of pensions granted to the enlisted men in those wars was 96,163 or 1 in 8 of the total number of individuals, and the total number of pensions granted up to that time for all classes was 172,298, or 1 in 4, while there will be only 200,000 men at the end of the fiscal year of the survivors of the late war who will not be on the pension roll and the proportion of pensions granted up to to-day over 700,000 pensions to a total enlistment of 2,800,000, or 1 in 4, and July 1, 1893, it will be 1 in 3 of total individuals in the service.

Not less instructive is the statement of the amount expended for pensions up to date:

| | |
|---|--------------------|
| Total amount expended from July 1, 1860, to June 30, 1892 | \$1,418,348,211.91 |
| Amount appropriated for present year | 158,800,437.75 |
| Total | 1,577,148,649.66 |

| | |
|---|---------------|
| Now, the total amount paid for all pensions for all wars up to June 30, 1861, was | 80,738,327.06 |
| For pensions on account of war of 1812 since 1871 | 40,964,408.27 |
| For pensions on account of Mexican war since 1887 | 11,843,394.32 |
| And to cover periods not covered by reports not over | 16,500,000.00 |

| | |
|--|----------------|
| Making a total amount expended for pensions for all wars, excepting the war of the rebellion | 150,046,129.65 |
|--|----------------|

or about ten millions less than will be paid out during the current year for pensions, and in a period of over one hundred years about one-tenth of the amount expended on account of the war of the rebellion in thirty years.

Now, it is not true that any attempt is being made to deprive anyone who deserves or who needs a pension of what they now receive; but when the appropriation for this one item is one-third of the total expenditures of the Government, and from the way it is growing, will soon be half of the total expenditures, no honest soldier will find fault at any attempt to keep the Government to a strict compliance with its pledges and no more, nor will any honest soldier find fault if attempts are made to purge the list of those who neither deserve nor need a pension.

The wholesale denial that many who neither deserve nor need pensions are on the pension rolls needs no repetition here, when there is not a community in the country which does not contain some of them well known to their immediate neighbors; and we have good evidence from Republican officials that pensions are sometimes granted to those who should not receive them, and this is well shown by a letter of Hon. J. A. Bentley, a Republican Commissioner of Pensions under President Hayes, to the Secretary of the Interior on February 4, 1879, he said:

In each of my three annual reports I invited attention to the defects in the system now provided by law for the adjustment of pension claims. The passage of the act of January 25, 1879, very greatly emphasizes the necessity for immediate and efficient legislation in that direction, and I therefore again allude to the subject.

The present system, being entirely *ex parte* in its proceedings, furnishes extraordinary facilities for the successful prosecution of fraudulent and unmeritorious claims, thus inviting the presentation of that character of claims.

As the law stood previous to the passage of the arrears act the temptation to fraud was very great, but since that act it is many times increased. Then the claims were comparatively few in which any considerable sum of money would be the immediate reward of a successfully prosecuted claim, but since that act every invalid claim allowed, as well as many of the other classes, will have in it from several hundred to several thousand dollars due the claimant at the first payment.

It is estimated by those best informed that there have been not less than \$2,000,000 paid out annually for fraudulent pensions. In my judgment the estimate is below rather than above the actual amount.

With the temptation to the commission of fraud so greatly increased and the road to the Treasury easy through *ex parte* proceedings, the consequences can easily be foretold. Not only will the people be taxed to pay an annual tribute to the unworthy amounting to several millions of dollars, but with so many claims pending and still to be presented, and the avenues to the two or three hundred persons, more or less, who are charged with their adjustment open to the approach of interested parties, it will be little less than a miracle if extensive official corruption does not follow.

No stronger letter could be possibly written than this, and yet no man will dare claim that either Mr. Bentley or his adminis-

tration of the Pension Bureau was hostile to the honest, deserving pensioner. That the system was not corrected as suggested by Mr. Bentley, but was steadily growing worse, was conclusively shown by the following extract from a letter written by the Secretary of the Interior, Mr. Noble, to Commissioner Tanner, and transmitted to Speaker REED, of the Fifty-first Congress:

The irregularities that marked the allowances for increase and rerating in the aforementioned claims were violations of the aforementioned established ruling of the Department and of the foregoing section (4638) of the Revised Statutes; and the action of the Secretary was taken in the premises, after careful deliberation, with a view of correcting the irregularities, asserting the true practice of the Department, and maintaining the integrity of the law itself. The necessity of correcting such irregularities in the administration of the Bureau of Pensions became obvious, in order to protect the pension system itself and do justice to the mass of equally honest pensioners and claimants—its deserving beneficiaries—regardless of either political influence or personal favor.

In reply to the inquiry as to whether any action has been taken in rerated cases to recover the money wrongfully allowed and paid, I have to state that, upon full consideration of the matter, the conclusion was reached that, under the circumstances relating to the financial ability and responsibility of a number of the beneficiaries, it would be impracticable to recover by litigation or otherwise the money that had been actually paid. However, in two cases in which pensions were rerated upon a manifestly erroneous construction of law by Commissioner Tanner, viz, the cases of George J. Bond (certificate No. 4779) and James E. Engle (certificate No. 7335), the pensions were suspended to abate the overpayment.

It does not conclusively appear to what extent all the rerated employes were directly concerned in rerating themselves. Certain of them, no doubt, obtained by personal solicitation undue advantages or priority in the adjudication of their cases by reason of their respective official positions, and more favorable action was evidently secured by such means; but these facts are not demonstrated upon the face of the record itself in all the cases that have come to my attention.

The following is a list of rerated employes who have been dismissed from the Bureau of Pensions, their dismissal being based upon considerations appertaining to a correct public service:

| | | |
|--------------------|-------------------------|--------------------|
| Frank A. Butts. | William Goodlove. | James E. Smith. |
| John E. Carpenter. | William H. Heipbringer. | Philip H. Barton. |
| James B. Coit. | William J. Hilligoss. | Joseph C. Squires. |
| James E. Engle. | Henry A. Phillips. | |

The following persons resigned in compliance with requests based upon considerations growing out of the illegal rerating of their pensions: Hiram Smith, Jr., William N. Barnett.

It is proper to say that in some of the cases of rerating the beneficiaries themselves were not so directly engaged in the matter as were others in their behalf. Owing to these and other extenuating circumstances the facts as ascertained did not seem to justify the dismissal of all who were rerated, nor any hasty action upon the question of their continuance in office. The cases of some are yet held under consideration by the Department.

Very respectfully,

JOHN W. NOBLE, Secretary.

HON. THOMAS B. REED,
Speaker of the House of Representatives, Washington, D. C.

These men were removed because, being placed in office to look after the pensions of others, they neglected the claims of others until they had rerated their own pensions and had distributed amongst forty-six employes of the Pension Bureau in five months \$58,610.79. It is but fair to the present Administration to say that Mr. Tanner, who, to use the words of Secretary Noble, made a "manifestly erroneous construction of the law," was shortly afterwards "allowed" to resign.

One would think, to hear some of the talk that is heard, that an attempt was being made to destroy the whole pension system; but search the records of the speeches made in opposition to the proposed amendments and not a single argument has yet been advanced specifically against one of them.

The bloody shirt has been waved, a chance has been given for those whose political capital is professed love for the soldier, and who vie with each other in their efforts to accede to every demand made, worthy or unworthy. But the great bulk of the people realize that the war is over and are glad of it. They want peace and the blessings of peace, but they are in favor of placing some limit to a pension roll, and not have it, as at present, showered on the just and the unjust, the deserving and undeserving, the rich and the poor, without discrimination.

A careful perusal of the amendments will show that no attempt was made to either take away a pension from a deserving or a needy pensioner, but that in addition to that not a single thing was proposed but what has been done by other Congresses for the same classes of pensioners.

The amendment to compel inmates of soldiers' homes to send all in excess of \$5 a month to dependent relatives or else turn the excess into the Treasury to help maintain them was put into the bill in the Forty-seventh Congress, a Republican House, without division.

It is advocated by the best people conversant with the management of the homes. But the voters of to-day would have you believe that it is a crime to take away any part of the soldier's pension, even if in addition to that pension you feed him, clothe him, and house him, and so increase immeasurably the Soldiers' Home pensioner over the man outside.

The amendment to pay no pensions to widows unless they were married previous to five years before the close of the war

has been termed brutal, unmanly, and everything else, and yet no man has yet dared to say it was not honest. Of course, much sympathy can be made out of this proposition, and those who oppose it will, of course, extract from it all the sentimentality possible without touching the merits of the case. And yet it is much more liberal than the legislation of the Republican Congress in 1870, when they passed the bill pensioning the widows of the war of 1812. That bill provided that no such widow should draw a pension unless she had been married previous to the treaty of peace for the war in which her husband served. That Congress had in it some of the ablest generals of the Union Army, and they thought then that such a rule should be established.

It is not pleasant of course to take away a pension from any widow; there is nearly always a sorrowful story connected with widowhood which appeals to all hearts. This is as true of the widow who married the civilian too young to go to the war as it is of the widow who married a soldier after the war was over. The woman who marries does it for better or for worse, and she must trust to God's Providence for the result. She who marries the civilian may marry a man broken down in health. She too may be compelled to mind her husband in his illness, and she, when he dies, has no pension to look forward to. And yet, in right and justice she is as much entitled to a pension as is the widow who married a soldier years after the war was over.

The amendment would perhaps take 40,000 widows from the roll; not more, possibly less. In the same neighborhood where those 40,000 widows live, there are at least 2,000,000 widows at least as needy as the 40,000, but not having equal rights and privileges with them under these laws.

To hear the debate on this amendment one would naturally believe that it was a sympathetic gratuity to a needy person, and if that policy is to be the policy of the Government then the 2,000,000 widows not on the roll should be allowed to come in. The woman who allowed her husband to go to the war, the mother who allowed her son, and the girl who was engaged to be married, and kept her promise after the war was over, are entitled to pensions and no man will ever try to take them from them, but further than this the pensions should not go. Let me repeat that the restriction placed on widows by the Republican Congress in 1870 was much more stringent in its terms than the one proposed by the Committee on Appropriations.

To the other proposition but little need be said in addition to what has already been said. That is the amendment which provides that no one shall be paid a pension under the act of 1890 unless disabled for manual labor and unless his income is less than \$600. This would not strike a poor man anywhere, and yet one would think that the proposition contained in the amendment was to rob every deserving pensioner under the law. Efforts have been made to befog the issues and everything has been discussed except the proposed amendments.

The act of 1890 was passed to take care of those who were not able to take care of themselves on account of their disabilities, and yet men who have large incomes are drawing pensions under that act, while the people of little or no means are taxed to pay them. Nor is the effort to restrict the payment of pensions any new legislation. Section 4707 of the Revised Statutes for the payment of pensions to dependents provided:

That the pension allowed to any person on account of his or her dependence, as hereinbefore provided, shall not be paid for any period during which it shall not be necessary as a means of adequate subsistence.

Does anybody claim that this provision, placed on the statute books between 1862 and 1873, was hostile to the real soldier?

In the payment of pensions to widow of soldiers it was many years after the war before pensions were made permanent, and all the acts passed up to and including the act of 1837 provided that a widow should only be entitled to a pension for five years after her husband's death. I suppose that would be termed brutal by those anxious to scatter the money in the Treasury on sympathetic grounds rather than deserving ones.

A single section of the old laws will show how much more liberal were the amendments proposed by this committee than any of the laws granting pensions up to 1837. Section 1639 of the Revised Statutes is as follows:

If a person, whether officer or soldier, belonging to the militia of any State and called out into service of the United States, be wounded or disabled while in actual service, he shall be taken care of and provided for at the public expense.

As will be seen, it was to take care only of those wounded or disabled in actual service.

The act of 1886 was passed to prevent any woman from getting the increase of pension from \$8 to \$12 a month unless she was married previous to the passage of the act, and the act of June 27, 1890, was passed prohibiting any widow from drawing a pension under its provisions unless married previous to the passage

of that act. So that the whole history of pension legislation is full of laws restricting the payment of pensions, when it was found that they became too severe a strain on the Treasury, to those who deserved and needed.

There are very few people not looking for votes or pensions who will not admit that reform in the system is demanded. Very few who know anything about the locality of the pensioners but admit the difficulty of securing reform, and the following tables are submitted to show in some measure where the pensions are paid and the difficulty of securing relief from undeserving pensioners:

Statement showing the number of pensioners in each State and Territory of the United States on the rolls December 31, 1892.

UNITED STATES.

| States and Territories. | Number. | States and Territories. | Number. |
|-------------------------|---------|-------------------------|---------|
| Alabama | 2,086 | Nebraska | 17,628 |
| Alaska Territory | 15 | Nevada | 309 |
| Arizona Territory | 508 | New Hampshire | 9,226 |
| Arkansas | 9,757 | New Jersey | 19,069 |
| California | 11,385 | New Mexico Territory | 1,034 |
| Colorado | 4,582 | New York | 83,311 |
| Connecticut | 10,743 | North Carolina | 3,769 |
| Delaware | 2,626 | North Dakota | 1,430 |
| District of Columbia | 8,578 | Ohio | 98,916 |
| Florida | 2,167 | Oklahoma Territory | 3,247 |
| Georgia | 2,005 | Oregon | 4,212 |
| Idaho | 882 | Pennsylvania | 92,563 |
| Illinois | 66,648 | Rhode Island | 3,774 |
| Indiana | 67,420 | South Carolina | 1,359 |
| Indian Territory | 1,720 | South Dakota | 5,084 |
| Iowa | 37,131 | Tennessee | 18,047 |
| Kansas | 45,038 | Texas | 6,848 |
| Kentucky | 29,258 | Utah Territory | 747 |
| Louisiana | 3,701 | Vermont | 9,911 |
| Maine | 19,080 | Virginia | 7,265 |
| Maryland | 12,926 | Washington | 4,901 |
| Massachusetts | 40,003 | West Virginia | 13,181 |
| Michigan | 44,048 | Wisconsin | 27,481 |
| Minnesota | 15,206 | Wyoming | 599 |
| Mississippi | 3,169 | Total | 927,650 |
| Missouri | 51,079 | | |
| Montana | 1,078 | | |

Number of pensioners in each State and Territory of the United States on the rolls June 30, 1892, and the amount paid for pensions during the fiscal year 1892 in each State and Territory.

| States and Territories. | Number. | Amount. |
|-------------------------|---------|----------------|
| Alabama | 2,775 | \$400,722.44 |
| Alaska Territory | 16 | 2,236.80 |
| Arizona Territory | 412 | 65,298.07 |
| Arkansas | 8,835 | 1,470,903.77 |
| California | 11,292 | 2,204,921.69 |
| Colorado | 4,092 | 656,607.98 |
| Connecticut | 10,956 | 1,228,259.83 |
| Delaware | 2,527 | 433,252.69 |
| District of Columbia | 8,581 | 1,632,861.88 |
| Florida | 1,947 | 319,021.32 |
| Georgia | 1,888 | 274,117.65 |
| Idaho | 789 | 113,628.50 |
| Illinois | 63,240 | 9,343,956.80 |
| Indiana | 65,121 | 10,435,529.43 |
| Indian Territory | 1,590 | 244,621.89 |
| Iowa | 35,642 | 5,310,988.96 |
| Kansas | 42,402 | 6,986,591.03 |
| Kentucky | 27,708 | 4,465,812.11 |
| Louisiana | 3,090 | 494,120.08 |
| Maine | 18,256 | 3,272,112.77 |
| Maryland | 12,212 | 2,154,775.56 |
| Massachusetts | 34,787 | 6,319,957.66 |
| Michigan | 42,258 | 7,471,548.90 |
| Minnesota | 14,623 | 2,155,095.80 |
| Mississippi | 2,769 | 353,432.37 |
| Missouri | 47,345 | 7,780,516.86 |
| Montana | 977 | 143,259.83 |
| Nebraska | 16,746 | 2,486,030.03 |
| Nevada | 215 | 36,409.30 |
| New Hampshire | 8,994 | 1,297,415.40 |
| New Jersey | 18,779 | 2,937,656.31 |
| New Mexico Territory | 918 | 149,340.88 |
| New York | 77,920 | 11,762,830.64 |
| North Carolina | 3,461 | 495,187.91 |
| North Dakota | 1,366 | 193,683.79 |
| Ohio | 93,385 | 16,113,541.34 |
| Oklahoma Territory | 2,984 | 468,891.63 |
| Oregon | 3,452 | 425,063.97 |
| Pennsylvania | 85,370 | 12,506,167.92 |
| Rhode Island | 3,690 | 437,880.18 |
| South Carolina | 1,209 | 171,126.27 |
| South Dakota | 4,756 | 711,343.03 |
| Tennessee | 17,031 | 2,434,508.73 |
| Texas | 6,288 | 905,230.94 |
| Utah Territory | 692 | 89,737.84 |
| Vermont | 9,662 | 1,406,633.79 |
| Virginia | 6,078 | 1,047,952.16 |
| Washington | 4,238 | 524,137.32 |
| West Virginia | 12,290 | 2,158,703.12 |
| Wisconsin | 26,882 | 3,977,258.60 |
| Wyoming | 506 | 83,648.14 |
| Total | 872,621 | 138,564,201.91 |

Statement of the number of pension claims of all kinds on file in the Bureau of Pensions, January 1, 1892, with the number on file each month from that date to January 8, 1893.

| Date. | Original invalid. | Original widows. | June 27, 1890.* | Increase | Accrued. | Nurses. | Total. |
|---------|-------------------|------------------|-----------------|----------|----------|---------|---------|
| 1892. | | | | | | | |
| Jan. 1 | 315,133 | 151,163 | 191,833 | 208,270 | 7,402 | | 873,801 |
| Jan. 30 | 304,097 | 151,328 | 188,528 | 228,410 | 7,659 | | 880,622 |
| Feb. 27 | 292,458 | 151,307 | 179,717 | 233,772 | 8,180 | | 865,434 |
| Apr. 2 | 287,454 | 151,651 | 168,778 | 235,512 | 8,851 | | 852,246 |
| Apr. 30 | 286,720 | 152,636 | 163,041 | 233,738 | 9,127 | | 845,262 |
| May 28 | 278,732 | 152,987 | 159,248 | 233,407 | 9,369 | | 833,743 |
| July 2 | 270,442 | 153,000 | 150,730 | 233,500 | 9,757 | | 817,429 |
| July 30 | 266,874 | 152,498 | 146,196 | 235,631 | 9,798 | | 811,897 |
| Sept. 3 | 263,483 | 150,690 | 140,710 | 237,100 | 9,914 | | 806,897 |
| Oct. 1 | 266,610 | 150,208 | 138,572 | 241,517 | 10,069 | 203 | 807,177 |
| Oct. 29 | 250,823 | 157,801 | 153,653 | 239,272 | 4,610 | 281 | 796,440 |
| Dec. 3 | 241,651 | 156,652 | 145,504 | 231,599 | 4,684 | 362 | 780,425 |
| Dec. 31 | 236,322 | 155,590 | 138,972 | 234,124 | 4,729 | 688 | 770,425 |

* Also filed under former acts.

No patriotic citizen would object to this roll, large as it is, were the people on it all deserving or all needy, but when it is shown that there were 937,650 on the roll January 1, 1893, and that there were pending 770,425 cases, of which about 400,000 are originals, and when it is remembered that the law as at present on the statute books enables almost anyone to get a pension, it does seem that someone should try in the interest of the deserving and the needy soldiers to cry out, "Halt!"

That and that alone has been the intention of the amendments; that and that alone was what would be effected by them; to protect them in the enjoyment of what no one will ever attempt to deprive them was what was aimed at. And the necessity for it is seen by the fact that to-day the payment of pensions calls for one-third of all the money appropriated by the Government. When these eight hundred thousand claims on file January 1, 1893, are adjudicated there is no doubt that it will take one-half of all the money spent by the Government, and when the people are aroused to this fact, with the knowledge they have that undeserving people are drawing pensions for which they pay, then comes the danger that in the attempt to purge the list injustice may be done to worthy pensioners.

These amendments were offered in no hostile spirit to proper and liberal pension legislation; they were offered in the belief that good pensions should be granted to those who deserve them and who need them, and did not affect a single soldier drawing a pension under any law but the act of 1890, which law has been misconstrued and misapplied until the scarred and wounded veteran who draws a pension for wounds in the service is to-day placed below the man who never went beyond the borders of the State in which he enlisted.

Pensions.

SPEECH

OF

HON. DAN WAUGH,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 15, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. WAUGH said:

Mr. CHAIRMAN: I am greatly obliged to my colleague from Vermont [Mr. GROUT] for this opportunity of placing on record, in behalf of the soldiers and their many friends of the district which I have the honor to represent on this floor, my earnest protest against certain provisions of the pending measures and the proposed amendments thereto.

I did not expect this crusade upon our pension system and the surviving veterans of the late war would come so soon. I supposed it would be withheld until the party of our friends on the other side of the House had been fully installed in power and in possession of the field. In this I seem to have been mistaken.

The inspiring spectacle we were permitted to witness in this Chamber on the 8th day of this month, the public declaration under the forms of law of the election of Grover Cleveland as President of the United States, so inspired and emboldened our

friends that they could not wait, but upon the same day forced the conflict by precipitating these amendments upon the House.

Mr. Chairman, it does seem to be in the order of the eternal fitness of things that the declaration of Grover Cleveland's election as President should be immediately followed by a declaration of war upon the old soldiers whose service to their country made it possible that the declaration of his election as President might be made; also made it possible that these gentlemen who would now rob him of the paltry recognition the Government has given him might occupy seats in an American Congress.

I am indeed gratified to know that these amendments came here without the indorsement of a single Republican, but came here by Democratic votes of the Committee on Appropriations, who either represent strong Democratic districts or are accredited with serving in the Confederate army, and none of whom served in the Union Army.

During this entire discussion these walls have constantly echoed the charge so recklessly and flippantly made of corruption in the Pension Office and fraudulent pensions, while we on this side of the House have been persistently, in the face of these groundless charges, demanding a specific charge, the name of a single undeserving soldier that is drawing a pension, and up to this hour no indictment with specific charge that would stand in the court of a justice of the peace has been made.

These wholesale charges are made for the only purpose of corrupting the public mind and bringing the pension system into disrepute, so that they may be sustained by public sentiment in their efforts to invade the Pension Office and strike from its rolls over 200,000 deserving pensioners, for the only crime that they served in the late war and their pensions were granted under the act of 1890. The object of our friends is to apply the knife to the old law claims and to strike down, if possible, the act of June 27, 1890.

My friend, Mr. MUTCHLER, while delivering his speech the other day, in speaking of the abuses of the pension system, courteously yielded to me to ask him the following question:

Mr. WAUGH. If there are abuses in the pension system, does not the gentleman believe they have mostly grown out of special acts of Congress?

Mr. MUTCHLER. I will say to my friend that in my judgment in this country at no time was there ever a law enacted more vicious and which has robbed the people to a greater and more unwarrantable extent than the act of June 27, 1890, and I say further that with the Pension Bureau construing that act as it has been construed—

Mr. Chairman, I will say that there may be possibly a few fraudulent pension claims, or pensions granted to undeserving soldiers. It would be almost a miracle if there were not, taking the large number of claims adjudicated.

There is no one who would strike from the rolls quicker than I would a fraudulent claim when clearly established. I do not believe, however, there are any more fraudulent claims granted in the Pension Office than there would be in the same number of claims against the Government for any other purpose. Some one suggests Southern war claims. The justice and equities of the two classes of claims are so different they should not be mentioned in the same day.

Taking the strict rules of practice and evidence established in the Pension Office in the prosecutions of claims, I believe there are hundreds upon hundreds of claims of deserving soldiers rejected to every unworthy one allowed.

FORFEITURE OF NONRESIDENT PENSIONS.

Mr. Chairman, the bill under consideration forfeits the pension from and after July 1, 1893, of all nonresidents who are not citizens of the United States, unless such pensions are based upon disabilities contracted during the war. If this provision is held by the Chair to be germane to the measure now under discussion I desire at the proper time to submit an amendment thereto.

My friend from Massachusetts [Mr. O'NEIL] told us in his remarks that this provision was intended to cut off the pensions of persons who came from other countries, notably Canada, in the closing months of the war, and enlisted for the large bounties that were then offered, and at the close of the war returned to their homes, and were never in fact citizens of the United States.

If that was all there was of this provision of the bill we might reach an agreement, but as I understand the proposition it is much broader than that. It forfeits the pension of nonresident widows, whose husbands died of wounds or disabilities contracted in the war, thus discriminating between the soldier and his widow. It does not stop there. It deprives the American-born citizen, who may have remained a citizen of this country for a quarter of a century after the war, no matter what the length and character of his service.

I see from the last annual report of the Commissioner of Pensions June 30, 1892, that there are 3,412 pensioners residing in foreign countries. I see one poor wanderer has found his way to Corea, another to the Fiji Islands. In fact there is scarcely

a nation on the face of the earth but what has a representative of the great American Army that fought for the preservation of the Union. I will by permission of the House append to my remarks a table showing the number of pensioners residing in the different foreign countries.

Mr. Chairman, I have that appreciation for the services of these men that I believe that the American citizen who, in the hour of the nation's peril, went out upon the field and staked his life upon the issue that his country might live, and performed faithful service in the war, now that the war is over and he has been granted a pension under any act of Congress his Government should not now turn prison walls to him and hold over his head the threat of forfeiture of his pension should he depart. No, sir, it should follow him wherever he may go, even to the uttermost parts of the earth, and pay him the pittance of a pension it owes him. [Applause.]

CUTTING OFF 200,000 PENSIONERS.

One of the proposed amendments takes away the pension of a soldier granted under the act of 1890 unless he can show that he is disabled for manual labor and his annual income is less than \$600. Also the pension of a widow who married the soldier more than five years after the close of the war in which he served.

Why should the soldiers of the late war be compelled to go through the doors of the poorhouse to get a pension? Why should they be singled out as the special objects of the wrath of our friends on the other side? Why not impose the same burdens and restrictions upon the soldiers of the Mexican and other wars?

There are over 15,000 veterans of the Mexican war still living and on the pension roll. The Mexican soldier may draw a pension under the law if he served sixty days in the Army or Navy of the United States, in Mexico or on the coast or on the frontier thereof, or en route thereto. If he is subject to any disability or dependency, whether it originated in the service or not equivalent to some cause recognized by the pension laws as a sufficient reason for the allowance of a pension, or is or may become 62 years of age, and this Congress has passed a bill, which is now a law, increasing the pension of Mexican soldiers, and my friend from Georgia [Mr. LIVINGSTON] and others, who in the interest of economy propose to cut off the pensions of the soldiers of the late war, voted for that measure, which will add an additional expenditure on account of Mexican pensions of about \$1,000,000 a year.

Now, I cast no reflection on the Mexican soldier. I honor him for the gallant service rendered his country. But I repeat, why is this distinction made between him and the soldier of the rebellion? Is it because a large majority of the Mexican soldiers live in the South and the result of the Mexican war was the giving of a territory large enough for an empire to bondage and barbarism, and that a large majority of the Union soldiers live in the North and the result of the conflict in which they were engaged gave a continent to freedom and civilization?

Pensions for service and disabilities, whether contracted in the service or not, have been granted to the soldiers of all the wars from the Revolution to the rebellion. About 60,000 were granted on account of the War of the Revolution; over 57,000 on account of the war of 1812 with Great Britain. The same class of pensions have been granted to those who served in all of our Indian wars. Why, then, should the soldiers of 1861 be cut off? Were their services not as valuable and their perils and hardships as great as of the soldiers of other wars?

We must not forget the magnitude of that struggle. We sent into the ranks of the Union Army 2,778,304 men. I hold in my hand a statement taken from the official records of the number of men furnished by each State and Territory, also a statement of the number of troops enlisted in all other wars in which this country has been engaged, which I will by permission of the House append to my remarks.

Mr. Chairman, that vast army of men crowding each other in camp, thrown against a gallant and determined foe of equal numbers, and crushing each other in 2,000 actual battles, must have resulted in a great waste and destruction of their physical powers and vital forces, bringing on premature old age, and deaths of thousands upon thousands, who can not under the rules of evidence and practice in the Pension Office trace the origin of their disabilities to the service.

Mr. Chairman, I deny the assertion so often made on this floor that a pension is a gratuity, a gift to the beneficiary. I believe it to be one of the highest obligations resting upon the Government, above the law of contracts, which it is morally in duty bound to pay. The Government has paid the very last farthing of the bond in gold to the bondholder. It has paid and holds itself bound to pay for all damages inflicted by its armies to the real and personal property of loyal citizens of the South.

I respectfully ask, is not the obligation as binding upon the Government to pay the damages to the sacred persons and lives of its defenders inflicted during the war as to pay for horses, mules, and every conceivable species of property injured or taken during the war?

As to the other branch of the amendment, namely, to cut off the pensions of all widows who failed to marry soldiers within five years after the close of the war in which they served, I denounce as unbecoming this great nation and the most heartless proposition ever submitted to an American Congress. Just think of it! When death robs her of her husband the Government steps in and robs her of her support and drives her and her children over the hill to the poorhouse!

I want to tell my good friend from New York, who leaped into the breach of this discussion with such reckless vehemence, that it is true these women can not vote, but they have legions of sons and friends who can and will vote to rebuke this day's proceedings.

SOLDIERS' HOMES MADE PRISONS.

The provisions of the bill require that the managers of the National Homes for Disabled Volunteer Soldiers shall deduct the excess above \$5 monthly of the pensions of all inmates of the home and cover the same into the Treasury, unless such inmate has a wife, minor child, or parent dependent upon him for support at the time of his admittance to the home. In such case the managers of the home shall apply the excess of pension above \$5 each month to such support.

This provision makes no distinction between inmates of the home who are properly applying their pensions to the necessities of themselves and families and the spendthrift who is spending his pensions in saloons and in riotous living. It places all under the same ban. It punishes the innocent for the crimes of the guilty.

The question of the proper application of the pensions of these inmates should be left to the discretion of the managers of the homes and not arbitrarily controlled by Congress. This pension when paid to the pensioner or his agent becomes his absolute property, as much so as the farm of my friend from South Carolina [Mr. SHELL] who sits before me. Congress has no more right to confiscate the property of an inmate of the Soldiers' Home without due process of law than it has to confiscate the farm of my friend.

To cut the pensions of the inmates of these homes down to \$5 a month would be a detriment to the Government. I know of inmates in the Soldiers' Home at Marion, Ind., near my district, who remain in the home during the winter months, and with the accumulation of their pensions during that time are enabled to leave the home through the summer and fall months and support themselves, thus relieving the Government of their support at least two-thirds of the time. Cut their pensions down to \$5 per month and they will be imprisoned in the home all the time at the expense of the Government.

MEDICAL EXAMINERS.

Mr. Chairman, the second amendment offered to the bill provides for the appointment of one hundred and twenty special examiners, to which may be added a detail of special examiners now in the Pension Office. These examiners, in conjunction with local examiners, may perform the duties now imposed upon the present board of examiners, and that such special or local examiners shall not serve in the Congressional district in which they may reside; that these examiners are to receive a salary of \$1,500 per annum with traveling expenses.

I am informed that there are no special medical examiners now in the Pension Office that can be spared from the work of the office. Therefore we would have one hundred and twenty special examiners appointed under the bill with an equal number of local examiners, making a board of examiners for about every three Congressional districts in the country. It is apparent that this is not sufficient to do the work.

During my short time in Congress I have had scores of applications from soldiers to procure orders for their examination at their homes, they being unable to even travel to their county seats.

Furthermore, Mr. Chairman, \$1,500 a year to a physician who is required to abandon his practice and leave his home will not give us that degree of skill that the necessities of the case demand. Speaking for the medical boards of my district, they are composed of honorable men, standing in the front rank of their profession. Not one could afford to accept a place under the provision of this bill. This bill would relegate the whole business to physicians who have no business, quacks and adventurers.

PENSION AGENCIES.

Mr. Chairman, one of the provisions of the pending measure abolishes our present system of pension agencies. This is not in

the interest of the pensioner or the Government. There never was a time in the history of the country when the same amount of money was disbursed as there is now disbursed through our present system of pension agencies with as little cost and loss to the Government. To make all payments through the Treasury Department you must increase the force of that Department to the extent that it will increase the expenditures of the present system. Besides, it will delay the payment of many pensions not only days but months.

TRANSFER OF THE PENSION OFFICE TO THE WAR DEPARTMENT.

The proposition to transfer the Bureau of Pensions to the record and pension office of the War Department and authorizing the President of the United States to designate an officer of the regular Army, whose rank and pay shall be that of a colonel, who shall exercise all the powers and perform the duties that are now exercised by the Commissioner of Pensions, and to designate two officers of the Army with the rank of captain to perform the duties now imposed upon the First and Second Deputy Commissioner of Pensions, I also oppose.

It is claimed this transfer will take the pension question out of politics. Mr. Chairman, this discussion has done more to bring it into politics than the administration of the pension laws under any Department could possibly do within the lifetime of any pensioner now upon the roll.

Why should the Pension Office be presided over by a regular Army officer to the exclusion of all other classes of citizens? It is not a military office, but an office that calls for the discharge of strictly civil duties, and foreign to the education and duties of men engaged in the arts of war. We have a regular Army officer now as the custodian of the records of the volunteer army, holding his place under a law forever excluding any volunteer soldier or citizen from the position.

Why take these records written by the armies of Grant, Sherman, and Logan, by force of law, away from men who helped to make them and hand them over to a regular Army officer, whose name perhaps does not appear upon them and possibly was not in the war, or ever saw an enemy of his country under arms.

Why turn the Pension Office over to the regular Army? The advocates of the proposition tell us that it is in the interest of the soldier. I have failed to hear that he has asked for such a favor. This covering is too transparent to hide the main object, which lies in the hope that if the Pension Office is transferred to the War Department and put under the control of regular army officers such strict rules of practice and evidence would be adopted in the adjudication of claims that it would be almost impossible to establish a claim for pension.

The Pension Office should be presided over by a man possessing qualifications for the position, whose only ambition is the faithful discharge of his public duties, having due regard for the interest of the pensioner and the Government, and not by an army officer who would prostitute the position for his own personal ambition for promotion over worthy officers in the actual service. Promotions in the Army should be made for heroic deeds upon the field or in order of seniority, and not for gallantry in holding down the official chair in the Pension Office and disciplining refractory clerks, which is said to be so much needed in that office. But Gen. Raum promptly and properly refutes and nails to the wall the uncalculated insinuation.

Mr. Chairman, I do not believe in this species of class legislation. I believe that every office in the Government should be open to every citizen of the United States, to aspire to, unproscribed by class or legal restraints. Neither do I believe in the policy of making details from the Army to fill the civil offices of the country. It is demoralizing to the Army as well as the public service.

A PACKED COMMITTEE.

This bill authorizes the Speaker of the House to appoint a committee consisting of five members-elect to the Fifty-third Congress to inquire into and investigate the operation of all pension laws, whether there should be any modification of said laws. By permission I will append to my remarks, for the benefit of the proposed committee, a table showing the amount of pensions drawn by over 600,000 pensioners.

Now, I have no objection to a fair committee investigating any Department of the Government. What I object to is, in being compelled to try the case before a prejudiced jury, some of whom have expressed their opinions upon the issue to be tried. If this means an impartial investigation, why not appoint a joint committee of the Senate and House, or appoint the committee from members of the Invalid Pensions Committee of the House, which has jurisdiction in all pension matters? Give us a competent jury and let the trial go on, and we will be content with the verdict.

REFORM IN THE WRONG PLACE.

Our friends say the pension roll is too large—I presume the same objection was raised to the muster roll—and that the appropriation must be cut down in the interest of the poor taxpayers of the country. It is not the poor taxpayers who are waging this war; it is the money centers and wealth of the country, joined with the prejudices still lingering in the South, spoken of by my friend from Georgia the other day.

The pensions are paid by the wealth and aristocracy of the country, from duties paid on luxuries, such as champagne, high wines, tobacco, and cigars, and go immediately into circulation, stimulating the channels of trade and in the end benefiting the entire country.

Our Democratic friends in the last campaign promised the people retrenchment and reform by reducing the tariff and the expenditures of the Government. They failed to tell them, however, their plan for cutting down expenditures was the cutting down of the pension rolls. The appropriations of the first session of this Congress tell how well they have kept their promise.

Now, I want to say to the gentlemen on the other side, you have commenced to reform in the wrong place. If reform is the real object, why not let pensions alone and apply the knife to the sugar-bounty appropriations? You promised to repeal the law and told the farmers they were as much entitled to a bounty for raising wheat and hogs as the planter of Louisiana was for raising sugar. You have failed even to attempt its repeal, presumably for the reason that two-thirds of that appropriation goes to the South.

Why not cut down the river and harbor appropriations? They constitute about one-third of the annual value of all the pensions. They are the most clamorous and demanding pensioners upon the Government we have. They never die and their disabilities seem to be constantly increasing. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

APPENDIX.

Number of pensioners in each foreign country on the rolls June 30, 1892, and the amount paid them during the fiscal year 1892.

| Countries. | No. | Amount. |
|------------------------|-------|------------|
| Argentina Republic | 1 | \$645.33 |
| Australia | 21 | 3,149.20 |
| Austria-Hungary | 1 | 144.00 |
| Belgium | 11 | 1,650.00 |
| Bermuda | 2 | 311.00 |
| Brazil | 4 | 478.13 |
| British Columbia | 27 | 1,927.60 |
| Bulgaria | 3 | 480.00 |
| Canada | 1,759 | 246,980.75 |
| Central America | 1 | 72.00 |
| Chile | 8 | 797.93 |
| China | 8 | 565.87 |
| Corea | 1 | 360.00 |
| Cuba | 7 | 744.00 |
| Denmark | 17 | 2,669.20 |
| Fiji Islands | 1 | 96.00 |
| France | 67 | 8,747.15 |
| Germany | 583 | 80,354.27 |
| Great Britain | 618 | 85,004.02 |
| Guatemala | 1 | 96.00 |
| Hawaii | 17 | 2,124.00 |
| India | 1 | 111.47 |
| Italy | 29 | 3,845.91 |
| Japan | 6 | 432.00 |
| Liberia | 1 | 360.00 |
| Madeira | 2 | 288.00 |
| Malta | 2 | 144.00 |
| Mauritius | 3 | 456.00 |
| Mexico | 41 | 4,860.25 |
| Netherlands | 14 | 1,954.00 |
| New Zealand | 4 | 324.00 |
| Nicaragua | 2 | 351.00 |
| Norway | 22 | 2,246.00 |
| Portugal | 1 | 54.00 |
| Roumania | 1 | 240.00 |
| Russia | 1 | 207.00 |
| Spain | 6 | 855.00 |
| South African Republic | 1 | 288.00 |
| Sweden | 33 | 4,221.47 |
| Switzerland | 70 | 9,302.10 |
| West Indies | 14 | 1,890.00 |
| Total | 3,412 | 469,256.65 |

Amount of pensions paid per day to the following number of pensioners.

| | Cents. | | Cents. |
|--------|--------|---------|--------|
| 13,077 | 63 | 178,486 | 263 |
| 48,298 | 134 | 47,400 | 334 |
| 90,353 | 20 | 217,127 | 40 |

Statement of number of men called for by the President of the United States and furnished during the war.

| States and Territories. | Aggregate. | | | | Aggregate reduced to a three years' standard. |
|-------------------------|------------|----------------|-------------------|-----------|---|
| | Quota. | Men furnished. | Paid commutation. | Total. | |
| Maine | 73,587 | 70,107 | 2,007 | 72,114 | 56,776 |
| New Hampshire | 35,897 | 33,937 | 692 | 34,629 | 30,849 |
| Vermont | 32,074 | 33,228 | 1,974 | 35,202 | 29,068 |
| Massachusetts | 139,095 | 146,730 | 5,318 | 152,048 | 124,104 |
| Rhode Island | 18,898 | 23,235 | 463 | 23,699 | 17,866 |
| Connecticut | 44,797 | 55,864 | 1,515 | 57,379 | 50,623 |
| New York | 507,148 | 448,850 | 18,197 | 467,047 | 392,270 |
| New Jersey | 92,820 | 76,814 | 4,196 | 81,010 | 57,908 |
| Pennsylvania | 385,369 | 337,936 | 28,171 | 366,107 | 265,517 |
| Delaware | 13,935 | 12,284 | 1,386 | 13,670 | 10,322 |
| Maryland | 70,965 | 46,638 | 3,678 | 50,316 | 41,275 |
| West Virginia | 34,463 | 32,068 | — | 32,068 | 27,714 |
| District of Columbia | 13,573 | 16,534 | 338 | 16,872 | 11,565 |
| Ohio | 303,322 | 313,180 | 6,479 | 319,659 | 240,514 |
| Indiana | 199,788 | 196,363 | 784 | 197,147 | 153,576 |
| Illinois | 244,496 | 259,092 | 55 | 259,147 | 214,133 |
| Michigan | 95,097 | 87,364 | 2,008 | 89,372 | 80,111 |
| Wisconsin | 109,090 | 91,327 | 5,097 | 96,424 | 79,260 |
| Minnesota | 25,326 | 24,030 | 1,032 | 25,062 | 19,693 |
| Iowa | 79,821 | 76,242 | 67 | 76,309 | 68,630 |
| Missouri | 122,496 | 109,111 | — | 109,111 | 88,530 |
| Kentucky | 100,782 | 75,760 | 3,295 | 79,025 | 70,832 |
| Kansas | 12,831 | 20,149 | 2 | 20,151 | 18,705 |
| Tennessee | 1,560 | 31,092 | — | 31,092 | 26,394 |
| Arkansas | 780 | 8,289 | — | 8,289 | 7,836 |
| North Carolina | 1,560 | 3,156 | — | 3,156 | 3,156 |
| California | — | 15,725 | — | 15,725 | 15,725 |
| Nevada | — | 1,080 | — | 1,080 | 1,080 |
| Oregon | — | 1,810 | — | 1,810 | 1,773 |
| Washington Territory | — | 964 | — | 964 | 964 |
| Nebraska Territory | — | 3,157 | — | 3,157 | 2,177 |
| Colorado Territory | — | 4,903 | — | 4,903 | 3,697 |
| Dakota Territory | — | 203 | — | 203 | 206 |
| New Mexico Territory | — | 6,561 | — | 6,561 | 4,432 |
| Alabama | — | 2,576 | — | 2,576 | 1,611 |
| Florida | — | 1,290 | — | 1,290 | 1,290 |
| Louisiana | — | 5,224 | — | 5,224 | 4,654 |
| Mississippi | — | 545 | — | 545 | 545 |
| Texas | — | 1,965 | — | 1,965 | 1,632 |
| Indian Nation | — | 3,530 | — | 3,530 | 3,530 |
| Colored troops* | — | 99,337 | — | 99,337 | 96,023 |
| Total | 2,763,670 | 2,778,304 | 86,724 | 2,865,028 | 2,324,516 |

* Colored troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which can not be so assigned.

Statement of the number of military and naval forces of the United States engaged in the following named wars, from the commencement of the war of the Revolution to the commencement of the war of the rebellion.

| Wars. | Date. | | Troops engaged. | | | |
|--|----------------|----------------|-----------------|--------------------------|--------|---------|
| | From— | To— | Regu-lars. | Militia and volun-teers. | Navy. | Total. |
| War of the Revolution. | Apr. 19, 1775 | Apr. 11, 1783 | 130,711 | 58,750 | 15,000 | 204,461 |
| Estimated additional. | | | | 105,330 | | 309,791 |
| Northwestern Indian war: | | | | | | |
| Gen. Harmer | Sept. 19, 1790 | | 320 | 1,133 | | 1,453 |
| Gen. St. Clair | | | | | | 2,300 |
| Gen. Wayne | | Aug. 3, 1795 | 2,843 | 2,387 | | 5,230 |
| | | | | | | 8,983 |
| War with France | July 9, 1798 | Sept. 30, 1800 | | | 4,593 | 4,593 |
| War with Tripoli | June 10, 1801 | June 4, 1805 | | | 3,330 | 3,330 |
| Northwestern Indian war: Gen. Harrison | Sept. 11, 1811 | Nov. 11, 1811 | 250 | 600 | | 910 |
| Creek Indian war | July 27, 1813 | Aug. 9, 1814 | 600 | 13,181 | | 13,781 |
| War of 1812 with Great Britain | June 18, 1812 | Feb. 17, 1815 | 85,000 | 471,622 | 20,000 | 576,622 |
| Seminole Indian war | Nov. 20, 1817 | Oct. 21, 1818 | 1,000 | 6,911 | | 7,911 |
| Black Hawk Indian war | Apr. 21, 1831 | Sept. 31, 1832 | 1,339 | 5,126 | | 6,465 |
| Cherokee disturbance or removal | 1836 | 1837 | | 9,494 | | 9,494 |
| Creek Indian war or disturbance | May 5, 1836 | Sept. 30, 1837 | 935 | 12,483 | | 13,418 |
| Florida Indian war | Dec. 23, 1835 | Aug. 14, 1843 | 11,169 | 29,953 | | 41,122 |
| Aroostook disturbance | 1838 | 1839 | | 1,506 | | 1,506 |
| War with Mexico. | Apr. 24, 1846 | July 4, 1848 | 30,954 | 73,776 | 7,500 | 112,230 |
| Apache, Navajo, and Utah war | 1849 | 1855 | 1,500 | 1,061 | | 2,561 |
| Comanche Indian war | 1854 | 1854 | | 503 | | 503 |
| Seminole Indian war | 1856 | 1858 | | 2,687 | | 2,687 |

The foregoing table give estimates of enlistments only, and not of the actual number of individuals engaged in any particular war. An allowance for reenlistments, transfers, etc., would give a much smaller number of individuals than the table indicates, even for the wars of short duration, especially where militia and volunteers were employed.

