

Mr. VEST. In order to make section 2 more specific I move to add to it:

The value of the property to be determined by the court from evidence of such value at the time of filing the petition.

Mr. EDMUNDS. Let the context be read so that we may see what it means.

The PRESIDENT *pro tempore*. The clause as proposed to be amended will be read.

The Acting Secretary read as follows:

Insolvency under this act shall be deemed to exist only when the debtor's liabilities exceed in amount the value of his property liable to execution and the available debts due him, the value of the property to be determined by the court from evidence of such value at the time of filing the petition.

Mr. INGALLS. That appears to me to be entirely superfluous. The question of insolvency is to be determined by the court, and it must be upon evidence. Therefore, what is the necessity of adding a provision which is necessarily implied in the terms of the bill itself?

Mr. VEST. The petition may be filed, but may not be tried until some time after. Now the question is, when does that insolvency occur; at the time the issue is tried, or at the time the petition was filed? Under a bankrupt law the question of insolvency should be determined as of the time when the petition is filed, and not at the time when the hearing is had.

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

The amendment was rejected; there being on a division—ayes 17, noes 25.

The PRESIDENT *pro tempore*. Are there further amendments to the text of the bill? If not, the question is on the amendment of the Senator from Massachusetts [Mr. HOAR], which he proposes as a substitute.

Mr. INGALLS. I will say, before the Senate bill passes from the consideration of the body, that the action of the Senate upon the amendment offered by the Senator from Missouri relative to the dissolution of attachments will render a further amendment necessary, but it will require a little time for preparation, and also a little consideration as to the place where it should be inserted. I will therefore reserve the right to submit that amendment hereafter.

The PRESIDENT *pro tempore*. The bill, of course, is as in Committee of the Whole, and has not yet been reported to the Senate.

Mr. HARRIS. If the Senator from Kansas desires time to prepare an amendment before the final vote shall be taken upon the substitute, as it is now a quarter to five o'clock, I will move that the Senate adjourn in order that the Senator may prepare his amendment and offer it tomorrow in Committee of the Whole.

Mr. INGALLS. If the Senator bases his motion to adjourn upon a consideration for my feelings, he may withdraw it. There is ample time in which to take the vote on the amendment offered by the Senator from Massachusetts, and by the time that is concluded I shall have my amendment prepared.

Mr. HARRIS. I desired to inquire of the Senator if he preferred taking the vote on the substitute before he perfected the bill that he reported. It is a somewhat anomalous and unusual proceeding.

Mr. HOAR. I desire to say for the information of the Senate that, as I stated yesterday, I wish to address the Senate in behalf of my amendment and in reply to the criticisms which have been made by several Senators at some length. I did not suppose it was proper to do so until the committee's bill had been perfected by dealing with these various amendments; and I supposed it would probably be more agreeable to the Senate that I should not do it to-night. Of course I can if it is desired.

Mr. VOORHEES. I move that the Senate proceed to the consideration of executive business. I think that would be the best solution of the difficulty. I do not see any prospect of passing the bill this evening.

Mr. MAXEY. I do not think there is any executive business that we can do this evening. I therefore move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES,

THURSDAY, December 7, 1882.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

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

ADDITIONAL MEMBERS.

The following additional members appeared: Mr. HUMPHREY, Mr. HOGUE, Mr. GUNTER, Mr. CLARDY, Mr. SCOVILLE, Mr. WISE of Pennsylvania, Mr. AINSLIE, Mr. DE MOTTE, Mr. SCRANTON, Mr. ROBINSON of Ohio, Mr. BAYNE, Mr. CURTIN, Mr. KLOTZ, Mr. HAZELTON, Mr. REAGAN, and Mr. HOUSE.

PRISCILLA HOLBROOK.

Mr. HAMMOND, of Georgia, by unanimous consent, introduced a bill (H. R. 6948) for the relief of Priscilla Holbrook, widow of Green B. Holbrook, private in Captain Wharton's company, Georgia militia, war

of 1812; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

INDEBTEDNESS OF YANKTON COUNTY, DAKOTA TERRITORY.

Mr. PETTIGREW, by unanimous consent, presented a memorial of the citizens of Yankton County, Dakota, repudiating repudiation and asking authority to issue new bonds, bearing a reasonable rate of interest, to liquidate all adjudicated indebtedness of the country; which was referred to the Committee on the Territories, and ordered to be printed in the RECORD.

The memorial is as follows:

To the honorable Senate and House of Representatives of the United States:

Your memorialists, citizens and tax-payers of Yankton County, Dakota Territory, respectfully represent that on the 18th day of April, 1871, the acting governor of Dakota issued a proclamation calling together the Territorial Assembly without due authority of law; that on the 21st day of April, 1871, the Legislative Assembly enacted, and the governor approved, a bill under which the county commissioners of Yankton County issued \$200,000 of bonds against said county, running twenty years, and bearing interest at 8 per cent. per annum; that thereafter, on the 27th day of May, 1872, Congress passed an act validating said bonds, after which said bonds were delivered to the Dakota Southern Railroad Company, which railroad company, through its officers and agents, agreed to do and perform certain things, and to make and construct valuable improvements in the city of Yankton, in consideration of the delivery of said bonds by the officials of Yankton County.

Your memorialists further represent that the Dakota Southern Railroad Company failed to make the improvements agreed upon and neglected to carry out the terms upon which said bonds were originally voted by the people of Yankton County, whereupon the officials of Yankton County, in obedience to an injunction from the United States court, ceased to assess and collect a tax to meet the requirements of said bonds.

The holders of these bonds thereafter brought suit to compel the assessment and collection of taxes upon the property of Yankton County to meet the interest due upon said bonds, which suits were carried by appeal to the Supreme Court of the United States and decided in favor of the bondholders.

Your memorialists also represent that during the period in which this litigation was being carried on, and up to the present time, the increase of the debt by the accumulation of defaulted interest, and on account of the published charges made by the bondholders that Yankton County was repudiating its legal obligations, and the doubts raised by the decision of the Supreme Court as to the authority of a Territorial Legislature to authorize the creation of a bonded debt by counties, the credit of Yankton County has become so seriously impaired that new bonds cannot be negotiated at a reasonable rate of interest to retire the outstanding indebtedness and executions now pending against the county, unless such new issues are clearly authorized by Congress and indorsed by a vote of the people of Yankton County.

In view of the above-recited and other embarrassments under which the citizens of Yankton County have been laboring, a public meeting of the citizens of said county was held at the city of Yankton on the 14th day of October, 1882, upon a call numerously signed by citizens and tax-payers, at which meeting, after a full and free discussion of the financial situation, the following action was unanimously taken:

The committee on resolutions presented the following report:

"Your committee, to whom was referred the subject of raising a committee to memorialize Congress on the subject of Yankton County indebtedness, respectfully report the following resolutions and recommend their adoption.

"OLIVER SHANNON,
"GEO. H. HAND,
"WM. P. DEWEY.

"Resolved, That we, the citizens and tax-payers of Yankton County, in convention assembled this 14th day of October, 1882, under a call published and widely circulated during the past two weeks, do indorse the sentiments contained in said call, and the general expression of sentiment in accordance therewith.

"Resolved, second, That Governor N. G. Ordway, Hon. John B. Raymond, Ex-Governor Newton Edmunds, Ex-Governor John L. Pennington, Rev. Joseph Ward, Hon. Bartlett Tripp, General W. P. Dewey, Mayor H. B. Wynn, and Ex-Mayor J. R. Sanborn be elected a standing committee to take into consideration the bonded indebtedness of Yankton County and to draft a memorial and bills embodying the sentiments of the public call, and expressions of this meeting in accordance therewith, and that said committee be requested to visit Washington and present the memorial and bills thus prepared to the proper committees of Congress, and urgently and vigorously press such measures in behalf of Yankton County as justice to the tax-payers and the bondholders demands, in order to secure a just and honorable settlement of the legally-adjudicated indebtedness of Yankton County."

The following action was also taken at a county convention at which members of the Legislative Assembly and county commissioners were nominated, which nominations were ratified at the recent November election. The following resolutions, presented by John L. Pennington, were adopted:

"Resolved, That we, the delegates to the Yankton County Republican convention, representing every precinct in the county, heartily indorse the action taken at a mass meeting of citizens held this day relative to the adjustment of the railroad indebtedness of Yankton County.

"Resolved further, That we approve and indorse the proposition to memorialize Congress for aid in the liquidation of this railroad indebtedness, believing that we have a meritorious case and that the Congress of the United States should extend such aid.

"Resolved further, That we utterly repudiate the charge of a desire to repudiate any honest obligation, and only ask at the hands of Congress a fair and impartial hearing of our case."

In pursuance of the foregoing decided expression on the part of the people of Yankton County, and under the authority thus conferred to speak for them, your memorialists respectfully and urgently request that Congress (having full power to legislate for the Territories, and sub-divisions of counties therein) will pass an act authorizing in positive terms the officials or representatives of Yankton County to issue, upon the approval of a majority of the legal voters of said county, a sufficient amount of well-guarded bonds, bearing 4 per cent. interest per annum, redeemable after ten years and payable after thirty years, with suitable provisions for creating a sinking fund after ten years, to retire and pay the principal at maturity, for the purpose of purchasing, refunding, or paying at not more than their face value all adjudicated outstanding bonds and coupons against Yankton County at the time the proposed act shall take effect, and also that such other relief may be granted said county as equity and justice may require.

N. G. ORDWAY,
NEWTON EDMUNDS,
JOHN L. PENNINGTON,
JOSEPH WARD,
BARTLETT TRIPP,
WILLIAM P. DEWEY,
H. B. WYNN,
J. R. SANBORN,

J. C. MCVAY,
GEORGE R. SCOUGAL,
P. C. SHANNO,
A. J. FAULK,
JAMES B. WYNN,
W. H. H. BEADLE,
FREDERICK SCHNAUBER,
S. B. COULSON,
C. J. B. HARRIS,

Committee to present memorial and bills to Congress.

DANIEL LUCAS.

Mr. VANCE, by unanimous consent, introduced a bill (H. R. 6949) granting arrears of pension to Daniel Lucas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

J. L. DIVINE.

Mr. WILLITS, by unanimous consent, introduced a bill (H. R. 6950) granting a pension to J. L. Divine; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DONATION OF CONDEMNED CANNON.

Mr. WILLITS also, by unanimous consent, introduced a bill (H. R. 6951) authorizing the Secretary of War to deliver to the village of Tecumseh, Lenawee County, Michigan, four condemned cannon and four cannon-balls for decoration of the soldiers' monument; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

REPORT OF TARIFF COMMISSION.

Mr. KELLEY. I am instructed by the Committee on Ways and Means to ask unanimous consent for the immediate consideration of a concurrent resolution for printing the report of the Tariff Commission, including the bill. It is in the language of a similar resolution submitted to the Senate and referred to the Committee on Printing of that body.

The concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That 20,000 copies of the report of the Tariff Commission be printed, 14,000 for the use of the House of Representatives and 6,000 for the use of the Senate.

The SPEAKER. In the absence of objection the resolution is before the House.

There was no objection.

The resolution was adopted.

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

The latter motion was agreed to.

CONSIDERATION OF BILLS FROM COMMITTEE ON WAYS AND MEANS.

Mr. KELLEY. I am also instructed by the Committee on Ways and Means to submit the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That Wednesday, the 13th of December, or any one day thereafter, after the morning hour, be set apart for the consideration of the following bills reported by the Committee on Ways and Means and now on the Calendar of the Committee of the Whole House and the House Calendar, namely:

No. 5008. To amend sections 3244 and 3689 of the Revised Statutes of the United States.

No. 6842. To empower postmasters to administer oaths to importers of books.

No. 4997. To authorize a United States commissioner to take acknowledgments of the transfer of the bonds of the United States.

No. 5014. Relating to the exportation of tobacco, snuff, and cigars in bond, free of tax, to adjacent territory.

No. 5720. To amend section 3362 of the Revised Statutes of the United States relating to perique tobacco.

No. 3192. To permit grain brought by Canadian farmers to be ground at mills in the United States adjacent to Canadian territory under such rules and regulations as may be prescribed by the Treasury Department.

No. 5642. To define the limitation of compensation of internal-revenue gaugers.

No. 2415. To fix the term of the office of collectors of internal revenue.

Mr. BLOUNT. Is this a unanimous report?

Mr. MOULTON. I object to the present consideration of the resolution.

Mr. KELLEY. I ask the gentleman from Illinois [Mr. MOULTON] to withdraw his objection long enough to permit me to submit a word of explanation.

Mr. MOULTON. I withhold the objection for the present.

Mr. ANDERSON. I also reserve the right to object.

Mr. KELLEY. We ask for no action now. We simply ask that a day may be given for the consideration of the bills indicated which are from the Department and relate exclusively to the administration of the law. They affect no duty or right or privilege. They have been fully considered in the Committee on Ways and Means, and the resolution is a unanimous report from that committee. The report as to each of these bills is in the hands of the Clerk. The object of the resolution is simply to assign a day for the consideration of bills which, when they are ready, I think will be found to be unexceptionable, and which are at the same time very important to the administration of existing law.

Mr. MILLS. Do they change any fiscal duties?

Mr. KELLEY. No, sir.

Mr. TUCKER. On behalf of members of the committee on this side of the House, I will say that the chairman of the committee is entirely in accord with our own views on this subject. In drawing up the list which has been submitted every bill which had reference to a change of duties was eliminated.

Mr. KELLEY. Yes, every such bill.

Mr. TUCKER. And every bill on the list relates merely to matters of administration.

Mr. TOWNSHEND, of Illinois. A single question. Does not one of these bills provide for the introduction of wheat into this country free of duty?

Mr. TUCKER. Only to be ground for the use of the party owning the wheat.

Mr. KELLEY. We ask but for a single day.

Mr. ANDERSON. Is it not a continuing order?

Mr. KELLEY. It is not. We ask for a single day, the 13th instant, or some one day thereafter.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MOULTON. I think I must object.

The SPEAKER. Then the resolution is not before the House.

Some time subsequently,

Mr. KELLEY said: I learn from the gentleman from Illinois [Mr. MOULTON] that on discovering that the resolution I submitted a short time since proposes but a single day for the consideration of the bills named therein, and is not a continuing order, he withdraws his objection to it.

Mr. MOULTON. As I am informed that it is to operate but for a single day, and is not a continuing order—

The SPEAKER. It is not a continuing order.

Mr. KELLEY. It is limited by its terms to a single day.

Mr. MOULTON. Then I withdraw my objection.

The SPEAKER. Is there other objection to the present consideration of the resolution? [After a pause] The Chair hears none.

The resolution was accordingly adopted.

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

The latter motion was agreed to.

Mr. KELLEY. I ask consent to have printed in the RECORD, as explanatory of the resolution just adopted, the paper which I send to the Clerk's desk.

There was no objection, and it was so ordered. The paper is as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., December 4, 1882.

SIR: In accordance with your verbal instructions to prepare a report in reference to certain bills of a public character which have been reported to the House by this committee, and which are now on the calendars, I have the honor to submit the following:

There are several bills on the Calendar of the Committee of the Whole House and on the House Calendar which relate to the administration of the Treasury Department, and which have been recommended by the Secretary of the Treasury. These bills provide for certain changes in existing laws, which changes the Secretary of the Treasury, in several communications to the House and to this committee, says are demanded to insure full collections of the public revenues and the speedy transaction of the public business. The printed reports which accompany the bills referred to embrace in most cases the letters of the Secretary of the Treasury in whole or in part, and fully explain the purpose of the respective bills and the necessity for their passage.

Following is a list of the bills referred to which are now on the Calendar of the Committee of the Whole House on the state of the Union.

2222. To amend section 2983 Revised Statutes of the United States so that the duties paid upon sugars should be assessed upon the quantity delivered from instead of the quantity entered into bonded warehouses.

