

1883; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. HISCOCK. I understand the Post-Office bill goes over as unfinished business, with the demand for a second pending, and therefore I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 15 minutes a. m., March 2) the House adjourned.

#### PETITIONS, ETC.

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

By the SPEAKER: Memorial of the Legislature of Arizona Territory, asking for the appointment of a commissioner to investigate matters at the Papago Indian reservation—to the Committee on Indian Affairs.

By Mr. ANDERSON: The petition of P. H. Williams and 80 others, citizens of Hilton, Kansas, for free lumber—to the Committee on Ways and Means.

By Mr. BELMONT: The petition of Lenette M. Frost, of Queens County, New York, for an extension of patent—to the Committee on Patents.

By Mr. CANDLER: The petition of James S. White & Co. and others, praying for the repeal of sections 2907 and 2908 of existing law which requires the addition of inland transportation, costs, and charges to the ad valorem cost of goods—to the Committee on Ways and Means.

By Mr. DEZENDORF: The resolutions of superintendents of schools in the State of Virginia, adopted at a meeting held in the city of Richmond, February 28, 1883, relative to educational matters—to the Committee on Education and Labor.

By Mr. S. S. FARWELL: The petition of citizens of Scott, and of citizens of Clinton County, Iowa, relative to the duty on lumber—severally to the Committee on Ways and Means.

#### SENATE.

FRIDAY, March 2, 1883.

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

The Principal Legislative Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. PLUMB, and by unanimous consent, the further reading was dispensed with.

#### CREDENTIALS.

The PRESIDENT *pro tempore* presented the credentials of Shelby M. Cullom, chosen by the Legislature of Illinois a Senator from that State for the term beginning March 4, 1883; which were read, and ordered to be filed.

Mr. VAN WYCK presented the credentials of Charles F. Mander-son, chosen by the Legislature of Nebraska a Senator from that State for the term beginning March 4, 1883; which were read, and ordered to be filed.

#### PETITIONS AND MEMORIALS.

Mr. SAULSBURY presented resolutions of the Wilmington (Delaware) Typographical Union, remonstrating against proposed legislation adverse to union printers in the Government Printing Office; which were ordered to lie on the table.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PLUMB. I desire to make a report from a conference committee.

Mr. McMILLAN. Should not the bills that came from the House last night be laid before the Senate?

The PRESIDENT *pro tempore*. This takes precedence.

Mr. McMILLAN. Very well.

Mr. PLUMB. I present the report of the conference committee on the District appropriation bill.

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

The Principal Legislative Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7181) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1884, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 25, 27, 32, 34, 35, 37, 38, 47, 55, 69, 70, 71, 72, 76, 81, 82, 98, 101, 113, and 114.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30, 31, 36, 39, 40, 41, 42, 43, 44, 49, 50, 51, 52, 53, 57, 59, 60, 61, 62, 63, 65, 66, 67, 68, 73, 74, 75, 77, 79, 83, 84, 85, 86, 87, 88, 89, 90, 91, 93, 94, 96, 97, 100, 102, 103, 104, 105, 106, 107, 108, 109, 111, and 112; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with amendments as follows: In lieu of the sum proposed in said amendment insert \$1,900; on page 4, in line 9 of the bill strike out "two" and insert "three;" and in line 10 strike out "two clerks" and insert "one clerk;" and in line 11 strike out the word "each;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amend-

ment as follows: In lieu of the sum proposed insert "\$61,450;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out all after the word "full," in line 3, down to and including line 6 of said amendment; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with amendments as follows: In line 1 of said amendment, after the word "building," insert "by the commissioners of the District;" and in line 2, after the word "be," insert "prepared by the inspector of buildings and;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$10,000, \$5,000 of which shall be used for building a house on the premises, under the direction of the commissioners of the District of Columbia;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following:

"And hereafter the commissioners of the District of Columbia are required to visit and investigate the management of all the institutions of charity within the District which may be appropriated for, and shall require an itemized report of receipts and expenditures to be made to them to be transmitted with their annual report to Congress."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: At the end of the matter proposed to be inserted by said amendment insert the following:

"And in case a contract can not be made at that rate the commissioners of the District of Columbia are hereby authorized to substitute other illuminating material for the same or less price and to use so much of the sum hereby appropriated as may be necessary for that purpose."

And the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,000;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "eighty;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$301,590;" and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$543,675;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with amendments as follows: In lieu of the sum proposed by said amendment, insert "\$1,000;" and on page 17, in line 15 of the bill, before the word "dollars," insert "and fifty;" and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the word "two" and insert the word "three;" and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: Strike out the word "four" and insert the word "five;" and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with amendments as follows: In lieu of the sum proposed insert "\$56,000," and add the following as a new paragraph:

"For new heating apparatus for the John F. Cook School Building, \$2,500; for the Randall School Building, \$2,400; for the Miner School Building, \$3,900; for the Abbott School Building, \$3,200; in all, \$12,000."

And the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out, insert the following:

"And the time allowed for filing claims in the Court of Claims under an act entitled 'An act to provide for the settlement of all outstanding claims against the District of Columbia and conferring jurisdiction on the Court of Claims to hear the same and for other purposes,' approved June 16, 1880, be, and the same is hereby, extended thirty days from and after the approval of this act; and all claims not so presented shall be forever barred."

And the Senate agree to the same.

P. B. PLUMB,  
F. M. COCKRELL,  
H. L. DAWES,

Managers on the part of the Senate.

J. H. KETCHAM,  
FRANK HISCOCK,  
WM. H. FORNEY,

Managers on the part of the House.

Mr. PLUMB. I move the adoption of the report.

The report was concurred in.

#### IMPROVEMENT OF THE MISSISSIPPI RIVER.

Mr. McMILLAN. I ask the Senate to excuse me from service upon the committee appointed yesterday to examine the Mississippi River improvement, under resolution passed by the Senate.

The PRESIDENT *pro tempore*. Will the Senate excuse the Senator from Minnesota? The Chair hears no objection; and the Chair appoints in his place the Senator from Wisconsin [Mr. SAWYER.]

#### HOUSE BILLS.

Mr. McMILLAN. May I ask that the bill for the improvement of rivers and harbors be taken up and referred?

The PRESIDENT *pro tempore*. The bills received from the House last night were sent to the Printer, and have not yet been returned. They are expected back every moment.

Mr. McMILLAN. When they arrive I shall ask that they be laid before the Senate.

REPORTS OF COMMITTEES.

Mr. BLAIR. I ask leave, from the Committee on Education and Labor, to report back the bill (S. 1281) to provide for the preparation of a centennial record of the Government of the United States, without recommendation as to action, and I ask for the printing of the documents accompanying the same.

The documents were ordered to be printed.

Mr. BLAIR. There is on the table a resolution for the printing of the annual report of the Commissioner of Education, which passed the Senate at the last session with an amendment decreasing the number 7,000 copies, 20,000 being the number of copies the original resolution called for. The vote was very close, and after the resolution was passed as amended by the Senate the chairman of the Committee on Printing said to me that if the resolution were recalled he would make no further opposition to its passing as originally prepared; that is, 20,000 instead of 13,000 copies, whereupon the Senate voted to recall the resolution. I had entered my motion to reconsider the vote, and now I should like to call it up.

The PRESIDENT *pro tempore*. It is not yet in order.

Mr. BLAIR. It will take but a moment.

The PRESIDENT *pro tempore*. Morning business is still in order.

Mr. BLAIR. It is necessary to act this morning, it is so late in the session; but I will wait until the morning business is concluded.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (S. 2459) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, reported it without amendment.

Mr. HARRISON submitted the report of the Congressional Board of Visitors to the West Point Military Academy for 1882; which was ordered to be printed.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, to whom was referred the bill (H. R. 3842) to pay Charles W. Button the costs of advertising property levied on by the collector of United States internal revenue in the fifth district of the State of Virginia, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1843) dedicating the military reservation at Plattsburgh, New York, to the village of Plattsburgh for a public park, reported it with amendments, and submitted a report thereon, which was ordered to be printed.

Mr. VAN WYCK. The Committee on Public Lands instruct me to make a couple of reports, for which I would like consideration at the present time. They have been waiting for a long time to get these two measures before the Senate. The facts are agreed upon. I report first the bill (H. R. 832) for the relief of Marzel Altmann, without amendment.

The PRESIDENT *pro tempore*. The Chair understands this is a bill which has been reported and is on the Calendar. It is not in order to report it now. It is on the Calendar already.

Mr. VAN WYCK. I should like to have it considered.

The PRESIDENT *pro tempore*. Reports of committees are now in order.

Mr. VAN WYCK, from the Committee on Public Lands, to whom was referred the bill (S. 2073) for the relief of Wesley Montgomery, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2401) for the relief of William H. Simmons, reported it without amendment.

Mr. BLAIR. I rise to the consideration of a report from the Committee on Printing, which has been partially considered.

The PRESIDENT *pro tempore*. That is not in order now.

Mr. JONAS, from the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases, to whom was referred the bill (S. 2318) to establish a floating ward in the port of New Orleans, reported it with amendments.

Mr. FRYE. I am instructed by the Committee on Claims to report back the bill (H. R. 3850) for the relief of Joseph Wescott & Son, favorably without amendment; and as it is a very simple affair I should like to have it considered now.

Mr. MORGAN. I object to its present consideration.

The PRESIDENT *pro tempore*. The bill goes to the Calendar.

HEIRS OF LOYAL COWLES.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. BARROW on the 5th of February, reported it without amendment.

The Senate, as in Committee of the Whole, proceeded to consider the resolution:

*Resolved*, That the Acting Secretary of the Senate be, and is hereby, authorized and directed to pay out of the miscellaneous items of the contingent fund of the Senate, to the legal heirs of Loyal Cowles, deceased, late assistant in the sta-

tionary-room of the Senate, the sum of \$500, being an amount equal to six months' salary as assistant aforesaid; the above sum to be considered as including the funeral expenses and all other allowances.

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

REPORT OF DIRECTOR OF THE MINT.

Mr. ANTHONY. I am instructed by the Committee on Printing, to which was referred a concurrent resolution of the House of Representatives to print additional copies of the report of the Director of the Mint, to report it without amendment and recommend its passage. I ask for its present consideration.

The resolution was considered by unanimous consent and concurred in, as follows:

*Resolved by the House of Representatives (the Senate concurring therein)*, That 2,000 copies of the report of the Director of the Mint on the annual production of gold and silver in the United States be printed; 4,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.

Mr. ANTHONY. I would say, and I wish my voice could reach the heads of Departments and Bureaus, that the Committee on Printing is exceedingly reluctant to report resolutions for printing documents coming from the Executive Departments. They should be provided for in their appropriation for printing.

CENSUS REPORT MAPS.

Mr. ANTHONY. The Committee on Printing, to which was referred the joint resolution (S. R. 143) authorizing the Committee on Printing to instruct the Public Printer relative to the maps, &c., for the census reports, have instructed me to report it back with an amendment. I ask for its present consideration.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It proposes to authorize the Committee on Printing to instruct the Public Printer to accept private proposals for printing the required number of copies of maps and other illustrations for the census reports from plates or stones which were engraved under special appropriations for printing and engraving for the Tenth Census prior to the act of August 7, 1882, whenever it shall clearly appear that expense can be saved thereby.

The amendment reported by the Committee on Printing was to strike out, in lines 3 and 4, the words:

That the Committee on Printing be, and they are hereby, authorized to instruct the

And in line 4, after "Public Printer," to insert:

Is authorized under the direction of the Joint Committee on Public Printing or of the Senate Committee on Printing in case there be no committee on the part of the House.

The amendment was agreed to.

Mr. ANTHONY. There is a resolution to dispense with advertising for the maps and plates of the census that have already been engraved. They have already been engraved for the bulletins, and the stones are now in the possession of the engraver and the work can be done much cheaper by him than they can be by an outsider, who would have to make the engraving over again.

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

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

SMITHSONIAN REPORT.

Mr. ANTHONY. The Committee on Printing, to which was referred a concurrent resolution of the House of Representatives for printing extra copies of the report of the Smithsonian Institution, have instructed me to report it without amendment and recommend its passage. I ask for its present consideration.

The resolution was considered by unanimous consent and concurred in, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That 15,560 copies of the report of the Smithsonian Institution for the year 1882 be printed, 2,500 copies of which shall be for the use of the Senate, 6,060 for the use of the House of Representatives, and 7,000 copies for the use of the Smithsonian Institution.

NEW EDITION OF SENATE MANUAL.

Mr. ANTHONY. The same committee, to which was referred a resolution for printing a new edition of the Manual and Rules, have instructed me to report back the same and ask to be discharged from its further consideration. The rules require revision, and it is hardly proper to print them until they have been revised. When the matter of printing comes up the Printing Committee, if it is referred to them, will take it into consideration, but at present it belongs to the Committee on Rules.

The report was agreed to, and the committee were discharged from the consideration of the following resolution:

*Resolved*, That there be prepared under the direction of the Committee on Rules a new edition of the Manual, and that 1,000 copies of the same be printed for the use of the Senate.

OFFICIAL RECORDS OF WAR OF REBELLION.

Mr. ANTHONY. The same committee, to which was referred the joint resolution (H. Res. 365) in relation to the distribution of the volumes of the Official Records of the War of the Rebellion, have instructed

me to report back the same with an amendment. I ask for its present consideration.

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

The amendment of the Committee on Printing was to strike out the word "Senators" in line 3.

Mr. ANTHONY. The House of Representatives, if I may say it without disrespect, seem to be exceedingly vacillating about the distribution of these records. This is the second resolution they have sent over to us, and we have amended this as we did the former by striking out "Senators" and allowing them to distribute their own copies as they see fit. We distribute ours under the law as originally passed.

Mr. HOAR. I ask the Senator from Rhode Island does the resolution propose, as the committee recommended it, to require Senators to make their final allotment before September, or otherwise lose the power?

Mr. ANTHONY. The word "Senators" is stricken out, which confines it entirely to the House.

Mr. HOAR. There are sometimes new libraries or new wantmade known to Senators, and as this is a document of one hundred or more volumes it may be desirable to keep one or two sets without disposing of them for the time being. I hope the Senator will look sharply to that point.

Mr. ANTHONY. The committee thought of that, and by striking out the word "Senators" it leaves the distribution as to Senators to remain under the existing law, and allows the Representatives to distribute their copies as they see fit.

Mr. FRYE. There is a provision also in the sundry civil bill on this subject.

Mr. PLUMB. The provision in the sundry civil bill applies to Senators and extends the time to July, 1884. I understand that the Secretary of War holds that every Senator, Representative, or Delegate who does not, between now and the 4th day of this month, designate the persons to whom he will have these documents sent, waives the right to designate them at all.

Mr. ANTHONY. That is another illustration of the folly of legislating on appropriation bills. If that had been referred to the Committee on Printing, it never would have had our recommendation. We are willing that the House shall distribute their reports as they see fit, but the Senators, we infer, are satisfied with the law as it exists.

Mr. HAWLEY. So we lose our chance if we do not do it by the 4th of March.

Mr. PLUMB. I have not named mine, but if I do not name them before the 4th of March I lose them and the Secretary sells them. We simply extend the time for naming until the 1st of July, 1884.

Mr. ANTHONY. Then I think this had better be amended so as to reserve the rights of Senators.

Mr. PLUMB. I think so. That provision was inserted in the sundry civil bill to cover this construction of the Secretary of War.

Mr. HOAR. The gentleman from Kansas thinks it is reserved till the 1st of July, 1884.

Mr. PLUMB. Certainly, that is the provision in the sundry civil bill.

Mr. ANTHONY. I ask, then, that this joint resolution be recommitted to the Committee on Printing.

The PRESIDENT *pro tempore*. The joint resolution will be recommitted to the committee on printing.

#### RIVER AND HARBOR BILL.

Mr. McMILLAN. I move that the bill commonly known as the river and harbor bill be read the second time and referred to the Committee on Commerce.

Mr. HOAR. When that motion of reference is put I wish to say a few words.

The PRESIDENT *pro tempore*. That is the question now. The Senator from Massachusetts has the floor on the motion to refer, the bill being considered as read the second time.

Mr. HOAR. When the motion of reference is put I desire to say a few words.

The PRESIDENT *pro tempore*. It is now in order.

Mr. HOAR. It may possibly take five or ten minutes. As I see my friend on my left [Mr. BLAIR] and several Senators are desiring to have the attention of the Senate, I would a little rather defer what I have to say to a later period, if my friend from Minnesota will withdraw the motion.

Mr. McMILLAN. Very well.

Mr. BLAIR. I wish to recall the attention of the Senate to the resolution for the printing of the report of the Commissioner of Education. The PRESIDENT *pro tempore*. Reports of committees are now in order.

Mr. BLAIR. This is a resolution, and I supposed reports of committees were through.

Mr. HAWLEY. By no means through.

The PRESIDENT *pro tempore*. Reports of committees are in order now.

#### GOVERNMENT DEPARTMENT AT CENTENNIAL EXPOSITION.

Mr. HAWLEY. I am instructed by the Committee on Printing, to

whom was referred a joint resolution (H. Res. 359) to print 5,000 copies of the report of the board on behalf of the United States Executive Departments at the international exhibition of 1876, to report it without amendment. I ask for its present consideration.

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

The joint resolution was reported to the Senate, ordered to a third reading, read the third time, and passed.

#### YORKTOWN CENTENNIAL COMMISSION.

Mr. HAWLEY. I am instructed by the Committee on Printing, to whom was referred the following resolution, to report it with a slight amendment, changing it to a concurrent resolution:

*Resolved*, That 10,000 copies of the report of the proceedings of the Yorktown Centennial Commission be printed, of which 6,000 shall be for the use of the House and 4,000 for the use of the Senate.

The amendment of the Committee on Printing was, after the word "resolved," to insert the words "by the Senate (the House of Representatives concurring)," and in the same line, after "thousand," to insert "additional."

The amendment was agreed to.

The resolution as amended was agreed to.

#### SORGHUM SUGAR REPORT.

Mr. HAWLEY, from the Committee on Printing, to whom the subject was referred, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the Report of the National Academy of Sciences on the sorghum sugar industry be printed with such portions of the appendix and accompanying exhibits as may be selected by the Joint Committee on Public Printing, and that there be printed 6,500 additional copies, of which 2,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, 1,000 copies for the use of the Department of Agriculture, and 500 copies for the use of said National Academy of Sciences.

#### FEES OF PENSION ATTORNEYS.

Mr. MITCHELL. I am instructed by the Committee on Pensions to report back the bill (S. 2263) to amend the pension laws, and for other purposes, with an amendment, and I ask for its present consideration. It is an important bill, though very short.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks for the present consideration of this bill.

Mr. INGALLS and others. Let it be read for information.

Mr. MITCHELL. The committee are unanimously in favor of it, and the Commissioner regards it as very important.

The Acting Secretary read the amendment reported by the Committee on Pensions, which was to strike out all after the enacting clause and insert a substitute.

Mr. MITCHELL. If the Senator will allow me about three minutes, I think I can explain it.

Mr. INGALLS. I ask for an explanation.

Mr. MITCHELL. The existing law allows a \$10 fee to pension attorneys and claim agents, but it does not provide when the payment shall be. As a result of that the payment of the claim agents often precedes the filing of pension claims, and they proceed at once to collect their pay for their work before it is done, and in some instances delay the settlement of cases in the Pension Office, as it appears plain to some members of the Committee on Pensions, for the purpose of securing their pay. The bill proposes to go back to the old law in that respect and provide that the fee shall not be demandable until the case is settled and allowed, and that then it shall only be paid by the pension agent when the certificate is forwarded to him by the Commissioner of Pensions, as was formerly done.

That is the substance of the whole bill. The first section, however, is necessary in view of the construction which has been placed on the act of 1868 fixing the amount allowed of \$10, which has been decided by the courts in this District, as I understand, not to apply to cases of claims for arrearages of pension, so that the claim agents have been going on and making their contracts and getting their pay in arrearage cases without regard to the legal limitation.

Mr. HOAR. Does this make the fee of the claim agent or pension attorney a lien in all cases?

Mr. MITCHELL. It depends on the successful prosecution of the claim.

Mr. HOAR. Is that the present law?

Mr. MITCHELL. It is not the present law.

Mr. HOAR. I think I must, unless there is very strong reason for it, though I have great respect for the judgment of the Pensions Committee, enter my protest against solemnly enacting the doctrine of contingent fees by legislation. I regard the having any person who is prosecuting a claim in a court of justice or anywhere else interested—

The PRESIDENT *pro tempore*. Does the Senate object to the present consideration of the bill?

Mr. HOAR. Yes, sir; I must object.

The PRESIDENT *pro tempore*. It will go over.

#### LAND CLAIM OF JOHN J. JACKMAN.

Mr. HALE (by request) submitted the following resolution, which was read:

*Resolved*, That the Committee on Public Lands be, and is hereby, instructed to inquire into and report to the Senate upon the questions herein, relating to

the southwest quarter of section 32, township 139 north, range 80 west, Dakota Territory:

First. Whether said lands were awarded to John J. Jackman, a settler thereon, under the pre-emption law, by a decision of the Secretary of the Interior, rendered July 26, 1876.

Second. If so, whether such award was conclusive and final, and binding upon the Government of the United States.

Third. Whether such decision was fully executed and carried into effect by the subsequent allowance of an entry of said lands by John J. Jackman, and the issuance of a certificate of entry and a receipt for the purchase-money to him.

Fourth. Whether said Jackman, by virtue thereof, became vested with the title to said lands and the right to a patent therefor.

Fifth. If so, whether said Jackman's entry was subsequently set aside and canceled, and he denied the right to such patent.

Sixth. If so, by what authority and for what reason the same was done.

Seventh. What action has been since taken by the land department with reference to said lands.

Eighth. That said committee inquire into and report all other matters material to a full knowledge of everything that has been done by the land department affecting Jackman's right and title to said lands, examining all evidence, reports, opinions, and decisions relating thereto in the Interior Department and any other information deemed material, sending for persons and papers, if necessary, and report the same to the Senate by bill or otherwise.

And the President is hereby requested to withhold said lands from disposition in any manner or to any person or persons until such time as the investigation herein and hereby directed can be made and due and proper action had thereon.

Mr. INGALLS. Let that go over until to-morrow.

The PRESIDENT *pro tempore*. The resolution goes over, objection being made to its present consideration.

#### POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB. I submit the report of the committee of conference on the Post-Office appropriation bill.

The Acting Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out the word "July" in said amendment and in lieu thereof insert the word "October;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"And report to Congress in December next, with the data upon which it is based, a more complete system of gauging the rates of pay for carrying the mails on railroad routes if practicable, in order to secure the better protection of the interests of the Government and the adjustment of rates of compensation for the service required; and he is authorized to expend not to exceed \$10,000 out of the appropriation for the transportation of mails for actual and necessary expenses involved, including such extra compensation as he may deem just and reasonable to officers of the Department for specific services rendered, which sum shall be immediately available."

And the Senate agree to the same.

Upon amendments numbered 2 and 3 the conference committee are unable to agree.

P. B. PLUMB,  
W. B. ALLISON,  
JAS. B. BECK,

Managers on the part of the Senate.

L. B. CASWELL,  
GEO. M. ROBESON,  
E. JNO. ELLIS,

Managers on the part of the House.

Mr. PLUMB. I move the adoption of the report.

Mr. EDMUNDS. Let the report be explained a little.

Mr. PLUMB. I will state that the conferees agreed upon everything that was in issue except the amendment of the Senate providing \$185,000 for special mail facilities and the action of the Senate in striking out the provision of the House amending the charters of the Pacific railway companies.

Mr. EDMUNDS. Do I understand this report to be an agreement?

Mr. PLUMB. This is an agreement as to certain items and a disagreement as to others.

Mr. EDMUNDS. Can the Senator tell us in brief the items agreed to?

Mr. PLUMB. The Senate inserted \$25,000 additional for steamboat transportation, and that the Senate recedes from. The Senate also named the 1st day of July next ensuing as the date when the 2-cent postage shall take effect; that has been by agreement made the 1st day of October instead of the 1st day of July. Then there was some verbiage connected with the last section of the bill which requires the investigation of the relations of the Government as to the methods of carrying the mails on railroads.

Mr. EDMUNDS. What does that investigation provide for?

Mr. PLUMB. It provides that the Postmaster-General shall investigate the relations of the Government to the railroads.

Mr. EDMUNDS. Is that in the print of the bill?

Mr. PLUMB. I think it is.

Mr. EDMUNDS. I have no objection to the report as far as it goes.

Mr. DAVIS, of West Virginia. I should be glad to know from the Senator making the conference report what is the exact point of it? He said there was something stricken out in regard to the Pacific railways, and that there was \$185,000 added by the Senate to the bill for fast mails. There was also an amendment by the Senate, on the motion of the Senator from Maryland [Mr. GORMAN], asking for future infor-

mation from the Postmaster-General from time to time on that subject. Is that in the conference report or is it stricken out?

Mr. PLUMB. The precise language of the amendment of the Senator from Maryland is not in the bill. The whole paragraph was recast in such a way as we thought would better express the idea that was evidently in the mind of the Senate and still get the information which the Senator from Maryland desires.

Mr. DAVIS, of West Virginia. Now I ask is the information that was intended by the Senate to be called for still retained in the paragraph in substance?

Mr. PLUMB. The committee thought it not only contained it in substance, but that we were more certain to get in the proper logical way what was wanted on that subject by the Senator from Maryland than we should by the amendment that he proposed and that was adopted by the Senate.

Mr. DAVIS, of West Virginia. Now I should like to ask whether the real difference is about the Pacific Railroad provision or the \$185,000 for fast mail facilities?

Mr. PLUMB. The difference is in regard to both. As far as I can ascertain by the language of the conferees on both sides it is no more in regard to one item than in regard to the other.

Mr. DAVIS, of West Virginia. So far as the \$185,000 is concerned for fast-mail service, I am under the impression, and I believe others are, that if the Senate is willing to recede from that amendment the bill may be readily settled. If there are other differences I have no disposition to ask the Senate to recede just now before another effort is made to procure a settlement; but if that is the only difference, I think the bill is too important to have it in hazard at this late day of the session by reason of the fact that the Senate is very anxious to pay \$185,000 for certain fast mail facilities to certain portions of the country, when the great mass of the people and that part of the country that needs facilities as much as the part which is now served is left without any mail facilities, and certain cities get benefits from the Government in the shape of large subsidies when others are left entirely unprovided for. I think it very unequal, very unfair, and unjust to give \$185,000 to be paid in that way. I believe the discussion and examination that took place here shows that the great mass of the people of the country, especially of the West and Southwest, would get on just as well without paying the \$185,000 as with it. If that is the real difference that prevents an agreement between the conferees of the House and Senate, I hope that the Senate will not cause the probable loss of the passage of this bill on that account.

The PRESIDENT *pro tempore*. The question is on the adoption of the report.

Mr. DAVIS, of West Virginia. I should want to know what that means.

Mr. PLUMB. The report is simply an agreement on the minor points of which I have spoken, and a disagreement on the two major points which I stated in the beginning.

Mr. DAVIS, of West Virginia. Is a further conference asked for?

Mr. PLUMB. We simply propose now to adopt the report. After that there can be subsequent action in that direction. The moment the report is adopted, I understand it then devolves on the House to take action, and if they desire a further conference they can ask for it.

Mr. DAVIS, of West Virginia. Suppose the House do not ask for a further conference, will the bill remain on the table?

Mr. PLUMB. They will undoubtedly act upon it. It is for them to take new affirmative action.

Mr. EDMUNDS. I merely wish to add that I hope the conferees on the part of the Senate will persist resolutely and to the end of this session, if necessary, against tacking on to this bill in conference any new legislation about the relation of the United States to railroads or to anybody else. I am not on the question of how much they ought to be paid for transportation, but in respect to going into legislation as to what should be done with the money or how it shall be collected and what shall be their duty toward the United States I beg the conferees to resist riding on anything of that kind; and my reason is not because I am in favor of the railroads but because I am in favor of the United States, and I do not want to run the slightest risk of disturbing the supremacy that we now by the decisions of the courts have got over them in respect to these affairs.

Mr. PLUMB. Let me say in regard to the observations of the Senator from Vermont and the Senator from West Virginia that so far as I am authorized to speak for the Senate conferees, being admonished by the vote of the Senate and by the discussion which has been had from time to time on the subject of legislation, especially material legislation, on appropriation bills, there need be no apprehension that the position of the Senate will not be maintained. In regard to this other matter I think the Senator from West Virginia need not feel unnecessarily alarmed about the loss of the bill on account of the item of which he has spoken. If that item should be, as he seems to think it ought to be, eliminated, the bill will still pass; and I may say that I think the action of the Senate conferees will not much disappoint him.

Mr. DAVIS, of West Virginia. I am very glad to have the Senator say so.

Mr. BROWN. I hope the conferees, who ever they may be, on the

matter of the fast-mail appropriation will be as firm as the Senator from Vermont wants them to be on the other subject. The position of the Senate should not be yielded. In my opinion the Senate is clearly right about it.

The Senator from West Virginia says we can not have a fast mail to every section. That is true. It is not expected that the fast-mail service will be able to reach every town and every village in the country, but it penetrates some sections of the country, and from the points reached by the fast mail in that way the mail is distributed throughout the entire country. The fast mail from here to Florida is a very important one. It passes through Richmond, Wilmington, Charleston, Savannah, and Jacksonville, Florida. It accommodates an immense travel in the winter season of people who are desirous of going from the northern section down to that semi-tropical garden of ours in Florida, and it affords facilities to travel which are important in connection with the carriage of the mails. Then it is a vast accommodation to business people and to the public generally in having their letters and newspapers and other mail matter carried rapidly through and distributed.

I think there is no more important appropriation in the bill than the one to which I have just referred. I trust the Senate will not yield upon it, but will insist on it that the appropriation be made.

Mr. GORMAN. I desire only to call the attention of the Senate to the report of this conference committee in one respect. As I understand the eleventh amendment of the Senate to this bill the conferees propose to make a change and the simple change is to appropriate \$10,000 additional compensation to the superintendent of the railway mail service and the employes in that office who are now amply paid. That seems to me, from the examination I have given it, the only change, to increase the compensation of these gentlemen for performing a service that they are well paid for now, and which in the last eight years they have failed to perform as it might have been. Everything else that the Senate placed on the bill is disposed of except the \$185,000 appropriated for fast mails. As I understand the report, all there is in it is what I have stated. I trust it will not be adopted.

The report was concurred in.

Mr. PLUMB. To complete the proceedings in regard to the Post-Office bill I move that the Senate further insist on its second and third amendments and ask a new committee of conference.

The motion was agreed to.

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

#### SANTA RITA DEL CABRE LAND CLAIM.

Mr. MORGAN submitted the following resolution; which was read:

*Resolved*, That the Secretary of the Interior be, and he hereby is, directed to furnish the Senate with copies of all papers, of any kind, on file in the General Land Office, relating to the claim heretofore made and filed with the surveyor-general of the Territory of New Mexico, by or for the heirs of Don Francis Manuel Elquea, deceased, to and for what is known as the "Santa Rita del Cabre" mineral grant or tract of land in the Territory of New Mexico. Also all papers relating to the claim of land in the Territory of New Mexico, also all papers relating to land from said heirs, together with the action had on both of said claims by the surveyor-general of said Territory or the Commissioner of the General Land Office. Also all the papers relating in any manner to any location or locations or attempted locations made for any purpose upon any lands embraced within said claims, together with the action had on each of such locations, or attempted locations, by either the general or local land officers.

Mr. PLUMB. Let that go over.

Mr. EDMUNDS. Let it be printed also.

The PRESIDENT *pro tempore*. The resolution will be printed.

#### CONDITION OF SIOUX INDIANS.

Mr. LOGAN submitted the following resolution; which was read:

*Resolved*, That a select committee of five Senators be appointed by the Presiding Officer to examine into the condition of the Sioux Indians upon their reservation, the character of the same, and the feasibility and propriety of proposed reduction of said reservation, and such other matters concerning the welfare of said Sioux Indians as they may think necessary. Said committee shall also have power and are directed to examine into the grievances of the Indian tribes in the Territory of Montana, and receive and consider such propositions from said Indians looking to legislation for the adjustment of their differences with each other and with the Government as they may make; and said committee may in their discretion accept of the advice, assistance, and co-operation of not more than three members of the House of Representatives of the Forty-eighth Congress, and shall have power to send for persons and papers, examine witnesses under oath, employ a clerk and stenographer, and sit during the recess of the Senate, and at such times and places as the committee may determine, and shall report their proceedings to the Senate at its next session, and that the actual and necessary expenses of said investigation be paid, on the approval of the chairman of said committee, out of the contingent fund of the Senate.

Mr. MORGAN. It seems to me extraordinary that a committee should be allowed to select three members from the House of Representatives to compose a part of the committee.

Mr. LOGAN. It does not mean that at all. It does not mean that they shall select, but that they may confer with members of the House instead of having a joint committee, which can not be got through now. The object is to allow a conference with persons of the House connected with the Indian Committee. That is all it means.

Mr. MORGAN. I think it is unprecedented.

Mr. LOGAN. That may be.

Mr. HOAR. Would not that power be in the committee without expressing it?

Mr. LOGAN. No doubt about that; but I did not suppose there was any impropriety in putting it into the resolution that they might confer, and then in their report they can show what conference has been had.

Mr. HOAR. But it says "not more than three." It ties up the committee. We do not know but that the House may hereafter make some appointment. Of course these three have got to be selected by the Senate committee. I would suggest to the Senator whether he has not got all the power he wants without that clause?

Mr. LOGAN. There would not be power to pay them.

Mr. HOAR. I will not interfere.

Mr. LOGAN. I wish to say, as I offered the resolution, that the presumption might be that I desired to be on the committee. I do not. I offered the resolution for the purpose of having this examination made, but I do not desire to be appointed on the committee and shall decline to serve on it. The Indian Committee, which holds over, is a very competent committee, and I think appointments can be made from it. The resolution was agreed to.

#### PROTECTION FOR FISHERIES.

Mr. WINDOM. I am instructed by the Committee on Foreign Relations to offer the following resolution and ask its present consideration:

*Resolved*, That the sub-committee of the Senate Committee on Foreign Relations, as designated by the chairman of said committee at the last session of Congress, to act in conjunction with the Commission of Fish and Fisheries to examine into the subject of the protection to be given by law to the fish and fisheries of the Atlantic coast, as proposed in the bill S. 1823, be, and the same is hereby, continued for the purpose of completing said investigation and reporting thereon.

*Resolved*, That said committee have power to employ a clerk and stenographer, to send for persons and papers, and that it have leave to sit during the recess of the Senate.

*Resolved*, That the expenses incurred under the foregoing resolution be paid out of the appropriation for the contingent expenses of the Senate, on vouchers approved by the chairman of said sub-committee.

I will say that owing to the engagements of Senators last summer this work was not completed. It will cost but a very small sum, as I am informed, and it is considered desirable especially by the people of New Jersey who are affected by menhaden fishing operations.

Mr. GARLAND. I ask the attention of the Senator from Minnesota. There is some doubt about one part of the resolution in my mind. I do not believe it is the custom of the Senate to instruct a sub-committee, but generally they instruct the committee and then the committee gives its own instructions to its sub-committee. Would it not be better to use the phraseology that the Committee on Foreign Relations be instructed to do so and so?

Mr. WINDOM. I have no objection to changing it in that way.

Mr. GARLAND. I do not think it is parliamentary for the Senate to instruct a sub-committee.

The PRESIDENT *pro tempore*. The Senator from Minnesota modifies the resolution by making it an instruction to the Committee on Foreign Relations.