To illustrate: In the war of the Revolution a very large proportion of the persons who served rendered from two to five terms, or "tours," of service. The enlistments for the Army of 1775 all terminated at the close of that year or at an early date in the following year. The enlistments in the establishment for 1776 were for one year only, and all terminated at the close of that year or early in the following year.

A large number of the men of 1775 reenlisted in the establishment of 1776, and probably nearly all who remained fit for duty again entered the Army at some time during the war, either in the Continental establishment or in some one of the militia organizations which were called out for short "tours" of service. The establishment of 1777 was composed of men who enlisted for three years or the war; considerably more than one-half for three years, very many of whom at the expiration of such enlistments again entered the service for terms of six, eight, or nine months. In the militia the number of enlistments represents a much smaller number of individuals than in the regular "Continental establishment."

The "tours of duty" were short—from thirty days to three or four months—and it appears from statements in pension claims that the same individual in many cases served on from five to eight such "tours," including sometimes two or three "tours" or a war vessel or privateer. It is probably safe to say that the 309,791 enlistments reported in the table do not represent more than half that number of individuals.

It will be noticed that in the war of 1812 about five-sixths (?) of the "troops engaged" were militia or volunteers. The "tours" of service of these militia organizations varied from less than fourteen days to two or three months. It is well known that the same person rendered several successive tours of such service, and it is not probable that the number of individuals who served in that war will amount to more than 50 per cent of the number of enlistments reported in the table.

Antioption.

SPEECH

OF

HON. MARRIOTT BROSIUS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 1, 1893,

On the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. BROSIUS said:

Mr. SPEAKER: Speculation in the commodities of commerce by honest methods is not inimical to the public interests or incompatible with commercial integrity. It has been a characteristic feature of commerce from the earliest ages. It is said to be the handmaid of enterprise, and I do not doubt that to curtail the legitimate operations of one would seriously cripple the other.

Until a comparatively recent period the opportunity for speculators' operations was furnished by the difference in price of the same commodity at different places. Buy where it was cheap and sell where it was dear was the universal maxim. Then intelligence traveled with leaden foot, and the means of communication were so imperfect and transportation so hazardous that great risks were involved, great profits made or great losses sustained according as the market turned.

It required herculean efforts sometimes to surmount the difficulties encountered in the pursuit of speculation. It is said that Rothschild went personally to Waterloo to witness the battle. The stakes were too great to depend upon agents. He witnessed the fall of Napoleon, hurried home, and took his place at the stock exchange, bought heavily, and made a fortune out of his knowledge.

The modern development of speculative enterprise, with all the excrescences which disfigure it, and the parasites which prey upon it, are the offspring of modern improvements in communication and transportation. They belong to an age of steam and electricity when intelligence flies on electric wing and commodities are transported with a speed and safety only possible to such an age and its marvelous instrumentalities.

The causes which produce fluctuations in price in widely remote places are known to the quick scented and sagacious intelligence of modern operators all over the land in a short time. A few moments at most suffices to chronicle any fact at any point within the widely extended circle of commercial operations. Astute and trained men utilize this knowledge and forecast the state of markets not alone in different places, but at different points of time in the same place. This has extended the field of speculation.

The difference in the price of a commodity or stock now and thirty days hence is the great fact with which the speculator has to deal. The man who possesses the greatest knowledge, the acutest intelligence, the deepest penetration into the mystery of markets, and keeps in most constant contact with the telegraphic wire, makes the surest forecast and deals on the narrowest margin of risk.

If to his astuteness and sagacity he can add the means of manipulating the markets to make his venture prosper, he enjoys a dominion in his profession which may yield him fortune and fame. So that I am free to say that it is a misconception

that supposes that all speculation is immoral and detrimental to the public welfare. Every new venture in the field of experiment is in a sense a speculation. Every invention requiring outlay of money and an expenditure of brains is in its way speculative. The application of steam to locomotion, electricity to the transmission of intelligence, or any and all of the great achievements in applied science, in the development of our industrial civilization were speculations before they became investments.

A writer has curiously suggested that the voyage of Columbus over a trackless ocean was the most colossal speculation in the annals of human enterprise. Ferdinand and Isabella put up as margin the cost of fitting out the expedition, and their profit was the western hemisphere. That was indeed a first prize. But said another, "The parallel goes further; like many other speculators they finally lost all they had gained."

So the merchant buys in advance of his need. The real-estate dealer buys to sell for a higher price. A contractor engages to build a house before he has a brick or a nail to put into it. Great manufacturers forecast the coming conditions and supply themselves in excess to escape the anticipated rise in price. This is all speculation, but it is legitimate. It harms no one. It quickens enterprise and brings blessings upon its wings to the human race.

But with the development of facilities for speculation has come the desire to engage in it. Nothing is more contagious than the mania for money-making, and no disease more merciless. It makes its victims both blind and deaf. A successful draw in the Louisiana lottery throws from their poise a hundred men and stampedes a community. That first prizes have been drawn by a few is proof enough that any one may have equal luck.

The possibility of acquiring wealth without toil has begotten an intense desire for wealth thus acquired. The mushroom fortunes sometimes achieved have snared many people, the untainted virtue of whose years had not sounded the depths of the danger which lurks around the "stock boards" and in the "grain pits."

These places are the arenas wherein sordid and turbulent passions, and even virtues prostituted, contend for gain. The uncertainty and risk involved produce the excitement which disarms the moral purpose of men, and makes them yield easily to the solicitations of avarice, which lures its votaries by flattering them with hopes of profit, and men of all classes, from lords to lackeys, join the innumerable throng who pursue with hotfooted zeal and intense and blind enthusiasm the South Sea bubbles of delusion, which at last engulf nine-tenths of them in irretrievable ruin.

I would not like to say myself, but it has been said by others, that these exchanges, together with their legitimate offspring the bucket shops, will be remembered by our posterity as the Germans remembered the robber castles of the Rhine, whose brigand chiefs levied black mail upon every passer-by.

GROWTH OF SPECULATION.

So vast has been the growth of speculative operations that figures can scarcely express the aggregate amount, in terms of dollars and cents, of the transactions in a single year in the exchanges and on the curbstones of this country. Take all the listed stock in all the States of this Union, and multiply each by ten thousand times as many sales as occur accompanied by a delivery and you will still be short of the number of fictitious sales that are made in a single year.

Take all the bushels of grain produced in the United States and multiply each by a thousand times as many sales as are made for actual delivery and you are far from the number of fictitious operations in which phantom grain figures as the genuine product of the soil.

Take any hundred bales of cotton and the dockets of the gambling pit will show a hundred and fifty contracts for that hundred bales. That is, transactions to the extent of 15,000 bales would be entered into on the base of one hundred from the time of its first sale by the producer until it goes into bona fide consumption in the spinner's factory.

The statistician of the New York Produce Exchange testified that nine-tenths of its dealings were purely speculative.

The same fact is more graphically illustrated by a comparison of the quantities of produce actually brought to New York in 1882, with what was nominally sold. These are the figures:

| Produce. | Receipts. | Sales. |
|----------------------------|------------|---------------|
| Wheat.....bushels..... | 44,736,000 | 647,147,000 |
| Corn.....bushels..... | 16,399,000 | 443,091,000 |
| Oats.....bushels..... | 15,905,000 | 150,524,000 |
| Cotton.....bales..... | 600,000 | 30,040,000 |
| Petroleum.....barrels..... | 10,500,000 | 1,524,887,000 |

Thus it seems that the pretended sales of wheat were more than fourteen times the amount received. The sales of cotton were five times the entire crop and fifty times the whole quantity received at New York. In oil it was still worse. In November, 1882, the sales amounted to 135 times the production for that month. In the same year the sales in Chicago amounted to \$3,000,000,000 on a basis of less \$400,000,000 of produce.

There have been weeks when the sales of certain kinds of grain on the exchanges of Chicago and New York exceeded the total amount existing in the world, and on Monday, August 17, 1891, the sales of wheat on the floor of the New York Produce Exchange exceeded 21,000,000 bushels, while the total visible supply of wheat in the United States on the same day was officially reported as 19,556,682 bushels—almost a million and a half bushels less than the amount sold in one room in New York City between 9 a. m. and 3 p. m. of that day.

The following statement from Bradstreet's of June, 1892, is a graphic illustration of the excess of wind over wheat in the transactions recorded:

Sales at New York.

| Date. | Sales of actual wheat. | Option sales of fictitious wheat. | Sales of actual cotton. | Option sales of fictitious cotton. |
|-------------------|------------------------|-----------------------------------|-------------------------|------------------------------------|
| 1890. | <i>Bushels.</i> | <i>Bushels.</i> | <i>Bales.</i> | <i>Bales.</i> |
| April 8..... | 63,000 | 18,400,000 | ..... | ..... |
| April 9..... | 54,000 | 2,000,000 | ..... | ..... |
| April 12..... | 1,800 | 10,000,000 | ..... | ..... |
| April 14..... | 6,000 | 44,000,000 | ..... | ..... |
| September 3..... | 8,000 | 8,000,000 | 369 | 86,600 |
| September 4..... | 32,000 | 6,400,000 | ..... | 150,200 |
| September 15..... | 62,000 | 7,240,000 | 1,556 | 81,700 |
| October 22..... | 12,000 | 4,000,000 | 518 | 120,100 |
| October 23..... | 64,000 | 3,000,000 | 328 | 90,600 |
| October 24..... | 35,000 | 4,600,000 | 406 | 155,800 |
| Total..... | 337,800 | 125,720,000 | 3,206 | 684,000 |

This table shows that during the days named, for each bushel of wheat sold, New York market-wreckers sold 372 bushels of flat grain, and for each bale of cotton 213 fictitious bales, and that it would require but thirty-six days for them to sell options equaling in amount an average wheat crop and sixty-six days to sell all the cotton grown in a year.

I am not wide of the mark, for I have the support of the careful investigation of cautious students of this question, when I say that 95 per cent of all the operations of a speculative character in stock and the fruits of the earth are purely fictitious, in the air, on paper, represent nothing, contemplate nothing, but in their nature, substance, and essence are pure, unadulterated gambling and produce unmixed evil to an extent beyond the power of calculation to measure.

GAMBLING DISTINGUISHABLE FROM TRADE.

The business whose regulation this bill contemplates is clearly distinguishable in principle from legitimate speculation, though in practice some difficulties may be encountered. It is a putrid growth upon the body of commerce, a foul excrescence which ought to be removed by the surgeon's knife, even if a portion of the sound flesh has to go with it to save the patient's life. The distinction between the moral and the immoral operation is brought out so clearly by the supreme court of Pennsylvania in Brua's appeal that I beg the indulgence of the House while I read a portion of the opinion of Thompson, J.

The bona fide purchase of stocks no doubt can be conducted in a legitimate way without trenching in the least on the gambler's province. If this be impossible, however, the fewer licenses that are issued for such a business the better. Anything which induces men to risk their money or property, without any other hope of return than to get for nothing any given amount from another is gambling, and demoralizing to the community no matter by what name it may be called.

It is the same whether the promise be to pay on the color of a card or the fleetness of a horse, and the same numerals indicate how much is lost and won in either case, and the losing party has received just as much for the money parted with in one case as in the other—that is, nothing at all. The lucky winner, of course, is the gainer, and he will continue so until fickle fortune in due time makes him feel the woes he has inflicted on others.

All gambling is immoral. I apprehend that the losses incident to the practice disclosed in this very case within the past five years have contributed more to the failures and embroilments by public officers, clerks, agents, and others acting in fiduciary relations, public and private, than any other known or perhaps all these other causes; and the worst of it is, that in the tracing of its evils there is a vast amount of misery and suffering by persons entirely guiltless of any agency in the cause of it.

Bona fide contracts about subjects of actual purchase and sale of stocks and other property seem from custom necessary in our country, and when they are so, although they may be greatly affected by the rise and fall of the market, yet they are not obnoxious to the objection which we are considering, for the losing party has at least something for his money, but the losing gambler has nothing. (Brua's App., 55, P. S. R. 294.)

To sell where nothing is bought, or to buy where nothing is sold, to wager on the rise or fall of the price of any commodity with the view of getting something for nothing, is essentially and eternally wrong, and the form in which such a transaction masquerades can give it no right to exist, any more than a million circles can make a square. And no man of any degree of moral sensibility would have the temerity to justify or excuse it. When

such gambling is in food products, the necessities of life, in which every human creature is interested, the sin of the act assumes the deepest scarlet and the consequences to the public are most calamitous.

GAMBLING AGENCIES.

Contemplate for a moment the agencies by which these operations are carried on. There are two classes of places in which "deals" are made, reputable and disreputable. The former are the "stock and produce exchanges" of the country, the latter are the "bucket shops," which curse with their mildew blight every city in the land. They are the bastard children of the reputable institutions, which never recognize their bantlings, but spurn them and spit upon them and now even refuse to give them the quotations of the market. They forget the agency they have in the production of their humble and despised offspring, and, true to the spirit of pride in human nature, they look down with loathing upon the underling and the outcast and call them vicious financial pests.

The stock and produce exchanges of the country are of comparatively recent origin. They have their uses, and are perhaps indispensable to our commercial welfare. What I say in animadverting upon them refers only to those questionable dealings which are carried on under the shelter of their roof by their permission or connivance, but are not embraced in the catalogue of transactions to promote which they were instituted. The New York Stock Exchange has had an organized existence for scarcely more than seventy years, and the Chicago Produce Exchange is not yet forty years old. These institutions were evolved out of the necessity for some organization of the brokers, who mainly conducted the speculator's operations for others or themselves. They came to be men of special training and commanded special sources of information, and as the operations multiplied it became necessary to organize exchanges to promote facilities for dealing with each other.

Then new commodities came into being, whose prices were so fluctuating as to make them available for purposes of speculation, and these gave rise to special institutions. Petroleum has produced the Oil Exchange of the country, which holds no mean rank among kindred institutions. Hops have recently achieved an equal eminence, as appears from the following newspaper clipping:

HOP OPTIONS.

The Hop Exchange began yesterday daily calls in options in hops for future delivery. Four grades will be dealt in—New York, Oregon, Washington, and California—and trade will be made six months ahead. Lots of 25 bales of 250 pounds each are to be bought and sold.

THE GAMBLER'S NOMENCLATURE.

With their growth came, as naturally as the drunkard from the drinking habit, the manifold forms of gambling which now almost shut out from view the comparatively few bona fide transactions that remain. The forms assumed by the various operations require and employ a nomenclature which is singularly unique and interesting. To understand it thoroughly would be a liberal education. Every science has its vocabulary, and stock gambling has not been denied this prerogative. In this strange arena "bulls" and "bears" toss and tear in ceaseless combat.

A "bull" is one who buys what the seller does not have, never had, and never expects to have, with the expectation that the price of it will rise—so that he can sell at an advance precisely the same thing that he bought, and settles the deal by paying the difference between the buying and selling price. A "bear" is one who sells what he does not have, never had, and never expects to have—to those who never expect to receive anything but a balance in money in case the market turns in his favor, while the "bear," if he realizes his hopes, pockets the difference, as in the former case.

It is thus seen that "bulls" operate for a rise, and "bears" for a fall in prices, and, in the felicitous language of the trade, one is said to "bear" and the other to "bull" the market. Equivalent terms are "long" and "short." One is "long" when he is a "bull," and "short" when he is a "bear."

A dealer may be both bull and bear at different times.

He depresseth a stock and buyeth it in, and to he inflateth it and selleth it. Once more he saith: Go to; I will depress it again, and he doeth it.

A dealer "hedges" when he buys stock which he never expects to receive, and sells another that he does not possess with the expectation that the one bought and never to be received will advance, and the one sold and never to be delivered will fall in price, thus setting off the loss against the gain. In the best developed and mature state of this interesting business very singular and novel masks are used to cover the nakedness of the transactions. They are called "puts," "calls," "spreads," and "straddles." It will be seen that these are enticing names.

A man of average virtue would have to be lashed to a mast not to yield to the solicitations of such sirens. A "put" is a contract, always printed or written, whereby the signer of it agrees to accept within a designated time a certain number of

shares of stock or bushels of grain, at a stipulated price, with the explicit understanding written between the lines, and to be religiously carried out, that the seller has nothing to deliver and expects to deliver it at the appointed time.

A "call" is the reverse of the "put;" that is a contract of the same solemn character, whereby one assumes the right to demand a certain stock or commodity within a certain time at a stipulated price, the arrangement, as in the former case, being sanctified by the understanding that the commodity to be demanded has in fact no existence and cannot be delivered. When these two interesting operations are combined it is called a "spread." When one enjoys the exalted privilege of "putting" or "calling" it is a "straddle."

The further we penetrate the depths of the gambling mystery, the greater the verbal facilities we enjoy. A "margin" is the small sum placed in the hands of the broker when the deal is ordered. It is the seed from which the harvest springs—the bread cast upon the water—and is expected to return a hundredfold to enrich the dealer. Incidentally the margin protects the broker from losses incident to an anticipated freak of the market, and the accidental occurrence of such a lapse of commercial probity in the principal as to endanger the agent who uses his own bread for casting. A "squeeze" comes when the dealer is in a tight place.

A "corner" is made when one dealer or a group of dealers, acting in concert, control the market for a given commodity. A "pool" is an agreement among a coterie of operators to buy or sell and manipulate the market. It may be a "bull" pool or a "bear" pool. A "bobtailed pool" is when a few men with little cash try to make a turn in the market. A "blind pool" is when the cash is supplied by different persons to be managed by one at his own pleasure, without consulting his associates. A "boom" is a rise and a "panic" is a fall in the price of a commodity. They are the Scylla and Charybdis in the sea of speculation.

A "flurry" is a little gust of wind that upsets prices for the moment. "Kiteflying" is doing business without capital, while "ballooning" is to inflate prices so as to make a bubble. A "flyer" is a small venture for amusement as well as profit. A "lamb" is a person without knowledge or skill, a victim always to be found on the street waiting to be fleeced. A "scalper" is one who gives no thought to the future, but buys and sells on the spot, and never goes to sleep with an interest in the market. A "wash" is a conspiracy between two members of an exchange to give a false impression of the strength or weakness of a given stock.

Now I submit with all confidence in your literary taste if this nomenclature which I have extracted with infinite toil from the scientific treatise on this subject is not worthy of your highest admiration. How elevating and ennobling the art which employs such verbal refinements to designate the means by which it is carried on. I would not like to be so cruel as to say, even if I thought it, that the practical outcome of this gambling trade, is that those who buy "puts," mostly put their foot in it before they are done, that those who "call" are in the end called to part with their money, than which few more poignant griefs befall mankind; that those who take a "spread" usually sit down to a Barmecidal feast; that those who "straddle" mostly come down between the two donkeys they vainly attempt to ride, while every operator, sooner or later, is "cornered," all at last are "squeezed," and in the end are sure of the "pool" of destruction.

NO NECESSITY FOR THIS KIND OF DEALING.

Now, if there is a reason for the existence of such a system of dealing, let us try to find it. It may be said with certainty that it benefits two classes of people at least—the dealers and the brokers—the former by protecting their purchases and the latter by commissions. A dealer who buys 100,000 bushels of wheat from the producers says he can not hold that wheat until it is needed for consumption unless he can cover it by the sale of futures, out of the profits of which he pays insurance and expenses and any loss he might sustain by a decline in price. This future sale is the most unique transaction that the history of commerce presents. It is claimed by most dealers to be an actual sale of commodity for a delivery at the appointed time, and is thus distinguishable from "options."

I have studied the history of these transactions as depicted in the voluminous testimony taken by the Committee on Agriculture, and I have come to the conclusion that though the form of the transaction is that of a real sale the substance of it is that of pure and unadulterated gambling in nine cases out of every ten. The only difference between that kind of a future sale and the "option deal" is that the latter is a gambling transaction in both form and substance.

A FUTURE SALE.

The form of the "future sale" is this: I sell to A, for delivery thirty or sixty days hence, 100,000 bushels of wheat to protect

the 100,000 bushels I just bought from the farmers. I have bought at 80 cents. I have sold the futures at 85 cents. I still own the 100,000 bushels, and expect to keep it until it is sold for consumption, though I have sold 100,000 bushels at an advance of 5 cents. If by the time the future sale matures wheat has declined 2 cents, I buy back my future at 83 cents, thus making the difference between 83 and 85, or 2 cents a bushel for 100,000 bushels, or \$2,000. Never having delivered that 100,000 bushels which I sold for future delivery, when I bought it back it did not have to be delivered to me. I already had it snugly tucked away in my elevator, money borrowed on it, and waiting the demand for consumption at home or abroad. The transaction is closed by A paying to me the 2 cents per bushel which he lost and I gained by the transaction. If you ask why I do not sell this wheat to a miller instead of a gambler, the answer is that a miller would not sell it back to me, and I must buy it back or it is of no use to me. The only inducement to sell it is that I can buy it back at a lower price and make the difference. In order to do this I must sell to a gambler who does not want the wheat, but is willing to gamble on the rise or fall in the price of it.

Now, I admit that a man might sell wheat for future delivery, and buy it back before delivery, so that the transaction would be perfectly compatible with honest dealing. But if he did so, it would be brought about by accidental and exceptional circumstances. When it becomes the uniform course of dealing, understood and expected by both parties at the time the deal is made, it must be perfectly demonstrable to every mind that it is in substance and essence, if not in form, a wager on the rise or fall in price, and as such comes under condemnation as a gambling contract.

I can not see that it is in any particular distinguishable in principle from the business carried on at the gambling casino at Monte Carlo, where last year the profits of the establishment were \$5,700,000, which is but a bagatelle compared with the sums annually made and lost by the gambling ventures in the exchanges and on the curbstones of this country in dealing in phantom grain and spectral pork.

All the witnesses who testified before the Committee on Agriculture in support of the integrity and necessity of future sales admitted that fictitious transactions—sales where no delivery was contemplated—were pernicious in morals and injurious to producers; that they tended to depress prices, and ought to be suppressed. But the people who engage in the business of selling futures seem unable to appreciate the fact that they are engaging in the very thing which they condemn. They are doing with their right hand what their left hand denounces as flagrantly immoral and deleterious to trade. It seems to be a case of not allowing the left hand to know what the right hand is doing. If this is the letter of the scripture, it is not the spirit of it. The letter killeth, but the spirit maketh alive.

MORAL ATROPHY.

Sometimes we are afflicted with a moral atrophy which disables us to see moral distinctions. It reminds me of the pious silversmith of whom Macaulay somewhere tells. The silversmith was a pious God-fearing man, who told his beads with frequency and with devotion. One day a thief came to his shop with a silver crucifix he had stolen from the church, and asked the silversmith to buy it. The pious man exclaimed, with holy horror, that he could not touch it, and denounced the wretch in unmeasured terms for his wickedness. "Then," said the thief, "if you will not buy it, will you melt it down for me?" "Oh," said the pious man, "that is quite another matter; that's my business." He took the crucifix with his tongs, dropped it into the crucible, melted it, and delivered the bullion to the thief and received his pay, with the apparent satisfaction of a man who had performed an honest act, and remarked to his apprentice, standing by, "Thus I thrive in the fear of God, and manage to turn an honest penny."

THE CURSE OF IT.

The flood of immorality, wrongdoing, and crime that pours through this gateway is appalling. You may catalogue the bank robberies and defalcations of financial agents all over this country in recent years, which have crimsoned with shame for his country the cheek of every honest American, and a great majority of them have been brought to ruin by the very business this bill seeks to suppress. Multitudes of men who once enjoyed universal esteem and confidence, their good fame upon every tongue, have sacrificed the splendid achievements of a lifetime by yielding to the solicitations of the seductive sirens of the "pit," and taking the money intrusted to their keeping to speculate in futures—not in actual grain—no man ever stole money to buy actual wheat—and having sowed the wind, reaped the whirlwind of dishonor and disgrace, and gathered from the seed of wrongdoing the smutted sheaves of humiliation and shame.

Could I present in cluster the baneful consequences of this gambling system; had I the power with the keen dissecting knife of discriminating phrase to lay bare the sin, cut away the mask that conceals the naked deformity of this raging fiend that preys upon the peace and plenty of the land; could I touch with the Ithuriel spear of exposure the cruel devil that hides in the "exchanges" and boldly runs the "bucket shops" of this country, and see him transformed before our eyes into his true likeness; had I the art to place upon the glowing canvas the hearts that are crushed, the families that are ruined, the homes that are dismantled, the peace and happiness that are wrecked, and the jails that are filled by this hydra-headed monster that looms "huge and hideous" before the contemplation of every reflecting man, we might have some adequate conception of these horrors "that accumulate on horror's head" in this Christian land; and if we could conceive of its personification and give it tongue to name itself, we would hear again the blood-curdling confession of the veiled prophet of Korassan:

Look! behold and say if hell with all its power to damn
Can add one curse to the foul thing I am.

CONSEQUENCES TO TRADE.

The calamitous consequences of this iniquity to the legitimate interests of fair trade it would be a work of supererogation to dwell upon. The most superficial observer can not fail to see the injury daily inflicted.

The effect upon the money market at times was illustrated very recently, when money was quoted at 200 per cent, or near that, in New York. One of our metropolitan papers in discussing it said:

The money market reports of lending rates sky-rocketed up to 200 per cent premium are to the last degree alarming. It is enough to scare the wits out of a business man to see money quoted at such impossible figures. A universal panic and commercial crisis of the most disastrous character would be precipitated on the country if these preposterous figures should be held to reflect the general state of financial affairs. Fortunately they reflect nothing but the state of speculation in the share market. In a sense, these rates represent the cost of carrying stocks from one day to another. Stocks are carried on call loans, and nominally these enormous premiums are being paid on such loans, but actually they are only paid in exceptional instances to effect daily settlements between the bulls and the bears.

They are unknown outside of the "loan crowd" in the Stock Exchange, and are there only set up in cases where the "shorts" have caught the "longs" in a tight pinch, and are enabled to "squeeze" them for all they are worth. How little they have to do with the legitimate course of the money market is shown by the absurdly violent fluctuations in the "loan crowd" quotations. The 200 per cent mark, for example, was reached yesterday just before the daily settlement hour, and immediately after that hour the rates dropped to 6 per cent. That is not business; it is gambling. Fair, square trading can not be done in any such way, and the general course of commercial finance is not affected by the ground and lofty tumbling occasionally exhibited among the bulls and bears in the "loan crowd."

The influence of this species of gambling is not limited to the money market. The farmer's products must also suffer. The hand of the gambler is against every man. The following statement from a New York paper makes this point clear:

The stringency in "money," which came like a thunderclap two weeks ago, ceased to have any effect last week on the rate for loans, but it led to a general falling off in price. Wheat in New York fell 5¢ a bushel; corn, 2½ cents; oats, 4 cents, bringing wheat and corn to the quotations of three weeks ago and oats 5 cents a bushel below the figures then. Pork fell off 25 cents.

Thus the stability of markets, or the gradual variation produced by normal conditions so healthful to trade—is destroyed and violent fluctuations ensue which disorganize trade—demoralize society and produce widespread anxiety and disquietude.

It is, however, those who produce the products of the soil with which the "option" system is carried on who suffer most. As in many other instances it is the innocent who receive the heaviest blow.

Those who control exchanges, command prices, and they who control the price of what I produce for a living—command my property, my happiness, and my life.

HOW IT HARMS THE FARMER.

Just what agency this system of gambling in the products of the soil has in the depression, I confess it is difficult to tell; but that its tendency is in that direction I have no manner of doubt, and it results in at least two ways. First, every short seller, when he has sold, has a distinct interest to depress the price, for unless he can buy back at a lower price he makes nothing. Thus the whole body of short sellers combine to pull down the price of the commodities in which they pretend to deal, in order that their ventures may prosper.

The common answer that there must be a buyer for every seller, and that the influence of each in opposite directions is neutralized, is not conclusive. It is plausible, I admit, but not sound. Experience shows that the influence of buyers to sustain is not equal to that of sellers to depress prices. A large part of the money lost in these dealings is lost by buyers who are in many instances lambs enticed to slaughter by the seductive solicitations of anticipated gain.

Moreover, it is not alone the actual sale that affects price, but the offers for sale as well; and it is well known that in certain

states of the market the offers of short sales are greatly in excess of the takers. It is easily seen how the offer for sale of one hundred times as much of any product as is produced must depress the price of it. Buyers at home and abroad, seeing from the quotations which go out from the great centers of speculative exchanges how enormous is the production of a given crop, withdraw from the market, and thus prices are affected by means of the sales of false promises—mere "wind dealing"—commerce in phantoms and specters. Consumption is checked, distribution is retarded, prices fall, and farmers, compelled to move their crops, are driven like slaves, scourged with the lash of a hard necessity, upon a falling market.

In the second place it may be said that producers are fairly and justly entitled to the benefit of all the demand created by the need of consumers and the exigencies of legitimate trade, unimpaired by the influence of wagering contracts. If it be possible that any benefit could come to the producer from the influence of gambling transactions upon the market I would not allow him to enjoy it, for he has no right to any advantage derived from such a source.

If the exchange of commodities for purposes of legitimate speculation be beneficial to trade, this source of advantage to the producer ought not to be curtailed by the facilities afforded for speculation in fictitious commodities. If dealers can make as much money by betting on the rise or fall of price, by buying and selling "wind" as wheat, they will not be likely to deal in the latter, and thus legitimate commerce will suffer to the exact extent that gambling contracts supersede legitimate dealing.

I will not be rash enough to say that arguments may not be made which to the casual thinker may seem to overthrow this reasoning. The conclusion which any man will reach on a subject so full of difficulty will depend on how many of the factors belonging to the problem he reckons with. Like a sum in arithmetic, if one figure is omitted, the result will be vitiated. I am fully persuaded that a careful, all-around view must lead the candid mind to the conclusion at which I have arrived after such examination as I have been able to give the subject, that the fluctuations in price of farm products caused by the kind of dealing which this bill seeks to suppress is in very many instances to the detriment of the producer.

It has been said by those of careful and extended observation, that the movement of prices is mostly downward while the products are in the hands of the farmer, and upward when in the hands of the speculators; that when the movement from the farm is ended it is quite likely the upward movement of the prices will begin and any benefit accruing will go to middlemen and speculators, who seem to know how to thrive and fatten when honest plainness knows not how to live. It has been said that the wheat corner of 1879 began with a chorus of prophecies of low prices, which continued as long as the farmers were disposing of their crops. Under this artificial pressure the price of wheat went down to 81½ cents, but when the wheat was all in the hands of dealers it took wings and rose to \$1.33 per bushel. The result of this corner, it has been estimated, was a loss to the producers of \$300,000,000. Similar consequences are liable to overtake every product of the earth which is subject to this kind of speculation.

That there is a great evil here to be remedied, a great wrong to be righted by legislation is too obvious to need to be stated. Another has said of the speculative bears, that they lay waste the markets, that they are wreckers of values, that their function is to destroy, and their mission is to tear down. They fatten on that which tendeth to poverty; they thrive on disasters that entail desolation and ruin upon their fellows. It is the one evil thing in which there is no "soul of good."

I know that it is argued that the revenue derived from this legislation is not needed. My answer to this is the same as made in the case of the compound-lard iniquity, and I here repeat it.

It is said we do not need this revenue. It is too obvious to need to be stated that we can profitably use it. If we should at any time have an excess we can relieve some honest trade and lay under contribution those who need restraint and regulation. No man has ever questioned the right of the Government to select the subjects of taxation, and in doing so Congress will, if practicable, secure incidental benefits in connection with revenue. We are not required by any constitutional mandate to lay our revenue duties so that no benefit to the public will accompany the collector on his rounds. That it brings a double blessing is greatly in its favor.

Tariff with incidental protection is a doctrine which encounters no dissent from the most conservative statesman. We select the subjects of impost with reference to the incidental benefits secured. Similarly, in imposing revenue taxes we should secure the maximum benefit with the minimum cost. The most of the best and the least of the worst results should be the aim of Government in its administration under all circumstances. "Is it to be said," once retorted the greatest constitutional expounder this country ever knew, "that we have the clear and undoubted power to take so much money out of your pockets and apply it to public purposes, but God forbid that in doing so we would do you any good at the same time?"

Now, Mr. Speaker, it would seem to a rational mind that the good morals and happiness of our people ought to be the subject of the solicitude of the nation's representatives in Congress, and ought we not to do something to regulate, if not suppress, this

common curse of mankind and enemy of all? To curtail the ravages of this painted courtesan, whose function is destruction, is certainly an object worthy the pursuit of an honest government. She must die, else she'll betray more men.

Let us not forget that every act of legislation that strikes down a wrong, every law that stabs to the heart a national vice, overthrows a seated iniquity which tarnishes the fair fame and dims the glory of our people, visibly advances that national millennium in which we will be liveried in the white and seamless robe of national honor and commercial integrity.

Within the compass of a few fleeting years we have cast down the lottery monster, gorged with the blood of its victims, and mounted another guard over the mighty combines and colossal trusts which menace our people, and came near scuttling and destroying the pirate craft of the lard compounds, "rigged with curses dark," which has scourged the sea of our national honor. Now let us not turn back or sheath our legislative swords until we have at least cut off the arms of this mighty gambling octopus that has too long fattened on the substance, if not the souls, of our people.

Nor would I stop to weigh in golden scales just how much inconvenience the exchanges of the country would be subjected to by the operation of this law, or how much legitimate operations would be curtailed.

"Biting laws are the 'bits' and 'curbs' to headstrong evils."

Gambling in the fruits of the earth must be suppressed, even if "to do a great good we must do a little wrong and curb this cruel devil of his will."

It will be better for the exchanges, like Hamlet's mother with a riven heart, to—

Throw away the worse part of it
And live the purer with the other half.

Immigration.

SPEECH

OF

HON. D. D. HARE,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

On the bill (S. 3240) to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Mr. HARE said:

Mr. SPEAKER: The pending bill, as passed by the Senate, is substantially identical with House bill 8904 reported during the last session. It is not a radical or drastic measure; it does not

seek to cover the entire field of legislative inquiry and action, nor does it embody any of the extreme propositions embraced in the numerous bills which were before the committee. It does not even include some of the more stringent propositions upon which a majority of the committee would doubtless have been able to agree, but is the result of full and free conference between the committees on immigration of the Senate and House.

The principal object of the bill, as its title would indicate, is not to change substantially any of the provisions of the existing law, but to provide the means for its more effective enforcement. While many insist strongly upon the enactment of the most severely restrictive measures and some would go so far as to place several classes of European immigrants on the same footing as the Chinese, and exclude them because of their nationality, the general, indeed almost uniform, tenor of the testimony and opinions given before the committee has been to the effect that the present laws, if efficiently administered, are sufficiently comprehensive and stringent to protect our people against all classes of immigrants who are in themselves objectionable.

At the same time the judgment of the representatives of all the industrial organizations of the country and of all others who have given the subject their attentive consideration is to the effect that the almost indiscriminate admission of all who knock at our doors constitutes the most serious menace that threatens the interests of our laboring people. Practically, notwithstanding the law intends it to be otherwise, all are admitted who come, as the reports of the Bureau of Immigration tend to show.

It is not alone the industrial interests that suffer from competition with this vast tide of foreign labor that pours upon our shores without practical restraint, against which there is no sufficiently protective barrier, but by reason of our inability to absorb and assimilate with sufficient readiness the heterogeneous elements that go to make up this mighty mass, the peace of society is disturbed and the maintenance of public order is embarrassed and rendered difficult.

These are the grounds upon which the demands for restriction of immigration are almost wholly predicated; they constitute the basis of the complaints and protests that have come to us during the present Congress from more than half a million laboring men who have united in petitions for relief.

But when these complaints and protests are analyzed it will be seen that the classes of foreign immigration against which they are mainly directed are already positively excluded, so far as, in and of itself, the law can exclude them; indeed, if it were not for this cry that comes to us from all parts of the country, if we were to look for information solely to the official reports, we would be justified in assuming that the mere prohibition of the law had been sufficient to exempt us from the evils it was intended to prevent.

I desire to submit, in connection with my remarks, a table taken from the last annual report of the Superintendent of Immigration.

Table showing the number of immigrants inspected and admitted into the United States at the ports below, and the number of the prohibited classes discovered and returned to the countries whence they came, during the fiscal year ending June 30, 1892.

| Port of entry. | Number admitted. | | | Number returned. | | | | | | |
|------------------|------------------|----------|---------|------------------|---------|----------|-------------------|-----------|----------------------|--------------------|
| | Males. | Females. | Total. | Idiots. | Insane. | Paupers. | Diseased persons. | Convicts. | Assisted immigrants. | Contract laborers. |
| Baltimore | 30,877 | 24,693 | 55,870 | | | 30 | 3 | | | 22 |
| Boston | 17,346 | 15,006 | 32,352 | | 3 | 145 | 3 | | 21 | |
| Barnstable | 28 | 9 | 37 | | | | | | | |
| Brunswick | 2 | | 2 | | | | | | | |
| Galveston | 16 | 10 | 26 | | | | | | | |
| Gloucester | 15 | 9 | 24 | | | | | | | |
| Jacksonville | 3 | 3 | 6 | | | | | | | |
| Key West | 3,322 | 1,238 | 4,560 | | | 4 | | | | |
| Mobile | 5 | | 5 | | | | | | | |
| New Orleans | 2,594 | 1,117 | 3,711 | | | 2 | | | | |
| New York | 283,905 | 162,082 | 445,987 | 4 | 13 | 780 | 72 | 26 | | 832 |
| New Bedford | 500 | 171 | 671 | | | | | | | |
| Norfolk | 1 | | 1 | | | | | | | |
| Newport News | 3 | | 3 | | | | | | | |
| Philadelphia | 18,752 | 11,951 | 30,703 | | | 23 | | | | 2 |
| Providence | 38 | 10 | 48 | | | | | | | |
| Portland, Me. | 1,013 | 447 | 1,460 | | | 6 | | | | 50 |
| Portland, Oregon | 312 | 8 | 320 | | | | | | | 26 |
| Port Townsend | 164 | 1 | 165 | | | | | | | |
| Pensacola | 11 | 6 | 17 | | | | | | | |
| San Francisco | 2,922 | 723 | 3,645 | | 1 | | 2 | | 2 | |
| San Diego | 18 | 7 | 25 | | | | | | | |
| Savannah | 5 | 2 | 7 | | | | | | | |
| Wilmington | 11 | 7 | 18 | | | | | | | |
| Total | 391,863 | 217,800 | 579,663 | 4 | 17 | 1,002 | 80 | 26 | 23 | 932 |

From an inspection of this table it will appear that out of a total immigration of 579,663, only 1,002, or about one-sixth of 1

per cent, were returned under that provision of the act of March 3, 1891, excluding paupers and persons likely to become a public

charge; only 932 were returned under the provisions of the act of February 26, 1885, and the amendatory act of February 3, 1887, known as the contract-labor laws, only 80 were returned as "diseased persons," only 23 as "assisted immigrants," and only 26 as criminals.

But two inferences, Mr. Speaker, can be drawn from these figures. These are, first, that instead of our country being invaded and overrun by a horde of objectionable and dangerous immigrants we are in fact gathering the very cream, the upper crust of European society, or, second, that the laws are evaded.

Whatever may be said or believed as to the proportion of arriving immigrants excluded and returned as paupers or persons likely to become a public charge, there can, I apprehend, be but little doubt in the mind of any one who has given attention to the matter, that the number excluded and returned under the provisions of the contract-labor law, does not truly represent the number arriving in violation of the provisions of that law.

During the year ending June 30, 1891, out of a total immigration of over 560,000 only 123 were returned as contract laborers. This must be taken to mean either that an insignificant number of immigrants come to our shores under a contract "parol or special, express or implied," to perform labor, or else that by far the larger number of those who do so come are permitted to land in defiance of the law excluding them.

It is my own opinion, and I believe it to be the general judgment of the country, that the law is evaded, and this notwithstanding the painstaking diligence of the Commissioner of Immigration at the port of New York to execute and enforce it. For, sir, I am not disposed to criticise the Commissioner of Immigration at that principal port. I do not mean to intimate that he has been remiss or negligent in the discharge of his duties. On the contrary, I believe he has endeavored, earnestly and faithfully, to administer and apply the law according to its true intent and meaning. But he is confronted with difficulties with which no one man can successfully deal.

As may be seen in the table to which I have referred, the arrivals at that port last year numbered 445,987, an average of about 1,500 daily. More than 5,000 have sometimes arrived in a single day. Under the law as it now stands the commanding officer and agents of the vessel are required to report to the inspectors only the name, nationality, last residence, and destination of each alien immigrant.

This is all the information required by the law, and there is no particular form specified in which it is to be given. The question of the right of any immigrant to land is decided by a single inspector or by the commissioner. If there is the slightest room for doubt, and even in cases in which there may not be room for a reasonable doubt, it is not difficult to appreciate the nature of the appeals that are certain to be made or the effect of such appeals upon the sympathies of a warm-hearted, generous man. If, in spite of these entreaties, his decision is against the immigrant, the latter may appeal to the Superintendent of Immigration and thence to the Secretary of the Treasury; but if every doubt is resolved against the Government and the decision is in favor of the immigrant, however clearly it may appear to be against the law, there is no appeal, but the judgment becomes at once final. It is a situation, I submit, in which no man ought to be placed.

It is the main purpose of this measure as it passed the Senate and was originally reported to the House to correct, as far as may be, these defects in the law, and to aid the commissioner and inspectors by putting in their hands, before the inspection begins, sworn information as to each immigrant, arranged in convenient form, and covering every feature of eligibility or noneligibility to admission under the law.

These lists or manifests are required to be prepared at the port of departure, where there will be time and opportunity to learn the facts and to prepare them with care. They are required to be certified by the affidavit of the commanding officer of the vessel or of the officer first or second in command below him, before a consular officer of the United States, to the truth of every statement therein contained, and by the affidavit of the surgeon of the vessel that he has made careful personal examination of every immigrant passenger and that the statement in respect to the physical and mental condition of each of said passengers is true.

In all this the United States assumes no responsibility, gives no guaranty, express or implied, is in no way concluded or even embarrassed, but reserves its right to reject, for cause, any such immigrant, notwithstanding the facts alleged in such lists by those through whose agency he was induced to come and by whom he was delivered at our doors. The bill further provides that if any such immigrant, upon inspection at the port of arrival, is found to be not clearly and beyond doubt entitled to admission, he shall not be admitted or excluded upon the decision of a single official, but must undergo a special inquiry by

four inspectors, at least three of whom are required to concur in order to admit him, with the right reserved to the dissenting inspector to appeal in the same manner as that right is already reserved to the rejected immigrant.

It is believed by many that the stream of foreign immigration flowing toward and discharging itself upon our shores has within very recent years become swollen and polluted beyond all precedent. This impression, Mr. Speaker, is to a certain extent a mistaken and possibly a mischievous one. I beg to incorporate in my remarks the following table showing the total immigration each year for the last twenty years:

Table showing total immigration for each year from 1873 to 1892, exclusive of Chinese.

| | | | | | | | |
|-----------|---------|-----------|---------|-----------|---------|-----------|---------|
| 1873..... | 459,803 | 1878..... | 138,469 | 1883..... | 603,332 | 1888..... | 546,887 |
| 1874..... | 313,339 | 1879..... | 177,826 | 1884..... | 518,592 | 1889..... | 444,429 |
| 1875..... | 227,498 | 1880..... | 457,257 | 1885..... | 395,346 | 1890..... | 455,802 |
| 1876..... | 169,986 | 1881..... | 609,431 | 1886..... | 334,203 | 1891..... | 560,319 |
| 1877..... | 141,857 | 1882..... | 788,992 | 1887..... | 490,109 | 1892..... | 579,653 |

From these figures it will be seen that while the tide of immigration ebbs and flows it is by no means now so high or so threatening as it was ten years ago. For the three years ending June 30, 1892, the total number of immigrants arriving by water was 1,585,284, whereas for the three years ending June 30, 1883, the number was 2,061,755, a difference of nearly half a million. Immigration reached its highest point in 1882, when the total number of arrivals was 788,992. Since then it has fallen in some years to less than half that number.

But if there has been at any time or is now an abnormal or excessive immigration, if the industries or interests of our people are thereby menaced, the cause of such unnatural and threatening increase ought, if possible, to be ascertained and the proper remedy applied; not, if you please, the heroic remedy of totally suspending all immigration for a definite or an indefinite period unless compelled by an imperious necessity so to do, not by restrictions so onerous as to prohibit rather than regulate immigration, but, if necessary, by judicious enlargement of the excluded classes, and especially by the strict and unyielding enforcement of the laws as they may at any time exist.

The evidence that comes to us all tends to prove that the active, inciting cause of the large immigration we are receiving, so far as it is at all abnormal, is to be found in the inducements held out by the steamship and other transportation companies to whom immigration is a chief source of revenue. These companies should therefore be put under more effectual restraint, and the pending measure seeks to accomplish this; first, by requiring them to keep conspicuously posted in the offices of their agents in every foreign land copies of our immigration laws printed in large type in the language of the country in which the same are posted, and by proper regulations to cause the attention of intending immigrants to be called to the provisions of such laws, and by further requiring such companies as often as twice a year to file with the Secretary of the Treasury a certificate that they have faithfully complied with this provision; and, second, by requiring them to furnish, in the form of the lists or manifests described in the first and second sections of the bill, sworn evidence that they have not brought to our shores any who are obnoxious to our laws.

The necessary effect of these requirements can hardly fail to be salutary. Among other restraining influences the bill will have the effect, first, to enable the inspectors at the port of arrival to readily identify each immigrant and to assist them in verifying their own examination touching the right of such immigrant to be admitted; second, to bring home to the officers of the vessel and, through them, to the transportation companies knowledge of the status of those they bring, and thereby estop these companies from complaining of being required to return such as may be excluded; third, to create a restraint upon reckless inducements to immigration now held out by rival and competing companies; whose interest it has been to bring all whom their agents could persuade to come; fourth, to more fully inform intending immigrants of the nature and requirements of our laws, to admonish them of the danger of being excluded and sent back, and to restrain from coming all who know themselves to be ineligible, or who are found to be so by the inspection on the other side of the water.