3192. To permit grain brought by Canadian farmers to be ground at mills in the United States adjacent to Canadian Territory. [A bill similar to this has been passed by the Senate and is now on the Speaker's table. See Senate bill 1026.]

5014. Relating to the exportation of tobacco, snuff, and cigars in bond, free of tax, to adjacent territory. [This bill was prepared by the Treasury Department, and the Secretary says the present law seriously hinders the exportation of tobacco and cigars.]

5720. To amend section 3362 Revised Statutes United States relating to Perique tobacco. [A similar bill has been passed by the Senate and is now on the Speaker's table. See Senate bill 390.]

On the House Calendar are the following bills:

2415. To fix the term of office of collectors of internal revenue.

4997. To authorize a United States commissioner to take acknowledgments of the transfer of the bonds of the United States.

5008. To amend sections 3244 and 3689 Revised Statutes of the United States. [Under existing law a drawback is allowed upon all stills manufactured for export and actually exported. That part of the still known as "the worm" is excluded from the benefit of drawback, although it is a necessary part of the still. The bill is intended to correct this defect in the law.]

6842. To empower postmasters to administer oaths to importers of books. [This bill is intended to prevent delays and difficulties now experienced in the importation of books through the mails.]

All of which is respectfully submitted.

JOHN M. CARSON, Clerk.

HON. WILLIAM D. KELLEY,
Chairman Committee on Ways and Means.

MARY JANE VEAZIE.

Mr. SINGLETON, of Mississippi. I ask unanimous consent that Senate bill No. 566 for the relief of Mrs. Mary Jane Veazie be taken from the Speaker's table and referred to the Committee on War Claims.

There was no objection; and accordingly the bill was taken from the Speaker's table, read twice, and referred to the Committee on War Claims.

JENNIE E. JOHNSON.

Mr. HEPBURN, by unanimous consent, introduced a bill (H. R. 6952) for the relief of Mrs. Jennie E. Johnson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EL PASO, TEXAS.

Mr. UPSON, by unanimous consent, introduced a bill (H. R. 6953) to rectify and establish the title of the United States to the site of the military post at El Paso, Texas; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JAMES SUPPLE.

Mr. CRAVENS, by unanimous consent, introduced a bill (H. R. 6954) for the relief of James Supple; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ADDITIONAL PAY FOR ENLISTED MEN.

The SPEAKER laid before the House the following message from the President; which was read, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated the 4th instant, and its accompanying papers, in which it is recommended that section 1216 Revised Statutes be so amended as to include in its provisions the enlisted men of the Army; and that section 1285 Revised Statutes be modified so as to read:

"A certificate of merit granted to an enlisted man for distinguished service shall entitle him thereafter to additional pay, at the rate of \$2 per month, while he is in the military service, although such service may not be continuous."

CHESTER A. ARTHUR.

EXECUTIVE MANSION, December 6, 1882.

PRESQUE ISLE, PENNSYLVANIA.

The SPEAKER also laid before the House the following message from the President; which was read, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, dated the 4th instant, setting forth certain facts respecting the title to the peninsula of Presque Isle at Erie, Pennsylvania, and recommending that the subject be presented to Congress with the view of legislation by that body modifying the act of May 27, 1882, entitled "An act to authorize the Secretary of War to accept the peninsula in Lake Erie opposite the harbor of Erie in the State of Pennsylvania" (17 statutes, page 162) so as to authorize the Secretary of War to accept title to the said peninsula proffered by the marine hospital of Pennsylvania, pursuant to an act of the Legislature of that State approved by the governor May 11, 1871.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, December 6, 1882.

FORT BLISS, TEXAS.

The SPEAKER also laid before the House the following message from the President; which was read, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, inclosing one from the commanding general Department of Missouri, indorsed by the division commander, urging the advisability of prompt action in the matter of perfecting the title to the site of Fort Bliss, Texas.

Accompanying also is a copy of Senate Executive Document No. 96, Forty-seventh Congress, first session, which presents fully the facts in the case as well as the character of the legislation necessary to secure to the United States proper title to the land in question.

The Secretary of War expresses his concurrence in the views of the military authorities as to the importance of this subject, and urges that the requisite legislation be had by Congress at its present session.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, December 6, 1882.

HEIRS OF THOMAS R. JENNINGS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a copy of the disapproval by the Commissioner of the General Land Office of the report of the register and receiver of the New Orleans land office on the private land claim of the heirs of Thomas R. Jennings, deceased; which was referred to the Committee on Private Land Claims.

NATIONAL BOARD OF HEALTH.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting the annual report of operations and expenditures of the National Board of Health for the fiscal year which ended June 30, 1882; which was referred to the Committee on Public Health, and ordered to be printed.

UTAH.

Mr. HASKELL. I desire unanimous consent to present at this time a memorial from the non-Mormon people of Utah, and which I ask may be referred to the Committee on Territories, and ordered to be printed in the RECORD.

Mr. BURROWS, of Michigan. I think this memorial would more properly go to the Committee on the Judiciary.

Mr. HASKELL. I have no objection to that reference.

There being no objection, the following memorial was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD:

To His Excellency the President, and the Congress of the United States:

The undersigned, your memorialists, the Territorial central committee of the Liberal party of Utah Territory, respectfully represent:

That the condition of political affairs in Utah is so anomalous that the political distinctions which prevail elsewhere in the United States have no application here. The organization which we represent comprises all those outside of and politically opposed to the Mormon Church party. We are variously styled by our opponents "Gentiles" and "Outsiders," but the name "Liberals" has been adopted by ourselves as a designation sufficiently distinctive for our purposes.

The hostility which is manifested toward us in the terms "Outsider" and "Gentile" applied to us, and which arises from the fact that we acknowledge the supremacy of the national authority and refuse allegiance to the rule of the Mormon Church and priesthood, and deny its right to control the citizen in his political, social, and business affairs, compelled the formation of our organization.

With this preface as a reason for the manner of this memorial, and speaking as the authorized representatives of 30,000 loyal American citizens in Utah, and

who, it is estimated, pay more than one-third of its taxes, we proceed to a statement of the grievances to which we ask attention.

On the 7th day of November last we polled very nearly five thousand votes, and would have had a somewhat larger vote had there been a possibility of our success in the election.

On the 11th day of October last the "Liberals" of Utah held a Territorial convention at Salt Lake City, composed of representative citizens from all parts of the Territory, most of whom are not only of the highest intelligence and respectability, but of long residence and experience in the Territory, identified with its interests and devoted to its development and prosperity. Among other declarations of opinion made by this convention it was unanimously resolved that:

"We arraign the Mormon power in Utah on the following grounds: It exalts the Church above the State in matters of purely administrative and political concern. It perverts the duty of the representative in official and legislative matters by demanding that the interests and wishes of that sect and of the priesthood shall be made paramount considerations. It destroys the freedom of the citizen by assuming the right to dictate his political action and control his ballot. It teaches that defiance of the law of the land when counseled by its priesthood is a religious duty. It encourages jurors and witnesses, when attempts are made in the ordinary course of law to punish the crime of polygamy, to disregard their duties in order to protect offenders who are of their faith. It discourages immigration and settlement upon the public lands except by its own adherents, and by intolerance and gross personal outrages on non-Mormon settlers drives them from the common domain. It restricts commerce and business enterprise by commanding its members to deal only with houses of which it approves, thus creating vast monopolies in trade in the interest of a few men, who engross the favor of its hierarchy and enjoy the income of its people. It oppresses the people by taxation, unequal and unjust, and its officers neither make nor are they required to give any satisfactory account of the disbursement of public funds. It taxes the people to build school-houses and therein teaches the tenets of the sect by teachers licensed only by its priesthood—most of whom are incompetent and unlearned except in Mormon doctrines. It fills the public offices with bigoted sectarians and servants, without regard to capacity for official station or public employment. It divides the people into classes by religious distinction and falsely teaches its adherents that those not of their faith are their enemies, thus sowing suspicion and bigotry among the masses. It confers on woman the suffrage and then forces her to use it under the lash of its priesthood to perpetuate their power and her own degradation. It robs thousands of women of honorable wedlock and brands their children with dishonor, so that they may be forever deterred from any effort for relief from its grasp. In a word, it has made Utah a land of disloyalty, disaffection, and hatred toward the Government; has retarded its growth, prosperity, and advancement; set its people at variance and discord with the 50,000,000 of people in the United States, and made its history a reproach to the nation. For these offenses, to which many more might be added, we arraign the Mormon power in Utah, and invoke against it and its monstrous pretensions and practices the considerate judgment of the citizen voter, the statesman, and the Christian, and humbly submit that our attitude toward it is not only justified but demanded by every consideration that ought to control the true American citizen in the discharge of political duty."

Your memorialists, in the name of those who made these declarations, here deliberately reaffirm their truth, and could now if necessary add others to these specifications.

We shall assume, therefore, that there are evils which demand positive treatment at your hands. The law of July 1, 1862, forbidding polygamy and annulling certain acts of the Legislative Assembly of Utah; the act of June 23, 1874, in reference to the courts of this Territory, and the act of March, 1882, all conclusively prove that your honorable bodies have realized the necessity of national legislation to suppress the evils peculiar to this Territory.

Each of these succeeding acts was more stringent than its predecessor, and, while the last one, popularly known as the "Edmunds bill," indicates an intention to strike at the vital point, the political power of the Mormon Church, we are in truth compelled to say that in its practical operation it has not effected and will not effect the desired reforms.

While from reliable data we estimate that it disfranchises not less than 16,000 persons who would otherwise be voters, yet such is the servility of the followers of the priesthood that such disfranchisement has no practical effect on the remainder of the sect. The local government is still composed of the Mormon Church, and the Mormon Church constitutes the local government to as full an extent as before. The disfranchised portion dictates the course of those who are not disfranchised as completely and absolutely as before, and there are no indications of any desire or intention on the part of the latter to assert themselves as against their disfranchised church superiors. As proof of this we append a table compiled from the official returns showing the results of the election for the last twelve years.

It will be perceived that the Gentile or Liberal ticket was in a majority in only one of the twenty-three counties. And this after the fullest discussion in the press and on the rostrum that was ever had in the Territory.

We respectfully submit that the failure after years of active, earnest endeavor of the loyal element in Utah to make inroads upon the Mormon vote, or to win by political agitation and discussion any considerable number of Mormon voters from allegiance to the Mormon priesthood to loyalty to the national authority, demonstrates that the ordinary American methods are without force or effect in dealing with the ills and evils that afflict the body-politic in Utah.

The Mormon people regard the past efforts of the National Government as weak and futile, and as indicating that the nation is not in earnest in its avowed intention of suppressing polygamy and priestly domination in civil affairs in Utah.

The laws already enacted have served only as a gentle irritant, have consolidated the people, strengthened the control of the Mormon priests over their followers, and failed to diminish the celebration of polygamous marriages, for the reason that they regard the Church superior to the Government.

When the nation demonstrates that it is thoroughly in earnest, and takes all political power from the Mormon people, then, and not till then, will the vexed problem be solved.

A legislative council of say nine, eleven, or thirteen members, to be appointed by the President, and confirmed by the Senate, with power to legislate for the Territory in place of the present Legislature, in the opinion of the Liberals of Utah, presents the most feasible and effective plan that has been yet suggested.

The present Election Commission provided by the Edmunds bill, composed as it is of able and honorable gentlemen, have faithfully discharged their duty. But with their limited powers they are, as we believe they themselves realize, able to do but little toward settling the troublesome "Utah question."

This opinion was embodied in the last Liberal platform, as follows:

"6. That while the act of June, 1874, commonly known as the Poland bill, the act of March, 1882, commonly known as the Edmunds bill, with the Hoar amendment of July, 1882, have all given great relief to the non-Mormons of Utah, and while for this legislation we express our sincere thanks to the Senators and Representatives who originated and passed it, we here repeat the resolve of our last Territorial convention, that no attempted remedy which leaves the political power of the Territory under the control of the Mormon priesthood will ever be successful in reforming the evils we complain of, and that the peaceful, thorough, and effective remedy will only be found by the adoption of a measure by which the legislative power of the Territory shall be given to a council or commission

appointed by and under the authority of the United States and answerable to it for the faithful performance of its duties."

On this the canvass was made, and it received the indorsement of the Liberal voters at the last election; an appeal being made to the Mormon voters to break from the control of their ecclesiastical masters in political matters and not make such extreme measures necessary.

We do not ask that the government of the Territory be turned over to the minority of its people (although that might be eminently proper where, as in this case, only the minority acknowledge and in good faith yield allegiance to the national authority), but we do ask that the nation itself resume its authority over Utah, take back the power delegated to and abused by the Territory, and by its chosen agents and officers make laws for and govern its people.

If it be suggested that such a commission might make oppressive laws it is to be answered that even if this were a reasonable suggestion Congress has power to annul its enactments, and it might be proper to limit the law-making power to laws that have been or may be enacted in other States or Territories.

If the question of expense be raised, it may be answered by saying that if the members of the proposed council have the same pay and allowances that are now made to members of the Legislature the present expense, by reason of diminished numbers, will be lessened two-thirds.

Thus far the "Liberals" of Utah have on this picket line of civilization maintained the local struggle against overwhelming odds. They have reached a point where discouragement must ensue unless your honorable bodies provide measures whereby the same laws may be made and enforced in Utah as in other States and Territories of the Union.

We therefore most earnestly pray that his Excellency the President will recommend, and the honorable the Congress of the United States will enact, such measures as we have herein indicated, and your memorialists will ever pray.

For the non-Mormon people of Utah:
 JOHN R. McBRIDE, Salt Lake County,
 ELIJAH SELLS, Salt Lake County,
 MAURICE M. KAIGHN, Salt Lake County,
 WM. MCKAY, Salt Lake County,
 A. D. SHUTLIFF, Morgan County,
 JAMES G. BROWN, Tooele County,
 E. A. LITTLEFIELD, Weber County,
 F. A. SHIELDS, Weber County,
 E. P. FERRY, Summit County,
 WM. LOUDER, Summit County,
 A. L. BUCKLAND, Davis County,
 C. C. GOODWIN, Cache County,
 J. W. CHRISTIAN, Beaver County,
 P. RYAN, Beaver County,
 F. M. MERRILL, Box Elder County,
 ALEX. GRAHAM, Juab County,
 A. G. SUTHERLAND, Utah County,
 JOHN E. HILLS, Utah County.

Utah Territorial Liberal Central Committee.
 SALT LAKE CITY, UTAH, November 28, 1882.

UTAH ELECTIONS.

Comparative table showing Mormon and Liberal votes cast from 1870 to 1882.

