

citizens, of Marshall County, Iowa, that the duties on flaxseed and linseed oil remain unchanged—to the Committee of Ways and Means.

By Mr. COBB: The petition of citizens of Vincennes, Indiana, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on Education and Labor.

By Mr. COVERT: The memorial of John Graham, for compensation for the damages and loss sustained on account of the detention of steamships belonging to him, by order of the President of the United States—to the Committee on the Judiciary.

By Mr. FULLER: The petition of the Good Templars of Indiana, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on Education and Labor.

By Mr. GIDDINGS: Papers relating to the claim of William Moses and Felix Half—to the Committee on War Claims.

By Mr. GLOVER: The petition of Dr. Mary E. Walker, that she be paid \$10,000 for expenditures, services, and sufferings in the interests of sick and wounded soldiers during the late war—to the Committee on Military Affairs.

By Mr. HASKELL: The petition of the Silk-Hatters Association, for a reduction of the tariff on hatter's plushes—to the Committee of Ways and Means.

By Mr. HENDEE: The memorial of O. and C. Steam-Mill Company and other manufacturers, at South Barton, Vermont, employing eighty workmen, that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of such tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity—to the same committee.

By Mr. HENDERSON: The memorial of Rock Island Cotton Manufacturing Company and other manufacturers of cotton, lumber, &c., at Rock Island, Illinois, employing five hundred and fifty-five workmen, of similar import—to the same committee.

By Mr. HENKLE: Papers relating to the claim of George Calvert—to the Committee on War Claims.

By Mr. HOUSE: Papers relating to the claim of John M. Shelton, of Davidson County, Tennessee—to the Committee of Claims.

By Mr. ITTNER: The petition of the Good Templars of Missouri, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Judiciary.

By Mr. KEIFER: The petition of Professor Young, of Princeton College, and 12 other presidents and professors of colleges and other public institutions, that the Washington Naval Observatory be moved to a healthier and otherwise better location, and to secure for it fire-proof buildings—to the Committee on Naval Affairs.

By Mr. KNOTT: The petition of Good Templars of Kentucky, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Judiciary.

By Mr. LAPHAM: The memorial of the National Land Reformers' Association, that the public lands be disposed of only to actual settlers—to the Committee on Public Lands.

By Mr. MACKEY: The memorial of W. M. Allison & Brother, and other manufacturers of woollens at Potter's Mills, Pennsylvania, employing twenty-four workmen, that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of such tariff legislation in the opinion of practical business men is such as would best promote the restoration of general prosperity—to the Committee of Ways and Means.

By Mr. SAYLER: Papers relating to the claims of Thomas H. Foulds and Charles Gordon—to the Committee of Claims.

By Mr. WARNER: The petition of Charles F. Raymond, heir of Jesse Smith, deceased, that he be paid the pension due the widow of said Smith—to the Committee on Revolutionary Pensions.

Also, the petition of James B. Hoyt and others, for the erection of a light-house or beacon in Stamford Harbor, Connecticut—to the Committee on Commerce.

By Mr. WILSON: The memorial of J. H. Clifton & Sons, and other manufacturers at Weston, West Virginia, employing seventeen workmen, that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and the nature of such tariff legislation as in the opinion of practical business men would best promote the restoration of general prosperity—to the Committee of Ways and Means.

Also, a paper relating to the establishment of a post-route between Normantown and Germantown, West Virginia—to the Committee on the Post-Offices and Post-Roads.

IN SENATE.

THURSDAY, January 10, 1878.

DAVID H. ARMSTRONG, a Senator from the State of Missouri, appeared in his seat to-day.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.

The Journal of the proceedings of Saturday, December 15, 1877, was read and approved.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. No. 119) to remove the charges against Lieutenant Charles Wilkinson, late of Company K, One hundred and second Regiment Pennsylvania Volunteers, on file in the War Department; and

A bill (H. R. No. 694) for the relief of William H. Needham, late second lieutenant of Company D, Twenty-second Regiment Iowa Infantry.

The bill (H. R. No. 1487) making appropriations for the payment of claims reported to Congress under section 2 of the act approved June 16, 1874, by the Secretary of the Treasury, was read twice by its title, and referred to the Committee on Claims.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a message from the President of the United States, transmitting a special report of the Commissioner of Agriculture upon the subject of forestry; which was referred to the Committee on Agriculture, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FERRY presented a petition of citizens of Michigan, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising citizens of the United States on account of sex; which was referred to the Committee on Privileges and Elections.

He also presented the petition of Jay Smith and others, citizens of Saginaw, Michigan, praying for a modification of the bankrupt law; which was referred to the Committee on the Judiciary.

Mr. CONKLING presented the petition of the Alaska Gold and Silver Mining Company, praying that such protection be afforded to citizens of the United States as will enable them to prosecute business enterprises, and that Alaska be attached to the district of Oregon for all judicial purposes; which was referred to the Committee on the Judiciary.

He also presented the petition of S. E. Jackson and others, citizens of Hancock, New York, representing that many pensioners are sufferers by an unwise limitation in the pension law, and praying for an amendment thereto; which was referred to the Committee on Pensions.

He also presented the petition of George B. Sloan and others, citizens of Oswego, New York, praying for an increase of the salary of letter-carriers to \$100 per month; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Helena Stanton, Mary R. Pell, Martin Lewis, E. W. Pullman, and others, citizens of New York City; the petition of Amanda Diego, Anna Wilber, E. Kincker Boeker, Leonard J. Tripp, and others, citizens of Dutchess County, New York; and the petition of Helen M. Loder, Charlotte H. Dickinson, W. Moore, and others, citizens of Poughkeepsie, Dutchess County, New York, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. DAWES. I present the petition of E. B. Sargent, Mrs. Phineas Haynes, Sarah A. Bean, Charles F. Smith, and others, citizens of West Haverhill, Essex County, Massachusetts, and the petition of Nancy C. Gilman, Susan L. Smith, N. A. Davis, Nathan Pierce, Francis J. Winship, and others, citizens of Lexington, Middlesex County, Massachusetts, making the same prayer as those last presented by the Senator from New York. I move their reference to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. DAWES presented the memorial of the Boston Board of Trade, remonstrating against the enactment of any law whereby the silver dollar shall be made an unlimited legal tender until the principal nations of Europe shall concur in a general remonetization of silver, and praying that present legislation upon the subject of coinage may be limited to the promotion of negotiations with other powers for universal bi-metallism; which was referred to the Committee on Finance.

Mr. DAWES. I present the petition of Robert C. Winthrop, Charles W. Eliot, I. Ingersoll Bowditch, Benjamin Pierce, and Edward C. Pickering, citizens of Cambridge, Massachusetts, praying that Congress may remove the Naval Observatory in Washington to some more healthy position. As that matter is already pending, I believe, before the Committee on Naval Affairs, (certainly it is not before the Committee on Public Buildings and Grounds,) I ask that this petition be referred to that committee.

The VICE-PRESIDENT. The petition will take that reference, if there be no objection.

Mr. DAWES presented the petition of Elijah Shaw, manufacturer of woollens, of Wales, Massachusetts, employing seventy workmen; the petition of C. D. Hunt, agent, manufacturer of tacks, of Fairhaven, Massachusetts, employing one hundred and ten workmen; and the petition of Whitehead & Atherton, and others, manufacturers and machinists, of Lowell, Massachusetts, employing one hundred workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an offi-

cial inquiry the condition of the industries of the country and that the nature of such tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

Mr. SARGENT presented the petition of Clarinda J. H. Nichols, Elizabeth Ristine, J. Y. Griffiths, George B. Nichols, and others, citizens of Colpella and Pomo, Mendocino County, California, and the petition of Sarepta C. White, M. D., Nancy J. Potter, Rollin C. Anderson, M. D., Robert G. Perkins, and others, citizens of San Francisco, California, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. RANDOLPH presented the petition of the Mercer Pottery Company, manufacturers of pottery, of Trenton, New Jersey, employing two hundred workmen, and the petition of the Raritan Woolen Mills and others, manufacturers and machinists, of Raritan, New Jersey, employing six hundred and ninety workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of such tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

Mr. BAILEY. I present petitions of the same character as those just presented by the Senator from New Jersey, from Henry Warren & Son, manufacturers of cotton, of Oregon, Tennessee, employing thirty workmen; from the Rockford Manufacturing Company, of Rockford, Tennessee, employing fifty-five workmen; and from Hutchinson & Son, manufacturers of woollens, of Appleton, Wisconsin, employing one hundred and eight workmen. I move the reference of these petitions to the Committee on Finance.

The motion was agreed to.

Mr. KERNAN. I present three petitions, one from the Peru Steel and Iron Company, manufacturers of iron and steel, of Clintonville, New York; one from Wagman, Thorpe & Co., manufacturers of paper, of Fort Miller, New York; and one from Fisher & Morehouse, manufacturers of carriages, of Naples, New York, each praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of such tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity. I move the reference of these petitions to the Committee on Finance.

The motion was agreed to.

Mr. KERNAN presented the petition of Helen M. Cooke, Emma J. Armitage, W. W. Andrews, E. R. Butler, Lizzie A. Price, and others, citizens of New York City, and the petition of Adalina Lockwood, M. Josephine Gamble, and others, citizens of Albany County, New York, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. KERNAN. I present three petitions, one from Mrs. Elizabeth W. Kenedy, one from Helen C. Kenedy, and one from Jane T. Welton, of the State of New York, praying relief from political disabilities so that they may govern themselves and exercise the right of suffrage. I move the reference of these petitions to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. VOORHEES presented the petition of Amasa C. Robinson and 485 others, citizens of Lynn, Massachusetts, praying for the restoration of the silver dollar of 412½ grains to full legal-tender power in the United States, and that its coinage be made as free in all respects as the coinage of gold; which was referred to the Committee on Finance.

Mr. EATON presented the petition of the Yale Lock Manufacturing Company and others, manufacturers of locks, &c., of Stamford, Connecticut, employing three hundred and thirty workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

He also presented the petition of the New Haven Engineering Society, of New Haven, Connecticut, praying for the introduction of the metrical system of weights and measures; which was referred to the Committee on Finance.

Mr. EATON. I present the petition of Ex-President Theodore D. Woolsey, of Yale College, and other citizens of New Haven, Connecticut, praying the coinage of silver dollars of 420 grains standard silver, to be made a legal tender for all sums not exceeding \$20 except in payment of private contracts for gold and the bonded debt of the United States, and the establishment of an international commission to fix the relative value of silver and gold in foreign and domestic exchanges. I move that the petition be referred to the Committee on Finance and printed.

The motion was agreed to.

Mr. EATON. I desire to say that, in accordance with the petition

just presented, when the silver bill may be under discussion, I shall offer an amendment covering that ground.

Mr. HAMLIN. I present the memorial of the Union Lace Company and other manufacturers of lace, cotton, &c., at Kennebunk, Maine, employing 435 workmen, and the petition of Erskine & Williams and other manufacturers of lumber, of Jefferson, Maine, in relation to the revision of the tariff. I move they be referred to the Committee on Finance.

The motion was agreed to.

Mr. HAMLIN presented the petition of Lucy A. Snow, Flora D. Butler, R. W. Lincoln, William Spear, and others, citizens of Rockland, Knox County, Maine, praying for an amendment to the Constitution of the United States, prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

He also presented the petition of Lavinia M. Snow, a citizen of Knox County, Maine, praying for the removal of her political disabilities, and that she may be declared invested with the right of suffrage; which was referred to the Committee on Privileges and Elections.

Mr. KIRKWOOD presented the petition of Nancy R. Allen, M. S. Connelly, William Denniston, E. R. Mears, and others, citizens of Maquoketa, Jackson County, Iowa, praying for an amendment to the Constitution of the United States, prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented the petition of Harriet A. Loughary, Anna M. Martin, W. J. Loughary, Alexander Reid, and others, citizens of Amity, Yam Hill County, Oregon; the petition of Araminta Higgins, Eva Stewart, Lee Laughlin, H. L. Marston, and others, citizens of North Yam Hill, Yam Hill County, Oregon; the petition of Mary A. Danforth, Martha E. V. Wertz, Bartlett Obenchain, W. B. Kincaid, and others, citizens of Jackson County, Oregon; the petition of Mrs. H. M. McComas, Harriet L. Lewis, Mary T. Argeisinger, W. B. Challen, and others, citizens of Oregon; and the petition of Mrs. A. F. Pearce, Mrs. P. Risdon, J. P. Gill, M. D., D. W. Risdon, and others, citizens of Eugene City, Lane County, Oregon, praying for an amendment to the Constitution of the United States, prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL. I present sundry petitions, signed by several thousand citizens of the respective counties of Multnomah, Marion, Yam Hill, Clackamas, Umatilla, and Union, in the State of Oregon, praying an extension of time for the construction of the Northern Pacific Railroad, with the following provisions and readjustments:

First, repealing the north branch and substituting the grant on the Salt Lake line, to be constructed in four years.

Second, making the North Pacific and the Portland and Salt Lake roads a common road from their junction through the Columbia Pass to the city of Portland.

Third, that either company first making through connection from the eastern terminus may proceed with the common road.

Fourth, for suitable provisions for sales of lands and protection to settlers.

Fifth, instructing Oregon Senators and Representatives to give their united support to these measures.

I move the reference of these petitions to the Committee on Railroads.

The motion was agreed to.

Mr. SAUNDERS presented the petition of B. J. Thompson, Matilda Hendershot, Alice C. Ingram, J. H. Boyle, and others, citizens of Thayer County, Nebraska, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

Mr. CHRISTIANCY presented the petition of Lydia Foster, Melvina Van Wormer, John Helm, S. C. Garey, and others, citizens of Leelenaw, Michigan, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

He also presented the petition of the Tioga Manufacturing Company and other manufacturers of lumber, at Big Rapids, Michigan, employing three hundred and thirty workmen; the petition of A. B. Long & Son, manufacturers of lumber, at Grand Rapids, Michigan, employing one hundred and fifty workmen; the petition of Piper & Thompson, manufacturers of lumber, at Lapeer, Michigan, employing sixty workmen; the petition of the Michigan Central Iron Company, manufacturers of iron, Lawton, Michigan, employing one hundred and fifty workmen; the petition of Kellogg, Sawyer & Co., and other manufacturers of lumber, in Osceola County, Michigan, employing forty workmen; and the petition of L. J. Van Lenven, and other manufacturers of lumber, at Riversdale, Michigan, employing twenty workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

Mr. MATTHEWS presented the petition of William H. Nettle, praying compensation for services rendered in the investigation of the affairs of marshals of the United States for the western district of Arkansas; which was referred to the Committee on Claims.

He also presented the petition of E. W. Metcalf, praying indemnity out of the Geneva award fund for the loss of the ship *Delphine*, alleged to have been destroyed by the Shenandoah during the late war; which was referred to the Committee on the Judiciary.

He also presented the petition of William R. Fee, of Cincinnati, Ohio, praying an extension of letters-patent for improvements in cotton-seed hullers; which was referred to the Committee on Patents.

He also presented the petition of Mary V. Griffith and Emeline G. Fawcett, citizens of Columbiana County, Ohio, praying for the removal of their political disabilities; which was referred to the Committee on Privileges and Elections.

He also presented the petition of Annie H. Lamborn, a citizen of the State of Ohio, praying for the removal of her political disabilities; which was referred to the Committee on Privileges and Elections.

Mr. McMILLAN presented the petition of Union Lodge, No. 90, of the Order of Good Templars of Rochester, Minnesota, signed by the officers in behalf of seventy members; also a petition of six hundred members of the Rochester Temperance Reform Club, of Rochester, Minnesota, praying an amendment of the Constitution, prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. HOWE presented the memorial of the Chamber of Commerce of Milwaukee, Wisconsin, praying for an appropriation for the improvement of Detroit River; which was referred to the Committee on Commerce.

He also presented four memorials from the lumbermen in different portions of Wisconsin, praying that Congress will take no action concerning a revision of tariff duties until it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

He also presented the petition of Angeline Raish, mother of Olion Raish, who died in the United States service, praying to be allowed a pension from the date of her son's death; which was referred to the Committee on Pensions.

He also presented a petition from sundry persons of Wisconsin, praying Congress to give prompt recognition to the claims of many pensioners who are sufferers by an unwise limitation law, which is universally conceded to be unjust; which was referred to the Committee on Pensions.

He also presented a petition of the workingmen's party of California, making sundry suggestions touching the Texas Pacific Railroad; which was referred to the Committee on Railroads.

Mr. HOWE. I present a petition signed by two hundred gentlemen and ladies of a single town in Wisconsin—some of them I happen to know to be personally of the very highest character—praying for an amendment to the Constitution to prohibit the several States from disfranchising citizens on account of sex. I move its reference to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CAMERON, of Wisconsin, presented two petitions, one from Mrs. Lucina De Wolf, of White Water, Wisconsin, and one from Henrietta J. Partridge, also of White Water, Wisconsin, praying for the removal of their political disabilities and that they may be declared invested with full power to exercise their right of self-government at the ballot-box, all State constitutions or statute law to the contrary notwithstanding; which were referred to the Committee on Privileges and Elections.

He also presented the memorial of John Peters and other manufacturers, of Warsaw, Wisconsin, employing one hundred and eighty-one workmen, praying that Congress will take no action concerning a revision of tariff duties until it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Palmyra, Wisconsin, praying the passage of an act giving prompt recognition to the claims of many pensioners who are sufferers by an unwise limitation law; which was referred to the Committee on Pensions.

Mr. TELLER presented the petition of Jennie Prescott, Mrs. T. R. Wright, and others, citizens of Texas Creek, Fremont County, Colorado; the petition of M. S. Crary, E. M. Bacon, M. M. Boyd, W. L. Slutz, and other citizens of Golden City, Colorado; and the petition of Lucy Freeman, Mary King, James M. Marshall, H. A. Campbell, and other citizens of Central City, Gilpin County, Colorado, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. CAMERON, of Pennsylvania, presented a petition of citizens

of Pennsylvania, praying Congress to extend the time when pensions may be applied for and to otherwise change the laws in the interest of ex-soldiers; which was referred to the Committee on Pensions.

He also presented resolutions of the Chamber of Commerce of Pittsburgh, Pennsylvania, pointing out the importance and real economy of an appropriation to erect public buildings on ground now owned by the United States in that city; which were referred to the Committee on Public Buildings and Grounds.

He also presented ten petitions from manufacturing companies of Pennsylvania, employing forty-five hundred and sixty-five workmen, praying that Congress will take no action concerning a revision of tariff duties until it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

He also presented the petition of the Susquehanna Canal Company and the Tide-water Canal Company, corporations chartered by the States of Pennsylvania and Maryland, praying compensation for loss of their bridge over the Susquehanna River near Columbia, Pennsylvania, burned in 1863 by order of Major-General Couch, commanding the United States forces; which was referred to the Committee on Claims.

He also presented the petition of the president and cashier of the Columbia National Bank, of Columbia, Lancaster County, Pennsylvania, praying compensation for loss of a bridge burned in 1863 by order of Major General D. N. Couch, commanding United States forces; which was referred to the Committee on Claims.

Mr. WINDOM presented the petition of Mrs. S. J. Howard, Jennie Alamander, Samuel Manchester, J. B. Wagner, and other citizens of Rochester, Minnesota, and the petition of the Rochester Division, No. 18, Sons of Temperance, signed by J. G. Miner, D. G. W. P., in behalf of eighty-four members, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

He also presented the petition of the order of Good Templars of Rochester, Minnesota, numbering over one hundred and fifty members, signed by the officers, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

He also presented the memorial of E. S. Fallman, manufacturer of lumber at Brunswick, Minnesota, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Privileges and Elections.

Mr. EDMUNDS. I present the memorial of Messrs. Gant and Shephardson, of Fairfax, State of Vermont, manufacturers, setting forth that they are engaged in manufacturing, and asking that Congress before it engages in tariff legislation may have a careful investigation into the condition, prospects, and needs of the manufacturing interests of the country and their relation to the other industrial interests of the nation. They set forth in their petition the grounds of what they ask, which, when the committee comes to consider these petitions, if the others are like this one, I hope the committee will carefully read, because they state in a brief way a good deal that is often forgotten and that is worth remembering.

The VICE-PRESIDENT. The petition will be referred to the Committee on Finance.

Mr. PLUMB presented the petition of A. Gottschalk & Co., and others, manufacturers of silk, soap, &c., at Ottawa, Kansas, employing seventy-three workmen, praying that Congress will take no action concerning a revision of tariff duties until it shall have ascertained by an official inquiry the condition of the industries of the country, and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

He also presented the petition of Mrs. H. Anthony, Jennie W. Dammas, and others, citizens of Clay Centre, Clay County, Kansas, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

Mr. KELLOGG presented the petition of Elizabeth L. Saxon, Mrs. A. J. Murray, L. A. Saxon, Emerson Bentley, and others, citizens of New Orleans, Orleans Parish, Louisiana, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

Mr. WITHERS presented the petitions of Caroline F. Putnam and Sallie Holley, citizens of the United States and residents in the State of Virginia, county of Northumberland, praying for the removal of their political disabilities and that they may be declared invested with the right of suffrage; which were referred to the Committee on Privileges and Elections.

Mr. GROVER presented three petitions of citizens of Oregon, praying that the western terminus of the Northern Pacific Railroad be established at Astoria, at the mouth of the Columbia River, and that said railroad be extended thereto within three years; which was referred to the Committee on Railroads.

He also presented a resolution of the Board of Trade of Portland, Oregon, in favor of a modification of the bill granting an extension of time for the completion of the Northern Pacific Railroad; which was referred to the Committee on Railroads.

He also presented a petition of citizens of Portland, Oregon, praying for the extension of the time for the completion of the Northern Pacific Railroad; which was referred to the Committee on Railroads.

He also presented a resolution of the Board of Trade of Portland, Oregon, in favor of the passage of the bill for the construction of a light-house on Tillamook Head, Oregon, and range-lights on Sand Island, at the mouth of the Columbia River, Oregon; which was referred to the Committee on Commerce.

He also presented four petitions of citizens of Marion and Union Counties, Oregon, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. DAVIS, of West Virginia, presented the memorial of the Braxton Iron Company, manufacturers of iron, at Stranger Creek, West Virginia, employing seventy-five workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

Mr. COCKRELL presented the petition of Lydia L. Johnston, Clarke Irvine, William Brodbeck, Lucy A. Christian, Annie R. Irvine, and others, citizens of Oregon, Holt County, Missouri, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

Mr. THURMAN presented the petition of William Dewalt, of Leesville Cross Roads, Crawford County, Ohio, asking Congress to give prompt recognition to the claims of many pensioners who are sufferers by an unwise limitation law; which was referred to the Committee on Pensions.

He also presented the petition of Augustus Raymond, of Gibesonsville, Hocking County, Ohio, praying Congress to give prompt recognition to the claims of many pensioners who are sufferers by an unwise limitation law; which was referred to the Committee on Pensions.

He also presented the memorial of C. A. Young, professor in Princeton College; Benjamin Pierce, professor in Harvard University; Noah Porter, president of Yale College; J. E. Hilgard, assistant in charge of the United States Coast Survey Office, Washington; L. C. Garland, president of Vanderbilt University, Nashville; F. A. P. Barnard, president of Columbia College, New York; Joseph Henry, secretary of the Smithsonian Institution; Cleveland Abbe, formerly director of the Cincinnati Observatory; Peter S. Michie, professor in the United States Military Academy, West Point; C. W. Pritchett, director of the Morrison Observatory, Glasgow, Missouri; Lewis Boss, director of the Dudley Observatory, Albany; S. W. Burnham, esq., Chicago; and Ormond Stone, director of the Cincinnati Observatory, praying for the removal of the observatory at Washington to a more eligible site; which was referred to the Committee on Naval Affairs.

He also presented certain proceedings of the Board of Trade of Cincinnati, Ohio, protesting against any scheme for the modification of the act of Congress of December 17, 1872, in relation to bridges across the Ohio River; which were referred to the Committee on Commerce.

He also presented the petition of the Ohio State Horticultural Society in favor of House bill No. 1218, in relation to the preservation and renewal of our forests; which was referred to the Committee on Agriculture.

He also presented three petitions of certain manufacturers of Ohio, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which were referred to the Committee on Finance.

Mr. HEREFORD presented the petition of the Riverside Iron Works, manufacturers of iron at Wheeling, West Virginia, employing eight hundred workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

Mr. HOAR presented the petition of Elizabeth Bancroft, Jane T. Osgood, Caroline E. Field, Samuel M. Osgood, William A. Eaton, and others, citizens of Athol, Worcester County, Massachusetts, praying for an amendment to the Constitution of the United States prohibit-

ing the several States from disfranchising United States citizens on account of sex; which was referred to the Committee on Privileges and Elections.

He also presented the petition of J. B. Dean, C. Louisa Northup, Nelson Brown, T. G. Phillips, and others, citizens of Cheshire, Berkshire County, Massachusetts; the petition of Abbey A. Bennett, Hannah Buffum, John Bailey, John L. Robinson, and others, citizens of Lynn, Essex County, Massachusetts; and the petition of Harriet Jordon, H. L. Crowell, George F. Martin, Thomas C. Gilmor, and others, citizens of Chelsea, Suffolk County, Massachusetts, praying for an amendment to the Constitution of the United States prohibiting the several States from disfranchising United States citizens on account of sex; which were referred to the Committee on Privileges and Elections.

Mr. DENNIS presented the petition of Mallalieu & Brothers, manufacturers of woolens, of Millington, Maryland, employing twenty-three workmen, praying that Congress will take no action concerning a revision of tariff duties until after it shall have ascertained by an official inquiry the condition of the industries of the country and that the nature of the proposed tariff legislation is such as in the opinion of practical business men would best promote the restoration of general prosperity; which was referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. BAILEY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 475) for the relief of William L. Nance; which was read twice by its title, and referred to the Committee on Claims.

Mr. SARGENT asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 476) to relieve certain legal disabilities of women; which was read twice by its title, and referred to the Committee on the Judiciary.

He also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 477) to regulate Chinese immigration; which was read twice by its title.

Mr. SARGENT. I should like to have the bill referred to the Committee on Foreign Relations, and I wish to make one remark in reference to it. The bill was introduced in the House of Representatives originally by Mr. SHELLEY, of Alabama. It relates to a subject of very great importance to California and to the whole Pacific coast, and I believe in the future to the whole country. Heretofore I have stated to the Senate the reasons for this opinion. The bill which I now introduce is different in the plan of relief from one I formerly introduced; but the Legislature of California after a thorough investigation by an able committee into the whole matter have passed resolutions recommending the passage of this bill and I defer my judgment to theirs. I know that they appreciate the importance of the subject, the absolute necessity for relief. I believe that either the bill which I formerly introduced or this would have a beneficial effect in restraining the undue influx of Chinese immigration. I have to express the hope that the Committee on Foreign Relations will at an early day take up and consider these bills, and that we may have a report in order that I may get the opinion of the Senate upon a question so interesting and vitally important to my State. I move the reference of the bill to the Committee on Foreign Relations.

The motion was agreed to.

Mr. FERRY (by request) asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 478) authorizing the Commissioner of Patents to extend the patent of Horace A. Stone, for improvement in the manufacture of cheese; which was read twice by its title, and referred to the Committee on Patents.

Mr. McMILLAN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 479) to amend section 4 of the act of June 23, 1874, entitled "An act in relation to courts and judicial officers in the Territory of Utah;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TELLER asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 480) to enable the State of Colorado to reclaim certain waste lands; which was read twice by its title, and referred to the Committee on Public Lands.

He also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 481) for the sale of timber on the public lands in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MATTHEWS asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 482) for the relief of William H. Nettle; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 483) to reorganize the Pay Department of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 484) to authorize the construction of a bridge-abutment and approach within the military reservation of Fort Riley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. JONES, of Florida (by request) asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 485) to repeal certain

provisions of the acts of Congress making appropriations for the support of the Army, approved June 16, 1874, and March 3, 1875, respectively; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VOORHEES asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 486) to extend the provisions of the act of June 8, 1874, in relation to prize money, to all fleet officers; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WITHERS asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 487) for the relief of Mrs. Maria B. Wolfe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. KELLOGG asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 488) authorizing mail steamship service in the Gulf of Mexico, between the port of New Orleans, Louisiana, and certain ports of the Republic of Mexico; which was read twice by its title.

Mr. KELLOGG. I desire to state that this bill twice passed the Senate some years since, and I ask the attention of the Committee on Commerce to it, to whom I move its reference.

The motion was agreed to.

Mr. KELLOGG also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 489) to improve the navigation and to afford protection and security to the shipping trade and commerce and alluvial lands of the Mississippi River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DORSEY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 490) supplementary to an act entitled "An act in relation to the Hot Springs reservation in the State of Arkansas," approved March 3, 1877; which was read twice by its title, and referred to the Committee on Public Lands.

He also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 491) to promote the administration of justice in the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SARGENT asked, and by unanimous consent obtained, leave to introduce a joint resolution (S. R. No. 12) proposing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. EDMUNDS. What is that about?

Mr. SARGENT. The sixteenth amendment.

Mr. EDMUNDS. For suffrage?

Mr. SARGENT. Yes, sir.

Mr. EDMUNDS asked, and by unanimous consent obtained, leave to introduce a joint resolution (S. R. No. 13) proposing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

BENJAMIN P. RUNKLE.

Mr. CONKLING submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire and report whether any, and, if so, what action has recently been taken by any Department or officer of the Government designed to reinstate or restore Benjamin P. Runkle to the Army of the United States, and whether such action was warranted by law; also whether any payment, and, if so, what payment or payments of public moneys have been made to or on account of said Runkle, by whom made or authorized, and by whom received, from what fund made, and whether such payment was legal; and whether the United States is indebted or liable to said Runkle for pay or compensation as an Army officer; and also whether since an order of dismissal in 1872 (if such an order was made) said Runkle has been an Army officer, or has had a valid and legal claim for pay or compensation as such. Said committee shall have power to send for persons and papers.

L. J. DRAPER.

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

Resolved, That the Committee on — be instructed to inquire into the alleged reinstatement or restoration of — Draper to the position formerly held by him in the medical corps of the Navy, and to report the facts touching his original appointment, any misconduct of which he was accused, the action, if any, of the Government or Navy Department thereon, his alleged resignation, and the facts relating thereto; whether he ceased to be an officer of the Navy and, if so, when; whether any and, if so, what proceeding or action designed to effect his reinstatement or restoration has been taken by any officer or Department of the Government; whether any money has been paid on behalf of the Government to said Draper or to his account, and, if so, by whom authorized and paid and by whom received and the amount thereof, and whether such action as has been taken was and is legal and warrantable. Said committee shall have power to send for persons and papers.

The Senate proceeded to consider the resolution.

Mr. CONKLING. The Senate will observe that the name of the committee is blank. I have left the blank on purpose, in order to consult the chairman of the Committee on Naval Affairs, as perhaps, if he is willing to undertake the matter, it belongs to that committee.

Mr. SARGENT. I suggest to the Senator from New York that he had better fill the blank so as to read "the Committee on the Judiciary." I see that several important legal questions are raised by the resolution, and we ought to have the opinion of the legal committee of the body upon the matter. If he has no objection I will move to fill the blank so as to read "the Committee on the Judiciary."

Mr. CONKLING. I shall be very glad to leave it to the chairman

of the Committee on Naval Affairs to say which committee shall make the inquiry. I observe from the reading of the resolution one omission. I move to insert the words at the proper place "and from what fund," after "the payment."

The VICE-PRESIDENT. As thus modified, will the Senate agree to the resolution?

Mr. SAULSBURY. I should like to inquire of the honorable Senator who introduced the resolution whether it contemplates granting the privilege to Dr. Draper to appear by himself or counsel before the committee to explain his case. I do not know whether it is proper or usual in such cases; but as the committee is to inquire into his rights, would it be improper that he should have the privilege, if he so desires, of appearing before the committee by himself or counsel, in order that he may lay his side of the case before the committee?

Mr. CONKLING. The Senator and the Senate will observe that the resolution is in the usual form. In terms of course it makes no prescription one way or other on the point denoted by the Senator; but the presumption is, I suppose, that any committee of the Senate, and particularly one of the standing committees, will govern an investigation by the rules of propriety and fairness, and not conclude any person upon a matter personal to him as to which he could give information or evidence, without affording the opportunity for that information or evidence to be furnished. The resolution is in the customary form.

Mr. BURNSIDE. I do not specially object, of course, to these two resolutions, but it is very evident to me that the first resolution should have been referred to the Committee on Military Affairs, and that this should go to the Committee on Naval Affairs. They are resolutions specifically referring to positions now held by Army and Navy officers, and to the position of others affected by their reinstatement. I think those committees are amply able to take care of matters of that kind, and properly the inquiries now proposed should be referred to those two committees.

Mr. CONKLING. Mr. President, nothing on this subject could have been more agreeable to me than to have the resolutions go, one to the Committee on Military Affairs and the other to the Committee on Naval Affairs. To me both those references would have had the recommendation that I should not have been called upon, as one member of the Senate, to discharge any duty or perform any labor in regard to this matter. The Senator from Rhode Island will observe, however, that these two resolutions demand of the committee an answer to a mere matter of law. Here are the papers, which I have borrowed from the files of the Senate to bring into the Chamber, relating to the case of Runkle, [exhibiting a bundle of papers.] The facts are all fixed. There is no inquiry needed in that regard. The question is whether, by reason of proceedings which are here attested, as matter of law Major Runkle remained or ceased to be an officer of the Army. That is all. The honorable Senator from Missouri, [Mr. COCKRELL,] who I observe gives attention, has had occasion to know something of these papers. He and every other Senator acquainted with the case, I think will sustain my statement that the inquiry propounded is purely one of law, purely a question whether, on conceded facts, action of the Government, as to the occurrence of which there will be no dispute, was well or ill founded, was warrantable or unwarrantable.

It seemed to me that that question so logically and inevitably addressed itself to the law committee of the body that I ventured in the first resolution to introduce the name of that committee. The second resolution I left blank, finding the chairman of the Committee on Naval Affairs here, and submitted it to him. Had the chairman of the Committee on Military Affairs been here, I should have submitted the other resolution to him before filling the blank, which I did at the last moment before offering it, he not being here and I having received this morning a note from the clerk of his committee saying that he would not be here during the day. I think the Senator from Rhode Island will at least acquit me of any indisposition to make the reference to the Military Committee, and I rather think, on reflection, he will also agree that on a question of law of this sort, whether the question arises in the case of a man in the Army, or in the Navy, or on the bench, or wherever, the nature of the question and not the particular location of one of the parties to it should determine the committee to which the matter should be addressed.

Mr. SAULSBURY. The resolution, according to my understanding of it, as read at the desk, seems to propose to investigate certain charges which may have heretofore existed against Dr. Draper.

Mr. CONKLING. If I understand the Senator, not at all, as he will see if he observes the resolution.

Mr. SAULSBURY. I should like to have it read again.

The VICE-PRESIDENT. The resolution will be again reported.

The Chief Clerk read the resolution.

Mr. SAULSBURY. If I understand correctly the language of that resolution, it proposes that this committee shall examine and inquire into any alleged misconduct heretofore on the part of this gentleman.