Under present conditions the railroad and steamship companies constitute a mighty agency in opposing and thwarting the purposes of our legislation on this important subject; but when they can no longer plead ignorance of the objectionable character of any of their immigrant passengers, but are required to proclaim the provisions of our immigration laws in the language of every land in which they maintain an agency, and to make proof twice a year to the Secretary of the Treasury that they have kept copies of these laws conspicuously posted in the office

of every foreign agent and have made known their provisions to every intending immigrant; when, in short, the responsibility for objectionable immigration is placed where it belongs, upon the shoulders of those who profit by it, the restriction upon this class of immigration can not fail to be immediate and potential.

The pending bill, if enacted into law and faithfully applied, will go far to accomplish this object; and yet even in this regard its requirements, instead of being burdensome or oppressive or difficult of observance, are conservative and reasonable, and ought to command the ready acquiescence of the transportation companies. To a certain extent the legislation proposed may be said to be tentative, as all legislation must necessarily be upon a subject so important, affecting so many interests and so hedged about with difficulties as is this. But even considering the tentative or experimental character of this measure, the methods it proposes are nevertheless in the line of restriction, and are worthy the serious attention and the approval of Congress.

There is in this particular measure, Mr. Speaker, nothing that would require or even permit anyone, in discussing it, to enter upon the wide field of inquiry and of controversy which the general subject of foreign immigration opens up, and I shall forbear to trespass upon the attention of the House by engaging in the discussion of the details of any proposition not now before it. The evils that have resulted from unrestricted immigration are too obvious to be overlooked or ignored. They challenge our attention and demand the application of an efficient remedy. But in dealing with these admitted evils, in seeking to find this remedy, we are not at liberty nor can we afford to act hastily or inconsiderately, or to adopt and employ every nostrum that may be recommended.

There is a class of immigration of no mean dimensions that no reasonable or fair-minded man would care, or even dare, to exclude. This class is made up, not necessarily of those who come here equipped with a stated amount of money, but of sober, industrious, intelligent, order-loving, law-abiding men, who come not for temporary gain, but to identify themselves with us, to make this land their permanent home, to render true allegiance to its institutions and laws, and to aid in advancing its prosperity and greatness. It is to this class of our population, sir, that our country owes much of its present grandeur; and the stock from which it sprung in the fatherland is by no means exhausted. Neither is it confined to any particular nationality, nor is any European nation destitute of its representative types of a class of men fit not only to blend themselves with our citizenship, but worthy to become the founders of States.

I know, Mr. Speaker, that it is customary to decry the immigration that comes to us from certain countries of Europe, particularly from Italy, Hungary, and Poland, and it is not to be denied that a very large percentage of the objectionable immigration we are receiving does come from those countries. But, sir, we can never forget that Christopher Columbus was an Italian, that Louis Kossuth was a Hungarian, that Casimir Pulaski was a Pole, as was Thaddeus Kosciuszko. These are shining names, honored not only in America but throughout the earth, and even the most unworthy of their countrymen must only be excluded in pursuance of laws and regulations that shall apply alike to all who seek to come.

We have excluded the Chinese, or rather we have attempted to do so, not simply because they are Chinese, but because experience has demonstrated not only their entire lack of aptitude for citizenship here, but that, without exception, they are averse to citizenship, opposed to the customs and laws of our country, unyielding in their allegiance to the Government of China, which they will not forswear, and that their motives in coming to our shores are and ever have been wholly mercenary. And even this act of exclusion, however we may seek to justify it, is widely condemned by the intelligent public sentiment of the country. Clearly the precedent can not be extended, nor should it be; but we must address ourselves to the more difficult task of regulating immigration by such discriminating laws as shall deal with the merits of individual cases.

If the laws as they now exist are not sufficiently comprehensive to embrace all the grounds upon which any class or any individual should be excluded, let there be such judicious enlargement of the excluded classes as experience may prove to be necessary or desirable; but first of all let us make ample provision for the most effective execution of the laws we already have. If, having done this, the evil is not abated we can resort to more deterrent legislation, but in view of the wide diversity of opinion that exists as to what the character of that legislation should be, and of the difficulties in the way of formulating any restrictive measure upon which a majority of this body can agree, let us pass this bill as an earnest of our purpose to deal honestly, and as wisely as we may, with a problem as perplexing and difficult as it is interesting and important.

PENSIONS.

Pension Roll an Honest One—Deserters Not Drawing Pensions—North Paying Pensions to South—Mexican Soldiers and Pensioners—Letter of Commander Grand Army Republic.

SPEECH

OF

HON. J. A. PICKLER,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 16, 1893.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1894, and for other purposes—

Mr. PICKLER said:

Mr. CHAIRMAN: The gentleman from Georgia [Mr. LIVINGSTON] last week did me the honor to say that I was rabid for pension legislation. He said also that I was unreasonable. The first charge I admit, if he means that I am in earnest for pension legislation. That I am unreasonable I certainly deny. In the time allotted, of course, no man can review this bill, but I beg to call the attention of the committee to this fact, that it is useless to disguise this measure, it is useless to assume any false pretense as to what the bill means.

I desire at the proper time to offer a resolution striking from the bill everything but the appropriation; and in everything except the appropriation it simply means that the bill is against and in opposition to pension legislation. We need not disguise that fact. Gentlemen can not sugar-coat it so that any man will be deceived by it, for these are the facts in the case.

How is this bill presented? It comes here by the usurpation of a subcommittee of the Committee on Appropriations, as has been charged in their teeth by the chairman of the Committee on Invalid Pensions, to which this subject properly belongs. The Speaker of this House appointed the Committee on Invalid Pensions to take charge of these measures and to review what this subcommittee of the Committee on Appropriations seeks to have us act upon in this bill.

I suppose the Speaker of this House selected the gentlemen on the Committee on Invalid Pensions because he believed they were friendly to that legislation; and yet the subcommittee of the Committee on Appropriations, in spite of that committee, disregarding the courtesy that belongs to the Committee on Invalid Pensions and in opposition to their desire and request, have forced this bill upon the House. And why? Simply because the Committee on Invalid Pensions are in favor of pension legislation, and this subcommittee of the Committee on Appropriations is not in favor of pension legislation. That is the whole matter in a nutshell.

I desire to contradict a slander that has been perpetrated in this House upon the pensioners of the country. The gentleman from Missouri [Mr. TARSNEY] and the gentleman from Massachusetts [Mr. O'NEIL] did the pensioners of this country as great an injustice as one man can do another, in my opinion, when they asserted here that there are very large numbers upon the pension rolls that are fraudulently drawing pensions.

This proposition I deny; and yet, gentlemen on this side of the House, it is a fact that all this talk of fraudulent pensions that is perpetually dinned in our ears about people being on the pension rolls fraudulently and by perjury, as was asserted by the two gentlemen whom I have named—I say this continual din and the persistency along that line is making cowards of the friends of the soldier, until gentlemen upon this floor have gotten up here during this debate and admitted that men were on the pension roll fraudulently when such admission is false, until at last the members of this House are becoming cowards under this charge, and that is what you of the opposition are working for.

My friend from Georgia [Mr. LIVINGSTON] nods his head.

Mr. LIVINGSTON. Oh, no.

Mr. PICKLER. That is the whole thing. It is not true that this pension roll is a fraudulent roll; but I say you are keeping up the din for the purpose of bringing it into disrepute, and for that purpose alone.

Mr. Chairman, I have asked these gentlemen time and again to name where these fraudulent pensioners are. I have even arisen to defy them to mention the names of them. They have none of them mentioned these names. Are these fraudulent pensioners in the district of Friend O'NEIL of Massachusetts? Is there a large number of fraudulent pensioners on the rolls

there? Are they in the district of the gentleman from Missouri, Mr. TARSNEY?

Mr. O'NEIL of Massachusetts. I never said that there were a large number of fraudulent pensioners on the rolls. I said that men were on the roll who ought not to draw a pension.

Mr. PICKLER. My Christian friend! [Great laughter.]

Mr. BURROWS. Take the words down. [Renewed laughter.]

Mr. PICKLER. And you certainly will require a great many Christian virtues to save you after that speech of last week. You asserted, or else I misunderstood you, and the gentleman from Missouri [Mr. TARSNEY] reasserted with more emphasis, that he believed there was a large percentage on the pension roll that were fraudulent; that there were a large number of fraudulent pensioners. That I deny, whether it comes from the gentleman from Massachusetts or the gentleman from Missouri.

But we are not left in the dark in regard to this matter, and it is positively astounding how little truth there is in the pension hater's howl of fraudulent pensions when we consult the record. Here is the report on this question. I read from the chief of the law division in the last report upon pensions:

In the criminal section (B) criminal investigations and prosecutions are considered, directions being given relative to investigations of such matters. Through this section all refundment are secured in cases of fraudulent or illegal pensions and overpayments. A complete criminal docket is kept, as well as a docket for other cases considered. To this section are referred all issues submitted for opinion on questions of marriage, divorce, presumption of death, probate law, guardianship, and all general correspondence upon matters relating to the pension laws.

| | |
|---|------------|
| Cases received in section | 2,736 |
| Cases acted on, including certain cases on file at beginning of fiscal year | 3,420 |
| Money illegally withheld, recovered, and turned over to pensioners | \$9,089.34 |
| Money illegally obtained, recovered, as the property of the United States | 17,924.52 |
| Civil suits recommended | 3 |
| Pension claims submitted for prosecution of various parties | 139 |
| Arrested and bound over | 91 |
| Indicted | 147 |
| Convicted | 122 |
| Sentenced | 72 |
| Acquitted | 18 |
| Not pressed | 3 |
| Judgments in civil suits | 1 |

One hundred and twenty-two convictions out of three thousand four hundred and twenty cases acted upon during the year. And this with all the agents, examiners, inspectors, and machinery of this great Pension Office exhibits the ridiculously small number of cases of actual fraud on the pension roll.

Now, what have you to say in regard to these laws and fraudulent pensions in the face of these figures? Three thousand four hundred and twenty cases were reported last year, and here they have been investigating them according to the sworn report of this officer, and only one hundred and twenty-two convictions had. So that this cry about the pension roll being largely fraudulent is utterly and damnably false.

Mr. TARSNEY. Now, will you permit me to ask you a question?

Mr. PICKLER. No; I can not yield unless I have further time.

Mr. TARSNEY. But the gentleman has arraigned me personally.

Mr. PICKLER. I have been arraigned personally by a half dozen gentlemen on that side.

Mr. TARSNEY. But the gentleman has called in question the statements I have made—

Mr. PICKLER. After my time expires I am entirely willing to yield to you.

Mr. TARSNEY. I accept that kind of fairness.

Mr. PICKLER. Do not talk of fairness after your tirade against soldiers. So much for the fraudulent pension portion of these charges, and to say that frauds are not pursued under this system when the Commissioner tells you himself that even an anonymous letter receives consideration, and an agent is sent out to investigate the charges therein made, misrepresents the situation.

Mr. TARSNEY. If there were no fraudulent pensioners upon the rolls, how was any conviction had?

Mr. PICKLER. I have not said there were no fraudulent pensioners on the roll.

Mr. TARSNEY. You denounce my statement that there were men fraudulently upon the rolls as false, and then you proceeded to read a statement showing that men were convicted of being fraudulently on the rolls.

Mr. PICKLER. Well, my friend, I do not want any controversy with you. No one denies there may be an occasional man on the roll who should not be. From your speech, however, one would judge that whoever was drawing a pension under the law of 1890 was *prima facie* a fit subject for the penitentiary. You assert a large number of soldiers are on pension rolls by false swearing and hence deserve imprisonment, and Mr. O'NEIL of Massachusetts seeks to take the pensions from their widows, and so for soldiers and their widows these gentlemen consign them to perjury, penitentiary, and poorhouse.

DESERTERS NOT PENSIONERS.

Mr. LIVINGSTON having the floor on pension bill—

Mr. PICKLER. I ask the honorable gentleman from Georgia—

Mr. LIVINGSTON. I will answer you if you will sit down. I know what your question is.

Mr. PICKLER. The question is this—

Mr. LIVINGSTON. You need not restate it; I know what it is.

Mr. PICKLER. I want to know what definite charge that letter shows which any officer can take hold of, and whether you have referred it to the Commissioner of Pensions to have action thereon. [Derisive cries of "Oh!" "Oh!" on the Democratic side.] You may laugh, gentlemen; but that is the way to do, if the office is to take care of these cases.

Mr. LIVINGSTON. This gentleman said on the floor of the House three days ago that no man on this floor dared give an instance of political corruption or anything of that kind—

Mr. PICKLER. And your man does not name any parties—

Mr. LIVINGSTON. That letter mentions the name of the political boss of the Republican party in my State. It says that he controls the appointment of those boards, and that when one of the members of that board was conscientious enough to apply to him to have the other two either corrected, reformed, or dismissed he had the complaining man dismissed and another put in his place who was the subservient tool of himself.

Mr. PICKLER. My inquiry has been, where are the persons who are fraudulently drawing pensions?

Mr. LIVINGSTON. Is a deserter a fraudulent pensioner?

Mr. PICKLER. No, sir; under certain circumstances he is not. But there are no deserters drawing pensions; that is the answer to the gentleman.

Mr. LIVINGSTON. The gentleman said three days ago that there was not a deserter drawing a pension. I will refer him to the Adjutant-General's report; and while I will not call the name, I will pass a letter to him—

Mr. PICKLER rose.

Mr. LIVINGSTON. Wait a moment.

Mr. PICKLER. The gentleman is mistaken. I said there is no deserter drawing pension under the law of 1890. Neither is there. And there is no deserter drawing pension anywhere unless he incurred his disability while he was a good soldier and before he deserted. I know what the law is.

AGAINST CONFISCATING PENSIONS OF SOLDIERS IN SOLDIERS' HOMES.

Mr. PICKLER. Mr. Chairman, I desire to urge the additional point of order that this proposition undertakes to take the money of these soldiers without due process of law. I call attention to the fact that in the first place the money of these inmates of the Soldiers' Home is drawn from the Treasury; and then when the soldier has signed his voucher, when he has settled with the Government, this provision steps in and provides that the managers of these homes shall take his money and turn it back into the Treasury of the United States.

This proposition is certainly objectionable on the ground that it proposes to take private property without due process of law; and on this point I wish to call attention to one or two paragraphs, which are certainly very pertinent, from Cooley on Constitutional Limitations:

Perhaps no definition is more often quoted than that given by Mr. Webster in the Dartmouth College case: "By the law of the land is most clearly intended the general law; a law which hears before it condemns; which proceeds upon inquiry, and renders judgment only after trial. The meaning is that every citizen shall hold his life, liberty, property, and immunities under the protection of the general rules which govern society. Everything which may pass under the form of an enactment is not therefore to be considered the law of the land."

The definition here given is apt and suitable as applied to judicial proceedings, which can not be valid unless they "proceed upon inquiry" and "render judgment only after trial." It is entirely correct, also, in assuming that a legislative enactment is not necessarily the law of the land. The words "by the law of the land," as used in the Constitution, do not mean a statute passed for the purpose of working the wrong. That construction would render the restriction absolutely nugatory, and turn this part of the Constitution into mere nonsense. The people would be made to say to the two Houses: "You shall be vested with the legislative power of the State, but no one shall be disfranchised or deprived of any of the rights of a citizen unless you pass a statute for that purpose. In other words, you shall not do the wrong unless you choose to do it."

If this were so, acts of attainder, bills of pains and penalties, acts of confiscation, acts reversing judgments, and acts directly transferring one man's estate to another—

That is exactly what this bill proposes to do—

legislative judgments, decrees, and forfeitures in all possible forms would be the law of the land.

Such a strange construction would render constitutional provisions of the highest importance completely inoperative and void. It would tend directly to establish the union of all powers in the Legislature. There would be no general permanent law for courts to administer or men to live under. The administration of justice would be an empty form, an idle ceremony. Judges would sit to execute legislative judgments and decrees, not to declare the law or administer the justice of the country.

Those terms "the law of the land," do not mean merely an act of the Gen-

eral Assembly. If they did, every restriction upon the legislative authority would be at once abrogated. For what more can the citizen suffer than to be taken, imprisoned, dispossessed of his freehold, liberties, or privileges—

That is what is sought to be done here—

be outlawed, exiled, and destroyed, and be deprived of his property, his liberty, and his life without crime? Yet all this may he suffer if an act of the Assembly simply denouncing those penalties upon particular persons, or a particular class of persons, be in itself a law of the land within the sense of the Constitution; for what is in that sense the law of the land must be duly observed by all, and upheld and enforced by the courts.

Now, Mr. Chairman, it seems to me there never was a more barefaced attempt to take property without due process of law than this proposition in the present bill.

Mr. HOUK of Ohio. From what decision has the gentleman been reading?

Mr. PICKLER. I have been reading from Cooley on Constitutional Limitations—pretty good authority. This money the soldier has received for; the Government has paid it over; and here is a proposition that these managers of the home take that money from him and cover it back into the Treasury of the United States. They might just as well undertake to seize a man's horse or any other property.

Mark you, there is no attempt to detain the money while it is yet in the possession of the Government—while it is in the Treasury of the United States. This money can not get to the soldier until he has signed his voucher and the money has been paid to these managers as his agent. I submit that any such provision as this is contrary to the Constitution of the United States and that these soldiers ought not to be robbed in this manner.

ROB THE STRANGER, STARVE THE WIDOW.

Mr. Chairman, I desire to see whether I correctly understand this amendment. There was in my company a boy about my own age, a German, and also an Irishman. They soldiered with the American boys and did their duty at all times. They remained in the company until the end of the war. Now, as I understand the operation of this proposed legislation, if those men are living abroad and have not become naturalized citizens of the United States, this legislation should cut off their pensions, except for actual disabilities. If a pension has been granted to any man by reason of services rendered to the United States, I do not understand by what rule of fairness or equity you can cut it off because of his nationality. What has his nationality to do with it?

A MEMBER. Or where he lives.

Mr. PICKLER. Or where he lives. The pension is granted him because of the services that he rendered to this Government and to the flag of this country, but as I understand this provision in the bill, whether such a man, having his pension, returns to the shamrock in old Erin, or returns to take care of his parents on the vine-clad hills of France, or returns to the picturesque farms or villages of Germany, wherever he goes abroad, as I understand it, this cuts off his pension.

Mr. Chairman, in condemnation of this discrimination against the stranger in this country, I want to interpose a higher authority than the statutes of the United States. I call the attention of gentlemen who have been in favor of cutting off these widows' pensions to what I am about to read and ask them to consider it well before they bring in such a proposition here again:

You shall not afflict any widow, or fatherless child.

If thou afflict them in any wise, and they cry at all unto Me, I will surely hear their cry:

And My wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless.—*Exodus*, xxii, 22 to 24. And the Levite (because he hath no part nor inheritance with thee), and the stranger, and the fatherless, and the widow, which are within thy gates, shall come, and shall eat and be satisfied; that the Lord thy God may bless thee in all the work of thine hand which thou doest.—*Deuteronomy*, xiv, 29.

Mr. LIVINGSTON. That speaks of those who are "within the gates," but these people are outside of our gates. Now, what are you going to do with them?

Mr. PICKLER. The gentleman from Georgia is in favor of cutting off the widows.

Mr. LIVINGSTON. No; I am not.

Mr. PICKLER. You do not want to embrace the widows? [Laughter.]

Mr. LIVINGSTON. You must be reading from the Revised Version.

Mr. PICKLER. I will read the gentleman some more:

When thou cuttest down thine harvest in thy field, and hast forgot a sheaf in the field, thou shalt not go again to fetch it: it shall be for the stranger, for the fatherless, and for the widow: that the Lord thy God may bless thee in all the work of thine hands.

When thou beatest thine olive tree, thou shalt not go over the boughs again: it shall be for the stranger, for the fatherless, and for the widow. And thou shalt remember that thou wast a bondman in the land of Egypt: therefore I command thee to do this thing.—*Deuteronomy*, xxiv, 19, 20, and 22.

Cursed be he that perverteth the judgment of the stranger, fatherless, and widow: and all the people shall say, Amen.—*Deuteronomy*, xxvii, 19.

For if ye thoroughly amend your ways and your doings; if ye thoroughly execute judgment between a man and his neighbor:

If ye oppress not the stranger, the fatherless, and the widow, and shed not innocent blood in this place, neither walk after other gods to your hurt;

Then will I cause you to dwell in this place, in the land that I gave to your fathers, forever and ever.—*Jeremiah*, vii, 5-7.

When the ear heard me, then it blessed me; and when the eye saw me it gave witness to me:

Because I delivered the poor that cried, and the fatherless, and him that had none to help him.

The blessing of him that was ready to perish came upon me: and I caused the widow's heart to sing for joy.—*Job*, xxiv, 11-13.

Learn to do well; seek judgment, relieve the oppressed, judge the fatherless, plead for the widow.—*Isaiah*, i, 17.

Pure religion and undefiled before God and the Father is this, To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world.—*James*, i, 27.

Mr. Chairman, if the Democratic party will not respect anything else I hope they still have some respect for the Bible. [Laughter.]

DEMOCRATIC PLATFORM.

The gentleman from Missouri [Mr. BLAND], a few days since, upon this floor, speaking for his party, with great earnestness and emphasis, declared that the Democratic party had been false to every promise made the people in the late Presidential campaign.

And, Mr. Speaker, when we consider this great onslaught made upon pensions at the first session of Congress since that campaign, and note the proposition in this bill to cut off widows' pensions, and to confiscate the pensions of soldiers in the soldiers' homes, to take away pensions of those who live abroad, and deprive of pensions those who have an income of more than \$600, to abolish the offices of Commissioner and Assistant Commissioner of Pensions, to transfer the Pension Bureau to the War Department, to examine the applicant by an examiner from Washington, with one local surgeon, and abolish the present board of local examiners, and to appoint a committee of the next Congress to report bills for the reduction of pensions—I repeat, Mr. Speaker, when we consider the promises of the Democratic party to the soldier in the late Presidential campaign, as expressed in their platform and on the stump, and review the propositions of this bill, certainly everyone must agree with the declaration of the gentleman from Missouri as to his party so far as pensions are concerned. I desire, Mr. Speaker, to call attention of the Democrats upon this floor to the language of the late Democratic platform upon this subject:

PENSIONS.

SEC. 13. This convention hereby renews the expression of appreciation of the patriotism of the soldiers and sailors of the Union in the war for its preservation, and we favor just and liberal pensions for all disabled Union soldiers, their widows and dependents, but we demand that the work of the Pension Office shall be done industriously, impartially, and honestly. We denounce the present administration of that office as incompetent, corrupt, disgraceful, and dishonest.

LARGE PENSIONS IN THE SOUTH.

I desire to call the attention of some gentlemen to the amount of pensions that are being received by their States in proportion to the amount of revenue that they are paying to the Government. The only direct tax that comes from any State in the Union to the national Treasury is the internal-revenue tax, and the money paid for pensions is the only money that goes directly to the States. Now, Mr. Chairman, let us for a moment examine whether or not some gentlemen who are complaining upon this floor have any right to complain. I am now speaking from figures obtained from the report of the Commissioner of Internal Revenue for the last year, and from the report of the Commissioner of Pensions.

The State of Alabama paid into the United States Treasury during the last fiscal year \$106,771, and the same State of Alabama drew in pensions \$400,729. She paid in \$106,000 and drew out over \$400,000. Arkansas paid into the Treasury \$95,780 and drew out \$1,470,903.

Mr. SIMPSON. It got a big piece of the pork.

Mr. PICKLER. Now, the gentleman from Kansas has interrupted me, and as he represents the People's party, I want to say that Kansas has the best thing of any State in the Union. Kansas only paid \$290,501 into the Treasury, and drew out \$7,007,000.

Mr. SIMPSON. If the gentleman from South Dakota will allow me I will suggest to him—

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Kansas?

Mr. PICKLER. I do not care to yield.

Mr. SIMPSON (continuing). That before the victory of the People's party the State of Kansas received the smallest amount of pensions of any State in the Union.

Mr. PICKLER. The gentleman is greatly mistaken. I want to know, if the People's party in Kansas are such great friends of the soldier, how it was that the national convention of the People's party at Omaha failed to put into their platform anything in regard to the soldier, but put the soldier off with a simple resolution, declared not to be a part of the platform.

Mr. SIMPSON. I want to say to the gentleman that after it was developed that Kansas was a doubtful State then the pensions were granted. [Great laughter.]

Mr. PICKLER. I can not yield any further. It has been the

Republican party that has granted the pensions. I call attention of the gentleman from Massachusetts—

[Here the hammer fell.]

Mr. PICKLER. I ask unanimous consent that I may be granted further time.

Mr. MUTCHLER. Mr. Chairman, I ask unanimous consent that all further debate upon the pending proposition be limited to one minute.

Mr. PICKLER. I object.

The CHAIRMAN. Objection is made.

Mr. MUTCHLER. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WILSON of West Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10345) and had come to no resolution thereon.

Mr. MUTCHLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of general appropriation bills; and pending that motion I move that all debate upon the pending amendment and amendments thereto be limited to one minute.

Mr. PICKLER. Give me three minutes and I will not object.

Mr. MUTCHLER. I will make it three minutes.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of general appropriation bills; and pending that moves that when the committee again resumes consideration of the pension appropriation bill all debate upon the pending amendment and amendments thereto be limited to three minutes.

The question was taken, and the motion to limit debate was agreed to.

The SPEAKER. The question now is on the motion to go into Committee of the Whole.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. WILSON of West Virginia in the chair.

The CHAIRMAN. By order of the House, all debate upon the pending amendment and amendments thereto is limited to three minutes.

Mr. PICKLER. Mr. Chairman, I desire to call the attention of the gentleman from Massachusetts [Mr. O'NEIL] to these figures, and especially to those of his own State:

| States. | Revenue paid. | Pensions received. |
|--|---------------|--------------------|
| Alabama | \$106,771.14 | \$400,729.44 |
| Arkansas | 95,718.86 | 1,470,903.77 |
| California and Nevada | 2,230,633.30 | 2,241,343.99 |
| Connecticut and Rhode Island | 930,763.02 | 1,676,137.01 |
| Florida | 465,629.67 | 319,021.65 |
| Georgia | 482,811.52 | 274,117.65 |
| Illinois | 36,795,338.24 | 9,343,996.80 |
| Indiana | 6,473,438.89 | 10,435,529.43 |
| Iowa | 478,008.40 | 5,310,988.96 |
| Kansas, Indian Territory, and Oklahoma | 290,501.40 | 7,700,104.55 |
| Kentucky | 21,813,851.61 | 4,465,812.11 |
| Louisiana and Mississippi | 734,832.29 | 847,552.45 |
| Maryland, Delaware, and District of Columbia | 3,288,873.77 | 4,220,890.13 |
| Massachusetts | 2,462,209.61 | 6,319,957.66 |
| Michigan | 2,283,909.44 | 7,471,548.90 |
| Minnesota | 2,272,427.38 | 2,155,065.80 |
| Missouri | 8,521,216.60 | 7,780,516.86 |
| Montana, Idaho, and Utah | 195,757.86 | 346,628.17 |
| Nebraska, North and South Dakota | 4,898,588.04 | 3,391,050.85 |
| New Hampshire, Maine, and Vermont | 540,770.58 | 5,976,161.96 |
| New Jersey | 4,385,011.87 | 2,937,656.31 |
| New Mexico and Arizona | 39,778.14 | 214,608.95 |
| New York | 17,670,978.82 | 11,762,390.64 |
| North Carolina | 2,383,656.85 | 495,187.91 |
| Ohio | 12,921,175.43 | 16,113,541.34 |
| Oregon, Washington, and Alaska | 379,876.04 | 951,428.09 |
| Pennsylvania | 11,159,407.21 | 12,505,167.92 |
| South Carolina | 71,812.85 | 171,126.27 |
| Tennessee | 1,278,862.03 | 2,434,508.73 |
| Texas | 306,375.93 | 905,230.94 |
| Virginia | 2,915,412.52 | 1,047,962.16 |
| West Virginia | 807,588.96 | 2,158,703.12 |
| Wisconsin | 3,794,690.38 | 3,977,258.00 |

Mr. PENDLETON. Will the gentleman allow me to ask him a question?

Mr. PICKLER. I can not yield.

Mr. BYNUM. Where do you get these figures?

Mr. PICKLER. These are the official figures from the reports of the Commissioner of Pensions and the Commissioner of Internal Revenue for the fiscal year ending June 30, 1892.

Mr. PENDLETON. My question is—

Mr. PICKLER. I do not yield. Texas paid in \$306,371 and drew out \$915,000 for pensions.

Mr. ENLOE. How did she put it in?

Mr. PICKLER. By payment of her internal revenue.

Mr. ANDREW. How did you find out that she paid any?

Mr. PICKLER. From the official reports of the Commissioner of Pensions and the Commissioner of Internal Revenue. Mississippi, Arkansas, Alabama, all of these States are receiving more pension money than they are paying taxes into the Treasury, and the Northwest, North Dakota, South Dakota, and Minnesota, are paying in \$1.50 where they get \$1 out for pensions, and, with Illinois, New York, Kentucky, and other States, are actually paying the pensions of the Southern States.

Mr. COWLES. That is what is the matter with the Treasury.

Mr. PICKLER. I can not yield. And if you come to talk about what you claim to be paying in on account of the tariff, while we deny it is a tax, yet if it were, you of these States in the South pay a great deal less in proportion to what the Northern States pay than you do of this internal-revenue tax, because the North uses so many more goods and manufactured products than you do that you would fall further behind on that than you do on your amount of internal revenue paid. So that, Mr. Chairman, the States in the South are getting more pensions in proportion to the amount they pay into the Treasury than the people of the North.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PICKLER. I withdraw the *pro forma* amendment.

PENSIONERS OF MEXICAN WAR.

Much is said of short-service men in the late war drawing pensions, yet it is a matter of history that the average three-months man of the late war saw more hard service and did more fighting than the average Mexican soldier, only a small proportion of whom ever saw an armed Mexican. Nevertheless the Mexican soldier who served sixty days in Mexico, on the borders thereof, or on the way there, was at the first session of this Congress given a pension of \$12 per month and no vote against it; and during this session the soldier of Indian wars has been voted a pension if he served thirty days.

SOLDIERS IN MEXICAN WAR.

| | |
|---|--------|
| Total number of soldiers in Mexican war | 73,786 |
| Killed | 613 |
| About one killed in every | 120 |

The men furnished by each State and the number killed is as follows:

| State. | Men. | Killed. |
|-------------------------------|-------|---------|
| Alabama | 3,026 | — |
| Arkansas | 1,323 | 12 |
| California | 571 | — |
| Florida | 370 | — |
| Georgia | 2,132 | 6 |
| Illinois | 6,123 | 98 |
| Indiana | 4,585 | 47 |
| Iowa | 233 | — |
| Kentucky | 4,842 | 82 |
| Maryland | 1,365 | 11 |
| Massachusetts | 1,057 | — |
| Michigan | 1,103 | — |
| Mississippi | 2,423 | 58 |
| Missouri | 7,018 | 23 |
| New Jersey | 425 | — |
| New York | 2,396 | 43 |
| North Carolina | 935 | — |
| Ohio | 5,536 | 18 |
| Pennsylvania | 2,503 | 35 |
| South Carolina | 1,077 | 56 |
| Tennessee | 5,585 | 49 |
| Texas | 8,018 | 46 |
| Virginia | 1,320 | — |
| Wisconsin | 146 | — |
| Mormons | 385 | — |
| Reënlisted twelve-months' men | 844 | 5 |

SOLDIERS AND PENSIONERS.

Bearing upon these untrue attacks upon the pensioners of the country, I desire to here quote an article from that ever able and stalwart friend of the soldier, that successfully resists and answers all attacks upon the veterans, the National Tribune, Washington, D. C., in a late number:

The New York Sun makes the following statements, which are eagerly copied by the clan of soldier-hating papers, from Maine to California:

"On the 1st of January, 1862, there were present for duty 527,304 officers and men in all of the armies of the Union, including regulars and volunteers. The present number of pensioners exceeds that total by more than 400,000.

"On the 1st of January, 1863, there were present for duty in all the armies of the Union 698,802 soldiers. The present number of pensioners exceeds that total by about 250,000.

"On January 1, 1864, five months after Gettysburg, there were at the front 611,250 soldiers. The present army of pensioners exceeds that number by about 340,000.

"On January 1, 1865, there were at the front in active service 620,924 soldiers of the Union. The present army of pensioners exceeds that number by about 330,000.

"On March 31, 1865, the date of the battle of Five Forks, and nine days before the surrender of Lee, there were present for service in all of the armies of the Union 637,747 soldiers. The present army of pensioners exceeds this total by about 300,000 men.

"On May 1, 1865, after the fighting had practically ceased, the number of soldiers reported present for service in all the victorious armies of the Union rose to 797,807. This was the highest point reached during the war, as far as is shown by the tables from the official report to the Provost-Marshal-General, copied in Col. Phisterer's Statistical Record. The present army of pensioners exceeds this total by nearly 200,000."

As is usual with soldier-haters, the Sun carefully omits very important figures, and makes a garbled statement on the principle that a half-truth is always more dangerous than a whole lie. A plain statement of the actual figures will show holes in the Sun's statements wide enough to drive a hay-wagon through. In the first place:

The total number of pensioners on the roll October 1, 1892, was \$10,028.

This number was made up as follows:

| | |
|------------------------------------|---------|
| Invalids, war of the rebellion | 712,403 |
| Widows, etc., war of the rebellion | 168,131 |
| Revolutionary widows | 22 |
| War of 1812 | 6,831 |
| Mexican war | 22,638 |
| Total | 910,023 |

In the "invalids, war of the rebellion," are included all the soldiers and sailors of the regular Army and Navy who have been wounded or disabled in all the wars or service for the last half century. It must be kept in mind that we have constantly had about 25,000 men in the regular Army, and they have seen some very hard service and done a great deal of bloody fighting.

A single glance at the above table will show that the Sun implies a lie, if it does not directly state it, when it says the pensioners exceed the total number for duty January 1, 1865, by more than 400,000. There are 197,622 pensioners who make no claim to having been in the Army during the war of the rebellion, 168,131 of these being the widows, children, and dependent parents of soldiers.

When we apply the Sun's rule to the Mexican pensioners we find they number twice as many as Scott had at any time in his army during his advance on Mexico and more than the combined armies numbered at any time on Mexican soil.

The next falsehood by implication is the assumption that the numbers given at different dates represent nearly all the men who were actually engaged in putting down the rebellion. Take for example the first fight—January 1, 1862. The number, 527,204, represents all who were present with their colors after the hard fighting and campaigning of the previous eight months. The hospitals and homes of the country were filled with young soldiers who had been wounded or broken down by the fighting and campaigning at Bull Run, Balls Bluff, Drainesville, Rich Mountain, Belmont, Wilsons Creek, Lexington—in Virginia, West Virginia, Missouri, and on the plains. Thousands of those marked absent were prisoners of war.

Over 500,000 more men were called into service during the summer of 1862, but the terrible losses on the Peninsula, at Antietam, Fredericksburg, Shiloh, Perryville, Stone River, Vicksburg, Pea Ridge, Prairie Grove, and in Louisiana reduced this number until the 1st of January, 1863, saw the number present reduced to 698,802. During 1863 353,389 three-years men were added to the Army; but Chancellorsville, Fort Wagner, Vicksburg, Baton Rouge, Chickamauga, East Tennessee, Gettysburg, and Mine Run played sad havoc with the Army, and at the close of the year it mustered but 311,250 present for duty. Of the absentees 20,000 were prisoners in the hands of the enemy, and new hospitals were opened everywhere in the North to accommodate the remainder. So arduous was the service that an average of 80 men in every 1,000 were in the hospitals, and the wonder now is among those who went through the experience that the proportion was not several times as large.

In March, 1864, 200,000 more three-years men were called for; later 83,000 hundred-days men, and in July 500,000 three-years men, under which calls over 600,000 men responded. But even this vast number did not last long in that terrific fighting, which knocked out nearly 100,000 men between the Rapidan and the James, and when 10,000 men fell in ten minutes at Cold Harbor. Another call for 300,000 men was made in December, and the 212,000 men who responded to this took the places of men who had been killed, wounded, or disabled, or whose terms had expired, until the Government had 657,747 men ready in March for the final campaigns.

It will be noticed that while 20,635 of the pensioners on the roll were placed there on account of service in the Navy, the Sun gives no credit whatever to the 125,000 gallant sailors and marines who from first to last gave the million staggering blows at Port Royal, Roanoke Island, Fort Henry, Memphis, New Orleans, Vicksburg, Mobile, Fort Fisher, and many other places.

The Sun and its confederates prate constantly about the number of absentees from the front. They enlarge on the fact that out of a total strength of 958,417, March 31, 1865, only 657,737 were present for duty, leaving 322,339 "absent." They would imply that all these absentees were shirks and deserters. They carefully conceal the fact that at that time the rebels were holding perhaps 70,000 or 80,000 prisoners of war, or rather the survivors of that number; that tens of thousands were sick or wounded in the hospitals; that thousands more were enjoying well-earned furloughs—nobody but the editor of a soldier-hating paper wants to fight all the time—and that thousands of others were on recruiting or other detached duty.

It is a significant fact that 285,245 men were discharged for disability during the war, of which number 49,853 were for gunshot wounds and similar injuries. The wounds severe enough to cause absence from duty for a greater or less period must have been several times as numerous as this, and over 100,000 men were actually killed on the field of battle. Is it any wonder that, though the Army was constantly swelled by hundreds of thousands of recruits, its numbers on any given day were always terribly shrunken?

The charge of general desertion will not stand the test of examination. The number of desertions is surprisingly small considering the number of enlistments, the length of the war, and the vicissitudes of the service. Out of a total of 2,853,130 enlistments the Provost-Marshal-General reports 199,045 "desertions."

The number of real desertions fell far below half this number, for the reason that under this head were included all who were irregularly absent from their commands—drafted men who failed to report, men who were taken prisoners when alone and in small squads, sick and wounded who were unable to return at the expiration of their leaves, men who had been killed and wounded and not reported, men who had been irregularly transferred to other commands, musters-out which had been disapproved by the inspecting officers, etc., through all the multitudinous details of red-tape regulations which the volunteers—and especially those west of the Alleghenies—had little patience with. Thousands of veterans left the service at the close of the war without waiting for a discharge, because they believed the Government was treating them unfairly. They had enlisted "for the war," and believed that at its close they had a right to go home. Many thousands had veteranized at the close of their first three years' service.

But instead of being discharged they were ordered to the plains to fight Indians, or to the Rio Grande to watch Maximilian. They felt outraged, and went home on "French leave" by thousands. All these were put on the deserters' roll. Thousands of others got into trouble with their officers or comrades and transferred themselves to other regiments. They felt that

they were right in doing thus, as they were still serving the Government. There was more of this in the West, and the far West, than in the East, because the men there felt less bound by rules and regulations when they felt that they were doing what in itself was right, though the form might be irregular. All told, there were less than 100,000 real deserters, or not 1 to every 28 enlistments, which is a very small proportion in any army.

Against these figures set the following:

| | |
|---------------------------|---------|
| Killed in battle | 103,300 |
| Died of disease | 207,000 |
| Wounded in action | 280,040 |
| Missing and captured | 184,791 |
| Discharged for disability | 285,245 |

Taking the total number of 2,859,132 enlistments, it has been found that 1 man in every 28 was killed; 1 man in every 13 died of disease; so that 1 man in every 9 died while in service. If these could be counted who were discharged and sent home to die, the mortality would appear still more awful.

One man of every 15 was captured or missing, and 1 man out of every 10 was wounded. These facts show how constantly all were in the presence of the enemy.

During the war 6,049,648 cases were treated in the hospitals. Of these 3,655,035 resulted from the miasma of the unhealthy country, and 108,687 of those sickened died. There were 425,300 wounded and injured men treated, of whom 38,115 died; 34,696 men died of typhoid and typhomalarial fever; 44,553 of diarrhea and dysentery; 21,000 of inflammation of the lungs and consumption.

These startling figures make one wonder that the pension roll is no longer than it is. It is these facts, however, that the soldier-haters sedulously refrain from mentioning.

COMMANDER OF THE GRAND ARMY OF THE REPUBLIC.

Mr. Speaker, I had the pleasure and honor a few months since in this city to mingle in the march of the veterans of the late war in their grand parade 80,000 strong up Pennsylvania avenue in this city. It was an enthusiastic and inspiring march, and whoever witnessed the bands, banners, tattered ensigns, gray hairs, and accompaniments of that great procession will never forget it. And at that meeting of that Grand Army I had the pleasure and honor as a delegate from my State to vote for a comrade from the State of Wisconsin, for commander-in-chief of the Grand Army of the Republic.

I have no personal acquaintance with Grand Commander A. G. Weissert, but I now know he is the right man in the right place; and his broadside addressed to the gentleman from Massachusetts against the iniquitous propositions of this bill will endear him not only to the hearts of his comrades, but to every patriot in the nation; and, feebly as it may be, I desire here in voicing, as I know I do every true soldier in the land, cordially thank Commander Weissert in their name for the sledge-hammer blows dealt in their behalf in his letter which I here insert:

PROVIDENCE, R. I., February 11, 1893.

HON. JOSEPH H. O'NEIL,

House of Representatives, Washington:

I notice in morning papers you quote me in approval of your proposed amendments to existing pension legislation affecting pensions of inmates of soldiers' homes. Later I received your letter of the 4th instant, asking indorsement of some interview, said to have been held with me on that specific point. Uncertain whether represented or misrepresented in that interview, I say to you that while I am in favor of legislation giving the major portion of the pension of inmates of a home to his family, yet, if he has no family, I say let him have it all, even if it amounts to 50 cents per day. For your proposed amendments generally, as published, I have no favor. They are all calculated to restrict benefits heretofore accorded surviving veterans or their widows. Your restriction to less than \$800 income per year is particularly obnoxious, because it requires public acknowledgment of poverty. Health and loyalty were all that Lincoln asked of us when you were a babe, and we were battling to preserve a Congress for you to sit in.

I commend for your consideration the words of another son of Massachusetts, as he voiced the country's estimate of the services of the founders of the Republic, who were survivors in his time. I refer to Webster. Your warfare in advance on those who in the providence of God may become soldiers' widows, is utterly repugnant to even average manhood.

In the body of which you are a member sits many a man who fought us man fashion, open and above board, front face. Gordon, his face seamed with the track of Union lead; Butler, short one leg; Wheeler, the wild rider, who gave us so little rest, and that sturdy fighter, Moore, of Texas. They were line of battle soldiers in time of war, but I hazard the prediction none of them could be induced to lead in such fight as you are making.

You cry out against the sum total of the annual appropriations for pensions, and capitalists and cowards comprise the majority of those who applaud. Figure the total on all pensions from 1865 to 1893, and it is little more than half the amount paid in the same time for interest alone to the bondholder. He bought his bonds always below par, at times as low as 38. The men I now have the honor to commend, and their deceased comrades, indorsed those bonds with their heart's blood, and by their valor put them on the road to par and at a premium in the financial markets of the world. With tremendous unanimity they stood for honest money in peace, insisting that Uncle Sam's promises to the bondholders should be redeemed at 100 cents on the dollar, with all interest, and payable in gold.

The next President of the United States goes into office having been voted for by hundreds of thousands of veterans. I have no criticism for their course. The soldier earned the right to vote as he pleases, be it Democratic, Republican, or Populist. If some of them, advanced in years, enfeebled by disease, see fit to totter to the polls and vote the Mugwump ticket that is their right. But I beg you to stop this warfare which will drive them to lay aside consideration of other matters germane to our system of government and tend to weld them into a nearly solid political mass. Your present course, persisted in, renders that nearly inevitable in my opinion.

A. G. WEISSERT.

Commander-in-Chief, Grand Army of the Republic.

And the gentleman from Massachusetts [Mr. O'NEIL] waxed eloquent in praise of his soldier colleagues on the committee, commending their patriotic action, while he consigned to the penitentiary their comrades whom he wrongfully alleges are drawing fraudulent pensions, and views with indifference the

haggard forms of the starving widows as he cruelly forces them into the poorhouses of the land by depriving them of their pension pittance.

Man's inhumanity to man, makes countless thousands mourn.

The gentleman from Missouri [Mr. TARSNEY] and the gentleman from Massachusetts [Mr. O'NEIL] dwelleloquently in regard to the patriotism that should inspire the soldier.

Gentlemen, the soldier knows all about that; he heard these same eulogies from the time he listened to the fife and drum that called him to defend the flag, all along down the years until the present. These men were moved by the highest patriotism when they risked their lives for their country, the Constitution and the flag. That act was the embodiment of a higher and loftier patriotism than any member on this floor can now describe.

The trouble is, the gentlemen seem to want the Government to discharge all its obligations to the soldiers who saved it without money and without price.

The gentlemen feel very patriotic, and have great love for these old soldiers as long as it costs nothing.

They are willing to pay 100 cents on the dollar of gratitude if patriotic declamation in praise of the soldier shall be a legal tender.

They are for these soldiers as long as it does not effect the revenues. This Cheap-John pension advocacy does not, in my opinion, grasp the deep feeling of gratitude which this nation feels toward these men who saved it in its hour of danger.

STAND TOGETHER.

Mr. Speaker, I would that I could reach the ear of every comrade in the land, to warn him of the impending danger to himself and family which these amendments indicate.