Counties.	1870.		1872.		1874.		1876.		1878.		1880.		1882.	
	Mormon.	Liberal.	Mormon.	Liberal.	Mormon.	Liberal.	Mormon.	Liberal.	Mormon.	Scattering.	Mormon.	Liberal.	Mormon.	Liberal.
Beaver.....	492	1	401	248	519	112	488	270	348	0	515	222	542	286
Box Elder.....	1,579	862	1,361	100	1,224	287	1,145	263	888	0	855	73	945	162
Cache.....	2,681	0	1,991	11	2,503	5	2,146	26	1,389	0	1,787	6	2,226	80
Davis.....	1,193	0	1,181	3	1,090	5	942	10	664	0	855	26	944	105
Iron.....	497	0	544	2	506	28	605	13	503	0	491	4	432	22
Juab.....	509	0	650	48	782	213	537	118	307	0	421	49	538	73
Kane.....	495	0	597	0	626	0	725	1	567	0	60	0	185	1
Millard.....	743	0	714	0	653	25	673	20	326	0	510	34	575	45
Morgan.....	240	0	249	4	328	1	257	7	192	1	431	8	305	36
Piute.....	6	27	1	48	3	44	5	32	57	3	105	26	176	69
Rich.....	475	2	203	0	249	0	224	0	177	11	207	0	204	4
Salt Lake.....	4,104	162	4,505	1,125	5,219	2,385	4,499	1,787	2,541	0	3,333	241	5,003	1,648
San Pete.....	1,650	0	1,861	0	2,460	3	1,921	43	1,292	0	1,673	43	1,671	123
Sevier.....	(*)	0	452	0	678	0	633	1	434	0	568	5	633	52
Summit.....	605	199	475	2	582	6	85	291	330	9	433	175	683	684
Tooele.....	600	38	828	304	1,019	1,288	488	692	566	30	14	80	587	178
Utah.....	3,234	32	2,665	35	3,574	44	3,336	55	2,015	2	2,737	64	3,403	278
Wasatch.....	251	0	379	0	355	2	278	0	144	0	213	7	464	8
Washington.....	1,038	0	720	0	812	0	837	16	606	1	713	177	698	919
Weber.....	1,244	126	1,193	12	1,641	150	1,356	200	867	0	1,699	116	2,240	841
Uintah.....											6	0	99	21
Emery.....													219	15
Garfield.....													237	5
Total.....	21,656	1,469	21,970	1,938	24,864	4,598	20,830	3,833	14,201	57	18,567	1,357	23,039	4,884

* No return.

ORDER OF BUSINESS.

Mr. RYAN. I move to dispense with the morning hour for the call of committees.

The motion was agreed to, two-thirds voting in favor thereof.

INDIAN APPROPRIATION BILL.

Mr. RYAN. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the Indian appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. PAGE in the chair), and proceeded to the consideration of the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes.

Mr. RYAN. I ask that the first reading of the bill for information be dispensed with, and that we proceed at once to the consideration of the bill by clauses under the five-minute rule.

The CHAIRMAN. If there be no objection that order will be made. There was no objection.

The Clerk proceeded to read the bill. The following was read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with the various Indian tribes, namely:

For pay of fifty-nine agents of Indian affairs at the following-named agencies, at the rates respectively indicated, namely:
 At the Warm Springs agency, at \$1,000.

Mr. BLOUNT. For the purpose of putting an inquiry to the gentleman in charge of this bill, I move to amend the clause just read by striking out the last word. This bill, with the accompanying report, has just been put upon our desks. I see there is a reduction of several hundred thousand dollars in the amount of the bill as compared with the

appropriations for the current year. I would like the gentleman to give us an explanation of this difference. We have not been able to search out the differences for ourselves. I hope the gentleman will state where they occur and the reason for them.

Mr. RYAN. In reply to the question of the gentleman from Georgia, I will state that, as the report shows, this bill provides for appropriations which are less by about \$274,200 than those for the current year. The reductions are made in many places through the bill, and especially where subsistence is provided for different tribes of Indians. Some of the reductions grow out of the fact that certain treaty obligations were exhausted by the appropriation bill for the current year.

Mr. BLOUNT. Allow me to ask the gentleman just here a question. Is it or will it be the policy of the Department not to ask for Indian supplies hereafter in cases where treaty stipulations do not require the furnishing of such supplies?

Mr. RYAN. The amount provided for by treaty has in some instances been found wholly inadequate, and it has been the practice of Congress, going very far back—I can not say how many years, but always I think—to provide in such cases a gift or donation to make up the deficiency resulting from the absence of treaty funds. But I suppose the gentleman wants to know whether it is the policy of the Government where Indians have been subsisted upon treaty funds alone, and where those funds have become exhausted, to provide by gift for their subsistence. I believe that only one such case arises in this bill, and in that case the Committee on Appropriations refused to make any appropriation for subsistence. The policy of the Department, however, if I may judge from the estimates, is otherwise, for in that case an appropriation has been asked for.

Mr. BLOUNT. I am aware that where there are treaty stipulations the Government annually provides in the Indian appropriation bill for purchasing supplies, subsistence, &c. What I wish to know is whether it is the gentleman's purpose or the purpose of the committee that where these treaty stipulations have expired there shall be no appropriations hereafter. Where the treaties have expired are future Con-

gresses to be called on to provide for the subsistence of these Indians, or is it intended to exclude them from Government subsistence hereafter?

Mr. RYAN. The policy of the Committee on Appropriations is hereafter to let the Indians in all such cases subsist themselves where they are in a self-supporting condition.

Mr. BLOUNT. Then I should like to know whether there are not many Indians provided with supplies in this bill for which there are no treaty stipulations?

Mr. RYAN. Certainly.

Mr. BLOUNT. Why, then, make a specialty of these two or three cases?

Mr. RYAN. The cases I have referred to are of Indians who are, in the judgment of the committee, in a situation to subsist themselves.

Mr. BLOUNT. I do not wish to interrupt the gentleman further, but I should like to know whether that is the recommendation of the Department?

Mr. RYAN. In the cases I have referred to it is not the recommendation of the Department. The Department asked for an appropriation.

Mr. BLOUNT. May I ask further whether it is the opinion of the Department that they can hereafter subsist themselves?

Mr. RYAN. In the cases I have referred to, in the judgment of the Department—or at least I glean that to be the opinion of the Department from conversations I have had with the Commissioner of Indian Affairs—they can subsist themselves. The Commissioner desired an appropriation for educational and other purposes, however, for the Indians I refer to.

Mr. BLOUNT. I withdraw my amendment.

The Clerk read as follows:

At the Mesalero and Jicarilla agency, at \$1,500.

Mr. RYAN. I move to strike out the words "and Jicarilla."

The amendment was agreed to.

The Clerk read as follows:

At the Moquis Pueblo agency, who shall also perform the duties of clerk, at \$1,500; and no other money appropriated by this act shall be expended for clerical labor at this agency; in all \$90,500.

Mr. RYAN. I move, at the end of line 127, to add the following:

And all laws providing compensation for Indian agents in conflict with the provisions of this act are hereby repealed.

Mr. BLOUNT. I would like to ask the gentleman from Kansas whether this sum has been increased?

Mr. RYAN. Not a dollar.

The amendment was agreed to.

The Clerk read as follows:

For pay of three Indian inspectors, at \$3,000 per annum each, \$9,000.

Mr. VALENTINE. I desire to inquire of the gentleman from Kansas, in charge of this bill, by what authority they reduced the number of Indian inspectors? Has it been asked for by the Department? Heretofore there have been five inspectors, while the appropriation in this bill is made for three only.

The CHAIRMAN. Does the gentleman from Nebraska offer an amendment?

Mr. VALENTINE. No; I merely rise for the purpose of asking why this reduction is proposed in this instance?

Mr. RYAN. There is a law upon the statute-book providing for five inspectors, at a salary of \$3,000 each. There is also a system of special agents in the service. We have heretofore provided for four special agents, at a salary of \$2,000 each. The duties of these inspectors and special agents are practically the same. On consultation with the Secretary of the Interior he expressed to the sub-committee his belief that the Department could dispense with two Indian inspectors if we would give him two additional special agents, and we have in this bill acted in accordance with that suggestion.

Mr. VALENTINE. The explanation is satisfactory.

The Clerk read as follows:

For contingencies of the Indian service, including traveling and incidental expenses of Indian agents and of their offices, and for pay of employes (not otherwise provided for), and for pay of six special agents, at \$2,000 per annum each, \$42,500.

Mr. RYAN. I move to insert after the word "agents," in line 143, the words "including the six special agents."

The amendment was agreed to.

The Clerk read as follows, under the heading of "Crows:":

For this amount, or so much thereof as may be necessary, to furnish flour and meat, and such articles as from time to time the condition and necessities of the Indians may require, \$48,000; in all, \$105,000.

Mr. HOLMAN. Is this item of \$48,000 a new one? If so, I should like to have some explanation of it.

Mr. RYAN. It has been heretofore appropriated during many years, and always a greater sum than is here provided. Last year it was \$50,000, the year before that \$50,000, the preceding year \$65,000, and for the two previous years \$65,000 each, and then \$75,000, and for four preceding years \$100,000 each.

Mr. HOLMAN. I find the gentleman is correct, that last year the appropriation was \$50,000. I overlooked it.

The Clerk read as follows:

For subsistence of the Sioux, and for purposes of their civilization, as per agreement ratified by act of Congress approved February 28, 1877, and for transportation of all supplies from termination of railroad or steamboat transportation, \$1,325,000;

For pay of matron at Santee agency, \$500;

For pay of second blacksmith, and furnishing iron, steel, and other material, per eighth article of same treaty, \$2,000; in all, \$1,732,300.

Mr. HASKELL. Mr. Chairman, I desire to offer an amendment to come in at the close of the paragraph which has just been read.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

At the end of line 749 insert:

"Provided, There shall be inserted in the patent authorized to be issued to certain individual Indians by the concluding paragraph of article 6 of the treaty with the Sioux Indians, proclaimed the 24th day of February, 1869, a proviso that the lands obtained under said paragraph shall not be subject to alienation or incumbrance, either by voluntary conveyance or by the judgment, decree, or order of any court, or subject to taxation of any character; but that the same shall be and remain inalienable and not subject to taxation for the period of twenty years from the date of the patent issued therefor."

Mr. RYAN. I will reserve the point of order upon the amendment until my colleague makes a statement or explanation in reference to it.

Mr. HASKELL. Under the existing treaty, which is referred to in that amendment, the Santee Sioux and some other branches of the Sioux tribe are allowed to make selections of land in severalty. The Commissioner of Indian Affairs finds that the Indians are very anxious to make these selections—have made them in fact; but he deems it not for the good of the Indians to issue the patents provided for in the treaty without making a provision that they may not sell or dispossess themselves of the land, which they are tempted to do, and therefore he wanted to have this provision inserted in the appropriation bill, so as to make the patents inalienable and unassignable in common with the provision made for other tribes who have taken lands in severalty, so that they can not be able to dispossess themselves of these lands.

Further, and a very important factor in connection with this matter, is the fact that the Indians have made, as I have stated in many instances, these selections, which are located in the interior of the reservation; and if the patents shall issue as provided for in the treaty, without this restraining provision, the Indian who has located his land may sell his allotment in the middle of the reservation. Now this amendment makes his title inalienable. He can neither sell nor assign it, and has no power to dispossess himself of it within the period provided by the law. It is intended simply as a matter of safety; and while I am aware that it is not perhaps technically within the rules to offer it here, the Commissioner asked me, not having time to communicate with the sub-committee, to make an effort to introduce it and have it incorporated in the bill for the reasons that I have stated.

Mr. ATKINS. May I ask the gentleman from Kansas if these lands are entailed upon the posterity of the individual Indian who receives the allotment?

Mr. HASKELL. The language of the treaty provides that it shall be his exclusively, for himself and family so long as he shall continue to occupy it.

Mr. BLOUNT. Let the amendment be again reported.

The amendment was again read.

Mr. HASKELL. It will be seen that it is simply a measure of safety for the Indian himself.

Mr. RYAN. Mr. Chairman, I shall not interpose the point of order upon this amendment, but I wish to ask my colleague whether we are not bound by the treaty to give these lands to these Indians in fee simple, without any restriction whatever?

Mr. HASKELL. In my judgment we are not. I think that the terms of the treaty are somewhat obscure in that particular. I will read it, however, and gentlemen may judge for themselves. It provides as follows:

ARTICLE 6. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "land-book," as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

So that it will be seen that when the Indian, in conformity with the law, shall have made his selection it simply gives him the right to occupy the land exclusively, and it is no longer held in common by the tribe. But this provision of law does not seem to attach the right of fee simple to this certificate. The right to hold the land is limited. Now, anything which limits the power of possession or ownership in land is not a fee simple. What the Indian receives is a mere formal certificate of allotment which separates this particular body of land so selected from that held in common by the tribe.

Mr. RYAN. I shall make no objection to the proposed amendment.

Mr. HISCOCK. Will the gentleman from Kansas allow me to make this suggestion by way of amendment to his amendment? that the limitation on this power of alienation, which he proposes to fix at twenty years, be stricken out, so that the lands shall be forever inalienable.

If that be done, whenever the Government shall see fit to remove the barrier to the title to all of the lands in possession of the Indians then that question can receive careful consideration, and a general bill or policy be adopted with reference to it.

Mr. BLOUNT. It also keeps the matter under the control of the Government until it sees fit to render the lands alienable by removing the restriction.

Mr. HISCOCK. Yes, sir. And I want the amendment so drawn that the right of alienability shall cease to exist forever, and that the lands shall be unassignable, no limit being placed thereon.

Mr. HASKELL. I do not object to the proposed amendment. My only object is in this manner to protect the Indians in their rights. I think such a provision will amply guard them; and I am indifferent as to whether a limit is fixed or not.

Mr. HISCOCK. I do not believe that the Indian possesses the power of alienation or assigning the allotment any way. I do not think he possesses the power under the statute; but what I fear is that the amendment of the gentleman from Kansas may inferentially grant that power, and I want to provide against it in an emphatic manner.

Mr. SCALES. Will the gentleman yield to me for a suggestion?

Mr. HISCOCK. Certainly.

Mr. SCALES. May I suggest, then, to the gentleman from New York that in many of these treaties instead of providing that these allotments shall be forever inalienable we have usually left it to the discretion of the President for the twenty years, or so long as he may deem proper.

Mr. HISCOCK. My amendment will make it read in this way, commencing with the last part of the clause:

Or subject to taxation of any character, but the same shall be and remain forever inalienable and not subject to taxation.

The CHAIRMAN. Does the gentleman from Kansas [Mr. HASKELL] accept the modification suggested by the gentleman from New York [Mr. HISCOCK]?

Mr. HASKELL. I do not object to it.

The CHAIRMAN. The gentleman from Kansas [Mr. RYAN] in charge of the bill is recognized.

Mr. RYAN. I do not care to make any remarks. I have no objection to the amendment.

The question being taken on Mr. HASKELL'S amendment as modified, it was adopted.

The Clerk read as follows:

UTES.

For third of ten installments to be distributed, at the discretion of the President, to such Ute Indians as distinguish themselves by good sense, energy, and perseverance in the pursuits of civilized life and in the promotion of a good understanding between the Indians and the Government and people of the United States, \$4,000.

Mr. DUNNELL. I would like to ask the gentleman from Kansas whether or not this is the first appropriation made for the education of these Indians. Was there any similar appropriation made last year?

Mr. RYAN. Yes, sir; there was.

The Clerk read the following paragraph:

For subsistence and civilization of Arickarees, Gros Ventres, and Mandans: For this amount, to be expended in such goods, provisions, and other articles as the President may, from time to time, determine, in instructing in agricultural and mechanical pursuits, in providing employes, educating children, procuring medicine and medical attendance, care for and support of the aged, sick, and infirm, for the helpless orphans of said Indians, and in any other respect to promote their civilization, comfort, and improvement, \$38,000.

Mr. ANDERSON addressed the committee. [See Appendix.]

The Clerk read the following paragraph:

For support of day and industrial schools and for other educational purposes for the Indian tribes not hereinafter provided for, \$350,000.

Mr. WILLITS. I move to strike out the last word. I observe that this item, appropriating an amount left at the discretion of the Secretary of the Interior, as I suppose, is increased to \$350,000. A similar item in the last bill was only \$150,000, but in another part of the same bill there was another item of \$150,000 which I suppose is chargeable to the same system of education; so that last year there was an appropriation of \$300,000, while this year there is an appropriation of \$350,000 for the same purpose.

I have read with a great deal of interest the report of the Secretary of the Interior on the subject of the education of the Indians, which is certainly an important subject. I have given some consideration to it, and I desire to emphasize the very sensible suggestions of the Secretary of the Interior on this point.