Mr. CONKLING. If the Senator will indulge me a moment, perhaps the expression of the resolution is not happy in that respect. The design of the resolution is—and if the Senator thinks it requires additional safeguards I hope he will suggest them—that the committee is to inquire, not into the merits of the allegations, if there were

such, against Dr. Draper, not as to the truth or falsity of those allegations, but what allegations, if any, were made; that is, what the record shows, and what action, if any, was taken upon them, and whether a resignation or a paper which is alleged to have been a resignation was in truth transmitted to the Department, and so on. But it is no purpose of the resolution to inquire as *res nova* whether these allegations against Dr. Draper were well or ill founded. If the Senator thinks the resolution is open to that construction I shall be very glad to steer clear of the difficulty that has occurred to him.

Mr. SAULSBURY. I have no desire to shape in any form or to modify in any respect the resolution offered by the Senator from New York; but regarding the resolution as to some extent an inquiry into certain alleged misconduct on the part of Dr. Draper I thought it proper to secure affirmatively the right to Dr. Draper to be present when such inquiry was made so that his explanation of the alleged misconduct might be before the committee; and with that view I propose to offer the following amendment. Add to the resolution these words:

And that the said L. J. Draper shall be notified and may be present personally or by counsel while any charges against him are being investigated.

The VICE-PRESIDENT. The question is on this amendment.

Mr. CONKLING. I have modified my resolution, although I think it was sufficiently definite before, as to the point to which the amendment is addressed. I have so changed it that it will now provide thus on that point: The committee are to report the facts touching his original appointment and to report "any allegations of misconduct on his part, if such there were." They are to report any allegations, if there are such allegations, and what proceedings were taken in regard to them.

Mr. SAULSBURY. I submit in all candor and fairness to the Senator from New York that if this inquiry is to be made at all, even into any alleged misconduct, it is proper that this gentleman should be present and make any explanations that he may deem necessary. The amendment which I have offered does not interfere at all with the Senator's resolution. It simply secures to Dr. Draper the right to be present by himself or counsel when any inquiry is made into any alleged misconduct on his part. That is the purport of my amendment. It does not provide that he shall be present at the inquiry into any other matter than that which relates to the alleged misconduct on his part.

The VICE-PRESIDENT. Is there objection to the modification proposed by the Senator from New York to his resolution? The Chair hears no objection to that. The question now is, will the Senate agree to the amendment of the Senator from Delaware?

Mr. THURMAN. Let the resolution be read with the amendment. The Chief Clerk read the resolution, as modified, as follows:

Resolved, That the Committee on the Judiciary be instructed to inquire into the alleged reinstatement or restoration of — Draper to the position formerly held by him in the medical corps of the Navy, and to report the facts touching his original appointment; any allegations of misconduct on his part, if such there were; the action, if any, of the Government or Navy Department thereon; his alleged resignation and the facts relating thereto; whether he ceased to be an officer of the Navy, and if so when; whether any, and if so what, proceeding or action designed to effect his reinstatement or restoration has been taken by any officer or Department of the Government; whether any money has been paid on behalf of the Government to said Draper or to his account, and if so by whom authorized and paid, and by whom received, and from what fund, and the amount thereof; and whether such action as has been taken was and is legal and warrantable. Said committee shall have power to send for persons and papers.

Mr. CONKLING and Mr. THURMAN. Now read the amendment.

The CHIEF CLERK. It is proposed to amend the resolution by adding at the end thereof the following words:

And that the said Dr. L. J. Draper shall be notified and may be present personally or by counsel while any charges against him are being investigated.

Mr. THURMAN. I want to make a suggestion to the mover of the resolution which I hope he may accede to; and that is that he change the reference and send it to the Committee on Naval Affairs. The Committee on Naval Affairs is more familiar with the laws relating to the Navy, and the appointment of and resignation of naval officers and everything that relates to that service than the Committee on the Judiciary is, and there are plenty of able lawyers upon the Committee on Naval Affairs. I hope the Senator will change his proposed reference and send the inquiry to the Committee on Naval Affairs.

While I am up I will say that the amendment of my friend from Delaware does look a little as if he thought the resolution meant an investigation into the merits of these charges. I do not suppose that that is the purpose, however, and do not know that it is necessary to add the amendment; but I hope the mover of the resolution will let it go to the Committee on Naval Affairs.

Mr. CONKLING. Mr. President, if the purpose was or the occasion required the investigation of charges against the party named, I should have no objection to the amendment offered by the Senator from Delaware. Indeed I suppose without any such amendment any well-conducted committee and well-conducted investigation would allow parties personally affected to be heard. But the Senator from Ohio has pointed out the objection to the amendment. I think the Senator from Delaware who moves it must see that, should the Senate vote that amendment, the implication would be very strong that the committee to whom the resolution should go would be directed by inference to proceed and inquire into the merits of the original allegations against this party; in short, to put him upon trial upon those accusations. The resolution as first offered had no

such design; and seeing that it was open to misconstruction by the remark made by the Senator from Delaware, I have so changed it as obviously and clearly now to restrict its scope and to provide that the committee shall scrutinize what the record shows in this regard and apprise the Senate of that. I cannot vote for the amendment myself because I think it would leave the committee perhaps in doubt as to whether it was to proceed merely within the limits of the original resolution or whether it was to sit as a court of inquiry or a court-martial or a police tribunal or whatever it might be and proceed to investigate as matter of fact the truth or falsity of allegations made heretofore.

Now, in reply to the remark with which the Senator from Ohio began, it is possible he was not in his seat when the resolution was presented. At that time I stated that I had left the name of the committee unsupplied in the resolution, and I consulted the chairman of Naval Affairs about it, and he preferred, and so stated to the Senate, that inasmuch as the questions are of law, it should go to the Law Committee of the body; and therefore, upon the suggestion of the chairman of the Committee on Naval Affairs, and not upon my suggestion, the blank was filled with "the Committee on the Judiciary." Although I did not say so at the time, I do now say that I think the Senator from California, the chairman of the Committee on Naval Affairs, was quite right in that regard. The question again is, as in the other case, whether upon uncontested facts apparent on the record the operation of the statutes was such and the operation of the Constitution was such as to terminate or continue the tenure of this officer. That is all there is in the case. I do not see how the fact that one of the persons concerned happens to have been a member of the Navy sends a question of law to the Naval Committee. It seems to me that, like any other question of law, it should be addressed to the committee appointed by the Senate and deputed to investigate such questions.

Mr. THURMAN. Mr. President, I must enter my protest once more, as I have done on former occasions, against the idea that every bill or resolution brought into the Senate that involves any question of law is necessarily to go to the Committee on the Judiciary. If that were the true principle, there is scarcely a bill or a resolution offered in this body that would not be sent to that committee. That is not the true idea of doing business at all.

Mr. CONKLING. Will my friend allow me to understand him? Shall I understand him to say that the true idea of doing business is not to send to the law committee a bill or resolution which involves no question except one of law?

Mr. THURMAN. If my friend had heard me through he would have found exactly what my idea was; but he jumps before he gets to the stile. I say that is not the true idea at all. There is not a committee of this body that does not have to decide some questions of law, and there are certain questions of law that are more appropriately referred to other committees than the Judiciary Committee than would be a reference to that committee. Take for instance a question relating to the revenue. The revenue law consists of a great body of statutes itself. What committee of this body is acquainted with the revenue law? Manifestly the Committee on Finance. They make it a study; they are well acquainted with it. If a question relating to revenue were sent to the Judiciary Committee that committee would have to go to work to study the revenue laws of the United States, and after long labor would not then be as well informed as the Committee on Finance which has made them the subject of study for many long years. Take a question of military affairs which may involve a question of law. What committee is it here that understands the military laws of the United States? It is the Committee on Military Affairs, and that is the proper committee to send such a question to. So with regard to naval affairs. The naval law is a peculiar body of statutes and there are rules and regulations of the Navy besides. The Committee on Naval Affairs is well acquainted with those laws and perfectly competent to decide upon any question in regard to them. And therefore, Mr. President, it is not true that everything which involves a mere question of law, if such were the case, should of necessity go to the Committee on the Judiciary. That would load that committee down so that it could not perform one-fourth of its duties, and it would not be sending the subject-matter to that committee which is best acquainted with it.

There is not a committee in this body that has not a good lawyer upon it, and most of them have two or three or four lawyers. Lawyers are so numerous in this body that I believe I should be correct in saying that a majority of every committee of the body is composed of lawyers. We know very well that the Committee on Naval Affairs has on it some of the best lawyers in this body—lawyers of learning, of experience, and of standing, both in the courts and in the Senate; and there is no propriety at all in taking this investigation from that committee, well acquainted with naval affairs and all the laws relating to the appointment of naval officers, and sending it to the Committee on the Judiciary. I therefore, as the Senator does not accede to my proposition, move to strike out "on the Judiciary" and insert "on Naval Affairs," and I hope that no delicacy on the part of the chairman of that committee will intervene. I did not hear what he said; but my attention was called to it by the Senator from New York. I hope that he will have no reluctance to let this go to the proper committee, the Committee on Naval Affairs.

The VICE-PRESIDENT. The pending amendment is that offered by the Senator from Delaware.

Mr. BURNSIDE. Mr. President, my reason for making the remark I did a moment ago is that I feel that these are questions as to whether an officer of the Army who afterward left the Army has been properly reinstated and whether he has improperly received money, and whether a naval officer who has left the Navy has been improperly reinstated and whether he has received money improperly. I conceive that they are questions which appertain to the Committee on Military Affairs and the Committee on Naval Affairs, and I therefore made the remark I did, that I felt that these two resolutions should be referred to the proper committees; certainly not with a view to endeavor to absorb work for the Military Committee, because I think I shall be borne out by every Senator on this floor when I state that that is not my disposition. I would a great deal rather be freed from committee work than have it placed upon me.

Mr. BAYARD. Mr. President, I have nothing to say just now about the appropriateness of this reference; but I do wish to submit to the honorable Senator from New York the reasonableness and justice of the amendment offered by my colleague. After what has fallen from the Senator from New York, I am fully persuaded that there is no intention on his part in offering this matter to investigate the conduct of Dr. Draper, and yet nevertheless the resolution in its terms does do that incidentally, and the amendment offered by my colleague expressly restricts the presence of Dr. Draper and his privilege of refutation of any possible charge to a pending investigation that touches himself. If the charges shall not touch Dr. Draper, if the committee shall in their investigation go nowhere to him or his acts, then he will not be called before them, because the amendment restricts his appearance to that; but in case the investigation shall incidentally bear on Dr. Draper, then they would call him; and it is only in pursuance of our American idea of justice, that a man shall not be condemned without being heard, that this amendment is offered. I trust, therefore, as it will not interfere with the practical operation of the resolution offered by the Senator from New York, that he will not object to the amendment going on his resolution.

Mr. CONKLING. Will the Senator allow me to interrupt him a moment?

Mr. BAYARD. Certainly.

Mr. CONKLING. The Senator will remember that after the resolution shall have passed, if it shall pass, nothing on its face will show which was the original text and how much is the added amendment. Taking the resolution, then, altogether as it will stand, I wish to inquire of the Senator as a lawyer or a parliamentarian whether the committee on receiving the resolution will naturally understand from the whole of it taken together that it is to restrict its inquiry to the formal matters of record at first referred to, or whether it is to proceed as indicated in the latter part of the resolution to inquire into matters of fact? What does the Senator from Delaware think would be the true and fair interpretation; the necessary information and instruction which the committee would derive from the resolution as it would then stand?

Mr. BAYARD. My answer may not be so satisfactory to the Senator as to myself. If the resolution were in print I should have it before me, and could better tell its scope. The words of course are important; they make up the proposition. It is evident that this is an inquiry into the legality of the action of one of the Departments, and that expressly involves, as I understand the terms of the resolution as read from the desk, the reception of money and the facts attending the resignation of an officer. That certainly bears upon his personal relations to the case, and there may be much in them that he would like to explain, that he would explain, and that I think he ought to have the right to explain if the investigation into the facts shall touch his personal behavior, and I do not see very well how they can avoid it. If they do not touch his personal behavior this investigation is nothing; if they do, then I think he ought to be heard.

Mr. CONKLING. The honorable Senator unintentionally passes over the point of my question, which is what the committee would understand the Senate had directed it to do. If the amendment prevailed, would the committee be told by the resolution that it is to go on and investigate what the Senator refers to as personal behavior; or would it be at liberty to conclude that it was to stop merely with the inquiry indicated by the resolution as offered? That is the question I asked the Senator. I appreciate entirely what he says. If they should go into a certain inquiry, the amendment would operate; if they should not it would not. To me the question is behind that. I ask him what the committee would be directed to do if the resolution were so amended.

Mr. BAYARD. If I can recall correctly the language of the resolution, it is that the committee shall have power to send for persons and papers. For what purpose? Not to examine facts of record.

Mr. CONKLING. Certainly. How can they get the record before them unless they have power to send for it?

Mr. BAYARD. The power "to send for persons and papers" does not mean the examination of records ordinarily.

Mr. CONKLING. On the contrary, if the Senator will allow me, I think it does mean the power to send, as the Judiciary Committee has repeatedly done, for the proper custodian of papers with a *duces tecum*, or perhaps an informal request equivalent to it, to bring the

papers up and submit them to the scrutiny of the committee, and then carry them back.

Mr. BAYARD. I apprehend that it would be quite competent for a committee on the spot, without any such authority embodied in the resolution raising it, to obtain from the proper department information with regard to the subject-matter with which they were charged. It occurs to me that the object of the resolution is what has been justly stated by the Senator from New York, and probably is intended to be so on his part; and yet, in pursuing that object, incidentally rights personal to this individual may become involved. Of the facts I know nothing; of the individual I know very little. I am entirely in accord with a resolution of inquiry upon any doubtful subject touching mal-administration or irregular administration; but, wherever the rights of an American citizen are involved or to be touched upon in his absence, I say there is danger; and therefore I hold that this amendment will not be capable of injuring in any degree the object of the resolution or conflicting with it, while it may serve as an act of justice to an absent man. For that reason I hope the Senate will agree to the amendment.

Mr. CHRISTIANCY. Mr. President, I agree with the Senator from Ohio and the Senator from Rhode Island that the more proper reference of these resolutions would have been the first to the Military and the second to the Naval Committee. My reason for that opinion is that, although nothing but a question of law may be involved, as stated by the Senator from New York—and I have no doubt such is the fact—yet, speaking only for myself, I should have much more reliance upon the opinion of the Naval Committee on a question of law relating to naval affairs and of the Military Committee on a question relating to military law than I should in my own opinion. For one I must confess that I know just about as much of military law or of naval law as I know of Hebrew or Sanskrit. It may be that some members of the Judiciary Committee are well posted in military and naval law. I confess I am not one of them, and my opinion would be worth very little as one member of the Judiciary Committee upon questions of that kind.

Now I suppose that every member of the Military Committee is well posted in the military law, which constitutes a separate branch, and which lawyers very seldom pay any attention to; and so of the naval law; and so it is with every other committee of this body. There are, as has been said by the Senator from Ohio, good lawyers on every one of these committees, and they make that particular department of the law their study and fit themselves for giving an opinion which will be worth something. But, as I said before, I think if the other members of the Judiciary Committee are no better qualified than I am to give opinions on military and naval law, very little will be gained by a reference to that committee. It may be that the Senator from Vermont [Mr. EDMUNDS] and the Senator from New York [Mr. CONKLING] are well posted in military law. I have no doubt they are if they ever read it, for I believe neither of them ever forgot anything he ever did read. But it is very different with me, and I think it is with the other members.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Delaware.

Mr. SAULSBURY. I desire to change my resolution so as to read:

And that the said Dr. Draper shall be notified and may be present personally or by counsel, if he desires, to explain to the committee any allegation of misconduct against him laid before said committee.

Mr. CONKLING. I do not think there is any objection to that. I accept that amendment as I believe I have a right to do.

The VICE-PRESIDENT. The amendment will be regarded as agreed to. The question now is on the amendment of the Senator from Ohio to strike out "on the Judiciary" and insert "on Naval Affairs."

The amendment was agreed to.

The resolution, as amended, was agreed to.

Mr. SARGENT. I offer the following resolution—

Mr. BURNSIDE. If the Senator from California will pardon me, I move now that the resolution in the case of Major Runkle be reconsidered and amended by inserting the "Committee on Military Affairs" instead of the "Committee on the Judiciary."

The VICE-PRESIDENT. The first question is on the reconsideration of the resolution. Will the Senate reconsider the vote by which the resolution referred to by the Senator from Rhode Island was agreed to?

Mr. CONKLING. On what ground is that to be?

Mr. THURMAN. Let the Senator from Rhode Island move to discharge the Judiciary Committee and refer it to the Committee on Military Affairs.

Mr. CONKLING. Oh, no; the other is the simpler way.

Mr. BURNSIDE. I move a reconsideration of the vote by which that resolution was adopted.

Mr. SARGENT. I have no doubt that motion will lead to debate. I do not yield the floor for that purpose. Let the resolution I have offered be first disposed of. I call for the regular order, which is the resolution I have sent to the desk.

WOMAN SUFFRAGE.

The VICE-PRESIDENT. The Senator from California offers a resolution, which will be read.

The Chief Clerk read as follows:

Whereas thousands of women of the United States have petitioned Congress for an amendment to the Constitution allowing women the right of suffrage; and Whereas many of the representative women of the country favoring such amendment are present in the city and have requested to be heard before the Senate in advocacy of said amendment:

Resolved, That at a session of the Senate, to be held on —, said representative women, or such of them as may be designated for that purpose, may be heard before the Senate; but for one hour only.

Mr. SARGENT. The time is not fixed, but I have left it to be agreed on after consultation with Senators. I should like to have the opinion of Senators as to the time which shall be fixed. There might be an evening session if Senators see fit.

Mr. EDMUNDS. I should like to hear that resolution read again. The resolution was read.

Mr. EDMUNDS. Let that go over. I call for the regular order.

Mr. SARGENT. I should like to make a remark before it goes over.

Mr. BURNSIDE. I hope the Senator from Vermont will yield to my motion.

Mr. SARGENT. With the leave of the Senate I should like to make one remark. The ladies referred to in this resolution are here temporarily and leave soon. It seems to me Senators can make up their minds to-day whether they will give them this privilege or not. It is not a matter extremely abstruse. We can easily determine whether we will allow them to be heard before the Senate or not, and determine it now, because if they can be heard perhaps some of them will remain. If we defer the time when we can inform them whether we will give them this privilege or not, we may keep them here at some expense and inconvenience to themselves, and finally send them away disappointed. If they are to be disappointed, perhaps it were better that it should be done to-day than at any future time. The privilege which they ask, I am aware, is not usually granted. In fact I am not aware that there is any precedent for it. Nevertheless there is nothing revolting to the sense of the Senate, either to its propriety or its moral sense.

These ladies represent large constituencies in every State. That is apparent by the numerous and numerously signed petitions that come up to this body from every corner of the country and from the best women of America or among the best. Our mothers, our wives, our sisters, our daughters all over the country, with those of our constituents whom we respect, send up a request for relief from political disabilities. I for myself, speaking for myself, believe that the relief which they ask would be beneficial to the country; that it would be well to infuse into our form of government, into our practice of government, an influence of a pure character, which would be brought by good women, that it would be an offset in another direction for some of the evils which perhaps have heretofore arisen from the too careless giving of suffrage. While I was in favor of all those movements for the enlargement of suffrage, I am aware that there are certain evils which they have brought in their train to compensate for benefits in other directions.

I believe that by the bringing of the intelligence, the virtue, the good intentions possessed by the women of America to the ballot-box we may have better politics, better administration and government, less grog-shops, less hells of iniquity, and an improvement in every direction can be wrought out by re-enforcement of good morals and good intelligence. These are my opinions, and therefore I desire that the Senate shall hear these ladies, ladies of character, some of them ladies of as much oratorical ability as is usually exercised within these walls. I should like to grant this request, because only women can speak effectually for women. Therefore, I have offered the resolution, and I ask that it may be adopted. I should like to ask my friend from Vermont, if he can well make up his mind now whether this privilege shall be granted or not, that he allow a vote to be taken upon it, some reasonable time to be fixed in the resolution, and then let the resolution stand or fall by the present action of the Senate, to avoid the inconvenience it may be to these ladies to wait here, and find out at some future time whether or not we will hear them.

Mr. EDMUNDS. This proposition of the Senator from California, which has gone over, but which I wish to say one word about, is, as it appears to me, directly in the face of the very principle upon which these petitions for suffrage are founded; and that is equality of rights. It has been a positive, affirmative rule and order of the Senate from its beginning down to this day for aught I know, certainly ever since I can remember, standing in your printed rules, that under no circumstances should any person be allowed to appear before the Senate to present any petition or to do anything. That is the idea. Now, if these petitions are founded upon a solid principle—and a great deal can be said in their favor in respect to suffrage—then that principle should not allow us to extend to these ladies, however worthy and virtuous they are, (of which I have not the slightest doubt,) privileges which are not extended to other people; and it is a fair commentary upon the logic of the petitions to make a request of this character. Therefore, Mr. President, it was that I wished the resolution to go over. I do not wish to do anything disrespectful, and I am sure I will not. I wish the thing to go over to see if there is any possible exception that can be made in favor of these ladies that ought not hereafter to be made in favor of men or anybody else who have strongly at heart any great public measure which they wish to present. I call for the regular order.

The VICE-PRESIDENT. The regular order—

Mr. SARGENT. Will the President allow me? I give notice that I will call this resolution up to-morrow at the earliest moment, and I should like to suggest to my friend that we have no rules so sacred that we do not dispense with them by unanimous consent.

The VICE-PRESIDENT. There comes over as unfinished business—

Mr. HOAR. I appeal to the Senator from Vermont to let this matter be settled now. It has been debated partly. He has himself addressed the Senate on the subject.

Mr. EDMUNDS. Only in reply to the Senator from California.

Mr. HOAR. I appeal to the Senator who discussed the subject himself, whether in reply to the Senator from California or anybody else, if it is gracious for him to object to the debate proceeding.

The VICE-PRESIDENT. The resolution is not before the Senate.

Mr. EDMUNDS. I suggest to the Senator from Massachusetts that I differ with him as to the ungraciousness of it. If after the resolution is objected to and the Senator from California has the unanimous consent to make a speech upon the subject and I get leave to say three or four words, I do not think it is exceedingly ungracious to my friend. He is entitled to his opinion certainly. Now let us have the regular order.

The VICE-PRESIDENT. The regular order is a resolution which comes over from the session of December last.

Mr. BURNSIDE. Will the Senator pardon me a moment until I move a reconsideration?

Mr. EDMUNDS. No, sir; nothing whatever but the regular order.

The VICE-PRESIDENT. The Chair will regard the motion to reconsider as entered by the Senator from Rhode Island to come up at the proper time.

CUT-OFF IN MISSOURI RIVER, NEAR OMAHA.

Mr. SAUNDERS. I wish to introduce a resolution that I should like to have acted on if there is no objection. Let the regular order be set aside for that purpose.

Mr. BURNSIDE. I do not know the reason why one resolution cannot be acted on as well as another.

The VICE-PRESIDENT. Objection being made, the regular order will be proceeded with.

Mr. BURNSIDE. I make no objection.

The VICE-PRESIDENT. The objection is withdrawn and the resolution will be read. The resolution of the Senator from Nebraska [Mr. SAUNDERS] will be read.

The Chief Clerk read as follows:

Resolved, That the Secretary of War be, and he hereby is, directed to transmit to the Senate at as early a day as practicable a copy of the report of the engineer who was detailed to make examination and survey of the Missouri River at and near Omaha, Nebraska, and to report on the damage to navigation and property caused by the recent cut-off in said river; said report to include the probable cost of the improvements necessary to prevent further damage.

The resolution was considered by unanimous consent, and agreed to.

MAJOR B. P. RUNKLE.

Mr. BURNSIDE. I wish to appeal once more to the Senator from Vermont to allow the vote to be taken on the reconsideration of the resolution in reference to Major Runkle.

Mr. EDMUNDS. That will lead to some debate.

Mr. BURNSIDE. If it leads to debate, I will not press it now.

Mr. EDMUNDS. I expect to make some observations on it myself.

Mr. BURNSIDE. Very well.

PAYMENT OF GOVERNMENT BONDS.

The VICE-PRESIDENT. The unfinished business is the resolution offered by the Senator from Ohio, [Mr. MATTHEWS,] on the 6th of December, relative to the payment of the public debt in silver dollars.

The resolution was read, as follows:

Whereas by the act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin or its equivalent of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had expressly provided that the same might be paid in lawful money or other currency than gold and silver; and

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act were declared to be redeemable in coin of the then present standard value, bearing interest payable semi-annually in such coin; and

Whereas all bonds of the United States authorized to be issued under the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in the said act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," and

Whereas, at the date of the passage of said act of Congress last aforesaid, to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of 412½ grains each, declared by the act approved January 18, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States,'" to be a legal tender of payment, according to their nominal value, for any sums whatever: Therefore,

Be it resolved by the Senate, (the House of Representatives concurring therein.) That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal

and interest, is not in violation of the public faith nor in derogation of the rights of the public creditor.

Mr. BECK. Mr. President, as I understand the resolution and the preamble just read in the hearing of the Senate, it means that it is not only the right but, those facts being true, it is the duty of the Senate to vote for some bill restoring the standard silver dollar of 412½ grains to the position it occupied before its coinage was denied by the act of February 12, 1873, and before its legal-tender quality was destroyed by the Revised Statutes in 1874. Believing as I do that all the recitals and conclusions in the resolution just read are true, and believing that there are many other equally cogent reasons why some bill having that effect should be passed by the Senate, I shall give my reasons for supporting such a bill, believing that I can do so as well now under this resolution as I could if the bill were before the Senate.

I want to say in the beginning that I do not favor the entire bill as it came from the House of Representatives, though I will vote for it if it cannot be amended. In the present condition of the country, I regard that provision in the House bill, which was stricken out by the Senate Committee on Finance, in these words, "and any owner of silver bullion may deposit the same at any United States coinage mint or assay-office, to be coined into such dollars, for his benefit, upon the same terms and conditions as gold bullion is deposited for coinage under existing laws," as properly stricken out. I do not like the amendment offered by the Senate Committee on Finance; but my idea is that in the present condition of the value of the silver bullion of the world it is not good policy for us to allow any individual to bring silver bullion that the people of the United States can buy in the market for \$920 and make it at our mints, at the demand of any man, into silver coin of the value of \$1,000, for his private use and benefit. That benefit ought to inure to the people of the United States, by whose skill, industry, and authority the change is made. We can buy silver bullion as cheaply as private individuals can, either in Germany, in Nevada, or anywhere else where it is for sale, and I can see no reason why private individuals should have the benefit of the skill, the labor, and the authority of the tax-payer and receive the benefit, when it might as well go for public as for private use.

To illustrate: we know that in the present condition of the world there are large quantities of silver for sale. Germany has demonetized silver, and there are millions, perhaps \$100,000,000, some say more than that, of silver now for sale in that country at a reduced price. Why should the German Emperor, why should Prince Bismarck, (because anybody has a right; it is not confined to America, but anybody has the right under the House bill to bring his bullion to the mints of the United States and demand silver dollars for it,) why should the German Emperor or his prime minister have the right to bring to us bullion supposing we can coin \$50,000,000 a year, that is worth in the markets of the world \$46,000,000, it being assumed that there is a discount of 8 per cent. on it now? Why should he bring bullion that we can buy for \$46,000,000 and demand from us \$50,000,000 of our silver coin for it? If that can be done the four millions will inure to the benefit of the foreign power or the individual who sees fit to bring it instead of the tax-payer of the country, and we have to make the conversion for his benefit and not for our own.

More than that, as fifty million is perhaps the limit of the coinage power of the mints of the United States to-day per annum, if the Director of the Mint should receive from any foreign power (to keep up the illustration, from the German premier) enough to coin \$50,000,000, thus exhausting the power of our mints, a still better bargain could be made by the German statesmen, because they could say to the Bremen line of steamers or any of the other German lines that the duties on all goods which were brought over should be paid for in the silver dollar, thus made legal tender when nobody had silver but themselves, and get profits both ways, four millions one way and four millions the other. I claim that the power of this people and the authority of this people ought to be exercised for the benefit of the tax-payers of this country, and whatever seigniorage there is ought to be given to them.

It is said that the coinage of gold is free now, that any private individual has a right to deposit it at our mints and receive his coin. That is true. Why? Because the gold bullion is worth as much before it is coined as it is after it is coined. It requires a thousand coined dollars to buy a thousand dollars' worth of gold bullion, and if we refuse to do it England stands ready to coin that thousand dollars of gold bullion into her coin and get the benefit of that coinage, and the addition to her circulation instead of ours. Therefore in that position of things we have to do as other countries do. The benefit is mutual. To give to the man who brings his gold bullion our coin is a convenience to him and a benefit to us. It is not so now with silver. I will speak after a while of the reasons why it is not so; but it is not so, and as long as it is not so I contend we should retain the benefit of the conversion to relieve the tax-payers of the country to that extent.

Whenever the two metals come together, as they will after you give each an equal chance, then I shall be in favor of making coinage as free as possible as soon as they come together or within any small fraction of a per cent. But I would amend the bill in this, and in that I differ with the Committee on Finance: I would not allow a hostile Secretary or a hostile Director of the Mint—and we

have got both now, and I doubt whether we shall ever have fair coinage as long as we have the present Director of the Mint—but as long as we have a hostile Secretary and a hostile Director, I would make the order absolutely mandatory on them that they should coin as much for the people as they could by possibility coin for individuals. I would put no limit of maximum beyond the power of the mints to coin, but they should turn out all that could be turned out for the people as much as they could for individuals who tender it under the bill offered by the House. So I would remove all question as to the benefit of free coinage and all questions among individuals as to whose bullion should be first converted into coin; I would make jobs of that sort impossible. There is very high authority for the view that the benefit should be given to the people. Mr. Hamilton, in his report in 1791, page 146 of the volume I read from, answered the argument that was made that every fabric was free. His language is this:

Every fabric, it is remarked, is worth intrinsically the price of the raw material and the expense of fabrication—a truth not less applicable to a piece of coin than to a yard of cloth.

This position, well founded in itself, is here misapplied. It supposes that the coins now in circulation are to be considered as bullion, or, in other words, as a raw material; but the fact is, that the adoption of them as money has caused them to become the fabric; it has invested them with the character and office of coins, and has given them a sanction and efficiency equivalent to that of the stamp of the sovereign. The prices of all our commodities at home and abroad, and of all foreign commodities in our markets, have found their level in conformity to this principle.

And he contended that the Government should have the benefit of the increase of value caused by the conversion into coin. Mr. Hunter, of Virginia, then chairman of the Committee on Finance of the Senate, in 1853, in one of the best considered reports on this question that I have ever read, took the same ground, and the law of 1853 gave to the Government the right for which I contend and denied individuals the right to have the new silver coin struck on their own account. The present Director of the Mint, Dr. Linderman, in speaking of this matter in his recently published book, speaking of the law reported and passed from Mr. Hunter's committee, says:

This was due, no doubt, to the provision made in the same act, whereby all the silver coins, except the dollar piece, were thereafter to be coined on account of the Public Treasury, as well as to the belief entertained at the time that there would not be any considerable quantity of silver dollars coined, their bullion value being above their nominal or legal-tender value.

So much on that subject. As I stated, however, I believe that there are many other good reasons why the silver dollar should be restored to the coinage of the country. I believe that the act of 1873, striking it from the coinage, and the Revised Statutes, declaring that it should not be a legal tender, were the one vicious and the other unconstitutional. The sole effect of them both was to take away from the people of this country one half of the means that they had for paying their debts; not alone from the Government of the United States, and the argument seems to have been confined heretofore to that aspect of it, but from the States, from the municipalities, from the railroad and other great corporations, and from private individuals the right to use what had been made a legal tender for all debts, public and private, and said to them by congressional legislation that they should no longer have the right to use coin which the United States had coined and the value of which it had regulated, and which was the coin they had the right to make payment in at the time the contract was made. Those debts, independent altogether of the debt of the United States, exceeded \$5,000,000,000; many persons say \$7,000,000,000. Certainly the debts of the United States and of the States, municipalities, corporations, and individuals exceeded \$7,000,000,000; and these acts of Congress, the one striking the silver dollar from the coinage, the other denying its legal-tender quality, threw the burden, at a time when we had neither gold nor silver in circulation, on gold alone under laws passed by Congress requiring us to pay every debt, public and private, on and after the 1st day of next January, in gold. Thus your legislation doubled the value of gold, reduced the price of all species of property from one-third to one-half, so that people who have to meet their contracts hereafter with gold alone to pay them in, see their property put under the hammer by the sheriff or the bankrupt court, and bringing less than one-third or even half of what it was worth and could have sold for when the contract was made and could be sold for to-day but for the fact that Congress intervened and deprived them of the right to use the coin which itself had furnished and in which they would have had a right to pay but for improper congressional interference. In other words, you have not put down silver 8 per cent. but you have put gold up 8 per cent. No human being can get a dollar of gold coin from the Government of the United States except its bondholders. They have a right to sell it at any price they can; and all the private debts of the country, all the debts of the States, all the debts of corporations, and all the debts of municipalities and individuals are to be paid in that coin on the 1st day of next January under laws now in existence, or the property is to be taken at whatever price the man who has the gold, which the bondholder alone gets, sees fit to pay for it.

I say, therefore, the first act was unwise and unjust; the second unconstitutional. Why do I say it? Silver was the coin of this country before the Constitution itself was adopted. It was the coin of all the States during the confederation. Each State reserved the right to coin it under the articles of confederation; each State reserved the right to regulate the value of foreign coin, though they

gave to the congress of the Confederation the right to regulate the value of their own coin, if nine States agreed to it. There was a want of uniformity in the coinage of the States, a want of uniformity in the valuation of foreign coins by the States. So when they came to form a more perfect union and establish the Constitution, the States voluntarily relinquished their right to coin money; they gave to the United States as the common agent of all, who undertook the trust, the right to coin money and regulate the value thereof and of foreign coins, as well as to regulate the standard of weights and measures. They regarded them all as being in the same category. Money was the pound-weight, the yard-stick, the bushel-measure of commerce, just as other weights and measures which would regulate and control the contracts of individuals in their private transactions; and, to have uniformity of action and to see that each State should have equal rights and none should impose on the others, they surrendered to the Federal Government, the common agent of all, the exclusive right to coin that money and regulate the value thereof. When that was done the power of the Federal Government ceased. The States reserved to themselves the right to make gold and silver coin a legal tender for all debts. Both were the money of the Constitution. The States gave to the Federal Government no other powers except those expressly granted and such as were necessary to carry out the purpose of the grants. They did not give it a right to take away the legal-tender quality after they had once issued coin and regulated its value; and to "make assurance doubly sure" they inserted in the Constitution the provision that all powers not granted to the Federal Government nor withheld from the States should be reserved to the States and the people.