It means that there is a sentiment in the land, and a sentiment which has representation on this floor, that would deprive the soldier of his pension, would starve his wife and children in his declining years, and rob his widow after he is gone. I have shown that this wholesale charge of fraudulent pensions is untrue, and hence this charge can only be made in order to bring the whole pension roll into disrepute, and then repeal the laws.

I would warn the soldiers of the land of this danger, and appeal to them to stand together to avert the ruin it would bring to them. Do not be deceived; this attack while pretending to not attack worthy pensions, does attack all pensions. Whoever is rating large numbers of the Union Army as bounty jumpers and deserters, and contending they are drawing pensions, is an enemy to all pensioners, because the charge is untrue.

Stand together against your traducers; spurn the men who slander you, and dare maintain your rights as you did in the years gone by. Do not tolerate pension haters, stand together for an efficient and honest administration of the present liberal pension laws, but resist to the bitterest extremity all attempts to repeal these laws. The protection of yourselves and families is your highest duty. Perform it with the same high courage that you defended your flag in the days of its danger, and stand to the end.

Randall Lee Gibson.

REMARKS

OF

HON. ADOLPH MEYER,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893,

On the Senate resolution relative to the death of Hon. Randall Lee Gibson, late a Senator from the State of Louisiana.

Mr. MEYER said:

Mr. SPEAKER: The few remaining hours of this Congress and the pressure upon it for action upon important public measures renders it impracticable to devote now a sufficient time for the members of this House to pay appropriate and proper tribute to the memory of the late Senator Gibson.

It is the purpose of the Louisiana delegation in the Fifty-third Congress, at a suitable period during the next session, to ask that the resolutions now presented by the Senate be again called up and the members of that body, of which our distinguished and lamented colleague would still have formed a part had not death summoned him from us, will have opportunity to add the expression of their sentiments and sorrow to the eloquent eulogiums already pronounced by his brethren of the United States Senate.

I move the adoption of the resolution.

XXIV—6

American Registry of Foreign-Built Ships.

REMARKS

OF

HON. LOUIS E. ATKINSON,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893,

On the bill (H. R. 5441) for the free admission to American registry of ships built in foreign countries.

Mr. ATKINSON said:

Mr. CHAIRMAN: No ships can be registered vessels of the United States under the existing law unless they have been built in this country, or have been captured and condemned as prize of war, or have been forfeited for a violation of the laws, or have been wrecked within the waters of the United States and repaired at an expense of three-fourths of the cost of the vessel.

In all cases the vessel must be owned by citizens of the United States in order to secure American registry.

Any registered vessel can be enrolled, and none but an enrolled ship can engage in the coastwise, lake, or river navigation.

Mr. Chairman, the bill now under consideration provides that any citizen of the United States may purchase any steam or sail vessel, whether such vessel may have been built within the United States or in a foreign country, and that such vessel shall be registered free of duty as a vessel of the United States in the same manner as though the vessel had been built in this country.

It changes the existing law by placing under our flag vessels built abroad, and gives them the same rights as are enjoyed by American ships. If the vessel admitted be a steamship, her boiler, engines, and machinery are exempt from duty, and in any case her appliances, outfit, and equipment are admitted free.

This is free trade in ships. The policy of the bill can be defended by arguments for free trade pure and simple and by no other. The objections to it are those that may be urged against free trade generally and many more besides.

The maintenance of our shipyards has always been regarded as of importance to our country. This legislation threatens to destroy them. It has been considered important that we should have a body of trained mechanics who can build ships for the defense of the country in time of war. If our shipyards are destroyed the skilled shipbuilders will disappear with them and our country will be deprived of their services when most needed.

But this subject can be best understood by considering the history of the mercantile marine of the United States. Instructive lessons can be drawn from it, and the decadence of foreign commerce in American ships will clearly appear to be the result of the adoption of British free-trade ideas in navigation and the depredations of British cruisers sailing under the Confederate flag.

The second act passed by the Congress of the United States was intended to protect and encourage American manufacturers and shipping. In its preamble it states:

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported.

And it imposed duties on almost every foreign commodity which might be imported in competition with the manufactures of the United States. But this act went further than to provide for the protection of American manufactures. It expressly provided for the encouragement of American shipping.

The duties imposed on teas imported from China or India in American ships belonging to citizens varied from 6 to 20 cents per pound; when imported in American bottoms from Europe the duties were from 8 to 26 cents per pound; and when imported in foreign ships these duties were increased to 15 and 45 cents per pound, and it also provided that 12½ per cent ad valorem should be added to all duties imposed upon other goods, wares, and merchandise imported in foreign ships from India and China.

In this act it will therefore be seen that an attempt is made to induce Americans to engage in the Oriental trade, and advantages are given them in this trade by admitting commodities carried in American ships at a lower rate of duty than imposed upon like articles imported in foreign ships.

In addition to this, a discount of 10 per cent on all duties imposed by this act was allowed on goods, wares, and merchandise imported in vessels built in the United States and wholly owned by the citizens thereof.

This act was approved by George Washington on July 4, 1789,

and was intended to lay a broad foundation upon which manufactures and shipbuilding should securely rest.

But this was not all. The fathers of the Republic determined that every possible advantage should be given to our own mariners, and the third act of the American Congress, which met the approval of the President, discriminated still more in favor of American shipping. It was entitled "An act imposing duties on tonnage," and imposed a tonnage tax of 6 cents a ton on ships built in the United States and belonging to our own citizens when they entered our ports, 30 cents a ton on ships built in the United States and owned by foreigners, and 50 cents a ton on all foreign shipping. It also enacted that American ships engaged in the coastwise trade should pay tonnage duties but once a year, while foreign ships in this trade should pay 50 cents a ton on each entry into port.

From this legislation it is clear that the advantages of securing and maintaining an efficient mercantile marine were fully appreciated by the statesmen who first legislated for our Republic. No more comprehensive system of encouragement to American ships can now be conceived. When adopted the foreign trade of this country was largely in the hands of our commercial rivals. American ships were then more rare upon the ocean than now, and our coastwise trade also had been invaded and was largely held by foreigners. But under the stimulus given by the new legislation all this was changed.

Shipbuilding revived, and the American flag was carried by hardy mariners on every known sea. Its effect in reviving the American marine was wonderful. Our tonnage increased from 201,562 tons in 1789 to 478,377 tons in 1790, a gain of 137.33 per cent. In 1794 there was an addition of 20 per cent, in 1795 of 19 per cent, and in 1815, when a commercial treaty was made with Great Britain which practically wiped this protective legislation off the statute book, the increase in tonnage was 18 per cent. In the quarter of a century of protection to American ships our tonnage had grown from 201,562 tons to 1,368,128 tons.

No measures were ever more completely vindicated by results than these. The wisdom of the men who enacted them into law was completely demonstrated, and our merchant marine was not only creditable to our country, but was the means of furnishing employment to thousands of our countrymen and was a source of wealth for our people and our nation. The disastrous effect of abandoning the policy of protecting and encouraging our shipping was soon apparent. In 1818 our tonnage declined 12.48 per cent, in 1829 there was a loss of 27.60 per cent, and in 1830 a loss of 5.47 per cent.

In 1831 we had less tonnage than in 1815. We had relinquished our advantages, disarmed ourselves, and when placed on equal terms with Great Britain had scarcely held our own. But the genius, enterprise, and ingenuity of Americans finally triumphed, notwithstanding the lack of help from legislation. Their success was due to the fact that they abandoned old ideas of shipbuilding, discarded the European models, and originated new designs upon which were built the fastest sailing ships that ever plowed the sea.

The clipper ship was an evolution of the American shipyard, and was unexcelled upon the waters. It combined the essential qualities of speed, safety, and large storage capacity. One of these clipper ships, the Great Republic, built by Donald McKay, of Boston, was the largest and nearly the fastest merchantman ever constructed. Her capacity was about 4,000 tons. She measured 325 feet in length, and a single suit of her sails contained more than 15,000 yards of canvas. The performances of these vessels on long voyages were superior for days together to the steam vessels of that time. The best of them could sail at an average rate of 17 miles an hour.

With such ships the Americans contested for the supremacy of the seas and the conflict was well maintained until 1855, when another decline came. Wood was superseded by iron in the construction of ships, and steam supplanted sail in their propulsion. We enjoyed, in the construction of wooden ships, because suitable timber was cheaper and more abundant here than in England. We labored under other disadvantages also.

The wages of seamen were higher here than abroad, and American sailors demanded more and better food than was furnished on foreign ships. A reluctance amongst Americans to a seafaring life became more and more manifest, and our sailing ships were manned largely by foreigners. It is not true that our ships were manned exclusively by American sailors, although gentlemen who indulge in rhetoric assert they were. In fact the competition for the foreign carrying trade was so keen that economy was practiced in every possible way.

Foreigners were employed at low wages and vessels relied upon labor-saving appliances in order to diminish the number and cost of the crew. The clipper ships carried fewer sailors than foreign vessels of like tonnage. The standard of seamanship was lowered in order to meet the fierce competition of the

times. Difficulties between officers and seamen were of frequent occurrence.

With all our efforts to maintain ourselves upon the ocean Great Britain seemed to eclipse us. In 1855 the decline in our foreign mercantile marine began. It was marked by the change from wood to iron in shipbuilding. The iron and steel establishments of Great Britain then flourished. She had developed them under the stimulus of the American demand for iron and steel consequent upon the low tariff of 1846.

The American manufactures of iron were correspondingly depressed, their development and growth had been retarded and the country was impoverished by the operation of the revenue tariff. We were in no condition to compete successfully in building iron ships; we had not a supply of suitable iron and the capital of the country had been drained away to pay for imported foreign goods which we should have made at home. The condition of the country is graphically described by President Buchanan in his messages of 1857 and 1858, and I quote from them:

[Buchanan's first annual message, December 8, 1857.]

The earth has yielded her fruits abundantly, and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, while the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove it to be a slight misfortune when compared with the suffering and distress prevailing among our people. With this the Government can not fail to deeply sympathize, though it may be without the power to afford relief.

[Buchanan's second annual message, December 6, 1858.]

When Congress met in December last the business of the country had just been crushed by one of those periodical revulsions which are the inevitable consequence of our unsound and extravagant system of bank credits and inflated currency. With all the elements of national wealth in abundance, our manufactures were suspended, our useful public and private enterprises were arrested, and thousands of laborers were thrown out of employment and reduced to want. Universal distress prevailed among the commercial, manufacturing, and mechanical classes. Our manufacturers everywhere suffered severely, not because of the recent reduction of the tariff duties on imports, but because there was no demand at any price for their productions. The people were obliged to restrict themselves in their purchases to articles of prime necessity.

In the general prostration of business the iron manufacturers in different States probably suffered more than any other class, and much destitution was the inevitable consequence among the great number of workmen who had been employed in this useful branch of industry. There could be no supply where there was no demand. The same consequences have resulted from similar causes to many other branches of useful manufactures. It is self-evident that where there is no ability to purchase manufactured articles, these can not be sold, and consequently must cease to be produced.

Besides this, subsidies were paid by Great Britain to her ship-owners, and this gave them a countervailing advantage.

The decline in our foreign commerce was continuous from 1855 to 1860. In 1855 75 per cent of our foreign commerce was carried in American ships. In 1860 the percentage of imports and exports carried in American bottoms had fallen to 65 per cent. The war came to hasten the work which free trade on the ocean, a revenue tariff, and British subsidies had begun.

Our foreign mercantile marine was diminishing relatively to our foreign commerce, but still bravely struggling to maintain its existence. In 1861 our tonnage in the foreign trade was 2,642,628 tons; in 1866 it was reduced to 1,492,926 tons, a loss of 1,149,702 tons in the short period of five years.

British ships, manned by British sailors and carrying the Confederate flag, were let loose during the war and their depredations upon our commerce cost us more than 1,000,000 tons of shipping engaged in the foreign trade.

In 1866 there was not a single shipyard in the United States fitted for the construction of iron ships.

The British shipyards were thoroughly equipped with all the appliances needed to construct iron and steel ships, and they had secured a lead against us which they have since maintained. Other causes, too, operated to the disadvantage of American shipping in the foreign trade. We were not only lacking in iron and steel steamships, but our commercial rival had already secured a great share of the foreign carrying trade, which but for the war she would not have had.

The business thus diverted into new channels could not be immediately regained by American vessels, even under the most favorable circumstances. But now the attention of the people was turned from the sea to the land. A vast continent invited our efforts and its development promised richer rewards than the ocean ever gave. Capitalists found investments on land safer and more profitable than ventures upon the sea. Our wage-

earnings preferred the land because better wages and greater comforts could be attained upon it.

After the war closed the depreciated currency, inflated prices, and the high taxation made necessary to pay the war debt and its interest rendered it difficult to devise a policy to revive our shipping interests. But now that our currency is upon a firm basis and normal prices are restored, the rate of interest reduced, and the development of our internal resources well advanced, we confidently look forward to the growth of our mercantile marine. All the indications point to this result. New shipyards have been established in favorable locations and American capital, genius, and enterprise are preparing to continue the contest for a larger share of the ocean carrying trade. Within two years the finest shipyard in the world has been located at Newport News, Va.

It cost \$3,000,000, and now employs 1,400 men, and its force is constantly increasing. Its weekly pay roll is more than \$15,000, its works cover 75 acres, its buildings have an area of 7 acres, and its dry dock is capable of docking a vessel 600 feet long. Eight thousand tons of finished shipping were turned out in the last twelve months, and these ships, although designed for freight purposes, equal in all essential qualities any vessels of foreign construction. This new shipyard is only one of many in the United States.

Shipbuilding is neither a dead nor dying industry here. There are to-day more than five hundred shipyards in this country.

In 1891 these shipyards built and launched 488 steam vessels of 185,036 tons and 896 other vessels of 184,265 tons, making an aggregate addition to our mercantile marine of 369,302 tons, a greater addition to our steam tonnage than was ever made in a single year before and an aggregate tonnage that has been surpassed in but five years since 1855, and in only three years before and including that time. In 1888 our shipping increased 2.10 per cent; in 1889 the increase was 2.75 per cent; in 1890 the gain was 2.71 per cent, and in 1891 our shipping increased 5.88 per cent, a greater advance than we have made in any one year since 1855.

In 1891 our mercantile marine had an aggregate of 4,684,750 tons, of which 2,016,264 tons were steam and the rest sailing vessels. One million five thousand five hundred and ninety tons of this shipping was engaged in the foreign trade in 1891 and the steam vessels in this trade measured 239,995 tons.

This statement, taken from official sources, shows the vast value and importance of the American mercantile marine. Three-fourths of it is engaged in our coastwise and domestic commerce, and all of it is the product of our own shipyards and represents the achievements of our own mechanics.

The legislation now proposed will have the effect of bringing our shipyards into competition with those of every other nation. Under its provisions finished ships of wood or iron or steel, the most complete of all the creations of constructive genius, may be admitted free of duty if made abroad, and it is asserted that the prosperity of our mercantile marine depends upon the adoption of this or some similar measure.

I deny it. I do not believe that the admission of foreign ships to American registry will even aid in the restoration or rehabilitation of the American merchant marine. We do not need foreign ships in our coastwise or lake and river commerce. Existing laws confine this traffic to ships built and owned in the United States, and our five hundred shipyards supply vessels of every sort and of unsurpassed quality for the trade. We do not need to call upon foreigners to supply them, and the rates of freight upon these American ships are so low that no complaint is ever heard against them.

Unless the Democratic party determines to declare war against all the manufacturing interests of the United States, it should not now pass a measure to throw open this domestic commerce to foreign ships. American shipbuilders employ vast numbers of American mechanics and pay them American wages. They patronize the workers in wood and iron and steel. They pay taxes, support our schools and churches, help to fight our battles in time of war, and assist in maintaining our institutions in time of peace.

Shipbuilding for our domestic commerce is one of our most important industries and should be protected and fostered by our laws, and not abandoned to the unrestrained competition of foreigners.

A nation, whether it consumes its own products, or, with them, purchase from abroad, can have no more value than it produces. The supreme policy of every nation, therefore, is to develop the producing forces of its own country. We have every facility for the production of ships.

No nation is more abundantly supplied with iron and steel and wood; none has more intelligent designers or more skillful mechanics to carry their plans into execution. But can our foreign

commerce be restored by the use of American ships, or must we admit foreign shipping to American registry in order to secure our legitimate share of the carrying trade of the world?

This is the only question that can properly arise in this controversy, and I believe it should be settled in favor of the product of our own shipyards and mechanics. If the opposite view is adopted we must place ourselves on record as declaring either that our people are incapable of competing with foreigners or else that the higher wages paid the workers upon our ships so enhance their first cost that they can not be sailed in competition with cheaper British ships.

I believe in the capacity of our people to build ships, but what of the cost. This question was closely investigated by Mr. Joseph Nimmo, jr., in 1870, and he concluded at that time an American iron ship would cost about 32 per cent more than a British iron ship. In 1883 it was estimated that the difference in cost had been reduced to 15 per cent.

Admiral Porter, in his report for 1887, says:

Ships built in Great Britain cost 10 per cent less, but, when the better finish of American ships and the superiority of our iron is considered, the statement that it would be better for us to build ships on the Clyde or Mersey are seen to be fallacious.

An eminent American shipbuilder, Mr. Charles H. Cramp, who has turned out from his shipyard many of the best ships that fly the American flag, states in a recent magazine article that considering the quality of the materials and the workmanship a steel ship can be turned out from a well-equipped modern American shipyard at a cost no greater than a similar ship built in Great Britain. If this is true, and I see no reason to doubt the accuracy of the statement, it is folly for us to buy ships abroad that will cost as much as those built at home. We might buy broken down and rotten British tramp ships for low prices, but the buyers would be victimized and cargoes and sailors lost. We can not contend successfully for the mastery of the seas with such craft.

I protest against bringing the shipyards of America into unrestrained competition with the shipyards of foreign nations. If this is done Great Britain will be our chief foe in shipbuilding as she is in the carrying trade. With her natural advantages in coal and iron, with her acquired advantages of being the first in the field and of having a numerous body of well-trained artisans, and, above all, of the immense capital at her disposal, she would be able to maintain her shipbuilding supremacy as long as the wages of her mechanics are not materially increased.

Even if other things were equal, we can not afford to beat down the wages of our artisans to the level of worse paid laborers elsewhere. To do so would reduce the standard of American life, now above that of any nation in the world. No public emergency demands such a sacrifice.

Our conditions will not warrant us in adopting the political economy of Great Britain. Her policy looks only to the aggrandizement of England. Ireland and her colonies suffer; they defend themselves against her by protective tariffs. She has an area of only 121,000 square miles; we have more than 3,000,000. Hers is a monarchy supported by a hereditary aristocracy; ours is a government of the people and for the people. She seeks to consolidate her wealth into the hands of the ruling classes; we seek to distribute it among the masses.

She resorts to wheedling diplomacy, backed by force when dealing with the weaker nations, in order that she may get them into her power; we adopt a straightforward course and only seek to secure our own rights.

She cares only for the cheapness of the things made; we should care for the men who make them.

She is compelled to rely upon her foreign commerce for her prosperity; we have other resources which lie entirely within our own borders, the development of which will enable us to flourish.

Our shipyards have heretofore supplied us with shipping which enabled us to compete successfully for the commerce of the seas. They have furnished us with all our coastwise lake and river fleet and no nation has so grand an array of vessels in its domestic commerce. Under protection our ocean marine expelled England from the carrying trade; under free trade and the depredations she committed upon our ships during the war she has obtained the lion's share of the carrying trade from us.

Free trade in ships would cripple our shipyards as completely as it has diminished our foreign carrying trade. We can not afford to lose them. They are an indispensable agency for our defense in time of war. Of the 1,455,649 tons of shipping employed by the Government during the war, 280,517 tons or 19 per cent was built at the navy yards and 1,175,132 tons or 81 per cent was built at private shipyards. The Monitor, which met and defeated the Merrimac, until then regarded as invincible, was the product of a private shipyard.

Everywhere, whether in the blockading force or in actual

battle, from the capture of New Orleans until the Mississippi flowed unvexed to the sea, and from the successful assaults on Fort Henry and Roanoke Island in 1862 to the capture of Fort Fisher in 1865, ships built at private shipyards bore the brunt of battle and sustained the high character of the American marine. Mr. Blaine in writing of it says:

The Navy was raised in popular esteem. It captured the most important post taken from the Confederates and was effectually sustaining and strengthening the Army at all points.

It was no longer regarded as a blockading force, but was menacing the coast of the Confederate States, penetrating their rivers, and neutralizing the strength of thousands of rebel soldiers who were withdrawn from armies in the field to man the fortifications rendered necessary by this unexpected form of attack. Its efficiency was due not only to the high qualifications of the officers of the old Navy, but to volunteer officers in large numbers who came from the American merchant marine and in all the duties of seamanship, in courage, capacity, and patriotism, were the peers of any men who ever trod a deck.

We have recently spent millions in the creation of gun factories and the manufacture of great guns, while other millions have been appropriated to build and equip ships of war. Is it not the most supreme folly to adopt a policy which will destroy or even endanger the shipyards that reinforced our Navy in a great emergency to the extent of 80 per cent of its tonnage, and which are now more than ever capable of rendering a like service to the country?

Other wars may come when every possible resource will be needed to strengthen our defense, and it seems to me that nothing but idiocy or blind partisanship would induce men who spend millions for a new Navy to strike down its most efficient auxiliary.

I do not underrate the importance or the value of the ocean carrying trade. It is a source of wealth second to none, and a nation with a vast foreign commerce like ours should share the profit of carrying the commodities which she exports and imports. Adverse balances of trade are met by the profits of transportation, and the earnings of her ships are as important to a nation as the products of her farms or her factories.

As between exports and imports the balance of trade is always against England. For the five years of 1885-'89 the average debit was \$465,720,857; but this adverse balance was easily discharged by the earnings of her merchant fleet, which amounted to the average sum of \$540,495,000 in the same years.

We expend annually for ocean transportation more than \$150,000,000, a sum equal to the whole value of the agricultural products of the great State of Illinois, and at least half of this sum should be earned by American ships. But instead of this only 13.70 per cent of the imports and exports of the United States were carried in American bottoms in 1889. In 1855 the proportion was 75.6, and it has declined ever since.

How have foreign nations secured the great advantages they enjoy in our ocean carrying trade? A review of the causes of their success may shed light upon the reasons for our failure. And, first of all, it will be observed that the decline in our merchant marine began in 1855 under our nearest approach to free trade, and not under protection. The nation that took our carrying trade from us was Great Britain. Her ability to control the seas against us was due to a variety of causes and not to a single one.

She had colonies located in every part of the earth, and she secured the position of manufacturer for them as well as for every other country that would buy her wares. Her wealthy mercantile houses had branches located in foreign ports, managed by partners or paid agents whose business it was to sell her goods and make settlement in favor of England and her policy.

She had rich banking establishments which ruled international exchange and the control of the world's sea underwriting. To these advantages she added a systematic course of subsidizing postal steam lines abroad and an active governmental guarding of every maritime commercial interest, with interference everywhere to any extent tending to make the British nation supreme at sea and the paramount power on earth. The United States were without colonies, our manufacturing establishments found better customers at home than abroad, foreign markets were occupied by our rivals, and no Government aid was given our mercantile marine. Even protection in foreign waters was, in the condition of our naval force, impossible.

In 1854 a commission was appointed by the British Government to examine into the condition of British shipping and to recommend appropriate legislation. Their code of navigation laws was revised at its suggestion, taxes were abolished, fees reduced, restrictions removed, and a drawback allowed on ships' supplies. In 1867 this drawback amounted to \$2,328,726 on coffee, tea, tobacco, and spirits on which duties are levied in England.

This was practically a gift to her shipping. With fees reduced, taxes removed, and cheap supplies, and with a vast unemployed population to draw upon for sailors, with shipyards established, and facilities for supplying unlimited quantities of

iron and steel for shipbuilding England had vast advantages. Her subsidies to steamship lines, ostensibly to carry the mails, enabled her to send her products regularly and directly to every quarter where it was desirable that commerce should be established and maintained and where she wanted to break down foreign rivalry.

In the ten years from 1881 to 1890 she paid her steamships for carrying her foreign mails \$31,962,714, on an average of \$3,196,000 per year, and her expenditures for this purpose rose to double this average in former years when a greater effort was necessary for her to secure the mastery. The largest annual sum appropriated for carrying the United States foreign mails in the last decade was \$515,401 in 1890, and of this sum \$100,828 was paid to American steamships and \$405,573 was paid to foreign vessels.

Upon the completion of the Canadian Pacific Railroad, itself the recipient of enormous Government bounty, a British line of steamships was established between Vancouver and China and Japan. It is heavily subsidized. Secretary Whitney makes this allusion to it in his report:

A notable illustration of the generosity and courage with which England pushes her shipping interest is seen in the manner in which she is at this moment dealing with the trade of the North Pacific. It has been thus far principally under the American flag and contributory to San Francisco and the United States. The British Government and Canada together are proposing for the establishment of a line of first-class steamers from Vancouver to Japan. The subsidy is likely to be \$300,000 annually—\$45,000 from England and \$255,000 from Canada. There will also be contributed from the naval reserve fund probably \$5 per ton annually for each ship constructed for the route, which will increase the sum probably \$125,000. Under such competition it is quite easy to conjecture what will become of the American flag and our resources in the way of a naval reserve in the North Pacific.

Does any one believe that he could run ships, even if he bought them in England "free," at a profit against a line so heavily subsidized as this? When the American ship is driven off the Pacific as completely as from the Atlantic the subsidies will be reduced, but not until the destruction is complete. Mr. Whitney, who seems to join with his party in the admiration of everything that is British, calls this enormous subsidy an illustration of the generosity and courage of England.

Is it not rather illustrative of her rapacity and greed; of her determination to drive us from the seas and defeat that equal competition upon the waters that our reciprocity compact made with her in 1815 was intended to secure? Her action in this case shows that the struggle for the foreign trade is not between individual and individual, but is a contest of nation against nation. Cheap ships cut a very small figure in it.

If England deserves the applause of a Democratic Secretary of the Navy for her generosity and courage in subsidizing a line of ships on the Pacific, I want to ask if the Democrats on this floor will approve the adoption of a like policy by the United States? Will you favor such generosity and courage on our part, or do you prefer that our country shall by her illiberality and cowardice surrender the commerce of the Pacific to the nation that puts up its money to secure it?

We have by recent legislation authorized the registry of two British ships, the City of New York and the City of Paris. By this act we secured two commerce destroyers, which will be placed at the service of our nation whenever they are needed. They constitute a valuable addition to our fleet. Secretary Tracy says that the admission of these ships is "second only in importance to the naval appropriation bill." "No man of war could overtake them and no merchantman could escape them."

But attention is directed to the other advantages we derive from the admission of these ships to American registry. The ships are not only subject to the call of the country in time of war, but the owners are bound to build in American shipyards additional steamers of the same high class and of a tonnage equal to that admitted to registration. If the pending bill were a law no terms could have been made with the owners of these great ships, the right to use them as a naval force would not have been secured, and the obligation to build other ships in American shipyards could not have been imposed.

Now we have strengthened our Navy without one dollar of cost, and have secured the expenditure of at least \$2,000,000 in our country for new ships, and at least 90 per cent of this great sum will be paid to our own wage earners. If men are willing to pay such a price for the American registry of ships we should not give its privileges away for nothing.

The free-trade cry is for cheap ships. If honest, I think those who raise this cry will say they are for cheap foreign ships. Their admiration for foreigners and their productions is unbounded, but I have heard no word of commendation from them for the American or his achievements. But if the cheap ships so ardently desired by the advocates of this bill are built by men who receive low and inadequate wages, who are worse fed, worse lodged, and worse clothed than Americans engaged in a like oc-

cupation, then if no other employment can be found for the American shipwrights we might as well import the cholera or the plague.

If any man upon this floor or any other American desires to buy a cheap British ship he can go to England and get it. He can sail it upon the ocean as much as he pleases. But he can not put it under the American flag, and he should not do so, because it is not American. The Stars and Stripes on a foreign-built ship would be a flaunting lie. Free ships have never been the means of creating a great mercantile marine.

Germany and France and Italy have allowed their citizens to buy ships anywhere, but not one of them has ever had a merchant marine equal to our own. All history teaches that no nation has maintained a prosperous merchant marine unless it built its own ships, and we may well profit by such experience. Foreign or American? is the question of the merchant marine. It should be settled in favor of America and Americans.

William and Mary College.

SPEECH

OF

HON. FRANK E. BELTZHOOVER,

OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 20, 1893.

The House having under consideration the bill (S. 2566) for relief of William and Mary College of Virginia—

Mr. BELTZHOOVER said:

Mr. SPEAKER: The college of William and Mary, which is located at Williamsburg, the colonial capital of Virginia, was founded by the English sovereigns whose names it bears, in 1693. This is therefore the year of its bicentennial anniversary, and the bill for its relief should commend itself to the generosity as well as the considerate judgment of the House. It is the oldest college in this country, next to Harvard, and during its two hundred years of existence has had more than its share of distressing vicissitudes. It was seriously damaged by fire during the war of the Revolution, totally destroyed by a conflagration in 1859, and had barely emerged from its ashes when, in 1862, during the war of the rebellion it was again burned to the ground. The buildings were restored the first time by Louis the XVI, through the negligence of whose troops the loss occurred. The friends of the venerable institution and of learning generally contributed to the second rebuilding. The bill now under consideration is intended to make good the last misfortune out of the Treasury of the Government, by the wantonness or recklessness of whose troops the destruction was caused.

The first bill for the relief of this college was introduced into the Forty-first Congress by Gen. Butler, whose eventful life has so recently closed, and was reported favorably. It was again introduced into the Forty-second, Forty-fourth, and Forty-fifth Congresses, and was reported favorably in each and passed by the last. It was again introduced into the present Congress, into both House and Senate, and has been reported favorably in both and has passed the Senate, and it is sincerely hoped will be successful here. It has been reported favorably seven times in the Senate and the same number of times in the House, and has passed the Senate twice and House once, but has thus far failed to become a law.

The town of Williamsburg was in loyal territory, and at the time of the destruction of the college both the town and college were in possession of Federal troops composed of the Fifth Regiment of Pennsylvania cavalry, who had been driven from the town on the morning of the day of the burning, but the Confederate troops, having withdrawn the Federal forces, again took possession in the evening, and some of them applied the torch.

The records show that Maj. Wilson, who belonged to the regiment, was court-martialed for cowardice in the action which took place at the town, and while he was acquitted, Gen. Dix, in approving the finding, states that the conduct of all the officers of the regiment was most "disgraceful" and "the whole affair exhibited a want of organization and discipline utterly discreditable to the principal officers, who are responsible for the condition of the regiment. It can never regain its standing until this stain on its character is effaced by worthier conduct in the face of the enemy."

The fire occurred on September 9, 1862, and instead of attempting to vindicate themselves, Lieut. Col. Smith resigned on September 29 and Col. Campbell on October 16, indicating that they felt the force of the strong language of Gen. Dix. The burning

of the college was in keeping therefore with the other conduct of the persons who did it. Col. Campbell, who was in immediate command at the time, says:

The act was a wanton one.

Gen. Dix, who was in command of the peninsula, says:

The destruction of the property was wholly unauthorized and was the act of disorderly persons.

Gen. Meade, in more emphatic language, declares that—

The destruction of the buildings of William and Mary College by our troops was not only unnecessary and unauthorized, but was one of those deplorable acts of wanton destruction which occur in all wars.

Gen. McClellan says:

During the period when I held command in that region the college buildings were protected, and I have every reason to believe that no cause existed justifying their destruction.

Gen. Grant says:

I take pleasure in recommending to the public who have the means and disposition to give to the cause of education William and Mary College as deserving the patronage of Union-loving citizens.

The bill for the relief of this venerable seat of learning appeals to the intelligence, honesty and patriotism of all fair-minded people, as well as to the strongest sentiments which have in all ages constrained civilized and cultured men to prompt and effective action. The institution was founded by distinguished sovereigns who made their contributions for the common benefit of humanity; its property has been held through all the years by a corporation which could have no obligations or disabilities of a political nature; the buildings were taken possession of by the Government for its own purposes, excluding the agents of the legal owners and preventing them from taking measures to secure their protection. Its destruction was without any military necessity to justify it, without orders, without cause, and without benefit to the Government—an act of unadulterated vandalism. The request for relief, therefore, ought to be treated in the same spirit and with the same fairness and justice and generosity as if the loss had occurred in Washington or New York or anywhere else in the loyal States.

There are strong and persuasive reasons for the support of this measure. It should commend itself upon (a) the general law of nations construed and applied in the light of the civilization and progress of this age; upon (b) the specific exemption from the ravages of war which the law of nations has made in every civilized land in favor of institutions of learning; upon (c) the custom as well as the law of all great governments and peoples and leaders in relation to such establishments for the promotion of education and the arts and sciences.

THE GENERAL LAW OF NATIONS.

The arbitrary general rule which prevails in the law of nations that a government is not liable for damages which occur to its citizens in war is invoked against this claim, and, notwithstanding its merits, the danger of establishing a troublesome precedent by making it an exception is the strongest argument of its opponents, as if common justice should ever be dreaded because of its example. The hypothesis upon which the law of nations upon this subject is predicated, however, is that such damages would generally be so large that it would be impossible for the government to pay them. This was true in former times, when invading armies, in their progress, devastated vast areas of territory, destroying every vestige of real and personal property. Thus Peter the Great, in his retreat before the formidable Charles XII, ravaged over eighty leagues of his own country, leaving it utterly incapable of sustaining the lives of his pursuers, and thereby weakening and ultimately overwhelming them at Pultowa.

In the same way in the seventeenth century the cruel French general in his invasion of the Palatinate, one of the most thrifty, fruitful, and beautiful portions of Europe, burned and razed to the ground everything in his march. It was in this ruthless war that the splendid castle of Heidelberg was destroyed, leaving one of the most magnificent ruins in the world. This was the practice in all the most ancient wars, when nothing was exempted, not even the sacred places, but all were subject to confiscation and destruction. Cicero expresses this idea in metaphorical language in his fourth oration against Verres, when he declares that, "Victory made all sacred things of Syracusans profane." The terrible fate of Syracuse, Carthage, Troy, and innumerable cities of the past furnish appropriate illustrations of the same fact.

The cold legal rule laid down by Grotius, Puffendorf, Vattel, and others who have written on the subject, that nations are not bound to pay their citizens for the loss of their property caused by the ravages of war, does not therefore rest on any principle which forbids such payment for want of equity or justice, but in all cases bases the doctrine upon the inability of the nation to pay. These authors all declare that—

The sovereign indeed ought to show an equitable regard for the sufferers if the situation of his affairs will admit of it. * * * It is perfectly conso-

nant to the duties of the State and the sovereign and of course perfectly equitable and even strictly just to relieve as far as possible those unhappy sufferers who have been ruined by the ravages of war. * * * There are many debts which are considered as sacred by the man who knows his duty, although they do not afford any ground of action against him. (Vattel, Book III, chap. 15, p. 403.)

The rule is a harsh, unreasonable and unjust one, and no writer has ever attempted to support it except upon the ground of inexorable necessity. The inability of the Government to pay is the sole reason of the rule. Whenever the reason ceases the rule should cease, and the tendency in the practice of all modern civilized nations is overwhelmingly in favor of equalizing among all their citizens such losses as fall upon those who happen to live at the seat and in the vortex of war. In conformity with this view England compensated the Tories for their losses in adhering loyally to the mother country in the war of the Revolution, and similar instances are found all along the line of modern nations.

At the close of the Franco-Prussian war of 1870 France, from a treasury depleted as that of no nation had ever been in recent times, paid its citizens who had lost their property in the mighty conflict two hundred and twenty millions of francs, and with the transcript of the law under which such payment was made, furnished to our Secretary of State (Mr. Blaine) by the French Government at the request of the War Claims Committee, is connected the statement that "at the conclusion of wars the French Government has always intervened in virtue of special laws to allot as a free gift relief to persons who have sustained loss at the hands of the enemy." Germany, likewise, at the conclusion of the same war, paid her citizens the assessed value of every dollar's worth of property, real and personal, which had been destroyed.

Why should not at least the most meritorious of such losses in our late war be paid? Were they not incurred inexorably and necessarily in the common defense? Have not all the millions of our people shared equally in the beneficent result of the triumph, and should they not in justice join in paying the cost? Why should a few thousand of our population lose all they had on earth in a great national contest and not be subrogated to the right of contribution from the millions who lost nothing and who are amply and abundantly able to pay? Why are the chief beneficiaries of a restored and reunited nation, not bound in equity, conscience, morals, and honor, and in every way to bear their part of the sacrifices and burdens of those through whom the benefactions came?

THE LAW OF NATIONS EXCEPTS SUCH LOSSES.

This bill comes clearly within the specific exemption from the ravages of war which the law of nations has made in every civilized land in favor of institutions of learning. This exemption was declared plainly and unambiguously by the Government of the United States in its instructions to its armies, prepared by distinguished scholars and soldiers and approved by President Lincoln in 1863, when by General Order No. 100, section 2, paragraph 34, it was provided that "establishments of education or foundations for the promotion of knowledge" are exceptions to the regulations which govern other kinds of property in war.

The authorities all agree that the destruction of such property is a violation of the law of nations. The great Gustavus, burning with indignation against Maximilian, in deference to this sentiment refused to burn the stately palace at Munich, but took special care to preserve it. The appeal of the noblest of all the great Roman generals, the blind old Belisarius, to Totila, the savage king of the Goths, to spare the monuments of art and beauty and culture of ancient Rome is as pathetic and powerful to-day as it was more than fifteen centuries ago.

In pleading with the fierce barbarian he says:

It was formerly esteemed the glory of wise men and civilized nations to raise noble structures, and to destroy them after they were built the part of insipid fools as not blushing to transmit to posterity tokens and memorials of their own mad and frantic spirit. * * * To ruin or destroy it (Rome) would be injurious to mankind of all ages * * * and you not only get no advantage by doing it, but will have such a name from all mankind as such an act deserves.

MODERN NATIONS PAY SUCH LOSSES.

The examples set by all the famous leaders in modern history unite in treating endowed institutions of learning, established by funds given for public purposes, as placed upon grounds of their own which not only entitle them to protection but to reparation for all loss which may occur.

None but barbarians or cowards ever destroy such objects of the universal homage and veneration of mankind. No modern nation has ever refused to yield implicit obedience to the law which draws a sacred circle around such institutions, and none have ever yet refused reparation when through their act or neglect they were damaged or destroyed.

In the words of Judge Croke in the case of Marquis de Somerereus, cited in the learned report made by Senator HOAR in favor of this bill—

The arts and sciences are admitted among all civilized nations as forming an exception to the severe rights of warfare, and are entitled to favor and protection. They are considered not as the peculium of this or that nation, but as the property of mankind at large and as belonging to the common interest of the whole species.

In our war with England in 1812 a number of paintings designed for the Academy of Fine Arts in Philadelphia were captured by the British ships and taken into Halifax. Upon an application for their restoration Dr. Croke, the distinguished admiralty judge, from whom we have quoted above, without hesitation ordered them to be returned saying, "Heaven forbid that such an application to the generosity of Great Britain should ever be ineffectual."

During the battle of Princeton, in the Revolutionary war, the Americans, in dislodging the British from the college building, fired a cannon shot through the walls, and Washington, in order to make good the damage done by the fire of his troops, made the trustees a present of 50 guineas. During the same war the buildings of William and Mary College were frequently occupied by the British soldiers, who in every instance respected and left them intact. The troops of Louis XVI, an ally in that war, accidentally destroyed a portion of the buildings by fire, and, as already stated, the French king completely repaired and restored them.

When Gen. McClellan commanded in the Peninsula the college of William and Mary was safe. When Gen. Sheridan passed through Charlottesville, the seat of the University of Virginia, in 1865 he put a special guard in charge of that great and historic school.

The illustrious examples thus set by Belisarius, Gustavus, Louis XVI, Washington, Meade, McClellan, Grant, Sheridan, and all the heroic commanders of the world, have taught the profoundest veneration and regard for the monuments of art and science and culture in all the operations of war, while history has consigned to an immortality of ineffable and undying disgrace and contempt the wretches who applied the torch to the Alexandrian library and the temple of Ephesus.

PRECEDENTS MADE BY CONGRESS.

What has Congress already done in the line of these memorable precedents? In 1871 it passed, and Gen. Grant approved, an act giving \$25,000 to Transylvania University for the use of its buildings as hospitals by Federal troops during the war. In 1884 it passed an act to increase the endowment of the University of Alabama from the public lands in that State, and in the same year an act for the indemnity of the theological seminary at Alexandria.

Congress has given more than 80,000,000 acres of the public lands for educational purposes to the new States and Territories in the West, and nearly every acre of that vast body, as well as that out of which these western States themselves were formed, was ceded by the State of Virginia in its surrender of the great Northwestern Territory. Congress ought therefore to be liberal with all the older States, which have received none of these grants, in the promotion of their colleges; but to none of the old States for the reasons stated does it owe a profounder duty in this direction than to Virginia. The college of William and Mary in particular should be well remembered in this her hour of need, for one of its great primary charter franchises was the right to select the surveyor-general of Virginia when it had all this immense tract of land to survey and open and develop, and when the cession was made it lost a prolific and enduring source of income.

In addition to all these persuasive reasons for the passage of this bill, there are found in the history, traditions and memories of this venerable institution the strongest appeals to the noblest sentiments that ever inspired generous action. This old college is one of the genuine and enduring landmarks of the Republic. Around it cluster the most sacred events of our national youth. Here Washington and Jefferson and Madison and Marshall were students. From these now desolated halls went forth more than two hundred of the most distinguished scholars and soldiers and statesmen to illumine by their lives and labors and achievements all the glories of this great free country.

In honor of these imperishable names; in obedience to the law of all civilized lands; in conformity with the examples of all heroic men in every age and clime, as well as in harmony with the principles of generosity and justice, this measure should receive the cheerful support of every patriotic and honest man.

An act for the relief of William and Mary College, of Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the College of William and Mary, in Virginia, the sum of sixty-four thousand dollars, out of any money in the Treasury not otherwise appropriated, to reimburse said college for the destruction of its buildings and other property destroyed without authority by soldiers of the United States during the late war: *Provided*, That no money be so paid except upon accounts of such destruction and the damage caused thereby duly verified and proven.

Agriculture.

SPEECH

OF

HON. CHARLES H. PAGE,

OF RHODE ISLAND.

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 20, 1893.

On the bill (H. R. 10421) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894.

Mr. PAGE said:

Mr. SPEAKER: In what I have to say in regard to the matter under consideration I shall address myself to that section of the bill relating to agricultural experiment stations.

Congress has passed three acts to aid the States in educating the industrial classes. The first was the land-grant act of 1862, the second the Hatch act of 1887, and the third the Morrill act of 1890. In the State of Rhode Island we have two colleges or schools claiming the funds derived from the National Government under these several acts.

The act of 1862 was explicit in terms and gave to each State 30,000 acres of the public lands for each Senator and Representatives in Congress. The land was to be sold by the States, the proceeds arising from the sale invested, and the annual income derived therefrom was "to be inviolably apportioned by each State which may take and claim the benefit of this act to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

The act of 1887 established experiment stations in connection with and under the direction of the college or colleges or agricultural department of colleges in each State or Territory established or which may hereafter be established in accordance with the provisions of the act of 1862. The act appropriates annually to each State the sum of \$15,000.

This act is also very explicit in its terms, and provides that if any State shall have established, under the provisions of the act of 1862, an agricultural department or experimental station, in connection with any university, college, or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the Legislature of such State may apply in whole or in part the appropriations by this act made to such separate agricultural college or school, and no Legislature shall by contract, express or implied, disable itself from so doing.

The act of 1890, called the Morrill act, appropriates \$15,000 for 1890 and increases it each year by \$1,000 until it reaches \$25,000, when it becomes an annual appropriation of that amount. This act is equally explicit with the two preceding it, and provides that this money is to be used for the further endowment of the land-grant colleges already established under the act of 1862, to which it is supplementary, or for the endowment of colleges that may hereafter be established under the act of 1862.

Each of these acts indicate clearly the intention of Congress when they were passed to have these several funds created by them held and used for the purpose of educating our people in industrial pursuits and the mechanic arts.

In 1863, when the country was engaged in the great civil war and the attention of all our people was attracted by that from other matters, the State of Rhode Island, instead of establishing a college to carry out the purposes of the land-grant act, turned the land scrip over to Brown University, a classical college and wealthy corporation, located in the city of Providence. A copy of the papers showing the action of the Legislature and also of Brown University are herewith submitted and made a part of my remarks, marked respectively "A," "B," and "C."

Under this arrangement the corporation sold the land scrip for \$50,000, and has used the income of the fund since that time for scholarships for "indigent" students. This seems to be entirely foreign to the purposes of the land-grant act.

The people of the State saw that the income of this fund was being applied to mere classical education and became dissatisfied with this disposition of the fund. Committees have been appointed at different times to investigate the matter, and upon

investigation learned that nobody was being educated according to the intentions of the act of Congress, and that while the corporation had in its catalogue what it called an agricultural and scientific department, that was as far as they had gone, and that no college has ever been practically established in accordance with the spirit and letter of the act of Congress. For these reasons the State from 1869 to 1872 declined to appoint beneficiaries to the university.

The people of the State who were interested in this matter regarded the use of the fund in this way as a breach of faith on the part of the State to the Federal Government, to which it, by accepting the act of 1862, pledged itself to faithfully apply the proceeds thereof to the objects and in the manner prescribed by said act.

Previous to the passage of the Hatch act of 1887, N. H. R. Dawson, Commissioner of Education of the United States, when asked to report the number of students attending the land-grant schools of the United States and the number of students taking courses of agriculture as appeared from the records in his office, reported 239 in Rhode Island (Brown University), and not a single one of this number specified as taking courses of agriculture.