The Indian is a wild man rather than a wild beast. Our policy toward him has at times been controlled by a hatred as against a wild beast, and again by a sentimentalism that has made of him more than a wild man. "The only good Indian is the dead Indian," says one class; "the Indian, though untutored, is the child of nature, uncontaminated by the vices and blandishments of civilization—the noble red man," says the other. The one class shoots, the other prays; the one demands appropriations for the soldier, the other contributions for the missionary; the one makes him of no account here, the other of but little account hereafter.

The question is, How shall we utilize him here? What shall we do with him? In the first place set him to work; take his guns from him.

Hunting is a savage pastime, whether indulged in by Anglo-Saxon or Indian. The amenities of civilization alone save the former from barbarism, in spite of the zest inspired by the chase; the barbarism of the latter is perpetuated by it. Hunting only quickens the pulses of the white man; it heats the blood of the Indian, and impels him to hunt for scalps. Take from him his gun; give him the steady tone of toil. It may require some coercion to do it. It will take time to make it his second nature; but he must acquire it or his doom is sealed, and he will "die off the face of the earth." To save him the impulses of the man must be directed into other channels, and those channels should at first diverge but little from their native ones; herding and stock-raising; then tilling the soil; then industrial pursuits in the shop, and finally the full education of the mental faculties.

As a race the Indian has to go through these gradations. To jump either as a whole is to make a false step that shall bring us no nearer the goal after all. Without these a civilized Indian is but a barbaric "milk-sop." Whatever we do we should recognize the philosophical fact that the tendencies and passions of ages course through his veins and nature, and only time and proper culture can change them.

A beginning has been made in the right direction, but the system has not been made general enough nor broad enough nor persistent enough. We have been fighting and therefore have not been schooling. The fighting is about finished now, and with a little prudent foresight it may stop soon entirely. The problem is: What shall the schooling be? It should be that of the ranche, the farm, the shop, and the class-room. Within five years every Indian in the land should be brought within one or the other of these occupations, the adults in the first two and the youth in the last two. The experiment of educating the youth has shown promising results, which have proved unsatisfactory only because not extensive enough. The percentage is so small that it is swallowed up by the barbarism of the tribe. Make the percentage large, and it will be felt. On the other hand, tone down the barbarism at home and it will be impressed by the educated youth returned to the ranks; so in time the race may work itself up into a self-reliant, self-sustaining people.

It is too early, in my judgment, to give the Indians their lands in severalty; not alone because they would soon be despoiled of them by the speculator, but also because one of their most sacred religious instincts is the right in common of all the tribe to all its land. To them it would be a cruel desecration of the privileges of the tribal relations. There is no necessity for it at the present time. But it does not follow that the tribe should occupy so much land. Cut down their reservations to the limit they wish with their descendants for two or three generations can profitably occupy under the proposed plan to set them to work; sell the surplus lands; make the proceeds a fund for this education—a permanent fund; bring their homes within the pale of civilization and law, and protect them in their rights as sacredly as a white man's.

This will be expensive, it is true, but it will in the end be largely met by the funds set apart for their education, and would be a decreasing amount as the years pass by. In any event it will be cheaper than Indian wars. One-fourth of the youth of any tribe put at school away from the tribe will be sufficient hostage against an Indian war.

I believe fully in the suggestions made by the Secretary of the Interior. I believe the time has come when they should be tried. Humanity dictates some such policy, and that the half-and-half methods of the past should be abandoned, and that we adopt a grand, comprehensive scheme, that shall be just to the Indian and fit him to become in time a constituent part of the Republic.

I withdraw the *pro forma* motion to strike out the last word.

The Clerk read the following paragraph:

For support of Indian industrial school at Carlisle, Pennsylvania, and for transportation of children to and from said school, \$67,500; and said sum shall be disbursed upon the basis of an allowance not exceeding \$200 for the support and education of each scholar; for annual allowance to Lieutenant R. H. Pratt, in charge of said Indian industrial school, \$1,000; in all, \$68,500.

Mr. SCALES. I move to amend by striking out \$200, in line 1010, and inserting \$167.

I desire to call the attention of my friend from Kansas [Mr. RYAN] to the fact that \$167 has been the sum heretofore allowed, I believe, per scholar. And if he will permit me, I will further call his attention to the fact that in the ten hundred and fifteenth line \$167 is allowed for the education of the scholars at the Hampton school; and in line 1051 the same amount is allowed for the Indian children at schools in the different States.

I see no good reason why this additional amount of \$40 should be allowed for the Carlisle school in excess of what is allowed to other schools for the same purpose; and unless some good reason for the difference can be assigned I propose to urge the amendment.

Mr. RYAN. The Forest Grove school and the Carlisle school are both supported wholly by the Government. The Hampton school is supported mainly from benevolent sources. Some two or three years ago it made a proposition to the Government to take these Indian youths and instruct them at \$167 per capita, and it entered into a contract to that effect with the Department, relying upon benevolent sources to make up the balance. That is the reason we are getting these Indian children educated there at \$167 per capita. At the Forest Grove school the cost per capita is very nearly \$200; and the cost at Carlisle is much

greater. The net cost will be \$235 per capita at Carlisle. The committee believed that there was unnecessary extravagance in the administration at the Carlisle school and limited the expenditure to \$200 per capita.

So far as the States are concerned there is a disposition among certain benevolent institutions to get possession of Indian youths and educate them, and they have been found willing to take them at \$167 per capita; but they can not maintain them at that cost. Where the Government itself maintains the schools altogether the minimum cost has been found to be about \$200 per capita.

Mr. SCALES. I do not think my friend from Kansas answers satisfactorily the objection I have made. I know the fact, and I think my friend knows it, that \$167 has been the price established by the Department itself as a sufficient sum to pay for the schools in the States which agree to take these Indians and educate them. They pay that sum to Hampton. I have no idea and I do not think my friend has any idea that those schools now maintain those Indians at a price less than it costs them. These State schools are anxious to have and are applying every day for these Indian children at \$167, the price fixed by the Department. Why, then, should the Government in a school of its own pay \$200 for what it can do in private institutions at \$167?

Mr. RYAN. If the gentleman will allow me I will state that I am informed by the principal of the Hampton school that it costs that institution over \$200 per capita to educate these Indian youths.

Mr. SCALES. One moment. It would be much better for the Government, if this policy of educating these Indians is to be carried out, and I hope it will be, that these Indian youths should be placed in private schools rather than in schools established by the Government itself at an excessive cost.

I hope that the same price will be paid one school as another. If the Hampton school is a valuable one, as I think it is, still, notwithstanding the great service which I think the head of that institution has rendered the cause of education, I should not be in favor of continuing or maintaining that school at such a cost.

I hope, therefore, that the amendment will be adopted, as this seems to be the policy of the Government, and that hereafter all the schools shall be paid at the rate of \$167 per capita; or if that is found to be insufficient, then that the same amount shall be paid to private schools as is paid to the Government schools.

Mr. RYAN. If a benevolent institution like that of Hampton desires to educate Indian youths for twenty-five or thirty dollars per capita less than the Government can do it, I can see no reason why it ought not to be permitted to do so.

One thing is certain, and that is that these Indian youths can not be educated at these institutions for less than \$200 per capita. At the Carlisle school it has cost net \$235 per capita. Now, if the purpose of Congress is to cripple these schools, if it would destroy them, if it would make it impracticable to educate these Indian youths at these schools, then this amendment should prevail, because that would be the inevitable result of it. They can not be maintained at Carlisle or at Forest Grove or at any of these industrial schools away from the agencies at a less cost than \$200 per capita. Where private institutions for benevolent purposes educate these Indian youths the invariable evidence is that they do not maintain them at a less cost than \$200 per capita. The balance is made up by benevolent persons who make contributions to support those institutions.

Mr. SCALES. Will my friend allow me one moment?

Mr. RYAN. Certainly.

Mr. SCALES. Is it not true, as I stated, that this sum of \$167 per capita was fixed upon by the Department itself as a proper and sufficient sum for the education of these Indian youth in the schools in the States?

Mr. RYAN. As I stated a little while ago, the Hampton school offered to take these Indians at that price.

Mr. SCALES. I mean the schools in the States.

Mr. RYAN. Congress simply said in the appropriation bill for the current year that one hundred of these Indian youth might be distributed among the States, if schools of a certain character would take them at that price.

Mr. SCALES. But what I wish to call the attention of my friend to, and I hope he will not evade it, is this: Is not that sum fixed by the Department? Are not these children offered to these schools at that sum as sufficient for the purpose? I know these facts, because I happen to be connected with an institution of that sort where the price was put at \$167, as being ample for the purpose.

Mr. RYAN. The legislation to which the gentleman refers by no means fixes that amount as the proper cost of maintaining these Indian youth at these institutions. It simply authorizes the Department to allow institutions of a certain character in the States to take these Indian youth and to educate them, if they will take them at that price. The very bill to which the gentleman refers limits the amount of expenditures at the Forest Grove school to \$200 per capita. You might as well say, and with much more propriety, that that legislation fixed the price per capita of maintaining and educating these Indian youth, because that institution is supported wholly by the Government and the others are not.

The CHAIRMAN. The time for debate upon the pending amendment has been exhausted.

Mr. HISCOCK. I move to strike out the last word. I desire to call the attention of the Committee of the Whole to this fact: This policy of educating Indian youth at these schools was one adopted by Congress upon the action of the Senate, so far as it refers to schools other than at Carlisle and at Forest Grove. It was a policy adopted by the Senate, to which the House was compelled to yield at the last session of Congress.

There is no question that the Government itself cannot support these children in the schools which it maintains entirely at less than \$200 per capita. That sum is put in as a limit upon the management of the schools in case the officers in charge should be disposed to go beyond it. If gentlemen will examine further they will find that the last Congress provided for a school in Arkansas, one in Dakota, and one in Nebraska. These schools were provided for in the appropriation bill of last year and they have been established, and the question is whether they shall be abandoned or a sufficient appropriation made to give them pupils. As has been said by the gentleman from Kansas [Mr. RYAN], it is hardly a question of economy, because there is no sort of question that the Government itself cannot support and maintain these children as cheaply.

Mr. ATKINS. I desire to ask the gentleman from New York [Mr. HISCOCK] or the gentleman in charge of this bill [Mr. RYAN] why it is that at some of these schools children can be educated at an expense of \$167 each, while at others the cost is \$200?

Mr. HISCOCK. These schools are charitable institutions; and the humanitarians conducting them and attempting to develop the mental capacity of this race are anxious to get these children for that purpose. They take hold of the question as one of humanity, and from the large cities money is contributed to support these schools. Such contributions are all the while solicited. The persons conducting these schools say themselves that the actual cost of educating the children is beyond the amount appropriated by the Government, but that the deficiency is made up from private contributions.

Mr. ATKINS. I simply desired to bring out the fact that the cost of educating these children at Carlisle is perhaps about the same as at these other institutions, if the real expense be computed.

Mr. RYAN. That is correct.

Mr. HASKELL. In the joint hearing before the Indian committees of the Senate and House this matter of the cost per capita was discussed. The facts were brought out by Captain Armstrong, in charge of the Hampton school. As has been stated over and over again, the actual cost of educating these children at Hampton is a little over \$200 each, although the appropriation by the Government is on the basis \$30 to \$40 less for each child. Captain Armstrong thought that the Government ought to be liberal enough to appropriate for that institution the full amount of \$200 per capita, that having been demonstrated as the actual cost, and that those in charge of the institution should not be compelled to appeal to private charity to assist in the support and education of these Indian youths.

As the gentleman from North Carolina [Mr. SCALES] will remember, a large engine supplying all the power used in the industrial branch of the school was furnished by private contributions; buildings were also erected by the same means. When that school commenced operations some Indian youth were received for nothing—as a matter of charity. Then this sum of \$167 per capita was agreed upon, not as embracing the whole cost of educating the children, but merely as a sort of compromise remuneration.

Mr. SCALES. I wish to remind the gentleman that this sum of \$200 per capita is not for the purpose of providing school buildings, or engines, or anything of that sort, but is for the support and education of the scholars themselves.

Mr. HASKELL. I understand that.

Mr. SCALES. It has nothing in the world to do with the preparations made for carrying on the institution.

Mr. HASKELL. I understand that. I simply referred to those items of gift as being within the memory of my friend from North Carolina, showing how liberally the public has responded to Captain Armstrong's call for aid. When first established this was a charity school, Indian youth being received and educated there without compensation.

Mr. SCALES. I will ask whether or not similar contributions have been made to the Carlisle school?

Mr. RYAN. Not at all.

Mr. HASKELL. At first the Government was totally unaware how much the education of these children would cost, and at that time I believe \$167 per capita was fixed upon, but nobody knew what would be the actual cost. There has never been a report from Carlisle saying that the cost was less than about \$200 per pupil.

Mr. RYAN. A detailed statement of the expenditures in that institution shows that the net cost of maintaining these youth at that school is \$235 per capita.

Mr. HASKELL. That was about what our investigation last summer showed. The statement made by the gentleman in charge of the bill can, I think, be relied upon as absolutely correct.

Mr. SCALES obtained the floor.

The CHAIRMAN. Debate is exhausted.

Mr. HISCOCK. I withdraw the *pro forma* amendment.

Mr. SCALES. I renew it. I desire merely to say further, in reply to the gentleman from Kansas, that in line 1051 of this bill there is a provision to pay to the institutions of the different States where these children may be educated by the Government \$167 for each child. Do I understand my friends from Kansas, who have this matter at heart—either the gentleman in charge of the bill [Mr. RYAN] or the gentleman who has just addressed the committee [Mr. HASKELL]—to say that they desire those schools in the States to take these scholars at less than cost?

Mr. HASKELL. Such has been the case; and a dozen offers have been made to do the same hereafter.

Mr. RYAN. Will the gentleman from North Carolina allow me to answer his question?

Mr. SCALES. In one moment. Now, Mr. Chairman, if this work of education can be done for that sum in other institutions of the States, it can be done for the same sum at the Carlisle school. I know that my friend from Kansas has at heart this system of education. I am anxious to have the difficulty solved. I believe this is a step in the right direction; and I want it taken. If it be necessary to appropriate \$200 per scholar we ought to do it.

At the last session, and I believe a session or two before, Congress, finding these two schools established by the Government insufficient for the purpose, determined to call in the aid of schools and colleges in the different States, pledging itself to pay a fair compensation for the work done. The Department agreed upon this sum; the contract has been made; the work is being done, and I believe I can say it is being done as faithfully and efficiently at Carlisle as at any other school in the country. Now, I say if these Indian youth can not be educated at a less cost than \$200 each, carry out your system, pay the State institutions what is necessary; do not require them to educate these scholars at less than actual cost.

You say they did propose to educate them. Yes, they did; they proposed to educate them and they did it because you desired it, and they did it because it aided in the consummation of the great work. They hastened to the support of that work; and therefore I do hope this Congress will either reduce the \$200 to \$167 or pay other colleges engaged in the same service, doing the same great work, the same price it pays its own professors.

Mr. RYAN. As I stated in the beginning, Mr. Chairman, I cannot see any reasonable objection to allowing State institutions to educate these Indian youth at a less price than it costs the Government now to educate them. If a State institution desires to educate one hundred Indian youth precisely as they are educated at Carlisle, and at 50 per cent. less cost, I can see no good reason why the American Congress should object to it. It seems to me, therefore, that the objection urged by my friend from North Carolina is not based upon substantial ground. The Congress of the United States simply says, by the law proposed to be passed, that if State institutions will educate these Indian youth at \$167 per capita, although the United States cannot educate them in like institutions of their own for that sum of money, those State institutions should be permitted to do so.

Now, there has been no difficulty, so far as I know, about educating these Indian youth under that provision of the law. If I am correctly informed, the State of North Carolina has its quota of twenty in one of her schools and is now educating them under this provision of law, and that institution does not make any complaint whatever.

Mr. SCALES. None whatever.

Mr. RYAN. But on the contrary that it is willing to incur whatever additional burden may arise in the education of these Indian youth for the privilege of furnishing them with that education.