The resolution as modified was agreed to.

#### CORTE DE MADERA DEL PRESIDIO.

Mr. PLUMB. I submit the following resolution. I will state that it is substantially a copy of the resolution under consideration day before yesterday, but it is now put in shape to meet the objection made then:

*Resolved*, That the Committee on Public Lands be continued as now constituted until the first Monday of December next, and that it have authority to sit during the vacation and to make the investigation committed to it by order of the Senate on the 26th day of February, 1883, concerning a certain grant of lands in the State of California; and for the purposes of said investigation it shall have power to send for persons and papers and to employ a stenographer, and the expenses of said investigation shall be paid from the contingent fund of the Senate.

Mr. INGALLS. Does that mean that Senators whose terms expire on the 3d of March are to be continued on the committee until December?

Mr. PLUMB. That would not be within the power of the resolution. It was drawn by the Senator from Vermont, who gave the subject ample consideration.

Mr. INGALLS. Let the first part of it be read again.

The Acting Secretary read the first portion of the resolution.

The amendment was agreed to.

#### REVISION OF THE RULES.

Mr. FRYE. I sent a resolution to the Committee on Printing a few days since providing for a new edition of the Manual. The Senator from Rhode Island, chairman of the committee, reported this morning adversely, giving as a reason that no new edition of the Manual should be provided for until there has been a revision of the rules, a correction of errors, &c. I concur with him that there ought to be something of that kind, and I offer the following resolution:

*Resolved*, That the Committee on Rules be, and it is hereby, continued, and authorized to sit during the recess of Congress, at Washington or elsewhere, for the purpose of revising, codifying, and simplifying the rules of the Senate, and of correcting and preparing the Manual for publication; and it may employ such assistance as may be required; and the necessary actual expense incurred in the execution of this order shall be paid out of the contingent fund of the Senate.

Mr. BAYARD. Let that lie over and be printed.

The PRESIDENT *pro tempore*. The resolution will lie over and be printed, if that is requested.

Mr. FRYE subsequently said: The Senator from Delaware withdraws his objection to my resolution.

Mr. BAYARD. I withdraw my objection to the consideration of the resolution about the revision of the rules.

The PRESIDENT *pro tempore*. The Chair will put the question on the resolution offered by the Senator from Maine.

The resolution was agreed to.

#### H. B. LITTLEPAGE.

Mr. CALL submitted the following resolution:

Resolved, That H. B. Littlepage be reinstated to the messenger-roll of the Senate, with compensation from the date of his removal.

Mr. INGALLS. Let that lie over.

The PRESIDENT *pro tempore*. The resolution will lie over.

#### AMENDMENTS TO BILLS.

Amendments were submitted by Mr. JOHNSTON, Mr. JONAS, Mr. LAPHAM, Mr. MILLER of California, and Mr. PLUMB, intended to be proposed by them, respectively, to the bill (H. R. 7637) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1883, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes; which were referred to the Committee on Appropriations.

Amendments were submitted by Mr. ANTHONY, Mr. CALL, Mr. CAMDEN, Mr. CONGER, Mr. JOHNSTON, Mr. LAMAR, Mr. MAHONEY, Mr. MILLER of California, and Mr. SLATER, intended to be proposed by them respectively to the bill (H. R. 7631) making appropriations for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes; which were referred to the Committee on Commerce.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the bill (H. R. 7679) to establish post routes; which was referred to the Committee on Post-Offices and Post-Roads.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury transmitting the names of the clerks and other persons employed in the several bureaus of his Department during the calendar year ended December 31, 1882, with the sums paid to the same and the time they were employed; which was ordered to lie on the table, and be printed.

He also laid before the Senate a communication from the Secretary of War in answer to resolution of February 27, calling for a report in regard to the condition and progress of the improvement of Charleston Harbor, &c.; which was ordered to lie on the table, and be printed.

#### LOUISVILLE EXPOSITION.

Mr. BECK. There is a House bill on the table that I ask may be laid before the Senate.

The PRESIDENT *pro tempore* laid before the Senate the bill (H. R. 7623) relative to the Southern exposition to be held in the city of Louisville, State of Kentucky, in the year 1883; and it was read twice by its title.

Mr. BECK. I ask that that bill be passed now. It is an exact copy of the centennial bill. It will only take the time necessary to read it. The Committee on Finance have examined it and recommend it.

Mr. EDMUNDS. Has that bill come up this morning?

Mr. BECK. No; it has been here a week.

The PRESIDENT *pro tempore*. It has been here some days.

Mr. BECK. It is agreed to by the Committee on Finance.

Mr. EDMUNDS. Has that not been laid before the Senate?

The PRESIDENT *pro tempore*. The attention of the Chair was not called to it.

Mr. EDMUNDS. I merely rise now to call the attention of the Chair and the Senate to the fact about these House bills, that the order that the Senate adopted on the yeas and nays the other day, so that it is a standing order of the Senate, commands us to take up House bills on the Calendar in their order and nothing else. I do not object to this bill, but I wish to have the opportunity to make that objection when the river and harbor bill shall be moved, if it is moved, from the Calendar where it now is in point of parliamentary law, for its second reading. I make no objection to this bill; I believe it is right.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7623) relative to the Southern exposition to be held in the city of Louisville, State of Kentucky, in the year 1883.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

#### MINING AND INDUSTRIAL EXPOSITION AT DENVER.

The PRESIDENT *pro tempore* laid before the Senate the bill (H. R. 7597) to admit free of duty articles intended for the national mining and industrial exposition to be held at Denver, in the State of Colorado, during the year 1883; which was read twice by its title.

Mr. BECK. That also was examined by the Committee on Finance. The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

#### MISSOURI RIVER BRIDGE.

The PRESIDENT *pro tempore* laid before the Senate the bill (H. R. 7682) to authorize the construction of a bridge across the Missouri River at some accessible point within ten miles below and five miles above the city of Kansas City, Missouri.

Mr. VEST. This is a House bill. The Committee on Commerce reported favorably a similar Senate bill, and pending its consideration here the House passed this bill.

The PRESIDENT *pro tempore*. Is there objection to its consideration?

Mr. ROLLINS. I object, merely for the purpose of saying this: The Senate has adopted an order that it will consider House bills. Now, this case simply reverses the order by considering House bills that last came over instead of those that first came over. Instead of considering House bills in their proper order, this is an attempt to reverse that order and take those that have just come over from the House. All I desire in this matter is to secure not equal justice, for I do not expect that, but an apparent show of justice, so that the bills from the House which have been lying on our tables and on the Calendar for a long time may have some chance of consideration.

Mr. PLATT. May I have the attention of the Senator from New Hampshire a single moment?

The PRESIDENT *pro tempore*. There are two bills, one for Thames River, Connecticut, and this.

Mr. ROLLINS. With the understanding that other States asking for this consideration, as well as Connecticut and Missouri, are to have a fair show some time before the close of the session, I shall withdraw the objection.

Mr. VEST. Certainly. I desire to have all these bills taken up and disposed of now.

Mr. BROWN. I make no objection now, but hereafter I shall object and insist on the regular order.

Mr. MORGAN. I object. We have adopted an order of business here and it is not fair for any Senator to insist that we shall depart from it. I object.

Mr. PLATT. May I appeal to the Senator from Alabama for a single moment? These bills came over from the House last night; they were laid before the Senate last evening.

Mr. MORGAN. I have had bills here for eight months, and I have petitioned the Senate time and again to take them up for consideration and never can get it done. I object to this bill being considered, and will continue to object to this and all others, not because it is this bill—

Mr. PLATT. The Senator may strike, but I beg him to hear. These bills came over from the House last evening—

Mr. MORGAN. I know they did.

Mr. PLATT. They were laid before the Senate, and I supposed there was unanimous consent last evening that they should be acted upon this morning. I do not know that that unanimous consent was formally expressed, but it certainly was understood when they came here last night that if they were read last evening and printed, they should be acted upon this morning. We have just acted upon two bills that came over from the House relating to industrial expositions. These bills will not take any time except the time required to read them.

Mr. MORGAN. I withdraw my objection.

The PRESIDENT *pro tempore*. Objection is withdrawn. The bill will be read.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7682) to authorize the construction of a bridge across the Missouri River at some accessible point within ten miles below and five miles above the city of Kansas City, Missouri.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

#### INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I ask unanimous consent for the printing of the report of the conference committee on the tax reduction bill, in order that we can have it here for the examination of Senators.

The PRESIDENT *pro tempore*. Is there objection to the printing?

Mr. EDMUNDS. That is, before you submit it to the Senate?

Mr. MORRILL. Yes, sir.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the order is made.

#### BRIDGE ACROSS THE THAMES RIVER.

The PRESIDENT *pro tempore* laid before the Senate the bill (H. R. 7115) to authorize the construction of a bridge across the Thames River, near New London, in the State of Connecticut, and declaring it to be a post-road.

Mr. EDMUNDS. This is done by unanimous consent, the objection, I understand, having been withdrawn.

The PRESIDENT *pro tempore*. The Senator from Alabama withdraws his objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

#### HOUSE BILL REFERRED.

The bill (H. R. 7148) to establish a railway bridge across the Illinois River, extending from a point within five miles of Columbiana, in Greene County, to a point within five miles of Farrowtown, in Calhoun County, in the State of Illinois, was referred to the Committee on Commerce.

#### LIGHT-HOUSE AT SOUTHWEST PASS.

Mr. KELLOGG. I ask unanimous consent to take up the bill (S. 1943) making an appropriation for rebuilding the light-house at Southwest Pass, Vermillion Bay, Louisiana, which is No. 1020 in the order of business. It will take but an instant.

Mr. HARRISON. I object. We have a standing order and some of us are interested in matters that will be reached by pursuing it; but if time is consumed by special cases—

Mr. KELLOGG. I appeal to the Senator from Indiana to hear me a moment.

Mr. McMILLAN. Objection being made, I ask the Senate—

Mr. KELLOGG. Wait a moment. This is a bill that I offered in the form of an amendment last night. Under a misapprehension it did not go to the Committee on Appropriations, though I was ordered to report it from the Committee on Commerce. It is a very simple matter establishing the only light-house on the Gulf coast from Florida to Sabine. I am sure the Senator from Indiana will not object. It will take but a moment. It is the only bill I have asked for.

Mr. HARRISON. There are a hundred bills on the Calendar that will take but a moment. The question is whether we shall follow the order adopted by the Senate, and let each one of us have a chance in matters in which our constituents are interested, or whether we shall occupy the whole time as we have been doing this morning.

The PRESIDENT *pro tempore*. Objection is made to the request of the Senator from Louisiana.

Mr. McMILLAN. I ask for the disposition of the river and harbor bill.

Mr. KELLOGG. I believe I have the floor. I move to postpone the pending and all prior orders and take up this bill.

The PRESIDENT *pro tempore*. That is not now in order.

Mr. KELLOGG. When it is in order I shall make that motion.

The PRESIDENT *pro tempore*. It will not be in order at all. A resolution can be offered to-day to change the order.

Mr. KELLOGG. I am sure this bill will pass if it is only brought to the notice of the Senate.

#### RIVER AND HARBOR BILL.

The PRESIDENT *pro tempore*. The Chair will call the attention of the gentleman from Vermont [Mr. EDMUNDS] to the state of the river and harbor bill. While the Senator was out this morning it was taken from the table, read the second time, and a motion made by the Senator from Minnesota [Mr. McMILLAN] to refer it to the Committee on Commerce. The vote on the reference would have been taken then, but the Senator from Massachusetts [Mr. HOAR] wished to say something, and by common consent it was passed over until morning business was concluded.

Mr. EDMUNDS. I make the point of order that the bill having been read the first time can not be read a second time until it is taken up by vote of the Senate; and, secondly, that under the standing order of the Senate in relation to House bills, this bill can not be considered at this time. It having been read the first time it went on the Calendar; there is no other place for it now; and it can not be taken up for a second reading on the Calendar any more than if it was reported from one of our own committees. It goes to the foot of the Calendar and it can not be taken up until we have got down to it under the order of the Senate, adopted after discussion on the yeas and nays.

Mr. McMILLAN. This is still within the morning hour, and the bill has been read the second time and a motion has been made to refer it to the Committee on Commerce. Last evening the bill had its first reading and it went over upon objection; but there was no order sending it to the Calendar, and until an order of the Senate is entered sending it to the Calendar, it does not go there.

The PRESIDENT *pro tempore*. The Chair understood from what was done this morning that it was taken up and read a second time. The motion to refer was simply postponed by common consent of the Senate until the morning business was ended. The Chair thinks the motion to refer is in order. The question is, Will the Senate refer the bill to the Committee on Commerce?

The motion was agreed to.

Mr. EDMUNDS. I wish to give notice, so that if I happen to step into the lobby to speak to a gentleman for a moment the bill will not pass, that when this report is made I shall insist that the bill shall go upon the Calendar, as it must then, of course, and then the standing order of the Senate will forbid it to be taken up out of its order.

Mr. McMILLAN. The Senator's remarks certainly are not just if they are intended to imply that the Senator has not had full notice of everything that has been done.

Mr. EDMUNDS. The Senator is mistaken. I did not have notice when it was taken up; but I take no offense at all.

Mr. HOAR. I had desired to address the Senate perhaps fifteen or twenty minutes in regard to the general subject embraced in this bill. But it seems to me in the present condition of public business, with the large number of matters which demand the attention of the Senate during the next forty-eight hours, at the end of which time this session will terminate by the operation of the Constitution, I ought not to avail myself of my privilege for such a discussion.

I wish, however, to say a word. It is the constitutional duty of every Senator to act according to his own judgment of what is right and for the public interest without regard to mere clamor, but with regard and deference and consideration to honest public sentiment. Still I think that regard requires, in the present condition of public sentiment upon this question, that every proposition for a river and harbor improvement which should be adopted here should be accompanied by a careful consideration of every item on the part of a committee of the Senate, and should also be accompanied by such a statement of the importance to national commerce of every individual improvement as will make its way not merely to the favorable judgment of the Senate, but to the general favor of the public.

There is no mode of ascertaining in the end what is the public sentiment of a self-governing people in regard to legislation but by the laws which the constitutional representatives of the people enact. The public sentiment of the American people in matters of legislation is to be found in its laws. I do not speak of temporary gusts of passion, but the permanent, sober second thought of this people in regard to what should be law is to be ascertained, and ascertained only by inquiring what is law.

Now, Mr. President, it is manifestly impossible that upon a bill containing, I suppose, hundreds of items—I have not read the particular pending bill—it is manifestly impossible that in forty-eight hours this committee, however industrious, however intelligent, however well informed, however conscientious, can give the necessary scrutiny; and therefore it is manifestly impossible that in the present stage of the public business this bill can be properly considered by the Senate itself and become a law.

The reference of the bill will only enable the committee to ascertain the impossibility of reporting it to the Senate with such facts and information as the Senate has a right to require at the hands of the committee before it can act. Therefore, not in the least having changed my mind as to what the interest of this people requires, not in the least doubting that the permanent and final judgment of the people will be in favor of developing its water ways all over the country, and its harbors, by the use of the national forces and the national resources, which are alone adequate to that purpose, I have risen to say that I can not doubt that this committee, when this bill is committed to them, will be compelled to report to the Senate that it is impossible to deal intelligently and properly with this subject at the present session.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7595) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FRANK HISCOCK of New York, Mr. BENJAMIN BUTTERWORTH of Ohio, and Mr. JOSEPH C. S. BLACKBURN of Kentucky managers at the conference on its part.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7181) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1884, and for other purposes.

The message further announced that the House had passed the following bills:

A bill (S. 719) for the relief of the representatives of Sterling Austin, deceased;

A bill (S. 826) for the relief of Powers & Newman and D. & B. Powers; and

A bill (S. 1829) to amend an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

The message also announced that the House had passed a bill (H. R. 5543) to confirm certain entries on the public lands; in which it requested the concurrence of the Senate.

#### ORDER OF BUSINESS.

Mr. HILL. There are two bills from the Post-Office Committee which are of very great importance. One is a bill that will not require five minutes to consider, and the other is the post-route bill. The post-route bill requires a good deal of time for enrolling, and unless it is passed early it can not be enrolled, and so the bill will be lost.

The PRESIDING OFFICER (Mr. VOORHEES in the chair). The Senator from Colorado asks consent to take up at this time a certain bill.

Mr. HILL. I will say first the joint resolution (H. Res. 333) validating certain contracts executed by the Postmaster-General.

The joint resolution was read.

Mr. INGALLS. How does that come before the Senate?

The PRESIDING OFFICER. The Chair does not know. The Senator from Colorado calls it up.

Mr. INGALLS. Is it reported to-day?

Mr. HILL. It is on the Calendar.

Mr. INGALLS. Does it come up under the order of the Senate?

Mr. HILL. No, sir.

Mr. INGALLS. Then I object.

Mr. HILL. It will not require five minutes.

Mr. INGALLS. There are a great many others that will not require five minutes.

Mr. HILL. It is very important to the Post-Office Department.

Mr. INGALLS. I think this matter has gone far enough. I have been waiting two hours to get at some District bills on the Calendar from the House. I propose from this time to oppose everything out of order.

Mr. MAXEY. I hope the Senate will go on with the post-route bill.

The PRESIDING OFFICER. It is not in order. Nothing is in order except the execution of the order passed on the motion of the Senator from Ohio [Mr. SHERMAN].

Mr. HILL. Then I ask unanimous consent to take up the post-route bill.

Mr. INGALLS. I object.

Mr. HILL. Can it not be taken up by a vote of the Senate?

The PRESIDENT *pro tempore*. No, not while the order remains. You must get rid of the order first. The Senate will proceed to the consideration, under the regular order, of pension bills on the Calendar.

Mr. FRYE. Is it not in order to move to postpone the order of the Senate and to take up, for instance, the shipping bill?

The PRESIDENT *pro tempore*. No; this is a standing order of the Senate. The Senator can give notice. He can get it up to-morrow if he offers a resolution to-day, and it can be considered to-morrow; but this is the rule. That was understood at the time it was adopted. The Senator from Vermont so stated; he stated that the hands of the Senate would be tied.

Mr. FRYE. The shipping bill occupied a special committee during the whole vacation, and it has passed the House.

The PRESIDENT *pro tempore*. The Chair personally would be glad to see the shipping bill under consideration. The order is to proceed to the consideration of pension bills of any kind.

Mr. PLATT. If I could be heard I should like to have an understanding as to the construction of that order. There are on the Calendar fifty or sixty pension cases which have been reported adversely, some of them with the views of the minority and some without the views of the minority having been presented. There are perhaps eight or ten cases which have been reported favorably, in which there are minority reports. The order itself seems broad enough to consider every pension case on the Calendar. That I think would take a very long time. I desire to have a construction of the order at this time to know whether it necessitates the taking up of all cases on the Calendar, or what cases on the Calendar it does bring up.

The PRESIDENT *pro tempore*. The Chair does not think there is any reasonable doubt about the construction of the order. It was that the Senate should proceed to the consideration of the pending pension bills after the then unfinished business should be disposed of. That unfinished business has been disposed of. It was next that House bills reported favorably should be considered. It does not speak in the first order of any pension bills reported favorably, but orders that the House bills reported favorably shall be considered after going through with the pending pension bills. The Chair is of the opinion that the pending pension bills on the Calendar are to be considered under the order, whether they are reported favorably or unfavorably.

Mr. FRYE. The Calendar was not finished the other day?

The PRESIDENT *pro tempore*. No; the Senate will go on and finish the Calendar of pension bills and then go back to House bills reported favorably.

SUSAN BAYARD.

The bill (H. R. 5558) granting a pension to Mrs. Susan Bayard was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Susan Bayard, widow of Anthony W. Bayard, a soldier of the war of 1812.

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

MARGERY NIGHTENGALE.

The bill (H. R. 5103) granting a pension to Margery Nightengale was considered as in Committee of the Whole. It provides for a pension of \$8 a month to Margery Nightengale, widow of Michael Nightengale, late of Company D, Fifty-first Regiment New York Volunteer Infantry.

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

EDGAR B. LAMPHIER.

The bill (H. R. 1443) granting a pension to Edgar B. Lamphier was considered as in Committee of the Whole. It directs the Secretary of the Interior to place on the pension-roll the name of Edgar B. Lamphier, late a private in the Twenty-sixth Regiment New York Light Artillery Volunteers.

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

DANIEL M. MORLEY.

The bill (H. R. 1860) granting a pension to Daniel M. Morley was considered as in Committee of the Whole. It places on the pension-roll the name of Daniel M. Morley, late a private in Company E, Twenty-ninth Regiment Ohio Volunteers.

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

AMANDA STOKES.

The bill (H. R. 3743) granting a pension to Miss Amanda Stokes was considered as in Committee of the Whole. It places on the pension-roll, at the rate of \$15 per month, the name of Miss Amanda Stokes, of Lebanon, Warren County, Ohio.

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

HELEN M. THAYER.

The bill (H. R. 6923) granting a pension to Mrs. Helen M. Thayer, was considered as in Committee of the Whole. It places on the pension-roll the name of Mrs. Helen M. Thayer, widow of Charles H. Thayer, late a private in Company C, Tenth Regiment Maine Volunteers.

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

PATRICK HORAN.

The bill (H. R. 6501) granting a pension to Patrick Horan was considered as in Committee of the Whole. It directs the Secretary of the Interior to place on the pension-roll the name of Patrick Horan, late a teamster in the Quartermaster's Department of the United States Army, with the same rate of pension to which a private soldier would be entitled for like disabilities.

Mr. PLATT. I did not concur in that report. I ask for the reading of the report.

The Acting Secretary read the following report, submitted by Mr. MITCHELL February 27, 1883:

The Committee on Pensions, to whom was referred House bill 6501, granting a pension to Patrick Horan, have examined the same, and report:

The Committee of Invalid Pensions, in the consideration of the above bill, reports as follows:

The petitioner, Patrick Horan, of Joliet, Illinois, was enrolled on or about September 15, 1861, as a teamster of the Quartermaster's Department, by Captain G. E. D. Diamond, at Saint Louis, Missouri. He was never discharged, but paid last at Fort Riley, Kansas, and sent back to Saint Louis on the 28th of November, 1865.

While serving as a teamster he was taken prisoner of war at the battle of Poisons Springs, and was confined at Camp Ford, Tyler, Texas, from about April, 1864, to about the middle of February, 1865. While a prisoner he was without shelter or covering of any kind, and in June, 1864, was exposed to a rain-storm of fourteen days' duration. During his confinement he dug a hole in the ground, in which he slept. In consequence of his exposure and suffering, he was stricken with paralysis, from which disease he has been suffering to the present time.

His statement as to his imprisonment, exposure, and incurrence of paralysis in rebel prisons is corroborated by the testimony of Henry B. Clark, himself an inmate of said prisons, and by the testimony of John B. Arnold, of the Chicago Mercantile Battery.

The evidence also shows that prior to and on his arrival at said prison he was in sound health. The testimony of neighbors, of Joliet, Illinois, shows that upon his return to Joliet, after the war, he was afflicted with paralysis, which has continued to the present time, making him completely unable to perform any physical labor.

Dr. W. Douglan, of Will County, Illinois, states that since 1874 petitioner has been under his treatment; that he has carefully studied his case; that he is suffering from 'locomotor ataxia,' caused by exposure and sleeping upon damp ground; that it gradually grows worse; is incurable, and will soon render him entirely helpless. His claim was rejected by the Pension Office on the ground that petitioner was not in the military service of the United States, and therefore does not come under the general provisions of the pension law; but the Pension Bureau is of opinion that his claim is a meritorious one and should be allowed by 'special act'; and that, if such special act is granted, the pension should commence from the date of its passage, at such rate as the claimant, upon examination, may be found to be entitled to.

Your committee find the facts set forth in the above report substantially correct. There can be no doubt from the evidence on file that his disability originated while in the discharge of his duties as teamster in the Quartermaster's Department; in other words, he was performing actual service for the Government and while so engaged became permanently disabled, and, as is stated by examining surgeons, "he is incapacitated from obtaining his subsistence by manual labor," and "his disease is incurable."

Your committee believe this to be a meritorious case, and in justice the claimant should receive the relief asked for, and therefore recommend the passage of the bill.

Mr. PLATT. I only desire to state the circumstances of the case. This soldier was a teamster serving in the Quartermaster's Department. While so serving he undoubtedly contracted an illness of which he died. We have had several contests in the Senate as to whether by special act we should pension scouts and teamsters and employes of the Quartermaster's Department.

Mr. BLAIR. This is the man himself; he is living.

Mr. PLATT. I am much obliged to the Senator from New Hampshire. I thought it was on account of his widow, but I find I am mis-



taken. It is an application made by the soldier himself, and I should have said that the disability which he now suffers was undoubtedly contracted while he was a teamster in the employ of the Quartermaster's Department. We have pensioned scouts and teamsters for wounds actually received; we have never, so far as I know, pensioned any scout, any teamster, any employé of the Quartermaster's Department on account of illness contracted in the service. This goes one step beyond anything we have ever done, so far as my recollection serves me. If the Senate desires to pass the bill I have no further remarks to make.

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

The PRESIDENT *pro tempore*. The question is, Shall the bill pass? The bill was rejected.

#### FEES IN PENSION AND BOUNTY LAND CASES.

The bill (S. 2263) to amend the pension laws and for other purposes was announced as next in order.

Mr. INGALLS. How does that come up, Mr. President?

The PRESIDENT *pro tempore*. That was reported this morning and placed on the Calendar.

Mr. INGALLS. Therefore under the order it can not come up at this time.

The PRESIDENT *pro tempore*. It is a pension bill.

Mr. PLATT. All pension bills come up at this time.

Mr. INGALLS. All pension bills?

Mr. PLATT. So I understand.

Mr. INGALLS. The bill has not been read yet.

The PRESIDENT *pro tempore*. It was read this morning in full.

Mr. INGALLS. I should like to hear it read.

The PRESIDENT *pro tempore*. The substitute reported by the Committee on Pensions will be read.

The ACTING SECRETARY. The Committee on Pensions report to strike out all after the enacting clause of the bill and to insert:

That section 1 of the act entitled "An act relating to claim agents and attorneys in pension cases," approved the 20th day of June, in the year of our Lord 1878, be, and the same is hereby, made applicable to bounty-land cases and pension cases in which arrears of pension are or shall be claimed or granted.

Sec. 2. That the fee of \$10 prescribed by law shall not be payable to nor demanded or received by any agent or attorney in any pension case, whether for arrears of otherwise or in any bounty-land case, in whole or in part, until such claim shall be allowed. Upon allowance the Commissioner of Pensions shall direct that the same be paid by the proper pension agent in the manner provided for in sections 4768 and 4769 of the Revised Statutes.

Sec. 3. The provisions of section 5485 of the Revised Statutes shall be applicable to any person who shall violate this act.

Mr. INGALLS. That is not a bill which comes within the order that has been adopted by the Senate. It never was contemplated that bills amending the pension laws should have a right of way. It was simply bills for pensioning soldiers; what are called private pension bills. I do not think the widest possible latitude could embrace that bill.

The PRESIDENT *pro tempore*. The order technically refers to "pending pension bills."

Mr. INGALLS. I withdraw my suggestion.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

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

The amendment was agreed to.

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

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

#### ORDER OF BUSINESS.

Mr. PLATT. Does the order require us to go to the commencement of the Calendar, or the point last reached?

The PRESIDENT *pro tempore*. To commence at the beginning of the Calendar is the quickest way, because the Senate can not consider certain bills.

Mr. FRYE. It is limited to House bills.

The PRESIDENT *pro tempore*. No; it covers all pension bills, Senate and House. The order reads as follows:

Resolved, That the Senate proceed to the consideration of the pending pension bill; secondly, to House bills reported favorably.

Mr. FRYE. The Chair is right.

The PRESIDENT *pro tempore*. The word "favorably" applies only to the second clause.

Mr. PLATT. I am bound to say that I do not think the Senate so understood the matter when the order was passed. A strict construction of the order now requires us to go back to the commencement of the Calendar and take the bills which have been reported adversely, some of them postponed and reconsidered and placed on the Calendar. There are probably fifty or sixty of them on the Calendar, every one of which, if considered, will of course incur the opposition of the committee or a majority of the committee.

Mr. FRYE. If that is done, the day is gone.

Mr. PLATT. I do not think that was what the Senate supposed they were ordering when they passed the order.

Mr. HARRISON. Will not the Senator from Connecticut ask unanimous consent that the contested cases be passed over?

Mr. JACKSON. I ask unanimous consent that the contested cases go over.

Mr. BLAIR. I object to it in that form. There are quite a number of cases where there are majority reports which have passed the House. I think those cases certainly should be disposed of. I do not think the contested cases should be made use of to waste the remainder of the session. They will not result in benefit to the pensioners or the applicants themselves, and will result only in great injury to the country. As soon as these few cases where there are majority reports in favor of the passage of the pension bills—

The PRESIDENT *pro tempore*. If the majority report is favorable, although there is a minority report, it is a favorable report.

Mr. BLAIR. What I mean to say is that we should consider, first, the House and then the Senate bills, because such cases going to the House can be disposed of there during the remainder of the session.

Mr. PLATT. Allow me to suggest to the Senator from Tennessee that he ask to confine it to cases reported adversely.

Mr. JACKSON. Yes; that they go over.

Mr. BECK. I took part in endeavoring to reach the Calendar by voting for all the pension cases to have preference; but I supposed when I did that that it was the uncontested pension cases that were to be considered, and then that we should proceed with the House bills that had been reported favorably without amendment; so that something would become law. There are some ten or twelve of them. While I do not want to delay the contested pension cases, I hope we shall be allowed to pass them over temporarily until a few other cases than pension cases that have come from the House and are reported unanimously without amendment may be considered subject to objection.

Mr. BLAIR. I do not think the class of cases I now speak of can consume half an hour. Then the pension matters will all be out of the way.

Mr. BECK. The trouble of enrolling is very great now. There are a few House bills to which there is no objection that the Senator from New Hampshire can stop, if they give rise to debate, by a single objection.

Mr. BLAIR. It is exceedingly unpleasant to object, but in half an hour the pension bills will all be out of the way.

Mr. BECK. I know it is not a very pleasant thing to do. We thought we would go to the unobjected House bills reported favorably after we got through with the unobjected pension cases, so as to dispose of as much business as we could.

The PRESIDENT *pro tempore*. The Chair would suggest that unanimous consent be given to pass over all pension cases reported adversely.

Mr. JACKSON. That is right.

The PRESIDENT *pro tempore*. Evidently the author of the rule desired that all cases reported adversely should be passed over.

Mr. FRYE. There will be no objection to that.

The PRESIDENT *pro tempore*. Is there unanimous consent that all cases reported adversely be passed over?

Mr. BLAIR. I agree to it.

The PRESIDENT *pro tempore*. It is agreed, then, that the Secretary shall begin the call at the commencement of the Calendar and then the Senator from Kentucky will get at the House bills.

Mr. RECK. I am only endeavoring to obtain some action on unobjected cases.

#### ELECTION OF PRESIDENT PRO TEMPORE.

Mr. ANTHONY. I desire to interpose at this time a privileged resolution relating to the order of business.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The resolution will be received.

The resolution was considered by unanimous consent and agreed to, as follows:

Whereas the President *pro tempore* has signified his purpose to resign the chair at 12 o'clock to-morrow; Therefore,  
Resolved, That at that hour the Senate will proceed to the election of a President *pro tempore*.

#### ANN CORNELIA LANMAN.

Mr. PLATT. The first case I see on the Calendar is the bill (S. 2133) granting an increase of pension to Ann Cornelia Lanman.

Mr. BLAIR. I suggest that these bills be taken up as we find them. We shall get rid of them quickest in that way.

The bill (S. 2133) granting a pension to Ann Cornelia Lanman was considered as in Committee of the Whole. It directs the Secretary of the Interior to place on the pension-roll the name of Ann Cornelia Lanman, and proposes to pay her a pension of \$50 a month in lieu of the pension now received by her.

Mr. JACKSON. The majority and minority reports in that case had better be read.

The Acting Secretary read the following report, submitted by Mr. MITCHELL July 8, 1882:

The Committee on Pensions, to whom was referred the petition of Mrs. Ann Cornelia Lanman, widow of the late Rear-Admiral Joseph Lanman, praying for an increase of pension, having examined the facts in the case, respectfully submit the following report:

Admiral Lanman entered the naval service of the United States as a midshipman January 1, 1825, and passed through all the grades of the service up to rear-admiral. He served during the late war, and distinguished himself at the attack on Fort Fisher under Admiral Porter. Admiral Lanman was officially

recognized for gallant service throughout the war. In 1869 he was promoted to be a rear-admiral, and placed in command of the South Atlantic fleet, where he served three years. On his return from this command he was placed on the retired-list.

On the 20th of February, 1874, he received a telegram from Secretary of Navy Robeson to report at Washington, District of Columbia, as a witness. The order was received by him at 5 o'clock in the afternoon, and he left for Washington the same evening. On that journey he contracted a very severe cold, and when he reached home he was scarcely able to walk. He immediately took to his bed, and grew worse until the 13th of March, 1874, when he died. The physician who attended him in his last sickness swears that he died of pneumonia, contracted during his journey to Washington as above stated.

The evidence shows that Rear-Admiral Lanman left a widow, the present claimant, and two minor children, to wit, Alice Blanche and Rosalie Decatur, aged, respectively, 10 and 12 years.

A pension of \$80 a month was granted to Mrs. Lanman by special act of Congress. This was the pension allowed by law at that time in the cases of the widows of admirals, so that the special act gave Mrs. Lanman the full benefit of the law at that time. Now she petitions Congress to increase the pension allowed her to \$50 per month, on the ground that her present pension is inadequate to the support of herself and her children.

In connection with this petition for an increase of pension, it is pertinent to inquire into the equity which has governed the committee's action in similar cases.

By the pension law as it existed prior to the act of July 14, 1862, the pensions granted to officers of the Navy, and to their widows and minor children in case of death, were made equal to the half-monthly pay of such officers, such pay as existed in 1835, which forms the basis upon which such pensions were granted. These pensions were payable from the interest of the naval pension fund. By this law rear-admirals, their widows, &c., received a pension of \$50 a month.

The act of July 14, 1862, established pensions for the Army and Navy according to rank, making Navy pensions correspond with Army pensions. By this act of July 14, 1862, the pension granted to rear-admirals was reduced to \$30 a month. The act of July 14, 1862, was construed as affecting only pensions which should be granted after the passage of said act.

Section 3 of the act of July 25, 1866, provided—

“That the provisions of an act entitled ‘An act to grant pensions,’ approved July 14, 1862, and of the acts supplementary thereto and amendatory thereof, are hereby so far as applicable extended to the pensioners under previous laws, except Revolutionary pensioners.”

In applying this act no reduction of the naval pensions previously granted was made.

Section 13 of the act of July 27, 1868, provided—

“That the third section of an act entitled ‘An act increasing the pensions of widows and orphans, and for other purposes,’ approved July 25, 1866, shall be so construed as to place all pensioners whose right thereto accrued subsequently to the war of the Revolution and prior to the 4th of March, 1861, on the same footing as to rate of pension from and after the passage of said act as those who have been pensioned under acts passed since said 4th day of March, 1861, and the widows of Revolutionary soldiers and sailors now receiving a less sum shall hereafter be paid at the rate of \$8 per month.”

Under this act, upon the decision of the Secretary of the Interior, naval pensions already granted were reduced to the rates provided in the act of July 14, 1862, such reduction taking effect from the last half-yearly payment made prior to February 10, 1870, the date of the decision.