All the facts and circumstances show that Brown University has never complied with the acts of Congress in regard to these funds, and this is admitted by the corporation by their official action taken September 3, 1890, when they passed a vote, upon the recommendation of the president of the university, with a view of returning to the State of Rhode Island the agricultural fund of \$50,000 received from the sale of the land scrip and donated to the State by the act of Congress of 1862, as shown by a communication addressed by the president of Brown University to Hon. John W. Davis, governor of Rhode Island, dated October 2, 1890, a copy of which I submit, being marked D.

About this time the Morrill bill was passed by Congress, and subsequently the university discovered that there was something in the land-grant fund of 1862, and at a special meeting of the corporation held January 8, 1891, rescinded the vote of September 3, 1890, returning the funds to the State of Rhode Island, and the corporation now shields itself in the course it has taken under what it calls the agreement made with the State in 1863 as shown by the papers submitted marked A, B, and C, and the people of Rhode Island find themselves in this situation at present: A land-grant college that is in no sense a land-grant college, whose aim and spirit and leading object is not, and never was, and can not in the nature of things be, agricultural and mechanical; a private corporation in whose policy the State has no voice.

That such a college is not one where the farmers and mechanics can receive the benefits of the several acts of Congress in regard to this matter has been recognized by nearly all the States by the establishment of separate institutions for this purpose. The people of Rhode Island are not satisfied to have the present conditions perpetuated. I do not believe that the Legislature of the State of Rhode Island had the power to make any such agreement as that of 1863 with a corporation like this, with a trust fund of this character, without reserving the right to change it.

The Legislature could not bind a future Legislature; but if such an agreement was valid at the time, the terms were never complied with by Brown University and it became null and void.

I have asked to have language inserted in this bill to enable the people of my State, and especially the district I represent, to obtain the benefit of the appropriation under the acts of Congress relative to agricultural colleges. We have in Rhode Island at the present time a well-equipped and exceedingly active institution, organized, as we believe, under the act of Congress of 1862, where all these various experiments are continually conducted, under the control of a corps of skilled and intelligent instructors, who are devoted to the objects and purposes of the institution, the State Agricultural School at South Kingston, which is attended by a large number of youths of the State of both sexes.

I submit copies of the acts of the Legislature establishing the school, the same being marked E, F, and G. The establishment of this college by the State at large expense was responsive to a great popular demand by our people. We do not desire to have this work hampered or its usefulness destroyed by any misunderstanding or misinterpretation of the law. Our people know what we want, and we believe that great and beneficial results can be achieved by this institution with these funds if they are applied within the limits of the legitimate objects and purposes of the appropriation.

Notwithstanding the agreement with the State of Rhode Island and Brown University, I feel that the Government of the United States has the right, which it should exercise by imposing terms upon the new appropriations to be made and expended

under their direction. It is certainly entirely competent for the Government, if it makes appropriations of money to be spent at these colleges, that it should direct exactly how and under what circumstances and conditions it is to be expended.

There may be entire good faith on the part of the management of Brown University in regard to this matter as viewed from their standpoint, for like all other institutions they probably never had as much money as they wanted.

I do not feel that there is anything which is derogatory to the importance of Brown University if language be incorporated in this bill directing the appropriation to go to the State Agricultural School at South Kingston. The people in the district which I represent demand it almost unanimously. I have, therefore, labored to have language incorporated in this bill which would faithfully carry out the objects of the law. The Committee on Agriculture of the House, I believe, fully realize the justice and importance of my request, and have gone as far as they could within the rule to accomplish this purpose by inserting language to have the law executed according to its true intent and meaning.

I hope, Mr. Speaker, that this language in the bill will accomplish the object. If it should not be sufficient I shall ask for the passage of a special act which would make it conclusive. It is not unusual to surround the appropriations of money with conditions as to its expenditure. It is a proper exercise of legislative authority.

This bill provides for the carrying into effect the provisions of the act of 1887 in connection with the act of 1862 and of the acts supplementary thereto and to enforce the execution thereof. If this is carried out in its true sense by the provisions of this section of the bill it will give a wider scope to agricultural interests in the State of Rhode Island and be a source of great improvement, profit, and benefit to our people.

Something of this kind is demanded by gentlemen connected with our State agricultural school and by the intelligent, public-spirited farmers of our State. The State agricultural school and the experiment station are connected. It also has about 250 acres of land with it, and all necessary buildings, and other facilities for carrying out the objects of these appropriations to the fullest extent, according to their intent.

While Rhode Island is largely a manufacturing and commercial State, our people are also deeply interested in agriculture and raise valuable agricultural products. The agricultural products of Washington County (where the State agricultural school is located) as well as in other parts of the State, in their quality and variety are, and ever have been, the pride of the people of the State, and are unexcelled by any like products throughout the United States. There is good reason why this fund should go to this college. It is situated in the farming district of the State on a beautiful site in a healthful location, while Brown University is established in the city of Providence, and surrounded by all the influences of a large city.

Experience has shown that while many of our young men and young women from the farms and workshops are ambitious to obtain a higher education, they do not possess the means and do not have the inclination to attend an institution like Brown University, situated in a city, where their associates are surrounded with wealth and luxury, and devoting their attention to studying for professions, while in a school of the character of the agricultural college they can associate on an equality in their living and their studies, and at an expense within their means. The fact that young men can enter these colleges established by the State is an inducement for them to enter into higher studies who otherwise would never have had the advantage of them, and thus get a much better education than they otherwise would.

There is an inconsistency in a classical college with agricultural features attached to it. Boys who enter a classical college generally do not desire to go on the farm and work and study practical agriculture and mechanic arts. On the other hand there are a great number of young men who would like to have the opportunity of going to an agricultural college and there studying agriculture and the mechanic arts. It is almost impossible to secure the attendance of any large number of students devoting their time and labor to the study of agriculture in connection with a classical institution with several hundred young men who are devoting their time and labor to the scientific or classical departments covering several years' time.

There is no subject of more concern or of greater importance to the people of Rhode Island than the protection of this fund for the State Agricultural School, which will place it in such a condition that our young men from the farms and workshops can receive practical education in those sciences and arts which bear directly upon agriculture and kindred industrial pursuits.

Mr. Speaker, I stand here to advocate and protect the agricultural and laboring interests of my State, and to see that they

receive the full benefits of the laws passed by Congress upon this subject, and I hope and believe that the provision put in this bill will accomplish the purpose for which it is intended, and thereby place Rhode Island in a position where her pledges made to the National Government in regard to this fund can be fully redeemed, and this agricultural school made a great institution of learning, which will ever be a credit to the State, and of which our people will always feel proud.

APPENDIX.

A.

No. 2.—Resolutions accepting the grant of land made by the United States for an agricultural college.

Resolved, the senate concurring with the house in the passage hereof, That the General Assembly of the State of Rhode Island does hereby express its acceptance in behalf of the State of the benefit of the provisions of Chapter CXXX of the statutes of the United States, passed at the second session of the Thirty-seventh Congress and approved July 2, A. D. 1882, donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, upon the terms and conditions in the said act contained and set forth; and that the faith of the State be, and is hereby, pledged to the United States that, upon the receipt of the scrip provided to be issued under the said act of Congress, it will faithfully apply the proceeds thereof to the objects and in the manner prescribed by this act.

Resolved, That his excellency the governor be, and he hereby is, requested to notify the President of the United States, without delay, of the accepting by the Legislature of this State of the donation of scrip for 120,000 acres of the public lands of the United States (that quantity being 30,000 acres for each Senator and Representative in Congress from this State), made by the provisions of Chapter CXXX of the statutes of the United States, approved July 2, 1882, donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, upon the terms and conditions in the said act contained and set forth, and to furnish at the same time a copy of said notification to the Secretary of the Interior.

Resolved, That his excellency the governor be, and he hereby is, fully authorized and empowered, by himself or his order, to receive from the Secretary of the Interior, or any other person authorized to issue the same, the land scrip to which this State is entitled, under the provisions of Chapter CXXX of the statutes of the United States, passed at the second session of the Thirty-seventh Congress and approved July 2, A. D. 1882, donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, and to hold the said scrip subject to the future order of this General Assembly.

B.

Resolution assigning to Brown University the land No. 1 scrip granted by the United States to the State of Rhode Island, for the establishment of an agricultural college.

Resolved, That his excellency the governor, be, and he hereby is, authorized and appointed on the part of the State, to transfer, assign, and set over to the corporation of Brown University, in the city of Providence, the scrip now in the possession of the governor, or which may hereafter come into his possession from the Government of the United States, under and by virtue of a resolution passed by this General Assembly, at its present session, upon receiving from the said corporation or its duly authorized agent the following stipulations, which stipulations shall be as and for a perpetual agreement, by and between said corporation and State as aforesaid, and shall be in form substantially as follows, that is to say:

Said corporation does hereby agree:

1. To provide a college or department in said university, the leading object whereof shall be, without excluding other scientific and classic studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as hereinafter stated, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.

2. To locate without unnecessary delay, and at their best discretion, the said scrip upon some of the public lands of the United States, properly open to be located upon, and from time to time to sell and dispose of the lands so to be located upon so that the largest price can be obtained for the same.

3. To invest and to keep invested the proceeds of the said sales in stocks or securities of the United States or of this State; but if this should be impracticable so that an income therefrom of at least 5 per cent per annum upon their par value could not be realized, then to invest such proceeds in some other safe stocks (the safety of which other stocks the university shall guarantee), upon which an income of at least 5 per cent, as aforesaid, can be realized.

4. To pay all expenses of locating and selling said lands, and all taxes which may be assessed thereon, or upon the proceeds thereof.

5. To apply faithfully the income arising from the avails of the sales of said lands in endowing, maintaining, and supporting a college in said university as aforesaid, for the objects as aforesaid, so that no portion of said proceeds or income therefrom shall be used in the erection, preservation, purchase, or repairing of any building or buildings for the college or other purposes: *Provided, however, That a portion of said proceeds of said sales, not exceeding one-tenth part thereof, may, at the discretion of the corporation, be expended according to said act of Congress, in the purchase of lands for sites, or an experimental farm, whenever said corporation shall so determine.*

6. To educate scholars, each at the rate of \$100 per annum, to the extent of the entire annual income from said proceeds, subject to the proviso as aforesaid; the governor and secretary of state to have the right, on or before commencement day of each year, and in conjunction with the president of the university to nominate candidates for vacancies occurring in said college or department, as aforesaid, at the beginning of each collegiate year; and students admitted to said college, and pursuing studies therein by virtue of said fund, are not to be excluded from the regular scientific and classic studies of said university, and are to be subject to the laws and regulations of the university in entering and remaining thereat; and are to be graduated with the degree of bachelor of philosophy or bachelor of arts, or are to receive a certificate for a partial course, according as the case may be.

7. To assume upon itself all the responsibilities and duties which are imposed upon the State by the said act of Congress; and also all the duties imposed upon colleges endowed under the provisions of the said act, and to be entitled to all the privileges and immunities conferred thereby upon the State and upon institutions endowed thereunder.

8. To make to the governor of the State an annual report, a copy of which shall be communicated to the General Assembly, of all lands located and

sold until the whole is disposed of, the amount received for the same and how invested, and of the appropriations made of the proceeds therefrom, and stating the number of the students to whom the same have been applied, and of all other matters prescribed by said act of Congress as aforesaid.

C.

Vote of Brown University accepting grant of land for agricultural college, 1863.

Whereas the corporation of Brown University on the 21st day of January, 1863, by their vote authorized the executive board of said university either to accept or decline, in their discretion, the donation by the United States to the State of Rhode Island of a grant of land or land scrip for the establishment of an agricultural college, should the same be assigned and transferred to the university by the State, the corporations giving their full power and authority to the executive board in the premises: Therefore, it is

Resolved, By the executive board that said assignment and transfer is, and shall be, accepted by this board, whenever it shall be made by the State to the university in manner and form and for the considerations substantially as expressed in the vote passed by the House of Representatives and now pending in the Senate in said State;

And that the president of the university is hereby authorized and directed to make and execute all papers necessary and expedient to perfect the acceptance of said grant and the location of the land scrip and the land for the benefit of said college in behalf of this board and the corporation, and to use the seal of the said corporation or of the university if needful or expedient.

PROVIDENCE, January 27, 1863.

I hereby certify that the above is a true copy of the preamble and vote passed by the executive board of Brown University at a meeting held on the 26th of January, 1863.

JOHN KINGSBURY,

Secretary Executive Board, Brown University.

B. SEARS,

President of Brown University.

[SEAL OF THE UNIVERSITY.]

PROVIDENCE, January 27, 1863.

D.

APPENDIX B, No. 1.

PROVIDENCE, R. I., October 2, 1890.

MY DEAR SIR: At a meeting of the Corporation of Brown University, held on the 3d ultimo, upon a recommendation in my report last June, the following vote was passed, with a view of returning to the State of Rhode Island the agricultural fund of \$50,000 which originated from the sale of the land scrip donated to the State of Rhode Island by act of Congress, July 2, 1862, and to Brown University by an act of the Rhode Island General Assembly, in January, 1863:

"That a committee be appointed, of which the president shall be chairman, to confer with the General Assembly and arrange, if it can, the terms of return (of the agricultural fund), and that after the terms have been arranged the treasurer, being notified thereof, be authorized and directed to make the return accordingly."

This committee consists of A. B. Chace, J. C. B. Woods, and myself. It has seemed to me proper to advise you of this proposition and inquire whether you have any suggestion with reference to the best manner of accomplishing our end. I take it for granted that the committee, consisting of your excellency, the secretary of state, and myself, are in duty bound to appoint the usual number of scholars this autumn, and I suppose that this appointment will be made within a few days.

The gentlemen in the corporation, with whom I have spoken upon the subject, think that we are in duty bound to continue upon this agricultural foundation all the scholars who are upon it at the time when it is given back to the State until they shall, one after another, graduate. This would be the only condition which we should be inclined to make, touching the return of the fund. I think that no one will object to it since the agricultural college will not need its full resources for one or two years.

I have the honor to be, yours, with great respect,

E. BENJ. ANDREWS,

President of Brown University.

To His Excellency, JOHN W. DAVIS, Governor.

E.

Resolution relative to an act passed by the Forty-ninth Congress of the United States to establish agricultural experiment stations.

Resolved, That the State of Rhode Island hereby assents to and accepts the provisions and purposes of the act passed by the Forty-ninth Congress of the United States and approved March 3, 1887, entitled "An act to establish agricultural experiment 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."

Resolution appointing a joint special committee relative to an agricultural experimental station to be created in this State under the provisions of a recent act of Congress.

Resolved, That a joint special committee, consisting of Messrs. Charles H. Peckham, of Scituate, and Nathan F. Dixon, of Westerly, on the part of the Senate, and Messrs. Phineas A. Conley, of Cranston, John R. Hicks, of Tiverton, and Richard Thornley, of East Greenwich, on the part of the house of representatives, be, and they are hereby, appointed a committee to investigate and report what action is necessary and best to be taken by this State in the carrying out of the provisions of an act passed by the Forty-ninth Congress of the United States, entitled "An act to establish agricultural experiment 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." Said committee is also instructed to investigate and report what disposition is now made of the income derived from the agricultural college fund received by this State from the United States. Said committee may report in print at the next May session of the General Assembly.

F.

An act to establish the State Agricultural School.

It is enacted by the General Assembly as follows: SECTION 1. The sum of \$5,000 is hereby appropriated to be paid out of the treasury for the purpose of establishing a State Agricultural School.

SEC. 2. The governor shall, with the advice and consent of the senate, appoint a board of five managers who shall be practical agriculturists, one member of said board shall be appointed from each county, who shall man-

age and control the State Agricultural School. The members of said board first appointed shall hold their offices, one for one year, one for two years, one for three years, one for four years, and one for five years, and until their successors shall be qualified to act. In every year hereafter there shall be one member of said board appointed for the term of five years. In case of a vacancy in said board such vacancy shall be filled, if the General Assembly be in session, by the governor with the advice and consent of the senate, if not in session, by the governor until the next session of the General Assembly when, as soon as may be, an appointment shall be made by the governor, with the advice and consent of the senate, to fill such vacancy, and the person so appointed shall hold his office for the remainder of the unexpired term.

SEC. 3. The said board of managers shall establish a system of government for said school, and shall make all necessary rules and regulations for receiving students and giving instruction on agricultural and kindred subjects. They may establish rates of tuition. They shall appoint such officers, teachers, and employees as shall be necessary, and prescribe their duties and fix their compensation. They shall report annually to the General Assembly at the January session.

SEC. 4. Any sum which shall be received by the State by virtue of any act of Congress for the promotion of agriculture, shall be appropriated to the use of said board for the purpose for which said sum is appropriated.

SEC. 5. This act shall take effect upon its passage.

G.

An act in amendment of chapter 706 of the public statutes, entitled "An act to establish the State agricultural schools."

It is enacted by the General Assembly, as follows: SECTION 1. Charles O. Flagg, Melville Bull, Chandler O. Coggeshall, Nathan D. Pierce, jr., and Charles J. Greene, who compose the present board of managers of the State Agricultural School, and their successors are hereby declared to be a body politic and corporate for the purpose of continuing and maintaining said State Agricultural School as a college, where the leading object shall be, without excluding other scientific and classical studies and including military tactics, to teach such branches of learning as are related to agricultural and the mechanic arts, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, as provided in the act of Congress of the United States approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for the purpose of continuing and maintaining an agricultural experiment station as a department of said college under and in accordance with and to carry out the purposes of the act of Congress approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," by the name of Rhode Island College of Agriculture and Mechanic Arts, with all the powers and privileges and subject to all the duties and liabilities set forth in chapter 132 of the public statutes and in any acts in amendment thereof or in addition thereto.

SEC. 2. Said college and experiment station shall, until otherwise ordered, be located in the town of South Kingstown, upon the estate now occupied by said State agricultural school and experiment station. And all moneys hereafter received under said act of Congress approved March 2, 1887, and under the act of Congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," and all other moneys which shall be received by the State for the promotion of agriculture or the mechanic arts, under or by virtue of any act of Congress, shall, as and when received, be paid over to said college corporation to be used and applied and accounted for by the managers and officers of said corporation for the time being, as required by the respective acts of Congress under which the same are received.

And the managers and officers of said corporation shall perform all the duties and make and publish, distribute and render, all bulletins and reports required by said acts of Congress, or by any acts in amendment thereof or supplementary thereto, and shall also report to the General Assembly annually at its January session.

SEC. 3. The said members of the present board of managers of the State agricultural school are hereby created and declared to be the board of managers of said college corporation, and their respective terms of office shall expire at the same times as they would have expired under the provisions of said act (chapter 710), to which this act is in amendment.

And all future members of said board of managers of said college corporation and all future vacancies in said board, shall be appointed and filled in the manner provided by section 2 of said chapter 710, except that the words "who shall be practical agriculturists" in said section 2 are hereby repealed; and every future member of said board shall be a domiciled inhabitant of the same county as was the retiring member of the board whose place he is appointed to fill.

SEC. 4. Said board of managers shall annually elect one of their own number to be president of the board, who shall also be the president of the corporation, and shall continue in office until his successor is elected.

They shall also from time to time appoint a treasurer and a clerk, who shall also be officers of the corporation, and who may be, but need not necessarily be, the same person or members of the board, and who shall hold their respective offices at the pleasure of the board. The treasurer, before entering upon his office, shall give bond to the State for the faithful discharge of his duties, in form to be approved by the attorney-general, in the penal sum of \$—, and with surety or sureties to be approved by the governor, such bond to be filed and to be kept on file in the office of the secretary of state, and which bond shall be renewed whenever required by the board of managers or by the governor. And the treasurer shall make a full detailed report annually to the General Assembly at its January session of all his receipts and expenditures, properly audited by the board of managers or a committee thereof.

SEC. 5. Said board of managers shall have the general care and management of said estate in South Kingstown and of said college and experiment station, and may employ such professors, teachers, and other persons in and about the same, and prescribe their duties and fix their compensation, and from time to time make such rules and regulations for their government, and may also make by-laws, rules, and regulations to govern their own meetings and proceedings.

Said board of managers and such professors and teachers for the time being as they shall select for this purpose shall constitute the faculty of said college; and such faculty shall from time to time arrange the courses of study and practical experiments and work, conforming to said acts of Congress in this behalf, and prescribe such qualifications for admission of students, and such rules of study, exercise, discipline and government as they shall deem proper; they may also grant academical degrees and diplomas appropriate to the courses of study, to those students of good moral character, who shall have pursued the prescribed courses and passed satisfactory examinations.

Restricted Immigration.

SPEECH

OF

HON. ELIJAH A. MORSE, M. C.,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

The House having under consideration the bill (S. 3240) to facilitate the enforcement of the immigration and contract-labor laws of the United States—

Mr. MORSE said:

Mr. SPEAKER: I do not consider the bill now before the House as an ideal bill. I would be glad to vote for a far more radical restrictive measure than that now under consideration, but I believe it to be a step in the right direction, and the bill will therefore receive my hearty and cordial support. Since I have been a member of this House I have presented a large number of petitions from the most respectable of my constituents praying Congress to pass laws for the restriction of immigration, and I am sure that there is an overwhelming sentiment, not only in the State which I have the honor to represent in part upon this floor but throughout the entire country, for radical legislation upon this subject.

Mr. Speaker, it seems to me as though we had wisely closed our Western gates against Chinese immigration. The vast Empire of China contains 450,000,000 of living souls. Their wants are few and simple, and an American laborer will starve to death on what will sustain these Mongolians in their own country or in this. And I submit that in justice to ourselves we can not and ought not to receive any considerable number of the 450,000,000 of the inhabitants of that Empire.

The great Apostle to the Gentiles said, that he that refused to provide for his own household is worse than an infidel and hath denied the faith. A man's first duty is to his own family; second, his duty is to protect and support the community, State, and nation in which he lives. That is why I believe in restricting Chinese immigration. I will say, however, that I believe in kind, humane, and Christian treatment of those that are already here, and I can not find words strong enough to denounce the persecution, barbarity, and ill-treatment that these inoffensive people have received in the Pacific States, and I am glad to say that this persecution comes largely and principally from men who are themselves foreigners, and in some respects below the Chinese.

I desire also to enter my solemn protest against the Chinese exclusion act, sprung upon the House during the last session, passed upon suspension day with fifteen minutes' debate on a side. I am glad to say that the act is impossible of enforcement. It violates the law of kindness that I have laid down to those already here, is an outrageous violation of the Burlingame treaty, and was entirely unnecessary. The desired restriction could have been secured by additional treaty and in a proper manner. Now, all I have said in reference to the necessity of restriction of Mongolian immigration applies with equal and even greater force to dangerous and undesirable immigrants that are coming here from European countries.

We have been wont to call our country an asylum for the down-trodden and oppressed of every land. I have sometimes wondered, considering the class of immigrants that are now being emptied upon these shores, particularly from Russia, Greece, Italy, whether or no it would not be more correct now to say that our country instead of being an asylum was a sewer for the scum of all of God's creation to empty on to. Honest, industrious, virtuous immigrants are still welcome to these shores. But I submit, Mr. Speaker, and gentlemen of the House of Representatives, that we have at present as many anarchists, communists, nihilists, bomb-throwers, criminals, paupers, lunatics, and idiots as we can digest at present.

And once more, Mr. Speaker, I submit that it is a question deserving the serious attention of the patriot, philanthropist, and statesman as to how far our country can go in incorporating into our body politic these dangerous and hostile elements that are now coming to these shores. All history confirms the lesson that our form of Government can not continue with an ignorant, vicious, and degraded population. In the name of my constituents I stand in my place and demand that we shall enact radical legislation to stay this tide. The experience of Spain, Mexico, and the Central and South American Republics, where republics have frequently, with an ignorant, vicious population, gone down in blood, darkness, and shame, admonishes us of the foes of the Republic and of the dangers that now threaten us and environ us.

Mr. Speaker, the foe of a republic is ignorance; hence I believe in the free, unsectarian school, and in compulsory education. Mr. Speaker, there is another great reason why this legislation should receive earnest consideration at our hand. The awful Asiatic cholera is at our door. God only knows what this summer will develop. This ought not to be a party question, but wise thoughtful and patriotic men of all parties should join hands together to defend us from these dangers that now threaten and environ the Republic.

Mr. Speaker, I referred a few days since to the fact that in my district at Marshfield lies buried the mortal remains of that great Massachusetts statesman Daniel Webster; in yonder Hall he delivered his immortal reply to Hayne of South Carolina. He was the great expounder and defender of the Constitution. As we contemplate the dangers that beset us and threaten the perpetuity of the Republic, let us repeat over the prayer with which he closed his immortal reply for the perpetuity of the Republic. Mr. Webster said:

When these eyes shall behold the sun in heaven for the last time, may they not behold it shining upon the broken and dishonored fragments of a once glorious Union.

Mr. Speaker, I repeat that this bill is not an ideal measure, but as it takes a step in the direction of defending the Republic from the evils which I have recited, I trust that it will receive the approval of the House, and will be followed by more radical legislation in the next Congress.

Automatic Car Couplers and Continuous Brakes.

SPEECH

OF

HON. JAMES O'DONNELL,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 27, 1893.

On the bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes.

Mr. O'DONNELL said:

Mr. SPEAKER: No measure is of more importance to the people than this act to promote the safety of employes and travelers upon railroads. As expressed in its title, "by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving wheel brakes," can the desired protection be secured. No one can deny that the measure is not needed. The necessity for the law is fearfully apparent. Its enactment will diminish the annual awful slaughter of trainmen on our railroads. The imperative need of such law was pointed out and recommended by President Harrison in his first message to Congress.

I had the honor and pleasure of introducing a bill at the opening of this Congress in 1891, containing provisions similar to those embodied in the Senate amendments now before us. Acts having the beneficent object of the bill under consideration passed the Senate and House last year by very large votes, but unfortunately the bills of the two Houses differed in some details, and the measures of the two legislative branches were not approved by either to which they were sent by the bodies in which they originated.

As a bill of this nature passed this House last July without a dissenting vote, I am at a loss to understand the determined opposition manifested now to a measure whose only object is to save human life and prevent injury to railway employes and passengers.

Both of the great political parties solemnly announced their approval of a law like this and demanded its enactment. The People's party did not mention this subject in its declaration of principles, but its representatives here inform me that the voters of that organization also favor this merciful bill.

Then why should its speedy enactment be impeded? We have had a session of over nineteen hours in the endeavor to place this bill on the statute book, but its passage was resisted by the gentlemen in opposition, who, by the parliamentary laws governing this body, were enabled to prevent the majority from responding to the wishes of the people. We hope that the rules can be suspended to-day, and the bill, as amended by the Senate, receive the concurrence of this House.

The railway brakemen, trainmen, firemen, conductors, employes, and surgeons have petitioned by thousands for this law,

and shall their wishes be longer denied? They know the mournful fact that in the last four years 9,153 employes on the railroads in this country have lost their lives while engaged in the danger of railway operation, and to this bloody record is added 88,712 wounded. A large proportion of these casualties came from car coupling and the use of overhead brakes on freight trains. Is it any wonder that the 784,000 citizens engaged in the various branches of railroad work in the United States pray for protection, and appeal to the Congress of the United States for laws to save themselves and fellow-workmen from the perils environing their labor?

These men are among the best of our industrious citizenship, among the most worthy and deserving of the bread-winners of the nation, and they entreat us to protect the lives and limbs of themselves and associates from the dangers that beset them in their perilous calling. They are entitled to the relief which the passage of this bill insures. Their demand is only for justice, and it is supported by every consideration of humanity. They simply ask for a law to prevent this frightful manslaughter. This act will not remove the danger entirely, but it will largely diminish it, reducing to the lowest minimum the hazard of the railway service.

Objection is made to this bill on the ground of the expense to which the railway companies will be subjected. Many of the railways of the country will be glad to comply with the requirements of the bill if it is engrafted into law. In my own State one line, the Michigan Central, has expended thousands of dollars for appliances to secure the safety of its employes, and I am sure will not oppose this humane act.

It is held that to equip all cars with these safety appliances will involve an expenditure of fully \$75,000,000. Suppose it does. Human life is precious to its possessor, and more dear to those dependent on that life. The railways will not be crippled by the expenditure in providing locomotives with power driving-wheel brakes to operate the train-brake system so that the engineers can control the speed of trains without requiring brakemen to use the common hand brake, and supplying automatic couplers which can be uncoupled without the risk of men going between the cars to uncouple.

The total capital invested in railroads in the United States is \$10,000,000,000. Will the owners of this colossal amount of money demur to protecting the lives and limbs of those who operate their lines of road? It will not be a great hardship, for it is estimated that the dividends of the railways of the United States aggregate \$36,000,000 each year. They could make this outlay for humanity's sake and have \$11,000,000 left from the earnings of their roads, so carefully operated by the men whom this law will save from injury and destruction.

But the expenditure will not come at once. The railway companies will have five years in which to comply with the requirements of the act. In the mean time they must provide their freight trains with grab irons on the ends and sides of cars for greater security for those engaged in coupling and uncoupling cars. The 160,000 miles of railroads in this country will soon earn the money this law will cause to be expended. The railroad companies receive \$25,000,000 each year from the Government for transportation of the mails. The earnings as carriers of mail will in three years pay all the expense, and each corporation will save millions they now pay out in damages which illy compensates for loss of life of faithful employes whose devotion to duty costs them existence, besides the expense the roads incur for litigation in endeavoring to avoid the judgment of the law of the different States which prescribes the responsibility of corporations.

Is it any wonder that death so often walks with the present car coupler? The appliance is crude and accompanied with danger. The various railroad companies own 1,100,000 freight cars, and the most liberal estimate shows but 150,000 are supplied with automatic couplers, and only 101,000 are provided with train brakes. These facts impress the imperative necessity for action at once on the part of Congress.

The men who handle trains are in constant danger; their occupation is jeopardizing to life and limb. Of those engaged in the train service on the different railways of the United States the statistics reveal the startling fact that one out of every 105 meet death in the discharge of duty and one out of every 12 suffers injury.

These statistics of woe and suffering should plead for relief for these citizens who are risking so much in this employment. This bill will lessen the risk by compelling the universal use of couplers and brakes of a uniform type on all railroads. When this is done human life will not be endangered by coupling cars and the brakeman will not longer be obliged to hazard existence by being compelled to work the brakes to control the speed of trains on the roof of cars. This law will establish uniformity and universality in car couplers and train brakes, and will decrease the

frequency of accidents and lessen in a very great measure the perils attending railway employment.

Mr. Speaker, I earnestly hope this bill can become a law. We owe it to the great number of our people engaged in railway operating to abate the danger of their calling. There are 784,000 men engaged in the service of railroads, who are assisting in carrying on the mighty commerce of this great nation, thereby aiding in the development of the marvelous resources of our country. Let us recognize their needs, remove the peril of their vocation, thus obviate the likelihood of untimely death, and prevent suffering and sorrow which too often visit the employes and their families. A statute like this will prevent the great sacrifice of life and reduce the danger of their work. This bill as a law will prove to be beneficent in its effects; it will serve to guard the sacredness of life and can only bring safety and happiness in the place of calamity.

Condition of the Treasury.

SPEECH

OF

HON. A. M. DOCKERY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893,

On the subject of general appropriations.

Mr. DOCKERY said:

Mr. SPEAKER: It is not my purpose to enter upon an elaborate review of our fiscal situation, but rather to summarize briefly its more important features.

The surplus in the Treasury, exclusive of the gold reserve, at the close of Mr. Cleveland's first Administration, March 1, 1889, upon the present basis of stating the Treasury account, amounted to \$83,827,190.29, and in addition thereto \$47,905,423.30 was deposited to the credit of disbursing officers for the payment of current liabilities.

The surplus in the Treasury on the first of the present month amounted to \$24,123,087.88, while the disbursing officers' balances for the payment of current liabilities are shown to be only \$23,515,033.70. Of the available cash balance, \$11,497,829.74 consists of subsidiary and minor coin, while \$11,163,629.05 is yet deposited in "pet" national banks.

Secretary Foster estimates the Treasury surplus at the close of the fiscal year ending June 30, 1893, at \$20,992,377.03. This estimated surplus, meager as it is, would not exist at all but for default in meeting the requirements of the sinking-fund act and the covering into the general Treasury, under the act of July 14, 1890, of the trust fund belonging to the holders of national-bank notes. This action created a new public indebtedness, of which \$22,272,061.25 was unpaid at the beginning of the present month.

If, therefore, we charge against the estimated available cash balance the \$11,307,825.36 of sinking fund default for the last fiscal year, together with the admitted delinquency of \$40,893,862.50 on the same account for the current fiscal year, and \$19,763,473.25 which it is estimated will be due the national-bank redemption fund on July 1, 1893, the apparent surplus vanishes to give place to a deficiency of \$50,972,784.08.

Mr. Speaker, the outgoing Administration will not only have failed to comply with the requirements of the sinking-fund act in the sum of \$52,201,687.86, and covered into the general Treasury the national-bank redemption trust fund, but it has also been coerced by the Treasury stringency into an extension of \$25,364,500 of 4½ per cent bonds which matured September 1, 1891.

This exhibit becomes significant and suggestive when it is known that the receipts of the Government from March 1, 1889, to March 1, 1893, were \$158,858,695.16 in excess of the receipts from March 1, 1885, to March 1, 1889, while the expenditures for the same period were \$301,368,616.15 greater than they were under President Cleveland.

The revenue on account of customs and miscellaneous receipts under Mr. Harrison's Administration have decreased \$3,887,311.18 and \$24,632,813.72, respectively, the increase on account of internal revenue being \$117,054,863.06 and postal receipts \$70,324,407.

The ordinary expenses under the Administration of Mr. Harrison, as compared with the Administration of President Cleveland, have increased \$148,352,579.55, and those for pensions \$169,047,347.84; for premiums \$11,514,403.76, and for redemption of the public debt, exclusive of the sinking fund, \$11,667,535.45.

The only decreases to be noted are \$60,004,067.65 on account of interest on the public debt, and \$49,533,700.80 for the sinking fund, these decreases resulting solely from the decrease in the principal of the public debt and the failure of the Harrison Administration to provide for the sinking fund as required by law. It should be stated in passing, that the receipts for January and February, 1893, included in the foregoing comparative exhibit, are given as estimated by the Treasury officials.

APPROPRIATIONS CONTRASTED.

Mr. Speaker, I append to my remarks a succinct review of the appropriations of the present Congress as compared with those of the last Congress, which shows that the aggregate of appropriations of this Congress is \$1,026,822,049.72, as against \$1,035,686,921.20, or a decrease of \$8,864,871.48 below the appropriations of the Fifty-first Congress. It will be noted by reference to the table that the appropriations of the present Congress, exclusive of pensions, are \$55,627,589.14 less than the appropriations of the Fifty-first Congress.

It must also be remembered in this connection that the Republican Senate endeavored, during the two sessions, to increase the total of appropriations made by the House in the sum of \$55,601,811.93. In order to reach agreements before the termination of the sessions the House was compelled to yield \$24,436,085.89 of this attempted increase.

Moreover, Mr. Speaker, as I stated at the first session of this Congress, while discussing our fiscal affairs, "the appropriations of the Fifty-first Congress were not only stupendous in their aggregate, but the legislation of that Congress imposed upon succeeding Congresses liabilities which involve a continuance of appropriation of such magnitude that the Government will soon be constrained to seek new sources of revenue to meet its current liabilities.

"The Fifty-first Congress, therefore, not only achieved the unenviable distinction of a billion-dollar Congress, but its legislation created obligations which will make it a matter of exceeding difficulty for its successors to bring the appropriations below the billion-dollar limit." That prophecy is about to be fulfilled. Upon examination I find that of the whole amount appropriated by this Congress (the Fifty-second) \$154,172,040.95 was occasioned by the legislation of the last Congress. The items of this entailed liability are as follows:

Appropriations made by Fifty-second Congress, or charged under permanent appropriations under requirements of laws passed by the Fifty-first Congress.

| | |
|--|----------------|
| Foreign mails | \$1,344,413.33 |
| Indian depredation claims | 478,252.62 |
| Collecting sugar bounty | 456,780.00 |
| Increase of judicial salaries | 176,000.00 |
| Additional clerks under new pension law | 1,390,840.00 |
| Mint at Philadelphia | 870,500.00 |
| Pensions, estimated | 100,000,000.00 |
| Diplomatic and consular officers, salaries | 50,000.00 |
| Redemption national-bank notes | 16,500,000.00 |
| Expenses, Treasury notes | 335,000.00 |
| Refund direct tax | 532,000.00 |
| Repayments to importers { customs | 6,000,000.00 |
| Debentures or drawbacks | 20,000,000.00 |
| Bounty on sugar | 50,000.00 |
| Snagboats, Ohio River | 1,764,000.00 |
| Colleges for agriculture and mechanic arts | 4,224,255.00 |
| World's Fair | |
| Total | 154,172,040.95 |

If, therefore, Mr. Speaker, we deduct from the total appropriations of this Congress the amount made necessary by the legislation of the last Congress, the aggregate would be but \$872,650,008.77, or \$163,036,912.43 less than the billion-dollar Congress.

It will be noted that in the foregoing table I estimate a liability of \$100,000,000 on account of pensions granted under the act June 27, 1890. In my opinion, this is a conservative estimate, for although the Secretary of the Interior states, in reply to a resolution of the House, that he is not able to give the amount of the obligations imposed by that act for the fiscal years 1893 and 1894, yet it is shown on page 83 of the annual report of the Commissioner of Pensions that \$51,407,971.32 was expended for pensions under the act of June 27, 1890, for the fiscal year ending June 30, 1892.

It therefore follows as a conclusion which can not be escaped that the liabilities under the same act for the present and ensuing fiscal years will amount to not less than \$100,000,000.

LIABILITIES FISCAL YEAR 1891.

Secretary Foster, in his report recently made to the Committee on Ways and Means, estimates a surplus of \$7,573,369.19 on June 30, 1894, after deducting a probable expenditure of \$40,279,037.89 on account of continuing appropriations heretofore made. The Secretary, however, admitted in his examination before the Committee on Ways and Means on February 25 last, that in estimating the liabilities of the Government for the coming year he had failed to take into account any prospective deficiencies and miscellaneous appropriations, and had not included the liabilities incurred by certain contracts authorized by the river and harbor bill of the last session.

The Secretary estimates the revenues of the ensuing fiscal year at \$490,121,365.38, and the surplus at the close of this fiscal year at \$20,992,377.03, or \$511,113,742.41 as the total resources of the Government for the ensuing fiscal year. It is well, however, to quote in this connection the language of Secretary Foster, when he says: "The estimated receipts are based upon conditions prevailing prior to the late election." Hence it would seem that his judgment is vexed with doubt, and there is no absolute assurance that the revenues will reach this total.

Mr. Speaker, as against this income estimated by the Secretary I charge appropriations amounting to \$494,802,247.21; a possible pension deficiency of \$15,030,000; ordinary deficiencies of \$8,000,000; miscellaneous appropriations, \$2,500,000; and a probable expenditure under continuing appropriations heretofore made of \$40,279,037.89; so that it appears the total liabilities of the Government for the fiscal year ending June 30, 1894, including the requirements of the sinking fund act, will reach the enormous aggregate of \$560,581,285.10. This stupendous total is entirely exclusive of deficiency appropriations which will be paid within the current fiscal year, and also of 25 per cent of certain river and harbor appropriations, which can not be expended prior to June 30, 1894.

Now, Mr. Speaker, if we deduct from this aggregate the contemplated default on the sinking-fund requirement of \$43,700,000 the net liabilities against the resources of the ensuing fiscal year will be \$516,881,285.10, thus involving a deficiency of \$5,767,542.69.

In this exhibit I include a possible pension deficiency of \$15,000,000, inasmuch as the appropriations already made for the current fiscal year are \$161,335,000, while the estimate for pensions for the ensuing fiscal year calls for only \$165,000,000.

In other words an increase of but \$4,000,000 was asked and appropriated for; although the appropriations for the current year exceed the expenditures of the last fiscal year by \$26,751,947.21. This view of a possible pension deficiency is further supported by the fact that the appropriations to meet pension deficiencies during the current and the four fiscal years just passed have averaged \$16,896,254, notwithstanding Congress had appropriated for each of those fiscal years every dollar that was estimated for the payment of pensions.

It can not be stated with absolute accuracy whether the Treasury deficiency will be greater or less than \$5,767,542.69, for the reason that there are certain amounts carried in the appropriation bills which in their expenditure can be somewhat regulated by the Executive Departments; but if they move with ordinary dispatch the deficiency will probably not be less than the amount stated.

FUTURE LIABILITIES.

An exhibit of the condition of our fiscal affairs would be incomplete if it failed to present a statement of liabilities authorized by legislation of the past and present Congresses, and which remain to be met by appropriations yet to be made or expenditures to be incurred after the close of the fiscal year 1894, namely:

| | |
|--|-----------------|
| River and harbor contract liabilities | \$28,112,147.00 |
| River and harbor appropriations not to be expended until after close of fiscal year 1894 | 2,500,288.00 |
| Balance under contracts authorized for Army gun factory and heavy ordnance | 5,526,000.00 |
| Balance to be appropriated for the Library of Congress under contracts authorized | 2,150,000.00 |
| Amount to be appropriated under authorized limit of cost for public buildings | 9,989,265.71 |
| Amount to be appropriated for light-houses | 725,600.00 |
| Increase of the Navy | 16,325,000.00 |
| National-bank redemption account, July 1, 1894 | 15,263,473.25 |
| Cherokee Outlet lands | 8,300,000.00 |
| Additional amount to be expended on public works under continuing appropriations heretofore made | 7,159,552.00 |

Total fixed liabilities to be met after the fiscal year 1894 96,051,325.96

Mr. Speaker, in conclusion I desire to add but a single observation. A cursory glance at the comparative table of appropriations discloses without the necessity for comment the explanation of the enormous measure of appropriations. The explanation is not found to any appreciable extent in the list of what are classed as "ordinary" appropriations, but it lies in the fact that the streams of Federal expenditure have been swollen by the necessities of the Post-Office service and by the demands for river and harbor improvements, increase of the Navy, subsidies, and pensions.

The chasm is constantly widening between income and liabilities, and should be closed without delay by a material reduction in the aggregate of national expenditures. Unless this policy obtains—and to it the Democratic party is committed in all of its State and national utterances—then there must be either

an increase of public indebtedness by the issue of bonds to meet current expenses, or there must be a heavy increase in the burdens of taxation. To the latter alternative the Democratic party is unalterably opposed.

Appropriations made by Fifty-first and Fifty-second Congresses, fiscal years 1891 to 1894, inclusive.

| Title. | Fifty-first Congress. | | Fifty-second Congress. | |
|--|-----------------------|-----------------------|------------------------|-----------------------|
| | First session, 1891. | Second session, 1892. | First session, 1893. | Second session, 1894. |
| Agricultural..... | \$1,799,100.00 | \$3,028,153.50 | \$3,232,995.50 | \$3,323,300.00 |
| Army..... | 24,206,471.79 | 24,613,529.19 | 24,308,499.82 | 24,225,639.78 |
| Diplomatic and consular..... | 1,710,815.00 | 1,656,925.00 | 1,604,045.00 | 1,558,045.00 |
| District of Columbia..... | 5,769,544.15 | 5,597,125.17 | 5,317,973.27 | 5,413,223.91 |
| Fortification..... | 4,232,935.00 | 3,774,803.00 | 2,734,276.00 | 2,210,055.00 |
| Indian..... | 7,262,016.02 | 16,386,284.86 | 7,664,047.84 | 7,854,646.63 |
| Legislative, etc..... | 21,030,752.75 | 22,027,074.75 | 21,900,132.97 | 21,892,402.32 |
| Military Academy..... | 435,296.11 | 402,064.64 | 428,917.33 | 432,566.12 |
| Navy..... | 24,136,035.53 | 31,541,654.78 | 23,543,385.00 | 22,104,331.38 |
| Pension, including deficiencies (a)..... | 123,779,368.35 | 164,550,383.34 | 154,411,682.00 | 180,680,787.35 |
| Post-Office..... | 72,226,698.99 | 77,907,222.61 | 80,331,276.73 | 83,807,700.00 |
| River and harbor..... | 25,136,295.00 | | 21,154,218.00 | |
| Sundry civil..... | 631,100,341.38 | 638,395,363.99 | 27,665,076.93 | 41,701,311.15 |
| Deficiencies, except for pensions..... | 13,295,541.61 | 9,354,148.62 | 8,230,859.50 | 8,049,588.45 |
| Total..... | 356,121,211.68 | 399,245,333.45 | 382,527,385.89 | 403,253,587.09 |
| Miscellaneous..... | 7,010,905.27 | 419,498,531.10 | 3,208,922.82 | 650,000.00 |
| Total regular annual appropriations..... | 363,132,116.95 | 418,743,864.55 | 385,736,308.71 | 403,753,587.09 |
| Permanent annual appropriations..... | 131,324,131.70 | 122,486,808.00 | 121,863,880.00 | 115,468,273.92 |
| Total..... | 494,456,248.65 | 541,230,672.55 | 507,600,188.71 | 519,221,861.01 |
| Deduct for pensions and deficiencies therefor..... | 123,779,368.35 | 164,550,383.34 | 154,411,682.00 | 180,680,787.35 |
| Grand total, exclusive of pensions..... | 370,676,880.30 | 376,680,289.21 | 353,188,506.71 | 338,541,073.66 |
| Total, each Congress, exclusive of pensions..... | \$747,357,169.51 | | \$691,729,580.37 | |

a Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$29,335,598.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,437.35.

b This amount includes \$1,362,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes \$985,000 estimated expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes \$15,227,000 for refund of direct taxes in addition to the specific sum of \$500,000 appropriated for that purpose.

e This sum is approximated.

f This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, \$101,628,453, there is added expenditures under permanent appropriations made by the last Congress subsequent to said estimate as follows:

Salaries, diplomatic and consular service, \$27,756.79; redemption national bank notes, \$23,553,298.50; expenses of Treasury notes, \$218,362.60; coinage of silver bullion, \$210,893.14; rebate tobacco tax, \$770,082.39; and repayments to importers and for debentures and drawbacks, customs service, \$4,915,285.28; in all, \$29,695,678.70.