Mr. SCALES. I withdraw the *pro forma* amendment; but I insist upon the original amendment.

Mr. O'NEILL. I will renew the *pro forma* amendment for the purpose, Mr. Chairman, of making a brief statement to the committee in reference to the education of Indian youth. I believe it is better I should make it at this time, because by neglecting to do so a seeming injustice might be done to an offer which has been made by an institution under the direction of citizens of Philadelphia in the way of educating and bringing up Indian girls, and with a view of preparing them for the duties of womanhood, the benefit of which it is hoped would appear after awhile. If it could be done under our parliamentary rules I would be glad to move an amendment increasing the appropriation, but I am aware that it would be ruled out of order; hence the offer of the Lincoln Institution at Philadelphia, referred to in these copies of letters from the Attorney-General, the Secretary of the Interior, and the Commissioner of Indian Affairs, can not be acted upon by the Committee of the Whole:

DEPARTMENT OF JUSTICE,
Washington, D. C., November 23, 1882.

SIR: I have the honor to inclose herewith a letter dated Philadelphia, November 14, and I wish to say that I know Mrs. John Bellangee Cox personally, and I know of the institution about which she writes. She and all the people who have managed and controlled this institution are good and noble people and are of the highest character and standing in the community of Philadelphia. They have done great service in the cause of charity, especially in the matter of charity arising out of the late war.

I am heartily in sympathy with what she proposes concerning the education of the children of our Indian people and I hope it will meet with your approval and support.

Very respectfully, your obedient servant,

BREWSTER, *Attorney-General.*

HON. HENRY M. TELLER,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, November 27, 1882.

SIR: By Department reference I have the honor to be in receipt of a communication of the 14th instant from Mrs. John Bellangee Cox, representing the board of managers of Lincoln Institution, in which she proposes that the buildings of the institution be utilized for an Indian girls' boarding school, and that from fifty to one hundred pupils be sent there by the Department and educated there at an expense to the Government of \$175 per capita per annum, all other expenses, including that of selecting and collecting the pupils, to be borne by the institution. If this proposition could be accepted the money thus expended would, in my opinion, do more to break down the prejudices of the wild Indians and open the door to their civilization than ten times that amount expended for subsistence and support.

It is very important that the ratio of girls to boys now being educated from home should be increased. The reluctance of the Indians to part with their girls might be overcome by these ladies, who agree to assume all the labor and expense of procuring the girls, except the traveling expenses of the pupils from their homes to the institution.

This institution seems to possess exceptional advantages for the work it proposes to do, and the training given to the girls and the influences thrown around them would be of the very best. No such arrangement, however, can be entered into unless a specific appropriation therefor is made. I therefore earnestly recommend that Congress be urged at its next session to make a specific appropriation for this purpose of not less than \$20,000. The papers in the case are herewith respectfully returned.

Yours, respectfully,

H. PRICE, *Commissioner.*

The honorable the SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, Washington, November 28, 1882.

MADAM: I have received your communication of the 14th instant, submitting, by order of the board of managers of the Lincoln Institution of Philadelphia, a proposition to receive, support, educate, and train in industry, morals, and religion from fifty to one hundred Indian girls for the sum of \$175 each per annum, in addition to transportation. A similar communication was received with letter of the 23d instant, from the honorable Attorney-General. I have referred the subject to the Commissioner of Indian Affairs for his consideration, and have the honor to inclose herewith, for your information, a copy of his report thereon, dated 27th instant. It will be seen by the Commissioner's report that this Department cannot accept your proposition or enter into such an arrangement in the absence of specific legislation by Congress on the subject. If an appropriation for this purpose shall be made by Congress every facility practicable for the proper furtherance of the laudable undertaking will be afforded by the Department.

Very respectfully,

HENRY M. TELLER, *Secretary.*

MRS. JOHN BELLANGE COX,
Directress of Lincoln Institution, Philadelphia, Pa.

Mr. Chairman, I wish to state here, as I have already stated to the Committee on Appropriations when the bill was in preparation, that this noble institution, in whom so many noble Philadelphia women are interested, has offered, as these letters show, to take from fifty to one hundred Indian girls and educate and support them and teach them to work, at a cost per capita not exceeding \$175 a year. My statement in the Committee on Appropriations was made from my recollection of two short conversations with Mrs. John Bellangee Cox, directress of the institution, which occurred casually in Philadelphia, and before I knew of the above correspondence or the result of the same. My proposition to that committee was in the nature of an experiment, and that not on a large scale.

That amount, \$175, is much less than it costs the Government for similar education, support, &c., at this time at Carlisle. It is my design, and at an early day, to have this offer of the Lincoln Institution brought to the attention of the Senate in a formal and regular way, and with that view I have had to-day an interview with the Secretary of the Interior on the subject. He concurs in the general proposition made, and I understood from him that he would be willing to make some recommendation at the proper time in order that it may reach the Senate of the United States and be referred to the Committee on Appropriations, there to be embraced in this bill, thus submitting that the Lincoln Institution of Philadelphia be indicated as one of the institutions to take charge of the education of some of the Indian girls, at least fifty. It is just such a well-organized institution as is fitted for the purpose.

These Indian girls would then be brought into the midst of such a community as would tend to civilize them. Whatever might be found to be wanting in the amount necessary over and above the sum of \$175 each to be paid by the Government for their education and support, I am sure, if necessary, would be given by the citizens of Philadelphia, because that city and its citizens have always shown themselves to be inexhaustible in charities of all kinds and ceaseless in doing good works. The Quaker element there, perhaps, is at the bottom of the sentiment which would educate and civilize the Indians, and if the Congress will appreciate that sentiment by making an appropriation here is the institution ready for the work. The true and sincere feeling of the Friends toward the Indians exists to-day in Philadelphia and Pennsylvania as strongly as it ever did, and so wherever the Society of Friends may be, the world over.

I wish, Mr. Chairman, the members of this committee had been present at the bicentennial celebration of the foundation of the city of Philadelphia, held in October last, as they would then have seen these Indian

boys and girls who are being educated at Carlisle taking part in the procession designated as representing the great progress of the United States. They impressed everybody who saw them with the marked improvement they had made in education and civilization. They looked little like the children of Indians, but on the contrary they appeared like the boys and girls of civilized parents. They were taken in hand by the citizens, entertained by them at their houses, and shown how civilized people live.

I have made these few remarks simply because I have received within the last two days communications from the ladies in charge of this Lincoln Institution who desire their offer to educate the Indian girls to be accepted by Congress. I am only sorry the severe economy of the majority of the Committee on Appropriations of this House (of which I am a member) declined to accept that offer even in the way of experiment. I offered so to amend this bill when it was before that committee as to provide for the education of twenty or twenty-five girls at that institution, which would have added less than \$4,000 to this item of the bill, but it was disagreed to. Of course there was no estimate before the committee from the Interior Department, and no recommendation from the Secretary for this especial purpose, nor were there any official communications there upon the subject. I withdraw my formal amendment.

The CHAIRMAN. The Clerk will again report the pending amendment.

The amendment of Mr. SCALES was again read.

The committee divided; and there were—ayes 17, noes 44.

So the amendment was not agreed to.

The Clerk read as follows:

For care, support, and education of the Indian children at established industrial, agricultural, or mechanical schools other than those herein provided for, in any of the States of the United States, at a cost of not exceeding \$167 for each child, \$16,700.

Mr. SCALES. I move to strike out in this paragraph the words "one hundred and sixty-seven," in lines 1054 and 1055, and substitute "two hundred."

Now, I wish to say a word only. This, Mr. Chairman, is no charity. It is not appropriated by Congress as a charity. It is not given to the States by way of charity. It is an appropriation made by Congress to pay certain schools that are doing the same work that is now being done at the Carlisle school, and I think they should be encouraged in their philanthropic labors. If, therefore, it is estimated, as my friend from Kansas has stated it has been estimated, that this can not be done for less than \$200, then I hope this Congress will not insist that private schools and colleges, who are coming forward to help in this great and laudable work, shall be compelled to receive a less sum than it actually costs them for the service. If it is right to give \$200 per capita at Carlisle, it is right to give it to every private school doing the same work, and I hope that Congress will be liberal enough to do what is right in the matter.

Mr. RYAN. Mr. Chairman, as has been already disclosed by the discussion, the appropriation bill for the current year authorized the Secretary of the Interior to put out among the States one hundred Indian children to be educated at certain classes of institutions at a cost not exceeding \$167 per capita.

Mr. SCALES. Does the act so provide?

Mr. RYAN. It does.

Mr. SCALES. At a cost not exceeding \$167?

Mr. RYAN. At that cost, \$167.

Mr. SCALES. That was supposed to cover all the expenses at the time?

Mr. RYAN. Yes, sir; that is the law for the current year. The States that have taken these Indian youth have taken them under that provision of the law. It also provides that no State should have more than twenty of them. North Carolina has her twenty. She has taken them under the provisions of that law. We are paying for them under the provisions of that law; and if this amendment prevails it will change existing law and increase expenditures, and I therefore make the point of order upon it.

The CHAIRMAN. The gentleman from Kansas makes the point of order that this amendment changes existing law and does not retrench expenditures. Does the gentleman from North Carolina want to be heard upon the point of order?

Mr. SCALES. May I ask again what the point of order is? I did not hear the gentleman's statement.

The CHAIRMAN. As the Chair understands it, it is that existing law provides that the sum of \$167 shall be paid for the education of each of these Indian children, and no more. Now the amendment proposed by the gentleman from North Carolina increases that sum to \$200, and is therefore an increase of expenditures, and as such subject to the point of order.

Mr. SCALES. I hope the Chair will have the statute before him before he decides the point of order.

Mr. HISCOCK. It changes the provision of the last appropriation act, which is the existing law.

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard upon the point of order?

Mr. HISCOCK. I have the act here, which I will read. It provides—

That the Secretary of the Interior is further authorized and directed to provide for the care, support, and education of one hundred Indian children not belonging to the five civilized tribes in the Indian Territory at any established industrial, agricultural, or mechanical school or schools other than those herein provided for, in any of the States of the United States, such schools to be selected by him from applications made to him, at a cost not exceeding \$167 per annum for each child; and for this purpose there is hereby appropriated the sum of \$17,000, or so much thereof as may be necessary.

That is the general law. It provides further in the same clause that not more than twenty of these children shall be educated in any one State.

Mr. SCALES. I suppose, sir, in view of that provision of the law that the amendment is subject to the point of order if it is insisted upon.

The CHAIRMAN. The Chair understands the gentleman from North Carolina to concede that the amendment is obnoxious to the point of order, and therefore will sustain the objection made and rule the amendment out.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYSON having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a concurrent resolution in reference to printing the reports of the Tariff Commission.

Also that the Senate had passed a joint resolution and bills of the following titles; in which concurrence of the House of Representatives was requested:

Joint resolution (S. Res. 44) authorizing the payment of a portion of the Virginian indemnity fund to the widow of General W. A. C. Ryan;

A bill (S. 137) for the relief of William Schuchardt, United States commercial agent at Piedras-Negras, Mexico;

A bill (S. 561) for the relief of Robert Stodart Wyld; and

A bill (S. 1342) authorizing the trustees of the Isherwood estate to amend a certain plan of subdivision of said estate recorded in the land records of the District of Columbia.

The message further announced the passage of House bill and a joint resolution of the following titles:

A bill (H. R. 54) for the relief of Charles A. Luke; and

Joint resolution (H. Res. 292) relative to printing the annual reports of the Commissioner of Agriculture for the years 1881 and 1882.

INDIAN APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The Clerk resumed and concluded the reading of the bill.

Mr. RYAN. I move that the committee rise and report the bill, with the amendments, to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes, and had directed him to report the same to the House with sundry amendments.

The SPEAKER. The Chair will inquire whether it is desired the amendments shall be voted upon separately.

Mr. RYAN. I do not desire that.

The SPEAKER. Is it desired the amendments shall be again read in the House?

Mr. RYAN. I do not desire it.

The SPEAKER. The first question is on agreeing to the amendments reported from the Committee of the Whole House on the state of the Union.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill. In accordance with one of the standing rules of the House, this being a general appropriation bill, the yeas and nays will be taken on its passage.

The question was taken; and there were—yeas 184, nays 5, not voting 100; as follows:

YEAS—184.

Aldrich,	Caldwell,	Cravens,	Fisher,
Anderson,	Campbell,	Cullen,	Flower,
Atherton,	Candler,	Curtin,	Ford,
Atkins,	Cannon,	Davidson,	Forney,
Barr,	Carlisle,	Davis, George R.	Fulkerson,
Beach,	Carpenter,	Davis, Lowndes H.	Garrison,
Blackburn,	Caswell,	Dawes,	Geddes,
Blanchard,	Chace,	Deering,	George,
Bland,	Chapman,	Deuster,	Gibson,
Blount,	Clardy,	Dibrell,	Godshalk,
Briggs,	Clark,	Dugro,	Guenther,
Browne,	Clements,	Dunnell,	Gunter,
Brumm,	Cobb,	Dwight,	Hall,
Buchanan,	Converse,	Ellis,	Hardenbergh,
Buck,	Cox, William R.	Ermentrout,	Hardy,
Burrows, Julius C.	Covington,	Erins,	Harmer,
Cabell,	Crapo,	Farwell, Sewell S.	Harris, Benj. W.

Haseltine,	Ladd,	Peirce,	Stone,
Haskell,	Latham,	Phelps,	Strait,
Hatch,	Le Fevre,	Phister,	Talbot,
Hazelfon,	Lindsey,	Randall,	Taylor,
Hellman,	Lord,	Ranney,	Thomas,
Henderson,	Lynch,	Ray,	Thompson, Wm. G.
Hepburn,	Manning,	Reed,	Townsend, Amos
Herbert,	Marsh,	Reese,	Townshend, R. W.
Hewitt, Abram S.	Martin,	Rice, Theron M.	Turner, Henry G.
Hewitt, G. W.	Matson,	Rice, Wm. W.	Upson,
Hill,	McClure,	Rich,	Valentine,
Hiscock,	McCoid,	Ritchie,	Vance,
Hitt,	McCook,	Robeson,	Van Horn,
Hoblitzell,	McKinley,	Robinson, Geo. D.	Van Voorhis,
Holman,	Millin,	Robinson, Jas. S.	Wadsworth,
Horr,	Miles,	Ryan,	Wait,
House,	Mills,	Scoville,	Walker,
Hubbs,	Morrison,	Scranton,	Warner,
Humphrey,	Moulton,	Shallenberger,	Washburn,
Jacobs,	Murch,	Shultz,	Watson,
Jadwin,	Mutchler,	Simonton,	Webber,
Jones, Geo. W.	Neal,	Skinner,	West,
Jones, James K.	Nolan,	Smalls,	White,
Jorgensen,	Norcross,	Smith, A. Herr	Whitthorne,
Joyce,	O'Neill,	Smith, Dietrich C.	Williams, Chas. G.
Kasson,	Page,	Speer,	Williams, Thomas
Kenna,	Paul,	Spooner,	Willits,
Ketcham,	Payson,	Steele,	Wilson
Lacey,	Peelle,	Stockslager,	Wise, Morgan R.

NAYS—5.

Cook,	Dunn,	Scales,	Turner, Oscar.
Dowd,			

NOT VOTING—100.