This decision gave rise to the passage of the act approved June 9, 1880, entitled “An act to restore pensions in certain cases,” which provides—

“That section 3 of an act entitled ‘An act increasing the pensions of widows and orphans and for other purposes,’ approved July 25, 1866, and section 13 of an act entitled ‘An act relating to pensions,’ approved July 27, 1868, and section 4712 of the Revised Statutes shall not operate to reduce the rate of any pension which had actually been allowed to the commissioned, non-commissioned, or petty officers of the Navy, or their widows or minor children prior to the 25th day of July, 1869; and the Secretary of the Interior is hereby directed to restore all such pensioners as have already been so reduced to the rate originally granted and allowed, to take effect from the date of such reduction.”

Under this act such pensioners as had been reduced under the decision rendered by the Secretary of the Interior, February 10, 1870, were restored to their original rate of pension.

All those widows, &c., of rear-admirals who have applied for a pension since the rendering of the decision of the Secretary of the Interior, February 10, 1870, have only been granted a pension of \$30 per month, which presents the inconsistency of a portion of rear-admirals' widows receiving \$50, while the balance are pensioned at \$30 a month, without difference of rank, merit, or long service. Since the restoration of this class of pensions to \$30 per month by the act of June 9, 1880, the widows who are allowed but \$30 per month at the Pension Office under the act of July 14, 1862, have from time to time applied to Congress for an increase of pension from \$30 to \$50, and for original pensions of \$50 per month, and such increase, or original granting of pensions at \$50 per month, has frequently occurred during the present session of Congress. (See Mr. Teller's report, Elizabeth Wirt Goldsborough; Mr. Jackson's report, Louisa Bainbridge Hoff; Mr. Platt's report, Rebecca Reynolds; Mr. Platt's report, Elizabeth H. Spotts.)

Some of these cases are for long and meritorious services, and for original pension; others for an increase from the \$30 allowed by the Pension Office to \$50. In the report of the case of Admiral Goldsborough, where it is not alleged that he died of any disease contracted in the line of duty, or even in the service, the concluding clause in the Goldsborough case is as follows:

“Such a record of service, in the opinion of the committee, justifies the payment to his widow of the same pension allowed in other cases by special act of Congress to the widows of other officers of the Navy of similar rank. The committee therefore recommend that Senate bill 743 be passed.”

That concluding clause is open to but one conclusion, to wit, that Mrs. Goldsborough's pension was a gratuity pension for the long and meritorious services of her husband.

Regarding any objection being raised to the granting of a pension to Rear-Admiral Lanman's widow on the ground that he was on the retired-list, it is proper to say that Admiral Goldsborough was retired in 1874 and died in 1879, and Admiral Hoff was retired in 1869 and died in 1878. Therefore they were both on the retired-list at the time of their death.

Now, the widow of Rear-Admiral Lanman is entitled to a pension to a greater extent than the widow of an admiral whose only claim was long and meritorious services, as her husband died directly from a malady contracted in obeying an order of the Secretary of the Navy, and within a few days after contracting the disease.

The \$30 pension granted by special act was acceptable to Mrs. Lanman until others of no greater merit were increased to \$50. The inconsistency of her receiving but \$30 became apparent, and no reason prevailing why her case should be an exceptional one, she thought it proper to ask Congress by a special act to remove this inconsistency.

Inasmuch as the Forty-sixth Congress thought proper to increase certain cases of the widows of admirals to \$30 (see Lelia E. McCauley, page 606 Statutes at Large, 1879-'81, and Ann M. Paulding, 608 Statutes at Large, 1879-'81), and have frequently seen fit in the present Congress to grant the same pension in similar cases, your committee can see no good reason why Mrs. Lanman should not receive a like pension, and therefore report a bill to that effect, and recommend its passage.

Mr. JACKSON. I ask that the views of the minority be incorporated in the RECORD, and I will state briefly the ground of objection to the allowance of this claim.

The views of the minority, submitted by Mr. JACKSON July 2, 1882, were ordered to be printed in the RECORD, as follows:

The undersigned, members of the Committee on Pensions, not concurring in the report of the majority upon the bill (H. R. 4795) granting an increase pension to Mrs. Ann Cornelia Lanman, respectfully submit the following views of the minority:

Rear-Admiral Joseph Lanman, whose career as a naval officer is fully set forth in the majority report, was placed upon the retired-list of the Navy in 1871 or 1872. On the 20th of February, 1874, he received a telegram from the Secretary of the Navy to come to Washington, District of Columbia, as a witness before a naval court-martial. He left for Washington on the same evening he received the notice. On the trip he contracted a severe cold and when he reached home he was quite unwell; immediately took to his bed and grew steadily worse until the 13th March, 1874, when he died. The physician who attended him in his last sickness states that he died of pneumonia contracted during his trip to Washington as above stated. He left a widow (the present applicant for increase of pension) and two minor children, aged respectively 10 and 12 years.

Under the general law Mrs. Lanman was not entitled to a pension, the disease of which her husband died not having originated in the service, and because contracted subsequent to the 27th day of July, 1868. The second section of the act of July 27, 1868 (now contained in section 4694 of the Revised Statutes), denies the right to pension in cases like that of Admiral Lanman, unless the officer was—

“At the time of contracting the disease, borne on the books of some ship or other vessel of the United States, at sea or in harbor, actually in commission, or was at some naval station, or on his way by direction of competent authority to the United States or to some other vessel or naval station or hospital.”

Mrs. Lanman accordingly applied to Congress for a pension, and by special act approved March 3, 1879, she was granted a pension of \$30 per month in consideration of the long and distinguished service of her husband. She now asks Congress by another special act to increase her pension to \$50 per month, resting her application upon the same considerations which induced its former action, together with the further averment in her petition that her present pension is not adequate for the support of herself and minor children. It does not appear what estate Admiral Lanman left, nor what are the present circumstances of his widow and children. It is not shown that they are in want or that the increased pension asked for is necessary for the widow's comfortable support. Nothing of the sort is alleged. But it is said in support of her application that she should be granted the same rate of pension allowed the widows of Rear-Admirals Goldsborough and Hoff at the present session of Congress. In the case of Rear-Admiral Hoff it clearly appeared that he died of disease contracted in the service and in the line of duty.

In the Goldsborough case the report does not show the facts and circumstances connected with his death. In neither of these cases was there a second application to Congress upon the same state of facts on which special relief had been granted. And in the cases referred to there were special considerations, such as the necessitous circumstances of the applicants. But whether these cases can or can not be distinguished from the present by any meritorious or special considerations, we think it would be establishing a mischievous precedent to pass the bill in question. Its effect will be to invite repeated applications and appeals for special acts, and Congress will find itself embarrassed in the effort to produce strict and exact equality in every case. If the widows of all rear-admirals are to be allowed a pension of \$30 per month without reference to their pecuniary circumstances or necessities, then Congress should so declare by general law. Special legislation in the matter of pensions is steadily increasing, and at a rate which, if precedents are to be followed and control its action, will soon be exceedingly embarrassing to Congress. It should be assumed that when Congress, with all the facts before it now presented, fixed Mrs. Lanman's pension at \$30 per month, it intended that as its final action in the matter.

For these and other reasons that will readily suggest themselves, we think the bill should not be passed but be indefinitely postponed by the Senate.

HOWELL E. JACKSON.  
JAS. H. SLATER.

Mr. JACKSON. Mrs. Lanman was not entitled to a pension by the general law. In the second section of the act of July 27, 1868, now incorporated in the Revised Statutes as section 4694, there is a provision that unless the officer was at the time of contracting the disease “borne on the books of some ship or other vessel of the United States, at sea or in harbor, actually in commission, or was at some naval station, or on his way, by direction of competent authority, to the United States, or to some other vessel or naval station, or hospital,” he should not be entitled to a pension when on the retired-list.

Mrs. Lanman's case came within that provision of the law. She accordingly applied to Congress in 1879 for a special act placing her name upon the pension-roll. By a special act passed the 3d of March, 1879, she was granted a pension of \$30 a month in consideration of the long and distinguished services of her husband. She now comes to Congress and asks for another special act raising her pension to \$50 a month, based upon the same considerations exactly.

When Congress acted upon her application in 1879 and by a special act gave her a pension that she was not entitled to under the general law, it expressed its opinion and conclusion as to the merits of her case. She is here now asking for \$50 a month upon the same state of facts exactly. It is stated in the report of the majority that the pension granted her by that special act was acceptable to her, and her only ground of making the application now is that others have been raised to \$50.

This shows the danger and the mistake of these special bills increasing pensions, and in cases that are not strictly meritorious or needy. There is nothing in this case to show her need. I am opposed to the granting of pensions on these repeated special applications. I hope the Senate will disagree to the report of the majority.

The bill was reported to the Senate without amendment.

Mr. BLAIR. I did not make this report. I wish to remind the Senate that it is a majority report, however. We waived the consideration of the cases which are reported adversely. This woman is the widow of a rear-admiral. She is one of that class, forty or fifty, it may be perhaps nearly sixty, who are widows of officers of high rank who

are now being pensioned at the rate of \$50 a month. She asks nothing but what we are doing for all other widows of officers of the same rank of her condition and of her necessities.

Mr. PLUMB. That illustrates, as the Senator from Tennessee well says, exactly what we are coming to. We took up the case of another widow, perhaps of an officer of similar rank, the other day, and having taken that up on one pretext we now come upon a case without the same pretext, and we are asked to put up this one.

Mr. JACKSON. Will the Senator from Kansas allow me to call his attention to the fact that in the case of Admiral Goldsborough, cited by the report of the majority, his widow was pensioned at the rate of \$30 per month, the highest rate allowed by law. She got the increase from the fact of her husband having incurred disability in the service.

Mr. PLUMB. Now as before I protest against this as unjust and injurious in its discrimination.

The PRESIDING OFFICER. The question is on ordering the bill to a third reading. Shall the bill be read a third time? [Putting the question.] The yeas appear to have it.

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

The yeas and nays were ordered.

Mr. GROOME. I desire to say before the roll is called, by way of explanation of my vote, that it is a gratuity pension which this lady is now receiving. Having appealed to Congress when the general law clearly did not entitle her to a pension, and having received a very large measure of relief, I do not think she ought to show a want of appreciation of the liberality with which she has already been treated by again appealing to Congress for additional relief. I think Congress should not encourage others to do the same thing by passing this bill.

Mr. PLATT. I do not see how any distinction can be made in this case and this lady discriminated against. I think there has been no case in which the widow of a rear-admiral has asked Congress to give her a pension at the rate of \$50 that it has not been done. I do not think this is exactly a case to stop upon. It is a case which was reported favorably a long time ago. The case which the Senator from Kansas refers to was reported very recently, but was first reached under the order of the Senate and was taken up and passed.

It would be a very unjust discrimination against this lady, whose case was reported favorably a long while ago, not to extend the same relief to her which was extended in the case of the widow of Rear-Admiral Beaumont. A rear-admiral, if I mistake not, ranks with a major-general. It seems to me we can do no less, in view of the previous action of Congress, than to pension the widows of rear-admirals at \$50 or to pass a law providing that henceforth they shall only be pensioned at \$30 and that those who receive \$50 shall be reduced to \$30. But until Congress is ready to do that, I do not see how we can make a discrimination.

Mr. GROOME. The Senator from Connecticut states that a rear-admiral ranks with a major-general. Such is the fact, but it is also a fact, of which I remind the Senator from Connecticut, that there are numerous widows of major-generals who are only receiving \$30 a month under the general law, and whose pensions have never been increased by special legislation. I am aware that there are other cases of major-generals who were killed in battle whose widows are receiving \$50 a month in consequence of that fact; but as a general rule the widows of major-generals who died otherwise than in battle are only receiving to-day \$30 a month. That rate of pension this lady is receiving, although under the general law she is not pensionable. Having once appealed to the liberality of Congress, and having received from it the measure of liberality which that tribunal, in view of all the circumstances upon which her application was based, saw fit to adopt, I feel that she comes here with a very bad grace when she asks Congress to review its action and increase the liberal allowance already made to her. I hope the bill will not pass.

Mr. PLATT. Of course I can not say that the Senator is absolutely mistaken when he says that there are widows of major-generals in the Army receiving \$30 a month, but I did not suppose there were any such cases. If there are it is, I presume, because they have not made an application to Congress for an increase of pension. I know it has been done in every case where the increase has been asked.

Mr. GROOME. I will say to the Senator from Connecticut that I recollect very well a year or two ago, while I was upon the Committee on Pensions, a claim was made before that committee that the widow of every major-general was receiving \$50 a month. Information was asked of the Pension Department, and it was ascertained that the claim was not correct, and that very few widows of major-generals were receiving that allowance unless their husbands had been killed in battle.

The PRESIDING OFFICER. The question is, Shall the bill be read a third time? upon which the yeas and nays have been ordered.

The Principal Legislative Clerk called the roll.

Mr. RANSOM. I am paired with the Senator from Illinois [Mr. LOGAN]. I do not know how he would vote.

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Anthony,	Edmunds,	Ingalls,	Mahone,
Blair,	Frye,	Jones of Florida,	Miller of N. Y.,
Call,	Harrison,	Jones of Nevada,	Platt,
Conger,	Hawley,	McDill,	Sherman.
Dawes,	Hill,	McMillan,	

NAYS—22.

Barrow.	Davis of W. Va.,	Jackson,	Rollins,
Beck,	Fair,	Jonas,	Slater,
Brown,	Garland,	McPherson,	Vance,
Camden,	George,	Maxeys,	Van Wyok.
Cameron of Wis.,	Groome,	Morgan,	
Coke,	Harris,	Plumb,	

ABSENT—35.

Aldrich,	Gorman,	Logan,	Sawyer,
Allison,	Grover,	Miller of Cal.,	Sewell,
Bayard,	Hale,	Mitchell,	Tabor,
Butler,	Hampton,	Morrill,	Vest,
Cameron of Pa.,	Hoar,	Pendleton,	Voorhees,
Cockrell,	Johnston,	Pugh,	Walker,
Davis of Ill.,	Kellogg,	Ransom,	Williams,
Farley,	Lamar,	Saulsbury,	Windom.
Ferry,	Lapham,	Saunders,	

So the bill was rejected.

DANIEL G. GEORGE.

The PRESIDING OFFICER. The next pension bill on the Calendar favorably reported will be announced.

The ACTING SECRETARY. A bill (H. R. 1011) granting an increase of pension to Daniel G. George.

Mr. BLAIR. I wish to call that bill up at another time, and will reserve the right to do so. I am not ready to discuss it now; let it be passed over without prejudice.

The PRESIDING OFFICER. The bill will be passed over if there be no objection.

PATRICK DRONEY.

Mr. DAWES. The next case on the Calendar is the bill (H. R. 718) granting a pension to Patrick Droney. I wish to ask unanimous consent that it may be considered. I was absent in the committee-room of appropriations when the order was passed this morning in reference to adverse reports. That is a question which was decided the other day on the passage of a bill like it in another case. I ask unanimous consent to take it up.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent to proceed at this time to the consideration of the pension bill mentioned by him adversely reported.

Mr. JACKSON. I object.

The PRESIDING OFFICER. There is objection.

Mr. DAWES. I will state to the Senate that I only ask it because I was absent in the committee-room of the Committee on Appropriations; that is the only reason why I ask it. I do not want to have the rule set aside for me; I only ask it on that ground.

Mr. JACKSON. I will state to the Senator from Massachusetts that the Senate a few moments ago determined not to take up any of these adverse reports.

Mr. DAWES. I know they did.

Mr. JACKSON. I object to it. We want to get on to other cases.

The PRESIDING OFFICER. There is objection. The Secretary will report the first House bill favorably reported.

SUSAN SHEARER.

Mr. PLATT. If there is no objection, I should like to have House bill 3322, for the relief of Susan Shearer, indefinitely postponed. The report is adverse to it, but it appears on the Calendar as having been favorably reported. It is order of business No. 1193. There was an adverse report in the House and in the Senate also, and it may as well be disposed of. I move that the bill be indefinitely postponed.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair hears no objection, and the bill will be indefinitely postponed.

JOHN R. SMITH.

Mr. BLAIR. In the last print of the Calendar there is a disarrangement of cases. It will be found that cases 35 and 36 are in the index, and I call attention to No. 1221, a bill for the relief of John R. Smith. There is an adverse report, but I had before the action of the committee drawn a favorable report when the case was referred to me, but it was disapproved by the committee, and my report has in some way got among the papers, and it appears to be printed as the report of the committee. It is so on the files of the Senate. It is a mistake, and I ask that the document be withdrawn from the files.

The PRESIDING OFFICER. If there be no objection that order will be entered.

Mr. BECK. I do not know what it is. I object to everything but the regular order.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. BLAIR] asks for the withdrawal of a favorable report not adopted by the committee. The Chair hears no objection, and the order is entered.

Mr. BLAIR. The Senator from Indiana [Mr. VOORHEES] is interested in the case, and I will say to him that my own opinion is favorable and so I drew the report; but the committee were adverse. My opinion has got among the papers and appears to be printed as a favorable report by the committee and has been so distributed. I only ask that entries showing how the mistake occurred be made, and I suppose the report as such ought to be withdrawn.

Mr. VOORHEES. There can be no objection to that; but I thought the case was being brought up for action, and I want to be heard on it.

The PRESIDING OFFICER. The correction desired by the Senator from New Hampshire [Mr. BLAIR] will be made.

LAURA C. P. HASKINS.

Mr. McMILLAN. I desire to call attention to order of business No. 1026, being the bill (S. 771) granting a pension to Laura C. P. Haskins. There is an adverse report, and the bill was postponed indefinitely and subsequently reconsidered. I ask now that the case may be passed for the session, as I may be absent in the Committee on Commerce for some time.

Mr. PLATT. That is the order of the Senate.

The PRESIDING OFFICER. Those pension bills reported adversely are not being considered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, and had receded from its disagreement to the amendments of the Senate numbered 2 and 3 to the said bill further insisted upon by the Senate.

ALABAMA MINERAL LANDS.

Mr. BECK. The first bill I can find on the Calendar reported favorably from the House is order of business 1022.

The PRESIDING OFFICER. The Secretary will read the first House bill favorably reported.

The ACTING SECRETARY. "A bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands."

Mr. EDMUNDS. Is that the first House bill beginning where we left off on the Calendar.

The PRESIDING OFFICER. The Secretary reports to the Chair that it was under consideration at the last time the Senate was proceeding with the Calendar.

Mr. EDMUNDS. That makes it right, then.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. INGALLS. Is there any report in that case, Mr. President?

The PRESIDING OFFICER. There is no printed report.

Mr. INGALLS. I should like to hear any communication from the General Land Office.

Mr. MORGAN. There is a printed report.

Mr. INGALLS. I should like to hear it read.

The PRESIDING OFFICER. The report will be read if there is one. The Chair is informed that there is a report on the Senate bill similar to this, but no written or printed report upon this particular bill.

Mr. INGALLS. Let us hear the report on the Senate bill.

The PRESIDING OFFICER. The Secretary will read the report on the Senate bill.

Mr. HOAR. Was the report favorable or adverse?

Mr. MORGAN. It is a unanimous favorable report of the committee.

The Acting Secretary read the following report, submitted by Mr. MORGAN April 20, 1882:

The Committee on Public Lands, to whom was referred Senate bill 140, have had the same under consideration and report the same back with a substitute therefor, entitled "A bill to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," and recommend its passage.

The General Land Office, acting on the report of F. Winter, a geologist and special agent, made in March, 1879, designated a section of country in Alabama, of coal lands, which covered an area of over 260 miles square, and known as the "Warrior coal-field," and the Coosa and Cahaba coal-fields, and the public lands in this entire region were thereafter held for his disposal under the act of March 3, 1873.

According to Mr. Winter's estimate the entire area (of which a considerable part had passed into private ownership) amounted to 1,537,280 acres of coal lands, and 224,000 acres of iron lands; nearly all of which was taken up before the date of the act of May, 1872, regulating the disposal of mineral lands. Mr. Winter's reports state that not more than one-third of the coal-land area would probably be of any value for mining purposes.

Upon these reports of Mr. Winter the Secretary of the Interior made the following order:

DEPARTMENT OF THE INTERIOR,  
Washington, August 2, 1879.

SIR: I have received your letter of June 10, 1879, inclosing the reports and exhibits of Special Agent Winters, who was detailed in pursuance of instructions contained in my letter of September 11, 1878, to investigate the coal and iron lands of the State of Alabama.

From these reports and exhibits it appears that there is a large quantity of coal and iron lands in said State, some of which, in the opinion of Mr. Winters, are very valuable, and some of them of little or no value. The statute, however, fixes the value of coal, as well as other mineral lands, and without further legislation, I do not think that we are authorized to dispose of any of said lands at prices other than those established by law. Some of the lands are now considered valuable because of the means of transportation and other advantages. Others are not now considered valuable for the want of means of transportation, and because also of the expense of operating the mines. These difficulties in relation to the latter class of lands mentioned may be overcome in the future, but whether this be so or not, it can not change your duty nor mine.

So far as the lands are mineral they should be withheld from sale and disposal, no matter what their value at present may appear to be, until further legislation is had upon the subject. The lands not mineral in said district should be offered for sale and disposal in accordance with existing law.

I herewith return the papers transmitted in order that you may take such action in the premises as you may deem necessary.

Very respectfully,

C. SCHURZ, Secretary.

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

The necessity of legislation is clearly indicated in this order, to relieve this large area of country from the incubus of a law, to more than two-thirds of which it could not have been intended to apply.

If a third of this area may have any value as a mining region, it is clear that two-thirds of it is only fit for agricultural purposes.

All the public lands in this area were offered for entry at 12½ cents per acre, under the graduation acts of Congress, and only a small part of it was taken up. It was then known as a country in which there were valuable beds of coal and iron, but little was known, or is yet known, as to the localities in which mining could be done with profit.

No land has been taken up in Alabama under the act of March 3, 1873; nor has any land been disposed of under that law in any other States of the Union, except in Oregon, where 2,154 acres have been entered, and 185 acres in California.

The estimated area of coal lands in the land States is about 2,000,000 acres. So that this law is practically a failure as a means of disposing of coal lands. It has only retarded settlement and defeated commercial and manufacturing industry in the regions set apart as "coal lands."

The General Land Office, in order to prevent these evils, as far as possible, has permitted the entry of lands, under the homestead laws, within the "coal-land" limits, where persons would make oath that the lands claimed under the homestead laws were non-mineral in character. This practice has led to much abuse, and is a fruitful source of litigation and disquietude as to the validity of titles, even after patents have issued.

The bill reported herewith, as to its provisions, has the approval of the Department of the Interior, as will be seen from the letter of the Commissioner of the General Land Office, appended to this report.

Of the 1,633,280 acres in the areas that are included in the coal-land limits, in all the States and Territories, as already defined by the orders of the Interior Department, Alabama furnishes 1,573,280 acres, leaving only 146,000 acres as yet actually classified as "coal-lands" in all the other States and Territories.

In Michigan, Wisconsin, Minnesota, Missouri, and Kansas, Congress has repealed the acts of March 3, 1873, and May 10, 1872, as to coal and other mineral lands, leaving Alabama as the only land State that has any considerable area of coal and iron lands east of the Rocky Mountains under the restrictions of these laws.

Grants to railroad companies in Alabama, made prior to 1860, have given them a large quantity of coal and iron lands, which they sell at prices that prevent any sale of the public domain at the prices fixed by law for such lands. This gives to those railroad companies the practical monopoly of the coal lands in the State, which is an injury to the commerce of the State and a decided obstruction to its growth and prosperity, and the only relief seems to be that which is proposed in this bill.

DEPARTMENT OF THE INTERIOR, Washington, February 23, 1882.

SIR: I have the honor to transmit herewith copy of report on House bill 19, "to exclude the State of Alabama from the provisions of the act of Congress entitled 'An act to promote the development of the mining resources of the United States,' approved May 10, 1872," by the Commissioner of the General Land Office, to whom you referred it for an expression of his opinion.

Very respectfully,

S. J. KIRKWOOD, Secretary.

HON. JOHN VAN VOORHIS,  
Chairman Committee on Mines and Mining, House of Representatives.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., February 18, 1882.

SIR: I have received from Hon. JOHN VAN VOORHIS, chairman of House Committee on Mines and Mining, his letter of 8th instant, inclosing House bill No. 19, "A bill to exclude the State of Alabama from the provisions of the act of Congress entitled 'An act to promote the development of the mining resources of the United States,' approved May 10, 1872," and asking whether in my opinion it ought to pass, and whether it is necessary to incorporate a proviso similar to one indorsed in pencil on said bill.

I have the honor, subject to your approval, to submit the following:

The lands in Alabama have been in market for many years, but until a comparatively recent date the lands were not probably considered of special value, because of their mineral character.

The main information officially brought to this office of the mineral character of these lands was derived from an examination made in the field by a special agent and geologist from this office in the years 1878 and 1879.

His examination extended over portions of the Montgomery and Huntsville land district.

He reported a considerable list of land as containing iron and coal, some as valuable and others as of little value. No entries of coal or iron have as yet been made in said State, although all the lands reported by him were withheld from disposition except under the laws applicable to the sale of coal and mineral lands.

It is probable that the coal and iron deposits are of considerable extent, as it is a matter of general notoriety that extensive iron-works and mining have during the last few years been established there. Probably such deposits are not more extensive than in Missouri, in which State, as well as in Kansas, by act of May 5, 1876, all lands were made subject to disposal as agricultural lands.

The policy of so disposing of the public lands that large areas will be owned by single individuals or corporations may well be doubted, or at least merits careful consideration. It is also to be borne in mind that a too restrictive policy is a substantial inducement to fraud, and at the best may postpone but briefly the acquisition of large titles by individuals who command the necessary capital and enterprise.

This result would be more likely to occur in a State like Alabama, where there is doubtless so much land which contains coal and iron, but the amount and value of the deposits in which are so uncertain.

The policy of the proposed law is one which it is the peculiar province of Congress to determine, and concerning which I prefer to make no recommendation.

If, however, it should be deemed advisable to place Alabama on the same footing as Missouri and Kansas in the respect indicated, I would recommend the inclosed draft of a bill as a substitute.

The proviso for a public sale of the lands supposed to be valuable for their mineral deposits I would think wise, because it will enable the Government to realize the largest possible price for the lands.

Said substitute, letter, and bill are herewith inclosed.

Very respectfully,

N. C. McFARLAND, Commissioner.

HON. S. J. KIRKWOOD,  
Secretary of the Interior.

COMMITTEE ON COMMERCE.

Mr. McMILLAN. I ask leave of the Senate that the Committee on Commerce be permitted to sit during the sessions of the Senate.

Mr. EDMUNDS. That can not be done. We shall lose you entirely. Is that motion in order pending a bill?

The PRESIDING OFFICER. Not strictly while a bill is being considered; but if there be no objection the Chair will entertain the motion, and unless there be objection the order will be made. The Chair hears no objection, and the order is made.

ALABAMA MINERAL LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands.

Mr. MORGAN. I ask now that the Secretary read a letter from the Secretary of the Interior, Mr. Teller, which I send to the desk.

The PRESIDING OFFICER. The letter will be read.

The Acting Secretary read as follows:

DEPARTMENT OF THE INTERIOR, Washington, July 10, 1882.

SIR: I have received your letter of the 7th instant, and the inclosed copy of Senate bill 140, "to regulate the disposal of coal lands in the State of Alabama," with the report of the Senate committee thereon. The report contains a letter from my immediate predecessor, transmitting a letter from the Commissioner of the General Land Office, who submitted draft of bill on the subject, which your state is embodied in Senate bill 140.

The bill meets my entire approval, and will, I hope, become a law.

Very respectfully,

H. M. TELLER, Secretary.

HON. JOHN T. MORGAN, U. S. Senate.

Mr. MORGAN. I now ask the Secretary to read a joint resolution of the Legislature of Alabama, which I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The Acting Secretary read as follows:

[S. 131.]

Enrolled joint resolution of the senate and house of representatives of the General Assembly of Alabama.

Resolved by the senate (the house of representatives concurring), That the Senators from Alabama in the Congress of the United States are hereby requested to vote for, and procure, if possible, the passage of the act now pending in the Senate, providing for the disposal of mineral lands in Alabama.

GEO. P. HARRISON, JR.,

President of the Senate.

WILBER F. FOSTER,

Speaker of the House of Representatives.

Approved December 12, 1882.

E. A. O'NEAL, Governor.

I, Ellis Phelan, secretary of state, hereby certify that the foregoing is a true copy of the original joint resolution, in relation to mineral lands in Alabama, as the same is on file in my office.

Witness my hand and the great seal of the State, at Montgomery, Alabama, this 15th December, 1882.

[SEAL.]

ELLIS PHELAN, Secretary of State.

Mr. MORGAN. I regret that I have any statement to make at all; but I do it more in justice to my colleague and myself than for the purpose of giving the Senate more full information, because the information in this report is about as full as it can be made, I believe, on this subject. Coal lands in Alabama have been known to exist there for a great many years, as far back as the territorial settlement of the country. Under the pre-emption laws and laws for the sale of public lands, and especially under the graduation act, these lands were brought into market, and many of them passed into private ownership, some as low as 12½ cents an acre. They were taken up by persons who emigrated to a rather poor country, on what is termed the sand mountain of Alabama. They were taken up for farming purposes. Little farmers came from Georgia, South Carolina, North Carolina, and poorer countries to settle there. They had no expectation that the minerals that were in this land would ever be of any value, though they were used in blacksmiths' shops and were known to exist. The country having become occupied in that way railroad companies pushed their enterprises along under land grants from the Government of the United States around the borders of this coal-field, the Memphis and Charleston road running on the north, the Mobile and Ohio road on the west, the Alabama and Great Southern road on the south, and the South and North Alabama road (now the Louisville and Nashville) on the east. Each of these was a land-grant road. The railroads took up large bodies of this coal land, having grants of alternate sections for fifteen miles wide on either side. I believe only one of these railroads was in operation and had been constructed before the war. That was the Memphis and Charleston road. I am not quite sure as to the Mobile and Ohio road; but that road has not taken any of the coal land, because it has just fringed along the coal measures, and has scarcely lapped over the border of the coal measure at all. The other two roads—the Alabama and Chattanooga and the North and South Alabama Railroads—have been built since. So this coal region has been circumvallated by these railway lines that have the outer boundary of the entire coal system there, and have a monopoly of the coal lands in that region of country. This fact prevents, of course, the development of that country, and has done so all the time.

These railway companies have not desired that the coal lands in the interior of this seam should come into competition with them, and so far no railway enterprises have been pushed into the interior of this region any more than seven or eight miles at the outside. The result is that Congress by making these grants to the railway companies has thrown the virtual control of the whole of this coal area into the power of these companies. The legislation of Congress, if nothing else, has

made it impossible that the interior of it should be taken up in competition with companies that have received their land grants for nothing.

This matter of entering up the land by small settlers went on until the act of 1873 was passed, which provided that the coal lands of the United States undisposed of lying within fifteen miles of any completed railroad should not thereafter be sold at less than \$20 an acre, and the coal land lying outside of the fifteen-mile limit of the railways should not be sold at less than \$10 an acre, and providing a system of pre-emptions for corporations or companies or copartnerships and for individuals, by which they might settle up the lands and take them at those prices, gaining a pre-emption of certain parcels.

The taking up of this land in forty, eighty, and one hundred and twenty acres, and the like, under the different acts of Congress has broken the coal-field up, so that there is no very considerable body of lands to be found in any one place in juxtaposition. The result is that not one foot of that land has ever been taken up under this act of 1873. More than that, very little of the lands of the United States in all of our broad domain that have been segregated from the public domain as coal lands have been taken up at all.

The act of 1873 has become an incubus upon the disposal of these lands, the products of which are so absolutely essential for the progress and development of our civilization.

I am not here for the purpose, however, of asking that that law shall be repealed. I am only asking that Alabama shall have like privileges which Congress has granted to the States of Kansas, Missouri, Nebraska, Michigan, and other States, without hesitancy, relieving those States from the burdens of this law. All of the coal lands in these different States and all mineral lands of every description, including the finest of iron ore, have been, by act of Congress, relieved from the shackles of the act of 1873, and the people have been allowed to go on to take up the lands; to invite capital from other countries to go in there, start manufacturing industries, and to turn out coal and other minerals for the benefit of commerce at large.

There is no reason, I think, that can be stated why the State of Alabama should be kept beneath this law when the other States have been released from it. I know of no facts operating in behalf of the other States that Alabama may not equally claim the benefit of. Indeed, sir, the matter has gone so far down there, capital having settled itself around this margin in various places, that it has become more a matter of interest to people in other States who wish to go there and take up the lands and engage in these industries than it has to the people who immediately occupy that country; very much more so.

The only objection that I have heard urged at all to the passage of this bill has come from what I conceive to be an interested source. It is that certain frauds have been perpetrated there in the taking up of the public lands; that men have availed themselves of the homestead system and the pre-emption system for the purpose of taking up these lands by fraud and perjury and in contravention of the statute. Suppose I should admit that that has been done, and yet in making that admission I think I should go far beyond the facts. Suppose I should make that admission, yet we should find that not so much fraud has been perpetrated in that section of Alabama as the reports made to this session of Congress show have been perpetrated in almost every land district in the United States, especially in those places where public lands are valuable. I have before me now a report sent to us by the Secretary of the Interior, in which he goes into a detailed statement of the frauds perpetrated on the land system, and in comparing this statement with what is alleged to have taken place in Alabama I find that we become almost *tabula rasa* by comparison.

Now, sir, I wish to state to the Senate—and I feel called upon to do it because a person has sent a letter here impeaching my motives in this case and those of my colleague and those of Mr. FORNEY, in the House of Representatives from that State—I wish to state that nothing could induce me to put any cover whatever upon or over any fraud that has been or can be perpetrated against the Government of the United States. I have not lived this long to get my consent even to be inattentive to a question of this kind, whether it concerns the people of my own State or the people of other States.

I will further remark that the allegations which are made in this very report in respect to the frauds which have been committed in that State do not relate to men of my own party. They relate to individuals who are distinguished men and who I take great pleasure in saying are very honorable and high-toned men, who do not belong to the political party to which I belong; and if I could have any malevolence at all in connection with this subject it would be in propagating charges that are brought by other persons for the purpose of casting odium upon them, their motives, and their conduct.

The courts of the country stand open, fully equipped with all necessary statutes and regulations, for the punishment of any fraud that may have occurred. For more than two years a person directly interested in getting up litigation, out of which he is to make profits as attorney, has had the full opportunity of prosecuting these cases before the grand juries of the Federal courts in Alabama; he has brought witnesses from great distances; the Government of the United States, almost without stint, has supplied money to carry on that operation; and the result is,

according to the report of George Turner, who signs himself as special counsel for the United States, that the indictments found at Huntsville were, for conspiracy seven, for perjury five; at Montgomery, for conspiracy two, for perjury six. That is the result of two years of active and diligent search into this matter.

Mr. President, the Government of the United States is represented in that State by men who are reasonably well qualified to discharge the public duties that come before judicial tribunals, and these gentlemen have also been at work and they have had my hearty, earnest, faithful co-operation. If it can be shown that any man has been guilty in Alabama of a violation of these laws, I say in the name of justice and right let him be punished for it.

At the last Congress the Senate passed a bill upon this subject in the exact language of the statute passed in reference to Kansas, which was simply a bill that hereafter the public lands in Alabama should be disposed of as agricultural lands any law to the contrary notwithstanding.

Mr. EDMUNDS. That was not the language of the Kansas bill, I think.