That coin when it was given to the States became the coin of the people. No State can violate the obligation of a contract; and the United States has no more right to violate the obligation of a contract or cause others to do it than the States have. Contracts were to be sacred. How could the contracts made by the States, how could contracts made by the people of the States, by the municipalities and corporations of the States, be executed when they could make nothing but gold or silver the legal coin in the payment of their debts, if the United States, the common agent of all classes, should say, "We will not furnish you silver coin?" And if you would say, "We will not furnish you gold," you would put it out of their power to comply with the obligation of their contracts, because if you can close your mint to one you can to the other. When Congress said to the States, "we have furnished you coin, the standard silver dollar, 412½ grains, containing 371½ grains of pure silver; that is the value of it; we have so regulated it; we have furnished you with the means; you have it." I deny the constitutional power of Congress to intervene after it has done that and say, "These dollars, thus furnished, thus regulated, thus put into the hands of States and people, shall not be a legal-tender for more than \$5, although they were at the time they were issued and at the time the States and people made their contracts a legal tender for any amount whatever."

I deny all power over legal tender as to those issues. While there may be some dispute as to the power of the Federal Government relating to the debts that it has contracted, the Federal Government has no power over the debts contracted by the States or by private individuals beyond the power to coin money and regulate the value thereof to enable them to carry out the contracts they have made. For these reasons, too, as well as the good and sufficient reasons set forth in the preamble of the resolution, I would restore the silver dollar as it stood at the time it was stricken from the mint and at the time it was unconstitutionally and illegally, in my opinion, made only a legal tender for \$5 by the Revised Statutes of the country.

A great deal has been said, and we have been furnished with literature by gentlemen all over the country of great ability, showing that the silver-dollar never was the dollar of the country, that it was always subsidiary coin. I want to refer, so that I shall do no injustice, to some of the arguments on this floor upon this subject. The very able and distinguished Senator from New York, [Mr. KERNAN,] in a speech made by him, took the ground that—

The party who advanced money and took our bonds, whether he was a citizen of this country or a foreigner, in view of these facts, in view of the fact that this silver dollar was not and never had been practically a coin in use in this country to any considerable amount, did not understand that the coin mentioned in these statutes was this silver dollar. He did not believe and had no good reason to believe that the bonds were to be paid in this silver coin.

Again:

I insist that, in view of these facts, it can hardly be claimed that the parties to the contract, the Government on the one side and the loaner of money to it on its bonds on the other, understood even before the act of February 12, 1873, that the term "coin" in the acts of 1869 and 1870 imported that the bonds were to be paid in the silver dollar which had really never been in practical use as currency in the country and of which only a few millions had ever been coined.

Again:

I first submit that in view of the fact that the Government had been going on from 1793 coining gold coin by the thousand million and its silver dollar only to the extent of \$8,045,000 whether parties who had taken from the Government or bought the bonds in the market after the law of 1869, by which the Government pledged its faith to pay them in coin, had not a right to believe that the Government would pay them in the current legal-tender gold coin which alone had been issued by the Government and used in the country for the payment of large sums.

I deny that such was the state of fact in regard to the silver coinage of this country; certainly not up to 1834; indeed until after 1850. The silver dollar was the unit of value from the beginning.

It was made so by the resolution of 1786 before the Constitution was adopted. Up to 1834, when the value of the gold dollar was reduced from the ratio of 15 to 1 to that of 16 to 1 of silver, there had been only about \$10,000,000 of gold of all denominations coined in the United States. There were over \$5,000,000 more silver half dollars of full legal-tender value, as shown by Dr. Linderman's book, coined in the years 1830, 1831, 1832, 1833, and 1834 than all the gold that ever had been coined in the United States from 1793 up to 1834. Up to 1849, until the discovery of gold in California, silver was the coin of this country. The Spanish and Mexican dollars were used and made by law a legal tender. There never was a dollar of gold coined as dollars—if we stand on the word—never was a one-dollar gold-piece coined in the United States till 1849, and nearly all our gold coinage since that time has been in double eagles. There never was a double eagle coined until 1850, when the gold flowed in from California so rapidly that we had to reduce the fractional currency of silver in 1853 to keep it from going out of the country; but nobody thought of demonetizing silver on that account, or of interfering with gold because of its abundance. Mr. Hunter's report makes that very plain, and I will read from it, as it is better than anything I can say upon the subject:

It seems—

Said the Finance Committee of the Senate through Mr. Hunter in 1853—

that for fifty years, from 1750 to 1800, the quantity of silver raised was to that of gold as 40 to 1; and yet, during that period, the value of gold was not more than fifty times as great as that of silver. As a further proof of the greater quantity of coined silver, we find that the value of the silver, as compared with gold coin, was, in France, from 1803 to 1840, nearly as 3 to 4; and in the United States, from 1793 to 1841, was nearly as 2 to 1.

By what authority, then, can any person imagine that the silver coin never had been to any extent the currency of the country, when, from 1793 to 1841 the value of the silver coin in the United States was nearly 2 to 1?

And in Great Britain, where gold was the exclusive legal standard, silver being used only for the smaller transactions of trade, the proportion of silver was more than 1 to 6. So that there can be little doubt of the large excess in value of the silver coin, as compared with gold. (See table A.)

Which table exhibits the facts clearly, but I will not stop to read or exhibit it.

Indeed, it appears from a carefully compiled table, appended to Mr. Ingham's report (Document No. 117, page 109) that from 1492 to 1825 there were coined from the American mines \$4,310,000,000 in silver, and only \$1,890,000,000 in gold.

The Senate will observe that there was more than double, nearly three times as much more silver coinage as there was gold coinage, according to Mr. Ingham's report up to 1825!

But, in tracing the effect of this change of the relative value upon particular countries, we must not forget its operation upon the rest of the world. In thus excluding one of these metals from one country, if its property and trade were large, and in thus forcing more than its natural proportion into manufactures, we should diminish the volume of specie currency of the world below the natural supply. How this would affect mankind will be hereafter examined. But the mischief would be great indeed if all the world were to adopt but one of the precious metals as the standard of value. To adopt gold alone would diminish the specie currency more than one-half; and the reduction the other way, should silver be taken as the only standard, would be large enough to prove highly disastrous to the human race. Indeed, a reference to the history of the precious metals and the general course of human production, can scarcely fail to convince us that there has been a constant tendency to appreciate their value, as compared with the residue of the property of the world, and that very extraordinary increase of the supply of the precious metals, of which we have any account, has exercised a highly beneficial effect upon human affairs. When contracts are made by a standard which is gradually contracting, the advantages are on the side of capital, as against labor, and productive energy is cramped by receiving less than a fair share of the profit of its enterprises.

If Mr. Hunter had been criticising the folly of the congressional action of 1873 or arguing for its repeal, he could not have spoken more aptly nor more wisely. But I will not stop to comment now. He said further:

Before the invention of substitutes for payments in coin, and before the increased supply of specie from the discovery of America, human history is full of the strifes between debtor and creditor, and human legislation is rife with experiments to limit the encroaching and engrossing power of capital.

I read so much of this report now (I will refer to it again hereafter in another point of view) to show that all statements claiming that silver was not the currency of this country are delusive, no matter how high the authority making them. I have here a table in which Mr. Hunter shows that up to 1850 we had coined of silver coin, independent altogether of the Mexican and Spanish dollars, which formed a large portion of our currency, about \$78,000,000, and that up to 1849 of all sorts of gold coin we had only coined about \$86,000,000. Had this country made no progress during all those years?

Why, Senators, we had acquired Louisiana and Florida, we had carried on a war with Great Britain from 1812 to 1815, when we had hardly any gold coin, on the credit of the silver-dollar. We had fought the Mexican war when silver was yet the standard of value and in excess of gold in our coinage; we had acquired California and all those great countries that afterward produced the gold about which we are boasting so much and seeking to make omnipotent, in the hands of a few, even if the country is bankrupted in doing so. After we had large quantities of gold, as you will see by studying the history of this question, we had to reduce the value of our small coins in silver, not for the purpose of driving them from the country but for the purpose of retaining them here, because the influx of gold had

made them more valuable than they were before. After the last great war began, silver and gold were both repudiated by Congress. Gold did not help us any more than silver. Then Congress passed an unconstitutional act making its own evidences of its indebtedness a legal tender for all debts, public and private, except interest on bonds and customs dues. No man, whether lawyer or not, will doubt the unconstitutionality of that act who will read the great speech of Hon. Jacob Collamer, of Vermont, in the Senate, against it. If Senators doubt, let them turn to the Globe of the 12th of February, 1862. Nobody ever answered it, nobody could. Everybody knew then and knows now that the act was illegal and unconstitutional. True, we have it upon us, and we have to make the best use of the paper issued under it that we can. I am not one of those who abuse the paper currency of the country because it was put upon us illegally. I want to use it for every purpose and require the Government to take it for every purpose, and to make it as good and as valuable as we can by giving it every use possible. I do not refuse to do what is best for the country because things are put upon me in ways that I do not like. I have seen this administration inaugurated here by the decision of a commission that was worse, infinitely worse, than even the passage of the legal-tender act; but do I refuse to obey the laws? Can I properly refuse to aid the administration thus inaugurated, in carrying out all legitimate purposes of the Government, because in my opinion it was inaugurated by wrongful and unconstitutional means? No; I look at things practically. I know that the bondholders, the monopolists of this country, are seeking to destroy all the industries of this people, in their greed to enhance the value of their gold. I know that the act of 1873 did more than all else to accomplish that result, and the demonetization act of the Revised Statutes was an illegal and unconstitutional consummation of the fraud. I want to restore that money to where it was before, and thus aid in preventing the consummation of their designs.

In the National Republican of this morning there is an interview with a very intelligent member of the Senate, the Senator from Nevada, [Mr. JONES,] in which among very many other valuable truths he says:

Silver is not produced in sufficient quantity, and nowhere exists in sufficient quantity, beyond current consumption in the arts and the supply needed for Asia, to be thrown on our markets in sums large enough to threaten injury to our finance, industry, or commerce. During the year 1877, India, Japan, and China received from San Francisco, Southampton, Marseilles, and Venice, in the course of trade, \$105,000,000. This is \$25,000,000 more than the production of the entire world during the same year.

Yet gentlemen are holding up their hands in horror and saying that, with mints which have not capacity to coin more than \$50,000,000 a year, when those three countries are taking \$25,000,000 this very last year, even in the face of demonetization everywhere, we are going to flood the country with a depreciated silver currency, cheat the bondholder, destroy the national credit, and ruin the national faith! I believe in maintaining the national faith. I believe in all that has been said by gentlemen, on this and on the other side, that a man ought to look to the faith of the country as he ought to look to his own honor; but I say that he is in honor bound to see that the people he represents are not deprived of their just, legal, and constitutional rights in order to put money into the pockets of any set of men. If there is any man who has no right to complain of the treatment that he has received from this country it is the public creditor. I need not run over the history of what has been done for him. When he bought his bonds he paid for them in legal-tender notes of the country and he received bonds bearing 6 per cent. interest in gold for the depreciated notes he paid. He was made in many instances a national banker, and, to the extent of \$300,000,000, the currency of the country which was used as money, in the shape of bank-notes, was put into his hands, and he was charged, over ordinary banks, only 1 per cent. for the right to lend the evidences of his own indebtedness to the people at any per cent. he could get within the law, which he knew so well how to stretch to suit himself.

In 1869 there was a plain violation of the contract made by Congress for the bondholder's benefit, so plain and palpable that even men like Mr. Stevens, of Pennsylvania, avowed that if that great wrong was to be done he would stand with the democratic party in opposing it. Men such as Mr. Shellabarger, of Ohio, and others in their speeches denounced even the payment of the interest in gold. The Senator from West Virginia [Mr. HEREFORD] read a letter from the present Secretary of the Treasury, which shows what his views on that subject were in 1868. I will read it again. It is as follows:

DEAR SIR: I was pleased to receive your letter. My personal interests are the same as yours, but, like you, I do not intend to be influenced by them. My construction of the law is the result of careful examination, and I feel quite sure an impartial court would confirm it, if the case could be tried before a court. I send you my views as fully stated in a speech. Your idea is that we propose to repudiate or violate a promise when we offer to redeem the "principal" in legal-tenders.

I think the bondholder violates his promise when he refuses to take the same kind of money he paid for the bonds. If the case is to be tested by the law, I am right; if it is to be tested by Jay Cooke's advertisements, I am wrong. I hate repudiation or anything like it, but we ought not to be deterred from doing what is right by fear of undeserved epithets. If under the law as it stands the holders of the five-twenties can only be paid in gold, then we are repudiators if we propose to pay otherwise. If the bondholder can legally demand only the kind of money he paid, then he is a repudiator and extortioner to demand money more valuable than he gave.

Truly yours,

JOHN SHERMAN.

I am not attacking that law now—my opinions in regard to it are well known—but I am showing that the bondholders are the very

last men or body of men on earth who have any right to complain of any neglect of their interest or of any violation of public faith to their prejudice. The provisions of the act of 1870 and all subsequent acts were enacted or inserted in the face of the bonds issued under them for the protection and at the request of the bondholders, to prevent any act of Congress from being passed diminishing the quantity of gold or silver in the standard coins then in existence by authority of Congress. The Senator from Iowa, [Mr. ALLISON,] in his very able speech the other day, showed that a change in the gold coinage of the country was being seriously agitated by the present Secretary of the Treasury and others high in authority; hence the explicit declarations as to the preservation of the quantity of coin being retained at the then standard value.

Doubtless, too, they were uneasy, as they might well be, as to the constitutionality of the law of 1869, and were anxious to get clear of any possibility of taxing their bonds, so they caused the provision to be inserted upon the face of them that they could not be taxed for any purpose. I repeat, when they accepted the proposition of July, 1870, and caused for their own benefit the words to be written on the face of the bond itself that it was to be paid in the standard coin of the United States, and in the act of 1869 gold and silver coin are mentioned expressly as the coin in which they shall be paid, they are estopped to deny our right to pay them in either gold or silver coin of that value. All the bonds, even those issued last year, as was shown by the Senator from Pennsylvania [Mr. WALLACE] the other day, contain the same recital that they shall be paid in the coin of standard value on July 14, 1870. Will anybody pretend that if any bondholder has silver coin of the then standard value tendered to him he would not get all his contract required; and are we required to pay the assignees of those men in one currency and the original purchasers of the bonds in another? The Government has nothing to do with transfers; it pays whoever holds the obligation according to the terms. The law and the form of the bonds are so plain I again read them. The act of 1870 provided—

That the Secretary of the Treasury is hereby authorized to issue, in a sum or sums not exceeding in the aggregate \$200,000,000, coupon or registered bonds of the United States, in such form as he may prescribe and of denominations of \$50 or some multiple of that sum, redeemable in coin of the present standard value, at the pleasure of the United States, after ten years from the date of their issue, and bearing interest, payable semi-annually in such coin, at the rate of 5 per cent. per annum.

Also, \$300,000 of four and a half percents and a thousand million of four percents, all of which were to be payable in coin of the then present standard value.

And the form of the bond is:

The United States of America are indebted to the bearer in the sum of \$50. This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, as amended by an act approved January 29, 1871, and is redeemable at the pleasure of the United States, after the 1st day of July, 1907, in coin of the standard value of the United States on said July 14, 1870, with interest in such coin from the day of the date hereof at the rate of 4 per cent. per annum, payable quarterly, on the 1st day of October, January, April, and July in each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

WASHINGTON, July 1, 1877.

Any purchaser can see what the obligation of the United States is by reading the bonds he buys. We are only bound to comply with the obligation of our contract and to pay it in the standard coin of July, 1870. Gold and silver were then the standard coins. The effort to prevent us from having that coin is what I complain of. What I propose is to restore through the Mint exactly the standard coin we had and to furnish it to the people, so that they can comply with the obligations of the Government and with their own.

I can see no honest excuse for the legislation of 1873. Congress, having assumed obligations of the character I have read, deprived itself and the people of the power to pay their debts in the standard silver coin. I say Congress deprived itself; I mean that it deprived the tax-payers of this country; for this Government is a trustee; this Government is a pauper; this Government has nothing except the power to tax. It takes it from everything we all own, from our hats to our boots; from the cradle to the coffin; from the small nail driven into the horse's shoe to the locomotive or the steamship. When this Government undertakes by legislation to deprive the people, of whom I am one—and my people are many—of the power to pay their debts in the standard silver coin when the contract was made, and that the creditor himself demanded, they are doing a gross injustice; and when they undertake to demonetize that silver, as was done by the Revised Statutes, they are doing what the Constitution does not give them the power to do. For both these reasons, so satisfactory to my mind, I would restore the relation that existed before that time.

We are told that England, the great creditor nation of the world, demonetized silver. Perhaps she could afford to do it. We are told that we must follow her example in forcing resumption by law, even with prostrated industries; and she is held up as the great exemplar. She is our great antagonist in all the relations of commerce. We sell her our breadstuffs and we sell her raw material, but our manufacturers never go there. We have to look to the trade of countries with less commercial power and not as far advanced in many regards as England. We have to look to China, to Japan, to the Indies, to the great islands in the Pacific Ocean; we have to look

to the republics of South America, and when you turn to the tables you find that every one of them is a silver-using country. The table in Mr. Hunter's report, the table in Dr. Linderman's report, all the tables show that the people with whom we want to trade, from whom alone we can make anything, whose commerce we must seek, are people who are using silver money; and because England, our rival, has demonetized silver, owing a debt to her own people, which she is somewhat proud of, and we owing it to foreigners because she has done it, we, forsooth, must follow her example and deprive ourselves of the right to use the product of our own country in commerce which England is striving, as she knows so well how to do, to deprive us of.

Why did we spend nearly \$100,000,000 in building the Union and Central Pacific Railroads? Why did we give lands larger than a half-dozen of the kingdoms of Europe to the great railroads that are traversing this continent to reach the Pacific Ocean? It was that we might make the West the highway to the East; that we might send our steamships and our products over the Pacific to those great silver-using countries, to China with four hundred millions of people and to the thirty-odd millions in Japan and the great swarm of people in all those regions whose trade we were seeking. When we had given a hundred million dollars to build these roads, (for we might as well have given it; I fear we will never get it back,) when we were developing more silver than all the world beside, when Nevada and the other mines were coming to our relief in furnishing the material for a coin cheaper than gold, and which would cheapen gold, the Congress of the United States quietly (I will not yet say clandestinely, because the distinguished Senator from Delaware, one of the ablest men in the Senate, said that it was foolish and unwise for anybody to say that,) but in a very quiet way and with very little discretion we deprived ourselves of the power of using the silver which was then becoming the metal that we had most of and of which we had more than all the world besides.

Is it not good faith to the people that we should repeal it? I hold my allegiance to be good faith to all the people of this country, good faith to the tax-payer; and when I am acting in good faith to him I am acting in good faith to all the creditors of the country. But I never will seek to perpetuate any law that has broken down all industries, contracted the currency of the country, and brought upon us the miseries that we now see. Thousands of men, able and willing to work, are begging for bread. With bounteous harvests, with trouble in Europe and Asia, which opens up markets to us by withdrawing their competition, when the South is springing to its feet and the States of Louisiana and South Carolina, thank God, at last have come to occupy the same relation to this Government that Vermont and New Hampshire do, all calling for capital, all seeking to develop their industries, now that war and strife are at an end, are we in the midst of all that to stop and say that the people of the States and of the country shall not have the benefit of the silver which is produced in our own country, and that gold shall be put at 8 per cent. premium because we will not allow ourselves to use anything to compete with it? Our own paper is refused at the custom-houses. Why? Because that diminishes the interest of the bondholder. Our own silver is not to be taken because that would diminish the profits of the bondholder. We cannot use it to pay the debts of the railroads, of the States, and of the corporations, because that would prevent the bondholder from selling the gold that he alone gets from the Government or from purchasing the property of the people at the rate that he can when there is nothing else to compete with it. As was well said by the Senator from Ohio [Mr. MATTHEWS] the other day, what has silver fallen in comparison with? Will it not buy more land, more calico, more of anything than it ever did before? It is only in comparison with gold that it has fallen, not in comparison with property. But I cannot forbear quoting his own words:

Mr. EATON. Has it not depreciated in the purchase of every product at home and abroad? Can you buy the same amount with the same number of grains of silver that you could with the corresponding degree of some other metal?

Mr. MATTHEWS. Has the Senator finished his question?

Mr. EATON. I have.

Mr. MATTHEWS. Then I answer, and it can be demonstrated by an impregnable array of facts, that silver can to-day buy more of every other known product of human labor than it could in July, 1870, gold alone excepted; lands, houses, stocks of merchandise, machinery, labor, everything but gold; here, elsewhere. In Asia, in Europe, throughout this whole continent, nowhere, measured by the average price of the general commodities of the world, has silver depreciated the breadth of a hair. On the contrary, it has maintained its position. It can buy to-day more land, more houses, more machinery, more calico, more cotton, more everything than it could in 1870, the same number of grains of the same standard and fineness.

I read with some interest the other day an account of the composition of the English Parliament, which is constantly held up before us as an illustrious example in favor of laws demonetizing silver. That body then represented a very small portion of the people of England. They had little connection with the mass of the people, although some of our legislators here seem to think they were in 1816 and 1822 a highly representative popular body. A pamphlet was handed to me the other day written in answer to a speech of General GARFIELD in the other House, by J. W. Schnuckers, of Philadelphia, in which he gives a very good idea of what that English House of Commons was in 1821 and 1822. I will read an extract from it:

In the third place, the House of Commons did not at that time index public

opinion because of radical defects in its constitution. The rotten-borough system then prevailed. The whole population of the kingdom was twenty-one millions, but those who voted for members of the House numbered only four hundred thousand. The Duke of Norfolk was himself represented by eleven members, Lord Lonsdale by nine, Lord Darlington by seven, and the Duke of Rutland, the Marquis of Buckingham, and Lord Carrington each had six—*forty-three members representing six persons!*

These gentlemen were stronger, perhaps, even than our bondholders and railroad kings are here. I have heard that some of them control a good many; I do not know, but not in this proportion those English gentlemen did, I hope.

The borough of old Saram had two members, who were elected by one voter, who kept an ale-house, while the great cities of Edinburgh, Glasgow, and Bath, with a united population of over four hundred thousand souls, had six members elected by a constituency of 105 voters. The borough of Bramber had two members, representing a male population of fifty-six persons, while Gratton and Dunwich had four members, two elected by 6 voters, and two by 7. And so on. These boroughs were held as a property, Gratton being valued at the good round figure of 100,000 British pounds sterling, or half a million dollars, as a mere investment, because it supplied a seat in the House of Commons! This was the House of Commons to whose 168 votes on one occasion, and 222 on another, out of 650, General GARFIELD appeals as "sensitively indexing the public opinion of England" on the resumption question! A marvelously sensitive index, indeed!

That was the kind of representation in Parliament before the reform bill of 1832; and it was because such things were done and so little regard was paid to the rights of the people by a Parliament thus elected and thus constituted that the reform bill became necessary. We have had something like it lately. Eleven States of the South were not only misrepresented but other States were twice represented and the South was forced to furnish them with this double representation. We have had very bad legislation in times gone by when things were done that could not be done now and never will be again. The reform bill came in in England. We have got genuine representation from that part of the country now, and we perhaps can have the legislation that they had after the reform bill passed. If England is to be held up as an example to us, let us follow her throughout. She had then under the Parliament thus constituted protection for everything, and she had a population almost starving and bread riots prevailing time and again. When a genuine Parliament came in and the people were heard, those shackles were broken. The great protective tariff was swept away, and now she levies nearly 96 per cent. of all her revenue from seven articles, while we are hanging on to them by the thousand. She has gone on with her policy and made herself able to bring all the world in debt to her.

What have we done? We are bringing ourselves in debt to all the world. We are paying to-day somewhere about \$100,000,000 to foreign nations to do our carrying trade. In 1860 they were paying us nearly \$25,000,000. England has trebled her great marine; we have dwindled down to less than half. We had with a decent tariff more tonnage than all the nations of the world except England seventeen years ago. Contrasted with England now, we are a fourth-rate power. Follow England's example in these things and you will build up industries after a while that will enable you to pay the debt in anything and have all the world in debt to you. But in our present condition, contributing to every other nation, with no ships on the sea, we pay, as I say, immense sums to foreign nations to do our carrying trade, humiliated everywhere on the ocean. No nation without commerce can be a first-class nation, none ever has been and none ever will be. All history attests it. I say follow her in her commercial policy, and perhaps there will be some justice in following her upon the gold question.

But I said I would refer again to the report of the Finance Committee of the Senate made by Mr. Hunter on the evil effects always produced by a contraction of currency, and the advantages and blessing of an ample supply, and I do it because it is so much better than anything I can say. That report says:

So much is the value of currency affected by the facility with which it may be counted and its convenience of transportation that there will always be difficulty in supplying the place of small notes with anything but silver or that of large notes with anything but gold. We require, then, for this reason, the double standard of gold and silver; but above all do we require both to counteract the tendency of the specie standard to contract under the vast increase of the value of the property of the world.

There is our difficulty. We have increased in population and wealth in the last ten years enormously. I am not going into statistics, but I will state this fact: we have built forty-eight thousand miles of railroad since 1868; we have added to our wealth and necessity for increased currency in every form. The States of the South for a long time, six or eight years after the war, could do nothing, had nothing, but they are again on their feet. They need large amounts of money. Every thing has grown as a matter of course, and in the midst of this growth of property are we seeking to keep up the specie standard to the property standard and requirements when we have demonetized our silver, of which we produce thirty-seven millions annually in the State of Nevada alone, and all of which could be readily converted into our coin and added to the currency of the world, thus tending to keep down the contraction of the money and increase it as property increases?

But to continue. He adds:

We require, then, for this reason, the double standard of gold and silver; but above all do we require both to counteract the tendency of the specie standard to contract under the vast increase of the value of the property of the world. And what harm can arise from any probable increase of the precious metals if both

are allowed to swell the volume of currency? On the contrary, a more beneficial event for the trade, the industry, the world and political condition of the world could scarcely be imagined. Of all the great effects produced upon human society by the discovery of America there were probably none so marked as those brought about by the great influx of the precious metals from the New World to the Old. European industry had been declining under the decreasing stock of precious metals and an appreciating standard of value, human ingenuity grew dull under the paralyzing influences of declining profits, and capital absorbed nearly all that should have been divided between it and labor. But an increase of the precious metals, in such quantities as to check this tendency, operated as a new motive power to the machinery of commerce. Production was stimulated by finding the advantages of a change in the standard upon its side. Instead of being repressed by having to pay more than it had stipulated for the use of capital, it was stimulated by paying less. Capital, too, was benefited, for new demands were created for it by the new uses which a general movement in industrial pursuits had developed; so that, if it lost a little by a change in the standard, it gained much more in the greater demand for its use, which added to its capacities for reproduction and to its real value. Property which had been acquired by the strong arm and accumulated in violation of the great laws of equity and trade by an almost insensible transition was distributed more equally in society.

Nature, under the operation of this its great bankrupt law, as if by an invisible hand, loosened the bonds of the debtor, which heretofore time had continually tightened, and distributed to labor for purposes of reproduction and upon equitable terms, capital which distrust and apathy had either locked up or administered with a too sparing hand. New influences arose in society, and a new impulse was given to its movements. In the present stage of the world we may, perhaps, no more expect any event to produce such rapid transformations in society. But we might reasonably look for something like the same consequences from a similar event. Any system, either of violence or law, which distributes property improperly and unjustly, and which gives a false direction to the great stream of productive industry, will, in the end, produce throes and convulsions in the bosom of society. Unless human skill, such as is rarely if ever known, intervenes to give a true direction to affairs, or unless nature interferes, through the silent operation of her laws, to remove inequalities and repair injustice, violence is almost sure to be used to make a change if it cannot apply a remedy.

As I said when I read the former extract, Mr. Hunter seems to be warning us against the very condition of things now existing, and deploring the very evils that Congress has now brought upon this country by contracting its standard of value, diminishing its coin, refusing to utilize what Providence seems to have put into our hands, giving to gold alone by refusing to take our own paper or our own silver all the power that all the three ought to have, contracting the currency, diminishing prices, destroying industry, making it impossible for any man to borrow money to-day and invest it in anything that he can have any reasonable assurance will enable him to pay his creditor back the money with interest at the end of a year. Gentlemen say there is plenty of money in the country. Of course there is. There is no safe man who dares borrow it; hence the enforced idleness of thousands of our most intelligent and industrious laborers; hence the suffering of the people. Nobody can go into any business to-day with any expectation of making money. A man knows if he borrows \$10,000 to-day and gives a mortgage on his farm worth \$20,000, the chances are that at the end of the year the creditor can hardly get his \$10,000 back by the sale of the twenty-thousand-dollar farm. Hence no man can go into business, and hence money is idle, because all the uses of it are dried up. That is the condition we are in now, and it is because a repeal of the existing coinage laws as to silver would give at least partial relief that I propose to vote for any bill looking in that direction, whether I like all its provisions or not.

But I must hurry on. I said among other things that the bondholder of all men had the least right to complain. I have argued that often, shown it in every variety of form, and I do not believe I have heard a statement that showed the truth so boldly, so nakedly, and showed the absurdity of all the complaints now set up here and elsewhere in their behalf, as an extract which I took from a speech of my friend from Indiana [Mr. VOORHEES] in a debate that I had in the Forty-third Congress, which will be found on page 1401, part 2, of the RECORD of the second session of the Forty-third Congress. He gave the history of all the bonds that were sold each year and the prices that were paid, and the interest that was given, and when he footed them up the fact was that the bondholders had up to 1869 received over \$100,000,000 of profit before they even got the principal of their bonds made payable in gold by the act of 1869. They are the last men, certainly, to complain. Here is the statement I refer to, and which I read in the other House:

In 1862 the Government sold 6 per cent. 5.20 bonds to the amount of \$60,982,450 and received for them greenbacks at their face dollar for dollar. The demand now is that these bonds shall be paid in gold at their face, and yet, owing to the depreciation of greenbacks at the time of their purchase, only \$44,030,649 in gold was paid for them. This makes a clear speculation of \$16,951,801 in favor of the bondholder in this first transaction. On this clear speculation the bondholders have received interest for eleven years, amounting to \$11,187,188, which, added to its principal, makes the sum of \$28,138,989 already received in that single transaction, for which not one dollar was ever paid.

In 1863 the Government sold of the same kind of bonds \$160,987,550, for which it received an equal amount in greenbacks. A standard authority placed the average price of gold during that year at \$1.58 in currency. It will thus be seen that these bonds cost their purchasers but \$101,890,854 in gold, leaving a profit of \$59,096,696, without including the interest. For ten years, however, the Government has paid interest on this naked profit, this principal, without any consideration. The interest thus paid amounts to \$35,458,017, which, added to this fictitious principal, makes \$94,555,713, now in the pockets of the bondholders on that year's operation, for which they never paid anything.

In 1864 the Government received only depreciated paper for these bond obligations, and at that time our currency was enormously depreciated, if tried by the gold standard. The price of gold during that year was at an average of 201 in currency. The sale of these bonds, therefore, which are now assumed to be gold bonds, only realized to the Government \$189,697,636 in gold, less than one-half of their face value. There was left to the capitalists who speculated in them as purchasers the immense profit of \$191,594,614. This was the amount of the broker's shave, and on it he has drawn interest from the people for ten years, amounting at this time to

\$114,956,768. Add this to its principal, which stands as pure speculation, and we find that the bondholders have made as clear gain, as something for nothing, the sum of \$306,551,382 on the one year's transaction of 1864.

In 1865 the Government sold bonds to the amount of \$279,746,150, on which it suffered a discount of \$71,532,060 at the hands of the capitalists. The interest already paid by the people on this discount reaches \$38,627,307, making this year's operation realize for the bondholders \$110,159,367, for which not one cent was ever paid.

In 1866 the Government sold \$124,914,400 of its bonds, for which it received depreciated paper currency amounting to \$83,591,773 in gold, according to the then price of gold. The difference between the face of these bonds and the amount they realized to the Government was \$36,332,627. Eight years' interest received on this shave amounts to \$17,434,556. Adding this interest and its principal together, and we find that the bondholders have received \$53,757,183 out of this year's sale of bonds, for which not one dollar ever left their coffers or reached the United States Treasury.

In 1867 the Government sold of its bonds the immense sum of \$421,469,550. The purchasers paid for them \$303,215,503, leaving a clear profit to them on the operation of \$118,254,047. Taking the interest on this profit for seven years, amounting to \$49,661,694, already paid, and the speculators have in their pockets, if these bonds are to be paid in gold, the sum of \$167,915,741 on this year's brokerage, and for which they never gave a farthing in consideration.

In 1868 the Government sold its bonds to the still further amount of \$425,443,800. Their purchasers paid \$312,826,323 for them, clearing by that annual speculation the sum of \$112,617,477. Add six years' interest on this bonus, amounting to \$40,542,288, to the bonus itself, and we find that these traffickers in a nation's perils have received in this operation \$153,159,765 of the people's money, for which not the slightest equivalent was ever paid into the United States Treasury.

In addition to the foregoing 6 per cent. bonds, the Government at different times during the years mentioned issued and sold \$195,139,550 of bonds bearing 5 per cent. They realized to the Government \$122,957,410, thus leaving to the purchasers a net profit of \$72,182,140. Interest already paid on this profit amounts to \$26,115,724, which, added to the profit itself, makes the sum of \$98,297,864 as the amount now in the pockets of the bondholders growing out of their operations in the 5 per cent. bonds, and for which there is not the slightest consideration.

An account of the bondholders' clear profits arising from no investments at all may therefore be stated in the following tabular form:

1862.....	\$28,138,989
1863.....	94,555,713
1864.....	306,551,382
1865.....	110,159,367
1866.....	53,757,183
1867.....	167,915,741
1868.....	153,159,765
On account of 5 per cent. bonds.....	98,297,864
Total.....	1,012,536,004

That statement needs no comment; it was carefully and truthfully prepared. It will satisfy the country and ought to satisfy the bondholders and their advocates that they ought not to insult a suffering people, whose hard earnings have gone to enrich them, by any complaint of want of good faith to them in the effort we are making to save the country from bankruptcy.

I shall now say something about the passage of the law and the Revised Statutes demonetizing silver. I have before complained of the way in which these laws were passed. I want to retain the respect, if I possibly can, of all my colleagues on this floor, and there is no man, whose respect I would sooner have than that of the distinguished Senator from Delaware, [Mr. BAYARD.] He said in his speech the other day:

In his report of the present year additional reasons are given by the Director of the Mint for that action—

That is, for the passage of the law of February, 1873—

which I will read for a double object, not merely to refute the idea that the measure was adopted without notice or debate or public consideration, or, as has been so foolishly and unjustly charged, "surreptitiously," but also to state reasons that were satisfactory to his mind why it ought to have been done.