Aiken,	Culberson,	Lewis,	Rosecrans,
Armfield,	Cutts,	Mackey,	Ross,
Barbour,	Darrall,	Mason,	Russell,
Bayne,	De Motte,	McKenzie,	Shackelford,
Belford,	Dezendorf,	McLane,	Shelley,
Belmont,	Dingley,	Miller,	Sherwin,
Beltzhoover,	Erret,	Money,	Singleton, Jas. W.
Berry,	Farwell, Chas. B.	Moore,	Singleton, Otho R.
Bingham,	Frost,	Morey,	Smith, J. Hyatt
Bisbee,	Grout,	Morse,	Sparks,
Black,	Hammond, John	Mosgrove,	Spaulding,
Bliss,	Hammond, N. J.	Muldrow,	Springer,
Bowman,	Harris, Henry S.	Oates,	Thompson, P. B.
Bragg,	Herdon,	Orth,	Tucker,
Brewer,	Hoge,	Pacheco,	Tyler,
Buckner,	Hooker,	Parker,	Updegraff,
Burrows, Jos. H.	Houk,	Pettibone,	Urner,
Butterworth,	Hubbell,	Pound,	Van Aernam,
Calkins,	Hutchins,	Prescott,	Ward,
Camp,	Jones, Phineas	Reagan,	Wellborn
Cassidy,	Kelley,	Rice, John B.	Willis,
Colerick,	King,	Richardson, D. P.	Wise, George D.
Cornell,	Klotz,	Richardson, J. S.	Wood, Benjamin
Cox, Samuel S.	Knott,	Robertson,	Wood, Walter A.
Crowley,	Leedom,	Robinson, Wm. E.	Young.

So the bill was passed.

The following pairs were announced:

Mr. ORTH with Mr. COLERICK.

Mr. GROUT with Mr. MCKENZIE.

Mr. TYLER with Mr. CASSIDY.

Mr. PARKER with Mr. MULBROW.

Mr. BUTTERWORTH with Mr. BUCKNER.

Mr. BISBEE with Mr. FROST.

Mr. McLANE with Mr. URNER.

Mr. KNOTT with Mr. SHERWIN.

Mr. AIKEN with Mr. WARD.

Mr. OATES with Mr. RUSSELL.

Mr. BARBOUR with Mr. HOOK.

Mr. CORNELL with Mr. BLACK.

The result of the vote was then announced as above stated.

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

The latter motion was agreed to.

Mr. RYAN. I have gathered some statistical and other information touching the Indian service which I believe will be of general interest, and therefore I ask permission to print some remarks in connection with the bill which has just been passed.

There was no objection. [See Appendix.]

SPANISH INDEMNITY FUND.

Mr. ELLIS. I ask unanimous consent to submit for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of State, if not incompatible with the public interest, be requested to furnish to this House full information as to the distribution of the indemnity fund paid by the Government of Spain to the United States for the murder of the officers and crew of the steamer *Virginius*, what amount of said fund still remains undistributed, and whether further legislation, in his opinion, is necessary on the part of Congress to authorize the final distribution of the balance of said fund to those who are entitled under any law or treaty to receive it.

Mr. DUNNELL. I think that resolution ought to go to the Committee on Foreign Affairs.

Mr. ELLIS. It is a resolution for information merely.

Mr. BLOUNT. It is more than that. It asks for suggestions of legislation.

Mr. DUNNELL. I shall object to the consideration of the resolu-

tion at this time. The committee can report it back on a very early day.

Mr. ELLIS. Then I move to refer the resolution to the Committee on Foreign Affairs.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. RANDALL. I move that the House do now adjourn.

The SPEAKER. Pending the motion to adjourn, the Chair, if there be no objection, will lay before the House certain communications.

There was no objection.

INDIAN DEPREDAATION CLAIMS.

The SPEAKER laid before the House a letter from the Secretary of the Interior, transmitting additional papers in the Indian depredation claim of John A. Morrow, sent to Congress March 27, 1874; which was referred to the Committee on Indian Affairs.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting additional papers in the Indian depredation claim of Alfred Wolverton, sent to Congress February 17, 1880; which was referred to the Committee on Indian Affairs.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a list of all claims for Indian depredations presented and acted upon since April 8, 1882, together with an abstract thereof; which was referred to the Committee on Indian Affairs, and the abstract ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The question recurs on the motion of the gentleman from Pennsylvania [Mr. RANDALL], that the House now adjourn.

Mr. HASKELL. Had we not better go on with the House Calendar?

The SPEAKER. A motion to adjourn is pending.

Mr. HASKELL. I would inquire of the gentleman from Pennsylvania [Mr. RANDALL] if the Democratic side of the House desires to hold a caucus to-night?

Mr. RANDALL. No caucus.

Mr. HASKELL. Then had we not better go on with the House Calendar?

Mr. RANDALL. If the House desires to go on with any particular business, then the motion to adjourn can be voted down.

The question was taken upon the motion to adjourn; and upon a division it was not agreed to—ayes 55, noes 68.

Mr. HASKELL. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of business on its Calendar.

Mr. HOOKER. And pending that motion I move that the House now adjourn.

The SPEAKER. A motion to adjourn has just been voted down.

Mr. HOOKER. I know that; but there has been intervening business, and I renew the motion.

Mr. HASKELL. Some action of the House must be had before the motion to adjourn can be renewed.

Mr. HOOKER. You yourself have submitted a new motion.

The SPEAKER. The question is upon the motion of the gentleman from Mississippi [Mr. HOOKER], that the House do now adjourn, which takes precedence of the motion of the gentleman from Kansas [Mr. HASKELL].

The motion to adjourn was not agreed to; upon a division—ayes 36, noes 71.

The SPEAKER. The question recurs upon the motion of the gentleman from Kansas [Mr. HASKELL], that the House now resolve itself into Committee of the Whole on the state of the Union.

Mr. TOWNSHEND, of Illinois. Will not my friend from Kansas [Mr. HASKELL] consent that we meet here to-night at 8 o'clock?

Mr. VAN HORN. I ask the gentleman to withdraw his motion and allow me to call up from the Speaker's table a concurrent resolution of the Senate providing for the printing of the report of the Tariff Commission. It is substantially the same as a resolution passed by the House this morning.

The SPEAKER. Does the gentleman from Kansas [Mr. HASKELL] withdraw his motion for that purpose?

Mr. HASKELL. Wait until a vote is taken upon it.

The SPEAKER. Then it may be too late.

Mr. HASKELL. I will withdraw the motion for the present.

REPORT OF THE TARIFF COMMISSION.

Mr. VAN HORN. I ask consent to take from the Speaker's table, for consideration at this time, the concurrent resolution of the Senate which I have indicated.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That 21,200 copies of the report of the Tariff Commission, with the testimony and accompanying papers, be printed and bound immediately, under the direction of the Joint Committee on Public Printing; 14,000 for the use of the House of Representatives, 7,000 for the use of the Senate, and 200 for the use of the Tariff Commission; and in addition, 12,000 copies of the report unbound for immediate distribution, 4,000 for the use of the Senate and 8,000 for the use of the House of Representatives.

Mr. VAN HORN. This is substantially the same as the resolution adopted by the House this morning, with the addition that unbound copies of the report are to be printed for immediate distribution, and they are very much needed.

Mr. RANDALL. I do not think we should wait for the printing of the testimony. The report itself can be printed very quickly. If we wait for the printing of the testimony it will take a long while.

The SPEAKER. Is not the report already printed?

Mr. RANDALL. Not to that extent; the type is set up.

Mr. VAN HORN. It is printed and in the document-room.

Mr. RANDALL. I have it; but it is not printed to that extent.

Mr. KASSON. I would like to be informed as to the character of this resolution.

Mr. VAN HORN. It is substantially the same as the resolution passed by the House this morning, with the addition that it provides for the immediate distribution of unbound copies of the report so as to put us into possession of the report at once. If we wait for it to be bound it will take some weeks. It is a better resolution than the House resolution.

Mr. KASSON. Let the resolution be again read.

The resolution was again read.

The SPEAKER. Is there objection to the present consideration of the resolution which has just been read?

Mr. HAMMOND, of Georgia. I object.

The SPEAKER. Objection being made, the resolution is not before the House.

Mr. HASKELL. Is not the Committee on Printing privileged to report at any time?

The SPEAKER. It is.

Mr. HASKELL. And the gentleman from Missouri [Mr. VAN HORN], the chairman of the committee, asks for action on this resolution.

The SPEAKER. When reported back to the House it becomes privileged, because it relates to printing for the use of the Senate and House.

Mr. HASKELL. Is not this a report from the committee?

The SPEAKER. It is not; it is a Senate resolution on the Speaker's table.

Mr. VAN HORN. I move that the resolution be referred to the Committee on Printing.

There was no objection; and the resolution was accordingly referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. HASKELL. I now renew my motion that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering business upon its Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. DUNNELL in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union; and the Clerk will report the title of the first bill upon the Calendar.

SOLDIERS AND SAILORS' HOME, ERIE, PENNSYLVANIA.

The first business upon the Calendar was the bill (H. R. 1440) to authorize the Government of the United States to accept title to certain lands in the city of Erie, Pennsylvania, and to establish a home for indigent soldiers and sailors.

Mr. HASKELL. I ask that this bill be passed over informally.

Mr. BAYNE. I object.

The CHAIRMAN. This bill was considered on the 31st of January last. The Clerk will report the bill.

The bill as amended was read, as follows:

Whereas the Commonwealth of Pennsylvania is the owner of about one hundred and two acres of land situate within the corporate limits of the city of Erie, in said Commonwealth, and known as "Garrison Hill," being the place of the death and burial of General Anthony Wayne, upon which premises there has been erected a large and commodious brick building by said Commonwealth, at a cost of about \$10,000, for a marine hospital; and

Whereas it is represented that the Commonwealth of Pennsylvania will cede title to and jurisdiction over said lands and buildings to the Government of the United States upon condition that said Government shall, upon acquiring title to and jurisdiction over the same, as soon thereafter as practicable, establish thereon a home for such of the honorably-discharged soldiers and sailors of the United States as shall have served in the late or any war, and who are now or may hereafter be in destitute or indigent circumstances and unable to earn a livelihood, or who may now or hereafter be inmates of poor-houses or other eleemosynary institutions, or in any manner dependent upon public charity for support, and who are excluded from the benefits of the national soldiers and sailors' homes or asylums now established by law, by reason of their not having been discharged from the military or naval service of the United States for wounds received or disabilities incurred while in actual service: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon condition that the Commonwealth of Pennsylvania cede to the Government of the United States the lands, buildings, and property aforesaid, with jurisdiction thereover, for the objects and purposes hereinbefore mentioned, the Government of the United States shall thereupon establish and maintain upon said grounds a national home for such of the honorably-discharged soldiers and sailors of the United States as shall have served in the late or any war, and who are now or may hereafter be in destitute or indigent circumstances and unable to earn a livelihood, or who may now or hereafter be inmates of poor-houses or other eleemosynary institutions, or in any manner dependent upon public or private charity for support, and who are ex-

cluded from the benefits of the national soldiers and sailors' homes or asylums now established by law, by reason of their not having been discharged from the naval or military service of the United States for wounds received or disabilities incurred in actual service.

The following amendment, offered by Mr. THOMPSON, of Kentucky, when the bill was last under consideration, was read:

Add as a new section the following:

"That a similar home be established and maintained upon the two hundred acres of ground now owned by the soldiers' home at Harrodsburgh, Kentucky."

The following, offered by Mr. BROWNE as an amendment to the amendment of Mr. THOMPSON, of Kentucky, was also read:

Add to the amendment:

"Provided, That the State of Kentucky shall erect thereon suitable buildings to accommodate 2,000 soldiers as inmates thereof."

Mr. KASSON. I would like to ask the gentleman from Pennsylvania [Mr. BAYNE] what action the Legislature of that State has taken on this subject. For us to invite a grant from that State is very different from accepting a grant offered to the United States. Some official expression of the State of Pennsylvania should, it seems to me, precede the action of the Congress of the United States.

Mr. HISCOCK. I would like to inquire in just what state of progress this bill is. According to my recollection a vote had been ordered upon the bill in some form. Had it not been reported to the House?

Several MEMBERS. Oh, no.

Mr. HISCOCK. I thought there was a vote but that the absence of a quorum defeated action upon the measure.

The CHAIRMAN. This bill was before the Committee of the Whole on the 31st of January last; but as the Chair understands, no action was reached. The gentleman from Pennsylvania [Mr. BAYNE] can doubtless state the position of the question.

Mr. BAYNE. No action was taken by the Committee of the Whole, except to adopt one amendment changing the language of the bill so as to conform to the facts of the case. That amendment inserted one hundred and two acres instead of sixty-five acres, one hundred and two being the real number of acres in this plot.

In reply to the question of the gentleman from Iowa [Mr. KASSON], I will say that I believe no formal official tender of this property has been made by the State of Pennsylvania to the United States. But while no official tender has been made, it is perfectly well known throughout the State of Pennsylvania, it is known to the authorities at Harrisburgh and elsewhere, that the State is willing to give this ground for this purpose, a very active effort having been made by the Grand Army of the Republic throughout the State, as well as by other old soldiers there, to secure this site for the purpose of establishing a soldiers' home, and providing for indigent soldiers from all sections of the country.

There is no doubt that the State of Pennsylvania will voluntarily give this land with the building upon it to the United States, if the United States will establish there a soldiers' home, in pursuance of the provisions of the bill just read.

This bill, Mr. Chairman, was discussed some time ago, and pretty fully discussed. Some facts were developed with regard to provisions of this kind which had been made in several States. It was said by the gentleman from New York [Mr. HEWITT] that his State had of its own volition and out of its own treasury made ample provision for this class of its people. I subsequently made examination as to the generosity and patriotism manifested by the Legislature of the State of New York in this direction. I found that there had been established in that State several homes for the benefit of indigent soldiers, but that they had been maintained up to a certain point by voluntary contributions on the part of the soldiers of the State; that after a certain period of time the State had come in to the relief of those soldiers, and had contributed, I believe, the enormous sum of \$75,000. That was the extent of the generosity and magnanimity of the State of New York as displayed toward this class of soldiers. I have here a report of the comptroller of the State of New York. It has been some time since I gave this matter an examination, but that is my recollection of the import of the reply of that officer.

Mr. HEWITT, of New York. How much?

Mr. BAYNE. Seventy-five thousand dollars. I have received also a reply from Massachusetts, having corresponded with the authorities of that State; and I find Massachusetts makes a much more favorable showing than New York. The contributions in the State of Massachusetts are very considerable. I am unable in the hurry of this debate to state the precise amount; but it is a pretty large contribution.

I find that under the act of 1879, \$317,447 was given; by another act of the same year, \$88,813. Contributions have been made at different times. The aggregate on the part of the State of Massachusetts is, I think, about \$16,642,984.

Mr. HEWITT, of New York. Sixteen million dollars?

Mr. BAYNE. More than sixteen million dollars.

Mr. HEWITT, of New York. Then Massachusetts has my hearty respect.

Mr. BAYNE. Pennsylvania will challenge some of the gentleman's respect.

Mr. HEWITT, of New York. How much has Pennsylvania given for this purpose?

Mr. BAYNE. Pennsylvania—not for this especial purpose—

Mr. HEWITT, of New York. How much for this purpose?

Mr. BAYNE. Not for this especial purpose, but for the relief of the orphan children of soldiers, children who are unable to take care of themselves and would of necessity have been sent to orphan asylums and other eleemosynary institutions in the State, but for the full provision made by the State for their relief—Pennsylvania has contributed \$6,673,560; has established some twelve or fourteen schools throughout the State in which it has placed these orphan children of the soldiers of Pennsylvania, and is giving to every one of them a good education and a good start in the world, fitting them for the struggle for existence in as commendable a way as is being done in New York or elsewhere.

Mr. HEWITT, of New York. Does not the gentleman from Pennsylvania know that every Northern State has done the same thing?

Mr. BAYNE. I have been unable to ascertain from the Commissioner's reports that provision of that sort has been made.

Mr. HEWITT, of New York. I will inform the gentleman from Pennsylvania, then, that every soldier's orphan has been taken care of in the State of New York.