Mr. MORGAN. That is about it. That is the substance of it, I think.

Mr. EDMUNDS. The phrase "agricultural" does not occur in the Kansas act, I think.

Mr. MORGAN. Yes; that occurs—"agricultural lands." I think so, at least.

Mr. EDMUNDS. Yes; I see by examining that the Senator is right. It does say so.

Mr. MORGAN. At this Congress I introduced that bill again. It went to the Committee on Public Lands, and received a very thorough consideration. In the mean time the same bill had been introduced in the House, referred to the Committee on Public Lands, and the Public Lands Committee sent that bill to the Interior Department.

Mr. EDMUNDS. Please do not state what took place in the House.

Mr. MORGAN. I am trying to state what took place outside of the House.

Mr. EDMUNDS. Oh, no.

Mr. MORGAN. I am not trying to influence the action of the Senate. I am trying to get at a statement of fact to show how the bill came to be in the state it is now.

Mr. EDMUNDS. But I beg the Senator not to allude to proceedings in the House of Representatives. I know we have been in the habit of doing it, but it is a very bad practice.

Mr. MORGAN. I am not referring to anything that took place in the House of Representatives except to a bill introduced there, and that the Public Lands Committee sent that bill to the Interior Department. Is there any harm in that?

Mr. EDMUNDS. It is contrary to parliamentary practice and ought not to be done.

Mr. MORGAN. I was not aware of it. I confess that there are some sensibilities on that subject which are so nice that they are entirely beyond me. I was stating nothing certainly with a view of influencing the action of the Senate except this: I wanted to show that the bill in its present form was a bill prepared at the Interior Department, not prepared by me—it was prepared by the Commissioner of the General Land Office; there is no harm in that statement—and that bill was prepared in full view of the fact that this investigation was going on in Alabama and that these indictments were pending there, and with a view that these indictments and the persons charged should have no mode of escape by the bill.

Mr. HAWLEY. May I ask a question for information?

Mr. MORGAN. Yes, sir.

Mr. HAWLEY. In that letter of Mr. McFarland, the Commissioner of the General Land Office, dated February 18, 1882, he says:

If, however, it should be deemed advisable to place Alabama on the same footing as Missouri and Kansas in the respect indicated, I would recommend the inclosed draft of a bill as a substitute.

Mr. MORGAN. That is this bill.

Mr. HAWLEY. That is what you speak of as being afterward substituted?

Mr. MORGAN. Yes, sir.

Mr. EDMUNDS. Mr. McFarland, the Commissioner, does not recommend it.

Mr. MORGAN. Mr. McFarland expresses no opinion on the policy; Mr. Kirkwood expressed no distinct opinion on the policy; but Mr. Teller followed with a very decided affirmative recommendation of the policy of the measure, and Mr. Teller has given the subject a most thorough and intelligent consideration.

When the Commissioner of the General Land Office under the direction of the Secretary of the Interior prepared a brief bill that the House has passed and sent here, I thought that all had been done that could be done—all that was necessary to be done to protect the Government. I can afford to state as a lawyer that there is not the slightest doubt, at least in my own mind, that the passage of this bill can not have the effect to relieve any person in the world from any crime that he has committed or to cover any crime that he may commit against the public land laws.

I have been long enough upon the Committee on Public Lands to

know one fact. I have heard it stated very frequently by the Secretary of the Interior, by the Commissioner, and by other officers of the General Land Office, that our land system is assailed with fraud and contrivances every day and every hour. There is no doubt about that. It has been a matter that seems to be beyond the reach of human power absolutely to extirpate these frauds.

Suppose that five cases of perjury or seven of conspiracy, or suppose that fifty have occurred in this large area of country, can that be a reason why the Government of the United States should decline to allow the people who are acting honestly and faithfully in that State and elsewhere to have the benefit of this land? We see by experience that they will not get it. They will not take it. Never has one acre of land been sold in that way under the law of the United States rating it at from \$10 to \$20 an acre since the law was passed in 1873; and that being so, what is this statute but a mere embargo on the sale of the land, a regular lock-up of the resources of that great country against enterprise from all sections of the Union? Gentlemen from Pennsylvania and from other Northern States have gone down there and they have invested their money in various places. They desire to enlarge their possessions. This bill provides that this land shall be put up to public sale in 40-acre tracts according to the regulations of the law and the Department.

Mr. EDMUNDS. With the consent of my friend from Alabama I move that the Senate proceed to the consideration of executive business for a few minutes.

Mr. MORGAN. That will not displace this bill?

Mr. EDMUNDS. Not at all.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate proceed to the consideration of executive business.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service.

#### ENROLLED BILLS SIGNED.

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

A bill (H. R. 7115) to authorize the construction of a bridge across the Thames River near, New London, in the State of Connecticut, and declare it a post-route; and

A bill (H. R. 7682) to authorize the construction of a bridge across the Missouri River, at some accessible point within ten miles below and five miles above the city of Kansas City, Missouri.

#### EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After 3 hours and 12 minutes spent in executive business the doors were reopened.

#### ALABAMA MINERAL LANDS.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands is before the Senate as in Committee of the Whole.

Mr. ALLISON. Mr. President—

Mr. MORGAN. I am entitled to the floor.

The PRESIDING OFFICER. The Senator from Alabama had the floor on the pending bill when the Senate went into executive session. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. MORGAN. If the Senator from Iowa can not do his business at any other time than this I shall yield the floor to him with the universal understanding that by doing so I do not yield the precedence of the bill which is now before the Senate. I want to say to the Senate that the Senator from Vermont came to me and asked me to yield the floor in order that he might move for an executive session. I did so understanding that the bill was not to be interrupted.

Mr. EDMUNDS. It is not. It stands just as it did. My friend is on the floor and he is entitled to go on.

The PRESIDING OFFICER. That is the state of the case.

Mr. PLUMB. Let me make a suggestion to the Senator from Alabama.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. PLUMB. The Senator knows that the time of the Senate is precious, and he knows that if his bill, in addition to whatever opposition it may encounter, encounters the feeling that it is obstructing the legislation of this body, it will undoubtedly come to an untimely end. I therefore beg to ask him if he is not willing to have a vote on this bill, which I think the Senate understand now as well as it will after three or four hours' debate.

Mr. MORGAN. I am willing to have a vote.

Mr. EDMUNDS. There will have to be something said about other aspects of the case.

Mr. MORGAN. If we can have a vote on the bill I am entirely willing to yield the floor.

Mr. EDMUNDS. There can not be a vote without discussion.

Mr. VAN WYCK. I may want to say a word on this bill, but I should prefer not to do it just now.

Mr. BLAIR. I appeal to the Senator from Alabama to allow a moment during which the resolution which provides for the printing of the regular annual report for the year 1881 of the Commissioner of Education may be taken from the table and passed. It is necessary it should go to the House, or the printing of the report for that year will entirely fail. It will not lead to debate, and it should pass now. I have been trying for several days to get the floor to call it up.

Mr. MORGAN. I would yield to the Senator from New Hampshire if I felt that I could do so in justice to myself personally; and I wish to say to him that I have been censured in Alabama very heavily because I have not asked the Senate to consider this bill.

Mr. BLAIR. Will the Senator then allow me to state that under the order of the Senate the pension bills would have consumed the entire residue of the session, but being appealed to by the honorable Senator from Kentucky I consented to the postponement, which is the destruction of the bills for this session of some twenty-five or thirty contested pension cases, in many of which I feel a very deep personal interest, and where I thought great injustice was being done by delay. I did it in the interest of the public service, and it was in consequence of that that the Senator is on the floor at this moment. I have been trying for a long time to get the opportunity simply of having this ordinary resolution passed providing for the printing of this annual report. I think under the circumstances the Senate and the Senator ought to grant this unanimous consent which I desire.

Mr. MORGAN. Any consent of that kind is death to this bill. It will displace the bill, and it will require unanimous consent to get it back.

Mr. BLAIR. I do not wish to take the Senator from the floor. I simply ask his indulgence to let this resolution be passed. It will not take five minutes, and I agree that there shall be no discussion.

Mr. MORGAN. If the Senate of the United States want to vote down this bill that I have been advocating to-day, let them do it. That will exonerate me to my own constituents. I have never asked a Senator in the middle of an argument on a case that was taken up by the Senate in regular order to yield the floor that I might pass a bill.

Now, I have stated to the Senator from New Hampshire that I have strong personal reasons why I can not do this, that I should be censured very greatly if I should permit an opportunity to have a vote on this bill pass. I would rather lose the bill than not do what my constituents and my own Legislature require of me in this respect.

Mr. BLAIR. I have stated this case to the Senator and to the Senate. As soon as he yields the floor I will once again, if I can get the floor, ask unanimous consent for action on the resolution.

Mr. VAN WYCK. I desire to say a few words after the Senator from Alabama concludes.

Mr. MORGAN. I wish the opportunity of saying a very few words on this bill. I yielded to the Senator from Vermont to go into executive session because I thought my duty to the country required it.

Now, I wish to say only a very few words further. When this bill was first introduced by me into this body, a bill copied from the statutes in reference to Kansas and Missouri, it provided:

That the coal lands of the United States within the State of Alabama shall be hereafter subject to disposal as agricultural lands, any law to the contrary notwithstanding.

That was my preference. I desired that bill much before the one that I am now advocating. I have described to the Senate that the Interior Department were not satisfied with the bill. They said that these lands had become more valuable in consequence of improvements at Birmingham and in that vicinity and in consequence of the fact of railway communication having been opened all around the margin of these coal-fields. Consequently they said that the fair way to dispose of these lands was for the Government to get the most money out of them, and to do that at public sale, and thereupon they included all mineral lands—coal lands, and all—and proposed to expose them to public sale, by the following provision:

That within the State of Alabama all public lands, whether mineral or otherwise, shall be subject to disposal only as agricultural lands: *Provided, however,* That all lands which have heretofore been reported to the General Land Office as containing coal and iron shall first be offered at public sale: *And provided further,* That any *bona fide* entry under the provisions of the homestead law of lands within said State heretofore made may be patented without reference to an act approved May 10, 1872, entitled "An act to promote the development of the mining resources of the United States," in cases where the persons making application for such patents have in all other respects complied with the homestead law relating thereto.

That is the bill of the Land Office. That is the method which they think is best for the disposal of these lands, open competition in open market where all persons who desire to purchase may come, and where the sales are to be conducted precisely as they have been in every other case of public-land sales in the United States.

It is said that that may lead to combinations, to a monopoly. I do not see how it is possible that it can do so; but if it does do so there is no other way you can dispose of the public lands by which you will pre-

vent it. If you leave them alone and at the present price of \$10 or \$20 an acre according to the distance from a railway, we find that agents of the Government are reporting that frauds occur, the value of the lands tempting persons to make transfers. The department can not allow that to go on. It involves the whole country in litigation and in strife. A country that ought now to be the habitation of peaceful and prosperous industries is one that is covered all over with strife and litigation.

Therefore, the department has selected this as the best method of disposing of these lands. I have yielded my concurrence to that. The House has done so by voting this bill and sending it here. It is the best thing that can be done now. It is the only thing that can be wisely done at any time. Let the capital come from where it may, let men come from where they may, and attend the land sales and buy these lands.

Now, I wish to say that neither my political nor my personal friends, as it turns out in the South or elsewhere, are men of large capital; on the contrary, the people who support me and who support my colleague are most of them people of very moderate means. We have no powers of combination among us, because we have not got the money. If combinations come into that area from any direction at all, they will come from abroad and not from Alabama. I would gladly prevent them. The only chance to sell the lands is in forty acres at a time, or in the subdivisions required by law, and let those go there and buy them who desire to do so, and who will pay the Government the most money. That is fair and that is right.

These lands, as I have stated, have been considerably entered upon, largely entered upon by men who have gone there for homesteading and other purposes long before the act of 1873 was passed. These men have their patents. The field is broken up in this way, and it is impossible that combinations should exist to any great extent for the reason that these intervening forty, eighty, and one hundred and twenty-acre tracts of land will prevent them from taking place. This is the only thing I know of that we can do for that section of country to bring these lands into market, and to prevent that which occurs every day now.

The railroad companies that have the monopoly of the coal lands within the limits we have granted to them for nothing have now got the demand for coal to such an exorbitant amount as that they are not supplying much more than half that the furnaces there need. They raise the prices at will and pleasure. When you keep land at \$20 an acre within the fifteen-mile limit, it makes every acre of coal land that the railroad companies have got from the United States Government worth \$20; it brings prices up and there is no chance to compete with them otherwise than to pay them their prices for their coal lands. The result of our own legislation is that by it we have put the monopoly of these coal lands into the hands of the railroad companies.

I have remarked to the Senate that I am not here advocating any friend at all, neither a personal friend nor a political friend, in respect to this bill. My Legislature have taken the thing into consideration. They have canvassed it; they have passed resolutions requesting my colleague and myself to vote for it. I have petitions and letters in great number from men who know the sentiment and wishes of the people of that country, and they all say "pass the bill." Opposed to it there are but two or three men and they are officers of the United States Government who are now making a living out of the strifes that exist in that country.

That is the case, Mr. President, and I regret very much that I have been compelled to occupy so much time.

Mr. ALLISON. I ask unanimous consent to lay this bill aside informally that I may ask for the passage of a joint resolution which passed the House several weeks ago relating to compensation of employes of the House. The Senate Committee on Appropriations reported the resolution with amendments. I ask to withdraw the amendments of the committee and have the resolution passed as it came from the House.

Mr. MORGAN. Will the Senator allow me to inquire of the Chair whether if that is yielded to it will displace the bill?

The PRESIDING OFFICER. Not if it is done by unanimous consent.

Mr. ALLISON. I asked unanimous consent.

Mr. EDMUNDS. I should like to hear this matter explained.

The PRESIDING OFFICER. The resolution will be read, subject to objection.

#### DEFICIENCIES IN HOUSE SALARIES.

Mr. ALLISON. Some time ago the House of Representatives passed a joint resolution for a deficiency in reference to their employes. We added to it an amendment providing for a deficiency for our employes.

Mr. EDMUNDS. Has the Senate voted in the amendment?

Mr. ALLISON. No, the Senate has taken no action. The Committee on Appropriations proposed an amendment. The Committee on Appropriations now intend to put this amendment on the regular deficiency bill and it is said to be important that this House resolution should pass. I ask that it may be passed without amendment.

Mr. EDMUNDS. Does the Senator ask unanimous consent to take it from the Calendar out of its order, being a House resolution?

Mr. ALLISON. I do.

Mr. EDMUNDS. I have no objection.

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the joint resolution (H. Res. 324) to provide for the deficiencies in the appropriations for salaries of officers, clerks, messengers, and others in the service of the House of Representatives for the fiscal year ending June 30, 1883.

The amendment reported by the Committee on Appropriations was, to add to the joint resolution the following clause:

That the following sums, or so much thereof as may be necessary, be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay necessary expenses of the Senate for the fiscal year ending June 30, 1883, namely: For salaries of officers, clerks, messengers, and others, \$1,377.29; for clerks to committees, and pages, \$9,523; for furniture and repairs of furniture, \$1,200; for miscellaneous items, \$4,000.

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Appropriations.

The amendment was rejected.

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

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. BECK. The Senator from Iowa [Mr. ALLISON] is not aware perhaps that the sundry civil bill is here, with a message asking for a committee of conference.

Mr. ALLISON. Then I ask that the bill be laid before the Senate, and that the Senate agree to the conference asked by the House.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 7595) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist on its amendments, and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. HALE, and Mr. BECK, were appointed.

#### REPORT OF THE COMMISSIONER OF EDUCATION.

The PRESIDING OFFICER. The Senator from Alabama [Mr. MORGAN] is entitled to the floor.

Mr. BLAIR. I ask unanimous consent to take from the table the resolution relative to printing the annual report of the Commissioner of Education, that it may be disposed of at this time.

The PRESIDING OFFICER. If there be no objection the pending measure will be informally laid aside and the resolution referred to by the Senator from New Hampshire will be read for information.

The Acting Secretary read the resolution, as follows:

*Be it resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Education for 1881 be printed, and 4,000 additional copies for the use of the Senate, 8,000 copies for the use of the House of Representatives, and 13,000 copies for distribution by the commissioner.*

Mr. BLAIR. This resolution passed the Senate with an amendment reducing the number of copies originally called for, which was 20,000, to 13,000. That was done after a very close vote in the Senate, and the resolution thus amended went to the House. Immediately after the resolution had gone to the House the honorable chairman of the Committee on Printing, the Senator from Rhode Island [Mr. ANTHONY], came to me and said that on further consideration he had no objection to the full number, and should I call up the resolution again he would make no objection to its passing for the full 20,000, which the interests of the bureau and of the country require. I entered a motion to reconsider at the time, and I now ask that the vote whereby the resolution was amended to diminish the number from 20,000 to 13,000 be reconsidered, and the resolution put on its passage.

The PRESIDING OFFICER. The question is on the motion to reconsider.

The motion was agreed to.

The PRESIDING OFFICER. The resolution is before the Senate. The question is on the resolution as introduced.

The resolution as agreed to is as follows:

*Be it resolved by the Senate of the United States (the House of Representatives concurring), That of the report of the Commissioner of Education for 1881 there be printed 4,000 copies for the use of the Senate; 8,000 copies for the use of the House of Representatives; and 20,000 copies for distribution by the Commissioner.*

#### ARMY APPROPRIATION BILL.

Mr. LOGAN. I present the conference report on the Army appropriation bill.

The Acting Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7077) "making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 9, 18, 27, 30, 31, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 8, 10, 12, 13, 19, 21, 22, 23, 24, 26, 28, 29, 32, 33, 34, 35, and 38; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$1,750;" and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the

amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "thirty;" and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: After the word "line" in said amendment, insert the following: "And no more than thirty aids-de-camp shall be paid as such in addition to their regular pay in the line."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "seventy-five;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$11,900,000;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment, insert the following:

"Provided, That vacancies that may hereafter occur in the Pay Corps of the Army in the grades of lieutenant-colonel and major by reason of death, resignation, dismissal, or retirement, shall not be filled by original appointment until the Pay Corps shall by such vacancies be reduced to forty paymasters, and the number of the Pay Corps shall then be established at forty and no more; and hereafter vacancies occurring in the Quartermaster's and Commissary's Departments of the Army may, in the discretion of the President, be filled from civil life."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the number stated in said amendment insert "seventy-five;" and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the number of rations as fixed by said amendment insert "10,125,000 rations;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$2,940,000;" and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$100,000;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: Strike out the word "employés," where it occurs in said amendment, and in lieu thereof insert the word "clerks;" and the Senate agree to the same.

JOHN A. LOGAN,  
P. B. PLUMB,  
M. W. RANSOM,  
*Managers on the part of the Senate.*  
BENJ. BUTTERWORTH,  
J. C. BURROWS,  
E. JNO. ELLIS,  
*Managers on the part of the House.*

The PRESIDING OFFICER (Mr. HARRIS in the chair). Will the Senate at this time consider the report of the committee of conference? The Chair hears no objection.

Mr. HARRISON. I should like to ask the Senator from Illinois briefly to explain to us what has been done with some of the principal points of difference, for instance the one as to the Signal Corps. What was done with that?

Mr. LOGAN. There was nothing done with that; it is left in.

Mr. HARRISON. We get no information from the report, because we can not identify the amendments by numbers.

Mr. LOGAN. The amendments as to sums were mostly reductions by the Senate on account of a recalculation of rations. Then in reference to contract surgeons the House fixed the number at fifty, the Senate agreed to eighty, the House insisted on fifty, and the conferees have fixed it at seventy-five. In reference to the Pay Corps, it is left just as the Senate committee and the Senate arranged it. The House insisted on their provision, but now have agreed to the amendment that the Senate proposed.

Mr. HARRISON. How about the matters of general legislation?

Mr. LOGAN. The House recede as to the railroad matter. That is all stricken out. The bill is left pretty much as the Senate agreed to it, with the exceptions I have stated.

Mr. EDMUNDS. There is no provision in it in respect to readjusting the rates of railroad companies?

Mr. LOGAN. None whatever. That was disagreed to by the Senate, and the conferees of the House have receded.

The report was concurred in.

#### ALABAMA MINERAL LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands.

Mr. VAN WYCK addressed the Senate. [See Appendix.]

Mr. LOGAN. I do not want to enter into this discussion at all, but this is so remarkable a proceeding, without any precedent whatever, that I must ask the Senator a question. Are these the original papers of the Attorney-General's office?

Mr. VAN WYCK. These are the papers which were sent from the Department.

Mr. LOGAN. That is not the question. I merely want to ask a question or two.

Mr. VAN WYCK. I will tell you as nearly as I can. The resolu-



tion required the Department to send copies of vouchers. It was a call on the Secretary of the Treasury, and the resolution required him to send vouchers, items, and how much he paid, and the reason why he paid them, under what authority of law the men were employed and paid; and he sends these papers as a reply to the resolution.

Mr. LOGAN. The Secretary of the Treasury?

Mr. VAN WYCK. Yes, sir.

Mr. LOGAN. The resolution called for these papers?

Mr. VAN WYCK. Copies of vouchers and items.

Mr. LOGAN. The resolution was introduced by the Senator.

Mr. VAN WYCK. Yes. I will read it to the Senator.

Mr. LOGAN. No; the Senator need not read it. These papers have not been referred to any committee?

Mr. VAN WYCK. They have not been referred to any committee.

Mr. LOGAN. They come to the possession of the Senator himself. Is that the idea?

Mr. VAN WYCK. They have come to the possession of the Senate. They are in the possession of the Senate.

Mr. LOGAN. I mean in the possession of the Senate. The Senator does not move to refer them to a committee to investigate the matter?

Mr. VAN WYCK. I intend to do so.

Mr. LOGAN. But he takes the opportunity of making a general attack upon the Attorney-General's Office, without reference to or any examination by a committee, without any report, without regard to anything whatever, except to get this harangue before the country, this attack on the Attorney-General. Is that it?

Mr. VAN WYCK. I will tell you what it is.

Mr. LOGAN. I want to know.

Mr. VAN WYCK. I will explain it.

Mr. LOGAN. I want to know, because this is, I will not say so undignified, but it is so far from the course that I have ever known pursued in the Senate of the United States. Without having anything to say, for I do not propose to enter into this discussion either to attack or defend any one, I must say that for a speech of this kind to be made without any investigation whatever, while this trial is going on here for the prosecution of men for robbing the Government of the United States—if a man outdoors had made the speech, the whole country would have understood that he was the attorney for the defendants.

Mr. VAN WYCK. I will explain it to my friend. I said before he appeared in the Senate this afternoon that on two occasions at the last session I felt it my duty to demand the same information that I have been seeking at this time, and I waited until an expiring day of the session to obtain the information. Matters had been stated as to the manner of conducting the Department of Justice in the payment of special assistants, and I felt it my duty to know the truth of these charges. If it were so that \$100 was being paid every day to three or four attorneys I desired to know it, and when I called upon the Treasury Department and they sent their vouchers indorsed by the Attorney-General, it needs no report from any committee. Here are the facts under his own sign manual, and when they show that \$150 was paid a day to two or more attorneys it became my duty to make this "harangue," as the Senator chooses to term it, which I proposed to do and have done.

The Senator says that if this harangue was made outside, persons would suppose that it was made by some one as an attorney for the defendant. Is it possible? Is that the way gentlemen would seek or that the Attorney-General would seek to meet the charges? If the statements I have read are true, and they are, because he signed them, if these charges which he admits the truth of affect his management of that department, then he must submit to the consequences. He must subject himself to any arraignment, whatever that arraignment may be. And must we sit by and see the Treasury plundered, as plundered it is, no matter whether by the conspiracy of star-route men or in any other mode, and not raise our voice, forsooth, until the whole thing is done?

I said in that connection that the payment of such a per diem was a temptation, an inducement, to protract the trial of a cause. I said further that in any country where justice was decently administered it could not possibly be that an ordinary criminal prosecution could protract itself as long as this one has done. I speak in no connection with that matter. The matter was brought out by the energy of a former Postmaster-General, and not by the money taken out by these fees of lawyers at \$150 a day. That is my position, and I am ready and prepared to stand by it. I desire this matter of taking these extravagant charges from the Treasury to stop.

Look at it a moment. Do you suppose that the Attorney-General in his own private business would employ an attorney at \$150 a day and then pay all his expenses? I say that any public officer who will not administer his trust with the same fidelity, with the same honesty, and the same diligence that he would his own private matters is subject to the charges that may follow from pursuing such a course. That is all there is in this matter.

I have not had time to have the papers in response to the resolution referred to a committee so as to have a report made on them. The only opportunity there was was to make just this explanation which has been made. I took occasion when the Senator from Illinois was not here to

say that it was our boast that we had punished our own thieves, that we had stopped our own plunder, stopped our own peculation. This matter had ended, and then when it became known that these outrageous charges, these wasteful expenditures had been made, it would have been a good reason to arraign the Republican party, and men with an inquiring turn of mind would come with a microscope in their hands and try to ascertain the cause of Republican defeat.

I desire to call attention to this matter; and as the Senator from Pennsylvania and the Senator from Illinois made some question, I desire that my position shall be understood. What effect is this to have? The Senator from Illinois says that it would be supposed I was an attorney for the defendant; I should like to know what effect this will have? Will gentleman tell me, will any lawyer, will any judge, will any man of common comprehension tell me how this will affect the matter? Suffer this to go on, how will it affect the administration of justice in this city? I ask that these things shall stop. When the Attorney-General is willing to pay one lawyer for less than one year's service as much as he himself is getting for his whole term of service, does that affect the administration of justice? Can it be any worse by any possible means than it is already in this city under the influences which surround it?

Mr. President, if the Senate will excuse me for trespassing thus far on its attention, I ask that the letters of transmittal from the Treasury Department, together with the vouchers numbered 12 here, may be printed and referred to the Judiciary Committee.

Mr. EDMUNDS. Have they not already been printed?

Mr. VAN WYCK. No, sir.

The PRESIDING OFFICER. If there is no objection, the order to print will be made.

Mr. EDMUNDS. How came they here if they have not already been presented to the Senate?

Mr. VAN WYCK. They were presented to the Senate but not printed?

Mr. EDMUNDS. All right.

The PRESIDING OFFICER. If there be no objection, the order to print and refer as suggested by the Senator from Nebraska will be entered.

Mr. HAWLEY. Mr. President, the casual spectator and auditor will be surprised to hear that the bill before the Senate is Senate bill No. 140, report No. 454, to regulate the disposal of coal lands in the State of Alabama. I desire to occupy the time of the Senate but a very few minutes. There are about forty hours left of this session and very great interests are at stake. I consider it a crime to spend time upon matters not before us.

The bill provides "that within the State of Alabama all public lands, whether mineral or otherwise, shall be subject to disposal only as agricultural lands." Those three lines of themselves show the very great changes made by this bill in the land policy of the United States.

Provided, however—

Says the bill—

That all lands which have heretofore been reported to the General Land Office as containing coal and iron shall first be offered at public sale.

Those lands containing coal and iron in Alabama are of vast extent and enormous value. One comparatively small tract of them has lately been sold for a million dollars. It is evident, then, that the bill is concerned with great interests and with very serious changes in our land policy.

My residence in the East and my interests and connections have not made me very familiar with the land laws of the country, but certain papers were laid in my hands when this bill was first brought up which it seemed to me to be my duty to bring in a general way to the attention of the Senate. I have no feeling or interest whatever in this matter except as a Senator.

I have in my hands a copy of a report made to the General Land Office by one J. H. Perdue, who was a special agent. He noticed the introduction of this particular bill, or perhaps the original one for which this is a substitute, aiming at the same general purpose. The Senator from Alabama, whose motives I never thought of doubting, will excuse me if I read some of the expressions in this almost private letter, an official letter, however. Last May he wrote to Mr. Kirkwood, then Secretary of the Interior, as follows:

This is a fraud attempted to be practiced upon Congress, and for this reason: The lands classed mineral in the first place can never be made agricultural lands, because they are poor and mountainous and too broken and rough for such purposes, and if not so, there is not one out of one hundred acres of said mineral lands that have not at this time some kind of a claim upon it, either a homestead entry or a declaratory statement made fraudulently by and for the use and benefit of the great land sharks in this country. So you may see that the people will not be benefited by such a law, but a few capitalists who are already loaded down with wealth will secure the benefit, and I hope, sir, that you will use all the honorable means in your power to prevent the passage thereof.

If these lands could be put upon the market and give every one an equal chance to enter them, I for one would not object, but this would not be the case as you must know from the reports I have made to the honorable Commissioner of the General Land Office.

I have forwarded to-day to the Commissioner of the General Land Office the affidavit of R. C. Bradley, clerk of the circuit court of Jefferson County, Alabama, which will show that Peters & Co. have paid the fees in about one hundred and thirty-five cases with the agreement that they were to furnish all money to pay fees and to pay for the land at \$1.25 per acre, and that they (Peters & Co.) were to have the mineral right to the same. Many of the tracts of land mentioned in the affidavit of the said Bradley have been commuted to cash entries and the mineral right conveyed to the said Peters & Co., and to others as shown by the

records in the office of the probate judge of Jefferson County. This is only one firm or corporation that I mention out of many. There are other corporations here that have done quite as large a business in this swindle as Peters & Co. I have twenty-three township plats covering nearly the entire county of Jefferson which show six hundred and twenty-four homestead entries made upon lands classed coal by the geologist. Besides this there are a great many entries of the same kind made upon iron-ore lands. I have investigated about one hundred of these entries and find that in every case they are fraudulent. I consider Jefferson County about a fair average of the mineral lands and of the fraudulent entries. I am fully satisfied that Shelby, Saint Clair, Walker, Tuscaloosa, and Bibb, and probably many other counties, have the same amount of fraudulent entries. The entries in Jefferson County alone will cover about 80,000 acres of coal land worth at the Government price one million and a half dollars, all of which has been wrongfully entered. In addition to this there are other valuable coal lands that are not so classed. For some unaccountable reason they have been overlooked by the geologist. The lands I speak of are in township 17 south, range 3 west, in Jefferson County, and not included in the list I have given before. In this township there is the largest coal business in Alabama, known as the Pratt mines. From these mines which are situated near the line between sections 19 and 30 and on section 18 are two slopes or shafts sunk from which the coal is being taken out at the rate of 1,000 tons per day. This property has been recently sold, so I am informed, for the sum of \$1,000,000; and notwithstanding these mines have been worked for the last three or four years the geologist now reports three hundred and twenty acres of land in this township as coal land, to wit: three forties in section 4; four forties in section 6, and one forty in section 8.

Here is another communication from the same agent:

I will state that the swindle in this section in the way of mineral lands is the greatest that has ever been perpetrated in the United States. Whisky rings and star-routes are small matters compared to this swindle. It will take time, energy, and expense to uncover what has already been done by the large capitalists and corporations in this section, but when accomplished will restore to the Government millions of dollars' worth of mineral land, such as can not be found in any other part of the United States.

He says in another report:

I will state for your information that I have no doubt but what there have been great frauds committed in every county in this State where there are coal or iron lands located, and there is both coal and iron land in every county named in your letter; and, upon investigation, if it is found that there have been fraudulent entries made in each one of these counties in proportion to those made in Saint Clair, Shelby, and Jefferson, the only counties that I have made investigations, it will be found that the fraud is one of great magnitude and of huge proportions, more gigantic than any ever perpetrated in any civilized country or recorded in history.

That is pretty strong, perhaps extravagant language. I do not mean to say that this bill is intended to cover up or assist those at all, but it proposes to throw open to unlimited public sale this whole tract of immensely valuable land. There are comparatively no restrictions in the bill itself. The lands are to be thrown open to private entry, and whether there be anything in the statute that regulates the details of sale I do not know. This changes the statute so, and then they are to be thrown open to public sale, and they shall be subject to disposal only as agricultural lands. How long they are to be thrown open to public sale and under what terms exactly I am sure I can not tell.

At present in Alabama agricultural lands can be obtained under homestead laws and by private purchase to any extent in lots of one hundred and sixty acres or less. Other or mineral lands in Alabama can be obtained under the coal and iron acts in lots of one hundred and sixty acres with the usual limitations. Coal lots of one hundred and sixty acres can be obtained by individuals, and corporations can obtain coal lands in lots of six hundred and forty acres, a whole section. The iron lands can be obtained at from \$2 to \$5 an acre, and coal lands at \$10 to \$20 an acre, according to their vicinity to railroads, &c.

There is apparently no difficulty in corporations obtaining whatever mineral lands they may need. There is no limitation more than prevails anywhere upon any person desiring to obtain lands for agricultural purposes.

I have paid more or less attention to the course of the Government in regard to its public lands for twenty-five years, and I have always supposed its generous, wise, careful policy was a matter of great national pride. Therefore my inquiry would naturally be, why in the world this extraordinary and sudden change, and why this throwing over these vast possessions to a sort of public sale that would seem to me to be only a great scramble. The inevitable result will be, I submit to the Senator from Alabama—he understands this and can perhaps explain—it seems to me the inevitable result will be that these inestimable treasures will fall directly into the hands of great wealthy corporations and speculators. Some of these will undoubtedly immediately build furnaces there and other improvements and bring in industrious people from abroad, and in that way the State will be benefited.

I hope those lands will be opened; I would gladly vote for anything that would facilitate their fair, impartial purchase; but it ought not to be a sudden opening to those great firms of wealthy people who are able to make the first grab and swoop up enormous profits. Perhaps by and by somebody will make a speech that will sound like that extraordinary harangue we heard this afternoon, in regard to the errors of the Senator from Alabama and others voting for this bill.

I can not find that the Interior Department is anxious to have this bill passed. I have an indistinct recollection that the Senator from Alabama referred to some letter from some Secretary of the Interior approving it, but certainly the following letter of Mr. Kirkwood, of a year ago, indicated no opinion whatever on his part:

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

SIR: I have the honor to transmit herewith copy of report on House bill 19, "To exclude the State of Alabama from the provisions of the act of Congress,

entitled 'An act to promote the development of the mining resources of the United States,' approved May 10, 1872," by the Commissioner of the General Land Office, to whom you referred it for an expression of his opinion.

Very respectfully,

S. J. KIRKWOOD, Secretary.

HON. JOHN VAN VOORHIS,  
Chairman Committee on Mines and Mining,  
House of Representatives.

The report is by the Commissioner of the General Land Office, to which Mr. Kirkwood referred the bill for an expression of his opinion. Mr. Kirkwood expressed no opinion whatever. Now, I read an extract or two from the report of Commissioner McFarland:

The lands in Alabama have been in market for many years, but until a comparatively recent date the lands were not probably considered of special value, because of their mineral character.

The main information officially brought to this office of the mineral character of these lands was derived from an examination made in the field by a special agent and geologist from this office in the years 1878 and 1879.

Mr. McFarland therein refers to a valuable, but hasty and exceedingly imperfect, survey made by one Mr. Winter, a geologist of more or less qualifications. His work was rapidly done and very imperfectly. He did not designate all the coal lands by any means. Probably all that he did designate were really valuable coal lands, but he certainly omitted a large quantity.

Mr. McFarland continues to say:

It is probable that the coal and iron deposits are of considerable extent, as it is a matter of general notoriety that extensive iron-works and mining have during the last few years been established there. Probably such deposits are not more extensive than in Missouri, in which State, as well as in Kansas, by act of May 5, 1876, all lands were made subject to disposal as agricultural lands.

They surely are of greater extent and more value. I do not know, however, that the circumstances connected with that change in Missouri and Kansas were analogous to these circumstances. I do not know whether wealthy corporations were able under those changes to possess themselves suddenly of illimitable wealth. I proceed with the letter.