I am not sure that I ever stated that it was done surreptitiously, and I hardly know to whom this statement refers, although the Senator from West Virginia and myself were the only ones who had spoken of it on this floor up to that time; but I think I can show that if there was no other reason for voting to restore the silver dollar to the relation it occupied prior to the passage of that act, the way it was passed by Congress and incorporated into the Revised Statutes should be sufficient to control my action and cause me to vote for its repeal, even if I should afterward vote to repeal the repealing act. (It never was understood by either House of Congress. I say that with full knowledge of the facts. No newspaper reporter—and they are the most vigilant men I ever saw in obtaining information—discovered that it had been done. The President of the United States, as you will see by the letter which I have before me, and which was referred to by the Senator from West Virginia, six months after it became a law did not know there was any such law passed. In a letter written October 3, 1873, to Mr. Cowdry, General Grant said:

I wonder that silver is not already coming into the market to supply the deficiency in the circulating medium. * * * Experience has proved that it takes about \$40,000,000 of fractional currency to make the small change necessary for the transaction of the business of the country. Silver will gradually take the place of this currency, and, further, will become the standard of values, which will be hoarded in a small way. I estimate that this will consume from \$200,000,000 to \$300,000,000 in time of this species of our circulating medium. * * * I confess to a desire to see a limited hoarding of money. But I want to see a hoarding of something that is a standard of value the world over. Silver is this. * * *

Our mines are now producing almost unlimited amounts of silver, and it is becoming a question, "What shall we do with it?" I suggest here a solution which will answer for some years, to put it in circulation, keeping it there until it is fixed, and then we will find other markets.

The law, be it remembered, was approved by him February 12, 1873.

I have before me every print of those bills that I could find, begin-

ning in the Forty-first Congress with the one that then passed the Senate, and following them up till the law was passed, and I assert that there was not a single one of these bills either in the Forty-first Congress or the Forty-second Congress that did more than drop the standard silver dollar and not refer to it at all otherwise than by indirection to prohibit its future coinage. There was not one of them that demonetized it; none of them took away its legal-tender quality. After providing for other inferior coins, there was a provision that these are the only silver coins which shall be coined. Not one of them ever interfered otherwise with the standard dollar of 412½ grains and said it should not be a legal tender or named it at all so as to attract attention to it, and I suppose if there was a subject relative to which the members of both Houses were profoundly ignorant and as to which, when no coins were ever seen by any who were not bondholders, they were wholly indifferent, it was as to the laws relative to mints and coinage, when the bill first came up in the House in the Forty-first Congress.

There was a short discussion in January, 1872, in which Mr. McCormick, of Missouri, and Mr. Holman insisted that the provisions of the bill would make a great many more officers and would increase salaries, and Mr. KELLEY and others insisted that it would not. The debate was confined then to the question of salaries. When Mr. Hooper brought it up again, on the 9th of April, (and remember it was brought up then under an order that it should be taken up and made the special order from day to day until disposed of,) and after an explanation of it by Mr. Hooper, in which he spoke of the other coins provided for, but said nothing specially on demonetization of the silver dollar, Mr. Stoughton, who argued it more elaborately than any one else and argued it with very great ability, among other things, said:

The silver coins provided for are the dollar, 384 grains troy, the half dollar, quarter dollar, and dime of the value and weight of one-half, one-quarter, and one-tenth of the dollar, respectively; and they are made a legal tender for all sums not exceeding \$5 at any one payment. The silver dollar, as now issued, is worth for bullion 34 cents more than the gold dollar and 7½ cents more than two half dollars. Having a greater intrinsic than nominal value, it is certain to be withdrawn from circulation whenever we return to specie payment and to be used only for manufacture and exportation as bullion.

Mr. KELLEY said, (see page 2311 of the Globe:)

Again, sir, by a mistake in our law it has become impossible to retain an American silver dollar in this country, except in collections of curiosities. They would, if coined in considerable numbers, be a source of enormous profit to the silver-bullion dealers of New York. Let me show you. The silver dollar required by our laws is worth 34 cents more than our gold dollar and is worth 7 cents more than two half dollars. Now, sir, let us get back, as the gentleman desires, to specie payment before we legislate upon the mint laws, and you will have an interest of from one million to many million dollars a year here with its lobby in and around the House to prevent the Government from the possibility of losing a few dollars by substituting copper-nickel for copper and copper-bronze coinage.

He then went on to argue that that ought not to be; that we had to save it by reducing the value of the standard silver dollar. The bill was ordered to be read by sections for amendment. Great opposition was made to it. Mr. POTTER, of New York, and others insisted that, as long as we had no legal-tender gold or silver, this great question ought not to be taken up and that we ought to wait until it could be fully discussed. Only the first seven sections were reached in the reading. It was a bill of sixty-seven sections and the provisions were now discussing were in the fifteenth and sixteenth sections. That portion of the bill was never reached, and those sections were never read so as to give any chance to discuss or amend them when the House adjourned and the bill was never again called up, although by the order of the House it was made the special order from day to day until completed. So much for the discussion in April. On the 27th of May (see page 3882 of the Congressional Globe) Mr. Hooper called it up on his own motion, not, as I understand, by order of the committee. The House had agreed to adjourn on the 29th of May and motions to suspend the rules were of course in order. Less than forty-eight hours of the time remained when Mr. Hooper brought up his substitute for the bill which had been so summarily disposed of in April; notwithstanding this authority given by the House to proceed from day to day with it. He then said—and I shall only read very brief extracts as the matter has been up in the Senate before—

I desire to call up the bill H. R. No. 1427—

The bill which had been discussed in April—

I do so for the purpose of offering an amendment to the bill in the nature of a substitute, one which has been very carefully prepared and which I have submitted to the different gentlemen in this House who have taken a special interest in the bill.

I move that the rules be suspended and that the substitute be put on its passage.

Objection was made. Mr. Hooper protested that at that hour of the session, as it was a long bill, there was no necessity for reading it because it had been carefully examined by those who desired to examine its provisions. The House, however, refused to allow the bill to be passed in that way, and then he called it up again and moved to suspend the rules and pass it and have the substitute read. That is the bill he offered as a substitute for House bill No. 1427.

The record says "the Clerk began to read." Then the House, seeing that it was a bill of that character, and, of course, all impatient at the closing hours of the session, began to ask questions. Mr. Brooks protested against its being passed in Mr. POTTER'S absence. Mr. Hooper refused to wait, because he said there was no time. Sev-

eral parliamentary questions were raised, and Mr. Holman put this question to Mr. Hooper, the manager of the bill:

Mr. HOLMAN. Before the question is taken upon suspending the rules and passing the bill, I hope the gentleman from Massachusetts will explain the leading changes made by this bill in the existing law, especially in reference to the coinage. It would seem that all the small coinage of the country is intended to be re-coined.

Mr. HOOPER, of Massachusetts. This bill makes no changes in the existing law in that regard. It does not require the re-coinage of the small coins.

What was the fair meaning of that question and answer? It was, that this is a bill to regulate the mints; this is a bill merely of machinery; this is a bill merely to enable the Director of the Mint to go on and coin more money because of the increased volume of silver bullion there is now in the country, all of which seemed to be requisite and proper. Why did Mr. Hooper answer the question of Mr. Holman, to explain the leading changes of this bill in the existing law, especially in reference to coinage, by saying that the bill makes no changes in the existing law in that regard, if he knew that it did? That answer satisfied Mr. Holman and the House. Nothing more was said on material points, and the bill passed as a mere bill regulating mint machinery.

Some stress was laid the other day in discussion on a remark which Mr. McCormick, of Missouri, made in calling for the nineteenth section to be read again. A mint bill, as I said, had been up in January. Mr. McCormick, of Missouri, had protested against the increase of salaries. He wanted, when Mr. Hooper said it made no increase of salaries, to have that branch read over again; and he missed the section, it seems, for the nineteenth was only about the devices to be put on the coin and the inscriptions that were to be used. After that interruption, and the assurances that I have read were given, no part of that bill ever was read except that nineteenth section which Mr. McCormick called for. The reading which had been interrupted was never resumed, and the bill was passed almost unanimously without anybody knowing anything about it.

There were many very vigilant men in that body. I have seen Mr. Holman, of Indiana, during the vacation and he will assure anybody that he was watching it and that it never was read. Many of us were there. I do not care to say what I know myself; I never yet heard a member say that he understood it to be anything else but a bill such as Mr. Hooper stated to Mr. Holman. Mr. GARFIELD made a speech in a debate with Mr. Pendleton in Ohio last fall in which he said:

Perhaps I ought to be ashamed to say so, but it is the truth to say that I at that time [passage of the regulations demonetizing silver] being chairman of the Committee on Appropriations, and having my hands overfull during all that time with work, I never read the bill. I took it upon the faith of a prominent democrat and a prominent republican, and I do not know that I voted at all. There was no call of the yeas and nays, and nobody opposed that bill that I know of. It was put through as dozens of bills are, as my friend and I know, in Congress, on the faith of the report of the chairman of the committee; therefore, I tell you, because it is the truth, that I have no knowledge about it.

And I suppose every member of that House would say substantially the same thing except the few who were thoroughly advised. The press admit that they knew nothing about it. The President showed that he knew nothing about it. No member of the House has yet said to anybody anywhere, in any speech that I know of, that he knew about it; while all that I have seen or heard of have admitted their ignorance of these provisions.

The bill went from the House to the Senate. It was taken up here at the third session of that Congress. Let us see what took place then. When it came here it was in charge of the chairman of the Committee on Finance, Hon. John Sherman. On page 203 of the Globe of the third session of the Forty-second Congress, part 1, he as chairman of the Committee on Finance announced that it had passed the Senate substantially in the Forty-first Congress; that it was not worth while to read it; that it could be passed in a shorter time than it would take to read it, and he insisted, as I said, that the same bill had passed in substance in the Forty-first Congress. Let me give his words:

I am directed by the Committee on Finance, to whom was referred the bill (H. R. No. 2934) revising and amending the laws relative to the mints and assay offices and coinage of the United States, to report it back with two or three amendments. This bill has in substance passed both Houses, except that the Senate bill enlarged and increased the salaries of officers of the Mint. It was passed by the Senate at the last session of the last Congress, went to the House, and now, somewhat modified, has passed the House at this Congress, so that the bill has practically passed both Houses of Congress. The Senate Committee on Finance propose the modification of only a single section; but as this is not the same Congress that passed the bill in the Senate I suppose it will have to go through the form of a full reading, unless the Senate are willing to take it on the statement of the committee, the Senate having already debated it at length and passed it. It would have to be read in full unless the Senate by unanimous consent allow it to pass without a formal reading.

The bill was, however, required to lie over under the objection of the gentleman who I believe generally calls for the regular order, the Senator from Vermont, [Mr. EDMUNDS,] and it came up again later for debate; and on page 672, part 1, of the Globe, third session Forty-second Congress, debate on it was had, and there the same statements were made by the chairman that the bill had in substance passed the Senate in the Forty-first Congress, that it had at the former session of that Congress passed the House, and the debate which sprang up shows that there was not one word uttered as to the demonetization of silver from beginning to end. The California, Nevada, and Oregon Senators were protesting against the coinage

charge, and that was the only thing that was debated at all. The gentleman who had charge of the bill was insisting that they were going to issue a silver dollar that would circulate all over the world, and he wanted to change the inscriptions on it from the American eagle, which he said would not be understood, to the words "In God we trust," and the true value of the coin, so that everybody could see it. Let me quote his own language:

I rise for the purpose of moving that the Senate proceed to the consideration of the Mint bill. I will state that this bill will not probably consume any more time than the time consumed in reading it. It passed the Senate two years ago after full debate. It was taken up again in the House during the present Congress and passed there. It is a matter of vital interest to the Government, and I am informed by officers of the Government it is important it should pass promptly. The amendments reported by the Committee on Finance present the points of difference between the two Houses, and they can go to a committee of conference without having a controversy here in the Senate about them.

Again:

If the Senator will allow me, he will see that the preceding section provides for coin which is exactly interchangeable with the English shilling and the five-franc piece of France; that is, a five-franc piece of France will be the exact equivalent of a dollar of the United States in our silver coinage; and in order to show this wherever our silver coin shall float—and we are providing that it shall float all over the world—we propose to stamp upon it, instead of our eagle, which foreigners may not understand, and which they may not distinguish from a buzzard, or some other bird, the intrinsic fineness and weight of the coin. In this practical utilitarian age the officers of the Mint seemed to think it would be better to do that than to put the eagle on our silver coins. I must confess I do not think it is very important; but I think the Senator ought to be willing to defer in these matters to the practical knowledge of the officers who have charge of this branch of the Government service. I will say that Mr. Linderman, whom the Senator must know, has suggested this as being a convenient mode of promoting international coinage.

From that debate Senators would certainly infer that they were going to establish a silver coinage that would use up and take away all the silver in the mines of Nevada. Senator Casserly had announced that Nevada was then producing \$20,000,000 a year, and that would go far toward supplying the Chinese trade; and all the debate in the Senate went on to show that it was a bill which was to extend the circulation of silver, and was not by any means to cripple it.

But the strangest part of this transaction remains to be told. The bill as it passed the House, and all the bills that had been presented in the House, and all the bills in the Forty-first Congress which had been before the Senate, and I have them all here before me, had failed to demonetize the old silver dollar of 412½ grains. They had simply substituted a silver dollar of different quality, because, they said, that silver dollar was worth more than the gold dollar by 3¢, and the Senate was told by the then chairman of the Committee on Finance that the bill he was tendering to them was a bill substantially similar to those they had passed in the Forty-first Congress and substantially similar to that which had passed the House; and yet, when you came to examine the bill that was laid before the Senate, and which became a law, all those provisions in section 16 of the House bill and of the former bills which declared—

That the silver coins of the United States shall be a dollar, a half dollar or fifty-cent piece, a quarter dollar or twenty-five cent piece, and a dime or ten-cent piece; and the weight of the dollar shall be 384 grains; the half dollar, quarter dollar, and the dime shall be, respectively, one-half, one-quarter, and one-tenth of the weight of said dollar; which coins shall be a legal tender, at their nominal value, for any amount not exceeding \$5 in any one payment—

were stricken out and the following provisions substituted for them:

That the silver coins of the United States shall be a trade-dollar, a half dollar or fifty-cent piece, a quarter dollar or twenty-five cent piece; and the weight of the trade-dollar shall be 420 grains troy; the weight of the half dollar shall be 12 grams and one-half of a gram; the quarter dollar and the dime shall be, respectively, one-half and one-fifth of the weight of said half dollar; and said coins shall be a legal tender, at their nominal value, for any amount not exceeding \$5 in any one payment.

It will be observed that instead of 384 as the House had passed it, 420 grains, eight grains more than the old silver dollar which they said was over valued 3½ per cent. as it stood at 412, was added to make what was called a trade-dollar by the Senate, and the dollar of 384 grains passed by the House was wholly ignored. I hold in my hand the law which makes provision that the silver coins of the United States shall be a trade-dollar and the weight of the trade-dollar shall be 420 grains troy. That provision the House never saw. That body had passed a bill reducing the value of the standard silver dollar from 412 to 384 grains because, if they knew anything about it, of its excessive value over gold, as their committee represented. The Senate inserted the provision, increased the weight of the only dollar allowed eight grains above the old one, and I have traced the record from beginning to end this morning in vain to find where either House was told of the change or why it was made; I may have overlooked it. I think not. The bill was referred to a committee of conference; that conference committee reported to their respective Houses without a word of explanation in either; the report was adopted and the bill passed. No man opened his mouth to explain one word of it, and no man, unless previously advised, could tell, in my opinion, what that conference report meant. The House was never told by one of the conferees. The Senate, of course, was presumed to know. Nor was the House informed in any other way that I know, unless some of them got hold of the Senate printed bill. They were never told on the floor of the House by anybody that the silver dollar of 412 grains, instead of being reduced to 384 because of its superior value to gold of 3½ per cent., had been in fact

increased to 420 grains; and the conference report shows that no explanation was made to the House, and nobody, unless he had taken pains to ferret out what the conference report meant, would be likely to understand what it did mean.

That gives a general idea of the way the standard silver dollar was stricken from the coinage. What followed? The Revised Statutes came next, and every man who remembers the history of the revision will remember that every possible assurance was given by the managers of that bill that no change was or should be made by them in existing laws. Any provision of those statutes changing existing laws was and is a fraud upon the country, whether so intended or not, and should be now corrected as we would correct an error or change in an enrolled bill. At the first session of the Forty-third Congress the Revised Statutes were brought up, and when they were laid before the House the pledge was given in every conceivable form by the men who were managing the bill that there should be no change made in the existing law, that no word should be used that could by any possibility alter the sense of any existing law, that to the dotting of the *i* and the crossing of the *t* the sense and the language should be retained as far as was consistent with making a proper collection of the statutes under proper headings. General BUTLER first laid them before the House, and said:

I desire to premise here that your committee felt it their bounden duty not to allow, so far as they could ascertain, any change of the law. This embodies the law as it is. The temptation, of course, was very great, where a law seemed to be imperfect, to perfect it by the alteration of words or phrases, or to make some change. But that temptation has, so far as I know and believe, been resisted. We have not attempted to change the law, in a single word or letter, so as to make a different reading or different sense. All that has been done is to strike out the obsolete parts and to condense and consolidate and bring together statutes *in pari materia*; so that you have here, except in so far as it is human to err, the laws of the United States under which we now live. And it will be necessary, if the bill passes Congress, that it shall pass without any one undertaking to amend the law as it stands in this revision; because, once beginning to amend the revision by altering the law from what it is will lead into an interminable sea, in which we shall never find soundings and which will never find a shore. But if there be any omission of any provision of law, the theory of this revision is that that shall be supplied; and to that the committee desire to call the attention of the House.

Judge Poland followed General BUTLER, and said:

As my friend from Massachusetts has said, the committee have endeavored to have this revision a perfect reflex of the existing national statutes. We felt aware that if anything was introduced by way of change into those statutes it would be impossible that the thing should ever be carried through the House. In the multitude of matters that come before Congress for consideration, if we undertake to perfect and amend the whole body of the national statutes there is an end of any expectation that the thing would ever be carried through either House of Congress, and therefore the committee have endeavored to eliminate from this everything that savors of change in the slightest degree of the existing statutes.

And he elaborated it in every form. I have references here to eight or ten different places where on questions by Mr. Maynard, of Tennessee, questions by myself, questions by other gentlemen, they all agreed; and in the Senate the same debate was had, all agreeing here, as in the House, that no change in any way, so as to alter the sense of existing law, was to be made in the Revised Statutes; yet what do we find? At page 712 of the Revised Statutes is the distinct provision demonetizing all the silver coins of the United States and saying they shall not be received for any sum except \$5 in value. We had not in one of the laws previous to that time demonetized the old standard silver dollar. Every outstanding dollar of that day was a legal tender for all debts, public and private, for all amounts; and when the Revised Statutes said that all silver coins of the United States should be degraded so as to be a legal tender only for \$5 they changed the law of the land in violation of all the pledges of the men in both Houses who had the management of them, and reduced the standard dollar of 412½ grains to a subsidiary coin that could not be tendered to anybody for over \$5, when prior to the revision, even after the law of February 12, 1873, every outstanding silver dollar was a legal tender for all debts, public and private, by States, people, corporations, Government, everybody. I said that even if I should again vote to repeal that law to-morrow, a law that was put upon the Revised Statutes in direct violation of the pledges of all the men who were managing them, whether it got there by accident or design, I would correct it; I would set aside the fraud, if it were a fraud, and correct the mistake, if it were a mistake. I would not allow the revision which professed not to change anything to destroy all the then existing silver coin of the country. How much there was I do not know, but I know that even before 1854, when the silver half dollar and quarter were reduced in value and limited in legal-tender quality, we had over \$100,000,000 of full legal-tender silver coin, and I know that the Government of the United States has no way of destroying that money or taking it out of the Treasury except by appropriations made by Congress, and nothing of that sort had been done. How much had been melted at the mints on private account I do not know, but I know that this act demonetized whatever there was of it, and there was a large amount, because this book of Dr. Linderman shows that the very year before it was demonetized, to wit, in 1872, we had coined \$1,112,961 of one-dollar pieces of the value of 412½ grains, or 371½ grains of pure silver, and in the fraction of the year 1873, prior to the demonetization, we had coined \$977,150, making very nearly two million of silver one-dollar pieces that had been coined from 1872 up to the demonetization in February, 1873. It was in my opinion because it was known that silver was flowing into this country from Nevada just as Mr. Casserly had said in the debate; it was because it was

known that Germany was demonetizing it and that silver was going to be cheap and we were going to be able to pay our obligations in a coin that would cost us less and was more easily attainable than gold, which was held in the hands of a few men and was increasing in value and more difficult to procure if the holders of gold, our creditors and their allies, could only get clear of the silver dollar; it was because of that and to effect that object that the law of 1873 was passed, and passed in the way it was; and it was to promote the same object that silver was demonetized by the Revised Statutes.

Dr. Linderman has furnished us a book, and I have said that as long as he is at the head of the Mint we shall never have any fair silver coinage. I cannot dismiss him; this Senate cannot, but we can pass stringent laws and compel him to obey them. In his book he contradicts himself and shows his hostility to the silver coinage in the most unmistakable form. He says, at page 44:

The silver dollar had already become obsolete in fact; the law of 1873 merely conformed to that fact.

And yet in the previous year, 1872, and in the year 1873, we had coined more than double as many silver dollars as we had coined in any one year during the whole existence of the Government. I do not know anything about the publication of this book. It was laid on my desk and I suppose on the desk of every member.

But I read on:

This important feature of the coinage act of 1873 had been agreed upon by Congress before it became apparent that a serious decline in the value of silver was likely to take place, in consequence of the change from the silver to the gold standard by the German Empire; and this change in reality could have had no influence in determining the question.

Observe that the Director of the Mint in his published book tells us that this important feature of demonetizing or striking out the coinage of the standard silver dollar of 412½ grains had been agreed on by Congress before it was apparent that a serious decline in the value of silver was likely to take place in consequence of the change from the silver to the gold standard by the German Empire, and this change in reality could have had no influence in determining the question.

When was this important feature of the coinage act agreed upon? February 12, 1873; never before. Turn to the next chapter of his book. There, forgetting, perhaps, what he had said, he says:

The following extract from a report made by the author to the Secretary of the Treasury, November 19, 1872, at which time the coinage act of 1873 was pending in Congress, shows the grounds on which the coinage of the trade-dollar was authorized by that act.

He goes on to show what he reported in September, 1872, five months before this bill became a law, and he had told us three pages before that they agreed on it before they knew there was going to be any fall in the price of silver. He tells the Secretary—and that no doubt was at the bottom of the movement for a trade-dollar of 420 grains being substituted for the dollar of 384—that is likely to happen. But let me read his own report, which he here quotes:

Among these causes may be stated the increasing production, its demonetization by the German Empire, and continued disuse in this country, except to a limited extent as a part of the circulating medium.

It has also been demonetized by Japan, while in some other countries silver coin has been wholly or partially expelled from circulation by paper money, the effect of which will be to bring to market as bullion large amounts hitherto used as coin. The amount of silver coin in the German Empire at the date of the enactment of the recent coinage law, (December, 1871,) which changed the standard from silver to gold, is estimated by competent authority at \$350,000,000, being equal to five years' total production of the globe.

Even if silver should be adopted by Germany for subsidiary coinage, not more than \$50,000,000 will be required for that purpose, which will leave \$300,000,000, or about nine thousand tons, to be disposed of as bullion. A market for this immense supply of silver can only be found in such of the European states as maintain the single standard of silver or the double standard of gold and silver, and in China and the Indies.

The facts above stated indicate the gradual but eventually certain adoption of the gold standard, and consequent demonetization of silver by all commercial countries. Not only is the tendency to adopt gold as the sole standard and measure of value, but to use paper money redeemable in gold as the bulk of the circulating medium.

The true policy of this country under these circumstances is to seek a market in China for its silver bullion; and to do this it must be put in form to meet a favorable reception in that empire.

Five months before the demonetization bill passed he is telling the Secretary that the demonetization of Germany will bring silver down and we must put it in a shape that it can be used in China; he says it is falling in price, and yet he has the assurance to tell us in a printed book that when Congress passed that law it was before it was apparent that a serious decline in the value of silver would take place. Five months before it became a law he had warned the Secretary of the decline and begged him to make a trade-dollar containing eight grains more silver than the old dollar had contained, in order to meet the necessary fall. That is the authority that is relied upon here by distinguished Senators, and we are sought to be silenced by the weight of his authority as being conclusive upon us that we ought not to do anything without following the advice of the experts, of whom he is called the head. No, sir; I say that book of Dr. Linderman on its face in these two statements shows that it is unworthy of reliance. Of course many of his facts are true; his tables are true; his tables are the tables furnished by Mr. Hunter; his tables are the tables furnished by Mr. Ingham as far as they then went, and are of course entitled to consideration.

Mr. EATON. If my friend will allow me to ask him a question, I wish to call his attention to the fact that some time ago, in reference to another matter which I had in my mind, of great importance, I

understood him to say that the amount of freights paid by us to foreign bottoms in gold was \$100,000,000 annually. Will he tell me where I may arrive at that conclusion? I had supposed it was about \$40,000,000. My friend says one hundred millions. I should like the data; that is all. I do not wish to interfere with his discussion; but that remark of his had reference to another bill that I have now before the Senate, of very great importance to the commerce of the country.

Mr. BECK. I may have stated it too high. I was not thinking of nor trying to discuss that question.

Mr. EATON. It is bad enough at my figures.

Mr. BECK. My recollection is that in a message to Congress—I cannot now think of the date, but a friend suggests that the amount I stated was shown in a speech by Mr. Shellabarger, of Ohio—the President, General Grant, in deprecating the condition of our commerce, said that we were then paying nearly \$80,000,000. That is my recollection, and subsequent reports show that it had gone up to somewhere about \$100,000,000. It may be less, but I will endeavor to look it up and furnish the data to the gentleman from Connecticut. If I am wrong, I will take it back.

Mr. EATON. I desired it for another purpose, not for this discussion.

Mr. BECK. I only desire to say this in addition, if the Senate will bear with me. I have no particular system or order in what I am saying. I have no speech prepared. I did intend to take some notice of the remarks that were made the other day when my friend the Senator from Massachusetts [Mr. DAWES] and myself had some discussion about the silver bill, and I intended to refer to some other things; but I see that I have spoken much longer than I thought I would when I rose, and I will let these matters pass for the present.

I have, Mr. President, in this vague, general way presented the reasons that influence me in voting for the restoration of the silver dollar with proper guards, giving to the people of the United States the benefits of the coinage and the profits which inure from it, having no sort of doubt that in a very few years gold and silver will come together at about the standard they occupied before the law of 1873 was passed; that with the immense demand for silver in China and Japan, and all the Indian and Eastern nations, the use that is now made of it all over South America, with the almost certainty in my mind that the nations composing the Latin union, France, Switzerland, and others, will again restore silver to their coinage; that England will not be able with all her wealth and all her power to drive the other nations of the world away from its use which has been the coinage of the world from time immemorial, and that it will become the interest of our bondholders, and that they will act accordingly when they find that the standard silver dollar is to be paid to them for the interest on their bonds, to aid us in bringing together the two metals and not keep them apart as now, and that when we enable the silver and the paper of the country to take part in bearing the burdens of commerce we will thereby reduce gold and bring them together, and as the property of the world is rising in value, as the property of this country would with reasonable encouragement to our labor rise more rapidly than that of any other, we ought, instead of contracting the currency of the world, seek to add to it and keep it up by every means in our power; and as a debtor nation especially it behooves us, if we are going to be true to ourselves and true to our people, to use every instrumentality we honestly and legally can to enable us to pay our debts without reducing the value of our property.

It will be far better for our creditors, because you know, Mr. President, every Senator knows, that for the last year or two, ever since contraction has begun, the values of all property have fallen—fallen from a third to a half; that the sheriff is at every man's door. Bankruptcy is staring in the face the honest labor of the country, and when you destroy labor you destroy the very source of wealth, for in its last analysis it all comes from the sweat of the poor man's face, and the capitalist will find himself after awhile worse off than he is now if he determines to stand by and see all industries crushed, all labor go unrewarded merely that he may buy the property of the debtor for one-half what it would be worth if that debtor had only a chance to work; for that is all that the people want, a chance to earn their bread, and let the commerce of the country, the industry of the country, and the great resources of the greatest country upon earth have fair play. I regard the passage of the bill as one of the steps necessary to be taken to obtain these results.

I do not pretend to say that the recoinage of the silver dollar is all I want or all that the country needs, but I would restore it to the currency as an aid in building up the industries of the country. I would not force gold payments upon the people in their present condition. I would let them prepare the way for it by trade and commerce. I would do away with the great tariff taxation that was put on them to protect a few men and take money out of the pockets of the great mass of the people to give it to protected classes.

I would do all that in me lay by repealing the resumption act, by restoring the silver dollar, by receiving legal-tenders at the custom-houses, by rearranging the tariff upon a basis of revenue, to bring about these results. Until that is done we can have no commerce, and without commerce we cannot be a great people. I would diminish taxation wherever I could; I would build up the States, North and South, and bring them together in fraternal relations again.

The creditors of the country as well as the debtors of the country will be benefited when these things are done.

Mr. President, I shall not longer detain the Senate.

The PRESIDING OFFICER, (Mr. FERRY in the chair.) The pending question is on the motion of the Senator from Vermont [Mr. MORRILL] to refer the resolution to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. No. 1637) to establish post-routes in the several States therein named.

The message also announced that the House had passed a bill (H. R. No. 2142) to authorize and direct the Secretary of State to affix the great seal of the United States to a certain document therein stated; in which it requested the concurrence of the Senate.

PROPOSED ADJOURNMENT TO MONDAY.

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

Mr. SARGENT. Considering the resolution which I submitted this morning, I feel called upon to object. Ordinarily I would not, for I am aware that a great deal of very important work is done in committees and that a motion of this kind is often in the interest of the business of the Senate; I have sometimes submitted it myself; but I should like to have the Senate determine to-morrow morning whether it will on the next morning allow the ladies to be heard, and themselves to attend here in organized form to listen to their presentation of their case. I trust my friend will withdraw his motion.

The PRESIDING OFFICER. The Senator from Delaware moves that the Senate adjourn till twelve o'clock on Monday next. The question is on that motion.

Mr. THURMAN. I understand the motion made by the Senator from Delaware is not to now adjourn till Monday next, but that when the Senate adjourn to-day it be to meet on Monday next.

Mr. BAYARD. Yes, sir.

The PRESIDING OFFICER. The motion then is that when the Senate adjourn it be to meet on Monday next.

Mr. SARGENT. That I object to for the reason I have given, and I trust my friend will withdraw the motion under the circumstances. The circumstances are peculiar.

The PRESIDING OFFICER. The motion is in order.

Mr. BAYARD. I have not the least objection to accommodate myself to the wishes of the body. I really thought we should save time by an adjournment over.

Mr. THURMAN. Let me suggest to my friend from California that if I understood the gentleman who spoke on the rules this morning, and who understands them so well, his motion cannot prevail except by unanimous consent. Now, has he the slightest idea that he can obtain unanimous consent?

Mr. SARGENT. I hope that my gallant friend from Ohio, and the other most excellent Senators here, will consent. I think there is a general disposition to consent, and I hope the general purpose of the Senate will not be defeated by the too rigid determination of one Senator. I, at any rate, should like to see the experiment fairly tried. I am aware it can only be done by unanimous consent, because it involves the suspension of a rule. I dare say the Senator to whom I allude specially will consider the question by to-morrow and determine not to stop it.

Mr. THURMAN. There is but one instance, I believe, in the history of this country in which any person has been heard at the bar of the Senate, or any number of persons, and that was in the case of a contested seat where the contest was over the seat of Mr. Gallatin. There the Legislature of the State of Pennsylvania, or at least one branch of it, petitioned the Senate asserting that Mr. Gallatin was not eligible to be elected to the Senate, and that Legislature appointed counsel, and the Senate heard the counsel appointed by the Legislature of the State of Pennsylvania and heard counsel on behalf of Mr. Gallatin. According to my recollection, that is the only instance in the history of this country where anybody has been heard at the bar of the Senate, and that was the case of a sovereign State asking to be heard.

Now, Mr. President, whatever may be the views of Senators upon the question of female suffrage, and however strongly they may advocate it, yet is it not apparent that if we once break through the uniform usage of the Senate and have petitioners heard at our bar in the advocacy of public measures, there will be no end to it? Why, Mr. President, there is not a Senator on this floor who would think for one moment of hearing a delegation of men at the bar of the Senate. It is simply because these are ladies, and for no other reason in the wide world. There is not a Senator here who believes, not even the Senator from California, as I think, that we should hear one single idea, one single fact from those who should discourse to us here if we were to open the door for them to do so, that we have not already seen in print again and again, and that their brothers on this floor are not as competent to advance as are they.

Mr. President, I, for one, whether it be popular or unpopular, whether it cause me to be abused or not to be abused, must set my face against it. I cannot consent that the usage of this Senate for so long a time shall be broken in upon in this way.

Mr. CONKLING. May I ask the Senator before he sits down, why does he say that unanimous consent in this instance is required?

Mr. THURMAN. I only said so because I understood the Senator from Vermont to say so; and on all questions of rules I defer to him—to my friend from New York first, to the Senator from Vermont next, and to the Senator who now occupies the chair, [Mr. FERRY,] when the Senator from Vermont and the Senator from New York disagree. [Laughter.]

Mr. CONKLING. Mr. President, as the Senator from Vermont is absent and the Senator from Michigan is not prepared to speak, I venture to continue my inquiry so far as to suggest that the Senator from Vermont objected to the consideration of this motion to-day. That he had a right to do, because the rule requires that every motion must lie over one day on a single objection. He did not, as I understood him, mean to imply that unanimous consent was necessary to this proceeding, and I call attention to Rule 61 in these words:

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule, except the eighteenth—

That relates to the yeas and nays—

may be suspended without notice by the unanimous consent of the Senate; and the rule proposed to be suspended shall precisely and distinctly be stated. The eighteenth rule shall never be suspended under any circumstances whatever.

If I understand this rule, it provides first that by unanimous consent, without notice, the Senate may dispense with any rule, or suspend it, save only the eighteenth rule; and without unanimous consent, but on one day's notice, the Senate by a vote may suspend any rule except the eighteenth rule. This is not my proceeding at all, but I venture to suggest that if the Senator from California has given notice or chooses to give notice that on to-morrow morning he will move to suspend the rule that stands in his way, I do not see that he will require unanimous consent.

Mr. EATON. Let me call to the attention of the Senator from New York this language of the rule:

Any rule, except the eighteenth, may be suspended without notice by the unanimous consent of the Senate—

It must be by the unanimous consent of the Senate—and the rule proposed to be suspended shall precisely and distinctly be stated. The eighteenth rule shall never be suspended under any circumstances whatever.

Mr. CONKLING. Now if my friend will read above that particular provision,—that is the provision for suspending by unanimous consent,—he will see:

No motion to suspend, modify, or amend any rule, or any part thereof shall be in order—

That is for a vote—

except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

The Senator will see, I think, that that part of the rule justified me in saying that the Senator from California, if he has offered a resolution to-day or shall offer a resolution to-day, which resolution is tantamount to notice that on to-morrow morning he will move to suspend the rule which stands in the way of the constituents or citizens in whose behalf the Senator makes this suggestion, he will certainly be in order in the morning with that motion, and a mere majority vote of the Senate will suspend the rule, and will open the doors to these fair and respected petitioners who wish to address more especially I infer the Senator from Ohio, as he seems to be one of those requiring this sort of address. [Laughter.]