John E. Kenna.

REMARKS

OF

HON. WILLIAM M. SPRINGER,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

The House having under consideration resolutions of respect to the memory of Hon. John E. Kenna, late a Senator from the State of West Virginia—

Mr. SPRINGER said:

Mr. SPEAKER: In the closing hours of the last session of this Congress, when business of the greatest importance is pressing upon us and demanding every moment of our time, it seems almost impossible to pause for a sufficient length of time to do justice to the deeds and memory of John E. Kenna. But I can not permit this occasion to pass, however precious the time may be, without contributing my testimony, however briefly it may be stated, to the noble character, the spotless integrity, and distinguished ability of our deceased friend.

Surely in the very midst of life we are in death. Our lamented friend has fallen in the prime of manhood, in the very hour of his greatest opportunities for usefulness; in a time when his

State and his country had the greatest reason to believe that he would be able to confer lasting blessings upon them and meet the highest expectations of his family and friends in the attainment of honorable distinction.

It is a strange and unaccountable Providence that removes from our midst those best fitted by training, by ability, and by the highest attributes of true manhood for noble work, for valuable services in the cause of the state and in behalf of mankind. But we are not presumed to know the mysteries of the Infinite, nor is it best that we should know. We must accept the Divine decree, knowing that He who created us and gave us life and being doeth all things well.

That life is long which answers life's great end.

We can not measure the life of John E. Kenna by the years which he has lived. His deeds, his achievements have already answered the great end of life. He was elected a member of this House when only 28 years old, and was transferred to the Senate seven years later. He had scarcely reached the age of 45 when his life's labors were ended. We can hardly realize that he has gone from our midst, never to return again.

Many of those about me remember his services as a member of this House. We who had the honor to serve with him remember his many acts of kindness to his fellow-members. He was uniformly kind and urbane to all. He maintained at all times a judicial poise, a noble bearing, and a quiet dignity. Although one of the youngest if not the youngest member of the House, he at once took rank with those of maturer years and long experience. He had few equals in debate, and his words always commanded the attention of the House. He was a forcible speaker, and at times eloquent. But his genial manner and kindly treatment of his fellow-members won for him the admiration and love of all.

We sincerely deplore his loss. To his State and country it will be deeply felt and long deplored. But to his wife and family his loss is irreparable. He was a devoted husband, a kind father, a noble friend.

Our words of eulogy can not

Soothe the dull cold ear of death.

Perhaps it may, however, be some consolation to his bereaved wife and family to know that others mourn his untimely death; that those who knew him when he was away from the family circle also learned to love him; that others will cherish his memory; that other hearts bled and other eyes were filled with tears when his spirit took its everlasting flight and his body was consigned to the silent tomb.

But is this all? Are our thoughts to cluster alone about his grave, and to contemplate the processes of nature by which earth returns to earth, ashes to ashes? No; not so. There is a life beyond the grave; a life which our deceased brother lives to-night; a life not broken or marred by partings or sighs; a life of eternal happiness. May we who still pursue our earthly way so improve our opportunities that we may live hereafter that better life beyond the tomb!

Appropriations by the Fifty-first and Fifty-second Congresses—A Reduction of \$55,627,589.14, exclusive of pensions, by the Fifty-second Congress.

REMARKS

OF

WILLIAM S. HOLMAN,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893.

The House having under consideration the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill making appropriations for sundry civil expenses for the fiscal year 1894—

Mr. HOLMAN said:

Mr. SPEAKER: The increase in our expenditures ought to arrest the attention of every citizen. Increased expenditures of course mean increased taxation. The burden of upholding the Government in times of peace was scarcely felt by the citizens of our country during the long period between the adoption of the Federal Constitution and the beginning of the late war—nearly three-quarters of a century. During that war, and while the public debt, incident to that great struggle, compelled the Government to impose heavy taxation on the industries of our country, which was cheerfully borne, yet our people naturally indulged the hope that when the necessity for heavy taxation ceased the Government would return to the natural order of things in a republic—frugal government and low taxes. But it must be admitted that that reasonable expectation has not up to this time been realized. On the contrary it can not be denied

that the tendency to lavish expenditures in our Government seems almost irresistible. New and unexpected fields of expenditure appear in the legislation of every successive year, and sooner or later increased taxation of our industries must follow.

The taxation necessary to carry on the Government, even including the pension roll, would not be seriously felt. It is the local enterprises and favoritism in the feature of our legislation which tend to splendor in government that threatens in the early future, unless condemned by public opinion, to make our Republic one of the most extravagant of the governments of modern times, and all men know that an extravagant and profligate government means an overtaxed and oppressed people, no matter what may be the form of government.

I do not believe the American people, who are so well informed as to the character of their Government and the absolute necessity of maintaining its old-time frugality as a means of perpetuating free institutions, will submit to the tendency to extravagance in government which has been displayed during the last few years. When our people consider that our Federal, State, and local governments are so closely interwoven that extravagance in national affairs is certain, sooner or later, to pervade the whole system, they will see the imperative necessity of frugality in the Federal system, not only to protect the citizen from unnecessary and unjust taxation, but above all to maintain honest Government.

We have reached a state of public expenditures that can not be justified. The appropriations, permanent and annual, of the Fifty-first Congress were \$817,963,859.80, while those of the Fifty-second Congress reached \$1,035,686,921.20, showing the unexampled increase of \$217,723,061.40.

The following table shows the growth of the appropriations, permanent and annual, made by the last ten Congresses:

| | |
|-----------------------------|------------------|
| Forty-third Congress..... | \$853,794,991.21 |
| Forty-fourth Congress..... | 595,597,832.28 |
| Forty-fifth Congress..... | 704,527,405.98 |
| Forty-sixth Congress..... | 727,537,684.22 |
| Forty-seventh Congress..... | 777,435,948.51 |
| Forty-eighth Congress..... | 655,269,402.33 |
| Forty-ninth Congress..... | 746,342,495.51 |
| Fiftieth Congress..... | 817,963,859.80 |
| Fifty-first Congress..... | 1,035,686,921.20 |
| Fifty-second Congress..... | 1,026,822,049.72 |

It will be seen from the foregoing table, which covers the period since the reconstruction of the Union was fully accomplished after the late war, that in three of those Congresses, the Forty-third, Forty-seventh, and Fifty-first, the Republican party controlled the Government; in all the others the Democrats controlled the House. The Democratic House, it will be seen, in the Forty-fourth Congress reduced the expenses of the Government as against the Forty-third Congress \$58,197,158.93; that the Forty-eighth Congress (House Democratic) reduced the expenses of the Government as against the Forty-seventh Congress (Republican) in the sum of \$122,166,546.21.

I have already called attention to the fact that the Fifty-first Congress (Republican) increased the expenses of the Government as compared with the Fiftieth Congress (House Democratic), \$217,723,061.40, while this Congress, the Fifty-second (the House Democratic), has only reduced the appropriations, as compared with the Fifty-first Congress, \$8,864,871.48; but it will be seen by the following statement that the legislation of the Fifty-first Congress compelled appropriations to be made by the Fifty-second Congress to the amount of at least \$104,172,040.95.

Appropriations made by Fifty-second Congress or charged under permanent appropriations under requirements of laws passed by the Fifty-first Congress.

| | |
|---|----------------|
| Foreign mails..... | \$1,344,413.33 |
| Indian depredations claims..... | 478,252.62 |
| Collecting sugar bounty..... | 456,780.00 |
| Increase of judicial salaries..... | 176,000.00 |
| Additional clerks under new pension law..... | 1,390,840.00 |
| Mint at Philadelphia..... | 870,500.00 |
| Pensions (estimated)..... | 50,000,000.00 |
| Diplomatic and consular officers, salaries..... | 50,000.00 |
| Redemption national bank notes..... | 16,500,000.00 |
| Expenses, Treasury notes..... | 335,000.00 |
| Refund direct tax..... | 532,000.00 |
| Repayments to importers..... | 6,000,000.00 |
| Debentures or drawbacks..... | 20,000,000.00 |
| Bounty on sugar..... | 50,000.00 |
| Snag boats, Ohio River..... | 1,764,000.00 |
| Colleges for agriculture and mechanic arts..... | 4,224,255.00 |
| World's Fair..... | |
| Total..... | 104,172,040.95 |

While a Democratic Congress would not reduce the pension roll except to reform the method of administration so as to make that roll in fact "a roll of honor" most of the other measures of the Fifty-first Congress which have enormously increased the expenses of the Government, especially as to bounties and subsidies to enrich special interests and increase the wealth of citizens already rich, would have been repealed if the Democrats now controlled both Houses of Congress as they will the Fifty-third Congress.

The appropriations made by this Congress, including permanent appropriations, as I have stated, show a reduction of \$8,864,

\$71.48 below the appropriations of the Fifty-first Congress; and deducting the amounts for pensions, including deficiencies therefor, appropriated by the Fifty-first and Fifty-second Congresses, the reduction in appropriations by the Fifty-second Congress below those made by the Fifty-first Congress amounts to \$55,627,589.14. This will clearly appear by the following statement:

Appropriations made by Fifty-first and Fifty-second Congresses, fiscal years 1891 to 1894, inclusive.

| Title. | Fifty-first Congress. | | Fifty-second Congress. | |
|---|-----------------------|-----------------------|------------------------|-----------------------|
| | First session, 1891. | Second session, 1892. | First session, 1893. | Second session, 1894. |
| Agricultural..... | \$1,799,100.00 | \$3,023,153.50 | \$3,232,095.50 | \$3,323,300.00 |
| Army..... | 24,206,471.79 | 24,613,529.19 | 24,308,499.82 | 24,225,639.78 |
| Diplomatic and consular..... | 1,710,815.00 | 1,656,925.00 | 1,604,045.00 | 1,558,045.00 |
| District of Columbia..... | 5,769,544.15 | 5,597,125.17 | 5,217,973.27 | 5,413,223.91 |
| Fortifications..... | 4,232,935.00 | 3,774,803.00 | 2,734,276.00 | 2,210,055.00 |
| Indian..... | 7,262,016.02 | 10,393,284.89 | 7,664,047.84 | 7,854,646.63 |
| Legislative, etc..... | 21,030,752.75 | 22,027,674.75 | 21,900,132.97 | 21,892,402.32 |
| Military Academy..... | 435,296.11 | 402,064.64 | 428,917.33 | 432,556.12 |
| Navy..... | 24,130,035.53 | 31,541,654.78 | 23,543,385.00 | 22,104,331.38 |
| Pension, including deficiencies..... | 123,779,368.35 | 164,550,383.34 | 154,411,682.00 | 180,680,787.35 |
| Post-Office..... | 72,225,098.99 | 77,907,222.61 | 80,331,276.73 | 83,897,700.00 |
| River and harbor..... | 25,130,225.00 | | 21,154,218.00 | |
| Sundry civil..... | 631,100,341.35 | 638,395,363.99 | 27,005,076.93 | 41,701,311.15 |
| Deficiencies, except for pensions..... | 13,235,541.61 | 9,364,148.02 | 8,230,859.50 | 8,049,588.45 |
| Total..... | 353,121,211.68 | 399,245,333.45 | 389,527,885.89 | 403,253,587.09 |
| Miscellaneous..... | 7,010,905.27 | 19,493,531.10 | 3,208,922.82 | 650,000.00 |
| Total regular annual appropriations..... | 363,132,116.95 | 418,743,864.55 | 385,736,808.71 | 403,753,587.09 |
| Permanent annual appropriations..... | 131,324,131.70 | 122,486,808.00 | 121,863,880.00 | 115,468,273.92 |
| Total..... | 494,456,248.65 | 541,230,672.55 | 507,600,688.71 | 519,221,861.01 |
| Deduct for pensions and deficiencies therefor..... | 123,779,368.35 | 164,550,383.34 | 154,411,682.00 | 180,680,787.35 |
| Grand total, exclusive of pensions..... | 370,676,880.30 | 376,680,289.21 | 353,189,006.71 | 338,541,073.66 |
| Total, each Congress, exclusive of pensions..... | \$747,357,169.51 | | \$691,729,580.37 | |
| Reduction Fifty-second under Fifty-first Congress, exclusive of pensions..... | | | | \$55,627,589.14 |

a Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$29,324,568.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,437.35.

b This amount includes \$1,362,059.16, actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes \$965,000, estimated expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes \$15,227,000 for refund of direct taxes in addition to the specific sum of \$500,000 appropriated for that purpose.

e This sum is approximated.

f This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, \$101,628,453, there is added expenditures under permanent appropriations made by the last Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, \$27,756.79; redemption national bank notes, \$23,553,298.50; expenses of Treasury notes, \$218,362.60; coinage of silver bullion, \$210,893.14; rebate tobacco tax, \$770,032.39; and repayments to importers and for debentures and drawbacks, custom service, \$4,915,285.28; in all, \$29,695,678.70.

I will submit at the conclusion of my remarks a table prepared from the official records, showing the estimates submitted to this session of Congress, and a chronological history of the appropriation bills during the session.

By this table it will be seen that the eleven regular bills, which provide for the necessary expenditures of the operations of the Government, as passed by the House, made a reduction in the estimates submitted by the Administration of \$13,883,732.19. It will also be seen that the bills were increased by the Senate in the sum of \$16,856,728.70, and that as they finally became laws they appropriated \$9,338,500.12 less than the estimates, \$12,311,496.63 less than as they passed the Senate, and \$5,545,232.07 more than was proposed and deemed sufficient by the House.

The great multitude of our citizens who take no interest in politics except for the purpose of perpetuating our free institutions and maintaining honest government, will feel in some degree disappointed with the action of the Fifty-second Congress. All considerate men must agree that the rate of expenditures in our Federal system is excessive and indefensible.

The appropriations for river and harbor improvements have been greater this Congress than ever before. While it is manifest that the great interests involved in our domestic and foreign commerce require reasonable appropriations annually for rivers

and harbors of national concern, the pernicious example set by the Fifty-first Congress of enormous "mortgages on the future," contracts covering a series of years, compelling appropriations whether the state of the Treasury will justify it or not, tends to excessive and indefensible expenditures, as the appropriations made by two sessions of this Congress clearly show.

While the Treasury was overflowing with money no argument against this policy was of any avail, and even with a depleted Treasury appropriations for the fulfillment of these contracts must go on. I sincerely hope the system will expire with the present contracts.

This Congress, under the admirable leadership of Judge BANKHEAD of Alabama, chairman of the House Committee on Public Buildings and Grounds, has arrested the apparently irresistible movement for public buildings in all sections of the Union, a movement involving an enormous expense independent of the cost of constructing the buildings.

With fifty-one public buildings authorized prior to this Congress, not one of which has been commenced, it was certainly time to stop this form of expenditure, and Judge BANKHEAD has rendered the country services of great value in the admirable skill he has displayed in postponing the great army of bills for local advantage seeking access to the Treasury.

It is now obvious that the revenues of the Government will not meet the appropriations, permanent and annual, authorized by Congress for the coming fiscal year, but no public interest will suffer, many appropriations heretofore made may be delayed without impairing in the least degree the efficiency of the public service, and our people will, I am sure, view with complacency a state of affairs that will compel for the time at least some degree of frugality in our expenditures, and will at the same time tend to illustrate the fact that as you diminish mercenary and venal motives in public affairs you elevate and purify the Government.

Chronological history of appropriation bills, second session of the Fifty-second Congress, estimates and appropriations for the fiscal year 1893-'94, and appropriations for the fiscal year 1892-'93.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

| Title. | Estimates, 1894. | Reported to the House. | | Passed the House. | | Reported to the Senate. | | Passed the Senate. | | Law, 1893-'94. | Law, 1892-'93. |
|--|------------------|------------------------|----------------|-------------------|----------------|-------------------------|----------------|--------------------|----------------|-----------------|-----------------|
| | | Date. | Amount. | Date. | Amount. | Date. | Amount. | Date. | Amount. | | |
| Agricultural | \$3,315,500.00 | 1893. Feb. 4 | \$3,294,300.00 | 1893. Feb. 20 | \$3,294,300.00 | 1893. Feb. 27 | \$3,323,100.00 | 1893. Feb. 28 | \$3,323,100.00 | \$3,323,300.00 | \$3,232,995.50 |
| Army | 25,922,955.43 | 1892. Dec. 12 | 24,302,639.78 | 1892. Dec. 14 | 24,197,639.78 | 1893. Jan. 23 | 24,325,639.78 | 1893. Feb. 1 | 24,325,639.78 | 24,225,639.78 | 24,308,499.82 |
| Diplomatic and consular | 1,737,079.90 | 1893. Jan. 21 | 1,529,045.00 | 1893. Feb. 4 | 1,529,045.00 | 1893. Feb. 15 | 1,564,045.00 | 1893. Feb. 23 | 1,570,045.00 | 1,558,045.00 | 1,634,045.00 |
| District of Columbia | 6,733,544.66 | 1892. Jan. 5 | 5,160,420.91 | 1892. Jan. 9 | 5,160,420.91 | 1893. Jan. 30 | 5,777,405.91 | 1893. Feb. 2 | 5,780,705.91 | 5,413,223.91 | 5,317,973.27 |
| Fortification | 7,372,305.00 | 1892. Dec. 17 | 1,735,055.00 | 1893. Jan. 5 | 1,735,055.00 | 1893. Jan. 23 | 2,445,055.00 | 1893. Feb. 1 | 2,575,055.00 | 2,210,055.00 | 2,734,276.00 |
| Indian | 8,123,211.31 | 1893. Feb. 3 | 7,612,862.04 | 1893. Feb. 27 | 7,068,615.34 | 1893. Mar. 1 | 16,431,490.46 | 1893. Mar. 2 | 16,541,225.75 | 7,854,646.63 | 7,664,047.84 |
| Legislative, etc. | 22,625,815.81 | 1893. Jan. 26 | 21,684,498.82 | 1893. Feb. 9 | 21,651,748.32 | 1893. Feb. 18 | 21,908,828.32 | 1893. Feb. 25 | 22,164,013.32 | 21,892,402.32 | 21,900,132.97 |
| Military Academy | 489,332.12 | 1893. Jan. 21 | 430,856.12 | 1893. Feb. 4 | 430,556.12 | 1893. Feb. 15 | 432,556.12 | 1893. Feb. 23 | 432,556.12 | 432,556.12 | 428,917.33 |
| Navy | 24,471,498.21 | 1893. Feb. 13 | 21,550,331.38 | 1893. Feb. 20 | 21,550,331.38 | 1893. Feb. 25 | 22,082,131.38 | 1893. Feb. 28 | 22,157,131.38 | 22,104,331.38 | 23,543,385.00 |
| Pension | 166,831,350.00 | 1893. Jan. 27 | 166,400,000.00 | 1893. Feb. 17 | 166,531,350.00 | 1893. Feb. 23 | 166,531,350.00 | 1893. Feb. 27 | 166,531,350.00 | 166,531,350.00 | 146,737,350.00 |
| Post-Office | 84,249,119.67 | 1893. Jan. 27 | 83,869,357.22 | 1893. Feb. 22 | 83,904,314.22 | 1893. Mar. 1 | 83,930,700.00 | 1893. Mar. 2 | 83,930,700.00 | 83,807,700.00 | 80,331,276.73 |
| River and harbor | (c) | | | | | | | | | | |
| Sundry civil | 38,521,349.30 | 1893. Jan. 18 | 39,838,834.39 | 1893. Feb. 3 | 39,435,953.15 | 1893. Feb. 13 | 40,360,114.78 | 1893. Feb. 22 | 43,934,475.60 | 44,701,311.15 | 27,665,076.93 |
| Total | 390,393,061.41 | | 377,308,200.66 | | 376,509,329.22 | | 389,112,416.75 | | 393,306,057.92 | 381,054,561.29 | 366,692,194.39 |
| Deficiency, 1893 and prior years | 728,000,000.00 | 1893. Jan. 20 | 20,956,611.32 | 1893. Feb. 3 | 21,209,638.88 | 1893. Mar. 2 | 27,365,851.09 | 1893. Mar. 2 | 27,546,923.88 | 22,199,025.80 | 415,905,191.50 |
| Total | 418,393,061.41 | | 398,264,811.98 | | 397,718,968.10 | | 416,478,267.84 | | 420,852,981.80 | 403,253,587.09 | 382,597,385.89 |
| Miscellaneous | 74,750,000.00 | | | | | | | | | 750,000.00 | 43,208,922.82 |
| Total regular annual appropriations | 423,143,061.41 | | | | | | | | | 403,753,587.09 | 385,795,308.71 |
| Permanent annual appropriations | 115,468,273.92 | | | | | | | | | 4115,468,273.92 | 4121,893,890.00 |
| Grand total, regular and permanent annual appropriations | 538,611,335.33 | | | | | | | | | 519,221,861.01 | 507,689,198.71 |

Amount of estimated revenues for fiscal year 1894.....\$405,000,000.00

Amount of estimated postal revenues for fiscal year 1894.....85,121,335.38

Total estimated revenues for fiscal year 1894.....490,121,335.38

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1894 at \$308,132.69), which are payable from the revenues of the water department.

b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

c No estimate is included in the "annual estimates for the public service" for rivers and harbors for 1894. "The amount that can be profitably expended" in that fiscal year, as reported by the Chief of Engineers, is \$16,115,750. (Book of Estimates, 1894, page 207.)

d In addition to this amount the sum of \$814,000 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1893.

e This amount includes \$14,163,153 to carry out contracts authorized by law for river and harbor improvements.

f This amount is approximated.

g This amount includes \$14,149,724.85 for pensions for the fiscal year 1893.

h This amount includes \$7,674,332 for pensions for the fiscal year 1892.

i This amount includes \$2,653,000 in aid of the World's Columbian Exposition.

k This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and indefinite appropriations.

The Condition of the Treasury.

REMARKS

OF

HON. SERENO E. PAYNE,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893.

On House report No. 2621, submitted by Mr. SPRINGER, chairman of the Committee on Ways and Means, in reference to the condition of the Treasury.

Mr. PAYNE said:

Mr. SPEAKER: This report has been so recently filed that I have not had sufficient time to give the matter that thorough investigation which so important a subject involves. Our friends upon the other side were greatly troubled four years ago over a

surplus in the Treasury. The policy of the Democratic Administration had been to discontinue payments upon the public debt and to hoard the surplus revenues for purposes best known to themselves. We on this side believed that we had discovered the purpose when Mr. Cleveland's famous free-trade message opened with the statement: "A condition and not a theory confronts us." He then proceeded to elaborate the idea that the great accumulating surplus could only be relieved by a reduction of the tariff, and this was made the rallying cry of the Presidential campaign of 1888.

The Republican party in that campaign pointed out the fact that this accumulated surplus, about sixty millions of which was deposited in certain favored national banks, having the use of it without interest, was wholly unnecessary. That the proper, reasonable, and common-sense course was to apply whatever surplus the Treasury had to pay the national debt and stop the payment of interest. We also contended that the proper method of preventing an accumulation of surplus in the future was by revising the tariff, cutting down the revenue, and at the same time furnishing protection to American industries. The people rati-

fied the Republican idea in 1888 by electing a Republican President and Republican Congress in both branches.

The Republican Executive at once commenced the payment of the public debt with the surplus then in the Treasury, and in two years had paid \$259,000,000 of the principal. The Republican Congress revised the tariff. It greatly enlarged the free list so that about 55 per cent of our imports came in free of duty. This resulted in a great reduction of revenue. Upon sugar alone they took off \$60,000,000. They made the breakfast table free, and reduced the price of the poor man's sugar 2 cents per pound. Our idea was to produce no more revenue than was absolutely necessary for the support of the Government economically administered.

It is true that under the first year of the operation of the new tariff act the net reduction of revenues from customs was only about \$51,000,000. That we did not realize the full reduction was largely because of the natural increase of the revenue corresponding with the growth of the population, and more especially with the growth of the business interests of the country.

We also went carefully through the appropriations for the expenses of the Government, and authorized the payment of such moneys as seemed necessary. We built up the Navy. We extended postal facilities. We undertook great river and harbor improvements. We passed a great pension law which has carried light and hope into many a household of the old heroes of the greatest war in history. In a word, we looked after the general welfare of the people of the United States. Our Democratic friends immediately began to exaggerate the amount of the appropriations. They added to the annual appropriations of the Fifty-first Congress not only the permanent appropriations, and the payment of interest, but also the amount due the sinking fund year by year.

In this way they figured up a grand total in a few years of a few millions less than a billion dollars, and then we heard the hue and cry about the "billion dollar Congress." It resounded from every stump. We have heard it as a campaign cry. We have read it in every Democratic newspaper, and yet so far as my own observation is concerned I have never heard nor seen a criticism of a single item of appropriation made by the Fifty-first Congress, with the possible exception of the bounty on sugar. Our friends, the enemy, are very strong in generalization but very weak when it comes to matters of detail. No man can put his finger on a single dollar and point out "here is a dollar wasted or fraudulently appropriated by the Fifty-first Congress."

The Fifty-second Congress was organized on the principles of Democratic economy and reform. Its first utterance was the passage of the Holman resolution obligating that Congress to retrenchment in every way. So strong a feeling of retrenchment did this resolution bring into play that many a member had to be assured by the chairman of the Committee on Appropriations that this resolution would not cut off any appropriation for rivers and harbors improvement which a member might have in contemplation for his district.

As we look back upon that scene to-day it would almost seem as if the foster father of economy and reform had in his mind's eye at that very moment the appropriation of \$13,000 to raise the railroad embankment 2 or 3 miles away from the banks of the Great Miami, professedly to protect the navigation of the Ohio River, actually to aid the inhabitants of a small township in his own "deestrick."

The Fifty-second Congress is about to pass into history. We are ready to compare records with our Democratic friends. They have long since ceased to talk about a "billion-dollar Congress" and are now fixed in sad contemplation of one billion and forty millions in appropriations. There seems to have been no check on their extravagance. In the Fifty-first Congress, in the interest of economy, was initiated the method of building great public works by one entire contract, upon the inflexible rule that the work should be of great public necessity before such contract was authorized.

In the Fifty-second Congress the principle of entire contracts was extended to public works whose importance were both great and small, and we have a river and harbor bill which makes the Government liable for double the amount for rivers and harbors of any bill heretofore in the history of the Government. I only mention this as one of the items which have helped to increase the appropriations made by the Fifty-second Congress. It is true there may be a natural growth as the country grows, but I submit that the growth as averaged up by this Congress, when we consider how little has been appropriated for the building up of the Navy, fortifications, and other matters of great importance, is altogether abnormal and extravagant.

When we made the great reduction in the revenues in the Fifty-first Congress we did not fully anticipate what the Fifty-second Congress could do in the way of expenditures of the public money, and the result has been, if you compare payments month by month, that the receipts and disbursements of the

Government just about balance each other. But our friends on the other side have for some months been endeavoring to convince the country that the Treasury was bankrupt.

In the first place they were predicting bankruptcy on the 30th of June, 1893; but as that time approached and all signs pointed to a surplus on that date of at least \$21,000,000, over and above one hundred millions of gold reserve, it occurred to some of the brethren that it would be well to go into the future and see what could be accomplished by the way of predicting and prophesying a deficit on the 30th of June, 1894.

My friend from Missouri [Mr. DOCKERY] has tried his hand at this on different occasions, and I think he has almost persuaded himself into the belief that there will be a small deficit in 1894. But it has been left to the Ways and Means Committee to out-Herod the gentleman from Missouri in the way of prophecy. That committee started in to investigate the condition of the Treasury near the beginning of the present session of Congress. They have had statement after statement from the Secretary of the Treasury; have examined the Secretary and had the benefit of the statements of two of the Treasury experts, and finally within two hours of the adjournment they have presented a report in which they state that the deficit on the 30th of June, 1894, will, in their judgment, amount to thirty or forty millions of dollars. Although this report was not presented to the minority until the evening of the 3d instant, yet it does not require a very elaborate analysis to show that its conclusions are utterly without foundation.

The Secretary showed conclusively that the surplus over and above the gold reserve will be on the 30th of June next, in round numbers, \$21,000,000. The committee examined him orally, and an effort was made to show that this amount was too great. The Secretary did say that the estimate for internal revenue might be too high by two or three millions of dollars, and yet he stated that the receipts of internal revenue for the first seven months of that year, including the month of January, all indicated a revenue of \$168,000,000 from this source, the sum stated in the report. He said, however, that February showed no increase over February of a year ago, and hence they might fail to realize this full sum.

Of course, no one can say whether this failure to show an increase in February resulted from slack business, to be made up in subsequent months of the year, or from some other cause. But from the data we have, the indications are that the revenue from this source can not fall much below the \$168,000,000. From customs he estimates a revenue of \$198,000,000, and he states that this sum was liable to be increased \$3,000,000. If there is no disturbance in trade, and the imports for the remaining months of the year correspond with the imports of the eight months that are past, it is evident that the receipts from this source will amount to from two hundred and two to two hundred and five millions of dollars.

But the Secretary says that in any event, he believes that whatever failure there may be in internal revenue receipts will be made up by the increased receipts from customs, and that no deductions should be made from that estimate of receipts. It appears that in making up his estimates for expenditures that he anticipated that the Choctaw claim—about \$3,000,000—would not have to be paid until after the 30th of June in the year 1894. It is possible, however, that this payment may be made before June 30, 1893, and come in under the payments of this year.

In view of this fact the majority of the committee seem to have jumped at the conclusion that the balance of twenty-one millions (for convenience, I suppose, the majority of this committee have called this balance which lacks only about \$3,000 of the twenty-one millions, \$20,000,000), would be reduced to from fifteen to seventeen millions of dollars. That would be three millions on account of the Choctaw claim, and from one to three millions on account of the reduction of revenue.

But the majority of the committee evidently forget the fact testified to by the Secretary, and so apparent to every man of ordinary intelligence that whether the three millions is paid on the Choctaw claim in 1893 or 1894, it would make no difference in the final result on June 30, 1894, whether it is charged to one year or the other, so we have this starting point, a balance of \$21,000,000 on June 30, 1893.

The Secretary next gives his estimates for the expenditures and for the receipts in 1894. Of course, he bases his receipts upon estimates upon the present laws. No sane man would undertake at this time to predict what the Fifty-third Congress will do with the revenue laws or when they will undertake to do it. For the receipts from customs in 1894 he estimates \$210,000,000. When we consider that these receipts increased from \$179,000,000 in 1892 to \$200,000,000 and possibly \$205,000,000 in 1893, an increase of five or ten million dollars in 1894, over that of 1893, would seem to be altogether reasonable.

In fact at the same rate of increase it would not be surprising if the receipts from customs were two hundred and twenty millions

in 1894. Indeed, I believe that this result would follow were it not for the constant menace of the Democratic Executive and the Democratic Congress in both branches just about to be ushered in. But the majority of the committee do not seriously attack the estimate of the Secretary for receipts. His estimates of receipts and disbursements show an apparent surplus on June 30, 1894, of \$47,852,407.08. But he says, in a footnote to the report, that there may be charged against this surplus the amount of contract liabilities in the sum of \$40,297,037.89, and this the majority of the committee have very properly charged.

But the committee have gone out of their way to see if further reduction can be made. From the examination of the Secretary it appeared that his estimate of expenditures was based entirely upon what it will be necessary to expend, as he stated that this estimate, leaving out the matter of rivers and harbors for which estimates were usually made, was sufficient from year to year to cover the annual appropriation, as well as the appropriation for deficit, and that he believed that the estimate for 1894 would cover the entire expenditure, both the annual appropriation and the appropriation for deficit.

But the committee were not satisfied to let this rest upon the statement of the Secretary, and they called in the very accomplished clerk of the Committee on Appropriations, Mr. Courts, whose correctness and integrity is proverbial. They asked Mr. Courts to take the deficit for the past five years and make an estimate of the average for the five years; but when the committee look over the items of the deficiency appropriation they find that such an estimate is liable to be very misleading, from the fact that these deficiency appropriations varied greatly from year to year.

Take, for instance, the first year of the Fifty-first Congress, when we were obliged to appropriate for deficiencies that were purposely left over in the Fiftieth Congress, because they were cutting down appropriations that they might make a good showing for the Presidential election, and we found that these deficiency appropriations amounted to more than thirteen millions of dollars, while for the other four years it ranged each year at about eight and one-half millions of dollars, which seems to be a fair estimate for the deficiencies to be appropriated for in 1894. Then the majority of the committee took the evidence submitted before the Committee on Appropriations by the Commissioner of Pensions, Gen. Raum, to find out what would be the deficiency appropriation for pensions.

The Commissioner stated very clearly that, in his judgment, the one hundred and sixty-five millions already appropriated is sufficient for 1894, taking into view the fact of the change of the administration and the change in Commissioner. He says that during the first year after Gen. Black left the Pension Office there was a great falling off in the amount of work done, and he believes that his successor will be unable to continue the work of the office at the same rate as he would be able to were he to be continued. There is great force in this position, as subsequent history will undoubtedly prove. But he says that if he should himself continue he thinks seven millions would cover the entire deficit for pensions.

Not satisfied with this, the committee have again called upon Mr. Courts to take the pension deficiency year by year for the five past years and make an average. Again the utter worthlessness of such statistics is proven, because these deficiencies have varied all the way from seven millions in 1892 to nearly thirty millions in 1890. The higher figure was on account of the new law and the impossibility of knowing just what the results would be under the new law. It has now been in operation nearly three years, and the Commissioner, who has worked out with a great deal of mathematical precision the result a year in advance, says under no circumstances is the deficiency for pensions liable to go this year beyond what it was in 1892—\$7,000,000.

The committee also called on Mr. Courts to show what the difference was between the estimates of the Secretary and the annual appropriations for the past five years and give an average. This was done in answer to my question. Mr. Courts, not then having the figures, submitted the matter subsequently, and I had no opportunity to question him in reference to the figures. If I had had such opportunity I should have had him eliminate the matter of rivers and harbors—by which I mean the regular river and harbor bill, because it was well understood that there was to be no appropriation for rivers and harbors this year, beyond the contract system, which went into the sundry civil bill.

If Mr. Courts had eliminated the item of rivers and harbors—and I am finding no fault with him because his answer was strictly in reply to the question—we would find that the annual difference between the annual appropriations and the estimates, on the average, was \$10,000,000 below the estimates. A sum which you will see exceeds the regular average of the deficiency appropriations for each year. This matter will fully appear from

the minority report of the committee. Mr. Courts was also asked to make a statement of the miscellaneous appropriations for each of the five years and make an average of them, but a glance at the items will show that the average is utterly misleading, and yields no clue as to what the miscellaneous appropriations will be for the year 1894.

It will be seen that they have greatly decreased from upwards of ten millions in 1889 to a trifle over three millions in 1893, and every member of this House who has been a member of previous Congresses knows that this results from a settled policy inaugurated under the leadership of the distinguished chairman of the Committee on Appropriations in the Fifty-first Congress—Mr. Cannon of Illinois. This policy is to eliminate all appropriations from bills authorizing the construction of public buildings, light-houses, and the like. The three millions of appropriations in 1893 included an item of nearly two millions for the World's Fair.

The appropriation for the World's Fair in 1894 is on the sundry civil bill, and there does not appear a dollar of it in miscellaneous appropriations. It is difficult to see how this item can reach a million and a half, certainly not two millions, to be charged to miscellaneous appropriations. But the majority of the committee have stated that it is liable to be \$7,000,000. Mr. Courts also made a table showing the estimates of the Department and the amount carried in the appropriation bills as they then stood (this statement was made about the 1st day of this month) and also showing the various stages of the bills. Most of them had passed both Houses, were in conference, or had become laws. This statement showed that the estimates exceeded the appropriations by nearly \$8,000,000.

But the sundry civil bill was afterwards cut down nearly \$3,000,000, including \$570,000 to be returned by the World's Fair Commission on the 1st of October, next. So that the estimates exceeded the appropriations by nearly \$11,000,000 for the year 1894, the committee also seek to add the \$16,000,000 for the payment of contracts under the river and harbor bill of last year, as an item of deficiency for 1894, but they well know that the \$14,000,000 of this item, which includes all that will be paid in 1894, is included in the sundry civil bill, as it has passed the Senate, and as a part of the items made up by Mr. Courts. Yet with this item added, all of the annual appropriations fall short of the estimates by over \$10,000,000. Fairness should have required that they state this fact in their report. Taking these premises, we make the following summary:

| | |
|--|----------------------|
| Apparent balance as appears from the Secretary's report..... | \$47,852,407.08 |
| Appropriations less than estimates..... | 7,797,526.68 |
| Reduction in sundry civil as finally passed..... | 2,233,164.51 |
| Amount for World's Fair in sundry civil, to be returned October 1, 1893..... | 570,880.00 |
| Making a total of..... | 58,453,978.27 |
| Against the above should be charged the amount of contract liabilities..... | 40,297,037.89 |
| Deficit, average per year, past four years..... | 8,481,356.00 |
| Pension deficiency..... | 7,000,000.00 |
| Miscellaneous appropriations..... | 2,000,000.00 |
| Total..... | 57,760,393.89 |

It is difficult for me to understand why the majority of the committee, with the evidence all before them, should undertake to swell the aggregate and to induce the country to believe that there is any danger whatever of a deficiency of thirty or forty millions of dollars on June 30, 1894. But for some reason best known to themselves they have gone a step further. They have requested a statement from the Secretary of the Treasury showing what will be the apparent condition of the Treasury if the sinking fund had been carried for the past two years with the several items due it, with the old form of statement of the public debt, and seek to show that if this had been done there will be a probable deficit of \$116,000,000. Yet no one pretends that if this item of bookkeeping had appeared as they desired to have it, there would not still be the same surplus in the Treasury as exists to-day—a surplus that seems to be adequate to meet all payments from the Treasury due from day to day.

What purpose have you gentlemen on the other side, what object in making an apparent deficit in the Treasury, when you know that it gives a false appearance to the real facts? By the reported retirement of bonds, up to the time they ceased to credit the sinking fund, there has been a credit to this fund of nearly a billion dollars. Why do you not ask the Secretary to place this credit of a billion dollars on the other side of the ledger? Then the Treasury will show a surplus due from the sinking fund to the Treasury of \$800,000,000, more or less, and thus

falsely provide an apparent surplus of \$800,000,000. One method is just as legitimate as the other.

You gentleman very well know that the only way to have credited the amount due to the sinking fund, according to your theory from year to year, to have met this amount which you claim to be due the sinking fund of \$116,000,000, would be to have collected from the people this \$116,000,000, and retired that amount of bonds. Is this the programme of the Democratic party? Do you propose to increase taxation to the extent of fifty millions a year to pay bonds in order to keep, as you say, the sinking fund good? If that is true, it is time the country understood it.

Your battle cry in 1892 was reduction of taxation, and upon your advent into power do you now say that you propose to increase taxation for the purpose of paying six hundred millions of national bonds which no one desires to pay and retire? Why do you make these statements? Why do you parade this ghost of a sinking-fund liability before the people of the country? Are you trying to frighten the people with the shadow of a deficit? Or have you abandoned your position of 1892? Can it be possible that the policy of free trade does not appear as clearly to your vision as it did when you met in Chicago last year, or have you in view the taxation of the laboring man's breakfast table and do you propose to put a tax on tea and coffee and sugar? Are you trying to work this alleged deficit as a cover for your purpose?

These various attempts to throw discredit upon the condition of the national Treasury and create a panic and alarm among the people have some object in view. If you desire to present the real condition of the Treasury, why not confine yourselves to the facts and figures as brought out on the examination of the Secretary? Why bring up the ghost of a sinking fund? Alas, it is the same old Democratic party masquerading under false colors.

A few years ago it was a surplus. That was the great curse to the Government, breeding extravagance, corruption, and fraud, and now it is a deficit that is conjured up—a sort of a nightmare of the body politic. You have so often deceived the people with false pretenses that you think they will always slumber; but you ought to know that you will be held to a strict accountability. You can not hide behind a system of rules which prevent you from doing business. You will be obliged to adopt a system of rules under which you can act. You must put your theories into laws. The Fifty-first Congress demonstrated to the people the fact that the majority can and should rule in Congress. They can enact such laws as they desire. You must come out into the open. You can no longer hide behind an adverse majority in the Senate. The whole responsibility is yours. Dare you put your theories into practice?

Pension Legislation.

SPEECH

OF

HON. AUGUSTUS N. MARTIN,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893,

On the extent and character of pension legislation during the Fifty-second Congress.

Mr. MARTIN said:

Mr. SPEAKER: I avail myself of the opportunity given by leave of the House to place in the RECORD a statement intended to be a résumé of the business transacted by the Committee on Invalid Pensions, of which I have had the honor to be the chairman during the Fifty-second Congress. My relations with the gentlemen composing that committee have been very pleasant indeed, and the relations of that committee with the Speaker of the House have been equally pleasant. Without meaning to indulge in any word of adulation, I desire to say that the Speaker of the House in the Fifty-second Congress treated every request made of him by the Committee on Invalid Pensions with the greatest respect, and I know that he intended never to deny us a hearing upon any matter where it was in his power to grant us what we asked.

A glance through the pages of the Calendar of the 3d of March, 1893, will show a list of bills from the different committees of this House with favorable reports, which is simply wonderful in its extent, wherein no action was ever had. It is not my purpose to indulge in remarks at length upon this line of thought, but merely to refer to it in connection with the fact

that about seventy-five bills reported from the Committee on Invalid Pensions appear upon that Calendar of bills, which reached there simply to die. The committee to which I have just referred first met in session on the 8th of January, 1892, and closed its sessions on the 3d of March, 1893, having had seventy-six meetings, at all of which except five a quorum was present.

I desire to call attention to the fact that a record has been made for the first time, I believe, in the history of that committee as to the merits or demerits of almost every bill of a private character referred to it. This record is based upon the evidence as furnished to the committee from the Pension Bureau, and future Congresses can readily ascertain by a visit to the records of that committee the history of each one of these bills and the essential facts upon which it is supposed to be based. If the members of future Congresses choose to inquire into these facts before introducing a bill which has been before the committee during the Fifty-second Congress, they will readily ascertain whether it will be of any use to do so. I think I am safe in saying that the record books of the committee which has just closed its labors give this data in more than one thousand eight hundred different cases, and it is in such form as can and will be preserved for the use of Congress in the future, and, I think, will be found to be of very substantial value.

Without attempting to give each one of the rules, so called, which have guided the deliberations of the committee in the consideration of the different private bills which came before us, nor attempting to state precedents for future action, I feel that it will be well to refer to some of them, in order that they may be in the RECORD. One rule is never to recommend the passage of a bill for a beneficiary who has a claim pending in the regular way, under the law, in the Pension Office and not yet adjudicated.

It has been the feeling and rule of the Committee on Invalid Pensions never to interfere with the jurisdiction of the Pension Bureau so long as means of relief are open to the applicant in the regular way under the general law.

Another rule we have observed is this: Never in any bill originating in the House to make a favorable report granting a pension to a person who had never been mustered into the military service, unless the evidence showed that he had been wounded or injured in battle while actually performing the duties of a soldier; and where the person so serving was killed, then the proper relief was to be extended to those who, under the general law, would have been entitled to relief had he been a regularly enlisted soldier. Another rule that this committee adopted for the first time in the history of Congress was to refuse to recommend increases of pensions of the widows of officers, unless the circumstances were such as would have justified an increase of the widow's pension regardless of the rank of her deceased husband. This committee felt that these increases of the pensions of widows who were already drawing generous amounts awarded them under the general laws had grown into an abuse, and therefore we adopted the rule to which I have referred and adhered to it strictly.

As chairman of this committee, in order to emphasize the rule to which I have just referred, I made an adverse report on one bill which sought to increase the pension of the widow of an officer from the \$30 which she was already drawing under the general law to a much larger amount. This report will be found in the record of the Fifty-second Congress, and therefore need not be set out in these remarks. It will be impossible for me to go into a statement of every rule which governed the deliberations of this committee, and therefore I will content myself with this brief reference to the three I have mentioned.

The House of Representatives referred to the Committee on Invalid Pensions during the Fifty-second Congress ninety-nine bills of a general character, originating in the House of Representatives, many of which practically covered the same ideas and were substantially duplicates. Of these general bills eight were favorably reported to the House by this committee, namely:

A bill (H. R. 6881) relating to the prosecution of claims in the Pension Bureau and to compel the officers of that Bureau to allow each applicant or his attorney to have access to every paper filed in the case, and every record or certificate which had any bearing upon its decision. This bill passed the House of Representatives on the 28th day of June, 1892, but died in the Senate. Also the bill (H. R. 5686) to establish an intermediate rate of \$50 per month for a certain degree of disability, which passed both the House and the Senate and is now a law. Also the bill (H. R. 5757) providing that no distinction should be made in the weight of testimony in any pension claim merely on account of rank or want of rank; in other words, directing the adjudicating officers not to esteem the testimony of a private soldier of less weight than that of an officer merely because of rank. This bill passed the House, but died in the Senate. Also the bill

(H. R. 5951) to amend the general pension law of June 27, 1890, so as to include the widows of soldiers who died in the service, but not technically in the line of duty, and to include permanently helpless children regardless of their age at the date of filing application. This bill was pretty well considered by the House on June 28, 1892; but a quorum not appearing it was withdrawn and was never reached again for consideration. Also, the bill (H. R. 7217) to restore to the pension roll the names of widows who, while drawing a pension, had remarried and thus forfeited the pension, but whose husbands had subsequently died, leaving them in penury. This bill was not reached for consideration simply for want of time. Also, the bill (H. R. 7294) to grant pensions to army nurses who had actually served six months or more in the nursing of sick soldiers in either field or general hospitals, and who are now unable to support themselves. This bill passed the House, and then the Senate, and is now a law. The passage of this bill eliminated the further consideration of a large number of private bills which had been introduced to grant pensions to army nurses. Also, the bill (H. R. 2713) to allow the perfection of informal declarations for pensions without compelling the applicants to go to the expense and trouble of preparing and filing new applications. This bill passed both branches of Congress and is now a law. Also, the bill (H. R. 7554) to authorize the Pension Bureau to grant pensions to certain battalions of Kentucky State militia which had rendered actual service in the war for the Union. This bill was reported at the short session, but was never reached for consideration.