The policy—

I invite attention to this:

The policy of so disposing of the public lands that large areas will be owned by single individuals or corporations may well be doubted, or at least merits careful consideration. It is also to be borne in mind that a too restrictive policy—

That is a very safe expression, Mr. President, a wise, safe, conservative expression—

is a substantial inducement to fraud, and at the best may postpone but briefly the acquisition of large titles by individuals who command the necessary capital and enterprise.

This result will be more likely to occur in a State like Alabama, where there is doubtless so much land which contains coal and iron, but the amount and value of the deposits in which are so uncertain.

Observe that the Commissioner of the Land Office thinks that this enormous sweep in the hands of wealthy corporations would be much more likely to occur in that State:

The policy of the proposed law is one which it is the peculiar province of Congress to determine, and concerning which I prefer to make no recommendation.

If, however, it should be deemed advisable to place Alabama on the same footing as Missouri and Kansas in the respect indicated, I would recommend the inclosed draft of a bill as a substitute.

Neither in the bare letter of transmission from Secretary Kirkwood nor in the comparatively brief statement by Mr. McFarland is there an intimation that either approve of the purpose of this bill. There is an intimation in Mr. McFarland's letter that he has very great doubts on the subject; but he expressly throws upon the legislative branch of the Government all responsibility for it.

That is all I care to say. It seems probable that the Senate will vote for the bill. I have cleared myself. I have shown that I had, what were to me, strong reasons for inviting a closer attention to this grave measure, and I leave it to the Senator from Alabama, in whom I have great confidence, to say whether these lands are to be so put on the market as to give a fair opportunity to people to purchase them and to bring to the Government that price which these lands ought to bring, and whether he is at the same time preserving the rights of the agriculturists who have gone upon the lands and reserved their rights—that is not a good expression in this case—whether he has had sufficient regard to those nominal farmers who have gone upon these mineral lands and located homestead entries when the sole purpose was to evade the law and get possession of mineral lands. They have done that to a vast extent. It is a gross, acknowledged, daring fraud by which wealthy men are seeking to get possession of mineral lands. Many who apply for homesteads there know that they do not intend or hope to farm them but wish to get the land in behalf of these wealthy men, to whom they turn over the title. Undoubtedly the matter needs regulation. Perhaps the Senator from Alabama has taken the wisest measure; I do not know; but it is a matter requiring great consideration and there are untold millions of dollars at stake. The bill seems to me very dangerous and I shall vote against it.

Mr. EDMUNDS rose.

Mr. MORGAN. Does the Senator from Vermont wish to speak to the bill?

Mr. EDMUNDS. Not now. I wish to move that the Senate take a recess until a quarter past 8, in order that we may get a little rest. On

account of the conference committee reports we shall have to stay late to-night. This will leave this bill on the *tapis*, just where it is.

Mr. MORGAN. I am not aware that any one wants to discuss it further.

Mr. EDMUNDS. We want to discuss it, but there is hardly anybody here. Everybody has gone to dinner except half a dozen who stay here; and I move that this half dozen take a recess until a quarter past 8.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Vermont, that the Senate take a recess until 8 o'clock and 15 minutes. [Putting the question.] The noes seem to have it.

Several SENATORS. Let us take a division.

Mr. EDMUNDS. If we have a division we shall have to send for everybody.

Mr. HAWLEY. Let the question be stated again.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate take a recess till 15 minutes past 8 o'clock this evening. Those in favor of the motion will say "ay;" the contrary "no." [Putting the question.] The ayes seem to have it.

Mr. ROLLINS. I ask for a division. ["No!" "No!"]

The PRESIDING OFFICER. Does the Senator from New Hampshire demand a division?

Mr. ROLLINS. He does.

The question being put there were on a division—ayes 15, noes 2.

The PRESIDING OFFICER. The ayes have it, and the recess will be taken.

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

The PRESIDING OFFICER. The yeas and nays are demanded. Is there a second to the demand? The Chair does not see a sufficient number seconding the call. The ayes have it.

The Senate accordingly (at 7 o'clock and 15 minutes p. m.) took a recess until 8 o'clock and 15 minutes p. m., at which hour it reassembled.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of the Navy, transmitting a report of the court of inquiry relating to the loss of the steamer *Jeannette*; which was referred to the Committee on Naval Affairs.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPIERSON, its Clerk, announced that the House had passed the following bill and a joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 7611) to adjust the salaries of postmasters; and

Joint resolution (H. Res. 338) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department, and for which no compensation has been made.

The message also announced that the House had concurred in the amendments of the Senate to the bill (H. R. 2156) for the relief of certain owners of the steamer *Jackson*.

The message further announced that the House had passed the following bills:

A bill (S. 171) in relation to certain fees allowed registers and receivers;

A bill (S. 729) for the relief of Charles H. Tompkins, of the United States Army; and

A bill (S. 964) for the relief of Joseph C. Irwin.

#### INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I desire to give notice that I shall call up the report of the conference committee on the revenue bill probably at about 9 o'clock, when the other members of the committee have arrived. I desire also to give notice to Senators that they will find on their desks a copy of the report in print.

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

Mr. ALLISON. I ask leave now to make a report from the committee of conference on the legislative, executive, and judicial appropriation bill, and I ask for its immediate consideration.

The PRESIDENT *pro tempore*. Will the Senate proceed to the consideration of the conference report? The Chair hearing no objection, the report will be considered. It will be read.

The Acting Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7482) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 57, 58, 59, 72, 73, 87, 88, 94, 96, 97, 98, 101, 102, 104, 106, 107, 109, 119, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 145, 146, 150, and 152.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 70, 71, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 89, 103, 108, 110, 112, 113, 116, 118, 120, 121, 123, 124, 125, 141, 142, 143, and 144, and agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the

amendment of the Senate numbered 18, and agree to the same with amendments as follows: At the end of the amended paragraph insert the following:

"For clerk to Committee on Military Affairs for balance of current fiscal year, at the rate of \$2,000 per annum, \$966.67;" and in lieu of the sum stated in lines 10, 11, and 12, on page 7 of the bill, insert the sum of "\$384,694.87."

And the Senate agree to the same.  
Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out "twelve" and insert "ten;" and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the sum of "\$112,350;" and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: Strike out the word "sixty" and insert the word "fifty-five;" and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$183,610;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment, insert "one clerk of class 2, who shall be a stenographer;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$54,100;" and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the number proposed insert "thirty-three;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the number proposed insert "forty-six;" and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the number proposed insert "fifty-seven;" and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the number proposed insert "fifty-eight;" and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the number proposed insert "forty-seven;" and the Senate agree to the same.

Mr. EDMUNDS. Allow me to ask the Senator whether that is not possibly a mistake? The House bill had twenty-seven and the Senate put in thirty, and now it is proposed to make it forty-seven. What is that for?

Mr. ALLISON. That is one of a whole series of amendments relative to the General Land Office. The Senate inserted a provision known in the bill as amendment numbered 96, providing a lump sum of \$50,000, the Senator will remember, which was to be used by the Secretary of the Interior in bringing up the accumulated work of the General Land Office. The Senate also added a considerable number of clerks. Now, amendment 96, being the amendment appropriating a lump sum, was disagreed to by the committee of conference, and the Senate recede from that amendment, but recede with the understanding that twenty clerks should be added at line 1792, being on amendment numbered 93.

Mr. EDMUNDS. That is to say you add twenty clerks and pay for them in the regular force.

Mr. ALLISON. In the regular force.

Mr. EDMUNDS. And added in the regular force they will be subject to the civil-service law?

Mr. ALLISON. They will be in every sense subject to the civil-service law which is now in force.

Mr. EDMUNDS. I think I understand that. Let the reading proceed.

Mr. ALLISON. I will say upon this point that the total increase in the General Land Office is thirty clerks proposed by the committee of conference.

Mr. EDMUNDS. What struck my attention in amendment No. 93 was that the House had provided for twenty-seven clerks and we had increased it three, making it thirty clerks, and then (the House disagreeing to thirty, having proposed twenty-seven) the conference committee made it forty-seven, which is rather an extraordinary thing for a conference committee to do, to go entirely above and beyond all the points of disagreement and to run it up; but I understand from the explanation of my friend from Iowa that it is to take the place of the discretionary force that the Secretary in one class was authorized to employ.

Mr. ALLISON. I will say to the Senator from Vermont that this whole question of clerical force in the Land Office was treated as one single question, and we made the adjustment as well as possible.

Mr. EDMUNDS. I do not mean to complain of it, but on the face of it it would appear as I stated. Let the reading proceed.

The Acting Secretary resumed the reading of the report, as follows:

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$417,650;" and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the

the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$88,620;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$37,230;" and the Senate agree to the same.

Mr. EDMUNDS. Will the Senator explain that? The text of the bill does not explain it on the face of it.

Mr. ALLISON. That amendment is a mere change of the totals to correspond with the changes made by amendments 103 and 104. The House recede from 103 and the Senate recede from 104.

Mr. EDMUNDS. It is one of the footings, one of the "in alls."

Mr. ALLISON. One of the footings.

Mr. EDMUNDS. Go ahead.

The Acting Secretary resumed the reading of the report, as follows:

Amendment numbered 111: That the House recede from its disagreement to amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Before the word "dollars" insert the words "five hundred;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with amendments as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "Chief of salary and allowance division and chief of appointment division, at \$2,000 each; one;" and on page 70 of the bill, in line 23, strike out the word "clerks" where it first occurs in said line, and insert the word "clerk;" and the Senate agree to the same.

Mr. EDMUNDS. Will the Senator explain that?

Mr. ALLISON. We raised one of the clerks of class 4 in the paragraph above and then struck out the word "two" and inserted "one" here.

Mr. EDMUNDS. Merely a change of the number of clerks in that class?

Mr. ALLISON. Simply a transposition in the number of clerks.

Mr. EDMUNDS. Go ahead.

The Acting Secretary resumed the reading, as follows:

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "sixteen;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$100,969;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$230,380;" and the Senate agree to the same.

Mr. EDMUNDS. That is a footing, I believe.

Mr. ALLISON. That is a footing.

The Acting Secretary resumed the reading, as follows:

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with amendments as follows: In lieu of the number proposed insert "four;" and on page 72 of the bill, in line 24, strike out the word "seven" and insert "eight;" and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$7,120;" and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$9,840;" and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$3,280;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert:

"Sec. 2. That the Secretaries, respectively, of the Departments of State, of the Treasury, War, Navy, and of the Interior, and the Attorney-General, are authorized to make requisitions upon the Postmaster-General for the necessary amount of official postage-stamps for the use of their Departments, not exceeding the amount stated in the estimates submitted to Congress; and upon presentation of proper vouchers therefor at the Treasury the amount thereof shall be credited to the appropriation for the service of the Post-Office Department for the same fiscal year. And it shall be the duty of the respective Departments to inclose to Senators, Representatives, and Delegates in Congress, in all official communications requiring answers, or to be forwarded to others, penalty envelopes addressed as far as practicable, for forwarding or answering such official correspondence."

And the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following:

"Sec. 4. That hereafter it shall be the duty of the heads of the several Executive Departments, in the interest of the public service, to require of all clerks and other employes of whatever grade or class, in their respective Departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the Departments may by special order, stating the reason, further extend or limit the hours of service of any clerk or employe in their Departments, respectively, but in case of an extension it shall be without additional compensation; and all absence from the Departments on the part of said clerks or employes in excess of such leave of absence as may be granted by the heads thereof, which shall not exceed thirty days in any one year, except in case of sickness, shall be without pay."

And the Senate agree to the same.

Mr. EDMUNDS. That was one of the legislative sections that the

Senate struck out and here it reappears again in a little different form, probably better if it were a proper law for the public interest, but still clear, decisive, and exclusive legislation. It has nothing to do with an appropriation at all. I should be glad to ask the chairman of this conference committee upon what ground it was that the Senate conferees, following the will of the Senate in resisting legislation upon appropriation bills, agreed to this proposition.

Mr. HOAR. Should not the report be read as an entirety? It is one question, and I think the reading ought to be finished before there is any debate.

The PRESIDENT *pro tempore*. The Secretary will conclude the reading of the whole report.

Mr. EDMUNDS. Very well; let him read it through and we can take a rest by going over it section by section.

The PRESIDENT *pro tempore*. It has all been read except the signatures.

The Acting Secretary read the signatures as follows:

W. B. ALLISON,  
H. L. DAWES,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*  
J. G. CANNON,  
FRANK HISCOCK,  
*Managers on the part of the House.*

Mr. ALLISON. I would say that the conferees on the part of the Senate agreed to this last provision in a modified form as being the best arrangement that was practicable in order to secure the passage of this bill. The arrangement was considered a reasonable one and the provision a reasonable one regulating the hours of labor and the method of performing the duties required of the persons who are appropriated for in this bill.

Mr. EDMUNDS. It presents the old question. The Senate, I think, by a nearly unanimous vote, and I do not know but entirely so on this particular provision, determined, and on the score that it would not legislate on appropriation bills, struck this out. The conferees of the Senate, without asking the advice of the Senate, have agreed to put it in again in substance the same, but different and I dare say better in form, but in practice and substance exactly the same thing.

Now, then, if we are to be told that the House of Representatives will not agree to appropriate money to carry on this Government unless our conferees will agree to change existing laws relating to the duties of public officers and employes, I should like to know that, and I beg to ask my honorable friend if the House conferees set up any such pretension, because this happens to be one of the cases where we have a right to know what the pretensions of the other independent and equal branch of this Government are?

Mr. ALLISON. Mr. President, I do not say that the House conferees set up any pretension with reference to this matter. We are now taking the advice of the Senate; the Senate conferees make this report for the purpose of ascertaining the judgment of the Senate; we did not assume to do anything without the assent of the Senate. If the Senate does not like the provision as presented by the conferees, it has an easy method, and that is to vote it down. We exercised the best judgment we could looking toward an agreement. Now, if the Senate believe that it is not right to put the provision which we after deliberation and consideration finally agreed to put in this bill, there is an easy method to get rid of it by rejecting the conference report. We are taking the advice of the Senate now with reference to the new provision which the six gentlemen who comprised the committee of conference present to the Senate and to the House.

Mr. EDMUNDS. If my friend from Iowa had been an Italian a few hundred years ago and his name had been Machiavelli, I should have understood his observations.

Here we are: the Senate having decided—no matter whether by a great or a small majority—that it would not put this regulation upon this bill, we find that it is here without the House conferees having insisted, as they could not, that their House would not pass the appropriation bill unless we agreed to this thing, for if they had asserted that pretension it would destroy entirely the independence and equality of the two Houses. Our conferees in the face of our vote, without the House conferees asserting any such pretension, have concluded that they would reverse the action of the Senate and provide for the same thing in substance but in a better form.

I do not expect at this stage of the session to make a point that will amount to anything in practical effect upon this bill, and I do not wish to do so; but I do say that it appears to me that it would have been better, in view of the judgment of the Senate, that the conferees of the Senate should have insisted upon the negative of the Senate on this proposition, and then we should have been able to ascertain whether the House of Representatives asserts the pretension that it will not pass bills to carry out existing laws unless we will agree to legislation upon those bills that we do not like either in substance or because it is on those bills.

My friend says with an adroitness that is characteristic of people who live beyond the Mississippi River, that the conference is really asking the advice of the Senate. They have gone and traded away their client's case and come back to him and ask him whether he thinks he can get

a new trial! I only put in a protest. I do not expect to stop this bill in this stage of the session, but I do say in all candor that I think my friend from Iowa and his confrères are not right about this business.

The PRESIDENT *pro tempore*. The question is on the adoption of the report of the committee of conference.

The report was concurred in.

#### ORDER IN THE GALLERIES.

The PRESIDENT *pro tempore*. The Chair wishes to say a word to the galleries. Complaint is made that there is not sufficient order in the galleries; that there is too much talking and too much moving about. The Chair appeals to gentlemen and ladies occupying the galleries to preserve order. There is a great deal of important business to be done. When persons in the galleries move about or talk it interferes with the proper consideration of that business. The Chair hopes that the evening will pass away without his being compelled to make any further appeal to the galleries.

#### ALABAMA MINERAL LANDS.

The Senate, as in the Committee of the Whole, resumed the consideration of the bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands.

Mr. EDMUNDS. I am very sorry, Mr. President, to feel obliged to say a few words about this matter when other matters of much wider public importance are waiting for consideration; but as my friend from Alabama feels it to be his duty to insist upon the disposition of this bill, of course it is right that we should consider it, unless the Senate wishes to do something else.

The first clause of this bill is like the clause about the States of Missouri and Kansas, but only the first three lines of it. The act of 1876 respecting mineral lands in those States, Missouri and Kansas, stops where the fifth line of this bill is. All the rest is additional and different legislation. Now if my friend from Alabama had desired to put the mineral lands in the State of Alabama upon an equal footing with the other States (as the old phrase is about admissions and so on) that would have been the thing to do; and the question on that would have been whether the situation of public affairs in respect of these lands in the State of Alabama is the same as in the two States named. I am very much afraid that that situation is different. The States of Missouri and Kansas have had their lands all taken up so far as it regards covering the whole surface of those States in various parts where there are minerals, by interspersed and separated entries, so that there are no great bodies of mineral land in those States that lie together, as I believe.

Mr. MORGAN. It is the same case in Alabama precisely.

Mr. EDMUNDS. My friend from Alabama says that it is the same case in Alabama. I was under the impression that the southern part of the State of Alabama was not a very large mineral section, but that its hilly and mountain country, if it might be called a mountain country, was the one in which the chief mineral resources lay.

Mr. MORGAN. I refer to the mineral country, the country covered by this bill, what are called the mineral or coal lands.

Mr. EDMUNDS. They lie in one particular section of the State chiefly, do they not?

Mr. MORGAN. Yes; but settlers are interspersed all through that section.

Mr. EDMUNDS. That is true; but this mineral region, this very heart of an enormous mineral deposit, undoubtedly lies close together. In that, to be sure, under existing law extensive operators and others have gotten possession, rightly I hope and rightly very likely in fact, in a large degree, of a very large part of the lands; and the only obstacle now is, as it appears, that whoever gets any more of these lands as mineral lands is to pay in certain cases \$20 an acre and in other cases \$10 an acre, depending on their distance from a railroad.

What is the difficulty, then, with the present law, stopping right there? Why should we put up all these lands and open them out as agricultural lands when they are now the property of the United States and are not agricultural lands? I can see the force of it in Missouri and particularly in Kansas, nearly every foot of which land is capable of cultivation whether a hundred feet or a thousand feet below the beautiful undulating surface there lies a coal mine or an iron mine; the corn will grow and the flocks will feed upon those places as agricultural lands; but in the State of Alabama, as we are told and as I believe, it is quite different. So the situation of the two cases is not at all alike, stopping on this first proposition, if this bill had been a bill merely to put these Alabama lands on the same footing that we put the lands in Missouri and Kansas.

Now, as I said before, what is the difficulty, stopping right there, in the disposition of these lands now? What public interest is imperiled by it? What interest of the noble State of Alabama is imperiled by it? If these be mineral lands—and if they are not they are open to pre-emption and homestead as agricultural lands now—every acre of them, instead of being worth \$20, which is the minimum, and I do not know but the maximum of what anybody is obliged to pay, would be worth, many of those acres, a thousand or ten thousand dollars an acre; and they are the property of the United States. If any coal company or iron company or speculator—and I do not use the term "speculator" in the sense of reproach at all; every man has a right to be a speculator, to in-

vest his money in real estate on the chance or probability of its rising—wishes to get these lands, let him pay his \$20; but he buys it section by section separate, and everybody has an equal chance.

Now, this first clause proposes to turn all these, contrary to the fact, into agricultural lands for the purposes of the law, although in fact and in truth they are nothing but mineral lands and they are not in general suitable for agriculture at all. Why should we do that? Upon what ground is it that we should do it? Who is kept out now? Nobody except the man who is not willing to pay \$20 an acre for a section of land that has a coal mine or an iron mine under it in a mountainous country not suitable for the general agricultural pursuits of a climate like that of Alabama. But this bill does not stop there. It provides next:

That all lands which have heretofore been reported to the General Land Office as containing coal and iron shall first be offered at public sale.

All that have not been heretofore reported are turned in without any public sale; but we have been so often told to-day and on other occasions of fraudulent homestead and pre-emption and timber-culture, and all the other sorts of entries which can be made, soldiers' and bounty entries, and so on, without being offered for public sale. It is only those that the local land offices have reported. Upon what grounds do they report them? Upon the amount of information, if they are honest, that they happen to have at that moment of time, and it may turn out the next day on a geological survey or a scientific observation by some competent person that three-fourths of all the lands in this region are mineral lands but have not been reported as such. The mine that is discovered in one section is found, as in most cases it does, to run for miles and miles, sometimes hundreds of miles through other sections, and none of the other sections but No. 1 in the case, I suppose, have been heretofore reported as mineral land. There is a curious phrase in this bill. "Then they shall be first offered at public sale." How? All the lands which have heretofore been reported shall be offered at public sale. In sections and half-sections and quarter-sections? Not at all; but they are all to be offered at public sale without any limitations as to whether they are to be offered in a lump, by counties, by the hundred sections, by ten sections, or by one section, and there is no reference to the general land laws of the United States as to how they are to be offered; but it leaves a wide margin on the construction of this phrase in this bill to some Commissioner of the General Land Office who will come in after the present one—of course he would not do any such thing, but some future Commissioner may—who will assume to say that the best way for the interests of the United States is to offer fifty sections at a time at public auction in order to get the greatest sum for the United States. What is the result of that? The result is that if I happen to be possessed of a capital of even \$100,000, as I wish I were, or of \$50,000, on which I can raise thirty or forty thousand dollars in cash, I can attend at a sale of that kind and just outbid and drive off every purchaser who wishes to purchase one section or two sections, because he has not money enough to go the whole figure. Is that right? Of course everybody will agree that it is not right. If these lands are to be offered at public auction, they should be offered according to divisions and subdivisions, sections and half-sections and quarter-sections, one at a time, in order that the farmer of Alabama, if it be really an agricultural piece of land, or anybody in Alabama, if he be what is called a speculator, or any other citizen who has his little \$100 or \$200 or \$500 or \$1,000 may have a chance to compete for that particular quarter or half or whole section with the means that he has, and not be swamped by a great combination.

This bill is very sleazy, I must say with great respect, on that point. It was stated that it was prepared at the General Land Office. I have no doubt from what has been stated by my friend from Alabama that it was, because we all know that he would be the last man in the world who would either misrepresent or conceal any truth about this matter. The Commissioner of the General Land Office has not time with all his affairs to prepare every bill himself, and as things go in these Departments, and must of necessity, I agree, the probability is—and that is all I know about it—that some one clerk made a draft of this bill. Whether he did it with the eye of some attorney of an iron or a coal corporation looking over his shoulder at the same time I do not know; such things have happened a great many times, and I suppose they will happen a great many times more; but here it is, and the fact that it is said that it comes from the General Land Office does not to my mind create any weight in its favor under the circumstances that we know to exist.

In the next place, as my friend from Connecticut [Mr. HAWLEY] stated a little while ago so well, when you look at the report of the Commissioner of the General Land Office on this subject he does not recommend the inauguration of this policy at all. He says, "If you are going to do it"—signing one of the official letters that is laid before him of the hundred that he signs a day—"this may be a good way to do it," and that is all. The result of that performance therefore is that it will be possible for some Commissioner of the General Land Office, some Secretary of the Interior, in a moment of inadvertence to be misled into signing an order to sell these lands in large lumps that nobody could bid for except the strong combination of capital, and all the small bidders would be "frozen out," as the phrase is.

My friend I know can turn to the general land-laws about sales, &c., and find specific regulations that they shall be offered quarter-section by quarter-section, section by section, and so on, so that everybody, the small as well as the great, the poor as well as the rich, may have a fair chance; but this bill for some reason or other has forgotten to provide that the public sale shall be under the provisions and regulations relating to the public sales of other agricultural lands. There is nothing of that kind in it.

Then we come to the last part of the bill, which on the face says what to the unsophisticated mind of an honest man like my friend from Alabama would seem to be a very handsome and proper security for *bona fide* entries, "that any *bona fide* entry under the provisions of the homestead law of lands within said State heretofore made may be patented without reference to" the act of 1872 providing for the mining lands of the United States in cases where persons making application have complied with the laws in relation thereto.

We find, from what the Senator from Connecticut [Mr. HAWLEY] has read about the state of things down there now, that a vast number of entries have been made by contrivance which are now under dispute. The bill provides that all these entries shall be held valid if the Secretary of the Interior, not the courts of justice, thinks they are *bona fide*. If the Commissioner of the General Land Office, to whom the Secretary of the Interior would refer such a question, or the clerk in the General Land Office to whom the Commissioner refers such questions, charged with that particular branch of the business, says that all this mass of disputed entries are *bona fide*, then all these homesteads, &c., shall be considered as settled. What then? All a great coal or iron combination there, or a speculating combination or a railroad combination, has to do to get these lands is to have their employes, the men who dig in the mines, the men who run the trains, the men who keep up the road-bed, go out within these fifteen or twenty miles along the line of the railroad and establish their homestead cabins, which in that climate could be done by a good woodsman, as from experience I happen to know, in about an hour, and each one sets up his establishment as his homestead for the benefit of the corporation or whoever it may be who has employed him to do this thing at \$2 a day or less. Here is the opportunity to consolidate and perfect all those entries.

I do hope (because I do not wish to spend the time of the Senate in going into this at length) that my friend from Alabama will consent to let this matter be postponed until the December session—this one summer will not do any harm—until we can more completely and thoroughly find out the true inwardness of this subject, because there is a great deal to be said, and a great deal of objection and complaint against the proposition, which I know perfectly well he is urging with perfect good faith, but which I fear if carried out will prove injurious to his State and its interests, as well as to those of the United States.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. I present a privileged report, a conference report on the naval appropriation bill.

The PRESIDENT *pro tempore*. Will the Senate proceed to the consideration of the conference report?

The motion was agreed to.

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

The Acting Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7314) "making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 20, 33, 35, 42, and 68.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 29, 31, 33, 34, 36, 37, 38, 39, 40, 41, 43, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 73, and 75, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following:

"Hereafter only one-half of the vacancies in the various grades in the staff corps of the Navy shall be filled by promotion until such grades shall be reduced to the numbers fixed for the several grades of the staff corps of the Navy by the act of August 5, 1882, making appropriations for the naval service for the fiscal year ending June 30, 1883, and for other purposes."

And the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and at the end of the amended paragraph insert the following:

"And provided further, That nothing herein contained shall be so construed as to give any additional pay to any such officer during the time of his service in the volunteer army or navy."

And the Senate agree to the same.

Amendments numbered 26, 27, and 28: That the House recede from its disagreement to the amendments of the Senate numbered 26, 27, and 28, and agree to the same with amendments as follows: In lieu of the amended paragraph insert the following:

"For the purchase and manufacture, after full investigation and test, in the United States, under the direction of the Secretary of the Navy, of torpedoes adapted to naval warfare, or of the right to manufacture the same, and for the fixtures and machinery necessary for operating the same, \$100,000: Provided, That no part of said money shall be expended for the purchase or manufacture of any torpedo or of the right to manufacture the same until the same shall have been approved by the Secretary of the Navy after a favorable report to be made to him by a board of naval officers to be created by him to examine and test said torpedoes and inventions."

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: On page 12 of the bill, in line 12, after the word "dollars," insert the words "of which sum \$54,000 shall be immediately available;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: At the end of the amended paragraph insert the following:

"But nothing herein contained shall prevent the repair or building of boilers for wooden ships, the hulls of which can be fully repaired for 20 per cent. of the estimated cost of a new ship of the same size and material."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: After the word "dollars" insert the following:

"The execution of no contract shall be entered upon for the completion of the engines and machinery of either of these vessels until the terms thereof shall be approved by said board, who shall approve all contracts which may be to the best advantage of the Government, and fair and reasonable according to the lowest market price for similar work."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: On page 18, strike out all after the word "report," in line 9, down to and including the word "under," in line 10 of the bill; and in lieu thereof insert the following:

"And in the event that such vessels or any of them shall be built by contract, such building shall be under."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with amendments as follows: On page 26, in line 12, before the word "ranges," insert the word "and;" and in the same line strike out the words "and so forth;" and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: On page 27, in line 22 of the bill, after the word "and," insert the word "he;" and the Senate agree to the same.

EUGENE HALE,  
JOHN A. LOGAN,  
H. E. DAVIS,  
Managers on the part of the Senate.  
GEO. M. ROBESON,  
J. H. KETCHAM,  
Managers on the part of the House.

Mr. McPHERSON. I should like to have again read that clause of the report referring to the repair of wooden ships. I did not correctly understand the Secretary.

The ACTING SECRETARY. At the end of the amended paragraph insert:

But nothing herein contained shall prevent the repair or building of boilers for wooden ships, the hulls of which can be fully repaired for 20 per cent. of the estimated cost of a new ship of the same size and material.

Mr. McPHERSON. May I now inquire of the Senator having the bill in charge whether there is anything in the bill that disturbs the status of navy officers as left by the bill as it passed the Senate?

Mr. HALE. The report of the conference committee is a substantial agreement with the provisions of the bill as amended by the Senate. To what particular point does the Senator direct his inquiry?

Mr. McPHERSON. I speak of all those points that referred to changing the status of naval officers. I believe that they were all struck out of the bill by a vote of the Senate. I desire to know whether any of them have been restored by the conference report.

Mr. HALE. Not one of them. All of those are left as the Senate amendments provided. The only change that is made is the provision, which is not a change so far as rank or pay goes, providing that hereafter masters in the Navy shall constitute a class of sub-lieutenants, with no change as to pay, and that midshipmen after certain service shall be reckoned and ranked as ensigns, with no additional pay. That is all.

Mr. INGALLS. The Senate differed with the House as to the amount that was to be appropriated for the completion and equipment of the Miantonomoh and its companions. The House, I believe, appropriated \$450,000, and the Senate \$1,000,000. May I ask the Senator to state how that amendment was left by the conferees?

Mr. HALE. The report of the conference leaves the sum and its application to the different ships, the ironclads, precisely as the Senate left it.

Mr. INGALLS. I inquired as to the amount.

Mr. HALE. The amount is the same as the Senate left it.

Mr. INGALLS. One million dollars?

Mr. HALE. One million dollars. No names of the ironclads are inserted, but it is left applicable to all. I think the only issue between the Senator and myself in that regard would be one of pronunciation as to the names.

Mr. BAYARD. I understand the Senator from Maine to say that the amendment of the Senate appropriating \$1,000,000 to put the engines in the four unfinished monitors has been retained by the conference?

Mr. HALE. In the bill as reported by the conference committee we provide \$1,000,000 for all the ironclads, not naming either, for the boilers and machinery, as inserted by the Senate amendments.

Mr. BAYARD. That had reference to the unfinished monitors we discussed the other day?

Mr. HALE. Certainly.

Mr. BAYARD. The amount to be appropriated to each is not specified?

Mr. HALE. By no means.

Mr. BAYARD. But \$1,000,000 is the amount for them all, the four?

Mr. HALE. Yes.

Mr. BAYARD. There are but four, I believe, in an unfinished condition.

Mr. HALE. Let us have a vote, Mr. President.

The PRESIDENT *pro tempore*. The question is on concurring in the conference report.

The report was concurred in.

#### CONDITION OF SIOUX INDIANS.

The PRESIDENT *pro tempore* appointed Mr. DAWES, Mr. LOGAN, Mr. CAMERON of Wisconsin, Mr. MORGAN, and Mr. VEST the committee to inquire into the condition of the Sioux Indians on their reservation, authorized by resolution of the 2d instant.

#### INTERNAL REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I present the conference report on the revenue bill.

The PRESIDENT *pro tempore*. Will the Senate proceed to the consideration of the conference report on the revenue bill?

The motion was agreed to.

Mr. MORRILL. Mr. President, I am not about to make a speech, but as brief a statement as I can to explain each and every, or nearly every, important amendment that has been made by the conference committee.

I will say that in relation to the internal-revenue part of the bill it provides for the repeal of taxes on banks and bankers, whether State or national, except on the circulation of national banks. That remains as heretofore. The stamp tax on bank checks, drafts, and on matches, perfumery, and patent medicines, is also to be abolished. The tax on dealers in tobacco is largely reduced, and no change has been made in the provision that purchasers may sell tobacco at retail to an amount not exceeding \$100 annually. The rates on tobacco it is proposed to reduce from 16 cents to 8 cents per pound, or one-half, and the same or one-half of the present tax on cigars and cigarettes. A change has been made providing that the act so far as tobacco is concerned shall go into effect on the 1st of May instead of July 1.

When we reach the amendments touching the tariff bill I may say that in Schedule A, on chemicals, there has been no essential change whatever. Upon earthen-ware the conferees on the part of the Senate accepted the proposition presented by the members of the House, and these are slightly raised.

Mr. BAYARD. Will the Senator state the amount of the advance on common earthen-ware?

Mr. MORRILL. The Senator has the bill before him. It is raised to 55 per cent. It stood in the bill when it left the Senate at 50 per cent., and it is raised 5 per cent more. We have also changed the classification so as to allow painted and gilded ware to pay the same rate of duty as China-ware. On green-glass bottles the rate has been changed from 30 per cent. ad valorem to 1 cent per pound. There was one class of window-glass that was not included at all in the Senate bill, or polished cylinder and crown glass and common window-glass, and that has been inserted precisely as the law stands now.

On Schedule C, metals, iron-ore has been placed at 75 cents per ton, pig-iron at three-tenths of 1 cent per pound, steel railway-bars at \$17 per ton. Bar-iron in the first class is made to be a little less than the rate proposed by the Senate, and the second class 1 cent a pound instead of \$20 per ton. Charcoal-iron was changed, instead of \$3 per ton additional to the rates on other iron, to a specific rate of 1 cent per pound. Iron or steel T-rails are placed at nine-tenths of 1 cent per pound, and such rails when punched at eight-tenths, as they are now in the bill. Round iron in coils less than seven-sixteenths of an inch in diameter are to be 1.2 instead of 1.1 cents per pound. Armor plate-iron was struck out entirely, believing that none of it would be used, except by the United States, and if used by the United States it would likely be imported free for the use of the Government. Sheet-iron thinner than No. 20 wire gauge is increased one-tenth of 1 cent per pound. Iron and steel plates galvanized is reduced from 1 cent per pound to three-fourths of a cent per pound. On polished sheet-iron the House conferees insisted upon 3 cents per pound, while the bill as it passed the Senate fixed it at 2 cents, and a compromise was finally made at 2½ cents a pound. Iron and steel cotton-ties are left precisely as fixed by the Senate.

In Schedule I, on cotton goods, no essential change was made, except that a proviso was added to the class of goods less than two hundred threads to the square inch, placing a similar proviso upon those below that rate, as already provided upon those above that rate.

In Schedule J, the list of jute goods, flax, and so on, jute butts was taken from the free-list and placed upon the dutiable list at \$5 per ton. No other material change was made in that schedule.

In Schedule K, on wool and woolens, no change whatever was made except a provision is inserted that for ladies' cloaks, dolmans, and other outside garments of ladies that are often expensively trimmed with silk fringe, gimps, silk velvet, and so on, it is proposed that they shall be subject when imported to a higher duty than that which has been placed on cloth.

In Schedule L, silk and silk goods, no change has been made.

In Schedule M, books, papers, &c., the only material change made

is on printed books, and on these the present duty is retained of 25 per cent. I think if the Senate committee had not consented to that we should hardly have been able to make a conference report.