Mr. BAYNE. I have no doubt the soldiers' orphans have been taken care of in New York, and in this way, but only in the orphan asylums provided in that State.

Mr. HEWITT, of New York. No; but by State institutions in every case.

Mr. BAYNE. If that is true, then—

Mr. FLOWER. No; but in soldiers' homes supported by New York.

Mr. BAYNE. I have the floor.

Mr. FLOWER. And let me say, Mr. Chairman, that I would be ashamed to represent the State of New York if she would not support her indigent soldiers. We do not ask you here in the Congress of the United States to give land in New York to build a poor-house for us. The State will do it and it ought to do it.

Mr. BAYNE. I tried on a former occasion to create the impression as well as I could that there was nothing local in this institution. It was not intended to be local at all. It was designed to carry out the policy which this Government has adopted in reference to its crippled soldiers. If you go to the Soldiers' Home at Washington or the one at Dayton, Ohio, where a soldiers' home has been established, both of which are national institutions, you will find there are admitted to those institutions crippled soldiers who are entitled to receive pensions from the Government of the United States, men who are entitled to draw pensions from the Government, but who when they go into those institutions and avail themselves of their benefits have their pensions withheld. I believe such has been the decision of the Department of the Interior in such cases; but if they refuse to go there and remain in these homes these crippled soldiers will then continue to draw their pensions from the Government. In this way the Government provides for them either in these soldiers' homes or by giving them pensions.

But, Mr. Chairman, there is a class of soldiers who are not admitted to these soldiers' homes, indigent soldiers, who, not having been disabled in the service in the line of duty, are not entitled to draw pensions; and they, when sick and impoverished, are compelled to go to the poor-houses of the country. Now there is a desire on the part of the soldiers of the country that those men shall not be thus subjected to that degradation.

Mr. FLOWER. Shame on the State that does not make proper provision for taking care of its indigent soldiers!

Mr. BAYNE. If the gentlemen wish to subject our indigent soldiers to such degradation, that is, the degradation of the ordinary pauper, why then let them oppose the passage of this bill.

Mr. FLOWER. Shame on the Representative who would ask that to be done by any other than his own State.

Mr. BAYNE. I myself think the measure of patriotism is not to put those who served their country in the hour of need down upon that low plane; that it is not a right policy to maintain on behalf of this Government.

Mr. KASSON. Let me ask the gentleman's permission to say a word. I want to show to the gentleman just here, as I am obliged to leave the Hall, the two points which trouble some of us. The question of the merit of the soldiers finds no dissent; there is a general desire to provide for them. But here is a bill with no tangible results. We do not know Pennsylvania will not load it with conditions which will deprive our people of their fair share of benefit. We do not know what conditions Pennsylvania will put upon it. There is nothing in the bill in that regard. [Mr. BAYNE rose.] The gentleman will allow me to say a word on that point. There is nothing in this bill which provides that Iowa soldiers, for example, will not be postponed for the soldiers of Pennsylvania.

Mr. BAYNE. Oh, no!

Mr. KASSON. One moment. Proportionate allowance of benefit is not provided. Further than that, until we know authoritatively what Pennsylvania will do we cannot accept it, and I think no member of the House ought to ask us to accept it upon his individual assurance, committing the Government of the United States to the acceptance of an amount of property which they are perpetually to devote and maintain for a particular object.

There is the difficulty which, when I saw gentlemen running off on *ad captandum* objections, I wanted a chance to ask my friend from Pennsylvania to meet in behalf of gentlemen who desire, like himself, to provide properly for indigent soldiers. It is a difficulty this bill does not meet at all. The State of Pennsylvania has not given us a foot of land. It has not made to us a single condition. It may, when it does cede the land, burden it with such conditions that we can not accept it.

Mr. BAYNE. Mr. Chairman, the arguments of the gentleman from Iowa are of a purely technical character.

Mr. KASSON. I think they are very substantial.

Mr. BAYNE. They are wholly technical, and he has with an ingenuity which characterizes his efforts raised his own bugbear and then demolished it himself.

Mr. KASSON. Then will the gentleman from Pennsylvania have ingenuity enough to give us the information I seek? Can he prove that the State of Pennsylvania will ever give this property unconditionally for the purpose this bill seems to contemplate?

Mr. BAYNE. I say now, Mr. Chairman, that the State of Pennsylvania is prepared to do its full share for the soldiers' home, without any condition whatever.

Mr. KASSON. Will the gentleman state his authority for that assertion?

Mr. BAYNE. It has proceeded thus far upon the suggestions of the body of soldiers in the State of Pennsylvania and on the part of the authorities of Pennsylvania; and if the gentleman from Iowa had half the sympathy for the soldiers that he manifests by his words he would be willing not to raise technical objections to a bill of this character, but to take a little risk by assuming that Pennsylvania would do whatever is fair and do her full share for the defenders of the Union. He would not undertake to defeat by technical objections the passage of a bill which will inure to the benefit of those who are so much in need of the bounty of the Government.

The gentleman is mistaken also in saying that there may be a discrimination made in this law against the State of Iowa or any other State. I appreciate fully his solicitude for Iowa.

But there is in this bill, Mr. Chairman, a broad provision that if this law is enacted it will establish an institution, not of a local but of a national character, for the benefit of the soldiers and sailors of the United States. That is, it will be exclusive of all State lines. There is not a scintilla or line in this bill which contemplates that there will be any favoritism or partiality shown to the soldiers of one State over those of another, or that the soldiers of Pennsylvania will fare better than the soldiers of Iowa, or of any other State in the Union. On the contrary, the broad scope and language of the bill is that this shall be a home established for the reception and care of the indigent soldiers and sailors of the United States, and that of course would include the soldiers and sailors from the State of Iowa as well as from Pennsylvania or any other State. If Pennsylvania should choose to couple conditions with her gift when the State shall come to take official action in the premises, it will not then be keeping faith with the act of Congress which proposes to accept the gift. Speaking for the State of Pennsylvania, I may say that there is no danger of any such action on her part.

Mr. KASSON. Will the gentleman now allow me one moment more to ask him to meet the point I have raised, that the conditions of Pennsylvania, or such conditions as she may couple with the gift, are as yet unknown to us, as she has made neither grant nor offer, nor has she made any request to us, not even a memorial to say to us what Pennsylvania will do. And yet the gentleman assumes to speak advisedly for the State.

And, further, let me say to him, there is not a clause in this bill that would prevent us from being committed if Pennsylvania should add a condition that preference should be given to applicants from the State of Pennsylvania. The bill, as the gentleman says, does provide in fact in terms that it shall be for the benefit of the soldiers and sailors of the nation; but yet the soldiers and sailors of Pennsylvania were soldiers of the nation.

Mr. BAYNE. Yes, sir.

Mr. KASSON. Now, my point is honest and earnest, and I do not want the gentleman from Pennsylvania to exercise his ingenuity in evading the direct question, but hope he will come at once to the point and answer what security the United States would have that the benefits of this institution should be granted impartially to all of those for whom it is nominally intended? I ask the question in good faith, with a hope that he will give an earnest and an honest reply to it, and I think that I am entitled to ask it, for my voice has been as earnest in behalf of the soldiers of the Union and has been heard for a longer period in their behalf than his. It is not right in the gentleman to assume that because the question I raise interferes with his purpose to confer a local benefit or bounty in his district or part of Pennsylvania therefore it is not fair and open on my part.

Mr. BAYNE. The language of this bill requires an absolute session; that it shall be granted for that specific purpose, and that ought to be satisfactory.

Mr. KASSON. Not absolute.

Mr. BAYNE. Yes, sir; it does.

Mr. KASSON. It provides for certain purposes—

Mr. BAYNE. Yes, it does absolutely. An absolute cession for this purpose.

Mr. KASSON. Very good.

Mr. BAYNE. And that purpose is clearly stated in the bill. It is to establish a national home for such indigent or disabled soldiers or sailors of the nation who have served in the late or any war and who are now or may hereafter be in indigent circumstances.

Now, language is to be taken in its ordinary import. It is to be construed in the manner which its natural import and tendency convey. It is not to be strained; and whatever may be the views of the gentleman from Iowa or his objections to it, the institution established by this bill will be a national home for the benefit of the soldiers and sailors of the United States.

Mr. KASSON. In what proportion among the States?

Mr. BAYNE. There is no such thing as a proportion in connection with the matter. There is no necessity for raising the question of proportion—no necessity whatever. Put into the institution just such a number as can get into it. Fill it up just as full as it can be filled, and then, of course, the proportion will cease because you cannot take in any more. Congress controls the whole matter. Congress makes appropriations for carrying it on. Congress supports the whole thing. If Pennsylvania shall couple with this cession any conditions that are not acceptable to Congress, Congress can refuse to make the appropriation and thus end the whole matter. I tell you there is a great necessity for doing something for these people.

Mr. HEWITT, of New York. In Pennsylvania.

Mr. BAYNE. In New York.

Mr. HEWITT, of New York. No, sir.

Mr. BAYNE. Yes, sir; in New York as well as Pennsylvania. And further, in New York there is no provision made for indigent sailors. This makes provision for these men. It is a national object and ought to receive national support. If ever there was a bill that came before Congress deserving the earnest support of members of Congress, it strikes me this is such a bill. The exposures incident to duties during the war, the vicissitudes of life after the war, the struggles which these men have had with various and varying conditions ever since that time have necessarily rendered a great many of them poor and unable to maintain themselves. And now the question is, and that is the question which will be decided by the votes of members here, whether or not they will establish a home for the benefit of these indigent soldiers and sailors, or whether they will compel them to go to the poor-houses of the country. That is the question. And I earnestly hope that Congress may see its way clear to a decision in favor of this proposition. I earnestly hope Congress will accept this site, which is a beautiful and valuable site consisting of one hundred and two acres of land, made memorable by the burial of Anthony Wayne, overlooking Lake Erie, and having upon it an immense building—I have forgotten the dimensions; I had a plat of it here some time ago—but there is an immense building upon it in fair condition, such a condition that an expenditure of four or five thousand dollars will make it fit for occupancy. All this is tendered by Pennsylvania to the National Government if the National Government will accept it and will henceforth provide for the indigent soldiers who may choose to go to this institution. It will not cost much. It will not involve a very great expenditure. There is sufficient land there to work and to provide for the subsistence of those who are in the building to a very great extent. The land is fertile and very productive.

Mr. HISCOCK. I wish to ask the gentleman from Pennsylvania a single question. The bill provides, in line 7, as follows:

And the Government of the United States shall thereupon establish and maintain upon said grounds a national home for the honorably discharged soldiers, &c.

Does that contemplate future legislation on the part of the United States?

Mr. BAYNE. Of course.

Mr. HISCOCK. Then the bill does not contemplate that this is to go into the charge of the present managers of the Soldiers' Home?

Mr. BAYNE. Not at all.

Mr. HISCOCK. It is not intended that it shall be subject to their government, but there shall be a new staff of officers created and the whole thing is to be left open to future legislation to determine the management of the home and the conditions under which the institution shall be conducted in the future.

Mr. BAYNE. Pennsylvania thought this: If she were willing to give this large tract of land, with the buildings on it, to the United States, she ought first to have from the United States an acceptance of it or an agreement to accept. And this bill means nothing more than an agreement to accept. If the Government of the United States accepts the gift it can in subsequent legislation impose exactly what conditions it sees fit. It can, if it sees fit, place the whole matter in charge of the present officers of the homes. It may be altogether unnecessary to create an additional board or additional means of spending money, and it will be in the power of Congress, if it shall see fit, to provide that this shall be placed in charge of the already organized authorities. Here is the opportunity presented, and this is what Pennsylvania wants. She wants the Government to say, "If you cede to

us this territory we will establish a home in such a way as we may think best."

And I will call the attention of the gentleman from Iowa [Mr. KASSON] to the fact that if this bill passes Pennsylvania will cede this territory to the United States and then Congress will have power, under the provisions of this law and under the rights granted by that cession, to say, "We will adopt this method of organizing the institution; of receiving the indigent soldiers and sailors into the institution, and making provision for them."

Mr. KASSON. As the gentleman from Pennsylvania retains the floor, I am obliged to ask his courtesy to permit me to say a word or two in his time in order that he may reply to it. If the object of the bill is free from local interest why has he not framed a bill providing for certain officers of the United States Government accepting by gift or obtaining by purchase a suitable site for a soldiers' home? Then it would be exclusively under our regulation and it would be for Pennsylvania to grant this land unconditionally or not. But I insist the objection I have stated to the bill is a serious one. Before the State says she shall do a thing or on what conditions it shall be done we are asked to bind the United States. The bill has but one side to it.

The CHAIRMAN. Has the gentleman from Pennsylvania [Mr. BAYNE] concluded his remarks?

Mr. BAYNE. I have nothing further to say than that I think the gentleman from Iowa [Mr. KASSON] wholly misconstrues the provisions of this bill. I see nothing in the bill which binds the United States to do anything. When Pennsylvania makes a cession of this territory the United States can refuse to accept it for any particular purpose.

Mr. HEWITT, of New York. No, sir; this bill pledges the United States to do this thing.

Mr. BAYNE. If the United States accepts this territory, then it is bound to establish upon it a soldiers' home.

Mr. HEWITT, of New York. Will the gentleman—

Mr. BAYNE. One word more. And if the United States establishes a soldiers' home upon it, it can establish just such a home as it shall see fit. It can impose just such regulations as it may deem best. It can authorize indigent soldiers to be received into that home from any State it may see fit. In one word, Congress has absolute control and power to do just as it sees fit in the matter.

Mr. HEWITT, of New York. Does the gentleman take the ground that if this cession to the United States is made, Congress may or may not establish a home there? I call the attention of the gentleman to the very first clause of the bill, which provides that the United States shall do this thing upon the cession by Pennsylvania.

Mr. BAYNE. Shall establish a soldiers' home.

Mr. HEWITT, of New York. They are bound to do it, are they not?

Mr. BAYNE. If it accepts.

Mr. HEWITT, of New York. There is no question of acceptance at all. The very first clause of the bill provides—

That upon condition that the Commonwealth of Pennsylvania cede to the Government of the United States the lands, buildings, and property aforesaid, with jurisdiction thereover, for the objects and purposes hereinbefore mentioned, the Government of the United States shall thereupon establish and maintain upon said grounds a national home for such of the honorably discharged soldiers and sailors of the United States as shall have served in the late or any war, &c.

There is no election left. This is a pledging of the United States to do this thing.

Mr. BAYNE. But what I said was and what I insist upon is that Congress has the power to establish just such laws and management for that home as it may see fit.

Mr. HEWITT, of New York. That is true, but the gentleman did not say that.

Mr. BAYNE. It has the power to provide who shall go into that home. It can arrange and manage the home just as it may deem best. Now, when it is suggested on the part of anybody here that Congress may be compelled by certain conditions coupled with the cession to do things that Congress ought not to do, I reply that the whole matter is forbidden by the nature of this bill, because the purpose of the bill is abundantly and clearly defined in it, well declared, and there can be no mistake about it. If there is a mistake made it will be a mistake upon the part of Congress in the future, in the event of this bill becoming law, in not admitting into this institution all that should go into it and all that need to go into it.

Mr. McMILLIN. Will the gentleman from Pennsylvania [Mr. BAYNE] answer one question? Why is it not best for us to wait until the State of Pennsylvania takes the initiative in this matter? Do we not, by the passage of this bill, put ourselves in the attitude of either being beggars or impertinent?

Mr. BAYNE. I do not see anything of that sort. Assurances have been given that Pennsylvania will make this cession.

Mr. McMILLIN. Not by anybody who has authority to bind Pennsylvania.

Mr. BAYNE. Not by anybody that has power to bind Pennsylvania. But assurances have been given by those connected with this institution, by the State authorities at Harrisburgh, and by the soldiers of the State of Pennsylvania. And I think it may be safe to assume

that Pennsylvania will make this cession. I apprehend that if there was a real fear that Pennsylvania would not make this cession there probably would not be so much opposition to this bill.