Of the general bills originating in the House and referred to this committee, two were adversely reported; one of them was the bill H. R. 3935, which was intended to take away the pensions granted under the general law where the beneficiaries are now residing abroad. The committee in its report gave its reasons at length why they felt that such a course of procedure was not just, and they need not be here repeated. Also, the bill (H. R. 5123) providing that the pensions of all members of soldiers' homes should be taken away from them and turned into a fund for the erection of othersuch homes. The reasons given by the committee will appear at length in the report accompanying that bill, and it seems to me they were entirely just.

The House received from the Senate and referred to this committee five general bills, of which the bill (S. 2137) extending the pension laws to certain men who had first served in the Confederate army and subsequently enlisted in the United States Navy was favorably reported and passed the House and is now a law. Also the bill (S. 349) to establish a rate of \$40 per month for total deafness, which was favorably reported by the House Committee, but consideration of which was never reached.

Various other bills of a general character were considered from time to time by the Committee on Invalid Pensions, but a conclusion was never reached. The committee gave an audience to every person or committee asking for a hearing upon any bill, public or private, and no one was denied the opportunity to express views in relation thereto. The committee also acted upon the bill (S. 1907) to amend the act of June 27, 1890, of a similar character to the bill (H. R. 5951) referred to above, the latter being substituted for the former, with a favorable report. The committee also favorably considered a bill (S. 1910) to establish an intermediate rate of pension of \$50 per month, covered by House bill 5686, above referred to, the latter being substituted by the committee for the former, with a favorable report, and now being a law of the land.

Twenty-one hundred private pension bills introduced in the House were referred to the Committee on Invalid Pensions, and also 82 bills of a similar character which had been passed by the Senate and sent to the House.

The entire number of reports made to the House by the Committee on Invalid Pensions on all bills, private and public, was 257, of which 227 were favorable and 30 were adverse. Of the 82 Senate bills referred to that committee, 36 were favorably reported, and 20 adversely, as being in violation of certain rules of procedure adopted by the committee of the House, many of them being bills to increase the pensions of officers' widows and based solely on the ground of rank.

Of the reports made on House bills alone 191 were favorable and 10 were adverse. These figures include both private and general bills. In making this statement I desire to say that the mere number reported upon favorably or adversely does not include all of the bills considered by the committee, for in point of fact nearly all of these bills bear the mark of the committee in the record made upon them, to which I have before alluded. It is safe to say that more than 90 per cent of the 2,200 private bills before this committee received actual consideration in some shape or another, and concerning them a record has been made which will be found of great value in future Congresses, if any of these bills shall be again introduced.

The Fifty-second Congress enacted into law 319 private bills, of which 211 were pensions or increase of pensions, and of this number 128 were reported favorably by the Committee on Invalid Pensions, while the other 83 were reported from the Committee on Pensions. It is well for me here now to place in the RECORD, in order to be understood by persons not familiar with the rules of the House, that the Committee on Invalid Pensions has jurisdiction only of bills growing out of the late civil war, while the Committee on Pensions has jurisdiction of bills growing out of all the other wars of this country.

Amongst other things, the Committee on Invalid Pensions did what perhaps has never been done before, namely, reported favorably two bills repealing former private pension acts which had been secured by fraud, as reported by the Secretary of the Interior, under section 4720 of the Revised Statutes of the United States.

These bills were not reached for want of time, and perished, so far as this Congress is concerned, as a part of the seventy-five bills to which I have referred as having died on the Calendar.

I desire to now incorporate as a part of my remarks, a table showing the number of bills referred to each member of the committee as a subcommittee upon which his own individual action became necessary before consideration of the same would come regularly before the committee. This is the table:

Table showing the number of bills referred to each member of the Committee on Invalid Pensions as a subcommittee.

| Referred to— | Bills referred. | | | Reports. | | | | | | | | | Total re-ports. |
|-------------------|-----------------|----------|---------|------------|----------|---------|----------|----------|---------|-----|--|--|-----------------|
| | | | | Favorable. | | | Adverse. | | | | | | |
| | H. R. | Sen-ate. | To-tal. | H. R. | Sen-ate. | To-tal. | H. R. | Sen-ate. | To-tal. | | | | |
| Mr. Martin..... | 335 | 16 | 351 | 29 | 13 | 42 | 1 | 1 | 2 | 44 | | | |
| Mr. McKinney..... | 94 | 17 | 111 | 14 | 4 | 18 | | 6 | 6 | 24 | | | |
| Mr. Fyan..... | 164 | 2 | 166 | | | | | | | | | | |
| Mr. Van Horn..... | 130 | 2 | 132 | 14 | 1 | 15 | 1 | | 1 | 16 | | | |
| Mr. Snow..... | 183 | 1 | 184 | 18 | 1 | 19 | 2 | 1 | 3 | 22 | | | |
| Mr. Kribbs..... | 72 | 3 | 75 | 11 | 2 | 13 | 1 | 1 | 2 | 15 | | | |
| Mr. Pearson..... | 192 | 2 | 194 | 16 | 1 | 17 | | | | 17 | | | |
| Mr. Harries..... | 43 | 16 | 59 | 12 | 5 | 17 | | 5 | 5 | 22 | | | |
| Mr. McDonald..... | 66 | 1 | 67 | 1 | | 1 | | | | 1 | | | |
| Mr. Cadmus..... | 215 | 5 | 220 | 36 | 3 | 39 | 2 | 1 | 3 | 42 | | | |
| Mr. Butler..... | 66 | 9 | 75 | 13 | 2 | 15 | 1 | 3 | 4 | 19 | | | |
| Mr. Flick..... | 306 | | 306 | 2 | | 2 | | | | 2 | | | |
| Mr. Taylor..... | 137 | 3 | 140 | 20 | 2 | 22 | 2 | | 2 | 24 | | | |
| Mr. Curtis..... | 36 | 4 | 40 | 4 | 1 | 5 | | 2 | 2 | 7 | | | |
| Mr. Jolley..... | 61 | 1 | 62 | 1 | 1 | 2 | | | | 2 | | | |
| Mr. Robinson..... | | | | | | | | | | | | | |
| Total..... | 2,100 | 82 | 2,182 | 191 | 36 | 227 | 10 | 20 | 30 | 257 | | | |

Mr. Fyan was an invalid during the entire Congress. Mr. McDonald died before the beginning of the second session, and Mr. CADMUS was appointed to fill the vacancy.

It may be of some interest to state the different characters of the bills introduced. Of these 2,100 private pension bills introduced by members of the House and referred to the Committee on Invalid Pensions 320 were to pension civilian employes of the Government, or members of the State militia, or other persons not regularly mustered into the military service; 110 to grant pensions to mothers of deceased soldiers; 3 to increase the pensions of mothers; 22 to grant pensions to the fathers of deceased soldiers; 4 to increase the pensions of fathers; 103 to grant pensions to permanently helpless children now over 16 years of age; 28 to grant pensions to stepmothers or foster-mothers; 2 to grant pensions to stepfathers; 30 for the benefit of sisters; 1 for the benefit of a brother; 91 to pension army nurses; 5 to increase the pensions of army nurses; 24 to pension the soldiers or widows of soldiers who had deserted or had been dishonorably discharged; 104 to grant pensions to women who had once been widows of soldiers and then remarried husbands who had subsequently died leaving them in poverty; 18 to pension women who had never been legally married to the soldier or who had been divorced from him; 54 to pay accrued pensions to representatives of the deceased pensioner; 65 to allow pensions, naming no specified rate, to persons already pensioned, the passage of which would have been utterly useless; 7 granting a pension at precisely the same rate the pensioner is now drawing, the passage of which would have likewise been useless; 1 to grant a pension to the pensioner at a less rate than he is already drawing; 37 to pension soldiers or widows of soldiers who had served less than ninety days, and were, therefore, not entitled to the benefits of the act of June 27, 1890; 16 to pension soldiers whose claims had been rejected on the ground that they are not disabled in a pensionable degree from any cause; 332 to increase the pensions of soldiers already pensioned; 102 to increase the pensions of widows already on the pension roll; 146 containing no sufficient data to identify the claims in the Pen-

sion Bureau, and consideration of which could not be had by the committee at all; 131 to pension persons whose claims were already pending in the Pension Bureau, but not yet adjudicated; 117 of which this committee had no jurisdiction, they having been improperly referred, and which were reported back to the House to send to the committee having jurisdiction; and, strange to say, about 100 which were duplicates of other bills constituting a part of the 2,100.

I shall add but little further, as I intended this statement to embody none of the elements of a speech, but a simple recital of committee work. I will say, however, that the Committee on Invalid Pensions properly and successfully opposed the attempt by another committee of this House to take charge of matters belonging to our jurisdiction.

The facts in relation to this will be found in the CONGRESSIONAL RECORD during the consideration of the general pension appropriation bill.

I am proud to say that the House of Representatives sustained the Committee on Invalid Pensions in resisting proposed pension legislation on an appropriation bill.

In closing, I only add that I am glad indeed that the record of the Committee on Invalid Pensions in the Fifty-second Congress will show that no man, woman, or child was deprived of an existing and just pension by any act of ours.

Imperfect as our record may have been in that we were not able to accomplish all we sought, we agreed to no act or bill that could injure the sacred rights of the victims of war.

Balance of Trade, the Master Wheel of Finance—The Way to Keep Our Gold at Home—The Danger of a Panic—The Silver Problem.

SPEECH

OF

HON. JOSEPH D. TAYLOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893,

On the bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

Mr. JOSEPH D. TAYLOR said:

Mr. SPEAKER: There is no disguising the fact that there is a growing uneasiness among business men in regard to the financial condition of the country. The possibility of a deficit in the Treasury has created some alarm, but the most serious apprehension has been created by the large exportations of gold. Large quantities of gold have gone out of the United States Treasury, and out of the country. I have no fears whatever of a deficit in the Treasury, but I have grave fears that these large exportations of gold will continue. There is a great diversity of opinion in regard to the cause of this outflow of gold, but the general opinion among recognized financiers is that the purchase by the Government of 4,500,000 ounces of silver per month is the real cause.

In the discussions which have taken place in Congress during the present session, this seems to be the only phase that has been considered. In my judgment, these monthly purchases of silver have very little to do with the present critical condition of the country, though it entails a great burden upon it. The national debt has grown so small that the country can afford to pay a bounty to the silver miners as long as our present revenue laws remain unchanged, but we can not do this under a revenue tariff.

The fact that the United States Treasury has lost twenty millions of gold in the last two months will not seriously affect the financial condition of the country while we have a hundred millions in the Treasury and six hundred millions in the country, but a change in our revenue laws may diminish our stock of gold and seriously affect our finances.

The fifty millions of gold which the United States has lost within the last year were not driven out of the country by the Sherman act, which requires this monthly purchase of silver. The greater part of this gold went out of the country at the time the free coinage of silver was agitated and demanded by a large proportion of the people of this country, and after the defeat of this measure the exportation of gold ceased, and was only renewed after the election of a Democratic President.

It is true that President Cleveland is not only opposed to the free coinage of silver, but he is in favor of repealing the Sher-

man act and against the purchase and coinage of any more silver, and yet his election was followed by a large reduction of the gold in the Treasury and by large exportations of gold, showing, as I think, that this changed condition in the finances of the country is owing altogether to a cause which has not been referred to in any of the discussions which have taken place on this floor during this session.

The real cause of the financial troubles which confront us at the present time is the apprehension that the McKinley tariff will be repealed and a revenue tariff substituted in its place. I am entirely satisfied that a continuation of our present protective tariff would enable us to consume and add to the circulating medium of the country four and one-half million ounces of silver per month, although it might be necessary to so modify the Sherman act as to make silver available for a larger use than at present. I think the rapidly increasing population and the increasing business of the country require that we should use and add to our circulating medium all the silver which the American mines produce, and this can be done only in case we preserve our protective tariff, as I shall hereafter explain.

The real cause of alarm and the real danger lies in the fact that the Democratic party proposes to return to a strictly revenue tariff. If any one is in doubt as to the future policy of the Democratic party in this direction I call his attention to a recent article in the January number of the North American Review, written by the Hon. WILLIAM M. SPRINGER, chairman of the Ways and Means Committee, in which he states that the result of the last Presidential election means a substantial restoration of the Walker revenue tariff of 1846, and he quotes and approves three of its essential principles: First, That no more money shall be collected than is necessary for the wants of the Government, economically administered. Second, That no duty shall be imposed on any article above the lowest rate which will yield the largest amount of revenue. Third, That all specific duties shall be abolished and a valorem duties substituted in their place. He says that the new tariff is to be bottomed on these principles. And this interpretation of the Democratic position is corroborated by an article in the Forum by the Hon. David A. Wells, a recognized authority among Democrats on all questions touching revenue reform.

The apprehension that this line of policy will be pursued by the Democratic party has completely unsettled the financial condition of this and other countries. And I want to lay down this principle, that in this country the inevitable result of a revenue tariff is to turn the balance of trade against the United States and send gold out of the country. Whenever we have a revenue tariff our imports are greater than our exports, our sales are less than our purchases. This has been the history of our commerce for a hundred years, and has only been reversed when war or want in foreign countries temporarily increased our exports.

Laws in relation to silver and gold are important. Laws in relation to commerce and trade are important, but no law has ever been placed upon the statute book that can secure prosperity to a country so long as the balance of trade is against it. If a man purchases more than he sells in any business, if his expenditures are greater than his receipts, it is only a matter of time when his resources will be exhausted. The same is true of a nation. If in its commercial transactions with the world its people buy more than they sell, their resources will be exhausted. This is the inevitable law of trade.

The Hon. H. H. Gibbs, ex-governor of the Bank of England, in the January number of the Forum, uses this language:

Directly speaking, nothing will take money metal from a country but the balance of trade. If the value of exports of purchasable commodities does not equal the value of the imports, specie, which is stored commodity, is exported to rectify the balance.

This balance must be paid in gold, because it is the only kind of money known in the world's commerce. Under existing tariff laws, in the last fiscal year, we sold to other countries \$200,000,000 worth of merchandise more than we bought, and hence the balance of trade was in our favor to this amount. This balance of trade would have added to our stock of gold in the last fiscal year \$200,000,000 had it not been for the fact that we are indebted to Europeans twelve or fifteen hundred million dollars, and it required one-half of this two hundred millions to pay the interest that we owed on this enormous foreign indebtedness.

Besides this, the money we pay to foreign ships for carrying our merchandise would probably increase this expenditure to at least \$150,000,000, which would only leave us a net balance of fifty million as an increase in our stock of gold. The money carried abroad by Americans who travel in foreign countries is largely compensated by foreigners who travel in this country and by immigrants who come to this country to make their home. So that while the balance of trade was \$200,000,000 in our favor last year, the real balance to be settled by the payment

of gold would not exceed \$50,000,000; and if this amount of American securities should be returned to this country for sale our stock of gold would not be increased at all.

In the face of our indebtedness to foreign countries and the necessity of a favorable balance in our commerce, the Democrats insist on restoring the revenue tariff that we had from 1846 to 1861, and point to it as the golden era of this country. I will admit, Mr. Speaker, that during a part of this period the country had apparent prosperity; but whatever prosperity we had was owing to the Crimean war, which for a time made a great market for American products, and the discovery of gold in California. And I want to call the attention of the House to the fact that the mines of California yielded, during the existence of the Walker revenue tariff, between 1846 and 1861, \$654,800,000 of gold.

This is more gold than we have in the United States to-day. It is more gold than any other country has to-day, except France. It is more gold than any other country ever took from its mines in four hundred years. This gold was the product of our own mines, and it ought to have made us, in 1861, the wealthiest country in the world, but instead of this our Treasury was empty and our country was bankrupt, simply because during this period between 1846 and 1861 our imports were so much greater than our exports that this gold was carried out of the country to purchase foreign goods and pay foreign debts, goods which we ought to have produced and which we are now producing in this country. If Mr. Gibbs is right in his declaration, that the balance of trade is the only thing that can send gold out of a country, it is certainly important that this view of our revenue laws should be carefully considered.

The resources of the United States have always been greater than the resources of any other country on the face of the globe, and yet the United States has always been poor. Our people have always suffered from want of money, and have been compelled to borrow money to develop our resources.

Why is this? It seems to me that the answer is found in the condition of our revenue laws. In the one hundred and six years of our national history the balance of trade has been in our favor only thirty-three years. It has been against us seventy-three years. The balance of trade has been against us forty years more than it has been in our favor. But in the last nineteen years the balance of trade has been against us in only two years (in the years 1888 and 1889), while in the first eighty-seven years of our country's history the balance of trade was in our favor only sixteen years. During the fifteen years of the Walker revenue tariff the balance of trade was against us twelve years, and it would have been against us the other three years had it not been for the Crimean war.

Our Democratic brethren are in the habit of pointing to Great Britain as an example of the prosperity which a country can have under a purely revenue tariff. Great Britain is increasing in wealth, but the United States is increasing in wealth more rapidly under a protective tariff than Great Britain is under a revenue tariff; and I wish to call the attention of the House to two important facts. One is that the balance of trade during the last fiscal year between Great Britain and the United States was in our favor \$260,000,000. This shows that with a protective tariff we sold to Great Britain alone in a single year \$260,000,000 worth of merchandise more than Great Britain sold to us. We have a protective tariff, while Great Britain has a revenue tariff, but unfortunately we lost a great deal of this in our commerce with South America and other countries where we always purchase a great deal more than we sell.

The other fact to which I wish to call the attention of the House is that Great Britain, in her commerce with the world, always purchases several hundred million dollars worth of merchandise more than she sells, and the balance of trade between Great Britain and the rest of the world is always largely against Great Britain. This is the outgrowth and result of a revenue tariff, and it will be our experience if we adopt a revenue tariff. Great Britain can prosper under a revenue tariff, with this enormous balance of trade against her, because she is the creditor nation of the world, and does a large part of the world's carrying trade. What Great Britain loses by the balance of trade being against her is more than made up by the money she receives as interest on the money she has loaned to other countries, and by the money she receives from her carrying trade.

This, as I have said before, is the inevitable result of a revenue tariff, and while England can afford this annual drain from her revenues, a like condition would impoverish the American people and bankrupt the American Government.

And while I am speaking of the balance of trade, I wish to make the further statement that the amount of revenue which the Government collects has very little to do with the balance of trade. The average rate of duty on imports has very little to do with the balance of trade unless it is high enough to protect.

The great secret of protection lies in providing as large a free list as possible, and as high a rate of duty as is necessary to encourage American production. The average duty on imports under the McKinley bill is about the same as the average duty on imports during the existence of the Walker tariff, but the effect of the Walker tariff was to increase our imports beyond our exports, while the effect of the McKinley tariff is to increase American production and lessen our imports, so that the balance of trade is in our favor.

I desire to say, Mr. Speaker, that I do not understand how we can have any degree of prosperity in this country, under existing circumstances, if we change from a protective tariff to a revenue tariff. We are a debit nation. Great Britain is a credit nation. Great Britain can prosper under a revenue tariff, but we can not as long as we are so largely indebted to Europe. If the balance of trade should be largely against us during the next few years our present stock of gold will disappear. The interest we owe on our foreign indebtedness must be paid in gold. Europeans hold our State bonds, our county bonds, our railroad bonds, and all manner of American securities, and they are all payable in gold; and the holders of these securities will become nervous and will return them to American markets when they find that our stock of gold is diminishing.

Our financial system and the financial system of the entire world is based on credit. The United States Treasury would lose all its gold in thirty days if a panic should create a demand for gold which would make it sell at a premium. There are in the hands of the people of this country \$346,000,000 of greenbacks, all of which must be paid in gold when presented at the United States Treasury, and, of course, all the gold in the Treasury would not redeem one-third of the outstanding greenbacks.

Our European creditors could carry out of the United States all of our \$600,000,000 of gold if they saw proper. If they should lose confidence in this country's ability to pay its debts in gold they would return our securities and sell them in our markets regardless of price and convert them into gold. They hold an amount of American securities twice as great as all the gold in the United States, and while these securities are not due or payable at this time, they can be returned to this country and sold at their market price, payable in gold.

The same is true of the banks. No bank pretends to be able to pay all of its depositors on demand in case all the depositors should demand their money at the same time. If a bank were required to do this, it would never take money on deposit.

The great question in American finance is to keep our credit good, to meet every obligation to our own people as well as every obligation to our foreign creditors, no matter what the consequences may be. This is the only wise and safe policy, and this can only be done by so framing our revenue laws that the balance of trade in our commerce with the world will be in our favor, in order that the necessary amount of gold will be derived from this source.

And hence it is, Mr. Speaker, that I am of the opinion that there would be no great need of repealing the Sherman act at the present time if we had the assurance that our present revenue laws would be retained and the present balance of trade continued in our favor.

I think the Sherman act ought to be so modified that we can safely utilize the entire product of the American silver mines, but not so modified as to prevent an increase in our medium of circulation. If the balance of trade is to be against this country we will be compelled not only to repeal the Sherman act, but we may be compelled to put on the market every dollar of silver in the vaults of the United States Treasury in order to meet our obligations and maintain our credit.

I can understand, Mr. Speaker, how a monometallist can be in favor of a revenue tariff, but I can not understand how a man who is in favor of the free coinage of silver can be in favor of a revenue tariff. The success of the one is necessarily the failure of the other. We must either have a protective system or we will lose our bimetallic system and go down to the level of Mexico, and China, and India, where only a silver standard is known.

And while I am discussing our financial condition in relation to the balance of trade I wish to call attention to another thing that ought not to be overlooked by the incoming Administration or by the incoming Congress. In the one hundred and six years of our national history we have had four great wars and four great panics, and while the panics were not the results of the wars, the effects of the panics were about as disastrous as the effects of the wars, save the sacrifice of human life.

I wish to spend a moment in calling attention to what seems to have been the cause of these panics. The first great panic was in 1819, the second in 1837, the third in 1857, and the fourth in 1873. I think, Mr. Speaker, it is fair to infer that these panics were largely the results of the great changes in our revenue system. They all followed a large reduction of duties on imports.

In 1818 the average duty on imports was reduced from 34 per cent to 21 per cent (a reduction of 13 per cent), and the panic of 1819 followed. Between 1830 and 1837 the average rate of duty on imports was reduced from 45 per cent to 14 per cent (a reduction of 31 per cent), and the panic of 1837 followed. Between 1846 and 1857 the average duty on imports was reduced from 29 per cent to 17 per cent (a reduction of 12 per cent), and the panic of 1857 followed. Between 1868 and 1873 the average duty on imports was reduced from 47 per cent to 27 per cent (a reduction of 20 per cent), and the panic of 1873 followed.

In the face of these historic facts, which no one will dare to controvert, who will undertake to say that the substitution of a revenue tariff for our present protective system will not be followed by a like panic, with all the terrible consequences which financial distress and bankruptcy bring to a country like ours?

The record of 1873 is not so remote as to be forgotten by the Democratic party that is so soon to come into the possession of all the branches of this great Government, and a sudden transition from one extreme to another should be carefully avoided.

The protective system has built up great industries and furnished employment to millions of men, and this system should not be exchanged for a system which will put out the fires in our great factories and take away the employment which now gives liberal compensation to our people.

I have taken this much time, Mr. Speaker, for the purpose of calling attention to this view of our financial condition, because it is a view which has not been considered as I think it ought to be. I regard the balance of trade as the turning point in this great question, the only solution of this great problem.

At the close of the war, as well as at the beginning of the war, we had very little gold or silver in this country, and no paper money redeemable in gold or silver, while we now have \$2,200,000,000 of good money, every dollar of it as good as gold, good in this country and abroad, good all over the world; and we have acquired most of it under our protective system during the last nineteen years, since we so framed our tariff laws that the balance of trade has been almost constantly in our favor, bringing to our shores not only millions of immigrants, but hundreds of millions of gold.

And, if I am right in these views in regard to the source of our prosperity, it seems to me that this balance of trade should be the guiding star of the American Congress in all the changes and reforms they propose to make in our revenue system. We should be patriotic rather than partisan, and I sincerely hope that the Democratic party will so manage the affairs of this country that the promises which they have made to the people will be redeemed. I do not believe in their theory of revenue reform. But if it shall turn out that they are right and I am wrong, no one will welcome the change more than I shall.

If it be true, as the Democrats insist, that placing wool on the free list will give to the farmer a higher price for his wool and to the great mass of the people cheaper clothing, if it will accomplish both of these results, we certainly should welcome the change. I do not expect such a result, but I anxiously await the experiment, which is soon to be tried.

Mr. Wells, in his recent article on revenue reform, insists that the wool tariff of 1867 brought disaster to the wool-growers of the country. I think the farmers would be willing to welcome its return, but if placing wool on the free list will give the farmers higher prices for their wool and greater prosperity to their industry, they will gladly welcome the change.

During the past thirty years the Democratic party of this country has been making promises and pledges to the American people. They have been complaining of the defects and errors of Republican rule and foretelling the blessings which their policy will bring to the country, and now for the first time in thirty years they are in complete control of the Government, and the people are on tiptoe waiting and watching for the dawn of that great prosperity the Democratic party has been so long depicting and predicting.

If, on the contrary, a change in our revenue system shall turn the balance of trade against the United States, and thereby cause foreign countries to send their American securities home and carry our gold abroad, the day of Democratic reckoning is not far distant. Our American securities must be paid in gold or its equivalent, and it is not a matter of concern that our gold is going abroad so long as an equal amount of American securities are being returned, provided the balance of trade keeps our stock of gold intact. This is the key to the situation. All the gold that goes abroad is used in the purchase of foreign goods or in the payment of foreign debts, and if used in the payment of debts our interest account is reduced and our country is benefited.

In view of what has been accomplished in the last twenty years, I do not hesitate to say that the retention of the McKinley tariff for the next twenty years would give to this country the greatest prosperity it has ever had. The pension law of 1890

and the Sherman act, with some modification, could remain, and the country go forward as never before. We could pay bounties on silver and sugar, we could pay our foreign debts and build up our home industries; but if the McKinley tariff is to be supplanted by a revenue tariff, the silver bounty, which is more burdensome than the sugar bounty, must stop, and silver purchases must stop, and the \$14,000,000 which the Government has lost by the depreciation of the silver already purchased must end our contribution to silver, as it will end our contribution to sugar.

Mr. Speaker, I am not discussing the tariff. I am not arguing in favor of a system that has covered this land with forges and furnaces, with mills and factories, and furnished employment to millions born on our own shores and to the millions who have flocked to our country from other lands since this system of protection was inaugurated, but I am advocating a system of finance which I regard as absolutely essential to our growth and prosperity; and I want to go on record as pointing out the rocks upon which our ship of State will be wrecked in case our protective system is supplanted by a purely revenue tariff.

The Fifty-second Congress Examined—Appropriations Increased \$38,404,866.38!

REMARKS

OF

HON. D. B. HENDERSON,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893.

On the subject of appropriations.

Mr. HENDERSON of Iowa said:

Mr. SPEAKER: The appropriations made by this Congress, including permanent appropriations, show an increase of \$38,404,866.38 over the appropriations made by the last Congress, which the Democratic press and orators were pleased to term "the billion-dollar Congress." This makes an increase of \$115,707.42 to each Congressional district in the United States.

The total appropriations made by this Congress, as shown by the official tables, carefully prepared by the clerks of the Committees of Appropriations of the House and Senate, one clerk being a Democrat and the other a Republican, and both admitted to be men of the highest character, great ability, and unsurpassed accuracy, are, including permanent annual appropriations, \$1,026,822,049.72, and for the Fifty-first (Republican) Congress \$988,417,183.34, giving the increase, for the Fifty-second (Democratic) Congress, of \$38,404,866.38, as stated by me in opening my remarks.

In verification of these statements, and of others that I am about to submit on the subject of appropriations, I will incorporate with my remarks at their conclusion, a table, prepared and agreed upon by said clerks, and which table is made up from the appropriation bills themselves and from other official records. This table (Exhibit A) with table (Exhibit B) taken from the same sources, will give an accurate history of the appropriations thus agreed upon.

A BILLION-DOLLAR HOUSE.

One of the exquisite pleasures of the Democracy is to charge upon the Republican Senate the large appropriations. This stale cry has not been heard in this Chamber as much as usual. I have discovered the reason. The appropriations as made by the House of Representatives in this Congress, which opened with the campaign shout of "Retrenchment and reform!" amounted at the first session to \$490,491,372.77 and at this the second session (after the election) to the snug sum of \$513,687,242.02, making a grand total of \$1,004,178,614.79.

And all this was done by a Democratic House under the management of Judge HOLMAN, my honored friend, the famous "watch dog of the Treasury," the chairman of the Committee of Appropriations, and before the Senate received a single appropriation bill or added a dollar thereto under the exercise of their admitted constitutional powers. My Democratic friends, you can now change the old tune of "a billion-dollar Congress" and tell the story of a billion-dollar Democratic House.

We could not stop you. We were powerless to prevent it. We often reminded you of the promises you made about "retrenchment and reform," but with your 140 Democratic majority you tossed us lightly to one side with the results indicated.

CONTRACTS AUTHORIZED BUT NOT APPROPRIATED FOR WHEN AUTHORIZED.

But, gentlemen, you were not content with these actual appropriations, for you extended your eager hands into the pockets

of the future. You have mortgaged the revenues yet uncollected and unknown. You have, at both sessions of this Congress, authorized the making of contracts without appropriating the money when giving such authority, but for which appropriations had to be made afterwards and will yet have to be made, amounting to many millions of dollars.

Let me give a few examples:

| | |
|--------------------------------------|--------------|
| For rivers and harbors..... | \$31,760,521 |
| For Library of Congress..... | 2,150,000 |
| For public buildings..... | 3,875,000 |
| For light-houses..... | 725,600 |
| For increase of the Navy..... | 8,700,000 |
| For Cherokee Outlet..... | 8,300,000 |
| For fortifications..... | 2,646,000 |
| For sewer, District of Columbia..... | 135,000 |

Total..... 58,292,121

To this I may properly add \$234,500 for clerks to members, i. e., seven months for 335, at \$100 per month.

Mr. Speaker, I commend these figures and the startling appropriations made by this Congress to the attention of the Democratic press which, after the work of the Fifty-first Congress was completed, came out with such headlines as these,

"The Billion Congress."
 "The Great Financial Spree."
 "The Indelible Billion."
 "The Tom Reed Robbers."
 "The Treasury Raiders."

These are a few of the sample headlines in 1891—only 1891. What will these ready-writers say now? What have you to say, gentlemen?

You may all answer at once.

YOUR APPROPRIATIONS EXCEED THE ESTIMATES.

It is well known to you that the law requires the several great Departments of the Government to make out careful estimates of the amounts that will be needed each year to carry on the work of those Departments. These estimates are transmitted to Congress each year to guide it in making its appropriations. The estimates come from the officers familiar with all the needs of the great works and interests placed by the law under their immediate supervision.

What was the total of these estimates for this Congress? A reference to the Book of Estimates will show that for the two years that this Congress has appropriated—the amount asked was \$1,015,310,592.59—you have appropriated for this period \$1,026,822,049.72. Hence you have appropriated in all \$11,511,457.13 more than President Harrison's Administration asked you to give; and yet you have the cool audacity to say that the Republicans have embarrassed you and are turning the Government over to you to-day with a threatened deficit in the Treasury!

THE DEMOCRATIC EXCUSE.

It will be amusing to hear your explanations of all this. You will not, I fear, admit that we have a great and growing country which calls for increasing appropriations, as a growing family does; nor are you likely to admit an equally certain fact, that you have been very unwise and recklessly extravagant in many particulars; but you will, as you did last year, I apprehend, plead the "baby act," and attempt to lay your extravagance and the increases all at the doors of the Fifty-first Congress, by claiming that its legislation forced all this upon you. From what has cropped out already you lay it to the following matters, chiefly:

- First. Pension act, June 27, 1890.
- Second. The World's Fair.
- Third. Additional clerks under the new pension law.
- Fourth. Ocean mail service.
- Fifth. Bounty on sugar.
- Sixth. Mint at Philadelphia.
- Seventh. Collecting sugar bounty.
- Eighth. Indian depredation claims.

This defense is not good, as I will demonstrate.

In the first place, you have admitted that all of this legislation was just, wise, and patriotic; for you have not even attempted to repeal one of these acts or legislative provisions; and you dare not, if you wished to, because you know them to be right and to be approved by the country.

As to the pension legislation, you knew that it would increase the appropriations, and should do so in order to keep the pledges of both political parties. Knowing all this you should have cut down and avoided unwise and extravagant appropriations that you continued to make, regardless of the claims of the men who defended you and your country.

As to the World's Fair, the Fifty-first Congress limited the cost to the Government to \$1,500,000. You can not complain of that, for you increased the amount and disregarded that limit and appropriated \$4,224,255, an increase of \$2,724,255.

The "additional clerks" in Pension Office and "ocean mail service" were but small items, and both imperatively demanded by the necessities of the country and the demands of business. The bounty on sugar cheapened that article to the consumers, and yet sustained our own industries and saved the people of the nation over \$100,000,000. You could well cut some extravagance to give your countrymen the cheap sugar that the Fifty-first Congress laid on their tables in spite of fierce Democratic opposition.

As to the mint at Philadelphia, we deny responsibility for this \$870,500, as the Fifty-first Congress refused to appropriate the money and told them to wait.

The other two items are small and were needed.

In all this there is absolutely not the shadow of a defense. The legislation was wise. You repealed none of it. You attempted to repeal none of it, and could easily have cut at other points if you were willing to make the unnecessary and foolish wait upon the needed and the patriotic.

But if such defenses are to be considered, then it will be proper to consider other facts, viz:

Deficiencies dumped by the Fiftieth Congress upon the Fifty-first Congress amounting to \$38,617,448.96, of which sum \$25,321,907.35 was for pensions, and that, too, when no new pension legislation demanded great change. It was done by the Fiftieth Congress deliberately to cut down their bills and force up the bills of the Fifty-first Congress.

Again, this Congress has cut at many points where there is bound to be a large deficiency in the next Congress. This, of course, keeps down the amount of the appropriations for this Congress and forces them into the future.

Again, there should be a deduction of \$910,000 appropriated by the Fifty-first Congress in pursuance of legislation by its predecessor, the Fiftieth Congress, for the Eleventh Census.

And yet, again, we should, if we follow your line of defense, deduct \$9,185,000 appropriated by the Fifty-first Congress to carry out agreements with Indian tribes called for by legislation of Democratic Congresses preceding the Fifty-first Congress.

An effort may be made to charge to the Fifty-first Congress \$16,000,000 of the national-bank fund released by the act of July 14, 1890, and sometimes they claim that it should be \$23,553,298.50. This can not be done. This point I fully met in my discussion of the appropriations at the close of the last session, and I repeat it here. I said:

We are charged in the "permanent annual appropriations" with \$23,553,298.50, applied to the redemption of national-bank notes. I am amazed that any one should include that among the appropriations of the Fifty-first Congress. It has no place there. Let us see. In July, 1890, there had accumulated in the Treasury the sum of \$54,207,095.75 under the national-bank act for the redemption of outstanding national-bank notes. It was clearly a trust fund.

But its accumulation was contracting the currency—a condition that the Fifty-first Congress sought in every proper way to avoid. Hence came, in that Congress, the great "silver act," so called, of July 14, 1890, which, among other things, provided that the national-bank redemption fund should be turned into the general fund of the Government, and the Government, thus equipped with the said fund, should redeem the notes as presented for redemption, be responsible for the outstanding ones, and might use the rest of the fund for the general good.

Under this act the Administration in 1891 redeemed \$23,553,298.50 of the outstanding notes and applied every remaining dollar of the \$54,000,000 to reducing the public debt, so that interest was stopped, the debt reduced, and fifty-four millions of idle money moved promptly into the channels of trade. Was this in any true sense an appropriation? Clearly not. It was simply in effect applying a trust fund to the use for which it was intended. You might almost as well charge the Fifty-first Congress with the entire \$54,000,000 released by the act of July 14, 1890. Suppose I owe Judge HOLMAN \$100, and Governor DINGLEY has the cash, received from me, to pay the note when presented, and he so pays it. Is that an appropriation of Governor DINGLEY's funds? Is it an appropriation at all? Clearly not. Governor DINGLEY discharges a trust.

The Government does the same. It practically involves a simple matter of bookkeeping. I feel that any fair-minded man will admit that the \$23,553,298.50 should be deducted from the total in the statement of the gentleman from Indiana [Mr. HOLMAN].

It will be seen, therefore, that if you purpose charging your appropriations up to our legislation, you will not thereby be the gainers, for such an investigation will only increase your embarrassment, for with deficiencies that will probably reach \$15,000,000 in the next session, we could claim credit for nearly \$91,000,000, without even referring to your mortgage, which I have referred to, amounting to \$58,292,121.

INCREASES BY THE SENATE.

I have demonstrated that this is "a billion-dollar House," and that your bills, before they left this body to be taken to the Senate amounted to the sum of \$1,004,178,614.79, and yet, in place of answering for your own acts, you, or a few of you, closely connected with appropriations, shake your fingers at the Senate end of the Capitol, and cry out against the increases put on in the other branch of Congress.

I answer—

First. The Constitution makes it the duty of the Senate, looking at and listening to the interests back of them, to impress their judgment on appropriation and all other bills coming from the House.

Second. They have taken from and added to House bills for years, whether the Senate was Republican or Democratic.

Third. And this is the point I would impress upon you, after both Houses consider all their differences, they finally agree as to what is the proper amount to put on each bill, so that the bills as finally passed represent the deliberately expressed judgment of the House of Representatives, and no bill can become a law until it does.

This cheapest of all defenses can well be dispensed with.

ORDINARY RECEIPTS AND EXPENDITURES UNDER PRESIDENTS ARTHUR, CLEVELAND, AND HARRISON.

I give it from March 1 to March 1 under each Administration, embracing four years of each, thus bringing it from March 1, 1881, to March 1, 1893:

| Receipts under Arthur. | |
|---------------------------|------------------|
| Customs..... | \$819,023,708.00 |
| Internal revenue..... | 534,087,145.09 |
| Miscellaneous..... | 134,639,257.19 |
| Postal..... | 171,702,936.77 |
| Total..... | 1,660,452,047.14 |
| Receipts under Cleveland. | |
| Customs..... | \$839,362,144.80 |
| Internal revenue..... | 482,991,463.05 |
| Miscellaneous..... | 129,306,638.89 |
| Postal..... | 197,409,885.29 |
| Total..... | 1,649,070,132.03 |
| Receipts under Harrison. | |
| Customs..... | \$835,891,724.46 |
| Internal revenue..... | 568,349,987.78 |
| Miscellaneous..... | 105,963,736.11 |
| Postal..... | 267,734,292.29 |
| Total..... | 1,807,959,740.64 |

There is a lesson in these figures. Notwithstanding the loss of at least \$126,000,000 by the removal of the duty on sugar, President Harrison collects from customs within \$3,470,420.44 as much as was collected by President Cleveland. This demonstrates the good results of Republican legislation and the rigorous enforcement of our revenue laws by a Republican Executive.

The figures under the head of "Internal Revenue" are startling, and should open the eyes of the country to the ability and integrity of the Republican Administrations. Let us see. President Cleveland's Administration collected exactly \$51,095,682.04 less than President Arthur's, and \$115,358,524.73 less than President Harrison's.

Well may this item alone cause a Democratic Administration to fear a deficit. Evidently the "moonshiners" and "whisky rings" had an easy time of it from March 1, 1885, to March 1, 1889. I counsel you gentlemen to try at least to imitate Republican Executives in the enforcement of our internal-revenue laws if you want funds with which to meet your large appropriations.

The constant decline in "miscellaneous" collections only proves that our public lands are rapidly becoming homes, and the tremendous increase in postal receipts shows that our country is growing and that the outgoing Administration has responded to the needs of this great branch of the service, a service that touches the richest and the poorest citizen. The receipts and expenditures for this service were \$70,324,407 greater under Mr. Harrison than under Mr. Cleveland.

Herewith I submit a statement of the "ordinary expenditures" under the last three administrations:

| Expenditures, ordinary. | March 1, 1881, to March 1, 1885. | March 1, 1885, to March 1, 1889. | March 1, 1889, to March 1, 1893. |
|------------------------------|--|--|--|
| Civil and miscellaneous..... | \$275,816,227.84 | \$317,070,407.91 | \$386,152,128.75 |
| War Department..... | 173,397,251.55 | 154,442,268.23 | 188,968,268.91 |
| Navy Department..... | 63,416,599.89 | 65,474,108.82 | 103,290,176.54 |
| Indians..... | 29,678,240.95 | 24,861,517.36 | 36,029,664.36 |
| Total, ordinary..... | 542,308,320.20 | 561,848,302.38 | 714,410,238.56 |

Our Democratic friends are frequently indulging in criticisms because of the increase in the ordinary expenditures under President Harrison. To set that matter at rest and to let the country judge of these expenditures I submit, first, the following statement as to the increase in the—

EXPENDITURES—CIVIL AND MISCELLANEOUS.

| Increase March 1, 1883, to March 1, 1893, over March 1, 1885, to March 1, 1889. | |
|---|--------------|
| Refund of direct tax..... | \$14,500,000 |
| Bounty on sugar..... | 12,500,000 |
| Eleventh Census..... | 9,000,000 |
| Public buildings..... | 7,600,000 |
| Choctaw judgment..... | 3,078,000 |
| Expenses District of Columbia..... | 6,000,000 |
| Agricultural colleges, act August 30, 1890..... | 2,974,000 |
| Agricultural experiment stations, act March 2, 1887..... | 2,155,000 |

| | |
|--|-------------|
| World's Columbian Exposition, souvenir coins..... | \$2,500,000 |
| Refund of tax on tobacco..... | 1,120,000 |
| Weather Bureau..... | 1,547,000 |
| Bureau of Animal Industry..... | 500,000 |
| Expenses of Treasury notes, act July 14, 1890..... | 538,000 |
| French spoliation claims..... | 1,187,000 |
| Miscellaneous and growth of service..... | 4,000,000 |
| Total..... | 69,187,000 |

The increase in the War Department was as follows, Democratic legislation being the leading cause:

| Increase March 1, 1889, to March 1, 1893, over March 1, 1885, to March 1, 1889. | |
|---|--------------|
| Rivers and harbors..... | \$24,400,000 |
| Fortifications and armament..... | 8,000,000 |
| Miscellaneous and increase of service..... | 2,000,000 |
| Total..... | 34,400,000 |

The following explains as to the Navy Department:

| EXPENDITURES—NAVY DEPARTMENT. | |
|---|--------------|
| Increase March 1, 1889, to March 1, 1893, over March 1, 1885, to March 1, 1889. | |
| New Navy, armament and miscellaneous..... | \$37,000,000 |
| And finally as to the Indians: | |

| EXPENDITURES—INDIANS. | |
|---|-------------|
| Increase March 1, 1889, to March 1, 1893, over March 1, 1885, to March 1, 1889. | |
| Cession of lands..... | \$5,175,000 |
| Indian schools..... | 2,500,000 |
| Miscellaneous supports (increases)..... | 3,000,000 |
| Indian depredation claims..... | 500,000 |
| Total..... | 11,175,000 |

The several statements, all taken from the books of the Treasury Department, account for every item of the increase. Many of them are the products of Democratic legislation, and not one of them can be assailed as a reflection upon the outgoing Administration.

THE PUBLIC DEBT.

When Mr. Cleveland came into power he had plenty of funds and millions of bonds that he could call in and pay. The cash, however, was allowed to accumulate until Congress could stand it no longer and sent a resolution of condemnation through the House to spur him to his duty.

Here is what was done under the two Administrations:

PURCHASE AND REDEMPTION OF UNITED STATES BONDS.

| From March 1, 1885, to March 1, 1889. | |
|---------------------------------------|------------------|
| Principal..... | \$338,074,850.00 |
| Cost..... | 361,264,642.05 |
| Cost at maturity..... | 394,097,180.43 |
| Saving..... | 32,832,538.38 |
| From March 1, 1889, to March 1, 1893. | |
| Principal..... | \$259,033,650.00 |
| Cost..... | 296,316,931.20 |
| Cost at maturity..... | 351,669,424.71 |
| Saving..... | 55,352,493.51 |

The Democratic Administration refused or neglected to pay its simple debts. The Republican Administration paid up promptly, if anything too promptly, for it could easily have held back the money. But if it had done so it would have only been a temptation to make heavier appropriations. At all events the outgoing Administration went as far as it possibly could towards paying off the public debt and did not save the public funds to gorge the appetite of

HUNGRY NATIONAL BANKS

as was done by Mr. Cleveland's Administration. Let me recall the facts to the minds of those who are shouting "a deficit in the Treasury."

The amount of money deposited with national banks on March 1, 1885, when Mr. Cleveland first entered the White House, was \$13,659,628.65. In the year 1887, in October it rose to \$31,767,000 and in December, 1887, to \$52,199,917. The highest point reached was in April, 1888, when it rose to \$61,921,294. On March 1, 1889, it was \$48,818,991, and on March 1, 1893, the Treasury officials told me that it was about \$15,000,000, just enough to properly meet the requirements of the Government business.