In Schedule N no changes are made of any importance except that 2 cents per one hundred pounds have been added to the rates on salt. The proviso remains as to meats cured with imported salt. Gold watches are to remain subject to the present duty of 25 per cent.

In the free-list no change of importance beyond what I have already noticed has been made.

I omitted to say that on iron and steel railway fish-plates the duties were reduced from 1½ to 1¼ cents. On steel valued at 4 cents a pound or less 45 per cent. is placed, and valued above that rate the duties are made considerably below the amount of duties by the existing tariff. Steel wheels for railway purposes and parts thereof partly manufactured were separated, and instead of the whole being at 2½ cents the finished article was placed at 2½ cents and the partly finished article was placed at 2 cents a pound. Articles not enumerated composed of iron, steel, copper, gold, silver, or other metals, were placed at 45 per cent. instead of 35 per cent. ad valorem.

In Schedule D, wood and wooden-ware, no changes were made in the bill as it passed the Senate.

In Schedule E, sugar, the only change made was in relation to sugars between 13 and 16 Dutch standard, which have been placed at 2.75 instead of 2.50. This was done for the reason that this class, in value and saccharine strength, was found to be at a much lower proportionate rate than the lowest or cheapest grades of sugar, and even a much higher rate was asked for by the House conferees than ¼ of a cent per pound.

In Schedule F, tobacco, no change was made.

Schedule G, provisions, is unchanged, except merely verbal amendments.

In Schedule H, liquors, there has been no change, except an addition of 20 per cent. duty, or something like that, on ginger ale, whether in bottles or casks.

As the time is very short for the consideration of this report I do not deem it proper for me to occupy longer the time of the Senate, as time is becoming precious. Every Senator will find the report upon his desk, and can see for himself exactly what has been done. I have endeavored to state it accurately so far as I know.

Mr. BROWN. Will the chairman of the committee permit me to ask him a question? Has the conference committee made any estimate as to the entire amount of the reduction of revenue that would result from the passage of the bill as modified by the conferees?

Mr. MORRILL. I may say that since the conclusion of the report there has been no time for any accurate calculation, but a rough estimate has been made that it is about \$75,000,000. Of course on some of these articles where the duties have been reduced, as on woolen goods, there will be very likely an increase of importations, which may swell our revenue to some extent, but if there should be no greater importations than there were last year the reductions would probably exceed \$75,000,000.

The PRESIDENT *pro tempore*. The question is on concurring in the report.

Mr. BECK. I call for the yeas and nays. I want a little further time to look at it. I have had no chance to look at it. Let us have the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. If no Senator rises to address the Senate the roll will be called.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7482) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes.

#### ENROLLED BILLS SIGNED.

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

A bill (S. 719) for the relief of the representatives of Sterling T. Austin, deceased;

A bill (S. 826) for the relief of Powers & Newman and D. & B. Powers;

A bill (S. 1829) to amend an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

A bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service, and for other purposes;

A bill (H. R. 1443) granting a pension to Edgar B. Lamphier;

A bill (H. R. 1860) granting a pension to Daniel M. Morley;

A bill (H. R. 2156) for the relief of certain owners of the steamer Jackson;

A bill (H. R. 3743) granting a pension to Miss Amanda Stokes;

A bill (H. R. 5103) granting a pension to Margery Nightengale;

A bill (H. R. 5558) granting a pension to Mrs. Susan Bayard;  
 A bill (H. R. 6923) granting a pension to Mrs. Helen M. Thayer;  
 A bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes;

A bill (H. R. 7623) relative to the Southern exposition to be held in the city of Louisville, State of Kentucky, in the year 1883;

A bill (H. R. 7597) to admit free of duty articles intended for the national mining and industrial exposition to be held at Denver, in the State of Colorado, during the year 1883;

Joint resolution (H. Res. 324) to provide for the deficiencies in the appropriations for salaries of officers, clerks, messengers, and others in the service of the House of Representatives for the fiscal year ending June 30, 1883; and

Joint resolution (H. Res. 359) to print 5,000 copies of the report of the board in behalf of the United States Executive Departments at the international exhibition of 1876.

#### INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate resumed the consideration of the conference report on the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BECK. Mr. President, if this important report is to pass by default in this way I wish to say a few words in opposition to it if I can. For the first time during this session I am suffering with such a cold that I can hardly speak above my breath. Indeed this morning I could not. But as the yeas and nays have been called for, if nobody desires to oppose it, while I am not able to do myself or the subject justice, I will do the best I can to furnish what I consider good reasons why it ought not to be concurred in.

With the slight examination I have been able to make of it, the report provides for large increases in taxation wherever they have attempted to touch it, in every paragraph, in every schedule, except one or two very unimportant ones, on the bill as it passed the Senate, and in many instances above what was even proposed by the most ultra protectionists in the House of Representatives.

I knew from the first that we would at last have a worse bill imposed upon the country than either the House or the Senate desired. I knew it would go by hook or crook, and it has gone by both, to a conference committee that would impose upon us just such class legislation as they pleased, in defiance of the will of both Houses, and make a tariff to suit themselves and their friends and force it upon the American people.

I will take up one item to illustrate what I mean. I select it from the few items I have been able to examine in the last few minutes. Iron ore, the base of all the iron industries, was reported by the Tariff Commission at 50 cents per ton, in these words:

The commission recommends a specific rate of 50 cents per ton, instead of the present rate of 20 per cent. ad valorem. The reasons that have led to this conclusion are that there has been great difficulty in ascertaining the exact value of ores, particularly those exported from Spain and the Mediterranean.

The importation of iron ores in large quantities commenced in the last half of the year 1879. The ad valorem rate of 20 per cent. during the past three years has on the average equaled a specific rate of 54 cents per ton.

They then proceeded to state the difficulty they had in getting the exact ad valorem, which was about 54 cents a ton. They assumed that 50 cents specific afforded better protection than that. I have read their professions to the Senate several times during this debate, and I thought I would not take time now to do so; but my voice may improve after a little, and I will venture to read again a portion of the report. The commission say:

Excessive duties generally, or exceptionally high duties in particular cases, discredit our whole national economic system and furnish plausible arguments for its complete subversion. They serve to increase uncertainty on the part of industrial enterprise, whether it shall enlarge or contract its operations, and take from commerce, as well as production, the sense of stability required for extended undertakings. It would seem that the rates of duties under the existing tariff—fixed, for the most part, during the war under the evident necessity at that time of stimulating to its utmost extent all domestic production—might be adapted, through reduction, to the present condition of peace requiring no such extraordinary stimulus. And in the mechanical and manufacturing industries, especially those which have been long established, it would seem that the improvements in machinery and processes made within the last twenty years, and the high scale of productiveness which has become a characteristic of their establishments, would permit our manufacturers to compete with their foreign rivals under a substantial reduction of existing duties.

Entertaining these views, the commission has sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature. The average reduction in rates, including that from the enlargement of the free list and the abolition of the duties on charges and commissions, at which the commission has aimed is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent. The reduction, slight in some cases, in others not attempted, is in many cases from 40 to 50 per cent.

I need not read more. As I said, I will speak of iron ore first, because it illustrates more prominently and plainly than anything else what I desire to prove as to the outrageous character of this report. When the Senate of the United States—I will begin with our own action—had this question under discussion, many of the most intelligent men of the country, notably Hon. ABRAM S. HEWITT, laid facts before the country and before Congress to show that it was indispensable to the great iron industries of this country, as imported iron ore had many qualities that iron ore found in this country does not possess, that it should be imported free of duty, as when so imported it is used for the

purpose of mixing with our own native ore, the foreign ore being low in phosphorus and there being a great deal of phosphorus in our own. He proved to my satisfaction that it would extend and cheapen the manufacture of our iron products and increase the uses to which our native ores could be applied.

Earnest efforts were made on the part of some Senators, notably the Senator from Virginia [Mr. MAHONEY], to increase the duty on ore above 50 cents, which the commission said was the true rate, which the Senate committee said was the true rate, which the Senate as in Committee of the Whole determined was the true rate, and voted down upon the yeas and nays by overwhelming majorities every effort to increase it. The House of Representatives, with Mr. KELLEY at its head, I suppose I may now speak of the action of the House, as their acts are freely discussed, and I suppose their action is under review, said 50 cents per ton was the true rate of taxation on iron ore. There was no disagreement between the House of Representatives and the Senate as to iron ore.

No committee of conference, dealing justly with both Houses and representing the expressed will of both Houses of Congress, could decently assume, when the two Houses had disagreed or had agreed, to change the rate of taxation upon which they had agreed. Yet this conference committee so called, acting, as I think, in defiance of the order of the Senate and in plain violation of their known duty, increased the duty on iron-ore, that both Houses had agreed should not be taxed more than 50 cents a ton to 75 cents a ton, or 50 per cent. increase on the tax agreed on; and what is the effect of that usurpation of unwarranted authority? One case illustrates the whole—577,118 tons of iron-ore were imported last year; by adding 25 cents a ton to the cost of it the conference have added to the tax on that raw material \$144,279.50, assuming that the same quantity will be imported.

Why was this done? By what authority? Obeying whose orders? What disagreeing vote did they adjust? The House had voted 50 cents; the Senate had voted 50 cents; they had agreed. The conferees arbitrarily overthrew what both Houses had agreed upon, and added a tax upon the importations of this raw material of \$144,279.50, and we are to be told that we must hurry this report through because of the late hour of the session and allow that outrage to be perpetrated without question, and without being even told by the chairman of the committee why it was done; indeed, he carefully concealed the fact, merely saying that there was no material increase of taxation in any of the changes they had made, when there is 50 per cent. increase of duty upon the leading article out of which the iron of this country is made, and that was done by him and his associates in defiance of the deliberate action of the House and of the still more deliberate action of the Senate, all of which was well known to the conferees.

I have the debate upon that subject before me. I turned to it when I saw the outrage sought to be imposed on the country. I may be a little tedious, but I propose to expose this. The motion was made in this body by the Senator from Virginia [Mr. MAHONEY], one of the conferees, by the way, placed there at a late hour, to increase the duty upon iron ore to \$2 instead of 50 cents a ton. That motion received one vote; that was the vote of the Senator from Virginia, I presume, because when the question was taken as to whether a division was necessary the following occurred:

Mr. HOAR. May I inform my friend that the Chair has called for the yeas and one "ay" only responded? Is it worth while to have the yeas and nays?

An effort was next made to make the tax a dollar a ton. That was voted down; 85 cents was tried; 75 cents was tried; 60 cents was tried. At a dollar, if I mistake not, the vote was 11 in favor to 37 against it. Then the motion was made to make it 75 cents, and 15 voted in the affirmative and 34 in the negative upon a call of the yeas and nays. Sixty cents was tried, and the Senate persistently refused to increase it above 50 cents, and the House upon a vote refused to increase it above 50 cents a ton. The proposition to increase the tax was tried again on the 16th day of February in the Senate, on the motion of the Senator from Michigan [Mr. CONGER]; he sought to make the duty 85 cents. The propriety of the increase was reargued and every effort was made upon a call of the yeas and nays to tax iron ore higher than 50 cents a ton. It was again voted down by an overwhelming majority.

In view of all these undoubted facts I ask the Senate, and I intend to appeal to the country even from the Senate, what right had that body of men who were sitting in secret council, authorized only to act upon disagreeing votes between the two Houses and to sustain the action of the Senate by all honorable means, to consider the tax on iron ore, on which the House and Senate had agreed, and raise the duty on it 50 per cent. and then come here without even deigning to state the facts and tell us that we must adopt the report they have made, right or wrong—*fas et nefas*—or we are obstructors of public business?

Mr. HARRIS. Do I understand the Senator from Kentucky to state that the conference report proposes to impose a duty on iron ore greater than either the House or Senate has voted to impose on it?

Mr. BECK. I do, and I appeal to the members of the conference committee themselves now on this floor, or any one of them, to deny it or to contradict what I say if they can. They have wrongfully increased this tax 50 per cent. I ask the chairman of the Finance Committee if that is not true? I wait for an answer now. I have the House



bill, I have the report of the House committee, I have the action of the House, I have the double action of the Senate; and I aver that the conference committee has placed a tax on iron ore 50 per cent. higher than either the House or the Senate, and that the House and the Senate had agreed upon the same rate before the bill was sent to the conference committee.

Mr. MORRILL. The House had not acted on this bill but rejected our amendments in gross.

Mr. HARRIS. Did not the House have a bill upon which they acted on the iron schedule?

Mr. BECK. Yes, and voted upon it. Here is their bill fixing the rate at 50 cents per ton. If they had no bill, if they had no schedule to present to our conferees, where was the disagreeing vote between the House and the Senate, if this bill is not to be referred to as the proposition on which the House acted? If there was no bill of the House then where was the disagreement? What could any conferee on the part of the House say to the Senate that the House required, or that our conferees ought to abandon the vote of the Senate on any schedule and give it up unless there was something that the House had done?

I aver, and the silence of the four or the five or whatever the number who agreed to this report gives consent to the truth of my statement, that they have imposed an increased tax of 50 per cent. on all the iron ore that comes into the country beyond what either the House or the Senate had imposed, and when the House and Senate were agreed.

If these admitted facts do not condemn this whole report and stamp it as a thing absolutely unfit for the Senate to indorse I do not think any argument of mine will. There is not a Senate conferee who will venture to rise in his place and either justify it or excuse it. It stands confessed as a plain violation of their known duty.

Passing from that, though one illustrates all, look at the action of the conference committee relative to glass-ware, one of the first important things touched in the report. Let me examine their action in that regard.

This is the language of the present law:

Earthen, stone, or crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, not otherwise provided for, 40 per cent.

That of course relates to earthen, stone, and crockery ware. The plainest character of designs on paper can be painted and pasted on plain crockery, and when placed in the furnace the paper is burnt out and the paint or print remains. That is the whole process; there is no skill or intellect involved; it is done by the plainest, simplest process; the designs are painted by the hundred or thousand on pieces of paper and burnt in; the paper, as I said, burns off and leaves the paint or print. Yet the conference committee without any reason in the world that I can see, have taken that class of cheap goods out of the schedule where the Senate placed them at 50 per cent., which is 25 per cent. increase on the duty under the present law, because it was said we had given importers the benefit of a reduction of taxes, by taking the duty off the packages, which on the cheapest classes of goods amount to, say, 10 per cent. Our conferees have taken these goods from the schedule of 50 per cent. and placed them in the schedule of 60 per cent., an increase of 50 per cent. on the present rate, along with china, porcelain, parian, and bisque ware, and the other decorations that ornament the mantel-pieces of the rich.

Mr. MORRILL. I desire to give the Senator from Kentucky a further fact, so that he can make out the case as bad as he can.

Mr. BECK. What is it.

Mr. MORRILL. It is a little worse than he states it, because, as I have said, the conferees have accepted the House provision.

Mr. BECK. I thought the Senator said a while ago that there was no House provision—when I was speaking in reference to the action of the House in regard to iron ore.

Mr. MORRILL. I mean to say the provision presented by the House conferees. We have inserted that, and this is therefore not a correct print in the bill on the desks of Senators.

Mr. BECK. The earthen, stone, and crockery ware, painted and gilded, is taken out of the 50 per cent. schedule of the Senate by its conferees and placed in the 60 per cent. schedule, or else they have printed it wrong.

Mr. MORRILL. The Senator does not understand me now. I wish to notify him that we have made it even worse than that; that we have placed this other earthen and stone ware at 55 per cent., instead of 50 per cent. as it stands in the print on the table here.

Mr. BECK. I do not know how bad they have made it. I have no doubt they have made it as bad as they could for the people and as good as they could for the men who are here demanding still more excessive bounties. I have never heard the revenues of the Government spoken of as being worthy of consideration by any gentleman on the other side during this whole discussion. I have never heard the rights of the consumers of this country spoken of as being worthy of consideration while extravagant taxes were being imposed. The whole question has been, how much can the iron-men afford to take off; how much will the cotton schedule, how much will the woolen schedule bear reduction, or shall they be increased above present rates? And when Senators examine into the pretended reductions they will prove to be increases in nine cases out of ten, all assertions to the contrary notwithstanding.

The swarms of lobbyists who are now here and have been for weeks are all begging for more bounty, more protection, or rather more taxation on the people to enrich themselves. These are the plates [exhibiting] that the conference committee have put up to a 60 per cent. tax after the Senate had peremptorily refused to consider all the propositions urged when we had these matters under consideration.

Yet the chairman tells us that they are making this increase of taxation in the interest of economy, carefully refraining from stating the facts, and frowning upon any attempt to expose their acts as improper and factious opposition. Of that plain crockery-ware, as you will observe by looking over the schedule that we have before us furnished by the Treasury Department, there were goods imported last year to the value of \$4,400,000, at 40 per cent. The duty which the people paid on them was \$1,775,294. By the provision now proposed on the same amount of importation at 60 per cent. they will have to pay \$2,662,941, or an increase of \$887,645 over the present high war tariff that everybody says ought to be reduced, and they will have to pay \$443,824 by this change of rate on the same importations more than they would have to pay under the bill as it passed the Senate at 50 per cent. That is called a slight modification, a very slight increase, so insignificant that the chairman seemed to think that the report should be concurred in without a word. He did not even think that it was worth while to tell us what he and his co-conferees had done.

Turn to another change in the glass schedule and see what the auto-crats of the conference have done. We struggled over the question of taxing bottles time and again, first in Committee of the Whole and next in the Senate; that question was brought up in season and out of season. We settled it at 30 per cent., and provided that bottles in which apollinaris and other natural mineral waters came should be free. No man ventured to make an argument worth calling such against that provision. It was admitted that when a bottle once reaches this country, whether it has apollinaris water in it or anything else, it competes when it reaches here with the domestic manufacture of bottles precisely to the same extent whether it comes free or pays a tax. We all agreed that if the people wanted these waters they had a right to have them.

We thought there were some things the people ought to have without being taxed to death, and that the water of the springs of the world that they might prefer as conducive to their health or their pleasure ought not to be taxed; all agreed that was right. Yet this conference committee, this secret conclave—they were in no proper sense conferees, yet I shall speak of them as such—not only imposed a heavy tax upon all the bottles in which apollinaris and other waters come, as you will see by turning over to the free-list, but they increased the tax upon all the other bottles used in this country from the present tax of 30 per cent. to about 100 per cent., although we had voted the proposition to do so down, as I have stated, every time it was offered, both in committee and in the Senate, until every advocate of the increased tax had given it up. Yet these gentlemen secretly and wrongfully bring it back with the tax of 100 per cent. on these things.

I regard their action as an outrage, in flagrant disregard of the known will of Congress. I read the other day (see page 91 of the RECORD for February 21), as Senators will recollect when I restate it, that we are only importing bottles valued at about \$272,000 annually, even at 30 per cent. I showed then that the Representative from Milwaukee and the Representative from Saint Louis argued this question with great ability on the floor of the House. I read from their speeches; I will read from them again to show what an outrage has been perpetrated by the reimposition of this enormous and unnecessary tax. Mr. DEUSTER, from Milwaukee, said that he had talked to Mr. Bodine, the president of the National Glass Manufacturers' Association, and that Mr. Bodine told him that—

There were manufactured in the United States last year of quart bottles alone, used—horrible dictu—for bottling beer, 25,000 gross. I am informed that the quantity of pints is ten times as great, which would be 2,500,000 gross. Besides, there were many other kinds and sizes of green and colored bottles, vials, demi-johns, carboys, pickle or preserve jars, and other plain, molded, or pressed green and colored bottles.

The importation of the very small amount, \$220,000 worth, of glass-ware, embracing all these articles just enumerated, served to keep prices made by our manufacturers in somewhat reasonable bounds.

Even at 30 per cent. they manufactured all but that small quantity. Impose a duty of 100 per cent., and their prices will no longer be kept within reasonable bounds; it is not intended by the conferees that they shall be. The Senator from Vermont and his friends on the conference committee, in spite of the Senate, propose to give them a monopoly of this business. There will be no more importations of any sort, and the prices will be just whatever their protected pets see fit to ask; that is their favorite mode of reducing revenue, by trebling the burdens of taxation and putting the money of the people into the pockets of their friends instead of into the Treasury of the United States.

The Representative from whom I read put it well when he said:

That is exactly what these gentlemen of the National Glass Manufacturers' Association object to. They want the field all for themselves, so that their combination can dictate prices *ad libitum*. Of course they profess to have solely the interests of the poor workingman at heart; he is always pushed to the front when the interests of the capitalists require it. But these gentlemen know that Congress would not consent to have the tariff increased.

True Congress would not, but this Representative had no idea of the

power, no idea of the audacity or mendacity of a conference committee. He said further:

So some sleight-of-hand performance, some hocus-pocus must be resorted to. The world wants to be deceived; ergo, *deceptur*. A change from an ad valorem to a specific duty in this case might accomplish the purpose. "Eureka!" cries the poor, down-trodden glass-king. Now, what will be the result of this change?

A specific duty of 14 cents amounts to over 100 per cent. ad valorem. I could show it to the satisfaction of every gentleman on this floor had I the time. As I have not, you will have to take my word for it. I can assure you that I have investigated this subject fully, accurately, and dispassionately. This proposed specific would raise the price of preserve-jars per dozen, costing the consumer now \$1.50, to at least \$1.75. A dozen of "Protector" preserve-jars weighs about nineteen pounds. The additional duty being 1 cent per pound, these jars would cost the dealer 19 cents more. He of course would charge the consumer at least 25 cents over present prices.

Again he adds:

The bottles which our brewers use weigh 1½ pounds each, or 216 pounds per gross. That makes the duty on the gross \$3.24, instead of \$1.11, as now, or 2½ cents per bottle instead of .77 cent. Add the \$3.24 to the New York value of \$3.17 per gross and we obtain \$6.41 per gross instead of the present price of \$4.23, a difference of \$2.18 per gross. A brewer wants for every 6,000 barrels of beer bottled exactly 1,000,000 bottles, or 6,952 gross. Add to the price of the gross by putting to it the new proposed rate of increase of duty of \$2.18 per gross, and we increase the expense of bottling for every 6,000 barrels \$14,807.86. There are brewers who bottle over 100,000 barrels annually.

The Milwaukee brewer who bottles 100,000 barrels annually consumes almost as many bottles as are imported into the United States in a year. The Senate of the United States refused to increase the tax above 30 per cent. But our would-be masters, disregarding our will, have increased it to a cent a pound, or 100 per cent. upon all that class of bottles in the interest of the bottle-makers, adding to the tax paid by a single brewer who bottles 100,000 barrels of beer annually over \$200,000, in order to put the money into the pockets of some of their friends. They have, I repeat, in plain violation of the orders of the Senate, placed the bottles in which apollinaris, vichy, and other natural waters are imported on the taxable list, and whether they will impose a charge on them of 1 cent a pound or whether they will be taxed at 30 per cent. ad valorem will depend upon a careful construction of the conflicting clauses contained in the conference report, which, if Senators will read, they will see were inserted, if not for the purpose, certainly with the effect of deceiving and of requiring the Treasury Department to give the manufacturer here the benefit of the doubt and thus force the officials to decide that they shall pay 100 per cent.; because after the long and apparently successful struggle that we made not to allow the highest duty to be imposed in doubtful cases, the conferees provide—and I believe that was the point at which the Senator from Delaware and myself left the conference, it being the first important change in our tariff amendment, as there was no question in regard to the internal-revenue taxes which both Houses had acted on, and as to which no difference of opinion was developed, I suppose the relief given there is relied on to carry through on the single vote to which we are now confined all the atrocities of the tariff amendments:

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates.

They have one rate of 30 per cent. for bottles filled; that is, they shall pay 30 per cent. ad valorem in addition to the duties on the contents. Yet the conference committee insert another amendment in these words:

All glass bottles and decanters, and other like vessels of glass, shall, if filled, pay the same rates of duty, in addition to any duty chargeable on the contents, as if not filled, except as in this act otherwise specially provided for.

That is 1 cent a pound, or 100 per cent. ad valorem on common bottles. One of these conflicting provisions in regard to bottles makes them pay 30 per cent. if filled, and another provision makes them pay the same duty whether filled or not. By the general clause as to the highest rate in doubtful cases they will be required to pay 100 per cent., in my opinion. If that is not a trick I do not know what to call it. I do not intend to charge any Senator with trickery, but the provision they have made that whenever there is a doubt, or it can be construed that there are two or more rates applicable to the article it shall pay the highest, these two conflicting provisions will give the officials a chance to tax it at the highest rate.

Mr. MORRILL. I know the Senator from Kentucky does not wish to misinform the Senate. The glass bottles to which he referred last are of a very different kind from green-glass bottles. These are flint and lime glass bottles which are imported, a very different article.

Mr. BECK. It may be that the last provision as to glass bottles does not cover apollinaris bottles. I do not know how these provisions will be construed. I do not want to make any mistake as to the facts, and I feel that my voice will fail me if I dwell at any length on details. I have looked at some other things in this report during the short time I have had it. I will call attention to them.

I will speak next of pig-iron. The Senate of the United States had a long and earnest discussion as to the propriety of a general reduction of tax in the iron schedule, as all agreed that reasonably cheap pig-iron was indispensable to enable the people to obtain cheap finished products. We agreed upon \$6 per ton as being the proper rate to charge on pig-iron, with a like rate on scrap-iron, both steel and cast. It was debated long and ably in all its aspects. I have the debate before me. I had expected to read part of it, but I find that I can not. We agreed upon a duty of \$6 a ton. After a while, when we had gone through the bill

in Committee of the Whole, the Senator from Ohio threatened to vote against the bill, and to defeat all our efforts at giving the people any relief in internal or tariff taxation unless we increased the tax on pig-iron and upon such articles in the iron schedule as he demanded. I will read from his speech before I close. He read telegrams from Hon. Henry B. Payne, of Cleveland, and others, telling him to vote against the bill, and he said he would obey their orders unless we obeyed his.

I repeat that the Senator from Ohio threatened the Senate with the defeat of the whole bill. After all sorts of efforts, and when he had drawn the party whip over the heads of his followers with an audacity I had never seen equaled in any public assembly, by threats and every other means that a great, bold parliamentary leader can assert over the men who look up to him, he finally succeeded in having \$6.50 imposed as the tax upon pig-iron.

That was the last cent he could obtain by promises, flattery, or threats, but his resources were not exhausted. The conference committee met, and under the lead of the Senator from Ohio, I may safely assume, at his dictation, they have imposed a tax upon pig-iron of \$6.72 per ton and insist that we must accept it. What is the effect of that? Of scrap and pig iron 763,761 tons were imported last year. Seventy-two cents increase over the \$6 that the Senate had agreed upon until the Senator from Ohio drove his party up to an increase would be \$549,905. Twenty-two cents per ton—being the difference between this report and \$6.50, the highest point to which the Senator could induce the Senate to advance after all the coercion he could impose upon his followers—22 cents per ton on 763,761 tons is \$169,027 additional tax that this conference committee has placed upon pig-iron; and we all know that we have to accept that report as a whole or reject it.

What next? Take railway-bars. I want the conferees on the part of the Senate to tell the Senate why they have imposed the tax they have in the report they present for our acceptance. Let me show what they have done. This is another undoubted usurpation of power by the conference committee. Steel railway-bars were put by the Senate at seven-tenths of 1 cent a pound when weighing more than twenty-five pounds to the yard. That is \$15.63 per ton. The House voted on that question also; if we are to look to the House, it imposed a tax of \$15 per ton on rails. The House voted for a tax of 63 cents a ton lower than the Senate on steel railway-bars, the House bill providing for a duty of \$15 and the Senate bill \$15.63 a ton. Bear these facts in mind.

What did the conferees do? They have imposed a tax upon steel railway-bars of \$17 per ton. The Senate had imposed a tax of \$15.63, the House \$15. The conferees, purporting to meet for the purpose of reconciling the disagreeing votes between the two Houses, imposed a tax on that article of \$17 per ton, or \$2 more than the House had imposed upon it and \$1.32 more than the Senate had imposed upon it. I again ask any of them to rise now and tell the Senate by what authority they seek to impose a higher tax on this important article than either House imposed. I charge them with a gross violation of their power and a usurpation of authority not granted to them in doing so.

The amount of importation of that class of steel rails during the last year was about 200,000 tons. The report of the conference as to the tax upon that article is an increase of \$400,000 on last year's imports over what the House had agreed to impose upon it, and of \$264,000 over what the Senate had imposed upon it; and yet under pretense of reconciling the disagreeing votes of the two Houses they imposed an additional tax upon the people of \$400,000 more than the House of Representatives had demanded and \$234,000 more than the Senate had said ought to be imposed. If that is not an outrage upon the rights of this people, if it is not a violation of the known duty of the committee, while pretending to reconcile the disagreeing or conflicting votes between the two Houses, by placing a tax higher than either House had suggested, then I do not understand what it is, and can hardly characterize it as I ought in parliamentary language.

Mr. HARRIS. I want to ask the Senator from Kentucky if, in respect to the matter that he is now referring to, this conference committee has exceeded the vote of each of the Houses in regard to the tax imposed?

Mr. BECK. It has increased it \$2 per ton over what the House had imposed and \$1.32 over what the Senate had imposed.

Mr. HARRIS. More than either House proposed.

Mr. BECK. More than either House, to the amount of \$400,000 more than the House of Representatives proposed and \$264,000 more than the Senate proposed, based upon the importations of last year.

Mr. MAXEY. I should like to ask the Senator from Kentucky a question on the point he is discussing. The Senate fixed the rate of tariff on iron or steel rails at \$15.63 a ton and the House fixed it at \$15. Now I ask the Senator from Kentucky, in his experience in the House and in the Senate and in conferences, whether there has ever fallen under his knowledge or experience one case where a conference committee has inserted provisions in the bill against the vote of the Senate and the House.

Mr. BECK. I never heard of such an instance, and I do not believe any other Senator ever heard of it before; but there never was a measure like this before; it was conceived in sin and is now brought forth in iniquity; everything that has been done in regard to it has been done without the slightest regard to the interest of the people or the reve-

nues of the country. Of course there is no parallel. I want some Senator to ask some one of these conferees, as none of them venture to answer my questions, why it was and by whose authority he imposed a tax of \$2 per ton on all the steel rails for the railroads of this country above what the House had taxed them, and \$1.32 a ton above what the Senate had imposed, unless it was to enrich some of the great monopolists of the country whose support and aid they look to as being worth more to them in their political ambitions than the welfare of the great mass of the tax-payers of America.

Mr. MAXEY. The object I had in view in asking the question was this: As the representatives of the people had fixed the tax at \$15 a ton and the Senate at \$15.63, these conferees, whoever they represent, fixed it higher than the representatives of the people or of the States fixed it. I want that fact placed before the people of the country.

Mr. BECK. Now, Mr. President, to proceed. I assume that I will be charged with trying to talk this bill to death as I have been before. That is not true, I only want to have the facts understood. Again, the Senate agreed upon a duty on bar-iron not less than three-quarters of an inch in diameter, and square iron not more than three-quarters of an inch square of \$20 per ton, and upon round iron less than three-quarters of an inch square of \$22 per ton the conferees have increased that tax from \$20 per ton in the one instance to \$22.40 per ton, and in the other from \$22 a ton to \$24.64 per ton; the original rates were fixed by the Senate with the aid and by the vote of the Senator from Ohio, one of the conferees. We had a right to suppose that he would adhere to his own votes, yet after so voting and advocating the lower rates, saying that his friend from Georgia [Mr. BROWN] was right in imposing these rates, he now turns round in secret conference and imposes upon all the iron rolled, hammered, or otherwise advanced an additional tax of \$2.40 a ton upon one class and \$2.64 upon the other.

Again, Mr. President, passing on to another clause, light steel rails, of which there is a very large importation, to wit, a class of rails used for street-railways, tramways, narrow-gauge roads, and inclined planes, in short all that class of rails generally used by the smaller and poorer corporations, by the municipal authorities, or by individuals, of which the importation last year was \$2,658,977 in value and the revenue \$1,414,910, the Senate of the United States imposed a duty of eight-tenths of a cent per pound upon all that class of goods, or \$17.92 per ton. I have not had an opportunity of examining what the House did in that regard, if their bill is to be considered. It seems to be worthy of consideration according to the chairman's view whenever the conferees think they find some excuse for their conduct by referring to what the House has done, and claim that the House had no bill when they increase taxes beyond what either House imposed.

Mr. MAXEY. The committee reported that class of bars weighing less than twenty-five pounds to the yard at \$21 per ton. On full deliberation and discussion in the Senate it was reduced to \$17.92 per ton or eight-tenths of 1 cent per pound. That was reduced by the Senate after a discussion.

Mr. BECK. Under the present law iron bars for inclined planes, as the official statement in my hand shows, the rate is seven-tenths of a cent a pound or 53 per cent. ad valorem. The Tariff Commission proposed seven-tenths of a cent a pound and the Senate imposed a tax of eight-tenths of a cent a pound. This so-called conference committee taxed them above what the Tariff Commission reported, above the present law, above the action of the Senate. They have divided the paragraph into two parts and placed nine-tenths of a cent a pound upon a portion of them, increasing them from \$17.92 per ton to \$20.16, and upon the balance of them, where they are punched, to 1 cent a pound or \$22.40 per ton.

Upon a portion of these goods they make an increase of \$2.24 a ton and upon the balance there is an increase of \$4.60; and this, though the Senate proposition for taxation upon all this class of articles was higher than the present law and higher than the Tariff Commission report. In this miserable sham conference, after all we have done, on articles that were imported last year to the value of \$2,658,977, paying a revenue of \$1,414,910, they make an increase of \$2.24 a ton on half and of \$4.60 upon the other half, without any reason that I can see unless it is to pile up burdens still higher upon every man or corporation that sees fit to build a street railway, a tramway, or anything of the sort. Yet we are asked to set aside the Senate bill and agree to a report full of such monstrosities, which they seek to pass, as though it was an improvement upon what we had done. We are told it makes slight modifications, that there is hardly anything increased, and the yeas and nays were about to be taken as a matter of course, as though it would be an obstruction of public business and would prevent the people from getting the benefit of the invaluable services of this conference if anybody dared to object to it. I suppose I shall be lectured by the distinguished Senators for having the audacity to expose the misdeeds of that august conclave.

That is not all. I have not had a chance to go through the report thoroughly, because we did not have it more than twenty minutes before we were called on to pass upon it at once, time was said to be so precious.

I will pass over a good many of the changes they have made without comment. They have increased the tax on boiler-iron, on line 569, \$2.20 a ton. They have increased the tax upon polished, planished,

or glanced sheet-iron or sheet-steel \$11.20 a ton, although that matter was twice carefully considered; and the Senator from Massachusetts [Mr. HOAR] at last read documents to prove that that class of iron ought to be reduced to 2 cents per pound. It was reduced on his recommendation, and yet the conferees have put it up again, taxing it \$11.20 a ton more, and inserting a proviso which I have not time to consider carefully, but it means mischief. Let me read it to the Senate. It is a new proviso inserted by them:

*Provided, That plate or sheet or taggers iron, by whatever name designated, other than the polished, planished, or glanced herein provided for, which has been pickled or cleaned by acid, or by any other material or process, and which is cold-rolled, shall pay one-quarter cent per pound more duty than the corresponding gauges of common or black sheet or taggers iron.*

We struck that proviso out after deliberate consideration in the Senate, or in committee, because it was shown that all that iron had to be rolled, and the imposition of that additional tax was such a wrong that not one of these gentlemen dared to urge its adoption in the Senate; it was stricken out, as the debate will show, on proof by gentlemen on this floor that the proviso ought not to be retained. Yet when they get themselves in secret conclave, and with nobody to contradict or expose them, and their report has to be voted on as a whole, because a portion, however vicious or corrupt, if you please, can not be stricken out without defeating the whole measure, they make a bill to suit themselves and their friends. Knowing that there are so many things in the bill that so many men are interested in, they trust that the Senate can not afford to defeat their report.