Mr. THOMPSON, of Kentucky. If this bill is to be passed and become a law, I want to call the attention of the House to an amendment which I desire to have incorporated in it and to become a part of the law.

The Government now owns, at Harrodsburgh, Kentucky, where I reside, two hundred acres of very fine land, which was bought and paid for out of the public Treasury, at a cost of \$100,000. I suppose it is the handsomest grounds in the State, magnificently laid out in every way. At the time of the purchase it cost the Government of the United States \$100,000. It was purchased and used as a soldiers' home until the commencement of the war. When war was flagrant in that part of the State most of the buildings were destroyed; but the Government still has the title to the property.

Now if we are to make a new departure in this matter, and intend to provide soldiers' homes in the various States for indigent soldiers, I ask that this soldiers' home be reopened in my own State. There is no property to be donated to the United States for the purpose; the Government already has the property. It is there ready and waiting to be used. We have the indigent soldiers there to go into it, as soon as provision is made for them. The property is already decided and ceded to the Government for that purpose.

I do not know whether we are ready to make this new departure or not. None of the soldiers' homes, so far as I am advised, are of the character of the one embraced in this bill. So far as I know there never has been a soldiers' home provided in the manner in which this is provided. This merely provides for Pennsylvania to take care of her own indigent soldiers and paupers now thrown upon the bounty of the various counties or parishes in the State.

If we are to make a new departure in the matter, and to provide for the indigent soldiers of the last war and of preceding wars, then each State should be provided for, more especially the State of Kentucky, which already has so large and handsome a property, bought by and ceded to the Government of the United States for that purpose.

We have no facts and no statistics upon this subject. The gentleman from Pennsylvania [Mr. BAYNE] can not tell within \$5,000,000 what will be the cost of maintaining these homes every year, if we are to establish them. I should suppose that there are two hundred thousand indigent soldiers in the country entitled to be provided for in this way. They can not be provided for at less than \$100 or \$150 a year, making a cost of between twenty and thirty million dollars a year for their support alone, not including the cost of the extensive and expensive machinery of the homes.

Besides, the \$110,000, stated as the value of this proposed gift to the United States by the State of Pennsylvania, is a mere bagatelle in comparison with the expenditure that must actually be made before this system can be made available. If we are to expend in each State a sufficient sum to provide for its soldiers (for we must come to that if we make the start) it will cost \$25,000,000 to provide the homes and \$25,000,000 to maintain them in the manner in which they ought to be maintained.

I make no argument against Congress undertaking this thing, if it is due to the soldiers of the last war and preceding wars. I leave you to determine that matter for yourselves; but I do insist that my State should have the same provision as the other States. Suppose, as the gentleman from Pennsylvania puts it, all over the country one soldier will have as much right to a home in this institution as another; we have plenty of soldiers in our State; there were 98,000 there, I believe, who went into the army of the Union. Of these there are probably some 5,000 paupers now supported in the county poor-houses or by their friends, and not entitled to pensions because they did not suffer wounds or contract disease during the war. Every one of those would, under this bill, be entitled to transportation to Pennsylvania.

How are they to be transported there? Is there any provision in the bill for that purpose? Is there any money appropriated? How is California to get her indigent soldiers to this Pennsylvania institution? How are we to crowd 200,000 men into it? The most that could possibly be accommodated there would be 1,000, one in every 200; yet all are entitled to the same privileges and ought to receive the same at the hands of the Government, because their services have been equal and they have been equal sufferers.

We ought to have a report from the Adjutant-General or from the Pension Bureau showing how many men in each State would be entitled to the benefits of this institution before, for the mere pittance of a house and lot (valued at \$110,000, but how much they are really worth God only knows), we start in to establish soldiers' homes, which in my opinion will cost us \$25,000,000 a year, besides \$25,000,000 as the first outlay before we can make a start at all. But if we are to do it I think it no more than fair that this soldiers' home in my own State shall be reopened. You have the property there and we have the same class of paupers that Pennsylvania has; they were made paupers in the same way, and if this bill is to pass we ask to be put upon the same footing as Pennsylvania.

Mr. BRUMM. From the remarks made by gentlemen sitting around me, as well as by several of those who have discussed this measure, it seems to me there is certainly some misunderstanding about the bill. Its purpose, as I understand, is to establish a system of soldiers' homes, to provide for such soldiers as are not now provided for in any national or State institution. It is, as I understand, a new departure. It is proposed to make provision for those soldiers who have become paupers since their discharge from the Army. The institutions already established are designed for soldiers who have been disabled by wounds received or disease contracted in the service.

This bill is designed to provide for another class of soldiers altogether. That being the case, it is a national bill; it embodies a national thought, and the operations of such a system should not be confined to the limits of any State. When gentlemen talk about Pennsylvania soldiers alone being included in this bill they do not comprehend the scope and intention of the bill. If Kentucky has a site suitable for this purpose, why not bring in a bill with reference to that site? I should gladly vote for it. Take whatever steps may be proper for the establishment of this system, but do not attempt to kill this bill by saying, "My State wants it as well as yours."

If any other State wants it that is the best argument why this bill should pass; it shows that there is a necessity for something in this direction. Hence the bill proposes that we establish this institution; and for this purpose the State of Pennsylvania offers, not officially, but, as has been said by my colleague [Mr. BAYNE], offers in good faith to give to the United States this site, including the building.

Now, as to the criticisms of my friend from Iowa [Mr. KASSON] and my friend from New York [Mr. HEWITT], they say, What conditions does Pennsylvania ask? Pennsylvania asks no conditions; this bill asks no conditions. What does the bill say? It proposes that Pennsylvania shall cede to the Government this property.

What do we mean by "cede"? We mean that we shall cede this to the Government in the same way that you would make a cession to any other person. The proposition is to give the property to the Government in fee simple. Of course, all the various recitals of a deed as to right of way, water courses, lands, tenements, hereditaments, &c., are not in this bill; nor are they necessary. The word "cede" covers everything. It means to give in fee simple; and the Government of the United States will take the property subject to no conditions. Unless it is without conditions by the State of Pennsylvania, then the condition on the part of the Government is not binding.

Now, what is the condition on the part of the Government. It is as follows:

That upon condition that the Commonwealth of Pennsylvania cede to the Government of the United States the lands, buildings, and property aforesaid, with jurisdiction thereover, for the objects and purposes herebefore mentioned, the Government of the United States shall thereupon establish and maintain upon said grounds a national home for such of the honorably discharged soldiers and sailors of the United States as shall have served in the late or any war, and who are now or may hereafter be in destitute or indigent circumstances and unable to earn a livelihood, or who may now or hereafter be inmates of poor-houses or other eleemosynary institutions, or in any manner dependent upon public or private charity for support, and who are excluded from the benefits of the national soldiers' and sailors' homes or asylums now established by law, by reason of their not having been discharged from the naval or military service of the United States for wounds received or disabilities incurred in actual service."

Now, then, the criticism of the gentleman from New York, that because the Government shall do this therefore it is dangerous, seems to me goes for naught if you are willing the Government shall establish such institutions. That is all there is in it. The only question is, Shall the Government take care of its indigent soldiers of the late and other wars? If they shall, then why not pass this bill? It does not limit it to the States. It is not a State question. It is not a matter for Pennsylvania alone nor for New York or Kentucky. It is a matter, sir, as to whether you will provide for the indigent and pauper soldiers of the United States, not in Pennsylvania, but throughout the country at large.

Mr. HEWITT, of New York. Mr. Chairman, I do not propose to renew the discussion of this bill. When it was up in January last I then expressed the views I entertained on the subject. I have seen nothing since to change them; but, on the contrary, I have seen much to confirm them.

I understand the State of Pennsylvania owns a piece of land and a large building on which it has expended something like a half million of dollars; that it is now unpopular in the State of Pennsylvania and they wish to get it off their hands, and that this bill is the remedy proposed to get rid of a white elephant they do not know what else to do with. [Laughter.]

It is a new departure. It undertakes that the United States shall build national poor-houses. I do not suppose this House is prepared for any such undertaking. Certainly if done in one State it must be done in every other State.

The State of Massachusetts, we are informed, has expended some sixteen million dollars for this purpose. If that statement is correct then see the magnitude of the undertaking which this bill proposes to inflict upon the United States. If one State expended \$16,000,000 how many millions of dollars will the United States have to expend to take care of all the poor and destitute soldiers from all the States in the Union? The thing is preposterous on the face of it.

In addition to the statement of the gentleman from Iowa [Mr. KAS-SON], we make a departure from well-settled principles, which, it seems to me, should not for one moment be entertained in this House.

We already pay pensions to every soldier who was wounded or disabled in the war. We have already given arrears of pensions to such an amount that nearly \$300,000,000 have gone out of the Treasury, and we are told that possibly four or five hundred millions more are to be taken. Now we are asked to take this step in the State of Pennsylvania, the only State of the Middle States certainly that has not provided for its own destitute soldiers; and we are asked to relieve that State of the burden of taking care of its poor in its own way. For one I am opposed to this attempt to saddle on the United States the care, the custody, and the support of the poor of that or any other State.

Mr. BRUMM. Will the gentleman from New York permit me to ask him a question?

Mr. HEWITT, of New York. Certainly.

Mr. BRUMM. Does the State of New York provide for its destitute soldiers in separate institutions?

Mr. HEWITT, of New York. It does.

Mr. BRUMM. I mean those who have become destitute since their discharge from the Army?

Mr. HEWITT, of New York. Certainly.

Mr. BRUMM. In separate institutions?

Mr. HEWITT, of New York. Certainly.

Mr. BRUMM. For all of them?

Mr. HEWITT, of New York. Every one in the State of New York is provided for in separate institutions.

Mr. BRUMM. I ask the gentleman to answer.

Mr. HEWITT, of New York. I say yes. But that has nothing to do with this question.

Mr. BRUMM. You seem to think it has something to do with it.

Mr. HEWITT, of New York. What is that?

Mr. BRUMM. You seem to think it has something to do with it.

Mr. HEWITT, of New York. I say it is the duty of each State in the Union to take care of its own poor in its own way.

Mr. BRUMM. Ah!

Mr. HEWITT, of New York. These men were not made poor by the war, because every man wounded or disabled is provided for by the United States. In this case these men are paupers in consequence of something which has happened since the war, and it is the duty of each State to take care of its own poor.

I move to strike out the enacting clause of the bill.

The committee divided; and there were—ayes 82, noes 36.

So the motion to strike out the enacting clause was agreed to.

Mr. ANDERSON. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DUNNELL reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 1440) to authorize the Government of the United States to accept title to certain lands in the city of Erie, Pennsylvania, and to establish a home for indigent soldiers and sailors, had instructed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole to strike out the enacting clause.

Mr. BAYNE. On that I demand the yeas and nays.

The yeas and nays were not ordered, 18 members only voting therefor.

The motion to strike out the enacting clause was then agreed to.

REPRINT OF BILLS.

On motion of Mr. WILLIS, by unanimous consent, bills of the House of the following titles, namely, H. R. 519, to regulate and improve the civil service of the United States, and H. R. 520, to prevent extortion from persons in the public service and bribery and coercion by such persons, were ordered to be reprinted.

And then, on motion of Mr. HISCOCK (at 4 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

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

By Mr. ERRETT: The petition of James Lehane, relative to the appointment of quartermaster—to the Committee on Military Affairs.

By Mr. HENDERSON: Papers relating to the claim of the heirs of Cornelius Carmody and of August Gecks—severally to the same committee.

By Mr. HEPBURN: Papers relating to the pension claim of Mrs. Jennie E. Johnson—to the Committee on Invalid Pensions.

By Mr. HITT: The petition of Daniel J. Keely and 23 others, citizens of Waddam's Grove, Stephenson County, Illinois, for such revision of the tariff laws as shall place lumber and other products of the forest on the free list—to the Committee on Ways and Means.

By Mr. LACEY: The petition of Charles T. Allen and 60 others, citizens of Union City, Michigan, for the repeal of the tax on banks and bankers—to the same committee.

By Mr. LADD: The petition of Post No. 12, Grand Army of the Republic, of Bangor, Maine, for four condemned cannon for the use of that post—to the Committee on Military Affairs.

By Mr. D. C. SMITH: The petition of J. T. Snell and others, citizens of Clinton, De Witt County, Illinois, for such revision of the tariff laws as shall place the article of lumber and other products of the forest on the free list—to the Committee on Ways and Means.

By Mr. A. HERR SMITH: The petition of Jacob Wolf and 120 others, citizens of West Earl Township, Lancaster County, Pennsylvania, for increased duty on imported tobacco—to the same committee.

By Mr. WILLIAM G. THOMPSON: Resolutions adopted by the Iowa State board of health relative to the protection of the people from yellow fever and small-pox—to the Select Committee on the Public Health.

By Mr. A. TOWNSEND: The petition of Weideman, Kent & Co. and others, of Cleveland, Ohio, to extend the time during which spirits are allowed to remain in bond before payment of tax—to the Committee on Ways and Means.

By Mr. WEBBER: The petition of F. S. Freeman and 48 others, citizens of Michigan, praying for an increase of pension for Alexander Kilgore—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, December 8, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

PRESTON B. PLUM, a Senator from the State of Kansas, appeared in his seat to-day.

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

RAILROADS IN TENNESSEE.

Mr. HARRIS. I ask that the Chair lay before the Senate a communication from the War Department received a few moments before the adjournment of the Senate at the last session of Congress.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the communication from the War Department referred to, which was received before the Senate adjourned at the last session, but not in time to then lay it before the Senate.

The Acting Secretary read the letter of the Secretary of War transmitting information called for by resolution of the Senate of the 5th of August last as to the basis upon which the Government settled with certain railroad companies in Tennessee for the claim of the Government rolling stock and material purchased from the United States by those companies in or about the year 1865.

Mr. HARRIS. I move that the communication and accompanying documents lie on the table and be printed.

The motion was agreed to.

INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I move that the bill (H. R. 5538) to reduce internal-revenue taxation be recommitted to the Committee on Finance.

The motion was agreed to.

The PRESIDENT *pro tempore*. The several memorials on the subject of the tobacco tax, which have been heretofore presented and laid upon the table, will be referred to the Committee on Finance.

Mr. BECK. Let all the pending amendments be referred to the Finance Committee as well.

Mr. MORRILL. The bill has been reprinted with all the amendments.

Mr. BECK. But there are a number of amendments pending.

Mr. MORRILL. I have no objection to their reference.

The PRESIDENT *pro tempore*. The amendments will all be referred to the Committee on Finance with the bill.

PETITIONS AND MEMORIALS.

Mr. LOGAN presented a letter from W. H. Searles, of Moline, Illinois, transmitting a paper concerning the readjustment of the salaries of certain postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. LOGAN. I present a long dispatch and petition of the tobacco and cigar manufacturers of Chicago, Illinois, in reference to the tax on tobacco and cigars, praying that action be immediately taken, and stating that the discussion of the question so long is interfering with their business. The telegram and petition are signed by Henry A. Hersey & Co., Spaulding & Merrick, Aug. Beck & Co, Gradley and Strotz, and others. I move that they be referred to the Committee on Finance.

The motion was agreed to.

Mr. LOGAN. I also present a petition of 371 citizens of Fulton County, Illinois, praying for the passage of a bill increasing the pension of one-armed and one-legged soldiers; a petition of 39 citizens of Barry, Pike County, Illinois, for the same purpose; a petition of 41 citizens of Saybrook, Illinois, for the same purpose; a petition of 64 citizens of Hammond, Illinois, for the same purpose; a petition of 86 citizens of Fulton County, Illinois, asking the same thing; a petition of 108 citizens of Quincy, Illinois, asking for the same thing; a peti-