THE SINKING FUND.

An attempt is often made by the unscrupulous or the ignorant to make a point against this Administration by claiming that the requirements of the sinking fund have been disregarded. What is the sinking fund? In answer I quote from the last report of the Secretary of the Treasury, page 11:

The act of February 25, 1862, section 5 (12 Stat., 346), provides that all duties on imported goods shall be paid in coin, and that the coin so paid shall be set apart as a special fund and applied, first, to the payment of interest on bonds and notes of the United States; and second, "to the purchase or payment of 1 per cent of the entire debt of the United States, to be made within each fiscal year after the 1st day of July, 1862, which is to be set apart as sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct.

The Secretary shows, same report, that the requirements of the law quoted amount to \$924,394,426.34, and that not only has

this requirement been met, but that \$990,510,681.49 has been paid more than the legal requirements of the act.

I will only add that the public debt no longer troubles this country, and that we have, if anything is wrong, been paying it off too fast. The object of the sinking-fund act was to make sure that the public debt would be paid. Is anyone uneasy on that score? Certainly not; not even the bondholders for whose benefit and to make sure that our bonds could be cashed, in the dark hours of the nation, the law above quoted was enacted.

WAR CLAIMS.

I must again warn the country of the great danger that threatens from war claims. I called attention to this danger in summing up some of the work of the first session of this Congress. The Committee on War Claims has kept on industriously making favorable reports on these stale claims.

Since the last session we have reports from the Attorney-General, the Secretary of the Treasury and other officers of the Government indicating a much greater danger than I supposed when I referred to them before. From the data now before Congress I fear that the amount that threatens the Treasury is nearer \$600,000,000 than \$100,000,000, as I believed it to be at the close of the last session.

DEFICIT IN THE TREASURY.

The report of the Secretary of the Treasury shows that there is no deficit, and no one contends that there will be any deficit during this fiscal year.

Before the Democracy got into power in 1885 their constant charge against the Republicans was that there was too much money in the Treasury.

Both parties have been in harmony on one point, viz: to bring down the revenues so close to the needs of the Government as to save the people as much as possible from the burdens of taxation. The Republicans took off over \$50,000,000 annually from the duties on sugar and brought our income close to our needs. That party has also lifted much of the public debt, making a great saving in interest thereon.

Under Republican policies there is no danger of a deficit, but if the tariff is to be assailed and our great industries threatened, and if there is to be a falling off in the collections from internal revenue, as there was from March 1, 1885, to March 1, 1889, as I have shown, and if the future is to be mortgaged and great river and harbor bills and contracts are to govern, the country may be sure that a deficit will soon come.

PENSIONS.

This subject brings me to the point that gives our Democratic friends the greatest amount of trouble. Let me see if I can relieve their minds. The Treasury Department reports expenditures for pensions under President Arthur, from March 1, 1881, to March 1, 1885, \$234,522,496.16; under President Cleveland, from March 1, 1885, to March 1, 1889, \$316,546,814.59; under President Harrison, from March 1, 1889, to March 1, 1893, \$488,132,532.83. It will be seen that there has been a steady increase in the payment of pensions, and that under President Harrison's Administration there has been paid in round numbers one hundred and sixty-five millions more than under President Cleveland's. This comes from two causes:

First, the allowance of claims that had been under investigation.

Second, from the increased relief given to the soldiers by the passage of the act of June 27, 1890.

Both political parties had again and again in national platforms, and in the platforms of the Northern States, committed themselves to just and liberal legislation to the defenders of the Union, their widows, orphans, and dependent parents.

During the Fifty-first Congress the Republican party kept its pledges; indeed, during all of its Congresses, for from that party alone has come the legislation for the benefit of the Union soldiers.

In the Fifty-first Congress the soldiers urged upon Congress the passage of the "per diem pension bill," which would have added one hundred and ten millions annually to the pension roll above what would come from the act that was passed. I remember distinctly how eagerly the Democratic side of the House, under the leadership of Mr. Yoder, then a member of that body from Ohio, pressed the per-diem pension bill upon us as a substitute for the one that was enacted, and the Republicans defeated the substitute and stood together for what is known as the act of June 27, 1890. In this Congress desultory firing has been opened along the line against some of the provisions for the benefit of the soldiers. By a resolute and solid Republican front, and with the aid of a Republican Senate, these bushwhacking attacks have been beaten. I give due credit for the aid of several Northern Democrats who aided in bringing about this defeat; but without the solid Republican vote they would have been powerless with their own party.

Under date of February 1, 1893, in answer to a letter from me calling for the information, the able Commissioner of Pensions, Gen. Raum, reports that the highest number of all kinds of pensioners that will go upon the pension rolls will be 1,171,918, and that this point will be reached on December 31, 1894; that the annual value of the pension roll at that date will be \$155,865,094; that in the year following, 1895, 44,932 pensioners will be dropped from the rolls by the hand of death, and that the rolls will continue to decrease thereafter by an increasing ratio. This is the situation that confronts us on the pension question under existing laws.

Is this a proper expenditure? And is the pension roll a roll of honor? In spite of the open and covert attacks upon that roll I contend that it is, and will here call attention to a few facts in support of my contention—facts derived from the Pension Bureau and the War Department. Let it be borne in mind that the number who were mustered into the service from 1861 to 1865 were: soldiers, 2,128,948; seamen and marines, 105,963; total 2,234,911. This excludes all reenlistments. Enlisted for three years, 1,864,998; enlisted for one and two years, 427,954; enlisted for less than one year, 279,099. In addition to this 172,744 militia enlisted for three years, making a grand total of three year enlistments of 2,037,742 men. Of these 544,393 reenlisted when their terms had expired or were about to expire.

We lost, killed: Officers, 4,142; enlisted men, 62,916; died of wounds or disease, 297,058; making a total loss of 364,116. Reports to the War Department showed that there were wounded 280,040. From the same source we learn that there were received and treated in hospitals from April 1, 1861, to June 30, 1866, 5,825,480 men. Let me remind you also that there died of typhoid malarial fever and acute diarrhea alone 78,436 men. There were captured and confined in rebel prisons 196,629, of whom there died 30,212, leaving 166,417 of these ill-treated and wrecked men to return to their homes. Of the 2,234,911 who enlisted, 1,024,944 are dead, and 1,209,968 are living. Keep in mind the number that served for three years and over; keep in mind the number of prisoners, and their treatment; keep in mind the number treated in hospital; keep in mind the number that were wounded.

Remember also that most of these men were not injured to army life, but went fresh from their homes, most of them boys. Bear in mind another fact, that when in May, 1864, Gen. Grant prepared for the campaign of that year he had with him the soldiers under Meade, Butler, Gilmore, Banks, Rosecrans, Hunter, Auger, Dix, and Sherman, and that while these organizations had mustered originally 1,024,800 men, there were only present for duty in May, 1864, 402,502. Six hundred and twenty thousand had dropped from their organizations by the terrible casualties of war. Bear in mind also that at the close of the war there were only borne upon the rolls to be mustered out 1,000,000 men out of the 2,234,911 that had enlisted. Bear in mind also that during the last four years there have been dropped from the rolls, mostly by the hand of God, 82,657 pensioners.

With these facts before you who will dare to say that the number upon our pension rolls to-day is excessive, or that fraud permeates that great roll of honor? On January 31, 1893, there were upon the rolls 941,234, including invalids, widows, orphans, and dependent parents.

Some sneer because the widows of dead soldiers receive pensions. On January 30, 1892, the total number of widows, orphans, and dependent parents upon the rolls was 158,871, and there were claims pending only 156,239. If all the pending claims were allowed it would make but a total of 315,110 widows, orphans, and dependent parents. This would leave 709,834 dead soldiers unrepresented on the rolls by a widow, orphan, or dependent parent. I say, shame upon the citizen of this preserved country that sneers at one of these honorable and deserving pensioners!

But we are told that the rolls are tainted with deserters. Let us look at this proposition a moment. At the close of the war the War Department estimated that there were 117,247 deserters, as appeared by the records. Remember that this included not only actual deserters, but also the poor fellows who fell in different parts of the battlefield and were never found. It included men who were home with wounds or disease at the close of the war, and did not return to be mustered out. It included thousands of as gallant men as ever fought for their country's life. Since the war, charges have been removed from 25,542 because of errors in the records; and 18,234 have received discharges under the several acts of Congress—acts that received almost the unanimous judgment of both Houses of Congress, as they sought to cure purely technical errors, and not to relieve the soldier who deserted his flag when it was in danger. I believe that one of the most baseless charges made against the pension roll is the one that I am now considering.

Coming to the matter of frauds upon the pension roll. In talking with Assistant Secretary Bussey, who has had charge of

appeals from the Pension Bureau, and with Gen. Raum, the experienced Commissioner, they assured me that they did not believe that 1 per cent of the pensions granted were fraudulent; and when Gen. Raum writes me that members of Congress, with all of their acquaintance with the pension matter, do not report frauds from their several districts, we may rest assured that there is little to fear in that direction. After ten years' service representing a district in my State, I can cheerfully say that I have never learned of one case of fraud established in my district. If I have ever heard of a single one it has certainly passed from my memory.

No! No! The more we learn of that great war, and of the effects of a soldier's life upon the men who composed our armies and Navy, the surer we are, if we are honest with ourselves, to reach the conviction that if there is any error as to the pension roll it lies in the fact that men and women are excluded, or drawing petty pensions, when they should be upon the rolls, or be drawing greater pensions than they are now receiving. For one I am glad that the Republican party has met its duty as well as it has in respect to appropriations and legislation for the soldiers; and for one I have no apologies to make for myself, or the Republican party, of which I am proud to be a member.

WHAT HAVE YOU DONE?

Mr. Speaker, the Congress is to be congratulated on getting through the appropriation bills, and for a time it looked doubtful if even that would be done. By the use of the suspension of the rules, cutting off debate, it was accomplished.

It has done practically nothing else.

THE BANKRUPT BILL.

which had two to one in its favor, under your rules, was slaughtered in the House.

THE PURE-FOOD BILL.

which came from the Senate, was never granted a moment for consideration.

THE ANTI-OPTION BILL.

which was so strongly urged and prayed for by the farmers, and so desperately fought by boards of trade and stock exchanges, passed the House at the first session with thirty minutes' debate, came back much improved by long consideration in the Senate, and was buried in this House.

Democrats for it 75
Democrats against it 104
Republicans for it 49
Republicans against it 20

You would not let it come up except under a suspension of the rules, which required a two-thirds vote to carry it, and it is dead.

THE CAR-COUPLER BILL.

alone escapes, but even that great measure had 79 Democratic votes against it and only 5 Republican. But for the almost solid Republican vote for it the two-thirds would have been lacking, and it also would have failed.

Democrats for it 128
Republicans for it 57
Democrats against it 79
Republicans against it 5

FRIDAY EVENINGS.

so long devoted to private pension bills, were passed over to the management of my friend, Mr. KILGORE of Texas, and these sessions became empty of results.

You failed to do anything with the money question.

The McKinley law you avoided with your characteristic wisdom, except in platforms and on the stump, when wind only is needed.

In brief, you have done absolutely nothing, and the Fifty-second Congress will go down to history as the know-nothing and do-nothing Congress.

EXHIBIT A.—*Chronological history of appropriation bills, second session of the Fifty-second Congress, estimates and appropriations for the fiscal year 1893-'94, and appropriations for the fiscal year 1892-'93.*

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

| Title. | Estimates, 1894. | Reported to the House. | | Passed the House. | | Reported to the Senate. | | Passed the Senate. | | Law, 1893-'94. | Law, 1892-'93. |
|--|------------------|------------------------|----------------|-------------------|----------------|-------------------------|----------------|--------------------|----------------|----------------|----------------|
| | | Date. | Amount. | Date. | Amount. | Date. | Amount. | Date. | Amount. | | |
| Agricultural | \$3,315,500.00 | 1893. Feb. 4 | \$3,294,300.00 | 1893. Feb. 20 | \$3,294,300.00 | 1893. Feb. 27 | \$3,323,100.00 | 1893. Feb. 28 | \$3,323,100.00 | \$3,323,300.00 | \$3,232,995.50 |
| Army | 25,922,955.43 | 1892. Dec. 12 | 24,302,659.78 | 1892. Dec. 14 | 24,197,639.78 | 1893. Jan. 28 | 24,325,639.78 | 1893. Feb. 1 | 24,325,639.78 | 24,225,639.78 | 24,308,499.82 |
| Diplomatic and consular | 1,737,079.90 | 1893. Jan. 21 | 1,523,045.00 | 1893. Feb. 4 | 1,523,045.00 | 1893. Feb. 15 | 1,564,045.00 | 1893. Feb. 23 | 1,570,045.00 | 1,558,045.00 | 1,604,045.00 |
| District of Columbia | 6,733,544.66 | 1893. Jan. 5 | 5,160,420.91 | 1893. Jan. 9 | 5,160,420.91 | 1893. Jan. 30 | 5,777,405.91 | 1893. Feb. 2 | 5,780,765.91 | 5,413,223.91 | 5,317,973.27 |
| Fortification | 7,372,305.00 | 1892. Dec. 17 | 1,735,055.00 | 1893. Jan. 5 | 1,735,055.00 | 1893. Jan. 28 | 2,445,055.00 | 1893. Feb. 1 | 2,575,055.00 | 2,210,055.00 | 2,734,276.00 |
| Indian | 8,123,211.31 | 1893. Feb. 3 | 7,612,862.04 | 1893. Feb. 27 | 7,088,615.34 | 1893. Mar. 1 | 16,431,490.46 | 1893. Mar. 2 | 16,541,225.75 | 7,854,646.63 | 7,664,047.84 |
| Legislative, etc. | 22,625,815.81 | 1893. Jan. 25 | 21,034,408.83 | 1893. Feb. 9 | 21,051,748.32 | 1893. Feb. 18 | 21,908,828.32 | 1893. Feb. 25 | 22,164,013.32 | 21,892,402.32 | 21,900,132.97 |
| Military Academy | 469,332.12 | 1893. Jan. 21 | 430,856.12 | 1893. Feb. 4 | 430,553.12 | 1893. Feb. 15 | 432,556.12 | 1893. Feb. 23 | 432,556.12 | 432,556.12 | 428,917.33 |
| Navy | 24,471,468.21 | 1893. Feb. 13 | 21,550,331.38 | 1893. Feb. 20 | 21,550,331.38 | 1893. Feb. 25 | 22,082,131.38 | 1893. Feb. 28 | 22,167,131.38 | 22,104,331.38 | 23,543,385.00 |
| Pension | 166,831,350.00 | 1893. Jan. 27 | 166,400,000.00 | 1893. Feb. 17 | 166,531,350.00 | 1893. Feb. 23 | 166,531,350.00 | 1893. Feb. 27 | 166,531,350.00 | 166,531,350.00 | 146,737,350.00 |
| Post-Office | 84,249,119.67 | 1893. Jan. 27 | 83,869,357.22 | 1893. Feb. 22 | 83,904,314.22 | 1893. Mar. 1 | 83,930,700.00 | 1893. Mar. 2 | 83,930,700.00 | 83,807,700.00 | 80,331,276.73 |
| River and harbor | (c) | | | | | | | | | | |
| Sundry civil | 33,521,349.30 | 1893. Jan. 18 | 39,838,834.39 | 1893. Feb. 3 | 39,435,933.15 | 1893. Feb. 13 | 40,360,114.78 | 1893. Feb. 25 | 43,934,475.66 | 41,701,311.15 | 27,665,076.93 |
| Total | 390,393,061.41 | | 377,308,200.66 | | 376,509,329.22 | | 389,112,416.75 | | 393,366,057.92 | 381,054,561.29 | 366,622,194.30 |
| Deficiency, 1893 and prior years | 728,000,000.00 | 1893. Jan. 20 | 20,956,611.32 | 1893. Feb. 3 | 21,303,638.88 | 1893. Mar. 2 | 27,365,851.09 | 1893. Mar. 2 | 27,546,923.88 | 22,199,025.80 | 415,905,191.50 |
| Total | 418,393,061.41 | | 398,264,811.98 | | 397,812,968.10 | | 416,478,267.84 | | 420,912,981.80 | 403,253,587.09 | 382,527,385.80 |
| Miscellaneous | 74,750,000.00 | | | | | | | | | 750,000.00 | 43,308,922.82 |
| Total regular annual appropriations | 423,143,061.41 | | | | | | | | | 403,753,587.09 | 385,736,308.71 |
| Permanent annual appropriations | 115,468,273.92 | | | | | | | | | 415,468,273.92 | 412,863,880.00 |
| Grand total, regular and permanent annual appropriations | 538,611,335.33 | | | | | | | | | 519,221,861.01 | 507,600,188.71 |

Amount of estimated revenues for fiscal year 1894 \$405,000,000.00

Amount of estimated postal revenues for fiscal year 1894 85,121,365.38

Total estimated revenues for fiscal year 1894 490,121,365.38

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1894 at \$308,132.69), which are payable from the revenues of the water department.

b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

c No estimate is included in the "annual estimates for the public service" for rivers and harbors for 1894. "The amount that can be profitably expended" in that fiscal year, as reported by the Chief of Engineers, is \$16,115,750. (Book of Estimates, 1894, page 207.)

d In addition to this amount the sum of \$814,000 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1893.

e This amount includes \$14,163,153 to carry out contracts authorized by law for river and harbor improvements.

f This amount is approximated.

g This amount includes \$14,149,724.85 for pensions for the fiscal year 1893.

h This amount includes \$7,674,332 for pensions for the fiscal year 1892.

i This amount includes \$2,653,000 in aid of the World's Columbian Exposition.

k This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and indefinite appropriations.

EXHIBIT B.—Appropriations made by the Fifty-first and Fifty-second Congresses, fiscal years 1891 to 1894, inclusive.

| Title. | Fifty-first Congress. | | Fifty-second Congress. | |
|--|-------------------------|--------------------------|-------------------------|--------------------------|
| | First session, 1891. | Second session, 1891. | First session, 1893. | Second session, 1894. |
| Agricultural..... | \$1,799,100.00 | \$3,028,153.50 | \$3,232,205.50 | \$3,323,300.00 |
| Army..... | 24,308,471.79 | 24,613,529.19 | 24,308,499.82 | 24,235,639.78 |
| Diplomatic and consular..... | 1,710,815.00 | 1,656,925.00 | 1,604,045.00 | 1,558,045.00 |
| District of Columbia..... | 5,769,544.15 | 5,597,125.17 | 5,317,973.27 | 5,413,223.91 |
| Fortification..... | 4,232,935.00 | 3,774,803.00 | 2,734,276.00 | 2,210,055.00 |
| Indian..... | 7,282,016.02 | 16,386,284.86 | 7,664,047.84 | 7,854,646.63 |
| Legislative, etc..... | 21,030,752.75 | 22,037,674.75 | 21,900,132.97 | 21,892,402.32 |
| Military Academy..... | 435,296.11 | 402,064.64 | 428,917.33 | 432,556.12 |
| Navy..... | 24,136,035.53 | 31,541,654.78 | 23,543,385.00 | 22,104,331.38 |
| Pension, including deficiencies <i>a</i> | 125,779,388.35 | 164,550,383.34 | 154,411,682.00 | 180,680,787.35 |
| Post-Office..... | 72,236,698.99 | 77,907,222.61 | 80,331,272.73 | 83,807,000.00 |
| River and harbor..... | 25,136,295.00 | | 21,154,218.00 | |
| Sundry civil..... | 20,788,282.22 | 37,410,363.99 | 27,665,076.93 | 41,701,311.15 |
| Deficiencies, except for pensions..... | 13,295,541.61 | 9,364,148.62 | 8,230,859.50 | 8,049,588.45 |
| Total..... | 354,759,152.52 | 398,260,333.45 | 382,527,385.89 | 403,253,587.09 |
| Miscellaneous..... | 7,010,905.27 | 64,271,531.10 | 3,208,922.82 | c500,000.00 |
| Total regular annual appropriations..... | 361,770,057.79 | 462,531,864.55 | 385,736,308.71 | 403,753,587.09 |
| Permanent annual appropriations..... | d101,628,453.00 | d122,486,806.00 | d121,863,880.00 | d115,468,273.92 |
| Total by sessions..... | 463,398,510.79 | 525,018,672.55 | 507,600,188.71 | 519,221,861.01 |
| Total by Congresses..... | \$988,417,183.34 | | \$1,026,822,049.72 | |

a Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$20,335,598.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,437.35.

b Includes the specific appropriation of \$500,000 made by the act to refund direct taxes, but does not include the indefinite appropriation made by said act.

c This amount is approximated.

d This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations.

John G. Warwick.

REMARKS

OF

HON. ROBERT E. DOAN,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 18, 1893.

The House having under consideration resolutions of respect to the memory of Hon. John G. Warwick, late a Representative from the State of Ohio—

Mr. DOAN said:

Mr. SPEAKER: We have all been shocked and pained at the mortality among members of the two branches of Congress. How true it is that—

To our graves we walk
In the thick footsteps of departed men.

During the Fifty-second Congress fourteen members have been called to lay down life's burdens and answer the eternal roll call. Hal the custom prevailed in this House of wearing the usual emblem of mourning for thirty days, we would have had a constant reminder that death is in our midst, and that this is indeed a house of mourning.

What a deep, sad lesson is conveyed to us in such a solemn hour as this. When old age has dimmed the bright luster of an active mind, when the zenith of capacity has been reached and passed, and we near the foot of life's hill, we bow in submission to nature's claims. But we stand with awe in the presence of death, when lips are silent that but yesterday pleaded with the impassioned eloquence of strong manhood, or when its withering touch tells to the bier a man in the full possession of all his powers, busied in the ceaseless activity of a useful life.

What shadows we are, and what shadows we pursue.

How forcible, how significant, how impressive are the words of Watts, as they come ringing in our ears:

Princes, this clay must be your bed,
In spite of all your towers;
The tall, the wise, the reverent head
Must lie as low as ours.

Mr. Speaker, the life of John G. Warwick on earth is ended. His friends and country are left to mourn his loss.

Death can remove from earth our friend, blot out all physical existence, but it is powerless to destroy the results of his labor, the impressions he has left, the good he has accomplished.

These are legacies of glory over which death has no power. In the well-directed life they comfort us like a living presence, and grow brighter and brighter as we descend the hill of life to sleep at its foot.

While there is no mystery like death, there is no theme so sublime and grand as immortality. Blessed truth!

Fruits fall to the earth and decay, but never a fruit that did not leave its seed, and never a life that did not leave its example.

The sun of man's life goes down, but the star of his example remains in the firmament. The sun may set in the western sky amid the storms of earth, but it leaves a legacy of glory to the very clouds that obstruct its sitting, speaking a language to our souls of a brighter day, a resurrection day, a coronation day, when God will gather His jewels in the eternal sunlight of His love.

Governor Warwick was a Democrat of the old school. He was a thorough disciplinarian; he was honest, conscientious, sincere, and true to a fault. What he advocated he believed, and his very sincerity made you his friend. The demagogue he despised. The basis of his political action was that of absolute justice, and his motto was "That it were better to fail in the right than succeed in the wrong." While you differed with him politically, you admired his frankness and probity.

In all his official acts as a member of the House, upon the floor, in committee, or in debate, he was the same sincere, candid, manly man. In his death the country has lost a faithful public servant—the members of the House a conscientious co-worker in every department of legislation. As a citizen he had the respect of those who knew him best, without regard to party affiliations. As a neighbor he was obliging; as a friend to the poor he was large-hearted, liberal, kind, and true. No deserving man was ever turned away from his door empty-handed. While he was firm and positive in his business matters and in his convictions of right and duty, he was nevertheless gentle in his disposition and ever anxious to add to the "sum of human joy."

I have not risen, Mr. Speaker, to deliver a eulogy on the deceased statesman. I shall not attempt to sketch the honorable steps by which he ascended to distinction in his own State, and obtained the confidence of all as a member upon this floor. That has been well and appropriately done by his colleagues and friends in this House. The deceased has made that task easy, for—

The record of a noble life is that life's best eulogy; the history of the deeds of worthy men their most lasting epitaph.

I have risen simply to say a word or two in behalf of a worthy colleague from my own State of Ohio, and to render a tribute to his memory that is so justly deserved. In the general sorrow over his untimely death, I want to add the deep feeling of my own heart, and drop a tear of sympathy and sorrow with those who loved him best in his own State and in his own home.

In these lessons remember God speaks, and—

To the dead He saith: Arise!
To the living: Follow me!
And that voice still sounding on
From the centuries that are gone,
To the centuries that shall be!

Sundry Civil Appropriation Bill.

SPEECH

OF

HON. RICHARD H. CLARKE,

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1893.

The House being in Committee of the Whole on the State of the Union, and having under consideration the sundry civil appropriation bill—

Mr. CLARKE of Alabama said:

Mr. CHAIRMAN: I move to amend by striking out the last word. I wish to call the attention of this committee to the fact that yesterday, upon hasty consideration, or rather want of consideration, it did great injustice to itself and to a worthy officer of this Government. This side of the House especially did itself an injustice in that it stultified itself as to a great underlying principle of Democracy, which has been ratified and firmly established by the American people in the last two elections in this country; and the whole House did itself an injustice in fastening upon an officer of rank and splendid character, without any evidence whatever to sustain it, a charge of want of patriotism in making an undue discrimination against the products of this country in favor of foreign products. I refer to the amendment offered by the gentleman from Tennessee [Mr. ENLOE] to the item making appropriation for the completion of the Congressional Library building, which amendment was adopted by the Committee of the Whole. In adopting this amendment this House either did a great deal too much or a great deal too little.

Mr. HOLMAN. The gentleman is discussing a matter which we have passed. I would like to have some understanding as to the amount of time which is to be occupied. How much time does the gentleman want?

Mr. CLARKE of Alabama. Fifteen minutes.

Mr. HOLMAN. Oh, I hope not. I trust we shall agree upon some limitation of debate on this question.

Mr. CLARKE of Alabama. I ask only fifteen minutes.

Mr. HOLMAN. Will not the gentleman accept ten minutes?

The CHAIRMAN. The gentleman from Alabama (Mr. CLARKE) is occupying the floor under the five-minute rule.

Mr. CLARKE of Alabama. Mr. Chairman, this side of the House can not afford to abandon its principles hastily. If the policy of protection for protection's sake, of forcing the American consumer to take from American manufacturers that which he does not want, by preventing him from obtaining from other producers that which he does want, was embodied or sought to be embodied in the amendment adopted yesterday, this side of the House can very well afford to give a little time to the reconsideration of its then decision.

For a clearer comprehension of the true inwardness of this clamor against the Chief of Engineers, of which this amendment is the outcome, it would be well for the House to know something of the legislative history of the Library building, as well as of the actual facts bearing upon its construction to the present time.

The work upon it was commenced in 1866, under the control of a committee created by Congress and consisting of the Secretary of the Interior, the Supervising Architect of the Capitol, and the Librarian of Congress. The original plan was for the construction of a building to cost \$4,000,000.

In October, 1888, a Congress composed of a Democratic House and a Republican Senate deprived that commission of further control over the matter and confided the construction of the building to the Chief of Engineers, the officer then filling that position being the same who has ever since discharged its duties with the most signal fidelity and ability. Congress at the same time, under the leadership of Mr. Randall, changed the original plan to one then presented by the Chief of Engineers, based upon a cost of \$6,000,000, and committed the whole matter to his discretion, absolutely untrammelled, except as to design and cost, manifesting an extraordinary confidence in his judgment, capacity, and integrity—a confidence more than justified by the results up to this time.

[Here the hammer fell.]

Mr. BOATNER. If I can be recognized I will yield my time to the gentleman from Alabama.

Mr. CLARKE of Alabama. Under the guiding hand of that officer and of his able assistant, Mr. Green, the superintendent and engineer in charge of the work, the building has grown steadily until now the few members of this House who have visited it appreciate that it will realize the expectations of the statesmen who wisely placed it in the hands that have shaped

it. It will be the most magnificent library building in the world. Its two chief rooms, the stairway hall and the great reading room, will be marvels of beauty and adaptability to purpose, the grandest public rooms in this country.

The designs for their construction, evolved from two years of study, make a complete and harmonious whole, embracing not only every detail of practical construction for use, but of color, carving, and decoration.

These designs contemplate that the stairway hall shall be faced with the finest veined white Italian marble, elaborately carved, and for the reading room call for Tennessee marble for the bases of the massive columns, African marble for their extension, and the rich, warm Sienna marble of Italy for the lighter work between the columns.

The contracts for the foreign marbles necessary were awarded to American dealers upon bids called for by public advertisement. Their cost has been grossly exaggerated in the discussion of this amendment, the impression being conveyed that \$600,000 have been paid for them. In fact they have been brought into this country in the rough state at a cost of only about \$104,000, the remainder of the \$600,000 representing the cost of dressing, polishing, and carving, done by American workmen after their importation.

The designs requiring these foreign marbles to the extent I have indicated, of course no bids for domestic marbles for these especial decorations were called for. Here is the head and front of the offense of the Chief of Engineers. The owners of certain marble quarries, protected by a duty of 65 per cent, firm believers in the McKinley policy of building up the manufacturer at the expense of the consumer, commenced at once their war upon him. In his letter of 24th January to Mr. HOUK of Tennessee upon this subject, he says:

In the finish of the interior, two rooms required marbles of a tint and texture that could not be matched by the native product.

The men assailing him are not able to gainsay that; they do not offer to furnish the tints and textures required by the designs, but say that they will furnish as good or better. Artistic designs partly completed are then to be changed by the members of this House, who, even if competent artists, have never seen the original designs and have not had submitted to them those to be substituted. This Democratic House is to do this in obedience to the old familiar cry of the protected manufacturer, that his goods are better than the foreign and the people should therefore be compelled to take them. The flourish of marble samples in this hall yesterday must have recalled to the members of the Fifty-first Congress the clashing of tin plates, to the music of which the McKinley committee led the Republican party to a suicide's grave.

Foreign marbles of the character contracted for are used extensively in the interior ornamentation of the most costly buildings now being erected, in the large hotels in New York, and in the public library building in Boston. Would this Democratic House attempt by additional tariff legislation to force the substitution of domestic marbles in those buildings? If not, how can it consistently deprive the American people, the builders and owners of this great structure, of the right to use the most appropriate marbles for these decorative purposes when judged most desirable by their appointed agent, and that, too, in the face of the fact that their cost is very much less than that of the domestic product offered?

I am aware that the proposition of the gentleman from Tennessee [Mr. ENLOE] is that those whose demands he is pushing will furnish their marbles at a less cost than that paid for the foreign stone. But I challenge a denial that the offer is based upon the addition of the 65 per cent duty to the original cost of the imported marbles. It is true that, under a clause of the McKinley act, the Government plays the farce of paying the duty on all dutiable articles imported for its own use. But, as it collects with one hand what it pays with the other, the cost of the importation is increased only to the extent of the expense of going through with the pretense.

Mr. Chairman, what will be accomplished by the amendment this committee has adopted?

Let me call your attention to it, that the House may see what it has done. The first clause provides:

That the Chief of Engineers of the Army shall award all contracts for material to be used in said building to the lowest responsible bidder—

That has always been done in the course of the construction of this building. There has not been a contract awarded for material, except upon due advertisement, and to the lowest responsible bidder. So that part of the amendment is unnecessary.

Mr. ENLOE. Read the connection.

Mr. CLARKE of Alabama. I will do so—

and in making such awards the preference shall be given to home over foreign products where material of equally good quality of home production is offered at equal or lower prices.

Now, if the Chief of Engineers decides that for the proper decoration of any room in the building foreign marble is necessary, that there are no home marbles which will meet the want, what is there in this amendment to prevent him from specifying in his bid that the marbles to be furnished shall be Italian veined white or Sienna marble?

The amendment, then, falls distinctly short of the avowed purpose of its advocate, in that it still clearly leaves it within the power of the Chief of Engineers to use the foreign marble at his discretion.

The contract has already been made for all the foreign marble to be used in the building. Gen. Casey states, in his letter to Mr. HOUK, from which I have already quoted:

All the remainder of the building is to be done in native stone.

While, on the one hand, the cost of the imported marble to be used has been grossly exaggerated, on the other the quantity of the home stone to enter into the building has been as much underestimated. It has been stated as covered by \$38,000; that includes only the domestic marble to be used in decorating the two rooms I have mentioned. Large quantities of the American marble will be used in other rooms and walls, and in surface alone three times as much of it will be shown as of the foreign.

The amendment is therefore wholly ineffective to prevent the use of the imported marbles already contracted for, and wholly unnecessary as to marbles yet to be purchased.

It seems, however, to stamp with the approval of the House the charge of the gentleman from Tennessee [Mr. ENLOE] that the Chief of Engineers has unfairly discriminated against American products, and in that respect does a gross injustice to a frank, manly, accomplished, and patriotic officer, honored and liked by all who know him. I am satisfied that when the amendment comes to be voted on in the House it will meet the fate it deserves in its rejection.

[Here the hammer fell.]

Post-Office Appropriation Bill.

SPEECH OF

HON. JOSEPH WHEELER

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1893.

The House having under consideration the bill (H. R. 10348) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894—

Mr. WHEELER of Alabama said:

Mr. SPEAKER: The proposition before the House is not to compel the use of these machines, but simply to allow a Democratic Postmaster-General at his discretion to rent them for the purpose of judging as to their utility. It is claimed that the labor saved will quadruple the rental price. The proposition is in the line of economy, and the Administration which is coming into power to-morrow is pledged to the people to use every possible effort to introduce economy in the expenditure of the money drawn by taxation from the people. It is for this reason that the Democrats of this House advocate this measure.

Mr. O'DONNELL. Was it because of their love of economy that they voted for clerks to members last night? [Laughter.]

Mr. WHEELER of Alabama. I did not vote for the measure, the purpose of which was to compensate, or partially compensate members of Congress for expenses incurred by them in employing clerks.

I am opposed to it and have always opposed and voted against this or kindred measures. In several speeches on this floor I have endeavored to impress upon my fellow-members that strict economy and a reduction of Government expenses all along the line and in every branch of the Government is a policy which must be pursued by the Democratic party.

MR. CLEVELAND WILL RESTORE PROSPERITY.

This will give us a full Treasury, and with a revision of our tariff laws, so as to open the ports of the world to the products of our farms and factories, a new era of prosperity will dawn and confidence will be reestablished. The very fact that Mr. Cleveland will become President and Mr. Carlisle Secretary of the Treasury, enjoying as they do the unbounded confidence of the people, will go very far towards establishing a sound financial condition, and I do not doubt that the beneficent effects of Mr. Cleveland's Administration will be felt soon after his inaugura-

tion. Confidence is what is needed, and our new Executive and his Secretary of the Treasury will establish it.

We must carry out the pledges in our platform, repeal the Sherman act, restore silver coinage, and repeal the 10 per cent tax. Mr. Cleveland's letter of acceptance struck the keynote: Adequate currency and its fair distribution for the purposes of internal commerce.

We can never have prosperity in our country outside of large cities under the present national-banking laws. Imagine a country with \$70,000,000,000 of property with laws by which \$69,500,000,000 of this property is unable to be used as a basis for banking. The danger of a banking system in which the Federal Government virtually becomes a partner was early recognized by the wisest statesmen as fraught with the worst of evils.

ANDREW JACKSON ON NATIONAL BANKS.

That great patriot, Gen. Andrew Jackson, happily expressed himself on this subject in his great veto message of July 10, 1832, forcibly exposing the great wrong to the people at large which must result from a system of banking conducted pursuant to laws enacted by Congress committing, even in a limited degree, the banking of the country to such Federal institutions. President Jackson clearly showed that the bank charter was in the interest of the rich and against the interests of the people. He said:

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes.

He went on to say:

When the laws undertake to add to these natural and just advantages artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government.

This is certainly a very accurate description of the present banking system, although President Jackson wrote these words July 10, 1832, more than sixty years ago. This great defender of the people goes on to say:

Experience should teach us wisdom. Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of our Government by our national legislation and the adoption of such principles as are embodied in this act.

The principles embodied in the bank act were similar in many respects to the national-bank laws. At least both these laws made the Government virtually a partner of the banks. Gen. Jackson then said:

Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by acts of Congress.

President Jackson reiterated the views expressed in his veto message when he delivered his famous farewell address, March 3, 1837. He said the bank charter—

gave to its advocates the position they had struggled to attain from the commencement of the Federal Government down to the present hour.

This is true of the national banks. He also said that the—
peculiar privileges bestowed upon it enabled it to exercise despotic sway over the other banks in every part of the country. From its superior strength it could seriously injure if not destroy the business of any one of them.

This is certainly a feature of the national-bank system. They exercise their power to destroy. Gen. Jackson also said that—

It asserted the power to make money scarce or plenty at its pleasure at any time and in any quarter of the Union by permitting an expansion or compelling a contraction of the circulating medium according to its own will.

This has been constantly done by the national banks within the last thirty years. Gen. Jackson also said:

The result of the ill-advised legislation which established this great monopoly was to concentrate the moneyed power of the Union.

This is another similarity to the national-bank system. During thirty years the concentration has been going on until now three-fourths of the money of the United States is concentrated in the Treasury and in New York. So abundant is money in New York that it seeks for loans at 1 or 2 per cent, while in our rural districts it is impossible for most of our people to borrow it even at exorbitant rates of interest. Towards the close of his treatment of this subject Gen. Jackson says:

We are not left to conjecture how the moneyed power thus organized and with such a weapon in its hands would be likely to use it. The distress and alarm which pervaded and agitated the whole country when the Bank of the United States waged war upon the people in order to compel them to submit to its demands can not yet be forgotten.

DEMOCRATIC PLATFORMS SINCE 1840 AGAINST NATIONAL BANKS.

What I have quoted was the controlling Democratic sentiment regarding national banks. Three years later, May 5, 1840, when the Democratic national convention met at Baltimore to renominate Martin Van Buren for President, the sixth plank of the platform, which was unanimously adopted, was in these words:

Resolved, That Congress has no power to charter a United States bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liber-

ties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and the will of the people.

When the convention met in 1844 and nominated Polk and Dallas the sixth plank of the platform, with which they achieved the victory in 1844, was in precisely the same words as in 1840. The Democratic national convention of 1848, in the eighth plank, in referring to Democratic financial principles, said:

The results of Democratic legislation in this and all other financial measures upon which issues have been made between the two political parties of the country have demonstrated to careful and practical men of all parties their soundness, safety, and utility in all business pursuits.

And in the fourteenth plank the convention asserted that the veto power—

has saved the American people from the corrupt and tyrannical domination of the Bank of the United States.

During that four years the Democratic party had conducted the glorious and successful war with Mexico. They had achieved a victorious campaign wholly within the territory of their antagonist. They had carried the flag of the United States to the very capital of the ancient empire of Mexico. They had acquired vast territory which has added many fold to the wealth of our country. The great success of our arms had added to the honor and power of our flag in every country of the world. But in the Democratic platform of 1848, in congratulating the country upon the achievements of the Democratic party, they seem to regard all these triumphs, great and valuable as they were, as of less moment than the Democratic achievement of defending and preserving the rights and liberties of the people; and in the twenty-first plank of their platform these great and good defenders of the people say:

Resolved, That the fruits of the great political triumph of 1844, which elected James K. Polk and George M. Dallas, President and Vice-President of the United States, have fulfilled the hopes of the Democracy of the Union in defeating the declared purposes of their opponents in creating a national bank.

Here we see that the Democracy dropped the words United States banks and called these institutions national banks. In 1852, the ninth and tenth planks of the platform of the convention which nominated Pierce and King, were in these words:

9. *Resolved*, That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and that above the laws and will of the people; and that the results of Democratic legislation in this and all other financial measures upon which issues have been made between the two political parties of the country have demonstrated to candid and practical men of all parties their soundness, safety, and utility in all business pursuits.

10. *Resolved*, That the separation of the moneys of the Government from banking institutions is indispensable for the safety of the funds of the Government and the rights of the people.

The seventh and eighth planks of the convention which nominated Buchanan and Breckinridge were in precisely the same language as the ninth and tenth planks of the platform of 1852, and the ninth plank reiterates that the vetopower of the President—

has saved the American people from the corrupt and tyrannical domination of the Bank of the United States—

of course referring to the bank veto message of "Old Hickory."

The national convention of 1860, which nominated Stephen A. Douglas and Herschel V. Johnson, reaffirmed the planks which we have quoted from the platforms of 1856. The convention which nominated Breckinridge and Lane in Baltimore in 1860 also reaffirmed these and other planks of the Democratic platform of 1856.

The history of our country shows that the veto power of the President has frequently been employed to avert evil and unwise legislation, but it will be observed that the only commendation of the exercise of this power by a Democratic convention was in the instances when it was used to save the American people from the corrupt and tyrannical domination of the Bank of the United States.

We therefore see that our Democratic fathers were so impressed with the good results arising from the veto which averted this evil that they not only made it a part of their platform in 1848, but again repeated the same language in the platform of 1856, and still again reaffirmed this veto principle of free government in the platform of both the Democratic conventions of 1860.

It seems to me that these expressions show that for more than half a century the Democratic party has been opposed to national banks, and that it is still opposed to them. We recall that the Chicago convention which nominated Mr. Cleveland demanded a repeal of the 10 per cent tax on the circulation of banks other than national banks.

The exact language of the eighth plank of the Chicago platform was in these words:

We recommend that the prohibitory 10 per cent tax on State bank issues be repealed.

When this demand of the platform is complied with the unjust and arbitrary power now exercised by national banks will cease. Our States will pass sound banking laws, most of the national banks will reorganize under those laws, and we will obtain that proper distribution of the money of the country which Mr. Cleveland demanded in the able letter by which he accepted the unanimous nomination of the Chicago convention.

MR. CLEVELAND'S DEMANDS FOR THE PEOPLE.

His exact words were:

The people are entitled to sound and honest money, abundantly sufficient in volume to supply their business needs.

This is as strong an expression in favor of the people as has ever been uttered by a President; but Mr. Cleveland went far beyond this. While he demanded abundant money for the business needs of the people, he recognized the great importance of the proper distribution of money circulation, and in the interests of the masses of the people he expressed his demands on this point in these words:

The wants of our people, arising from the deficiency of imperfect distribution of money circulation, ought to be fully and honestly recognized and efficiently remedied.

This, together with other reforms demanded by Mr. Cleveland, will restore our entire country to prosperity, the rural as well as the urban population. I repeat that Mr. Cleveland's inauguration will restore confidence. Economy and an honest collection of the revenues of the Government will refill our depleted and almost empty Treasury.

A wise and business-like revision of the tariff, one that will open the markets of the world to the products of our farms and factories, will change the balance of trade in our favor. The boast of Republicans that during some years the balance of trade has been in our favor under their rule is not correct. The figures may have indicated such to be the case, but we all know that imports were very largely undervalued, and there is no question but that money sent to Europe and carried there by tourists to purchase goods has been millions upon millions in excess of what has been returned to our country.

John E. Kenna.

REMARKS OF

HON. HENRY H. BINGHAM,
OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 2, 1893.

The House having under consideration resolutions of respect to the memory of John E. Kenna, late a Senator from the State of West Virginia—

Mr. BINGHAM said:

Mr. SPEAKER: John Edward Kenna, of West Virginia, entered a Representative of the Forty-fifth Congress as one of the youngest members in years. He rapidly rose to distinguished standing and recognized usefulness. In becoming a member of the Forty-sixth Congress I found him regarded as a Representative of force, character, ability, and integrity, as well as a man fearless, aggressive, and able in debate.

He had in two short years made a record distinctive and well defined, his individuality recognized, his personality pronounced. A useful career opened, and rich, fruitful results followed. As he saw his duty he did it, and he did it well, fully, and conscientiously. Our friendship then formed grew; grew firm, strong, and closer with each successive year.

In his early death our common country lost a most conspicuous figure in public legislative life. I lost a loved, dear, cherished, and personal friend.

Senator Kenna's young life was lustrous with marked achievements, and his career masterful. His good record is perpetuated in the annals of our Government.

He was one of the most lovely and lovable of men in his social life. Truly can it be said of him "Whom the gods love die young." He had a grace, gentleness, devotion, and tenderness that drew his friends to him with hooks of steel. He was true, sincere, and devoted. He loved his dog and gun, and the sports and pastimes of the field and stream were his health, his joy, and the greatest sources of renewed strength and life.

He was ever a companion, but always a man. Every trust and confidence reposed in him was sacred. He delighted in debate—the mental conflict—"he sniffed the battle from afar." He was ambitious, heroic, aggressive. He never was an inert observer. His legal equipment was complete—learned in the intricacies

of the law and parliamentary procedure, he maintained through a long yet for his years a brief career the high standing and well-deserved distinction he so ably won in his first Congressional term.

His arguments were always scholarly, clear, concise, convincing, and conclusive, full of information, illustrated by his study, his teachings, and his experiences. His rich mental gifts were nature's profuse and generous offerings, but he builded a great and safe superstructure by a life of study and tireless toil.

He waited while he labored. He had keen sympathies, wide vision, positive energy. Few men of his years have filled so distinguished a place in either the House or the Senate. He was a true friend.

Unequaled as a representative for his State, a Senator strong and wise for the nation's future, one whom, had the allotted three score years and ten been given, would have been classed among the ablest of our statesmen and leaders. He was called before the measure of his life work had been completed. His coming to us and his going from us so young is a part of the great mystery. We know he did much, and what he did was well done. That is all we know. The whence and the whither is not for us to solve. Tears to his memory. His work will live. The people of his own State will do him honor and justice.

He is gone. Ashes to ashes, dust to dust. Nothing can he leave of the force he made his own being here. God accept him; Christ receive him.

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