Mr. HOAR. Mr. President, I desire to ask the Senator from New York, who is much more familiar with the rules than I am, whether this is an application to suspend the rules at all? As I understood the Senator from California, his resolution was that certain petitioners be heard by the Senate at the bar. There is no standing rule of the Senate against that.

Mr. CONKLING. I am afraid there is.

Mr. HOAR. That I should like to inquire about.

Mr. SARGENT. I should like to inquire about that too.

Mr. HOAR. I understand that a standing order of the Senate prohibits the use of the Senate Chamber by anybody but the Senate itself, as a rule; but I am not aware that the ordinary parliamentary right of any parliamentary body, however infrequently used, to grant a hearing at its bar is prohibited by the rules. If it is, it is by some rule which has escaped my hurried search.

Mr. SARGENT. On page 159 of the Manual there seems to be this standing order:

Resolved, That hereafter the Senate Chamber shall not be granted for any other purpose than for the use of the Senate.

The resolution I propose does not conflict with this standing order. When the Senator from Vermont this morning referred to a rule of the Senate I supposed he referred to something besides this standing order and which I had not seen and had not in memory, and therefore I presumed upon his statement that there was some conflict between the resolution I offered and the rules of the Senate. I must say that on such research as I have been able to give since I have not found any rule that this resolution which I offered would conflict with. That which I needed unanimous consent for this morning was that the Senate proceed to its consideration. The Senator from Vermont objected to that and hence it went over.

The PRESIDING OFFICER. The Chair so understands, that the

motion made by the Senator from California went over on account of the objection, as the rule provides that upon an objection a resolution shall go over. The Chair does not understand that any motion is now made to suspend any rule, but on to-morrow it will be in order to consider the resolution which the Senator from California introduced to-day and which was laid over under objection.

Mr. HOAR. Mr. President, I trust, as the Senator from Ohio has not confined himself to the point of order, but has without objection discussed the resolution which has gone over, the Senate will permit a brief statement in reply. I understand that this application rests upon a principle which distinguishes it from every other application that ever was made or which ever possibly can be made, in this particular: here are citizens of the United States, one-half at least of the entire number, who are entirely unrepresented, in any constitutional sense of that word, in the Congress of the United States. Every other American citizen of lawful age and of proper qualification as to residence has the right to vote for members of the State Legislature and for members of Congress, so that he is represented by Senators and Representatives, in whose choice he has a part.

Now, here is a question involving the right to enfranchisement, the right to be represented hereafter, of one-half the citizens of the Republic, and they cannot be heard, as all other American citizens can, through representatives of their choice. They have by concert of action throughout all the States of the country selected as well and as formally as they could persons to represent their desire and to advocate the justice of their claim that they for the future may be counted in that ascertaining of the numbers of citizens whose wishes are to control this Government which we term popular election and which makes up Government by the people. They are as foreigners; they have no title to be heard except in the grace or discretion of the Senate. Other American citizens are heard and are presumed to be heard by the Senators and Representatives in whose selection they take part; but this one-half of the entire number can have in any constitutional or logical sense no hearing of their views in this matter so important to them and so important to the entire Republic except in the special mode which they ask the Senate to permit them to employ.

I do not think that in this matter of government the sex which so far has engrossed that function has attained to such remarkable success that it should receive very contemptuously any suggestion tending to amend the methods that shall be pursued. We are supposed to have been on this planet some six thousand years or more, and the one clumsiest thing which men can do on the face of the earth, the one thing in which there is the most waste, the most friction, the most crime, the most blundering, and the most fraud is this one thing which consists in governing mankind. The functions of government are very few. All that is required of government is to keep people from injuring each other in person and property and to accomplish a very few other results, like public education and the making of public ways to which individual effort or private combination is inadequate; and yet you have got all over this planet, with one or two exceptions, governments which are admitted to be founded in fraud, in injustice, in crime, in tyranny, and exercised for the benefit of the few at the expense of the many.

We are apt to boast that our own republic is an exception, and yet we have just heard from the honorable Senator from Kentucky an eloquent discourse in which he has sought to show that nearly all its legislation for the past few years has been directed to a similar end and has accomplished in the ruin of a great part of its people a similar result. One of the great parties that divide this country claims that the other has cheated a President into office, and the other retorts by claiming that its antagonists have in ways equally objectionable got their hold on the majority in one branch of the Government and are nearly in a majority in the other.

Now, it seems to me that a proposition to bring in to the government of mankind the aid of that portion of our citizens who are distinguished for purity, for humanity, and for moral sense, is entitled at least to grave consideration, and that their request to be heard on that matter by representatives whom they have chosen to select, they otherwise being unable to be heard at all, is entitled, when it can be done without detriment to the public business, to the favor and to the assent of the Senate.

Mr. HAMLIN. Mr. President—

Mr. THURMAN. Will my friend allow me to say a word in reply to the Senator from Massachusetts?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Ohio?

Mr. HAMLIN. Yes, sir; but that is the precise thing I rose for.

Mr. THURMAN. Ah, then I will give way to my friend.

Mr. HAMLIN. Oh, no.

The PRESIDING OFFICER. This debate is proceeding by unanimous consent. The question is on adjournment, which is not debatable.

Mr. THURMAN. So I understand.

Mr. SARGENT. Is the motion pending to adjourn?

The PRESIDING OFFICER. The motion is that when the Senate adjourns to-day it be to meet on Monday next.

Mr. CONKLING and Mr. SARGENT. That is debatable.

Mr. THURMAN. Mr. President, I never knew before that the women of Massachusetts were wholly unrepresented on this floor.

Until advised by the Senator who has just taken his seat, I really thought that he and his colleague represented all the people of the Commonwealth of Massachusetts.

Mr. HOAR. Will the honorable Senator from Ohio allow me to put him a question?

Mr. THURMAN. Yes, sir.

Mr. HOAR. Would he think if he were deprived of the right to vote in Ohio that he was represented?

Mr. THURMAN. I should think that I was represented as much as every minor in the United States is represented on this floor; as much as every unnaturalized resident of the United States is represented on this floor; as much as every woman in the United States is represented on this floor. If the Senator from Massachusetts does not represent the women of his Commonwealth, then I am sorry to say, with the greatest respect for him and without being in the least offensive, that I think he has wholly mistaken his duty. He is their representative just as much as if they had the right to vote. He is as much bound to consult their welfare, to consult their rights, to consult their feelings, to promote their prosperity, as if every one of them had voted to seat him in his place. It is a new idea, indeed, that nobody is represented but those who have the right to vote. That is not a true idea at all.

One word more. The Senator from Massachusetts speaks of one-half the people of this country, that is the female sex in the country, and he conveys the idea, whether he intended it or not, that these ladies who desire to be heard at the bar of the Senate to-morrow are here the chosen representatives of all the women of the United States. Sir, I utterly deny it. I utterly deny that they are the representatives of one-twentieth part of the women of the United States, or the one-hundredth part, my friend from Connecticut [Mr. EATON] says. I believe that would be nearer the truth. Where are their credentials that constitute them the representatives of the women of the United States? I should like to know where they are. They are undoubtedly very worthy people. They undoubtedly have brooded over their supposed wrongs until it has almost become a mania with them to besiege Congress. One of them said, according to the newspapers the other day, at a meeting down here at Lincoln Hall, I think it was, that they would "carry the Senate by God."

Mr. WADLEIGH. By what?

Mr. THURMAN. "By God." Well, perhaps they will, but it will be long after some of us old fogies are out of the Senate; it will be when younger men shall be here. I do not think that we are in any very great danger of having the Senate Chamber carried by storm, not even by these very worthy ladies who desire us to hear them. I do not wish to be understood as casting the slightest contempt upon these ladies or treating them with disrespect. I have no such purpose at all. I can respect them as much as I respect others. At the same time I am free to confess that the woman who sits at her fireside and takes care of her children is with me a rather more respectable character than the woman who lays siege to the Senate of the United States and threatens to "carry it by God." [Laughter.] I deny that these ladies are the representatives of the women of the United States. Therefore the case supposed by the Senator from Massachusetts, that half the people of the United States are here asking us to hear them at our bar, is simply in his own imagination.

Has the Senator from Massachusetts or my friend from California ever thought that suffrage belongs to the States, that it is for the States to declare who shall be the voters in the States? Your constitutional amendment itself does not declare who shall be the voters. It provides that, if any State shall deprive any person of the right of suffrage on account of race, color, or previous condition of servitude, that State shall lose a certain rate of representation in the House of Representatives and in the electoral college; but it does not cram the suffrage down the throat of the State, so to speak. Why, sir, the very fundamental idea almost of our composite system of government has been that the right to provide who shall be electors, who shall have the right of suffrage, belongs to each State for itself. I believe that in the State represented by the Senator who has just spoken—

Mr. EDMUNDS. Let me suggest to my friend that the fifteenth amendment, so far as race, color, and previous condition of servitude go, does prevent the State absolutely from denying suffrage on that account.

Mr. THURMAN. I understand that.

Mr. EDMUNDS. My friend only spoke of the previous one, which limited representation.

Mr. THURMAN. I stated it correctly. I believe that in the State represented by the Senator who has just spoken, the old Commonwealth of Massachusetts, they have a literary test, and a voter must be able to read and write. Is it not so? So I understand. Suppose the people who cannot read and write should come here and ask us to hear them? Some of them are first-rate stump speakers; I have heard them; and I have heard a good preacher, too, an excellent preacher, who could not read and write. Suppose they should come here and ask us to hear them, would the Senator hear them or would the Senator say that he does not represent them because they cannot vote for him, or will he leave it to Massachusetts to say who shall enjoy the right of suffrage in that respect? Will he not do that? Will he not do it with Ohio? Should he not do it with every other State?

Why, then, shall we undertake by a constitutional amendment to override the right which every State has exercised up to this time of declaring who shall enjoy the right of suffrage in that State? Why do not these ladies, instead of attempting to "carry the Senate by God," appeal to their States, convince the people of their States, and procure an amendment to the State constitution which shall give them the right to vote? Let them begin with that. Let them begin with Massachusetts. When they get the right to vote in Massachusetts, then probably they will get it in other States thereabouts, and then perhaps in some others; and when they get it in a large number of States they may be quite sure they will get it in all; but until they do that, do not let them be storming the Senate of the United States. I say to the Senator from Massachusetts if he believes that these ladies ought to have the right of suffrage, let him go home and preach it to the people of Massachusetts. Let him get the people of Massachusetts to amend their constitution and give the women the right to vote, and they will not have any need to come to Congress for help.

Mr. HOAR. Mr. President, the Senator from Ohio has expressed a notion in regard to what constitutes representation in the sense in which freemen use that term, which I supposed had disappeared from this continent when the Tories left it at the breaking out of the revolutionary war. It was gravely said to our fathers, I think Dr. Johnson has it in his pamphlet, *Taxation No Tyranny*, by the Tories of a hundred years ago, that it was of no consequence that the Americans could not vote for members of the House of Commons, or could not send their representatives across the water, because under the original charters both of Virginia and of the New England States they were represented by the representative from Greenwich in the county of Kent. In that Tory sense the women of the United States are represented in Congress, but in no other. It is not a question whether the representative considers or feels himself bound to consider the interest of the citizen when he votes. That is not representation; that is government; that is protection; that is care. But representation consists in the power of selecting the agent and the power of holding the agent accountable if the representation be not according to the will of the constituent.

The honorable Senator from Ohio has been fearfully shocked by the emphasis which he says somebody somewhere added to a declaration of a purpose to convince the Senate in time of the justice of this claim. The honorable Senator has sat here some ten years and never of course heard such an expression as that from any of his male associates in the public councils! If he had, the zeal which he has manifested in repeating it here would of course have led him at once to make known his horror and disgust at such an addition to the discourse.

The Senator from Ohio says that the woman who takes care of her children by the fireside is entitled in his judgment to quite as much respect as she who besieges the doors of the Senate Chamber asking for what she deems her rights, and I think the honorable Senator from Ohio is quite right. She is as attractive, and I am prepared to concede more attractive to most of us, when engaged in that employment; but the question is whether the woman who sits by her fireside taking care of her children shall have her vote counted in regard to the matters of public importance and of government in which she as a mother of children has a larger stake than can be possibly had by anybody else under the Government. Ninety-six per cent. of the teachers of Massachusetts, if I have not forgotten the number—thereabouts, at any rate—are women; and can the Senator from Ohio tell me any good reason why those 96 per cent. of the teachers, who exercise the highest function under society, should not at least have their votes counted in determining the policy which governs and manages the common schools of his State and of mine? Is it not fair that the woman as she sits by her fireside caring for her children should have her vote counted in determining whether the husband and the father of those children, whether those children themselves as they grow up, shall be exposed to the temptations which are now legalized or tolerated by government, which will lead to their destruction?

I do not understand that it is the opinion of anybody who seeks this change in our social and constitutional arrangements that woman should be polluted, or even that she would not be polluted, by admitting her to a share in elections and in governments as they are at present conducted. I do not think any woman wants to go or anybody wants to send her to cast her vote in the city of New York through a hole in the shutter of a beer shop, any more than formerly, when it was claimed that she should be admitted to be the social companion of man, it was expected that she should take part in the riot and in the debauch with which the pleasures of the table were invariably accompanied in the time of our ancestors. When woman was admitted to share in the meal and the feast, it was by purifying the institution, not by degrading her; and so when in ascertaining the sense of this Government and of this people in matters of education, in matters of moral reform, in matters of social legislation, it is proposed to count her vote, it is proposed also that the method of counting the vote shall be so purified and elevated that her vote can be counted without injury to her and to the great advantage of the State.

The PRESIDING OFFICER. The Senator from Delaware has moved that when the Senate adjourn it be to meet on Monday next.

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

Mr. HAMLIN. I ask the Senator to withdraw that motion, that I may ask the Senate to take up a bill on the table which I think they may be willing to pass.

Mr. SARGENT. I withdraw it.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Then the Chair will lay before the Senate a bill from the House of Representatives.

HOUSE BILL REFERRED.

The bill (H. R. No. 2142) to authorize and direct the Secretary of State to affix the great seal of the United States to a certain document therein stated was read at length. It directs the Secretary of State to affix the great seal of the United States to the document entitled "The administrators of the United States Government at the beginning of its second century."

Mr. EDMUNDS. What does that mean?

Mr. HAMLIN. It will be remembered probably by all Senators that during the centennial year a tablet (or they call it by a specific name there) was prepared with the names of the several officers of this Government, and it is designed to preserve that in the State Department for another century. This bill, I think I may say, was offered in the other House this morning by Mr. Stephens, of Georgia, and received the unanimous approval of the House. The Secretary of State does not feel that he would be authorized to affix the seal of the Government to it, as it is nothing which has any connection with the Government, though it is to be deposited in the State Department. This simply gives him the authority to do it. It is now waiting to be deposited there. It is therefore desirable that the authority may be given. I hope the Senate will allow the bill to be passed.

Mr. EDMUNDS. Whose property, may I ask, is this thing?

Mr. HAMLIN. It is the property of individuals, the persons who got it up.

Mr. EDMUNDS. Who is to pay for it when it is deposited in the Department?

Mr. HAMLIN. That is a question I cannot answer. They make no charge for anything.

Mr. EDMUNDS. Inasmuch as there is no great public necessity requiring this bill to pass to-night, I think it had better go to the Committee on Foreign Relations to consider the question. If this is to be the foundation of a claim, then we ought to know what the value of the thing is that we are getting. I do not know but that it ought to be paid for. I have nothing to say about that. I think it had better be referred to the Committee on Foreign Relations that has connection with the State Department.

The bill was read the second time by its title, and referred to the Committee on Foreign Relations.

WOMAN SUFFRAGE.

Mr. SARGENT. I renew my motion that the Senate do now adjourn.

Mr. THURMAN. I think under the new rule which authorizes a motion to adjourn to a given day to be in order, the motion of the Senator from California is amendable.

The PRESIDING OFFICER. No; it has priority.

Mr. THURMAN. Priority over the other?

The PRESIDING OFFICER. The Chair so stated. The Senator from Delaware moved that when the Senate adjourn it be to meet on Monday next. The Senator from California moves that the Senate do now adjourn, which has priority. The question is on the motion to adjourn.

The motion was not agreed to; there being on a division—ayes 20, noes 25.

Mr. EDMUNDS. I move that the Senate now adjourn to Monday next at 12 o'clock.

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

The yeas and nays were ordered; and being taken, resulted—yeas 10, nays 33; as follows:

YEAS—10.			
Booth,	Conkling,	Grover,	Thurman.
Butler,	Eaton,	Hamlin,	
Christiancy,	Edmunds,	Lamar,	
NAYS—33.			
Anthony,	Dawes,	Kirkwood,	Sargent,
Bailey,	Eustis,	McDonald,	Saulsbury,
Bayard,	Ferry,	McPherson,	Saunders,
Beck,	Harris,	Mathews,	Teller,
Bruce,	Hereford,	Mitchell,	Voorhees,
Cameron of Wis.,	Hill,	Morgan,	Wadleigh.
Cockrell,	Hoar,	Plumb,	
Coke,	Howe,	Randolph,	
Davis of W. Va.,	Kernan,	Rollins,	
ABSENT—33.			
Allison,	Dennis,	McCreery,	Sharon,
Armstrong,	Dorsey,	McMillan,	Spencer,
Barnum,	Garland,	Maxey,	Wallace,
Blaine,	Gordon,	Merrimon,	Whyte,
Burnside,	Ingalls,	Morrill,	Windom,
Cameron of Pa.,	Johnston,	Oglesby,	Withers.
Chaffee,	Jones of Florida,	Paddock,	
Conover,	Jones of Nevada,	Patterson,	
Davis of Illinois,	Kellogg,	Ransom,	

So the motion was not agreed to.

Mr. SARGENT. I move that the Senate do now adjourn; but be-

fore making the motion I yield to the Senator from New Jersey. The Senator, I believe, desires the floor for to-morrow.

Mr. RANDOLPH. It is my desire to speak to the silver question either this evening or to-morrow. I yield, of course, to the wish of the Senate.

Mr. EDMUNDS. The Senate, as far as heard from, have just refused two motions to adjourn, and no other business has intervened yet, so that, unless we have got some other new rules, another motion to adjourn would hardly do just now; but that is nothing to me. What I was going to say was this: it is stated by the Senator from Massachusetts that the persons who wish to be heard at the bar of the Senate wish to have knowledge of whether they can be heard at the bar of the Senate or not as early as possible on account of their own convenience. Therefore, if it is agreeable to the Senator from California and to every other Senator—because I would not withdraw my desire to have it go over if there is any other Senator that wishes not to have it considered now—I will withdraw my request to have the resolution that he offered go over until to-morrow in order that the Senate may act upon it now; but if any other Senator would have asked the same postponement, of course I will not withdraw my objection, because it would not be right to do so.

Mr. SARGENT. I think no Senator will object to our proceeding with the resolution. I presume it will not lead to lengthy debate. I do not wish to debate it myself. Perhaps it might as well be taken up and disposed of.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution presented by the Senator from California this morning? The Chair hears none. It is before the Senate and will be read. [A pause.]

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

The PRESIDING OFFICER. The Chair will state that the resolution has gone to the Printer to be printed and is not in the hands of the Secretary.

Mr. EDMUNDS, (to Mr. SARGENT.) Draw another.

Mr. SARGENT. The resolution provided that at a session of the Senate, to be assigned by the Senate, persons selected by the ladies in this city in favor of woman suffrage be allowed to be heard before the Senate; and my intention was to limit the time of hearing to two hours. The Senator from Vermont *sotto voce* objects. If he desires the time to be extended beyond that, I shall endeavor to comply with his wishes.

Mr. EDMUNDS. I do not object.

Mr. SARGENT. I thought two hours would be as long as would be necessary to present compactly the arguments of these persons. That is the resolution, and it was drawn with a view to the standing resolution of the Senate to be found on page 159 of the Manual.

Resolved, That hereafter the Senate Chamber shall not be granted for any other purpose than for the use of the Senate.

This resolution contemplates a use of the Chamber by the Senate to be during its session. I suppose the reporter has in his notes the original resolution drawn with some care. I would not like to draw it up again at my desk hastily.

Mr. EDMUNDS. We get the substance of the idea. I do not think it is necessary to have it present. The simple proposition is just what it was this morning; and that is that, contrary to the universal practice of the Senate, which has had no exception, I believe, and which stood in the rules until the present occupant of the chair left it out in his last report, as I have just discovered, by the old nineteenth rule which stood from 1792 or 1789 until 1877 it was declared that under no circumstances should any person be admitted to the bar of the Senate for the purpose of presenting any petition or memorial, or any other thing, or having it read. The substance, of course, of that was that private persons are not to be heard at the bar of the Senate or participate in its proceedings except when it is sitting as a court in the trial of impeachment, which is a different thing. That was the substance. It was supposed to be founded upon principles of substantial propriety, and was not obnoxious, as the present Constitution of the United States is said to be, to any charge of inequality. It did not say that ladies should not be admitted, and provide that men might be; but it said that nobody should; and then, in order to get the attention of the Senate to such matters of public concern as various citizens would have in charge, they used to get around that by applying for the use of the Senate Chamber. That got to be a great nuisance, because you must have fair play in all such things; if you give it to the highest and best and most noble in the land, as for aught I know these ladies are, then you must give it to the humblest and the least, anybody who comes in a respectful way, to be heard upon any subject. You may give it to the rum-seller; you may give it to that class of people who believe there ought to be universal free-trade in liquor, and that Congress ought to provide for it; you may give it to anybody whom you suppose to be in earnest in any legislation that he desires; and if you are just, if you do it unto these you will do it unto them. That got to be such a nuisance that in the Thirtieth Congress—if I can read this fine print correctly—this order was made:

Frequent applications having been made for the use of the Senate Chamber upon public occasions, the Senate, in granting the last application of this sort, passed the following resolution:

Resolved, That hereafter the Senate Chamber shall not be granted for any other purpose than for the use of the Senate."

So that that method of avoiding the rule in one of its particulars, and of having these public discussions of matters which were supposed to enter into legislation in this Chamber interfering more or less, as they always must, even in the Chamber itself when the Senate is not here, with the transaction of the duties that Senators have to perform, was put a stop to. One single exception since that time has occurred of the use of the Chamber of an evening, and it occurred for exactly the same reason that this will occur, if it is done; it was because a lady made the application, and after four or five days of see-sawing about it a resolution was finally passed granting to this lady, who came with special claims, as it was said, the right to deliver a lecture upon some topic—I have forgotten what—in this Chamber of an evening when the Senate was not sitting.

I believe everybody after it was over was satisfied that the extreme delicacy of Senators, their extreme desire to please the ladies, (which is what is the matter with all of us,) led them to commit a mistake even in that respect and for that object, and nobody has ever made the attempt again until now.

But this goes to the simple proposition of declaring that any respectable body of citizens of the United States, as these persons are, who have a matter of public importance as this is, and as the tariff is, and as almost all your public legislation is, which they wish to urge upon the attention of Congress, ought to be received at the bar of this body to argue the case. That is the proposition. I do think, if Senators reflect a little, they will believe that, without any want of generosity or kindness to these ladies, but treating them in respect of a business matter just as everybody else is and ought to be treated, we shall be able to say "no" without our motives being misunderstood.

Mr. HOWE. Mr. President, I have been brought up to deny no request made of me by a lady, and I do not remember that I ever did deny one, but I am bound to confess that no such request as this was ever made of me before, and when I received my instruction I do not think it was anticipated that such a request ever would be preferred. It is that a session of the Senate be held—that we hold daily—at which session persons who under our rules are not admitted to the floor shall be admitted to the floor and shall have the floor and shall have to the exclusion of all Senators upon the floor the right to be recognized by the Chair, and to address the Senate upon some subject. I have nothing to say about the importance or gravity of the subject upon which they propose to speak, except this, that I am not prepared to believe that it is the most momentous or absorbing question which could be started or can engage the attention of the Senate; and therefore I see nothing in the character of the topic to be discussed which should justify this momentous innovation upon the usages of the Senate.

And now, as to the character of those who prefer this request. There is no word of commendation or of respect, or of admiration even, that any one might use toward those persons that I would not be found in accord with; but, after all, there is no man, I take it, in the universe that could prefer such a request as this with the slightest chance of its being granted. I suppose there is not upon the face of the globe that individual in breeches so exalted, so large, so cultivated as that the Senate would vote an invitation to him to come in here and address it upon any subject whatever.

Mr. SARGENT. Will the Senator allow me to ask him a question? Does he not remember the case when the Senate proceeded in a body, with its officers at its head, to the House of Representatives, and there, in the presence of the House of Representatives, listened to a Japanese ambassador who told us about the land of the sunrise and the land of the sunset and the necessity of intimate commercial relations between the two countries, and other things of that character? Is there any difference in principle for the Senate to sit here and listen to that individual or proceed to the House and listen to the same individual? Is there any difference in principle between listening to him and listening to a number of respectable citizens of America who ask to discuss something more important to them than even commerce?

Mr. HOWE. No, Mr. President, as a matter of fact, I did not remember the instance to which the Senator from California alludes.

Mr. SARGENT. Does he not now?

Mr. HOWE. I do not now.

Mr. SARGENT. The Japanese ambassador.

Mr. EDMUNDS. Will the Senator refer to the Journal and see exactly what order appears on the Journal about it?

Mr. SARGENT. I only remember that I was a member of the House at that time, and I saw the Senator from Vermont, the Senator from Wisconsin, and other grave Senators, preceded by the then Vice-President of the United States, who came and stood in the aisles of the House, which was at the time crowded, and listened to the eloquence of the Japanese ambassador as it was translated in their hearing.

Mr. EDMUNDS. The Senator is vastly mistaken as to me.

Mr. ANTHONY. A Japanese king it was.

Mr. EDMUNDS. I was not there.

Mr. HOWE. I was misled as to the instance to which the Senator referred by what I conceived was his misstatement. Prompted by gentlemen about me I think he must be referring to the occasion when the King of the Sandwich Islands had audience in the House of Representatives.

Mr. SARGENT. Oh, no; my recollection, I think, is entirely distinct that at the time Iwakura was here the Senate attended the House in a body and received him. I will ask him, however, to think of the case when the Senate went to the House and listened to eulogies on Professor Morse, pronounced by persons not members of the Senate, and went in its organized capacity. I would then repeat my question, if there is any difference in principle between going and listening to eulogies on a dead inventor by persons who had no connection with Congress whatever and listening to those who have no connection with Congress address us upon a matter so vital to themselves as they think this is?

Mr. DAWES. I remember the Burlingame commission here that appeared in the House of Representatives with the Chinese representatives. I do not know whether the Senate adjourned to go there or not, but I was one of the Representatives there present and saw several Senators.

Mr. SARGENT. I think the precedents will be found quite numerous, if the Senators will only tax their memories.

Mr. HOWE. A great many incidents undoubtedly may be detailed here of one kind or another, but I have heard yet of no incident which seems to me to be a parallel to that we are now discussing. If the House of Representatives or any church or any hall in the city of Washington is thrown open to the addresses of anybody, I have no sort of objection to the Senate adjourning and just as many of them as please attending on that occasion, and undoubtedly I should be very glad to attend often myself. But this is a question of holding a solemn session of the Senate to listen to a speech or a series of speeches. To what good, I ask, to what possible good? We are not to hear testimony; we are to hear oratory; and if any good comes of it it is because it will be oratory of that class which will take the Senate off from its feet or on to its feet and awaken in it a judgment which is now supposed to be dormant in the members of the Senate. I think the enterprise rather a rash one on the part of the movers of it. Undoubtedly they could tell us or tell a committee of this body a great many things which we do not know, but not in the form of a speech. If they mean to inform the Senate, it seems to me the better way is that they should come to the Senate through the inquiries of a committee, as all the rest of the world come to the Senate; and therefore, Mr. President, having no express instructions upon this point, I shall have to vote against this proposition this evening, if I am compelled to vote upon it, before I can consult further.

The PRESIDING OFFICER. The Secretary will now report the resolution as it has been modified.

The Chief Clerk read as follows:

Whereas thousands of women of the United States have petitioned Congress for an amendment to the Constitution allowing women the right of suffrage; and Whereas many of the representative women of the country favoring such amendment are present in the city and have requested to be heard before the Senate in advocacy of said amendment.

Resolved, That at a session of the Senate to be held on Saturday next said representative women, or such of them as may be designated for that purpose, may be heard before the Senate, but for two hours only.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

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

The yeas and nays were ordered.

Mr. SARGENT. I wish to say that this "assault" upon the Senate, in the pleasant language of my friend from Ohio, may be somewhat unusual. I dare say the Senate will resist it, successfully perhaps for itself, but I predict that this is only the first of a series of such assaults upon legislative bodies, not only upon the Senate but upon the House of Representatives and upon the Legislatures of the various States. This movement is getting to be very troublesome. I am aware of it. It disturbs grave Senators in their deliberations; it obtrudes unpleasant impressions perhaps on their minds, and it confronts them with a foe whom they do not like to fight and yet cannot easily escape. All this is quite unpleasant. My friend from Ohio says the "old fogies" hold the fort here, and that these assaults cannot be successful as long as they thus hold their positions. Well, sir, this movement will not stop until they are out of their positions, until men imbued with the spirit of this movement come forward, until he himself and those whom he associates with him under that designation, which I would not think of using myself, either change their views or give place to those who do believe in a reform of this character.

I believe in yielding to any request of women, ladies—any request that they may make involving merely policy. Unless I am satisfied that that which they ask is wrong, I will yield to their desire. It is a mere question of policy whether we shall hear them as a Senate. But beyond the question of policy is that of right, and the recognition of that is growing in the country, and this movement is spreading. It will be more and more troublesome year by year. It is more than a question of taste. It may have its eccentricities and will cause disagreeable surprises to its opponents. All such movements do. The more it is resisted the more uncomfortable it will make its adversaries. It now asks to be heard by the Senate. You may refuse it now; the time will come when you will hear it, or your successors will, and grant its prayers.

We are told that the regulation of suffrage belongs to the States, and that these women should appeal to the States. They have that

right, undoubtedly, but they have the right to appeal also to the nation. The Constitution puts in our hands the power to submit to the States this and all kindred questions. Congress has heretofore effectually exercised that power. Suppose the negro had been remanded to the several States; how many years of fruitless labor would have been entailed on him? Shall we treat the women of America worse than the negro? Shall we deny to them the constitutional remedy that we gave to him? Our precedents justify their appeal to the American Congress. Surely we are not afraid to submit this question to the people. Whether we are or are not we cannot logically say to these women we have not the power to submit an amendment recognizing their right to suffrage, for we have exercised heretofore similar powers; and we cannot insist on the impropriety of their asking us to exercise the power, for we have granted such a request when made on behalf of others.

The Senator from Ohio says that these ladies whom it is proposed shall address the Senate represent nobody; they have no following, no constituents. He says they do not represent one-twentieth of the women in the United States. Another Senator chimes in and says, *sotto voce*, "No, not one-fiftieth;" and one still more strong in his opinion of the matter says, "No, not one-hundredth." I think this is an utter mistake. It is a mistake in the first place in saying that these women represent nobody except themselves. They are here as delegates from State conventions held in all the States from which they come, from Oregon to Massachusetts.

I have met delegates regularly appointed, as I understand, from southern States. I know they are here from various States and claiming to represent State conventions assembled, which gave them credentials. What constitutes a representative capacity? Can a representative capacity only exist after they shall have "stormed the Senate" and House and the occupant of the White House and got legislation authorizing them to meet in State conventions and appoint delegates? If that is necessary in order that they may have a representative capacity to be delegates from somebody, of course they are not thus qualified at the present moment.

But they do represent an earnest, deep-seated feeling and movement in the various States of the country, and I call your attention to the significant fact that away in Colorado where the question was discussed *pro* and *con*, where there was a large population which on account of its peculiar ideas in religion and its peculiar education was naturally opposed to any such movement—I refer to the Spanish population—that under most adverse circumstances perhaps, and in a remote State, they got over one-third of the votes which were cast upon the constitutional provision submitted for decision. In some of the towns in Colorado they received a majority of the votes, towns occupied by men of a different class to that to which I have referred, intelligent white people with their families, surrounded by the most wholesome influences. In some of those towns they received a considerable majority of the votes that were cast at the election. In any State where the question can be tried there would be a similar or better result. Our "old fogies" are asleep and not noting the signs of the times. Talk about these women representing nobody! Let us look further East.

In Kansas woman suffrage obtained as many votes as did negro suffrage when it was submitted, although it had no political organization to support it and no press to advocate it, while negro suffrage had at its back the republican party and press of the State, with offices and other favors to bestow. Have these women no constituency? Do they represent no one in the State of Michigan where forty thousand men voted for woman suffrage? It cannot be denied that these voters were among the best, the most moral voters of the State. Few recruits for such a cause will be drawn from the grogshop or dens of vice. In Minnesota women enjoy the right of suffrage on school matters. In two of the organized Territories they have it on all matters. Thousands of women hold offices under the national and State governments, all innovators in American politics. In every legislative body where the question has been mooted a respectable vote has been of late given for it. When John Stuart Mill, in 1867, first proposed an extension of suffrage to women in the British Parliament, and supported it in a speech of great power, his motion received 73 votes against 196, a correspondent of the *Tribune* said of this vote:

Some of the greatest intellects in Parliament, and nearly all the young men on whom the future of England depends, made an honorable record on this great question. Among them were Hughes, Standfield, Taylor, Lord Amberly, Olyphant, Mr. Denman, Mr. Fawcett, the O'Donoghue, and the sturdy old Roman Catholic, Sir George Bowyer.

Such names and such a record show intrinsic merit in the movement, and demonstrate that its success is only a question of time. Why, sir, this Senate was divided upon the question a few years ago, and there were nineteen Senators who after exhaustive debate recorded their votes in favor of a proposition that in a new Territory proposed to be organized citizens of the United States should not be denied the right to vote on account of sex. There were several pairs announced on that occasion, which showed that the strength of the affirmative vote was really twenty-three. The Senate gave over a third of its vote in favor of the proposition. The change of a very few votes would have made a majority, and carried that proposition right here in the Senate.

Mr. EDMUNDS. May I appeal—

Mr. SARGENT. In a moment. Right here in the Senate, held by the "old fogies," says my friend from Ohio, and which these women he has referred to attempt to "storm," it was almost stormed on that occasion and their cause was nearly indorsed. I will listen to my friend now.

Mr. EDMUNDS. I was going to appeal to my friend, as it is late, on this simple point. Supposing him to be perfectly right, the use of the Senate Chamber would not be necessary because we should all be for it; but aside from that I submit to him whether we ought to go into the merits of this question on the point of giving them the use of the Hall, because I have different opinions from what my friend has, and I should like to occupy a considerable time on the main question. I merely make that appeal to him to let us vote.

Mr. SARGENT. The Senator's suggestion is perfectly proper, and I believe I promised that I would not take up much time of the Senate in discussing this matter, and I will not do it, especially as I am indebted to the courtesy of Senators for unanimous consent that it may be considered. I give way that the vote may be taken; only I would like to have the yeas and nays.