Skipping a good many things, I come now to a matter that attracted my attention the moment my eye rested upon it, because it is a subject that the Senate thoroughly understands. The Senator from Ohio, as the Senate will remember, near the close of the discussion brought before us a new amendment to the iron schedule. He presented it on a Saturday morning. I rose to oppose it and said that I did not quite comprehend the full extent and effect of it, but I thought I could find out if I had time allowed me until Monday morning. There were funeral ceremonies to be held at 5 o'clock that day and it went over. I had examined it before it was called up on Monday, and when it was understood that the proposition of the Senator from Ohio was to increase the duties on all steel not otherwise enumerated from the present rate of 30 per cent. ad valorem to 45 per cent. ad valorem; that it sought to change the duties on all the classes of Bessemer steel however made, whether by the pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or any other process imposing a tax of 45 per cent. upon a certain grade, changing classifications and adding to the duties on them by indirect methods, the Senate refused to accept his amendments. Upon a full, fair, and free discussion in this body and an explanation of the effect of his propositions we defeated him in his efforts to tax steel 45 per cent. and held it at 30. We defeated the proposed increase to 45 per cent. duty upon Bessemer steel and made it 40. We kept him from raising the duty on crucible steel and changing the classification in the way he proposed, greatly to the disgust of the Senator from Ohio. Yet after that defeat, perhaps smarting under it, wanting to take revenge on the country and on the Senate, he goes into this so-called conference committee and has restored in this report every provision that the Senate had voted down after full debate when he sought to impose them upon us. In the amendments that I have exhibited from this conference report he has placed all the manufactures of steel at the points I have indicated. I say *he*; I speak of the Senator from Ohio, because he is the leader of this movement in courage and audacity and intellect. I know who drove the conference; I see the tracks though he does not sign the report; I know who had iron ore and pig-iron increased. It is a Sherman-Mahone tariff now, as to all the paragraphs in the iron schedule.

Senators will observe that in the report all our action in the Senate as to steel is overthrown and the defeated proposition of the Senator from Ohio is substituted. I never knew a more insolent, not to say insulting, proposition made by one member of a body to the body that has trusted him with power and ordered him to maintain its position. There was no House disagreeing vote to meet or combat the wishes of the Senate, and the rights of the people were simply disregarded and the private wishes and interests of the conferees consulted. Let me read from the report:

All of the above classes of steel not otherwise specially provided for in this act, valued at 4 cents a pound or less, 45 per cent. ad valorem; above 4 cents a pound and not above 7 cents per pound, 2 cents per pound; valued above 7 cents and not above 10 cents per pound, 2½ cents per pound; valued at above 10 cents per pound, 3 cents per pound.

"Forty-five" is substituted for "40," "4 cents" for "5," "7" for "9"—in short all our work is disregarded. I explained the effects of the proposed amendments on the 20th of February, and can not better show the effect of the report than by reading now what I said then:

Now, the Senator from Ohio proposes upon all steel embraced in this class—

"Above 4 cents a pound and not above 7 cents, 2 cents per pound."  
Therefore his proposition is to add \$22.40 a ton on all that class of steel valued at over 4 and not over 5 cents a pound. That, I expect, embraces a large class of steel used in this country, or why the proposed change in classification? Yet we were told on Friday night that there was to be no increase on the lower grades by the amendment. I have read the lines fixing 1 cent a pound on all these steels made by the Bessemer process as agreed to in Committee of the Whole and in the Senate. The Senator from Ohio has changed the classification. Why, I do not know, except to suit the iron-masters. He has changed it so as to put \$22.40 a ton additional upon all that class of Bessemer steel that is

valued not above 5 cents and above 4. Why that was done perhaps he can explain.

What next does he do? The Senate bill in the lines that he last proposes to strike out as to crucible cast-steel ingots and these other matters, makes this provision:

"Crucible cast-steel ingots, clogged ingots, blooms, and slabs, &c., valued at 5 cents per pound or less, 14 cents per pound."

The Senator from Ohio promises whenever it is valued at over 4 cents to make that crucible steel pay 2 cents per pound, so that on that class of goods he adds \$11.20 per ton; and on all that is valued between 4 and 5 cents a pound by a change of classification, \$22.40 per ton on the lower grades of Bessemer steel by striking out the lines he first proposed to strike out; and, now by the lines he last proposes to strike out and the valuation that he puts and the tax he imposes \$11.20 a ton on all crucible steel valued between 4 and 5 cents per pound. That is the next step.

What next does he do? The Senate provided that upon all crucible cast-steel valued at 5 cents and not above 9 cents per pound, the tax should be 2 cents per pound; valued at above 9 cents per pound, 2½ cents per pound. That is the maximum with only two classifications above 5 cents. What does the Senator from Ohio propose? On steel valued at from 4 to 7 cents a pound, 2 cents a pound; from 7 to 11, 2½ cents a pound; and from 11 up, 3½ cents a pound.

I have shown that he has put \$22.40 a ton by the change of classification on the lower grades of Bessemer steel; that he has put \$11.20 a ton on the grades of crucible steel valued between 4 and 5 cents, and he now proposes to change the duty on that valued from 4 to 7 cents to 2 cents a pound, the Senate having placed it from 5 to 9 at 2 cents a pound, he proposes from 7 to 11 to fix the rate at 2½ cents a pound. In other words, he increases three-fourths of a cent a pound or \$16.80 a ton upon all that grade of steel valued at from 7 and not more than 9 cents a pound, and there is where another large importation is made, as you will see if you look at the tables. Sixteen dollars and eighty cents per ton over the Senate bill is proposed upon all steel with from 7 to 9 cents a pound, and then he makes a classification we have not made at all, because from 9 up we made all at 2½ cents, and he makes it from 7 to 11, 2½ cents; and from 11 up, 3½ cents. So that upon all steel of all sorts valued at above 9 cents a pound he adds \$16.80 per ton.

How many millions that adds to the taxes of this people I do not know. It is all done for the benefit of a very few establishments in Pittsburgh and elsewhere, whose owners confess that they drew this bill, and who are now seeking to urge Senators to defeat it unless they add to its already onerous taxation all they want.

I showed during that debate what would be the effect of an increase on steel from 30 to 45 per cent. I will again read from my speech of that date:

I have looked over it since Saturday, and I will state how I understand this amendment will leave the bill if adopted. The clause as to "steel not specially enumerated or provided for in this act" is to be delayed for a few minutes, but it is part of the amendment. Steel not otherwise provided for under the existing law now pays 30 per cent. ad valorem. Under that the importations for the year 1882 amounted in value to \$5,742,512, and the duty paid was \$1,723,352. The Senator from Ohio now proposes to increase this tax to 45 per cent.

Though we defeated all his propositions then, he has them in such a shape now that we can not even get a separate vote on them, though he could not insert them after discussion in the Senate. He can do it in secret, though defeated when Senators representing States and tax-payers could meet him face to face in fair debate.

I stated further in February:

If the same value of imports continue, the duty that he proposes to impose would be \$2,584,330, or an increase of duties on the same value of goods of \$761,573; and of course all the products of this country, which is perhaps six times as much as the imports, or perhaps ten times as much, will be increased in the same ratio. In other words, 50 per cent. is to be added to the duties now imposed by law, by the amendment of the Senator from Ohio, upon all steel not otherwise provided for in this act which is consumed in this country, whether made at home or abroad.

Substantially the same presentation was made by the Senator from Alabama and the Senator from Texas, and perhaps by other Senators, the Senator from North Carolina, I have no doubt, though I do not recollect that he participated in regard to that item, but he was always ready and able, and I assume he took part in it. I know the Senator from Delaware did; in short, the Senate rejected all the amendments of the Senator from Ohio which he has now put into this conference report. I say it requires an audacity that few men possess to insert into a conference report every defeated amendment after the exposure that was made as to the effect of the increased taxation upon the people, and ask us to accept it or tell the country that we shall be responsible for the defeat of this bill without even venturing a word of explanation or deigning to tell us that a majority of the House conferees even asked to have it done. I hardly think they did.

I shall vote against this report for this among other causes. It is made up against the interest of the people of this country, against the will of both Houses of Congress. I have shown that as to steel rails the taxation imposed is beyond what either House voted; I have shown that as to iron ore that the two Houses had agreed, and yet 50 per cent. more taxation is sought to be imposed and hundreds of thousands of dollars added by this conference committee to the burdens of the people. I propose to vote against it, and my word for it, if this report could be defeated we should tell the House of Representatives, as we truly can, that "we have sent you a better bill in our amendment than this conference report proposes. You had far better vote for the Senate amendments that your leaders would not allow you even a chance to concur with us in, believing that they would frame in secret a worse bill than the Senate had sent; they knew that they would satisfy the pig-iron men and the great manufacturing monopolists of the country better than the action of the Senate would if we reject this conference report as we ought to do because of the outrageous provisions in it," my word for it, the House to-morrow morning will demand a right to vote upon the question of concurring in the amendments originally sent them by the Senate which are now upon their table, and will say to their conferees as I now say to ours, "You have transcended your duty in seek-

ing to impose taxes upon this people beyond what either House had demanded." That House will take up the Senate bill to-morrow morning and in spite of its defects and of the high-protective monopolists, will pass it before high noon to-morrow as an improvement upon this report and a bill infinitely better than this is.

If we force upon the House of Representatives by voting for this conference report a bill that is made worse wherever it has been touched, that is not improved anywhere, and deprive them of the right which they have never yet had of voting upon the amended bill we originally sent them, we are simply joining hands with these monopolists in forcing a worse bill upon the House of Representatives than is now upon their table, that they can vote for in half an hour after we reject this. I intend to be no party to any such coercion upon the House, and submit to no such dictation here as this report attempts.

Why, Mr. President, look for a moment at the sugar schedule. What have they done with it? If I were to take up this report in detail I could scarcely expose one-half of its enormities before Congress expired. The chairman said just now in his blandest way that a slight increase of tax had been imposed on sugar between No. 13 and No. 16; that the refiners wanted more than they had got, but he thought the committee of conference had done reasonably well for them. What do they do? Without touching any other item in the sugar schedule they provide:

All sugar above No. 13 and not above No. 16 Dutch standard, 2.75 cents per pound.

Or \$2.75 per one hundred pounds. The Senate had made the duty on that 2.50 cents. The Senate indeed had voted for 2.40 by a vote taken by yeas and nays of nearly 40 to less than 20, according to my recollection. It was first reported before the change at 2.65. The sugar refiners never publicly asked for more than 2.65. They thought 2.50 was too low; they feared the low tariff on foreign sugars would destroy their monopoly. There might be competition from abroad at 2.50 and they begged for 2.65. The Senate voted for 2.40 on a call of the yeas and nays after full debate by an overwhelming majority. Recollect that the sugars between No. 13 and No. 16 Dutch standard are the table sugars of this country, the only sugars in which the mass of consumers have a direct interest. All the other grades go to the refiner. Thirteen to 16 are the sugars people can use in spite of the refiners and without his aid, and that the plain people do use. Two sixty-five one hundredths was all the refiners asked that ever I heard of, and I believe I have now in my pocket a dozen dispatches when they thought I was to be on the conference committee, begging for 2.65. I do not care to read the names of the men, but here they are; Senators can look at them. The conference committee have made it 2.75 cents per pound.

That is simply giving the sugar-refiners the monopoly of the sugar business of the country. If not done on purpose, it was done at the dictation of large sugar-refiners whom I can name. It is the worst outrage in this bill. No man can justify it. You will observe that under the existing law there are hardly any importations of sugar above No. 13. Turn to the schedule again and look at it; but I have looked at that so often that I may as well assume that the Senate understands it. If necessary I will hand the figures to the Reporter.

All the sugar that is imported substantially comes in under No. 13, and this increase from 2½ to 2¾ cents a pound gives to the sugar-refiner an absolute monopoly of the sugar in this country and imposes burdens upon the many who consume sugar all over America of millions upon millions of dollars. This is done exactly in the same spirit that the other high taxes were imposed, to build up great monopolies at the expense both of the revenue and of the consumers of the country.

The refiners desired an increase from 2.50 to 2.65. Of course they would ask for 3; they would ask for anything; but 2.75, an increase of 25 cents on the 100 pounds on that grade of sugar, is nothing more nor less than a proposition in the interest of the absolute monopoly of sugar-refiners. There is not a man on the conference committee who will venture to rise in his place and defend this action in the face of the debates we had, in the face of the votes we took, and he will not dare to say that he either did or would have ventured upon this floor to have proposed to impose a tax on sugar graded from No. 13 to No. 16 at 2.75 cents. The Senator from Vermont himself begged me to make it 2.50, declaring publicly that 2.50 was satisfactory to him after we had voted the tax at 2.40. Many of my friends on this side of the Chamber who had voted for 2.40 with me were quite annoyed when I begged them to yield to the urgent request of the Senator from Vermont, as perhaps we had put it a little too low at 2.40. I remember well that the Senator from Texas was not very much pleased at the change being consented to.

Now, sir, notwithstanding the Senator from Vermont did not venture to ask us to go above 2.50 and no sugar refiner ever pretended that he could decently ask us to go above 2.65, and all the telegrams I received when they thought I was to be a member of the committee said that 2.65 was all they would ask, the Senator from Vermont and his conferees on the committee give them 2.75, making their monopoly absolute, making them masters of the sugar business of America, and putting every sugar consumer absolutely at their mercy; yet the chairman of the conference calls with apparent confidence on the representatives of the people and the States to adopt and sanction that among other outrages. I propose to be as respectful as I can be consistent with truth, but if any milder word than robbery of the people to enrich already

gorged monopolists will express my opinion I do not at this moment recall it. The conferees give the refiners one-fourth of a cent a pound on all the sugar consumed in this country by excluding competition. The combination of refiners, of course, charge the people one-quarter of a cent more than they could under our bill. The sugar consumed annually exceeds 2,000,000,000 pounds, worth over \$85,000,000. This robbery or rather sneaking larceny of one-quarter of a cent a pound from the people is a gift, in defiance of our often expressed will, of over \$5,000,000. That alone ought to condemn this report and the men who seek to force it upon us if all else was right.

I can not follow the details of this miserable fraud further; my voice is gone and I am suffering; but I made a speech on the 25th of January in this presence. I have never been deceived about this bill. I then said I desired to make a record and place it where the people of this country should see it; that in the next presidential campaign, if you please, when the Senator from Ohio perhaps may be the opposing candidate to the Democratic nominees—I do not think the Senator from Vermont has any aspirations—I wanted to have a record made of what was done, as I knew we should at last have a worse bill imposed upon us than either House desired. I knew they would find some way, by hook or crook, in a secret conference where they would give way to each other in the interest of monopoly, and against the tax-payers of the country, to fix up secretly such a report as they have, and that we should be driven to just where we are now. It is said that the Senator from Ohio has not signed the report. That need not deceive anybody; he would not have it beaten for his right arm, even if he did not get all he wanted. On the 23d day of January I said—I desire to put it again upon record, if the Senator from North Carolina will be kind enough to read it for me.

Mr. VANCE read:

This bill, or rather some bill I fear a good deal worse than the bill which passes the Senate, will in all probability pass both Houses before the 4th of March; if so, the facts now placed upon the permanent records of the country will constitute this justification of those of us who vote against it, not only for our votes, but for any future effort we may make to obtain the relief which the country demands, but which I feel assured this Congress does not propose to give.

I have a very faint hope of success in making valuable or important reductions, and if we do I have still less of having them retained in the bill which will become a law. The protectionists are all looking to the all-powerful conference committee for the results they desire. Four men at last will frame the bill, and they will be sure to give the men who rely on legislation to enrich themselves all they can. On all provisions of importance to the monopolists which the Senate has increased or kept in better shape for the protected interests than the House has, the House conferees will concur in the provisions of the Senate amendments, and having done that much to oblige the Senate the Senate conferees will of course reciprocate their kindness by concurring in such increases and adjustments as the House conferees can show that their action has made in the same direction.

Thus the bill will be made more oppressive than either House would make it. I expect, in short, to be called upon to vote, as a whole, without the right to amend, alter, or even protest, for a worse bill than either House passes, and therefore propose to give my reasons for demanding reductions now while we can consider the items in detail. I propose to appeal from Congress to the country, and to make up the record now. Of course one of the three conferees of each House will be a Democrat and in favor of reduction of taxes, but he will not be heeded in the conference and need not even sign the report.

If we fail to vote for any bill, however oppressive and unjust, that the conference committee agree on, we will be denounced as opposing all reduction of taxes; and if it passes in spite of us, no matter how oppressive its provisions may be, and we venture hereafter to seek relief by legislation, we will be loudly denounced by the able and well-paid press of the monopolists as agitators and disturbers of the business of the country. We may as well make up our defense as we go on. We will be told that Congress was misled by the appointment of the Tariff Commission to accept as a finality the bill passed on its recommendation, and every man and woman in the employ of the protected interests will be threatened with reduction of wages or dismissal from service if they do not join in the hue and cry that will be raised by those who seek to perpetuate their monopolies.

Mr. MAXEY. Suppose we have a conference committee, its majority being gentlemen whose theory is that the tariff should be laid for protection with revenue as an incident, what chance would the tax-payers have?

Mr. BECK. I want the Senator from Texas now to discuss this bill item by item, so that he can show to his people in the permanent records of the country what the facts are.

We may as well look the facts in the face and speak plainly. The ultimate decision is in the hands of the chairman of the Committee on Finance in the Senate and of the Committee on Ways and Means of the House, each with their most reliable supporter he can select from his committee to sustain him, in a secret committee of conference, where those four are omnipotent in regard to all questions of difference between the two Houses. Each of the chairmen regards himself as the father of the protective system, and each can establish about equal claims to its paternity.

The Senator from Delaware may be at the tail end of the Senate committee for form's sake, and Mr. CARLISLE, of Kentucky, may be on the House committee; they will both be powerless. The commission they obtained was selected because each member of it was interested in maintaining the highest protection and the greatest privileges for the monopolists he was chosen to advocate; each had to sustain all the others so as to secure his own, and the friends of each made up the schedules they were interested in, so as to obtain all possible; and when they were flung together into a bill, the combined forces of protected wealth and monopoly rushed to Washington and have night and day besieged Senators and Representatives, urging them under all sorts of pretences, I was about to say by promises, flattery, and threats, to sustain what the commission had done for them.

Mr. BECK. That prediction did not quite come up to what we have before us now. I knew that they would make the worst bill they could whenever the two Houses had disagreed and gave them a decent chance to intervene; but it never entered into my mind that any set of men would have the audacity, when the House had agreed to tax iron ore at 50 cents a ton, and when the Senate had agreed to tax it at 50

cents a ton, and all the effort that could be made could not move either House, or any committee of either, to advance to a higher figure—I did not think that any body of men would have so little regard for themselves, for the opinions of both Houses, and for the rights of the people as to add 50 per cent. additional tax where the two Houses had absolutely agreed and there was nothing to confer about. That was an amount of subservience to the great interest they seem to love so well, or fear so much, that I was not prepared for, nor was I prepared to believe that any set of men could be found who, when the House had voted the tax on steel rails at \$15 a ton and the Senate at \$15.63, would dare to come before either body with a proposition to tax steel rails \$17 a ton; nor did I think that even the sugar-refiners had power enough over any body of men when the Senate had deliberately, by a majority of two to one upon a call of the yeas and nays, voted that on sugar from No. 13 to No. 16 the rate of tax should be 2.40, and after we had changed it to 2.50 at the request of the chairman of the committee and of the conference, and no refiner had publicly dared to say that he even wanted more than 2.65, these men would secretly fix it at 2.75 and then have the audacity to tell us that the refiners wanted more. We all know how this report was worked up. The Senator from Ohio developed the whole story. On the 18th day of February, on page 31 of the RECORD, will be found the following. The Senator from Ohio said:

A few words now in regard to what I intend to do. I—

We know what "I" meant; that meant the great advocate of the protectionists—

I am entirely dissatisfied with the metal schedule of this bill. I think it is wrong in principle and detail, not harmonious with itself or with anything else in heaven above or in the earth beneath; it is a compound of incongruities; and therefore I desire by meet and proper amendments to try to correct it if I can, and if not to reserve my right to oppose the whole of it, and if necessary the whole tariff clauses of the bill.

I have received to-day in regard to this schedule earnest appeals by men of all parties, by men who are known in the Senate and all over the country, to vote against this bill from top to bottom, because they say that as it now stands in the Senate it will utterly destroy great industries of this country unless it is amended in important particulars. To show Senators that I am not speaking for myself alone, but for those whom gentlemen on the other side as well as this ought to respect, I will read one telegram signed by J. H. Wade, Henry B. Payne, and Joseph Perkins, two of whom are prominent Democrats. They say:

"We deem it very important to our iron and steel interest that the Senate bill in its present form do not pass."

Here is another from a gentleman well known, though not so well known probably as those I have named:

"The prospect of the passage of the Senate tariff bill strikes our manufacturing community with consternation."

That is signed by Mr. C. B. Beach. One from Mr. Mathers says:

"I hope you will vote against passage of Senate tariff bill. It is better to let both Senate and House bills fail than to have such a tariff."

I might read from many other telegrams received from persons who are well known, especially in the manufacturing districts of Ohio.

To carry out that threat it was so arranged by disreputable combinations that the House could not even have a chance to vote to concur with the Senate bill, but a bogus conference had to be gotten up, a conference decided down by threats from the other House that in the Senate we were acting unconstitutionally and illegally in all we had done, reserving the right so to decide if the House conferees did not get all they demanded, which a majority of our conferees were only too glad to have a chance to yield. Now the Senator from Ohio has got the iron schedule to suit him; the sugar schedule is arranged to suit others to secure their support. Glass-ware ties on another set; cotton and woolen goods, books and grindstones are nicely adjusted to suit others. The whole is made as bad for the people and as good for the monopolists as even Mr. Mathers or Mr. Wade can ask. If the Senator from Ohio can get his conference report through the Senate and force the other House to vote for it, if they will adopt it, that will suit the protectionists and their friends. The whole struggle now is this: the monopolists are determined that the House shall not be allowed to vote on the Senate bill for fear they may pass it. I seek to vote down the conference report, so that the House can have a chance to vote on the Senate bill. If they adopt our bill, that ends it; if they do not, they can send us to-morrow morning untrammelled conferees, and we can in an hour have another report much better than this—certainly one stripped of the flagrant wrongs perpetrated in this. I agree that the reductions in internal revenue are mainly right, and will secure many votes for this vile report which it would not otherwise get. The conferees know that, and hence gamble on the chances of the internal-revenue relief carrying their other propositions.

Mr. MAXEY. If the Senator will permit me, I will state that the instruction to the conferees of the House was, "If pig-iron goes up, the amendment of the Senate will be constitutional; if pig-iron goes down, it will be unconstitutional." That is the true construction of the resolution.

Mr. BECK. I have not a doubt of it; make this bill so bad for the people and so strongly in the interest of the monopolists that the Senator from Ohio and his followers here and Judge KELLEY and his allies at the other end of the Capitol can vote for it, and there will be no constitutional objection as to our right to amend internal revenue with tariff taxation; but make it a decent bill in the interest of the people, one that substantially reduces present burdens, and every monopolist in the House will spring to his feet and denounce the Senate amendment and

the action of the Senate as unconstitutional. That is the game that is being played here now. I hope to make that fact plain to the country. Let me read again from what the Senator from Ohio said:

Sir, I wish if possible to call the attention of the Senate to the importance of making a review of this question. I shall not set a bad example. I simply say that the proposition I offer now is the proposition which has been adopted by the House after two or three weeks' deliberate consideration, after a very wise and careful consideration, and I intend to follow this proposition with other propositions, so as, in substance, to adopt the schedule of the House rather than the schedule of the Senate. Although some of the clauses of the House bill may be not free from objection—

I suppose iron ore was one of them and steel rails another—and ought probably to be modified and changed, and may be modified and changed, either by the Senate or by a committee of conference—

He knew where the place was to accomplish his purposes—yet I venture to say that the propositions made by the House in regard to metals are far wiser in every respect than the propositions made by the Senate. By the amendments I intend to offer—and I intend to be in order, too—I wish to present again to the Senate the opportunity of giving to this industry fair and reasonable protection.

I followed in my feeble way in a short speech in reply, which I will read:

Whatever else may be said about the Senator from Ohio and the measures he presents, the boldness of his statements and the courage with which he advocates them are certainly admirable; and the audacity with which he denounces the action of the Senate and the action of the committee of which he is a distinguished member, and in violation of all the rules of the Senate, as he well understands, lands the action of the House of Representatives as wiser and better than the action of the Senate, and tells us defiantly that he will vote against this bill unless its provisions are at his dictation made to conform to the action of the House, certainly is worthy of admiration, at least for the boldness of the position he assumes. He tells us in substance that, unless this bill is amended to suit him now, or put in the shape he desires in conference (and he is of course to be a conferee and expects to manage it there), he will vote against it. He expects to drag his party by boldly asserting that he will not vote for the bill unless they obey him and undo all that has been twice done by this body.

I suppose he will succeed in securing all he demands. I like a bold man; I like a man who displays the audacity displayed by the Senator from Ohio, but I have never heard the lash of the party whip crack quite as loud as has been done by the Senator from Ohio to-night. It is the first time that I have heard in either House a bold avowal that the action of the House of Representatives, which the Senator has no right even to mention, is wiser and better than the action of this body. He demands that the Senate shall surrender its own judgment, reverse its own twice-recorded, deliberate action, and agree to the action of the House so that he can go into conference and settle it on their basis. That is the meaning of what he has told the Senate to-night in language not to be mistaken and in a way that is meant to drive his party into obedience to his demands, averring he would rebel against the action of the Senate and would have his way or else nothing should be done; if he is not obeyed the bill should be defeated. He read telegrams from interested men, assuring him that it ought to be defeated. Let him defeat it.

There will be a body of men here or at the other end of the Capitol after the 4th of March who will have a decent regard to interests outside of the great protected monopolies of this country. If he is determined to defeat this bill unless he is allowed to unite with Mr. KELLEY, whom he lauds on this floor as a wiser man than any in the United States Senate, in foisting upon the country just such a bill as they two, in secret conclave as conferees between the two Houses, may seek to fasten upon us, let him do so and take the responsibility.

Let him go before the country with that avowal and we will meet him there. I am glad he has taken that position. I knew he had been working up to it for a week; the air has been full of rumors that the House schedule had to be adopted by us and that the Senator from Ohio would force the Senate to reverse all its action or no bill should pass. I am glad he has taken it up now; I am glad he has avowed his purpose and I am glad he has done it with the courage he has and with the audacity that he has, for I believe in audacity. He is a stalwart on this question; there is no doubt about that.

Mr. President, I have gone over only a few of the most prominent wrongs in this report. I have no doubt there are others quite as bad as any I have been able to point out. As is well known, the Senator from Delaware [Mr. BAYARD] and myself withdrew from the conference under the order of the Senate that we should do so, when we believed from facts developed that the House conferees were not at liberty to act freely and without embarrassment. I think the Senate agreed with us after the House resolution was read denouncing the action of the Senate as unconstitutional and an invasion of their prerogative. Therefore I was not in this conference and had no means of knowing what they had done until the report was presented, less than half an hour ago.

True I had inquired about several items from a gentleman who was in the conference committee this afternoon, but knew nothing in detail until about twenty minutes before this debate began. I secured it while I was yet busy on the deficiency bill in the Committee on Appropriations. I was of course somewhat familiar with the subject, and knew what they would do if they dared. I made the calculations I have laid before the Senate as rapidly as I could under adverse circumstances, suffering, as I am, with a horrid cold, and therefore being, for the first time in twenty years, perhaps longer, in no condition to speak or work. So I was not in condition to learn all about this matter as well as I could if I were better; but I have presented enough, I think, in this disjointed way to show Senators that the whole scope of the action of the conference committee has been in the direction of unlimited protection, clearly in defiance of the will of the Senate; that it is an effort to prevent the House from having an opportunity of voting upon the amended bill that was sent to them by the Senate. They have never yet had an opportunity to say whether they would agree to it or not. They were deprived of that right by the power of the protectionists over their leaders for fear they would agree with us. And now hundreds of thousands of dollars, millions upon millions have been added to the taxation of the

country; all has been given that the monopolists whom the Senator from Ohio represents desired; and when he has got now at his back all the sugar refiners, with the monopoly they have absolutely in their own hands beyond what they dared to ask, there will be such a lobby brought to bear upon the other end of the Capitol if we agree to this report that they will have to adopt it.

I will not detain the Senate longer except to say that there is very little in this tariff bill that approaches any true idea of revenue reform or any real relief to the people. Every maxim that was ever laid down by any of the great men who have studied economic questions looking to the welfare of the country and not to the enrichment by legislation of privileged classes, every principle laid down by impartial thinkers and philosophers has been ignored. I hold in my hand some of the principles laid down by Adam Smith, whose work is still looked to as high authority by men who love liberty and fair dealing. They are these:

I. The subjects of every state ought to contribute to the support of the government as nearly as possible in proportion to their respective abilities; that is, in proportion to the revenue they enjoy under the protection of the state. In the observation or neglect of this maxim consists what is called the equality or inequality of taxation.

II. The tax which each individual is bound to pay ought to be certain and not arbitrary. The time of payment, the manner of payment, the quantity to be paid, ought to be clear and plain to the contributor and every other person.

III. Every tax should be levied at the time or in the manner which is most likely to be convenient to the contributor to pay it.

IV. Every tax ought to be so contrived as to take out and keep out of the pockets of the people as little as possible over and above what it brings into the treasury of the state.

V. The heaviest taxes should be imposed on those commodities the consumption of which is especially prejudicial to the interests of the people.

The principles laid down there are true, yet they are all absolutely subverted by the provisions of this report. The whole struggle seems to have been how to take the most money out of the consumer on the things he needs the most, and put it into the pockets of men who have no right to take his earnings from him. Why should a man who works for his daily bread pay 50 per cent. more for the blanket that covers him or the coarse cloth that he wears than is paid under the specific rates of taxation by Mr. Vanderbilt and Mr. Astor, and the class of men who ought to contribute in proportion to their wealth? It is a cunningly-devised scheme how to reduce revenue by increasing burdens, how to give private men \$10 for every dollar put into the Treasury, how to foster monopolies, how to disregard the rights of the mass of the people. The measure these gentlemen advocate so earnestly cares nothing for the people, and gives protection to everything but American labor. Proof was made here, and I have the papers before me to show it, that these monopolists send to Europe, they send to Canada, they send anywhere to import the cheapest labor they can, and drive out the American laborer and his family if they can get foreign labor for 5 cents a day cheaper than the American laborer can afford to work for. He competes with all the paupers of Europe. The capitalist with his machinery alone makes the consumers of this country pay 50 to 75 per cent. more than the goods they get are worth in the markets of the world, in order to enrich himself. Robert J. Walker made a great tariff once that worked well; he laid down these rules and adhered to them:

I. That no more money be collected than is necessary for the wants of the Government when economically administered.

II. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

III. That below such a rate either a descending scale of discrimination may be made, or for imperative reasons the article may be placed in the free-list.

IV. That the maximum revenue duty be imposed on luxuries.

V. That specific duties be abolished and ad valorem duties substituted in their places where practicable, care being taken to guard against fraudulent imports and undervaluation and to assess the duty fairly and honestly upon the actual foreign market value.

VI. That the duty be so imposed as to operate as equally as possible throughout every part of the Union and not discriminate either for or against any class or section.

When the Democratic party met in convention in 1876 the plank in its platform that rang the loudest and struck the chords of this country in a way that vibrated from one end of the land to the other was in these words:

Reform is necessary in the sum and mode of Federal taxation to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon 4,000 articles, as a masterpiece of injustice, inequality, and false pretense. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sales of American manufactures at home and abroad and depleted the returns of American agriculture—an industry followed by half our people. It costs the people five times more than it produces to the Treasury, obstructs the processes of production and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

Every principle in these rules and declarations has been abandoned under a pretense of making this reform tariff. It is worse in many regards than even the bad system we are now living under. It is an increase, if this conference report is adopted, upon many of the manufactures of steel from 30 to 45 per cent., an increase upon the very raw material of which iron is made, the iron ore, of 50 per cent. above the present rate. Upon many of the schedules, upon many of the cotton goods of the country, it is a large increase, as I proved the other

day. On some things it is a reduction, some of the methods are improved. They were so bad they could not all be made worse. The Tariff Commission improved some of them; but they are infinitely worse by the conference report than they were when the bill left the Senate.

For these reasons it is, Mr. President, that I, if I vote alone, will vote against this conference report, and I will demand, if I can by so doing, that the bill as it passed the Senate after a full discussion shall be submitted to the House of Representatives, and that the iron-masters and that the cotton and woolen kings of the country shall not by their combinations deprive the people's representatives of the right to say whether they will concur with what the Senate did by trying to force upon them in the shape of a conference report a bill that is worse in every regard and more oppressive by millions of dollars than the propositions that went from this body to the House for concurrence.

#### DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 7637) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1883, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes, to report it back with sundry amendments. I give notice that I shall try to call it up in the morning directly after we meet.

The PRESIDENT *pro tempore*. The bill will be printed with the committee amendments.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

#### INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate resumed the consideration of the report of the committee of conference on the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BAYARD. Mr. President, I have but little to say at this late hour upon the adoption of this report of the committee of conference. As the Senate knows, it must be adopted as a whole; its features, good or bad, must be taken together. It is indeed a "most lame and impotent conclusion" of a winter spent in framing a tariff law, a petty outcome of the Tariff Commission, and an entire session of contemporary debate in both Houses of Congress.

When the bill was voted upon finally in the Senate an arrangement had been made, to which I was a willing party, to have no further debate in order to reach a vote, so that it was impossible to give the reasons for any vote cast on that occasion; and now I would merely say that I voted for the bill as it passed the Senate because I believed it justified in every respect, not only because the bill was in fact an improvement upon the present law, but it was a simplification and it did work a substantial reduction in duties, it did simplify the law; and further than that, I was satisfied the comparison was not to be made simply between the proposed law and the present tariff act, but *a fortiori* between the proposed law and such a scheme as I feared would result from a committee of conference. The Senator from Kentucky [Mr. BECK] prophesied most truly and accurately what would be the final action upon the subject, or rather the attempted action upon the subject of this measure, that after it was removed from open discussion in both Houses it would go to a conference committee from which it would emerge in a shape hardly recognizable by any who had taken part in its consideration; and that has been all borne out in the sequel.

Mr. President, there was an improvement under this bill in the free-list; and although the improvement was slight and in some respects doubtful, still it was an improvement, and as compared with the report now before the Senate it was Hyperion to a satyr. The rules of this body and general parliamentary law forbid me to refer to the action of the other House, but I have a right to refer to the action of the committee of conference from which this report came. I consider that there is no precedent for the action of that committee, and I trust it will not now receive the approval of the Senate.

When before, in the history of American legislation, was it known that a resolution to non-concur in Senate amendments to a House bill was made and a committee of conference asked for without having the bill itself before the House? And when ever before was a conference ordered which came into the committee-room with a halter around its neck and the end of the rope in the hands of the chairman of the House conferees? The conference on the part of the House was fettered from the beginning. It never was "full and free" in either the common or the common parliamentary sense.