Mr. EATON. A word only. My friend says that they will come here year after year and storm the Senate. They have tried to storm the legislative bodies of the various States. I want to relate a little anecdote. In 1873 this matter was brought before the Legislature of Connecticut. I happened to be then a member of the lower house of the General Assembly. One of the brightest women in my State came to my house one afternoon and asked: "Mr. Eaton, are you going to make a speech on the woman's rights question?" "No, I am not." "Will you make one for me?" "Give me your text, and I will." "Well," said she, "say to the General Assembly this, that one woman in the State of Connecticut asks the Legislature not to grant this power to the females of the State. I ask it because I might be compelled to dishonor and degrade myself in order to protect my own property." I made just that speech to that body of two hundred and forty members, and if my recollection serves me, there were two men out of the two hundred and forty who voted for it.

Mr. SARGENT. I should like to ask my friend if he does not remember that when the Declaration of Independence was adopted there were a class of men, undoubtedly honorable in their instincts, who thought that they should preserve the old loyalty to the King of Great Britain; that they could not under any circumstances share in the feeling in favor of the independence of the colonies; and because here and there a man should have got up and said, "I maintain my loyalty to my king; I do not think these colonies labor under oppression, and I shall degrade myself if I throw away this loyalty, this fealty which I owe to my king," were therefore the colonies not to press forward to a higher liberty?

Mr. EATON. I would simply answer my friend.

Mr. COCKRELL. If the Senator will yield, I will move that the Senate adjourn.

Mr. EATON. I simply want to answer my friend by saying that not being an old foggy I cannot remember that; perhaps the Senator from Ohio can. [Laughter.]

Mr. COCKRELL. I shall move to adjourn unless we can have the vote.

The PRESIDING OFFICER. The yeas and nays have been ordered on the resolution. The Secretary will proceed to call the roll.

The question being taken by yeas and nays, resulted—yeas 13, nays 31, as follows:

YEAS—13.			
Anthony,	Dawes,	Matthews,	Sargent,
Bruce,	Ferry,	Mitchell,	Saunders,
Burnside,	Hoar,	Rollins,	Teller.
Cameron of Wis.,			
NAYS—31.			
Bailey,	Conkling,	Hereford,	McPherson
Bayard,	Davis of W. Va.,	Hill,	Morgan,
Beck,	Eaton,	Howe,	Plumb,
Booth,	Edmunds,	Kernan,	Randolph,
Butler,	Eustis,	Kirkwood,	Saulsbury,
Christiancy,	Grover,	Lamar,	Thurman,
Cockrell,	Hamlin,	McDonald,	Wadleigh.
Coke,	Harris,	McMillan,	
NOT VOTING—32.			
Allison,	Dennis,	Kellogg,	Ransom,
Armstrong,	Dorsey,	McCreery,	Sharon,
Barnum,	Garland,	Maxey,	Spencer,
Blaine,	Gordon,	Merrimon,	Voorhees,
Cameron of Pa.,	Ingalls,	Morrill,	Wallace,
Chaffee,	Johnston,	Oglesby,*	Whyte,
Conover,	Jones of Florida,	Paddock,	Windom,
Davis of Illinois,	Jones of Nevada,	Patterson,	Withers.

So the resolution was rejected.

ADJOURNMENT TO MONDAY.

Mr. EDMUNDS. I want to renew the motion, my friend from New Jersey having the floor, that we now adjourn until Monday. I made it before not to get rid of this resolution but because I thought more good could be done to the public service by doing some committee work than by sitting to-morrow.

Mr. RANDOLPH. I certainly have no desire to have the Senate meet to-morrow for the mere purpose of hearing me make a dry and uninteresting speech. I have said to my friends on this side of the Chamber that I am perfectly willing to let the matter go over until next week. I shall be absent next week of necessity, but I suppose

the subject will last a good deal longer than the next and the succeeding week. I have no objection to the motion.

Mr. EDMUNDS. Then I move that the Senate now adjourn until Monday.

Mr. BAYARD. May I suggest to the honorable Senator from Vermont—the matter has been somewhat discussed on this side of the Chamber—that the votes which were cast against the resolution to adjourn until Monday next were so cast in order that the Senator from New Jersey should be allowed to make his remarks to-morrow.

Mr. EDMUNDS. If he wishes to do so, I shall withdraw the motion.

Mr. RANDOLPH. I cannot permit the matter to stand in this form. It is substantially that the Senate shall meet to-morrow for the purpose of permitting me to make a speech. I cannot consent to that. I withdraw personally every objection to the motion of the Senator from Vermont.

Mr. EDMUNDS. After what the Senator from New Jersey has said, I will make the motion. He will certainly have an opportunity when he returns to be heard on one branch of the silver subject, or—

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate now adjourn until Monday.

Mr. BECK. On that I call for the yeas and nays.

Mr. EDMUNDS. If it is the desire on the other side of the Chamber to have a test vote about it, I will certainly withdraw the motion. They can control it.

Mr. RANDOLPH. I beg the Senator from Kentucky to withdraw his objection. I trust the motion of the Senator from Vermont will prevail.

Mr. CONKLING. Then nobody objects, I take it.

Mr. RANDOLPH. It would embarrass me exceedingly under all the circumstances to have the Senate meet to-morrow, after what has been said. Let them meet at the ordinary time, which will be on Monday next, I presume.

The PRESIDING OFFICER. Does the Senator from Kentucky call for the yeas and nays?

Mr. RANDOLPH. I hope not.

Mr. BECK. The reason I called for the yeas and nays was simply this: the Senator from New Jersey said he would be obliged to be away next week, and while he yielded I thought he was under a pressure that ought not to be put upon him. I withdraw my call.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate now adjourn until Monday next at twelve o'clock.

The motion was agreed to; and (at four o'clock and fifty minutes p. m.) the Senate adjourned until Monday next, the 14th instant.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 10, 1878.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON.

CALL OF THE ROLL.

The SPEAKER. The Chair will cause the roll to be called, to discover whether a quorum of members is present.

The roll was then called, and the following members failed to answer to their names:

Messrs. Aiken, Bacon, William H. Baker, Ballou, Beebe, Bell, Benedict, Bland, Bliss, Boone, Bridges, Butler, John W. Caldwell, Camp, Carlisle, Clafin, Alvah A. Clark, Collins, Crapo, Culbertson, Cummings, Darrall, Davidson, Dibrell, Douglas, James L. Evans, John H. Evins, Ewing, Freeman, Garth, Gause, Gibson, Hanna, Harmer, Harrison, Hiscock, Hooker, Killinger, Knott, Ligon, Lockwood, Loring, Mayham, Money, Morgan, Morse, Muller, O'Neill, Peddie, Potter, Pound, Pridemore, Quinn, Rainey, Reilly, Americus V. Rice, Robertson, Milton S. Robinson, Sayler, Sexton, Shelley, Sinnickson, Slemmons, Smalls, William E. Smith, Starin, Steele, Stewart, Swann, Thornburgh, Tipton, Waddell, Walker, Walsh, Warner, Watson, Welch, Harry White, Alpheus S. Williams, Andrew Williams, Albert S. Willis, Benjamin A. Willis.

During the roll-call,

Mr. SCALES said: Mr. Speaker, I desire to state that my colleague, Mr. STEELE, is detained at home by reason of illness.

Mr. HARRIS, of Georgia. I desire to state that my colleague, Mr. BELL, is detained at his room by illness.

Mr. MCKENZIE. My colleague, Mr. WILLIS, is detained at home by sickness.

Mr. HERBERT. My colleague, Mr. SHELLEY, is detained at home by reason of sickness in his family.

Mr. BANNING. I desire to announce that Mr. WILLIAMS, of Michigan, is detained at his room in the city by sickness.

Mr. DURHAM. My colleague, Mr. CARLISLE, is detained from the House by reason of important business.

The SPEAKER. Two hundred and five members having answered to their names, more than a quorum, the Journal of December 15, 1877, will now be read.

READING OF THE JOURNAL.

The Journal was then read.

Mr. HENDEE. I ask that the RECORD may be corrected so as to agree with the Journal, if I rightly heard the Journal. Just before the adjournment I offered a resolution to pay C. C. Buckner for his services as doorkeeper. The RECORD shows it to have been passed. It was referred to the Committee of Accounts.

The SPEAKER. The Journal is correct, showing it to be referred to the Committee of Accounts. The RECORD will be corrected.

The Journal was then approved.

WOMAN SUFFRAGE.

The SPEAKER. The business in order is the resolution offered by the gentleman from New York, [Mr. WOOD.] On motion of the gentleman from Texas, [Mr. MILLS,] the resolution was postponed until to-day immediately after the reading of the Journal. The resolution as reported from the Committee of Ways and Means will be read.

Mr. KELLEY. I desire to ask unanimous consent to submit a resolution before proceeding to the regular order.

The SPEAKER. Is there objection?

Mr. WOOD. Let the resolution be read.

The SPEAKER. It will be read, after which the Chair will ask for objection.

The Clerk read as follows:

Whereas petitions are about to be presented to this House from many thousand citizens from thirty-five States of the Union, asking the adoption of an amendment to the Constitution which shall prohibit the several States from disfranchising United States citizens on account of sex: Therefore,

Be it ordered, That a session of the House shall be held on Saturday, the 12th instant, at which representative women, chosen by these petitioners and now in the city, may be heard at the bar of the House in support of the same.

Mr. TUCKER and Mr. CRITTENDEN objected.

Mr. KELLEY. I ask the gentlemen to withdraw objection so far as to allow me to say a word.

Mr. CRITTENDEN. I withdraw my objection so far.

Mr. WOOD. How long?

Mr. KELLEY. Very briefly. I have no elaborate remarks to make. I desire simply to bring to the attention of the House that these petitioners are here, largely delegated by citizens of both sexes from thirty-five States of the Union, asking this House to initiate a proceeding which it cannot consummate, which it can only submit to the people of the several States, to wit, a constitutional amendment, and that, as it has on former occasions heard strangers to the body of the floor, it may in vindication of the right of petition hear a limited number of these women on Saturday, a day when probably there will otherwise be no session, to state the grounds of what they believe to be a constitutional hardship, a deprivation of the rights which pertain to them as intelligent individuals, many of whom are large taxpayers. That is all I can say at this time under the restraints indicated by gentlemen of the House.

The SPEAKER. Is there objection to the introduction of the resolution?

Mr. CRITTENDEN. I object.

INVESTIGATIONS BY COMMITTEES.

Mr. HALE. In regard to the matter which now comes before the House, the resolutions of the gentleman from New York, I ask him to withdraw his motion, pending the going into committee, to limit debate to five minutes; because after going into committee—and I presume there will be no objection to that—there should be the opportunity of amendments being offered and voted upon; and perhaps some gentleman may wish to discuss his amendment briefly. I think the gentleman from New York will see the force of the proposition. There is no further objection made to the resolutions going into committee for discussion and action, and I think he should not seek to limit the debate to five minutes, but should withdraw that motion and we can then go into Committee of the Whole.

Mr. GARFIELD. I think an hour for general debate will be sufficient if it is divided between both parties and is followed by the ordinary five-minutes debate on amendments.

Mr. WOOD. I have no objection to extend the time beyond five minutes, but I shall insist on limiting the debate to a period fixed before going into committee—say one hour.

Mr. HALE. I suppose there is no desire to prolong debate; but there are *bona fide* amendments which gentlemen may wish to discuss briefly. Perhaps an hour may be sufficient, but will not the gentleman from New York be willing to go into Committee of the Whole without limiting debate. It will then be seen what amendments there are that are offered in good faith, and at the fitting time the committee can rise and obtain an order from the House closing debate.

Mr. WOOD. Mr. Speaker, after this very long vacation, it is desirable that this House shall at some early period proceed to public business. Now, the gentleman from Maine knows well enough that if the House shall not fix some limit to the debate these resolutions may run through days, weeks, and months, and occupy the whole time in the Committee of the Whole. Therefore I hope that by unanimous consent the House will agree that the debate on the resolutions shall be limited to one hour and a half, which is long enough to give every gentleman an opportunity to be heard on his amendment.

Mr. BURCHARD. The motion of the gentleman from New York is to limit the general debate. I can see no objection to limiting the general debate and allowing the five-minutes debate on amendments to run. The motion of the gentleman to limit general debate does not interfere with the ordinary debate on amendments. I think it will be better to limit the general debate, so that one gentleman or two gentlemen may not have the exclusive control of the floor, but that gentlemen may debate their amendments, if they have any to offer.

Mr. WOOD. My object is to limit the whole proceedings in Committee of the Whole, the debate on the amendments as well as the general debate, if any shall arise. I think gentlemen should be satisfied with the proposition I have made.

Mr. HALE. I think the proposition of the gentleman from New York, to allow an hour or an hour and a half, is perhaps fair.

Mr. WOOD. We will give one hour to general debate, and half an hour to the discussion of the amendments which may be offered, if any.

Mr. HALE. I do not understand that the House can limit the five-minutes debate on amendments.

The SPEAKER. The House can now limit the general debate, and the Committee can at any time rise and ask the House to cut off debate upon a pending amendment or upon a paragraph.

Mr. CONGER. If the five-minutes debate can run for a suitable length of time on this resolution, I do not know that there is any objection to limiting general debate, except that my friend from New York [Mr. WOOD] arose on the last day but one before the recess, evidently charged with a very well prepared speech. I regretted the necessity then of any measures which should stop the gentleman in that career of glory on which he was entering. He was evidently prepared with all manner of denunciations of my friends on this side of the House, and those are things which we love to hear from the gentleman. But I regretted then and I apologize now for the necessity we were under at that time of interposing dilatory motions and taking the gentleman from the floor, when he was already highly charged with what I presumed then, and still have reason to believe, would have been a highly ornamental speech. Now, sir, on this side of the House we had no objection to the speech of the gentleman, much less had we any objection to the passage of the resolutions. But it seemed at that last hour of the session untimely to force those resolutions through and compel members to stay here during the vacation. Therefore I objected, and consequently the gentleman had to carry his speech away with him.

I hope there may be an hour given for general debate. And I hope the gentleman from New York may occupy it, as he said he would persist every day, and every hour, and every moment until he got that speech delivered; and I told him that I would be with him during those days, and those hours, and those minutes, and though unwell to-day and hardly fit to be in the House, I have come to-day to redeem my pledge. And I do hope that the gentleman from New York [Mr. WOOD] will not limit the debate so that he may not have his hour to denounce the republican party. I think the republican party expects it from the leader of the House of Representatives. There has been too much mildness; there has been too much conciliation. [Laughter.] There has been, if I may use the expression, too much tenderness on the part of the democracy so far. We do not even know where we belong hardly until we have one or two thunder-gusts of denunciation. I make these remarks simply to ask the gentleman to so modify his resolution that at least he will have an hour for the condemnation of his political opponents. We ask no reply, I think. [Laughter.]

Mr. WOOD. Personally, I will accept the apology of the gentleman from Michigan, [Mr. CONGER,] and I hope as he has acted in behalf of his side of the House that the country will accept his statement of the reasons for the very bad conduct of which the gentleman's friends were guilty during the closing hours before the recess.

Mr. CONGER. I would ask the gentleman from New York [Mr. WOOD] to keep all his denunciation in one speech, after we get into Committee of the Whole on the state of the Union, so that we may send it out all together. [Laughter.]

Mr. WOOD. I accept the suggestion that the debate be limited to one hour and a half, and I ask the previous question upon the reference of the resolutions.

The previous question was seconded and the main question ordered; and under the operation thereof the resolutions were referred to the Committee of the Whole on the state of the Union.

Mr. WOOD. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the resolutions, and pending that motion I move that all general debate be confined to one hour and a half.

The motion was agreed to.

SEAL OF THE UNITED STATES.

Mr. STEPHENS, of Georgia. I ask unanimous consent to introduce a bill to be entitled "An act to authorize the Secretary of State to affix the great seal of the United States to a certain document therein stated."

The bill was read. It authorizes and directs the Secretary of State to affix the great seal of the United States to the document entitled the "Administrators of the United States Government at the beginning of its second century."

Mr. STEPHENS, of Georgia. I think there can be no objection to the passage of that bill.

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

Mr. BURCHARD. It seems to me that it had better be referred, as is usual, to the appropriate committee.

Mr. STEPHENS, of Georgia. You all know what it is. It is simply to authorize the Secretary of State to attach the great seal of the United States to this document.

No objection being made, the bill (H. R. No. 2142) was read a first and second time.

Mr. GARFIELD. I should like to know something more about this matter.

Mr. STEPHENS, of Georgia. I will state it in one moment. There has been prepared a paper with the official signatures of all the public officers of the Government—the President, the Cabinet, the Supreme Court, the Senate, and the House of Representatives and the Delegates. That official document was prepared for the centennial exposition, and the object of this bill is to authorize the Secretary of State to affix the great seal of the United States to that document.

Mr. GARFIELD. For what purpose is the document to be used?

Mr. STEPHENS, of Georgia. It is to be on file in the Department of State.

The bill was then ordered to be engrossed; and being engrossed, it was accordingly read the third time, and passed.

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

The latter motion was agreed to.

EMPLOYMENT OF CHINESE.

Mr. LUTTRELL, by unanimous consent, introduced a bill (H. R. No. 2143) to prohibit the employment of Chinese or Mongolians upon any public works of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

NATURALIZATION.

Mr. LUTTRELL also, by unanimous consent, introduced a bill (H. R. No. 2144) to prevent the naturalization of Chinese or Mongolians; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FOG-BELL ON SOUTH FARRALLONS ISLAND, CALIFORNIA.

Mr. LUTTRELL also, by unanimous consent, introduced a bill (H. R. No. 2145) to appropriate money for the establishment of a fog-bell and steam-whistle on South Farrallons Island, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

HUMBOLDT BAY, CALIFORNIA.

Mr. LUTTRELL also, by unanimous consent, introduced a bill (H. R. No. 2146) to appropriate money for the improvement of the harbor at Humboldt Bay, in California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CRESCENT CITY, CALIFORNIA.

Mr. LUTTRELL also, by unanimous consent, introduced a bill (H. R. No. 2147) to appropriate money for the improvement of the harbor at Crescent City, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

POLYGAMY.

Mr. LUTTRELL also, by unanimous consent, introduced a bill (H. R. No. 2148) to punish and prevent the practice of polygamy in the Territories and other places subject to the exclusive jurisdiction of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. LUTTRELL also presented a joint resolution of the Legislature of the State of California, concerning Chinese immigration; which was referred to the Committee on Education and Labor.

SILVER FIVE-CENT PIECE.

Mr. COX, of New York, by unanimous consent, introduced a bill (H. R. No. 2149) to authorize the coinage of a five-cent piece of standard silver and to discontinue the coinage of the five-cent nickel copper-coin; which was read a first and second time, referred to the Committee on Coinage, Weights and Measures, and ordered to be printed.

PETER HAVERMANS.

Mr. TOWNSEND, of New York, by unanimous consent, introduced a bill (H. R. No. 2150) for the relief of Peter Havermans; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

ANDREW J. MORRISON.

Mr. TOWNSEND, of New York, also, by unanimous consent, introduced a bill (H. R. No. 2151) for the relief of Andrew J. Morrison; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TESTIMONY TAKEN BY COMMITTEE ON MILITARY AFFAIRS.

Mr. BRAGG. I am instructed by the Committee on Military Affairs to ask unanimous consent to report for consideration at this time the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Committee on Military Affairs be, and it is hereby, authorized and empowered to print such evidence as it has taken and may take under the resolution of the House of November 16, last, and its report thereon, with leave to report the same at any time.

Mr. HALE. I must object to that and call for the regular order.

Mr. TUCKER. I desire to introduce a bill for reference only, and ask the gentleman from Maine [Mr. HALE] to withdraw his call for the regular order until I can do so.

Mr. HALE. If I withdraw the call for the regular order, I suppose that will bring up the other matter which has just been read.

Mr. HUBBELL. I insist upon the call for the regular order.

COMMITTEE INVESTIGATIONS.

The SPEAKER. The regular order being called for, the question before the House is upon the motion of the gentleman from New York, [Mr. WOOD,] that the House now resolve itself into Committee of the Whole on the state of the Union.

The motion of Mr. WOOD was then agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. EDEN in the chair.

The CHAIRMAN. The resolutions now pending in Committee of the Whole will be read.

The Clerk read the resolutions, as follows:

Resolved, That the several committees of this House having in charge matters pertaining to Indian affairs, military affairs, naval affairs, post-offices and post-roads, public lands, public buildings and grounds, claims, and war claims be, and they are hereby, instructed to inquire, so far as the same may properly be before their respective committees, into any errors, abuses, or frauds in the administration and execution of existing laws affecting said branches of the public service, with a view to ascertain what change and reformation can be made so as to promote the integrity, economy, and efficiency therein; that the Committee on Expenditures in the State Department, in the Treasury Department, in the War Department, in the Navy Department, in the Post-Office Department, in the Interior Department, in the Department of Justice, and on Public Buildings be, and they are hereby, instructed to proceed at once to examine into the state of the accounts and expenditures of the respective Departments submitted to them and into all the affairs of said Departments as fully as is permitted to them and made their duty to do by the rules of the House relating to said committees respectively. And, for the purpose of enabling the said committees aforesaid to fully comprehend the workings of the various branches or Departments of Government respectively, the investigations of said committees may cover such period in the past as each of said committees may deem necessary for its own guidance or information or for the protection of the public interests and for the exposing of frauds or abuses of any kind in said Departments; and said committees are authorized to send for persons and papers and also to sit in any recess which may occur during the session: *Provided*, That the exercise of the power shall in the judgment of the committee be necessary and that when the production of papers is required they shall be specified and described with such accuracy as shall be practicable under the circumstances.

Resolved further, That the Committee on Public Expenditures be instructed to investigate and inquire into the matters set forth in the foregoing resolution in the legislative department of the Government, except in so far as the Senate is exclusively concerned, and particularly in reference to the public printing and binding, and shall have the same authority as is conferred upon other committees aforesaid.

Mr. WOOD. I now yield to my colleague on the Committee of Ways and Means, the gentleman from Illinois, [Mr. BURCHARD,] to offer an amendment.

Mr. BURCHARD. On behalf of the minority of the committee, I desire to offer an amendment to the resolution, to insert after the word "authorized," in the last clause of the first resolution before the proviso, the words "to apply to the House at any time for power;" so that that portion of the resolution will read: "and said committees are authorized to apply to the House at any time for power to send for persons and papers," &c.

Mr. HALE. I have an amendment which I desire to offer, but I will wait until the gentleman from New York [Mr. WOOD] is through with his remarks.

Mr. CONGER. I would like also to offer an amendment at such time as may be deemed best.

Mr. WOOD. At the proper time.

Mr. CONGER. I merely give notice of it now.

Mr. WOOD. The gentleman from Michigan [Mr. CONGER] was entirely in error and his apprehensions were entirely unfounded if he supposed that I intended to inflict a speech upon the House or to castigate the gentlemen on the other side of the House for their mischievous conduct at the close of the session just preceding the holiday recess. I had no such intention. My intention in reporting this resolution from the committee was to explain its object and to ask, as I expected the House would consent to, its adoption unanimously, without division.

I think, Mr. Chairman, there is an entire misapprehension on the part of the gentlemen who feel it to be their duty to oppose this resolution as to its intention, as to the purpose for which the Committee of Ways and Means had reported it. It is precisely identical (and if altered at all for the better for the purpose of investigation) with the resolution which was unanimously adopted by the House of Representatives at the last Congress. I personally know of nothing it is intended to do beyond a fair, legitimate, honest inquiry and investigation for the purpose of legislation, for the purpose of instructing this House in the discharge of its legislative duty. It is not designed, sir, to enter into a wide and extended attempt to injure

the personal or private character of any public official, but for the purpose of carrying out that power and that authority which the Constitution of the United States appears to impose expressly upon the House of Representatives to investigate the conduct of public officers, looking to the purification of the civil service and to lay the foundation for impeachment, if the House of Representatives so desire.

My idea of the powers, and necessarily the duties, of this House is that it is co-ordinate in very many regards with the President and Senate in respect to the incumbency of public offices. The President nominates and appoints, if you please, and the Senate confirms or refuses to confirm, while it remains to this House, which is the grand inquest of the nation, representing the people of the United States, to see to it that the men appointed by the President and confirmed by the Senate shall faithfully discharge the duties imposed upon them.

The President in a message he presented to Congress at this session appears to take precisely the same view of the subject. He says:

My experience in the executive duties has strongly confirmed the belief in the great advantage the country would find in observing strictly the plan of the Constitution, which imposes upon the Executive the sole duty and responsibility of the selection of those Federal officers who, by law, are appointed, not elected; and which, in like manner, assigns to the Senate the complete right to advise and consent to, or to reject, the nominations so made; while the House of Representatives stands as the public censor of the performance of official duties, with the prerogative of investigation and prosecution in all cases of dereliction.

Now, sir, it does appear to me, in order to enable this House to discharge their constitutional duty, so clearly and ably expressed by the Executive, it is necessary for us to have the power of the House delegated to the committees of the House, to sit and inquire, to examine witnesses, to take testimony, and to lay the facts before the House, and, if they deem it necessary, to recommend impeachment or recommend to the President removal. As this power has been exercised by the House in this direction there can be no right to complain. Certainly the investigations of the last Congress resulted in great good to the public service. In many regards the Executive Departments were improved, which would never have been improved under any administration of the Government but for those investigations, which had their origin in some of the very committees we desire to clothe with authority at this time. Therefore it occurs to me there can be no real objection to the adoption of the resolution. It was the subject of great consideration by the Committee of Ways and Means. It was examined in every feature and in reference to all its effects so far as it may affect the individual and personal character of any official in any manner. These subjects were properly regarded in the resolution. It will be observed every committee thus clothed with this power is thrown upon its own responsibility for the proper exercise of that power. When they report the facts to the House, the House itself will take cognizance of that report and either reject or adopt it. Under these circumstances it appears to me there can be no objection to the adoption of the resolution, and I hope no one will oppose it on the final vote. I yield now for fifteen minutes to the gentleman from Maine, [Mr. HALE.]

Mr. HALE. Mr. Chairman, I offer as a substitute for the resolution of the gentleman from New York the following.

The Clerk read as follows:

Whenever any committee of this House shall ask for special and extraordinary powers, whether in relation to the time and conduct of its meetings, the power to send for persons and papers, the right to report at any time, or for any other extension of its powers and duties for the purpose of investigating the conduct and action of any person or former officer of the Government or the business of any Department, bureau, division, or branch of the public service which has been or may be under any such officer, the charges upon which such demand for investigation is based shall be presented in writing to the House, with the names of such officers as are charged with improper or unlawful proceedings and a particular statement of the charges against them, and the same shall be accompanied by a statement in writing, signed by one or more members of this House, that he or they have reason to believe and do believe the facts set forth in such charges and statement presented by the committee are true.

Mr. HALE. Mr. Chairman, I do not see how any man can object to this substitute. It proves the good faith of this side of the House, so far as in offering it I represent this side, in its statement or the statement which was made here that nobody desires to stifle proper and legitimate investigation. When these resolutions in their drag-net form were suddenly propelled upon the House, before the recess, gentlemen on this side of the House did not feel that at that time, with a recess impending, and knowing nothing of the charges that were made against one Department and another—we did not feel like letting the resolutions pass without scruple and without examination.

Now, sir, since that time I have been looking over some of the precedents with regard to investigations, because it is not a new thing that a party in power in this House seeks to investigate officers in the executive branches upon the other side of politics. Many gentlemen here will remember that the last year of the administration of the democratic party, when the House of Representatives was in the control of the republican party, was somewhat occupied with investigations. I find on examination—and any gentleman will so find, if he will look into the matter—that whenever at that time a republican of the majority arose in his seat and demanded an investigation into any department or branch of the Government he was required in good faith to state what were his charges, upon what they were based, and his belief that they were true. The gentleman from Georgia [Mr. STEPHENS] who sits in front of me, will remem-

ber that at that time he, as a leader in his party, insisted upon that and claimed it of those upon the other side of the House who asked for investigation, and it was always yielded.

I find in looking over this morning a volume of the Congressional Globe volume 38, containing the debates of the Thirty-fifth Congress, in the year 1859, that in the case of one of the most noteworthy investigations that were started in the last years of the administration of Mr. Buchanan—that in which the naval fraud was alleged and where a committee sat and reported a large volume of testimony and their report passed—the basis of that investigation was as follows: Mr. John Sherman, a leading Republican member, arose in his seat and stated that he had "received from W. B. Allen, a citizen of New York of the highest standing and character, a written communication making specific and detailed charges against certain civil officers in the Navy Department, which, if true," Mr. John Sherman says, "would justify impeachment." He further says to the listening House, and the gentleman from Georgia [Mr. STEPHENS] was present, as the colloquy which followed shows, that he had received a written communication from a member of the House stating that "as a matter of common occurrence certain officers in the navy-yard at Brooklyn have sold employments and offices in that yard. I have," he states further, "been shown affidavits and certificates of workmen, which, if true, would prove this charge to be well founded"—upon that basis, stating his belief, he offered a resolution reciting that the charge had been made, and stating the individuals who made them, and asking that a committee of five be raised, with power to send for persons and papers, in order that the investigation upon the charges known to the House should be then and there made.

Now, Mr. Chairman, I believe that I speak for every gentleman on this side of the House when I say that that is all that is asked here and now with reference to any investigation that may be projected in this House; that there shall be here the same charge, the same statement that is always insisted upon in every court where a citizen is charged with a wrong and a crime; the same that is allowed in every Department here.

I picked up a newspaper this morning containing a statement in reference to the expulsion of the late chief clerk of the Indian Bureau by the Secretary of the Interior Department, and I find the investigation set on foot there was upon charges made in writing and specifications by number.

The gentleman from New York says that this House is the great inquest of the nation. Undoubtedly. But the gentleman should remember that the citizen of the United States, wherever he may be, in office or out of office, in charge of governmental business now or in the past, has the same rights against this House and should be protected as much as if he were before any minor tribunal. This House should not, Mr. Chairman, and we should not now, with this matter debated and fairly brought before us, seek to go further than is comprehended in my resolution. When that is passed I will guarantee—I feel that I can do that—that whenever a committee comes as Mr. John Sherman came in the Thirty-fifth Congress, and as other gentlemen in the majority then came, and state the charges, and state their belief, there will be nobody on this side of the House that will object to the fullest investigation. But we should know, sir, when we start out in matters of this kind what are the charges.

It has been said that in the last Congress a resolution like this was passed. So it was. It was opposed then because we came together with a political campaign impending, in which great animosities were aroused. The air was full of these charges. There were certain specifications made by the newspapers, and rather than it should be said that, pending a political contest, we objected to or stifled investigation, members on this side of the House consented. Now I appeal to candid gentlemen on the other side of this House, whether there was anything in the results of those investigations that justified that course or made it a precedent for us to follow? Why, sir, almost the entire business of the House was given up to what was called investigation. The mania spread to all the committees of the House. I believe the old and dignified Committee of Ways and Means was, with its regular duties to discharge, infected with this disease for investigation. Witnesses were sent for from all parts of the country and brought to Washington. Every disaffected man, every broken-down officer, every dead-beat who had been running around the Departments and had not received what he wanted, every disappointed contractor, every officer who had not got what he wanted, was summoned before one committee or another, and the whole session was given up to this business, so that at last the whole country was sick of it. When the House adjourned under this gust of investigation it might truly have been said of it, as Cromwell said of the dissolution of the Long Parliament, that—

No dog barked, and throughout the kingdom there was no sign of discontent or repining at it.

There was nothing in these investigations, with rare exceptions, that justified a departure on the part of the House from the old rule that investigation should be conducted by committees with some let and hindrance to their powers.

Why, it seems to me that gentlemen must see that nothing is to be gained by going over that dreary way. I do not know that any such purpose is intended, or if gentlemen seek to make political capital. Is it charged that the Departments of the Government are

to-day running upon false bases? Is it charged that there is fraud permeating and honey-combing the Treasury Department, or the Interior Department, or the Post-Office Department, or the Attorney-General's Department, or War Department? Do gentlemen come here seeking the adoption of this resolution and placing themselves before the country with that declaration, that there is need for this measure to be put through in the form presented by the gentleman from New York, [Mr. WOOD?]. Do gentlemen believe that capital can be made out of this? Sir, I believe that the only committee in the last House of Representatives that did not get into the investigating mania was the Committee on Appropriations, under the charge of the present Speaker of the House, who rigidly resisted anything of that kind in that committee, but went on doing the work of the committee, and by the reductions made there more valuable work was done than was done by all the investigating committees.

Now, Mr. Chairman, I have offered this substitute in good faith. It simply provides, as a substitute for the resolution of the gentleman from New York, [Mr. WOOD,] that whenever any committee of this House shall ask for any extra powers, such as sending for persons and papers, sitting during the session of the House, and reporting at any time—and gentlemen will notice that this does not conflict with the ordinary powers of the committee—but whenever a committee asks for extra power, my resolution provides that there be a statement in writing presented to the House, setting forth what he wants to investigate, with an accompanying statement signed by a single member of Congress, that he believes that the charges are true. With the adoption of that resolution, Mr. Chairman, I venture to say that not a voice will be raised upon this side of the House against investigation. Pass that resolution and all that is required, if objections are raised, is that the terms of it shall be fulfilled.

If the gentleman is in earnest and desires only a fair investigation, let him give us what is given in every other tribunal, what in the olden days was given when our side was in the majority; statements of what is desired to be investigated, so that everybody may know when and where the investigation may go.

Mr. WOOD. Let me say a word just here, lest some gentlemen may possibly be misled by the very ingenious resolution offered by the gentleman from Maine, [Mr. HALE,] and the more ingenious support of it by the argument he has just made. I can very well understand that if I should consent to his substitute no opposition would be offered. It would not be necessary to offer any, for if his substitute should be adopted, there would be no investigation, as I shall proceed to show in a very few words.

He first requires that a committee shall ask permission in this House to make an investigation. Now we know that under the rules of the House, unless a committee be called in due order it has no right to make a report. And as is well known the conduct of business in this House is such that the time elapsing from one call of a committee to another sometimes extends over weeks and months. Even then, after we have permission to ask for this power, what does this substitute require to be done? That we shall specify to the world what we propose to do; that we shall give notice to the wrong-doer that we intend to enter into an investigation of his conduct. Is that the mode of procedure before grand inquests? I think not.

And more than that, the gentleman says we must declare in specific terms what particular man we are after and what particular offense we charge against him and propose to investigate. Why, sir, we should have renewed here the very scenes which we witnessed the other day in a discussion as to whether the charges were specific enough to warrant the granting of the power to investigate. I would rather leave the matter precisely as it now is than to adopt a course which will be certain to defeat the ends of justice, although I acquit my friend from Maine [Mr. HALE] of any such intention.

Now, sir, there is no motive, no secret prompting, no desire by any standing committee of this House to do anything except what will be thoroughly justified when they come to make their reports to the House. But that we shall be required in advance to declare what we want to investigate, what particular allegation we make, what witnesses we want to subpoena, to advertise to the world what we propose to do, and to give opportunity by delay for those interested to remove papers and to induce witnesses to abscond, the gentleman can see very plainly that his resolution would defeat the object which I am sure he is in favor of.

Mr. HALE. The only point raised by my friend from New York [Mr. WOOD] which needs reply is as to the rights of these committees to come before the House. When we come to the five-minutes debate I will move to add to my resolution the words, "that any committee desiring to make such investigation shall have leave to ask for authority under this resolution at any time." That will obviate the probable difficulty suggested by the gentleman. Therefore at all times, whenever authority to investigate is wanted, they can have the right to the floor under these safeguards.

I do not go so far as the gentleman from New York intimates as to require that the names of witnesses shall be given; nothing of that kind is involved in my resolution, in the substitute I have offered. It requires only that the charges shall be set forth specifically. So far as the word "specifically" goes, the gentleman need have no fear but that the ruling at any time upon that point by any incumbent of the Chair will be such that it will give the right to investigate wherever

there is anything like charges made in writing and presented to the House.

I do not like the comparison by the gentleman of this House to an inquest, to a grand jury. The very basis of an investigation by a grand jury is that it is *ex parte*, but one side is heard. If the gentleman had had experience in courts as a lawyer he would have known that a grand jury, or an inquest upon a body, in no degree corresponds to the position of this House in the exercise of its functions. We have no business to be a secret body; we have no business to be a one-sided body and to hear but one side. We have no business to persecute a citizen, not hearing him. Whenever we charge any American citizen with wrong or enormity he has the right to be heard before us and before every committee of this House. And that right is so sacred that no party and no House can ever with safety interfere with it or palter with it. The accused should be heard; there should be no one-sided investigation. That is what we are trying to prevent.

Mr. WOOD. I now yield five minutes to the gentleman from Pennsylvania, [Mr. CLYMER.]

Mr. CLYMER. For the purposes which I have in view, I will concede that the gentleman from Maine [Mr. HALE] and those with whom he acts intend to act fairly in the proposition submitted by him; that they are just as earnest, just as sincere, just as fully desirous to make investigation, where there is proper cause for it, as we upon this side of the House can be. Therefore, treating him as having fair intentions, I shall endeavor to point out from some personal experience what I believe to be the difficulties in the way of adopting the plan he proposes.

I will premise by saying, sir, that I can conceive of no more disagreeable duty which can be imposed upon any public servant than that of becoming a public informer. I know from experience upon this floor that there come to those who are in position at the head of committees a thousand rumors among which possibly there is but a grain of truth. I know full well, sir, that in the last Congress for long and weary weeks I, in connection with those with whom I acted at that time, examined patiently and carefully rumors of the most monstrous character affecting a person then high in the Government of this nation. I would no more, sir, have come into this House and, on the strength of those rumors or upon the strength of some written statements I had, made charges against him than I would have dared to assassinate him, for I believed his character ought to be dearer to him than his life. And, I will say to you, if that committee had not been armed with the power of subpoena and attachment, that crime, that disgrace and dishonor would never have been exposed in at least one Department of this Government. It would never have been if we had not had the general powers committed to that committee. I, sir, upon all I had before, would never have presented it to this House and the country.

Nor do I believe in the future gentlemen here will be prepared to make statements before the House upon which to found accusations unless they have power to compel witnesses to appear and the power to examine them. That is all I understand to be the intention of this resolution. It is the resolution under which we acted in the Forty-fourth Congress. It is the resolution under which I think this and all future Congresses should act, because, sir, the presumption is there is purity in the public service; that the several Departments of this Government are honestly administered; and I doubt not, as now administered, they court examination. And, sir, I would ask for the passage of this resolution to protect the present occupants of high offices from the dereliction of those who have been their predecessors. I believe many of them would be just as anxious as we upon this floor can be for the past to be examined by this power of process. They do not wish to turn informers. They do not wish to appear here or elsewhere, in public or private, unless compelled to do so as informers and spies upon their predecessors. But this House, sitting as the grand inquest of this nation, clothed with the powers of the people to examine—

Mr. WOOD rose.

Mr. CLYMER. But one moment more. If they are then asked for proof, the proof, sir—and I say it without personal knowledge of the subject, but I believe it to be true—will be abundant to show there has been in the past what we in the present should be ashamed of.

Mr. WOOD. I now yield ten minutes to the gentleman from Ohio, [Mr. COX.]

Mr. COX, of Ohio. Mr. Chairman, I desire to state as briefly as I can my general view of the business of investigations and where the responsibility for them ought to stand. At the closing day of our session before the recess I voted constantly against all dilatory motions and therefore voted, not with the most of my political friends, but with the gentlemen on the other side. I did it from a very clear conviction of my own, which was this, that with regard to investigations the responsibility ought to be put as squarely as it is possible to put it upon the majority of a House like this; and while I would not personally vote for a resolution to investigate which I thought uncalled for or unnecessary, I would put no obstacles in the way of its being acted upon by those who believed in it.

Now, in regard to what ought to be the basis of an investigation I believe in the general principle stated by my friend from Maine, [Mr. HALE.] I believe there ought to be as little of this general

search for we know not what as is possible; but at the same time it is exceedingly difficult to draw the line in regard to limiting inquiry so as to make it entirely satisfactory. I am not inclined to say that a member should rise in his place and declare he believes charges to be true before investigation should be had. I do not think from my remembrance of the passage read in regard to former action in the House upon a similar question that Mr. Sherman went so far. I think the substance of what he said was this: that charges were made, sustained by reputable persons upon affidavit, which if true showed that grave wrongs had been committed; and all that I understand he said as to his own opinion of the matter—and I hope I shall be corrected if I am wrong—was that these things made such an impression on his mind that on the whole he thought an investigation ought to be had. That may be said and may be said properly under such circumstances.

With that limitation, the substance of the substitute proposed by the gentleman from Maine would be right. I believe the true method of dealing with investigations is, after careful discussion of the matter and a fair presentation to the majority of those considerations which ought to limit them in their action, to put the responsibility on them; to say, "Gentlemen, if after all this you desire to investigate, so be it; our business will be, not to oppose your investigation, but to see that it shall be of such a character as will make it a whip in the hands of your opponents to punish you if you go wrong." I believe the people of the country generally would prefer that mode of action. I believe that whenever we oppose investigations, however wisely in our own judgment, we are apt, as a rule, to hurt the political party we are acting with. Our action can be used with the mass of people who are ready to believe evil in such a way as to influence votes. Consequently, it has become one of the customary methods of political influence to make charges, trusting to the new outcry to produce an effect. My way of dealing with the subject would be to allow every facility to the members of the committees who may belong to the minority of the House to do their work thoroughly and efficiently; so that every false scent, every sending for persons unnecessarily, piling up unnecessary expenses, making unnecessary trouble, appointing assistant sergeants-at-arms unnecessarily, and the like, shall be made a scourge for those who do the wrong. I think if it is worth while to spend enormous amounts of labor and money in carrying on political campaigns, it would be wise to spend time and labor and, if need be, money in employing counsel to see that these investigations are conducted in such a way that they shall be made to turn against those who started them unless they are wisely begun and properly conducted.

I feel, sir, the more confidence in my opinion because, so far as I know, I am the only member on this floor against whom this resolution could possibly be directed. I am one who has been in charge of a Department in which there are bureaus, connected with which rumors of fraud have been as common as with regard to any; and from that stand-point I have no hesitation in saying that I cannot conceive of circumstances under which it would appear to me to be a friendly act on the part of those with whom I act politically ever, under any circumstances, to object to any breadth of investigation that could reach my official acts. Feeling so, I assume that others in like position feel the same. I assume that they would feel, as I should, that it was making a defense before it was asked, and of a kind not asked, to intimate that the freest, fullest, and largest investigation should not be made. This is entirely consistent with what I said before. In the case of any such charge or any such alleged scandal, it should be sufficient that those who are desirous of an investigation should state that there are grave reasons for such an inquiry.

I shall therefore suggest a slight amendment to the substitute proposed by the gentleman from Maine, [Mr. HALE,] providing simply that it shall be a prerequisite to asking the power to send for persons and papers that some member of the House shall officially state that facts have come to his knowledge, or to that of a committee, which he deliberately declares to make an investigation of this sort necessary. I do not think we ought to ask any member of the House to perform the odious duty of saying that he believes the things which have been charged to be actually true.

I really think the original resolution goes entirely too far for the best accomplishment of its own purpose. I, however, with the feeling I have indicated, would be cautious in saying even so much. I would say to gentlemen on the other side, with the utmost sincerity and heartiness, you may have any investigation that you will seriously say is reasonably necessary. Take the responsibility of saying this frankly and then we will give you the fullest latitude we can.

Mr. WOOD. I believe I have fifteen minutes of my time left and I will yield five minutes to the gentleman from Ohio [Mr. GARFIELD] and the residue of my time to the gentleman from Massachusetts, [Mr. BANKS.]

Mr. GARFIELD. If the gentleman from Massachusetts [Mr. BANKS] prefers to go on now I will endeavor to get time further on without embarrassing myself by attempting to speak in five minutes.

Mr. BANKS. Go on now.

Mr. GARFIELD. As a member of the Committee of Ways and Means I agreed in the minority report exhibited in the amendment offered by my colleague on the committee from Illinois, [Mr. BUR-

CHARD.] I desire to put the case as it seems to me it ought to be put before this House. I do not believe that there is a man on the floor of this House who objects to any investigation of any public officer of the United States on any reasonable grounds shown or alleged why he should be investigated, and nobody on this floor has indicated his unwillingness for such an investigation. But what is the proposition we are asked here to adopt? It is that eighteen committees of this House, without any allegation whatever—personal, private, or public—are directed to go forth to search for something to investigate. I would not object to that even, if they were simply told to use due diligence to find if everything was right within their respective jurisdiction; but the thing which the minority of the Committee of Ways and Means object to is this: these eighteen committees are, in advance, before any case is alleged, empowered to send for persons and papers anywhere in the United States; they are armed with plenary authority of this House to command any private citizen in the United States, from Maine to California, to leave his business and come here on a summons of this House as a witness, to bring any papers he may have, and disclose any of his private affairs, and that not by the express command of the House, delivered to him in a case proposed, but by the vicarious power of the House given in advance; by the discretion of a few gentlemen in a committee-room. There is no private citizen of America who by this resolution, as it stands, may not be ordered and commanded by six gentlemen, constituting a majority of a committee, to come from any place and disclose his private business to the public, and he has no power of redress, because the committee is in advance armed with coercive and compulsory power to bring him here and make him disclose his private affairs, and that, too, when nothing is as yet alleged against any human being in the world.

It is that feature of the resolution of the gentleman from New York [Mr. WOOD] that the minority of the Committee of Ways and Means believe to be unwise and utterly unjustifiable by any facts known to the country. We propose an amendment giving to the committees a general direction to investigate, but withholding special power to send for persons and papers, but give to each committee the right to come in at any time and specifically ask for that power whenever they think they have reason to use it. That is what the minority of the committee say. We do not propose to throw a drag-net over forty-four millions of citizens and drag any one of them at the behest of a little junto of gentlemen in a committee room, if they think best, without hearing and without any specific authority of the House to do so.

Now, besides that I wish to call the attention of gentlemen to the singularly unwise arrangement of these committees as a mere matter of prudent economy. I can point out to you six cases of duplication where, under this resolution, there may be twelve committees at work, and each two of the twelve committees duplicating their work, for instance: the Committee on Indian Affairs may be at work investigating the Indian Bureau; but here is the Committee on the Expenditures in the Interior Department who may be at work investigating the very same thing and both of them sending for persons and papers, and both investigating the same expenditures in the Interior Department and neither knowing what the other is doing, but both being fully empowered and pushing their investigations. Here also is the Committee on Military Affairs examining into the working of the War Department, and, at the same time, the Committee on Expenditures in the War Department may be doing the same thing, thus duplicating expense and labor. The same thing may be going forward by the Committee on Naval Affairs and by the Committee on Expenditures in the Navy Department.

Mr. WOOD. I would suggest to my colleague on the committee that the rules of the House permit that now; there is no change proposed in the rules.

Mr. GARFIELD. Ah, yes; but the rules of the House do not now permit both these sets of committees on their own motion to summon men from California or Oregon at the expense of the Government to come here and testify. Each one of these committees must now go before the House and ask permission to do so.

Mr. WOOD. Permit me to correct the gentleman as to a fact. The rules of the House, as do these resolutions, authorize a committee clothed with power to investigate expenditures to investigate that branch of the subject, and the other committee is authorized to investigate in reference to legislation upon that subject.

Mr. GARFIELD. But if the gentleman will remember—

The CHAIRMAN. Does the gentleman from New York yield further?

Mr. WOOD. I will yield now the remainder of my time to the gentleman from Massachusetts, [Mr. BANKS.]

Mr. BANKS. How much is that?

The CHAIRMAN. Ten minutes.

Mr. BANKS. The peculiar condition of the country makes it unpleasant for any member of the House to vote against any investigation which any other member may ask; and I am quite sure that the gentlemen on this side of the House will readily yield to any inquiry which may be suggested by any member, whatever it may be, if it be brought within those rules of procedure which from the beginning of human society have bound men of whatever condition or station when investigating the action or conduct of other men. This resolu-

tion, however, does not do that. There is a precedent for it in the last Congress, but I think in none other. The precedents which the Government has followed in all time past have been those precedents which have observed the principles established for inquiry in regard to the conduct of men.

The House has been styled by gentlemen the grand inquest of the nation, and undoubtedly that is a proper designation; but that inquest relates to its legitimate and constitutional duty, which is that of legislation. It may inquire into everything pertaining to the condition of the country for the purpose of legislation, in order to prevent evils and to correct wrongs. It may also, where specific charges are made against a public officer, make inquiry for the purpose of impeaching him for official misconduct; but its general power relating to inquiry is for the purposes of legislative action.

That is not the object contemplated by this resolution. This resolution is for the purpose of investigating the conduct and action of any present or former officer of the Government, and for this definite purpose—no more definite than indicated by the words I have just used—there is to be given to every committee of this House and to all the committees, with few exceptions, the right to send for persons and papers at any time.

Now, there is a provision in the Constitution which bears upon this subject, and I ask the attention of the Chairman and gentlemen of this committee to it. It is article 4 of the Bill of Rights:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

This is a general and absolute prohibition, as binding upon the House as it is upon any other branch or department of the Government. If you mean to send for persons and bring them here by force under the Speaker's warrant, you must have an oath or an affirmation to a complaint from some human being. I will admit, as the gentleman from Ohio [Mr. GARFIELD] has said, that if any member of this House will stand up here and make the statement that improper conduct has occurred upon the part of any officer, we would grant an investigation on that request. We would not ask him to say that he believes it; it will be enough for him to say that such is his information.

That, however, he will do upon his oath as a member of this House; it is his oath which gives him the right to so state, and which will compel us to observe what he says and accord him his request. Now, who is there here who makes a charge against any particular officer of the Government, present or past, on his oath as a member of this House? If there be any one who will do so, then I venture to say that there is not a member on this side of the House who will object to an investigation.

I am speaking against the process, and not against the investigation proposed. What is the process? It is to take any officer of this Government, no matter who it may be, from the highest to the lowest, to take him by the Speaker's warrant, by the power of the Sergeant-at-Arms of this House and bring him to the bar of this House and compel him to testify. For what purpose? To testify for the purpose of convicting himself of crime. That is the process which is proposed. You bring him here to testify, and upon his testimony convict him. That is a process which neither in ancient nor in modern times has ever been approved or acted upon by any civil or criminal tribunal or any earthly power. I want to know if the gentlemen of this House are willing for an express and a declared purpose to exercise a power of this kind and of this latitude, to compel by force the attendance of any man they may choose and compel him to testify under penalty of being put in the dungeon beneath this Capitol, and after he has testified to convict him of crime upon his own testimony? That is what is now proposed.

Now, sir, I have said that I believed there was no precedent for action of this kind in the history of this Government; but there has been a precedent for its attempt, and I hope this action will result just as that precedent of attempt did. The Senate of the United States once passed an order calling upon the officers of the Government to come before that body and testify as to what they had done. There was a man, a great man, named Jackson, who was then President of the United States, and he replied to the Senate that no officer of the Government under his administration, except he chose himself to do it, should be required to appear or against his will be required to give any testimony under such an order as that.

He said also that it would result in the violation of that principle to which I have referred, that an officer compelled by the Senate of the United States to testify would upon his own testimony be convicted if by any other testimony they could bring; that is, sufficient testimony to show that what he had said was an admission of his crime. He made that declaration, which should be a declaration of this House, and which if it were not for the troublous times in which we live would be a declaration to be followed by any President, whoever he might be, when the Senate and House should against the provision of the Constitution attempt violently to seize a citizen or officer unless he was willing to give such testimony or such action as they desire. Against this process I object.

Mr. BURCHARD. I yield now to the gentleman from Missouri for five minutes.

Mr. BUCKNER. I do not understand, Mr. Chairman, the object of

this resolution is to make political capital or to investigate specific charges against any particular individual or any bureau or any Department of the Government. If I understand it, it is in the interest of retrenchment and reform and economy in the public expenditures. It may lead, and possibly will, to the detection of parties who have been guilty of violations of law, but the main and primary object of the resolution is that we may find some means by which to cut down expenditures in the various Departments of the Government. I understand that is the principal, the prime object; others may be subsidiary to it, but that is the chief object.

Now, we are told by the Secretary of the Treasury there will be a deficiency of revenues according to his estimates of \$11,000,000. If you go into that department of the Treasury or any other one, and call upon the head of that department, where retrenchment and reform are to take place so that the expenditures may be brought within the receipts, where we are to lop off excrescences, he will say it is not in his department that the excrescence is; not in that department, but in some other department. That will be the uniform answer given to every attempt to reduce the expenditures of the Government. How, then, are we to cut down the expenditures of the Government? If, perhaps, you had some man acquainted with all the machinery of the Government, he might suggest where to lop off useless officers and cut down unnecessary expenses. In that case it could be done without investigation by these committees. But it is impossible as things now are, and gentlemen on the other side of this House know it is impossible, to reduce the expenditures of the Government unless this power is given.

How is it that my friends on the other side are so suddenly struck with a desire to prevent investigations of this sort or to the giving to committees of the power now asked? If I recollect aright there were various instances in the Forty-third Congress, when I first had the honor to occupy a seat upon this floor, in which the House gave precisely this power to committees, when they were in a large majority on this floor. I had the honor of serving on the Alabama committee, and I have the proceedings before me in which these powers are given on a mere surmise, or newspaper rumor that certain things had been done in Alabama. The democrats of this House voted unanimously for an investigation into the affairs in Alabama. You then gave the power to do—what? To compel the attendance of witnesses and the production of papers. The democrats in this House, as I have stated were in the minority, voted for the resolution. The report was made to this House. The same thing was done during that session of Congress at various times in reference to other investigations. That power was given distinctly on page 171 of the first volume of the RECORD of the Forty-second Congress when the rules were suspended and a committee appointed to go into Alabama and investigate everything connected with the charge of intimidation and violence and all matters affecting the right of suffrage. Mr. Chairman, it must be evident that this investigation will be in many cases absolutely useless unless the power is given to send for persons and papers.

Mr. BURCHARD. I yield now to the gentleman from Ohio for seven minutes.

Mr. GARFIELD. I wish to conclude simply the point I was making when my time expired. I was saying at least twelve of these committees, if the resolution shall pass in the form reported, may be all duplicating work, neither knowing what the other is at, involving double expense in every respect and overlapping work unnecessarily. That would not happen if the minority resolution prevails. When a committee comes to the House and asks for authority to send for persons and papers with reference to a particular subject the House will not give another committee the power to send for persons and papers on that subject and we will thus prevent duplication. Just before we adjourned the Committee on Foreign Affairs asked permission to take testimony and to send for persons and papers in regard to the trouble with Mexico. It was granted by the House. Subsequently the Committee on Military Affairs asked for power to do the same thing, which was refused because it would be a duplication of the power. But now gentlemen propose that eighteen committees be sent out with permission to duplicate their work just in that reckless way.

Now let me speak of another thing. Nobody begrudges the expenditures that are made for genuine investigations; and I say to gentlemen on the other side that they have never known this side of the House to make any objection whatever to an investigation that any committee specifically asked for. We ordered such investigations ourselves when we were in the majority, and they have always been accorded when any probable ground was shown why there should be an investigation. But gentlemen will remember that just such a sweeping, drag-net resolution as this, which passed at the last Congress cost this country more than half a million of dollars in subpoenaing witnesses, in traveling expenses, and in the enormous cost of printing. Do gentlemen believe that the investigation by the Naval Committee is worth the \$75,000 it cost?

Mr. CLYMER. Yes, sir.

Mr. GARFIELD. Do they believe it is worth the five thousand printed pages, equivalent to ten volumes of five hundred pages, of evidence in that investigation? Perhaps it is worth it all. I do not know but it is. But I have not seen that the result nor have I heard gentlemen on the other side themselves declare that the result has been as valuable as that.

Mr. CLYMER. As the gentleman has asked a question, will he permit me to answer it?

Mr. GARFIELD. Certainly.

Mr. CLYMER. I assert, from the investigations it has been my duty to make in reference to the Navy Department, that the evidence brought before the Committee on Naval Affairs will enable the Appropriations Committee, at this session, to make reductions much larger in amount than the investigation in that Department cost.

Mr. GARFIELD. I shall be very glad if that happens. But every good result which gentlemen desire from these investigations can be had without giving in advance this unusual and this very unwise power over all the citizens of the United States. Now I say, for one, whenever any gentleman here wishes an investigation upon anything that has occurred in the management of this Government, let him state it, and I have no doubt he will have the support of this side of the House in the investigation. If, as has been talked in the newspapers, gentlemen wish to investigate the presidential title, let them move their investigation and they will have my hearty aid.

Mr. CLYMER. We do not seem to be so anxious about that as you are.

Mr. GARFIELD. But let them in all cases tell plainly the thing they want, and let the House of Representatives keep the control of its own expenditures, and not let it out to eighteen committees, to be used in any manner that a few men in a committee-room may see fit. Gentlemen who have had experience in this subject know that the country is crowded with dead-beats who want to get summoned to Washington from distant places for the sake of getting the pay. That sort of thing can be somewhat avoided if a committee comes here on its own responsibility and asks to make an investigation upon probable cause shown.

Mr. GLOVER. Will the gentleman allow me to ask him a question?

Mr. GARFIELD. Let me conclude in a word what I have to say. I shall vote for the report of the minority of the Committee of Ways and Means, and I shall vote for the substitute if amended as suggested by the gentleman from Ohio, [Mr. Cox.]

Mr. GLOVER. Will the gentleman please state when, in the investigation of the committee, there was such duplication of work as that to which he alludes?

Mr. GARFIELD. I have not gone over the work done by the committee. I do not say that they did make these duplications, but I understand that at this very session we have had the Committee on Military Affairs and the Committee on Foreign Affairs going over the same ground, in so far as the House allowed them to do it, in the examination of Mexican affairs; and I understand that the Committee on Naval Affairs and the Committee on Expenditures in the Navy Department are now going over that very subject.

Mr. BANNING. If the gentleman will make inquiry, he will find that his understanding is not correct. The Committee on Military Affairs and the Committee on Foreign Affairs have not been examining the same subject at all.

Mr. GARFIELD. I know that the gentleman asked the authority to do it, but the House refused it.

Mr. BANNING. No, the gentleman did not ask to have that authority; the Committee on Military Affairs has been inquiring into the military operations.

Mr. GARFIELD. I understand that the Committee on Foreign Affairs has been sending for military officers; that looks like inquiring into military operations.

Mr. BANNING. Then the gentleman's understanding is not correct.

Mr. BURCHARD. I yield five minutes to the gentleman from Virginia, [Mr. TUCKER.]

Mr. TUCKER. Mr. Chairman, the only objection to the resolution of the majority of the Committee of Ways and Means, as I understand it, is that the power is given to the committee referred to in the resolution to send for persons and papers, with this proviso:

Provided, The exercise of the power shall, in the judgment of the committee, be necessary; and that when the production of papers is required, they shall be specified and described with such accuracy as shall be practicable under the circumstances.

That proviso, casting it upon the responsibility of the members of the committee that it is necessary to make the investigation, is an ample guaranty against its being lightly made. If I understand gentlemen who are better versed in parliamentary affairs than I am, they say that it is the uniform practice of the House, that whenever a committee comes and says that it desires to send for persons and papers, that power has been uniformly granted, without further inquiry, and therefore the whole question between gentlemen upon the other side of the House and ourselves is simply this, whether there shall be power previously given to the committee to do that on their own judgment, or whether we should give it to them, only after in their own judgment they say it is necessary.

Now, it seems to me that there is no material difference between us on this subject. I am willing to give this power previously, to be exercised by the committee on their own judgment, because if in their own judgment they reported to the House a resolution asking for authority to send for persons and papers, we should grant it without further inquiry. Cushing, in his Parliamentary Law, shows that it is regular to give the power either upon the appointment of the committee or afterward. He says:

When the inquiry is referred to a select committee, the most usual course is,

either at the time of its appointment or subsequently, to give the committee power to send for persons, papers, and records; in which case the attendance of a witness before the committee is ordinarily secured by an order signed by the chairman by direction of the committee; but if a witness should neglect to appear when summoned in this manner, his conduct must be reported to the House, by whom an order is immediately made for his attendance. If, in the mean time, the witness should appear before the committee, the order for his attendance may be discharged; but if he still neglects to appear, he is to be dealt with as in other cases of disobedience to the order of the House.

But my colleague on the committee [Mr. BANKS] is somewhat afflicted with a constitutional difficulty, and he quotes the fourth article of the amendments to the Constitution, which reads thus:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Now, sir, I say, with all respect to the gentleman from Massachusetts, [Mr. BANKS,] that has no more to do with the question before the House than the question whether the man in the moon eats green cheese every day or not; nothing in the world. That provision was ingrafted into the Constitution by the men of the revolutionary era in view of the celebrated controversy in reference to the "North Briton" when Lord Chief Justice Pratt, afterward Lord Camden, delivered a judgment in which he said that no executive officer had a right to have arrested any party whom he might suspect to have been guilty of treasonable acts against the government. The amendment was aimed at the exercise of executive power, and provided that judicial power should be necessary for the arrest of a person or for the seizure of his papers or to search his premises. We do not propose to do that here. We propose to subpoena witnesses and to call for the production of papers. If a witness does not come or produce the papers sent for, the committee will report the case to the House and the House will act upon it. Gentlemen on the other side will not say that the House has not the power to imprison a recalcitrant witness. Have not both sides voted for it over and over again, and when the gentleman from Massachusetts [Mr. BANKS] talks about dungeons, does he forget that Patrick Woods was, by a vote of the republican majority of the House, held in a dungeon three months after the House had adjourned?

Mr. BANKS. That was upon a charge of murder.

Mr. TUCKER. No, sir; it was upon a charge of knocking down a member of Congress one hundred and twenty-six miles away from the seat of Government, which was treated as a contempt of the House.

Mr. BANKS. Still there was a charge and an oath.

Mr. TUCKER. An oath? By whom? I say there was no charge; there was no oath; there was no warrant. Now, in regard to what my friend says about this other matter of witnesses and the production of papers, I would call attention to section 936 of Cushing's Parliamentary Law:

The order for the attendance of witnesses or for the issuing of a speaker's warrant to summon them, may also require the production of books, papers, and records. In the former case the order ought to be as specific, and to describe the books, papers, or records to be produced, with as much certainty as the nature of the case will admit of. In the latter, the order may be in as general terms, as, for example, for such books or writings as shall be desired, as the order for issuing the warrant; but the warrant itself should be as specific and as certain as above mentioned. It does not appear to be necessary, however, that the name of the particular witness, who is required to produce a paper or other document, should be mentioned in the order or warrant, provided that he be otherwise designated or may be ascertained with sufficient certainty. Thus, the order may direct that the proper person or officer shall attend with the books, papers, or records desired; as, for example, a proper person from a banking-house named, with their banking books for a particular month; or the proper officer with a specified paper from one of the public officers; or a particular paper may be ordered to be laid before the house without specifying by whom it is to be done.

That is done by a *subpoena duces tecum*. A man is on the witness stand and he is asked if he has a certain paper. He answers that he has, and is told to produce it. Who ever heard of a warrant under those circumstances? There is no lawyer in this House who has not done that many times. The witness says so and so in reference to his business. "Where are your books?" "What do you want with my books?" "I want to confront you with your books, and to prove that you have lied." There is no difficulty about that; it is done every day in courts of justice without a warrant. The provision of the Constitution to which the gentleman has referred has nothing to do with that question.

Now, in regard to a witness excusing himself from answering questions, section 983 of Cushing's Manual is as follows:

A witness cannot excuse himself from answering on the ground that he may thereby subject himself to a civil action, or expose himself to a criminal prosecution, or because he has taken a judicial oath, as a grand juror, for example, or a voluntary oath, as a Freemason or an Orangeman, not to disclose the matter about which he is required to testify; or because the matter was a privileged communication to him, as where an attorney is called upon to disclose the secrets of his client; or on the ground that he is advised by counsel that he cannot do so, without incurring the risk of criminating himself or exposing himself to a civil suit.

In many States statutes have been passed providing that a man shall not be compelled upon an examination to answer any question which may tend to criminate him or disgrace him; but that has been done by statute. That which I think my distinguished colleague from Massachusetts [Mr. BANKS] is troubled about arises from the fifth article of the amendments to the Constitution, which provides that "no person shall be compelled in any criminal case to be a witness against himself." It is an entirely different question whether

in a case which is not a criminal prosecution against him he may not be asked a question his answer to which may tend to criminate or disgrace him.

Mr. BURCHARD. I would inquire how much time I have left? The CHAIRMAN. About twelve minutes.

Mr. TUCKER. Allow me to state that one of the rules of the House, to be found on pages 327 and 328 of the Digest, is as follows, and is a law of the United States:

No witness is privileged to refuse to testify to any fact, or to produce any paper respecting which he shall be examined by the House, or by any committee of the House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.—*Revised Statutes*, section 102-103.

Mr. BANKS. The gentleman from Virginia [Mr. TUCKER] will allow me to say that he proposes to get his evidence from the witness first and then to do what he pleases with it. He gets the testimony from a man he means to convict upon his own testimony; that is the fact about it.

Mr. BURCHARD. I now yield five minutes to the gentleman from Michigan, [Mr. CONGER.]

Mr. CONGER. I have already stated this morning, and it has been frequently stated on this side of the House, that there is no possible objection to be urged now or at any time against the most full, perfect, and absolute investigation of all governmental affairs, whether in bureaus or in Departments or on the part of individuals.

What is the proposition which the gentleman from New York [Mr. WOOD] has introduced here for some cause which he will undoubtedly explain at the proper time? And why did he leave it until the last hour before the holiday recess of the two Houses before he brought in this series of resolutions, the same which was passed in the last Congress without objection; the series which the new democratic majority in this House desired to have passed, and which the republican minority freely gave to them? The House for two years had a continuous, uninterrupted drawing of the drag-net to find, high and low, in public and in secret, some cause of condemnation and complaint against the republican party. The gentleman from Virginia who has just taken his seat, [Mr. TUCKER], in advocating the passage of that series of resolutions, exclaimed that there should be a continuous onward investigation during the whole session of Congress. *Nulla, vestigia retrorsa*, exclaimed the gentleman, in the unknown language of Pocahontas, his ancestress. [Laughter.]

Mr. TUCKER. The descendant of Pocahontas never said *retrorsa* instead of *retrorsum*. [Laughter.]

Mr. CONGER. Taking it for granted that meant no step backward, as we in the backwoods suppose it to mean, having some knowledge of Indian traditions and Indian language, [laughter,] the investigation went forward. Now, sir, it cost between seven and eight hundred thousand dollars to make those investigations. The sum was so enormous that the Clerk of this House, I understand, has not yet reported even that small portion of it which came within the incidental expenses of the House. The country was disgusted with the whole proceeding. People were called to be witnesses before the committees whose word would not be taken among gentlemen elsewhere, and their testimony was published as that of good honorable witnesses.

Why, sir, there was no honor accrued to anybody in those investigations except to my learned, patriotic, and theatrical friend from Pennsylvania now before me, [laughter;] he found a mare's nest and the horse was on it. [Great laughter.] He brought it here, he mounted the tribune and he presented his face with so much radiance and glory and glorification that the country was astounded and the House sat silent trembling with terror under the announcement of that tragical performance. [Laughter.] It incited and stimulated every other committee and every other gentleman to emulate and equal, if possible, the gentleman who had caught the first fish. Hence these resolutions passed, and everybody sought to emulate the illustrious example of the gentleman from Pennsylvania. They all failed but him. There could not be two such great transactions in one century. [Laughter.] No two men could so astonish three hundred members of Congress brought from every representative district in this Union, representing the cool and calculating, the ardent and impassioned, those who like theatrical performances and those who love matter of fact. The human mind is so constituted it could not bear the strain of two such performances in one Congress. [Laughter.] Of course the result in the natural order of things was that they failed.

The gentleman from Pennsylvania went off with his honors alone, and bore them, I agree, meekly. [Laughter.] He enjoyed them while they lasted. There is no such opening for any other gentleman. There are new members of this House all anxious; they have the example of the honorable member from Pennsylvania before them, when, as it were, by one stroke of the pen, by one uplifting of that theatrical hand, he sprang at once into honor and renown. [Laughter.] They desire to follow that illustrious example in this new Congress with new subjects. It cannot be done. For two years the democrats had absolute control, and I desire to say—

Mr. BURCHARD rose.

Mr. CONGER. I ask for a minute longer.

Mr. BURCHARD. Very well.

Mr. CONGER. I desire to say to gentlemen they cannot find the record where a republican Congress asked beforehand this unlimited power of investigation, or that they ever asked it until somebody in

his place, some member, or some citizen made charges which this House thought it was worthy should be investigated. What is the difference between us to-day? If any man will rise in his place and say there is fraud or corruption in any Department or any office of the Government, the republicans have always joined hands with those who would ferret it out, and they will do so to-day. It comes simply to this, one set of these resolutions is to set the drag-net out again all through the country until nausea shall be produced throughout the Union as it was in the last two years by these indiscriminate investigations, and the other is to assert the right and desire of this Congress when the charge is made, or even the shadow of fraud or corruption, to prosecute it with all the vigor which this body has at its command. Those are the sets of resolutions upon which we are required to vote.

The CHAIRMAN. The gentleman from Illinois has now three minutes of his time remaining.

Mr. BURCHARD. Mr. Chairman, the discussion of the resolution presented by the Committee of Ways and Means has taken somewhat of a partisan aspect. In my judgment the resolution ought not to be considered at all in relation to parties or voted upon with reference to one side or the other of this House. It is a question of carrying on the legitimate and proper business of the House. For nearly half a century it was, I think—for fifty years ago Mr. Tucker, of Virginia, reported to the House the resolution creating these Committees on Expenditures and giving them the powers provided for in the rules—it was not dreamed of for fifty years that it was necessary to give these committees or any other committee of the House in advance the power to send for persons and papers. But on the other hand, it was the experience of past Congresses that this power should be especially applied for in every instance and especially granted. But now it is proposed, following a precedent hastily and thoughtlessly adopted in the last House, that we shall give these extraordinary powers in advance to eighteen committees.