The only option to the Senate in that conference committee was either to yield everything to the demands of certain potential protected classes of citizens, or failing the granting of these demands to allow the measure under consideration strangled by force of a House resolution adopted in advance for the purpose of fettering and controlling the action of the conference. The resolution of the 27th of February, 1883, compelled

the House conferees to enter that chamber of conference with the edict of the House on their necks, declaring the action of the Senate in ingrafting a tariff amendment upon a bill to reduce internal-revenue taxation in conflict with the Constitution and void. The conferees on the part of the House claimed the right to pocket and suppress that resolution, or to waive it temporarily and to hold it *in terrorem* over the Senate conferees in case they should refuse to enact such a tariff measure as suited the House conferees and the parties at whose dictation they were acting. They were aware of the strong desire on the part of a large majority of this body to effect some tariff reform at this session. They were aware that this body desires to be responsive to the demand of the country for a cessation of agitation, for an end to uncertainty, for some repose, for some stability upon which business can be organized, energy can be expended, and enterprise be made safe for the owners of capital and the labor dependent thereon. They knew that, and they traded upon it by hampering their conferees with a resolution that should turn the action of the Senate into dust and ashes, provided it was not made to conform to the demands of those who had caused that resolution to be passed and who brought it, as I say, like a halter round the neck of the conference.

A conference upon the disagreeing votes of the two Houses! What disagreement has taken place? Wherein had the House disagreed with the Senate? Where was the vote upon which they disagreed? Where is the item upon which they disagreed? Has the House refused to concur in the Senate amendments? Certainly not. No vote has been taken, for none has been permitted. The fact stands before the country that a minority of the House by a subterfuge has prevented the majority of that body from having an opportunity to express their will upon this subject.

Mr. President, the House of Representatives has never voted upon any of the Senate amendments to this bill. The amended bill has never been before the House for agreement or disagreement. The measure that was used by the House conferees in the conference committee as a test of the judgment of the House of Representatives was a House bill that I hold in my hand, that never was acted upon in the House, but was simply the result of their action in Committee of the Whole. It was no conclusive expression of the will of that body, and yet that was adopted as the test of what the House would demand; that is to say in certain cases only, and under such irregularity did that conference proceed and upon it their report has been made. How can you describe such a conference as one upon the disagreeing votes of the two Houses, when one of the Houses had never voted upon any of these measures, and never upon the same bill or rather upon the amendments now objected to by the House conferees.

But, Mr. President, when before in the parliamentary history of the Senate and the House was it ever attempted, or rather where before was the attempt ever permitted to be successful of a committee of conference to amend a proposition upon which the two Houses were not in disagreement? Yet that was done in the present case almost upon the very forehead of this bill. The item of iron ore had been fixed by repeated votes of the Senate at the rate of 50 cents per ton. The House of Representatives, in the bill which I hold in my hand, acting in Committee of the Whole, had fixed the same rate of 50 cents, and yet when the House conferees, professing to represent the will of the House, and the Senate bill equally representing the will of the Senate, came into conference it was discarded; and what had the exact concurrence of the two Houses was amended by the committee of conference by advancing the duty from 50 to 75 cents per ton. At whose instance was this change made? What disagreeing vote was made the basis of such departure from the recorded sentiment of both Houses?

Now, wholly irrespective of the merits of that amendment, it is utterly unwarranted by parliamentary law and usage and never should be accepted by the Senate. *Ex uno disce omnes*. There would be no strengthening of this argument by repeating and multiplying similar illustrations, of which this bill is full.

But, sir, look at what is termed the similitude clause of this bill, which provides that—

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates.

Is there any precedent for this in any tariff law of the United States? It is a new departure. It not only is unprecedented, but dangerous, accompanying this tariff law like an evil principle throughout with all its multifarious schedules and items from first to last, but it is fraught with danger and renders it impossible for any man to say, with all the variety and all the novelty of invention of which this age is full, you can not tell, no man can tell what rate of duty shall be assigned to an article, except that, if there are two rates of duties, under either of which it may possibly be assigned, shall always be placed under the highest, no matter what would be the rational construction of the statute.

Mr. President, what becomes of the whole current and the meaning and principle of the decisions of the judicial branch of this subject? In 1881, at the October term, in the case of *Vietor vs. Arthur*, now the President, and then collector of the port of New York, the Supreme Court declared:

It is also well settled that when Congress has designated an article by its specific name and imposed a duty on it by such name, general terms in a later act,

or other parts of the same act, although sufficiently broad to comprehend such article, are not applicable to it.

But under this new law wherever you can discover a higher duty than by any construction can be declared upon an article, that higher duty shall always be applied according to this new conference law. There are abundant illustrations of this. Turn to page 24 and observe the enormous advance upon earthen-ware, stone and crockery ware; an article not of luxury, an article of necessity in use by the mass of the people, and the poorest of the people, and essential for their comfort and decent living, has been advanced under this report from 50 to 60 per cent. ad valorem, and here you find on the same page two sections of the law imposing two distinct rates of duty upon the same article, and under the rule laid down by the Supreme Court a construction could have been applied that would have given the lower duty to this because it had been specifically described, and not put under the general enumeration; but under this proposed conference law the highest tax must be fixed in every case, and this, I say, is wholly without precedent in any tariff law ever passed by an American Congress.

I call the attention of Senators to this provision, on page 43 of the bill:

Manufactures, articles, or wares not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, copper, lead, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem.

The Senate fixed the rate at 35 per cent. ad valorem, and it has been advanced to 45 per cent. ad valorem, a difference of nearly 33 per cent., by the committee of conference in disregard of a vote repeated by the Senate after full debate.

Now, cast your eye over the two or three preceding pages and you will see articles composed in part of one metal and in part of another, articles composed partly of wood and partly of metal, all of which, if non-enumerated, would come under that clause; and now what will be the result? An article which might have been taxed 10 or 20 or 25 per cent. must, under this new-fangled and mandatory phrase, have the very highest tax anywhere discoverable in the law imposed upon it.

Mr. President, there was nothing else in this report than this general rule of taxation, which is to run throughout the entire law, which was the invention of the Tariff Commission, which will be found recommended in their report, which was considered by the Committee on Finance and disagreed to by that committee. They refused to place that in the bill reported to the Senate.

The House conferees chose to adopt it, and they have, as usual throughout this bill, forced their demand down the throat of the Senate conferees under compulsion of their House resolution threatening to declare all Senate amendments void and unconstitutional if they were not molded to suit the taste of the House conferees or the interests represented by them.

Now, sir, if there was no other feature in this report than that, I would not vote for it. I say it is sweeping, far-reaching, the effect not calculable, but the result of which, as a general fact, will be enormously to increase duties, because wherever there is a doubt, or wherever there is a construction that would have assigned a lower duty to an article, it is provided by this clause that the very highest duty must be imposed. I say it has wiped out and destroyed the whole force and current of judicial decision upon which the business of the country has rested and which the Supreme Court of the United States has declared to be the settled law of the land.

But beyond that what has been done? Salt, a necessary of life, has been increased 30 per cent.; iron ore has been increased 50 per cent.; steel rails have been increased 15 per cent.; steel in other forms, 10 to 12 per cent.; earthen-ware 20 per cent.; jute butts somewhere from 50 to 75 per cent.—I believe I am right in that statement; certainly jute butts were on the free-list, and \$5 per ton has been affixed. It subjects them to a very high ad valorem duty, although I do not know that I can state it accurately. Books in a foreign language, none of which worthy of mention are published in this country, which are needed by the scholars and instructors of the country; which are not an article of manufacture in this country, which were placed by the Senate on the free-list, have been stricken out by this conference and subjected to a duty of 25 per cent. ad valorem. Books in the English language have been advanced from 15 to 25 per cent.

But, sir, I did not intend at this time to run through these schedules and show how in almost every case advance has been made and how serious the advance is, but the clause to which I have referred, which adopts a rule of construction that shall place the very highest possible tax upon every important article, is one utterly unprecedented in tariff legislation, and is fraught with results to which I will never give my consent. It is absurd to speak of reduction in the face of such a sweeping provision of advance.

What was the use of providing that the natural mineral waters of Europe, so conducive to the health of our people, waters which can not be found in the United States, should be admitted free, when you tax at an enormous ad valorem duty the bottles or the jugs which contain them? It was the distinct vote of the Senate that the incident of the grant should follow the principal, and that when you granted the right to import and use these waters free of duty you included necessarily all the incidents which accompany the grant, and that the means of their transportation, the bottles and jugs that contain them, should

also come in free of duty; but that has been prevented, so that in affixing a heavy duty to the bottle or the jug you have virtually denied the freedom of the importation of these healthful waters.

Mr. President, I can not comment on all the features of this bill. I have referred to many. At page 38 there is an increase of 30 per cent. upon steel. At line 784, on "steel not specially enumerated or provided for in this act" the Senate fixed the duty of 30 per cent. and it is increased to 45 per cent., an increase of 50 per cent. in the taxation, which is accepted by the Senate conferees, and not mentioned when their action was recited here to the Senate by the chairman.

Mr. President, I will not profess that I am greatly surprised or disappointed in the result of the attempt this winter and at this session to procure a reform and a reduction of tariff taxation. I have not underrated nor do I now underrate the power of the organized manufacturers of this country, entrenched behind the forms of law, to defy the attempts to reform that law. I have regarded the formation of the Tariff Commission, for which I voted, I have regarded the attempt to frame this law for which I voted, as mere preliminary skirmishes in the struggle that is to come hereafter and of the ultimate result of which I have not a shadow of doubt. These favored interests are strong. They have grown strong and rich by the inequity and inequality of legislation. They have by means of privileges withheld from other classes of citizens become entrenched in wealth and power and in strength; but there is one thing stronger even than they, and that is the force of an intelligent and aroused public opinion. That is stronger and in the end will prevail. The day is sure to dawn, although this Congress has postponed it; their triumph is to-day, but the triumph of popular right and interest is as sure to come as the sun itself is to rise.

I regret the agitation that accompanies this change. I would wish it to end as speedily as possible. I hold that stability is essential for honest dealing and prosperity; and for that reason I regret all this delay and agitation and uncertainty upon this vast and important subject. I have done the best I could to lessen it; I have done the best I could to promote in this Chamber and out of this Chamber, privately and publicly, the passage of a law of moderate, conservative, just tariff reform, a reduction of the rates and the simplification of the methods both in collection and calculation; and, sir, I have been defeated and disappointed. The people of this country can not be always misled by a press that studiously suppresses or misrepresents; they can not be prevented from ultimately coming at the truth. It will break through the meshes of any net that may be spread to restrain it and that final perception of the truth is what we must await—I do so confidently. I believe that a reform to be safe must be gradual. I can not say that I regret the delay that has taken place. It has turned the mind of the American people to the consideration of the subject. They are comprehending gradually but justly and fairly the rights and principles involved in this question, and I believe them capable of a proper adjustment of the laws of this country, which shall produce equality of rights under the form of taxation.

It is, I say, much to be regretted that this attempt to pass a moderate measure of relief to the country, a reformation of taxation, such as I held the Senate bill to be, has been defeated. I do not stand here taking petty party advantage from it. I am perfectly aware that in the ranks of both parties there are decided differences of opinion upon the subject. I know men of the Republican party who share the views I hold, and I know gentlemen in the Democratic party who differ from me *to celo* upon the subject of tariff taxation.

There must come an adjustment of this subject, and I am willing to approach it by well-advised, steady, and conservative action. That has been thwarted by the character of the Tariff Commission and the action of the present Congress. The people of this country must know that the powers of legislation have been seized and controlled in favor of private and against public interests, and this report and the result reached so far is the proof of what I now say. The amazing spectacle is now before the American people of the bold, strong hand of private and privileged interests seizing in its grasp the legislative powers of the nation and bending them to their will—the sovereign power of taxation made a mere tributary to private and class interests. I believe this bill and the very questionable methods taken to secure its passage will prove a valuable lesson to the American people, and prove a costly and short-lived triumph to its promoters. Sir, I shall vote against this report, and hope the Senate will not adopt it. I have a well-founded belief that when it is unfettered from the present abnormal rule the House of Representatives will be glad to accept the amendments of the Senate to the bill originally sent to us.

One good result of the defeat of this report of the committee of conference and the refusal to adopt it will be that, for the first time, a majority of the House of Representatives will have an opportunity to record its vote, yea or nay, upon this subject.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 1821) prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes.



The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 7181) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1884, and for other purposes; and it was thereupon signed by the President *pro tempore*.

SOLDIERS' HOME.

Mr. LOGAN. I ask leave to make a report at this time from the conference committee on the bill prescribing regulations for the Soldiers' Home located near Washington city.

The PRESIDING OFFICER (Mr. GORMAN in the chair). The Senate is already considering one conference report; and it requires unanimous consent.

Mr. LOGAN. I hope there will be no objection. It will take but a moment. It has been agreed to in the House.

The PRESIDING OFFICER. The Chair hears no objection, and the report will be read.

The Acting Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1821) entitled "An act prescribing regulations for the Soldiers' Home, located at Washington, in the District of Columbia, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, and 10. That the Senate recede from its disagreement to amendment numbered 9.

That the Senate recede from its disagreement to amendment numbered 8, with an amendment as follows:

"Sec. 7. That the governor and all other officers of the home shall be selected by the President of the United States, and the treasurer of the home shall be required to give a bond in the penal sum of \$20,000 for the faithful performance of his duty."

That the Senate recede from its disagreement to House amendment numbered 11, with an amendment as follows:

"Sec. 10. That the board of commissioners of the Soldiers' Home shall hereafter consist of the General-in-Chief commanding the Army, the Surgeon-General, the Commissary-General, the Adjutant-General, the Quartermaster-General, the Judge-Advocate-General, and the governor of the home; and the General-in-Chief shall be president of the board, and any four of them shall constitute a quorum for the transaction of business."

That the House recede from its amendment numbered 12, with an amendment as follows:

"Sec. 12. That the sum of \$10,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated to be expended by the Secretary of the Treasury in the employment of additional clerical force to be used in adjusting the accounts in the Treasury Department of those funds which under the law belong to the Soldiers' Home."

That the House agree to section 2 with an amendment: "Sec. 2. That the Inspector-General of the Army shall in person once in each year further inspect the home, its records, accounts, management, discipline, and sanitary condition, and shall report thereon in writing, together with such suggestions as he desires to make."

And agree to the same.

JOHN A. LOGAN,  
W. J. SEWELL,  
WADE HAMPTON,  
*Managers on the part of the Senate.*  
THOMAS J. HENDERSON,  
ANSON G. MCCOOK,  
EDWARD S. BRAGG,  
*Managers on the part of the House.*

The PRESIDING OFFICER. The question is on the adoption of the report.

The report was agreed to.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate resumed the consideration of the report of the committee of conference on the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. VANCE. Mr. President, it is not with the hope of influencing the vote of any Senator on the passage of this conference report that I rise to say a word. I simply desire to assist my brother Senators on this floor in emphasizing the real measure which is now before the country. I desire to express my sympathy with the brethren on the other side of the Chamber in the trying circumstances in which they find themselves and in the difficult rôle which they have undertaken to perform. They have really a trying time of it. They have two masters to serve; and we are told in the sacred writings how difficult that is to do successfully. On one side they have the great capitalists of this country to placate, the chartered monopolies that furnish the sinews of war for campaigns, and to maintain the supremacy of their party. They have them to please. On the other hand they have undertaken to meet a great popular demand of the millions of people who inhabit this country and who are taxed for the benefit of these monopolists. How they are going to act so as to please both passes my comprehension. I do not believe that they can do it. But they set out in the only practicable way, and that is, to avoid the publicity which attends legislation in its ordinary course in this country and to resort to a secret conclave, a Venetian Council of Ten, a kind of political star-chamber, called a con-

ference committee, whose proceedings are hidden, and where the light of publicity could not be poured in upon them.

It was evident to all of those who were versed in our proceedings and have served long in this Chamber that the attainment of a conference committee was the object from the very beginning. The manner in which these bills were started simultaneously in the two Houses, the manner in which the one House stopped its bill and the other House kept on, the manner in which the rules of one House were changed so as to enable this conference to be attained and the conference secured in the manner in which it was—all these things indicated very plainly that there was to be an attempt to meet these trying circumstances in a manner that the public would not have its usual insight into.

I want the country, so far as I can make it known, to understand how this thing has been done. I want the hundreds of thousands and millions of taxed people in this country, who have been trying to bring about a reduction of taxes, to know how this legislation has been conducted. I want them to know that which I know, and which you, Mr. President, know, and which all the Senators in this Chamber know, that at no time in this discussion has there been anything said or anything done looking to the interests of the revenues of this Government. Nor has there been at any time anything done or said, by the dominant party, I mean, of course, looking to the interests of the consumers, looking to the interests of the people who have the taxes to pay, looking to the interests of the poor and of the laboring men. I want that understood. There has been no attempt to reduce taxation, though there has been some attempt to reduce revenue by putting the duties so high that it will yield none. I want the country to know that in the course of our proceedings here for now nearly two months there has been nobody consulted but the capitalists of this country. There has been nothing consulted but the greed and the rapacity of these cormorants, who have fastened themselves upon the American people.

When this bill did get into the committee of conference, I did not have the honor of being a member of that committee and therefore I can not speak of it from personal knowledge, but I understand that the protected capital of this country thronged this city, and the hotels and the corridors and lobbies of the Capitol and besieged the doors of that committee-room, more resembling the scene of an assemblage of tramps and dead-beats around a free-lunch room than anything else that it could be compared to, while dispatches by the hundred came from over the country advising Senators and Representatives—not what would be for the public good, but what they would be satisfied with. I, myself, can bear witness that one clause inserted by the conference committee in the bill is in the precise language of a circular addressed to me—I reckon it came by mistake—by one of the manufacturers in this country. They took precisely his words and gave him just what he asked. They have vastly increased the items in the bill as adjudicated by the solemn sense of the United States Senate. They have, as shown by the Senator from Kentucky, increased those things wherein both Houses of Congress had agreed. They have increased things that nobody on the floor of the Senate had asked to be increased.

What they have done in the way of reducing the duties the Senator from Kentucky showed you, and it would only weary the Senate and weary me to go over the list. He did not nearly exhaust it. I might add a great many items of increase that he omitted, but he showed you wherein the conference committee had increased the burdens of the people and increased the taxation instead of diminishing it. What did they give us for all this increase? They increased the duty, for instance, on salt about 20 per cent. over what the Senate decided it should stand at. They increased it about 20 per cent. over what the Tariff Commission said they would be satisfied with. They restored the present duty in this bill, to wit, 8 cents for salt in bulk and 12 cents for salt in sacks, making the duty on salt as it now stands, ranging from 68 to 80 per cent. On cotton bagging they have increased the duty over and above what the Senate decided it should be about 150 per cent. They have taken jute butts, which was placed on the free-list in order to give the manufacturers of cotton bagging cheap raw material, and they have restored the duty of \$5 a ton upon that. The Senate has made the duty on cotton bagging manufactured from the jute butts 20 per cent., and they have raised it now to about 50 per cent., which is 150 per cent. over what the Senate decided on, and is about three times what it should be if the due proportion between the raw material and the manufactured article was maintained. They have raised it on earthen-ware, the common earthen-ware of the poor people of the country, so that the very commonest article will be taxed, if it has a little paint on it, or any kind of ornamentation or Sunday doings, from 20 to 30 per cent. higher than the fine white unpainted china that sits upon the rich man's table. That is what this tariff conference committee has done.

They have raised the duties on women's and children's woolen goods, and they have inserted a new paragraph in the tariff schedule for the express purpose of taking a certain class of goods out of the residuary clause where it came in much cheaper, and they have imposed that duty for the benefit of woolen manufacturers upon all the women and children in this country. They have absolutely gone to the free-list and robbed it of an article used only by the cooks and old women of the

country for raising bread when the flour will not raise of itself, and they have taken the yeast-cakes off the free-list and put them on the dutiable list for the benefit of some struggling industry, not for some starving infant that would like to eat the cakes, but they have raised the duty on yeast for some starving, struggling infant industry. They have raised the duty on iron and steel, and they have raised it upon all goods manufactured of them. They have raised it upon knowledge; they have raised it upon the books and the literature of this country from 15 per cent. to 25 per cent.; 40 per cent. have they added to the price of knowledge in this country for our children.

What have they placed upon the free-list to compensate for all this? Mr. President, listen while I recount, while I tell the wondrous story of how the tariff conference committee in secret conclave have relieved the burdens of taxation upon the American people. They have absolutely put "hop-poles" upon the free-list; 150 per cent. increase on the bagging with which the farmer ties his cotton for market, and 40 per cent. increase upon the earthen-ware dish out of which he eats his dinner, 25 per cent. increase on the salt with which he seasons his food, or keeps his stock alive or salts his meat; and an increase in proportion upon woolen goods that clothes his wife and his child; upon the iron goods with which he pulls the plow and on the plow itself which makes his crop; in return for all that he shall absolutely have the privilege of buying his hop-poles free for the vines to climb on. That is everthing they have done upon the free-list.

Mr. President, what kind of a way is this to meet a grave issue? When the people of a great nation, 50,000,000 in number, say that the Treasury is overflowing with money that there is no need for, and that only breeds jobbery and corruption, and they want to preserve the purity of the country and to lower their taxes at the same time; and when the thunders of 1882 reverberated from Maine to the golden sands of the Pacific in tones that no wise politician would mistake, indicating that the people had determined to have this, and the Congress of the United States meets here and in pretended obedience to that demand undertakes to reform this great schedule of taxes, I say what sort of a poor, pitiable, and contemptible showing is this? And does any man suppose that the people of these United States are going to be deceived by it? Is there anybody in this country who can be deluded into the belief that the Republicans who have control of this Congress would have given us a better bill but for the obstruction thrown in their path by the minority? No, Mr. President, you may have all the conference committees in the world, and you may double-lock the doors, and you may prevent even a bird of the air from carrying the matter; you may cloud the question by all the protection newspapers that you can buy, and all the orators that you can hire, and you may obfuscate by all the means known to the demagogues, you can not fool the people of the United States. They will say to the party in power, "You had the power here; you had an opportunity and a fair chance; you knew our will; you knew our demands; you saw the lightning; you heard the thunders; you knew our will, and you obeyed it not;" and the balance of the instruction will follow.

I suppose perhaps there will be a pretense that there was some Democratic obstruction in that conference committee, when there were just barely enough Democrats there to see proceedings, as they say in court. You have had it all your own way, and as I say, the people will say to you, "You knew my will and you did it not, and he who knoweth my will and doeth it not shall be beaten with many stripes," and if I dared to paraphrase it I would say "Shall be beaten by many votes and by a large majority."

You had a chance to reduce this great schedule of tax; you had the chance to do it without disturbing business; you had the chance to do it without destroying manufactures. The manufacturers had their own way in the Tariff Commission. The whole thing was gotten up for them, and they controlled it; their own men were upon it, and they tramped up and down the United States for many, many months and drunk many, many bottles of excellent champagne to inspire them for their work. They reported, and it may be considered the report of the manufacturers themselves, and yet they were not satisfied with their own report.

You can not fool the people and satisfy the manufacturers. You can not reduce tariff duties and keep them up at the same time. It is an impossibility. You will have to make your choice. You will have to say "we are in favor of the capitalist and opposed to the people," or you will have to abandon the capitalist and do something to reduce taxes upon the people. Whenever you do that, whenever you make that choice and make it openly, then the great work of this generation will be more than half completed.

Mr. President, this is all I have to say. I wished in this way merely to assist in emphasizing, as I said at the beginning of my remarks, the opposition that I have to this whole matter, and to aid in showing the people the true state of things in regard to this tariff legislation. I voted against the bill as it went from the Senate. Of course I can not vote for the report of the conference committee, which is so much worse than the bill as we sent it to them.

Mr. MORRILL. I merely want to say that the understanding of the Senator from Delaware [Mr. BAYARD] in relation to two or more rates

of duty applicable to any imported article that the duty shall be classified under the highest of such rates is merely to prevent a mistake that may be made where an article may appear as equally included under one schedule as another. Had we not ascertained at the last moment that there was a mistake in the bill, it would have occurred in the report; an article like borax was included in the free-list and also in the taxable list. Under the rule adopted it will be taxable and not free.

I will add, as the Senator from North Carolina [Mr. VANCE] stated that we had raised the duty on cotton-bagging from what it was in the bill as it left the Senate, that we did not even touch it. We have not changed it in the least.

The PRESIDENT *pro tempore*. The roll will be called on concurring in the report of the conference committee.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). I have been paired with the Senator from Pennsylvania [Mr. CAMERON], but having transferred that pair to my colleague [Mr. HAMPTON], I vote "nay."

Mr. SLATER (when Mr. FERRY's name was called). The Senator from Michigan [Mr. FERRY] is paired with my colleague [Mr. GROVER]. The pair between the Senator from Michigan [Mr. FERRY] and the Senator from Nevada [Mr. FAIR] has been transferred.

Mr. BECK (when Mr. HALE's name was called). I voted "nay." I am paired upon this question and all others with the Senator from Maine [Mr. HALE], who is necessarily absent. I withdraw my vote. He would have voted "yea," I understand from his colleague.

Mr. WILLIAMS (when his name was called). I am generally paired with the Senator from Nebraska [Mr. SAUNDERS], but his colleague [Mr. VAN WYCK] tells me, and I know the fact, that he thinks if the Senator from Nebraska [Mr. SAUNDERS] were here, he would vote "nay." As I should vote nay—

Mr. ROLLINS. The Senator from Nebraska [Mr. SAUNDERS] notified me of his position on the tariff question, and he would vote "yea," if present.

Mr. WILLIAMS. I understand one thing. I do not go to the Senator from New Hampshire for instruction as to how I shall be governed in my pairs, but I go to the colleague of the Senator with whom I am paired.

Mr. ROLLINS. I have the authority from the Senator from Nebraska [Mr. SAUNDERS].

Mr. WILLIAMS. Show it to me and I will not vote.

The PRESIDENT *pro tempore*. Debate is not in order during the roll-call.

Mr. ROLLINS. I think I have a telegram here from the Senator from Nebraska [Mr. SAUNDERS].

Mr. WILLIAMS. You are too officious in regard to pairs here.

The PRESIDENT *pro tempore*. The Senator has a right to vote if he wishes, but debate is not in order.

Mr. WILLIAMS. I vote "nay."

The roll-call was concluded.

Mr. CAMERON, of Pennsylvania. I have been paired with the Senator from South Carolina [Mr. HAMPTON], but as I am told by his colleague [Mr. BUTLER] that if present he would vote probably the same way with myself, I vote "nay."

Mr. BUTLER. I am satisfied that my colleague would vote that way.

The PRESIDENT *pro tempore*. Does the Senator from Kentucky wish to have his vote recorded?

Mr. WILLIAMS. I have already voted "nay," and I do not go to the Senator from New Hampshire in reference to my pair.

Mr. EDMUNDS. Debate is not in order.

The PRESIDENT *pro tempore*. Debate is not in order. The Senator from New Hampshire has been out of order and so has the Senator from Kentucky. The Senator has the right to vote as he pleases.

Mr. WILLIAMS. I have voted.

Mr. VAN WYCK. I desire, in order to relieve the Senator from New Hampshire—

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

Mr. VAN WYCK. I desire to say that my colleague [Mr. SAUNDERS] is paired with the Senator from South Carolina [Mr. HAMPTON]. That enables the Senator from Kentucky to vote.

Mr. FRYE. The Senator from Pennsylvania [Mr. CAMERON] announces that he is paired with the Senator from South Carolina.

Mr. BUTLER. The Senator from Pennsylvania voted.

Mr. FRYE. He said he did that on the ground that the Senator from South Carolina, if present, would vote the same way.

Mr. DAVIS, of West Virginia. My colleague [Mr. CAMDEN] is paired with the Senator from Colorado [Mr. TABOR].

Mr. CONGER. I desire to announce that my colleague [Mr. FERRY] is paired, as I understand, with the Senator from Nevada [Mr. FAIR].

The PRESIDENT *pro tempore*. That pair was changed to the Senator from Oregon [Mr. GROVER].

Mr. CONGER. I was not aware of that change.

Mr. MITCHELL. I am paired with the Senator from Virginia [Mr. JOHNSTON].

The result was announced—yeas 32, nays 31; as follows:

## YEAS—32.

Aldrich,	Edmunds,	Kellogg,	Morrill,
Allison,	Frye,	Lapham,	Platt,
Anthony,	Harrison,	Logan,	Plumb,
Blair,	Hawley,	McDill,	Rollins,
Cameron of Wis.,	Hill,	McMillan,	Sawyer,
Conger,	Hoar,	McPherson,	Sewell,
Davis of Ill.,	Ingalls,	Mahone,	Sherman,
Dawes,	Jones of Nevada,	Miller of N. Y.,	Windom.

## NAYS—31.

Barrow,	Fair,	Jones of Florida,	Slater,
Bayard,	Garland,	Lamar,	Vance,
Brown,	George,	Maxey,	Van Wyck,
Butler,	Gorman,	Morgan,	Vest,
Call,	Groome,	Pendleton,	Voorhees,
Cameron of Pa.,	Harris,	Pugh,	Walker,
Cockrell,	Jackson,	Ransom,	Williams.
Coke,	Jonas,	Saulsbury,	

## ABSENT—13.

Beck,	Ferry,	Johnston,	Tabor.
Camden,	Grover,	Miller of Cal.,	
Davis of W. Va.,	Hale,	Mitchell,	
Farley,	Hampton,	Saunders,	

So the report was concurred in.

Mr. ROLLINS. I desire to put myself right upon the record. During the roll-call my authority to pair the Senator from Nebraska [Mr. SAUNDERS] was called in question by the Senator from Kentucky [Mr. WILLIAMS]. I had informed him and the Senate that I had authority in a telegram to act as umpire in such a case. This was denied and I was taken severely to task for presuming to say what I had said on the floor of the Senate. I do not purpose under any circumstances to usurp any authority in this matter, but in order that there might be no mistake about it I some time since telegraphed to the Senator from Nebraska and I have his reply which I will read. I asked him the simple and square question as to whether I had authority to act in such a case. This is his reply:

TREASURY DEPARTMENT,  
Washington, D. C., February 14, 1883.

To Hon. E. H. ROLLINS:

Yes; except in the case of free lumber. I had instructed Senator VAN WYCK to attend to that.

A. SAUNDERS.

He instructed his colleague to attend to his pairs as far as free lumber was concerned, but in all other matters he authorized me to act for him.

Mr. WILLIAMS. In explanation of my own conduct in the matter I have to say—

Mr. ROLLINS. Allow me to get through. I trust the Senator from Kentucky will see from this that I have not been officious about the matter.

Mr. EDMUNDS. Mr. President—

Mr. WILLIAMS. I rise to a personal question.

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

Mr. WILLIAMS. Allow me a moment in response to the Senator from New Hampshire. I have the floor.

Mr. EDMUNDS. I withdraw the motion for a moment.

Mr. WILLIAMS. In response to the Senator from New Hampshire I have to say that that telegram he reads now to make an impression upon the Senate is dated over two weeks ago. The Senator from Nebraska [Mr. SAUNDERS] and I have a general pair, and he and I have voted together in the reduction of the tariff from the beginning, and an examination of the records will show that I have never when I was in the Senate failed to vote. The Senator from Nebraska was here this morning himself, and told me it was perfectly indifferent to him; and I went to his own colleague and transferred my pair on this matter; and I call it officious in the Senator from New Hampshire upon an old telegram dated the 14th of last month to undertake to control my pair on this vote. The telegram is dated before the bill was passed by the Senate; it is dated nearly three weeks ago.

Mr. ROLLINS. That was the—

Mr. WILLIAMS. The Senator now excuses himself for an interference with me in the arrangement I had made with the colleague of the Senator from Nebraska himself. I thought it was officious upon his part, and therefore I resented it, and I do so now.

Mr. ROLLINS. Allow me one word. This simply had reference to the tariff bill which is now under consideration, and it never has been revoked at all.

## HOUSE BILLS.

Mr. EDMUNDS. Mr. President, the unfinished business, the bill of my friend from Alabama [Mr. MORGAN], being before the Senate, I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. Before putting the motion it is desired to have some bills from the House of Representatives printed.

Mr. EDMUNDS. They may be read the first time, but the first time only.

The bill (H. R. 5543) to confirm certain entries of the public lands was read the first time by its title.

Mr. EDMUNDS. I object to the second reading of the bill.

The joint resolution (H. Res. 338) in relation to the claim made by Dr. John B. Read against the United States for the alleged use of projectiles claimed as the invention of said Read, and by him alleged to

have been used pursuant to a contract or arrangement between him and the War Department, and for which no compensation has been made, was read the first time by its title.

The bill (H. R. 7611) to adjust the salaries of postmasters was read the first time by its title.

Mr. EDMUNDS. I renew the motion that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 34 minutes a. m., Saturday, March 3) the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 2, 1883.

The House met at 11 o'clock a. m. Prayer by the Rev. H. D. CLARK, of Baltimore.

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

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 7595) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes; in which amendments the concurrence of the House of Representatives was requested.

## ORDER OF BUSINESS.

Mr. WILLITS. I move to suspend the rules and take from the Committee of the Whole—

The SPEAKER. That motion would not be in order prior to the execution of the POUND rule. The Chair recognized the gentleman, understanding that he desired to ask unanimous consent.

Mr. WILLITS. I will make the motion then at a later hour in the day.

Mr. CALKINS. I demand the regular order.

## CORRECTION.

Mr. NEAL. I wish to state that I was paired with the gentleman from Missouri [Mr. BLAND] on the river and harbor bill on yesterday as shown by the RECORD. Had it not been so I should have voted, as I have always done, against the bill.

Mr. COX, of New York. I wish to say the same thing. I should have voted against the bill had I been present.

## ORDER OF BUSINESS.

Mr. CALKINS. Let us have the regular order.

The SPEAKER. The regular order is the proceeding under the POUND rule.

At the time that the hour expired when this rule was last under consideration by the House there was a bill which had been called up by the gentleman from Wisconsin [Mr. POUND] on behalf of the Committee on the Public Lands.

Mr. CALKINS. I desire to give notice that immediately after the expiration of this hour under the POUND rule I shall call up the contested-election cases. I give this notice so that members may be aware of the fact.

## CONFIRMATION OF PUBLIC LAND ENTRIES.

The SPEAKER. The bill which had been called up by the Committee on the Public Lands under the POUND rule was the bill (H. R. 5543) to confirm certain entries on the public lands. This bill had been read and was printed in the RECORD.

Mr. ANDERSON. Can it be read again?

The SPEAKER. Only by unanimous consent. This hour can not be taken up in that manner.

Mr. ANDERSON. I would like to know what the bill is.

Mr. POUND. Let the title of the bill be read.

The SPEAKER. The title of the bill has been announced. It has been read and is printed in the RECORD of the proceedings of the 26th of February.

Is there objection to the present consideration of this bill?

There was no objection.

Mr. LACEY. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LACEY. I wish to know in what manner this proceeding will affect the standing of the postmaster's salary bill, which comes over as the unfinished business?

The SPEAKER. It has nothing to do with it.

Mr. HOLMAN. What is the bill to which the gentleman from Wisconsin refers?

The SPEAKER. The gentleman from Wisconsin is entitled to the floor and will explain the bill.

Mr. POUND. It will be remembered, Mr. Speaker, that the bill under consideration (H. R. 5543), a bill to confirm certain entries on the public lands, was called up by the Committee on the Public Lands on the 26th instant, was read, and, with the report, was also printed in the RECORD. At that time, and before the consideration of the bill had begun or before objection had been asked to its consideration, the hour