I say that as a member of the republican party I would vote for and support this resolution if I believed it was correctly and wisely framed, because, being a member of that party, a party which had control of the Government for many years, it might seem if I opposed the resolution I opposed it because our own party and our own officers were being investigated. We ought to be, and are, willing that there should be a thorough and complete investigation. We only ask, is it wisdom; is there any special necessity now for departing from the precedents that have been adopted? None have been urged. If you say that these committees must be specially instructed at this time to proceed to investigate, let them, when they are making their investigations, when matters come before them—if, for instance, the Committee on Military Affairs feels that it must have special power, and the Committee on War Expenditures, on the ground of having a co-ordinate jurisdiction, feels it should have special power, (and in many cases we know committees clash as to their jurisdiction,) if those committees desire each to have power to investigate a case—let them come to the House and ask the House to say to which committee it will entrust the power of sending for persons and papers. All the minority of the committee ask is that whenever it is proposed to give that authority to any committee, and there is no collision of committees, if a case presents itself which in the judgment of the House justifies the granting of such a power, it will be invariably granted, but that power ought to be always reserved for the House when the case is presented.

[Here the hammer fell.]

The CHAIRMAN. The time for general debate has expired.

Mr. COX, of Ohio. I desire to offer an amendment for the substitute of the gentleman from Maine.

The CHAIRMAN. It will now be in order to read the resolutions again; and amendments may then be offered and debated under the five-minutes rule. The Clerk will read the resolutions.

Mr. SPRINGER. I suggest that it is unnecessary to read the resolutions again; they have been read several times.

The CHAIRMAN. By general consent the reading may be dispensed with.

Mr. SAMPSON. I object.

Mr. WOOD. I desire to ask how many amendments the Chair intends to admit. The condition of the question before the committee now is that for the original resolutions a substitute has been offered by the gentleman from Maine, [Mr. HALE,] and that an amendment to the original resolutions has been offered by the gentleman from Illinois, [Mr. BURCHARD.] Now, I desire to know in what degree further amendments will be recognized by the Chair.

The CHAIRMAN. Under the five-minutes rule, in Committee of the Whole, amendments are in order at this time.

Mr. WOOD. I wish to ascertain from the Chair the order of voting upon the substitute of the gentleman from Maine and the amendment of the gentleman from Illinois.

The CHAIRMAN. The debate, under the five-minutes rule, will proceed on each amendment as offered. The gentleman from Illinois has offered an amendment to the original resolutions, and that will be first in order.

Mr. WOOD. Do I understand the Chair to decide that any gentleman can offer an amendment and debate it for five minutes?

The CHAIRMAN. The Chair understands that that can be done under the rule.

The Clerk will read the resolutions.

The resolutions reported by the committee were again read.

The CHAIRMAN. The amendment offered by the gentleman from Illinois [Mr. BURCHARD] will now be read.

Mr. BURCHARD's amendment was again read.

The question being taken, there were—ayes 79, noes 79.

The CHAIRMAN. The Chair votes in the negative.

Mr. GARFIELD. I call for tellers.

Tellers were ordered; and Mr. WOOD and Mr. BURCHARD were appointed.

The committee again divided; and the tellers reported—ayes 98, noes 93.

So the amendment offered by Mr. BURCHARD was adopted.

Mr. WOOD. I shall demand a separate vote in the House on the amendment. I move that the committee rise and report the resolutions and amendment to the House.

The CHAIRMAN. There is another amendment pending. The gentleman from Maine [Mr. HALE] offered an amendment in the nature of a substitute, which will now be read.

Mr. HALE's substitute was again read.

Mr. FOSTER. Before the question is taken on the substitute I desire to offer as an amendment to the original proposition what I send to the desk.

The Clerk read as follows:

Add to the resolution the following:

The Committee on Public Expenditures shall also investigate and report upon the expenditure of the various sums appropriated by the Forty-fourth Congress for the purpose of conducting the investigation ordered by said Congress, reporting specifically as to whom and for what purpose and service the various items of expenditure were made.

Mr. FOSTER. Mr. Chairman, I do not believe, myself, in this drag-net process of investigation. That has been sufficiently discussed, I think, already; but I ask our democratic friends this question, in addition to what has already been said: if they want to continue this kind of investigation, which blackened the character of the late Speaker of this House and which blackened the character of a gentleman who was before the last national democratic convention as a candidate for President and who is now a leading candidate for the senatorship from Ohio, it seems to me that we have had enough of that sort of thing.

I do not undertake to say upon my own responsibility that any wrong has been committed in the payment of the various sums appropriated at the last Congress; but statements have been made to me which lead me to believe that there was gross carelessness, if not downright corruption, in the expenditure of these sums. I am quite certain that dead-beats from all over the country came here and were made witnesses. I have reason to know that one gentleman who wanted to go to the Centennial Exhibition got his member to summon him as a witness, when he knew nothing whatever about the party being investigated.

Mr. HEWITT, of New York. Name him.

Mr. FOSTER. Oh, no. It is not the democratic practice, my friend, to give names.

Mr. HEWITT, of New York. It is democratic practice to give names when such charges are made.

Mr. FOSTER. Now, Mr. Chairman, this is all I ask of the committee, and I believe they will find a fruitful field for exploration, and I wish my old friend, the chairman of the Committee of Ways and Means, could be on the committee, for I know that this matter would be probed to the bottom, and I believe that, if the chairman of the Committee on Public Expenditures, the gentleman from Missouri, [Mr. GLOVER,] will follow this question up, I am warranted in saying to the House that my democratic friends will find a fine field for enterprise in that regard.

Mr. WOOD. Mr. Chairman, the proposition itself, as offered by the gentleman from Ohio, [Mr. FOSTER,] may be very harmless and the reasons he gives for it may appear entirely disingenuous. I think, however, that it is designed to throw an additional obstacle in the way of investigation. It may be, sir, that the abuses of which he speaks have existed and that witnesses may have desired to be subpoenaed for the purpose of visiting Washington. That I do not deny; but I do deny that any standing committee of the House would be trifled with by any person desiring to be summoned as a witness for any such purpose, and I suggest to that gentleman, who I know is as conscientious in the discharge of his public duties as any man in this House, that the better way to show to the country that there is no apprehension and no fear upon the part of his side of the House from these investigations, is to agree to the resolution.

Sir, let us act like men clothed with the responsibility which as members of this House we are pledged to exercise in justice to those we represent and for the good of the whole country at large.

Now I will say to the gentlemen opposite that they may temporarily succeed in making it appear that a majority of the House is against these investigations; but woe be to the party that would attempt to obstruct an inquiry into the discharge of public duties by public officials. The country is not in a condition to be trifled with. We know, gentlemen opposite know, everybody knows, that malfeasance in office and corruption pervade every part of the administration, not only of the Federal administration, but in the administration of the public service from municipalities up to the National Government, and the people demand, and I hope this House will recognize that demand, that we shall have these investigations. I say,

therefore, to the gentleman from Ohio [Mr. FOSTER] that in my judgment he places himself in a wrong position by attempting to investigate what is after all an immaterial fact in comparison with the other investigations proposed.

Mr. FOSTER. Does the gentleman charge—

Mr. WOOD. Whether we expend \$5, or \$5,000, or \$500,000 in the pursuit of this great object is a matter of little consequence to the people of this country.

[Here the hammer fell.]

The CHAIRMAN. Debate upon the pending amendment has been exhausted.

Mr. FOSTER. Does the gentleman from New York [Mr. WOOD] charge the present administration with corruption?

Mr. WOOD. The present administration need not fear investigation if it is honest.

Mr. FOSTER. It does not.

Mr. WOOD. Then why oppose it?

Mr. FOSTER. Why do you oppose my resolution?

Mr. WOOD. Because it is not germane to the subject.

Mr. FOSTER. I will take the ruling of the Chair upon the question whether it is germane or not.

The CHAIRMAN. That point of order has not been raised.

Mr. REED. I move to strike out the last word for the purpose of saying that I am somewhat surprised, after the gentleman from New York [Mr. WOOD] has announced with considerable breadth of language that this body is the grand inquest of the country and should be set immediately to investigate all the wickedness of the land—I am somewhat surprised that there seems to be some special pet wickedness which he is unwilling to have investigated, even after a member of this House in his place declares that he has reason to believe wrong has been committed.

One of the grounds assigned by the gentleman from New York for declaring that we ought to investigate these subjects without making any charges is that the investigation ought to be secret. I am surprised that with his experience he should suppose that this House can investigate anything with any very great degree of secrecy. How secret all things are kept here in Washington! When the body at the other end of the Capitol has a secret session, how difficult it is for the community to become acquainted with their action therein! And when one of the committees of the last House, when all of the committees were investigating the subjects before them, how secret it was and how silent all the newspapers were upon the subject! Sir, everybody knows that the reverse of his idea was true. We all know that when those committees had gorged themselves with accusations against men, made by persons of no character and standing in the community, they were permitted to ooze out to newspaper correspondents, thus establishing a sort of competition with each other on the subject of the slander of men and measures.

Now I say that this country is satisfied with what we have had in this direction and would be disgusted at any time to see a repetition of it. It is discreditable to us to be spending the time for which we are paid by the people to do the nation's work in endeavoring to make political capital against the other party.

If gentlemen have any subjects which they want to investigate, why do they not come before the House and make their charges, and let the House understand what they are undertaking to investigate? Men who live in our communities and are our constituents have their rights, and among them is the right to know that they will not be accused without having warning beforehand of what they are accused, so that they may meet it.

Everybody knows the unsatisfactory nature of these investigations as investigations. They are simply used to provide material for party purposes. I believe there is too much legislative business before this House to justify us in wasting its time in this fashion.

Mr. COX, of New York. I rise to oppose the amendment of the gentleman from Maine, [Mr. REED.] I do not understand that peculiar sensibility on the republican side of the House in regard to investigation.

Mr. FOSTER. The sensibility is now on the other side. [Laughter.]

Mr. COX, of New York. I knew very well that the gentleman from Ohio [Mr. FOSTER] was very obtuse to any sensibility; but I did not refer to him specially. There is no desire on the part of this side of the House not to meet any fair *bona fide* tender of investigation. The tender of the gentleman from Ohio [Mr. FOSTER] was not made in good faith, for he made it smilingly, and he is still smiling.

Mr. GARFIELD. Then I would say that the gentleman from New York [Mr. Cox] hardly ever made any proposition in good faith, for he always smiles, we are glad to see. [Laughter.]

Mr. COX, of New York. And the gentleman is frequently found smiling very differently on certain subjects, to which I will not refer.

Mr. FOSTER. I rather suspect that is true.

Mr. COX, of New York. Good nature should be cultivated on this subject as on any other.

Mr. FOSTER. There are different ways of smiling.

Mr. COX, of New York. Let the gentleman observe the courtesies of the House and obey the rules.

A MEMBER. And smile afterward. [Laughter.]

Mr. COX, of New York. Yes, smile after I get through. Gentlemen on the other side have sought to divert attention from the main object of this inquiry. They have thrown in a little by-play in order

to shunt us off on a side-track. We want no specific allegations for the purposes of legislation. Legislation is based upon information obtained by the House in regular form and by our committees. By Rule 103, to be found on page 124 of the Rules, we have certain committees named, eight of them, I think, committees on expenditures, whose duties are to look after the accounts of the Departments, to investigate unjust payments, and look into whatever appears to be wrong. What for? On the very ground exactly upon which my colleague based this resolution: in the interest of economy and of legislation.

We can go further, sir. The English Parliament have gone further: they have based investigations and based some of the laws of the English realm upon a common clamor, on general reputation.

The gentleman from Michigan, my friend Mr. CONGER, made light of this business. He said we only caught one man in our drag-net, meaning of course General Belknap. I know when these drag-nets are cast out the little fish get through and the big ones break the net, as the Belknap business shows was done in the Senate. He went through the net when we showed without peradventure that he was guilty.

Why, Mr. Chairman, gentlemen call for specific allegations. There has been a grand specific allegation made by the people of this country; not a matter to be smiled at, especially by the gentleman from Ohio. It was the vote of a majority of the States, of a majority of the electoral college, of a majority of three hundred thousand of the people of this country who demanded that your corrupt administration should be investigated. They had the fact spread all over this country, and they rendered their verdict.

Gentlemen laugh and taunt us with examination into frauds and abuses in the last Congress. The verdict of the people was rendered on that very business of investigation. Yet I never heard gentlemen on the other side in good faith and in real earnest come up here and ask or demand investigation, even when specific charges were made. I know they pretended to do it, but they have always thrown an "if" or an "and" or a proviso or a series of obstructive amendments, and whatever any gentleman of that party could do on that side of the House to defeat investigation; and the people, by three hundred thousand majority, held you responsible for it, and the election went against you.

I know you got the fruit of the election; I know you have your man in the White House. [After a pause.] I make a pause so the gentleman from Ohio may smile. [Laughter.] I know how you got him in the White House; I know the investigations were opposed at first, but gradually yielded to. That, however, is too fruitful of observation to be discussed now.

But one thing I say in conclusion, Mr. Chairman, that when it comes to legislation, when it comes to investigating the servants of the people, we who represent the great body of the people with credentials and testimonials—that when we demand full, complete, and thorough inquiry it should not be balked by these impediments in a laughing and taunting way by gentlemen on the other side.

[Here the hammer fell.]

The CHAIRMAN. Debate is exhausted on the pending amendment.

Mr. FOSTER. I renew the formal amendment. Lest the innuendo in the remark of the gentleman from New York might be misunderstood by my silence, I now reply to that remark, "How did you get the President in?" as well as to numerous allegations which have been made in the public press and in a letter recently printed, that so far as I am concerned and so far as any knowledge of mine goes, there is not one scintilla of truth in these charges nor can anything anywhere or in any place be produced in support of them. Every word and every line, sir, which I know anything about, has been printed and published to the world. I now withdraw the formal amendment.

Mr. WHITTHORNE. I suggest to the gentleman from Ohio that he will obtain one vote on this side for his proposition if he will allow it to be amended so as to include the Fortieth, Forty-first, Forty-second, Forty-third, and Forty-fourth Congresses. I have the impression, but I do not know whether it is correct, that during investigations into the condition of things in the Southern States a great many witnesses were brought here who were known at home as "dead-beats." If that is to be looked into then the inquiry should be extended to past Congresses.

Mr. FOSTER. The gentleman can make his motion.

The CHAIRMAN. Will the gentleman from Ohio indicate at what part of the resolution he desires his amendment to come in?

Mr. FOSTER. It can come in at the close, after providing for investigation by the Committee on Public Expenditures.

Mr. WHITTHORNE. Let the amendment be again read.

The amendment was again read.

Mr. FOSTER. I will accept the gentleman's amendment.

Mr. WHITTHORNE. While I am on the floor I wish to ascertain further if I have received the correct impression from the reading of the resolution. If I have, it means that the expenditures paid by either of the bodies composing Congress may be made the subjects of investigation. I desire to say that the investigation known as the Mississippi investigation—

Mr. FOSTER. I would have no objection to including the expenditures of the Senate, if they could be investigated under such a resolution as this.

Mr. WHITTHORNE. Let me finish what I was about to say. The investigation made by the Mississippi committee, of which Senator Boutwell was chairman, cost the Government more than the entire amount of the cost of all the investigating committees of the last Congress. I desire to have that fact understood.

Mr. FOSTER. I desire to modify my amendment so that it may not include the Senate.

Mr. WHITTHORNE. Let it stand in its original shape. And then if the Senate points to its privileges let that fact be reported to the House.

Mr. FOSTER. I would not desire to be guilty of any discourtesy to the Senate, and I modify my amendment accordingly.

The CHAIRMAN. The amendment of the gentleman from Illinois, as modified by the addition of the words suggested by the gentleman from Tennessee, will be again read.

The amendment, as modified, was again read.

Mr. HEWITT, of New York. I wish to make a point of order as to this amendment. I am not well acquainted with the rules of the House, but it strikes me that the proposition of the gentleman from Ohio imposes upon a new committee, of which I do not find the name in the rules, the duties which belong to the Committee of Accounts. I ask the Chairman to cause Rule 98 to be read. When it is read, I ask the Chairman to say if this proposition does not deprive the Committee of Accounts of the duty confided to it by the rules. It strikes me that that committee has the absolute control of the expenditures of the contingent fund, and by transferring that duty to any other committee we change the rules of the House.

Mr. GARFIELD. Have they control of the expenditures of past Congresses? Has our present committee that control?

Mr. HEWITT, of New York. So far as I understand it, I think that some committee must audit the accounts of the contingent fund of the last House. I take it for granted that the Committee of Accounts of the present House has the duty of auditing the expenditures of the contingent fund of the last House. I do not, however, as a matter of fact, know how that account was closed up.

Mr. CONGER. I ask the gentleman from New York [Mr. HEWITT] if he is not aware that a very large amount of the appropriation for the investigating committees was placed in bills and passed by acts of both Houses, and was not a part of the contingent fund at all? If I am correct in my recollection, a good many thousand dollars were expended under appropriations made in that way in bills for the purpose.

Mr. HEWITT, of New York. I was not aware of that fact. But, even if it be true, it does not alter my position that a very large amount was expended from the contingent fund of the House.

Mr. CONGER. The Committee of Accounts could have nothing to do with anything but the contingent fund. And again, the present Committee of Accounts can have nothing to do with the expenditures of the contingent fund of the last House.

Mr. HEWITT, of New York. I would like to inquire which committee audited the expenditures of the contingent fund of the last House.

Mr. FOSTER. That is what we want to find out.

The CHAIRMAN. Does the gentleman from New York [Mr. HEWITT] desire to have read the rule to which he has referred?

Mr. HEWITT, of New York. Yes, sir; I ask that Rule 98 be read.

The Clerk read as follows:

It shall be the duty of the Committee of Accounts to superintend and control the expenditures of the contingent fund of the House of Representatives. Also, to audit and settle all accounts which may be charged thereon.

Mr. HEWITT, of New York. Now my point is this: that there must have been a balance of the contingent fund voted for the Forty-fourth Congress which came over to the Forty-fifth Congress, and that the Committee of Accounts of this Congress have the right and it is their duty to audit the contingent fund of the last House. But if that be so I make the point that the auditing of that account is practically transferred by this amendment from the Committee of Accounts to a new committee, even the name of which I do not find in the rules at all. I ask the gentleman from Ohio [Mr. FOSTER] to explain what committee he intends to charge with this duty.

Mr. FOSTER. Mr. Chairman, I think the gentleman will find upon investigation that as regards the \$100,000 given to the southern investigation committee, of which various gentlemen were chairmen, the auditing of the expenditures never passed through the Committee of Accounts at all. He will find also, I believe, that a portion of that fund was paid to dead-beats, a number of whom came from Ohio, for instance—six or eight or ten or twelve.

A MEMBER. When was that?

Mr. FOSTER. Last winter. I referred to it here before any appropriation was made. I said at that time that many whose faces were pretty familiar at a democratic State convention were on this roll and being paid out of this fund. Whether that is true or not, I was so advised at the time and I think the facts justified the statement that was made.

Now, I do not think that the Committee of Accounts have anything to do with this thing. I do not know how it is done exactly myself, and I am anxious to find out, and I want the other side of the House to help us find out.

The CHAIRMAN. The debate now is upon the point of order.

Mr. FOSTER. Oh, the point of order was made too late.

Mr. CLYMER. I hope the point of order will not be sustained and that the gentleman having the resolution in charge will accept the amendment offered by the gentleman from Ohio, [Mr. FOSTER.] For one, as a member of this House, I desire the fullest investigation. If the officers elected by this side of the House, the officers of this body or any of its committees, have been derelict in duty, no one will join more heartily in their condemnation and punishment than I will. I do not fear any investigation that can be made of that subject, and did I fear it I would be all the more ready to have it made; hence I trust that the gentleman from New York [Mr. WOOD] will promptly accede to the proposed amendment of the gentleman from Ohio, [Mr. FOSTER.] I do not believe that we, as a party, can suffer anything by it, and if we should the country will be the gainer.

Mr. TOWNSHEND, of Illinois. I rise to a parliamentary question. I wish to inquire if the amendment of the gentleman from Ohio [Mr. FOSTER] will cover this point; he has made a charge upon his responsibility as a member of this House.

Mr. FOSTER. No, I have made no charge whatever.

Mr. TOWNSHEND, of Illinois. I am about to repeat the charge you did make.

Mr. FOSTER. Very well; go ahead.

Mr. TOWNSHEND, of Illinois. In debate a few moments ago the gentleman from Ohio [Mr. FOSTER] said that a democratic member of the House had a dead-beat summoned here in order to enable him to go to the Centennial, when it was known that he knew nothing that would be of any advantage to the committee.

Mr. FOSTER. Exactly correct, except that I said a member of the last House.

Mr. TOWNSHEND, of Illinois. Does this amendment offered by the gentleman cover an investigation of that question? If I am answered that it does not cover it, then unless he divulges the name of that unworthy member, if there be any truth in the charge, I shall move a resolution authorizing some committee to investigate that charge.

Mr. FOSTER. The gentleman to whom I referred is not a member of this House. I said he was a member of the last House. The Centennial did not occur this year. The Paris exposition is what the gentleman has in his head. [Laughter.]

Mr. TOWNSHEND, of Illinois. I did not misunderstand the language of the gentleman. I understand his resolution to be that there shall be an investigation into the expenditure of money by the Forty-fourth Congress. Now I again repeat the inquiry, if you are going to investigate this expenditure by the Forty-fourth Congress, why may not the resolution cover the very question raised by the gentleman from Ohio, [Mr. FOSTER?]

Mr. FOSTER. I think it should. The majority of the committee will be of the gentleman's own political faith, and he should see to it that they do investigate that very matter.

Mr. TOWNSHEND, of Illinois. You do not answer my question yet. Does your resolution cover the charge you made?

Mr. FOSTER. I think it should.

Mr. TOWNSHEND, of Illinois. If that is so I will vote for the amendment.

The CHAIRMAN. The Chair is of opinion that the House may instruct a committee in relation to an investigation and overrules the point of order. The question now is upon the amendment offered by the gentleman from Ohio, [Mr. FOSTER.]

Mr. FOSTER. I have modified it so as not to apply to the Senate. The amendment, as modified, was read.

Mr. WOOD. I desire to ask the gentleman from Ohio [Mr. FOSTER] a question.

The CHAIRMAN. Debate is exhausted.

Mr. WOOD. It is a mere inquiry; I do not propose to discuss it; I will ask him whether in case his amendment shall be adopted by the concurrence of both sides of the House the other side of the House will allow the investigation to go on under the resolution reported by me? Let gentlemen understand me. I inquire whether, if we consent to this additional inquiry, they will consent to the investigations we have proposed?

Mr. FOSTER. Several gentlemen around me say that I can speak for myself, but not for them.

Mr. WOOD. Will the gentleman from Ohio [Mr. FOSTER] himself support the resolution if so amended?

Mr. FOSTER. That is rather a difficult question—

Mr. WOOD. I wish to test the sincerity of the gentleman in regard to the investigation proposed.

Mr. TOWNSHEND, of Illinois. I move to amend the amendment of the gentleman from Ohio [Mr. FOSTER] by inserting the words "the Senate and" before the words "the House of Representatives;" and I ask the Clerk to read the amendment as it will be if so amended.

The Clerk read as follows:

The Committee on Public Expenditures shall also investigate and report upon the expenditures of the various sums appropriated by the Senate and House of Representatives of the Forty-fourth Congress and of the Fortieth, Forty-first, Forty-second, and Forty-third Congresses, for the purpose of conducting the investigations ordered by the Senate and House of Representatives of said Congresses, reporting specifically as to whom and for what purpose and service the various items were paid.

Mr. FOSTER. I think that is liable to a point of order.

Mr. WOOD. We cannot make a joint resolution of what is a House resolution.

Mr. TOWNSHEND, of Illinois. I do not propose to make a joint resolution of it.

Mr. BURCHARD. I desire to make a point of order against the amendment to insert the words "the Senate and." I do not think there is a precedent where the House has ever undertaken to investigate what has been done by the Senate. I understand that to be against all the rules of parliamentary proceeding and courtesy. Each branch is independent of the other. The Senate will not hesitate at all, if a matter is charged there, to make their own investigation; and the House itself should make its own investigations. It seems to me that the whole purpose of the amendment—I will not say that, but the effect of it will be to defeat the proposition to make an investigation in regard to the expenditures which have been made by the committees of the House of Representatives.

Mr. MILLS. Would not the Senate refuse to permit their officers to testify or to have their records inspected by the House?

Mr. BURCHARD. I think they would.

Mr. GARFIELD. In addition to the point already made, I think the provision of the Constitution authorizing each House to make its own rules for its government, in the very nature of the case, would exclude us from making rules for or interfering with the action of the other body.

Mr. ATKINS. I would say to the gentleman that each House does not make its own appropriations.

Mr. GARFIELD. Not at all; but it expends the appropriations made for it by both Houses. This is a proposition to inquire into what the Senate has done with the appropriations made for it.

Mr. SPARKS. As I understand it, the point is as to the amount of money expended; it is not what the Senate or the House may have done with the money, but it is what amount of money has been expended for these investigations. The point raised by the gentleman from Ohio [Mr. GARFIELD] would apply to investigating the Departments. How can you by resolution instruct a committee of this House to investigate an Executive Department? We propose simply to investigate as to the amount of money expended; nothing further. If the amount was expended by the Senate, all right; if by the House, all right. We want to know the amount of money expended. I think the House has clearly the right to order an inquiry of that sort. It is no reflection upon the Senate; it has nothing to do with the Senate. It is simply a proposition to ascertain the amount of money expended by these Congresses for this specific purpose.

Mr. HALE. Let me ask the gentleman a question just on that point. Would he consent for a moment, as a member of this House, that the Senate should through any of its committees investigate the expenditures of the House of Representatives? Would any one of us here consent to that for a moment? The very moment that proposition came up the answer would be upon the lips of every member that that was a matter for the House itself to investigate. The committee of the House that expends the money is a creature of the House and constituted under its rules.

Mr. SPARKS. Precisely. I understand the gentleman. What we are endeavoring to get at here is the total amount of money expended by Congress in these investigations. I want to know what the Forty-fourth Congress, for instance, expended for this purpose. How am I to know that without learning the total expenditure? Part of it was expended by the Senate. The House originates appropriations and the Senate concurs in them. But what we want to get at is the total amount expended by Congress for this purpose.

Mr. HALE. That is not all the gentleman wants. It is not simply the total amount, for that can be obtained by a glance at the reports. But it is how has the money been expended; has it been expended properly; has it gone in the proper direction; has the committee exceeded its authority by a wrong certification of witness fees, &c.?

Mr. SPARKS. The gentleman is now putting up a man of his own and knocking him down. I concur with the gentleman that we could not investigate the action of the Senate. But if we want to ascertain the amount of money expended for these investigations, certainly we must ascertain the amount expended by the Senate.

Mr. HALE. That does not need investigation at all.

Mr. SPARKS. If we should propose to investigate the wrongful acts of the Senate—

Mr. FOSTER. We cannot do that.

Mr. SPARKS. I should think not; but in getting at the amount of moneys expended in these investigations, we certainly could get at the amount expended by the Senate as well as the amount expended by the House.

Mr. FOSTER. We can get that without investigation.

Mr. SPARKS. That is all I want to do.

Mr. BLOUNT. Let me ask a question.

Mr. SPARKS. Certainly.

Mr. BLOUNT. Let me ask whether the resolution does not give this scope to the investigation, that is to inquire into all errors, abuses, and frauds? My recollection is that is the language of the resolution itself.

Mr. SPARKS. I wish to put myself right on the record. I do not think the House can investigate, if you please, the wrongs done by the Senate, but we can get at the amount of moneys voted for investigations, and the amount expended on these investigations, whether by the Senate or by the House.

The CHAIRMAN. The gentleman's time has expired.

Mr. MILLS. I think, Mr. Chairman, the point of order made by the gentleman from Illinois is correct. I think this House, it is very clear, has no legal authority to investigate anything which is committed to the Senate. Now, it is very true, as contended by my friend from Illinois, [Mr. SPARKS,] a member of the Committee on Appropriations, that it requires both bodies to agree in making appropriations of money out of the Treasury of the United States; but when they do so in a bill for that purpose, they set apart so much for the contingent fund of the House of Representatives to be expended under the supervision and control of the House itself, and likewise a certain fund to be expended under the supervision and control of the Senate alone.

Now, sir, there is nothing truer in our system of Government than that the three departments into which it is divided are perfectly independent, one of the other, that the executive, legislative and judicial departments are independent of each other. There is nothing truer than that. Likewise the two branches of the legislative department are independent in the exercise of the legislative power confided to each. It is therefore beyond the power of this Congress to do what has been proposed, as I understand it, because if this House has any such power, then it is the supreme body, superior to the Senate, and can compel the officers and employés of that body to appear before our committees with their books and papers and to render account how they have discharged their duties. If we have it, then the Senate have it, and that body can exercise supervision over this. But in truth neither one has any authority over the other in respect to the duties conferred by law upon the other. In my judgment the amendment therefore is out of order.

The CHAIRMAN. The Chair is of the opinion—

Mr. TOWNSHEND, of Illinois. Allow me, Mr. Chairman, as I offered the amendment, to say a word before you render your decision.

The CHAIRMAN. Certainly.

Mr. TOWNSHEND, of Illinois. Now, sir, nothing is more foreign to my desire than to do anything which would be discourteous to the Senate. I had this purpose in view: a charge had been made against the proper expenditure of money by the last Congress. The amendment as originally offered by the gentleman from Ohio was not so narrowed as only to embrace the House of Representatives. He so worded his amendment as to embrace both the Senate and the House. Afterward, when it was intimated there might have been improper expenditures by the Senate, that gentleman was quick upon his feet to ask leave for the modification of his amendment so as to omit any provision for investigation into the expenditures made by the Senate.

I repeat again, Mr. Chairman, that I do not wish to offer any amendment which will be discourteous to the Senate. Nor do I wish this amendment adopted if it is not in order. I will submit with satisfaction to the decision of the Chair on that question.

I wish, however, to give expression to my own opinion as to the right of this House to adopt such an amendment without being discourteous to the Senate. The money used by the Senate for the purpose of investigation was the people's money, and was appropriated by the House of Representatives as well as by the Senate. That being true, then I maintain that the Representatives of the people, as their immediate agents, have a right, and it is their duty, to inquire whether the money belonging to their constituents and so appropriated by them, either for the use of the House or for the use of the Senate, has been properly or improperly expended. On that theory, I maintain the point of order is not well taken and that it is proper for us to embrace the expenditures of the Senate as well as of the House or either of the Departments in the proposed investigation.

I have been tempted to say this amendment has been offered, as has been already asserted, mainly for the purpose of diverting attention and the investigation from the expenditures of the Departments; yet in view of the charge made by the gentleman from Ohio, I desire this committee shall specifically investigate the truth or falsity of the charge as to whether any member of this or the last House has acted improperly with regard to the expenditures of last Congress or not. I felt then, and do now, that if it is proper for us to investigate the expenditure of the money by the House of Representatives and all other Departments of the Government, it is equally proper and legitimate for us to ascertain whether the public money has been improperly expended by the Senate.

The CHAIRMAN. The Chair would not like to decide the constitutional question raised by the gentleman from Ohio. The members of the House might differ in opinion from the Chair as to the proper construction of the Constitution. The Chair is of opinion that it is not a question of order to be determined by the Chair, but a question of propriety to be determined by the House. He therefore overrules the point of order. The question is on the amendment offered by the gentleman from Illinois, [Mr. TOWNSHEND.]

Mr. TOWNSHEND, of Illinois. I am desired by a number of my friends to withdraw the amendment, as there is some fear that it might be construed as in some way offensive to the Senate. I therefore ask leave to withdraw the amendment.

There was no objection, and the amendment was withdrawn.

The CHAIRMAN. The question is now on the amendment of the gentleman from Ohio [Mr. FOSTER] as modified by the addition of the words suggested by the gentleman from Tennessee, [Mr. WHITTHORNE.]

The amendment, as modified, was adopted.

The CHAIRMAN. The amendment offered by the gentleman from Maine [Mr. HALE] in the nature of a substitute will now be read.

Mr. HALE. I desire to modify that substitute.

Mr. COX, of Ohio. I have an amendment to offer which, if it is accepted, as I understand that it will be, by the gentleman from Maine, may as well be read at the same time.

Mr. HALE. Let this be adopted first and then I will accept the amendment of the gentleman from Ohio.

The CHAIRMAN. The Clerk will read the modification of his substitute proposed by the gentleman from Maine.

The Clerk read as follows:

Add to the substitute the following:

And any committee seeking to investigate as above provided may at any time apply for such leave under the above terms and provisions.

The CHAIRMAN. The substitute will now be read as thus modified.

The Clerk read as follows:

Whenever any committee of this House shall ask for special and extraordinary powers, whether in relation to the time and conduct of its meetings, the power to send for persons and papers, the right to report at any time, or for any other extension of its powers and duties for the purpose of investigating the conduct and action of any present or former officer of the Government, or the business of any Department, bureau, division, or branch of the public service that has been or may be under any such officer, the charges upon which such demand for investigation is based shall be presented in writing to the House with the names of such officers as are charged with improper or unlawful proceedings, and the particular statements of the charges against them; and the same shall be accompanied by a statement in writing, signed by one or more members of this House, that he has or they have reason to believe, and do believe, that the facts set forth in said charges and statements presented by the committee are true. And any committee seeking to investigate as above provided may at any time apply for such leave under the above terms and provisions.

Mr. COX, of Ohio. I offer as an amendment to the substitute which has just been read the following:

Strike out the words "That the facts set forth in such charges and statements presented by the committee are true," and insert the following:

That such charges and statements are so sustained by evidence as to make an investigation necessary.

Mr. HALE. I accept that amendment. I think the language is better than mine.

Mr. TURNER. I wish to ask the gentleman how a committee could report that they had evidence which they believed would substantiate the charges if they were not allowed to send for either persons to present them or for papers to prove them?

Mr. COX, of Ohio. The word "here" is used in the general sense, of course. The case that was read this afternoon was precisely in point and explains the use of the term in my amendment. There, Mr. Chairman, a member of the House stated that the evidence before him, including the papers, affidavits, &c., was such as to enable him to make the statement that an investigation was necessary.

Mr. TURNER. Does the amendment say that?

The question being taken on Mr. HALE's substitute, as modified by himself, and by Mr. COX, of Ohio, there were—ayes 89, noes 86.

The CHAIRMAN. The substitute, as modified, is adopted.

Mr. HALE. The gentleman from New York can now move that the committee rise.

Mr. WOOD. I call for tellers.

Mr. HALE. Too late.

The CHAIRMAN. If the gentleman from New York [Mr. WOOD] states that he called for tellers in time, the Chair will put the question to the committee.

Mr. HALE. Of course I do not wish to shut out any proper test of the sense of the committee; but after the vote was announced we certainly sat here for a minute or more, and no call was made for tellers until I suggested to the gentleman from New York that he move that the committee rise; and then, after that suggestion, he called for tellers. I submit to the committee whether those are not the facts.

The CHAIRMAN. The Chair did not see the gentleman from New York rise in his seat to call for tellers; but if he states that he made the call in time, the Chair will recognize it.

Mr. HALE. I wish the gentleman from New York to say whether my statement is not correct that he did not call for tellers until I rose and suggested to him that he move that the committee rise, when he said that he did not want to do that but asked for tellers.

Mr. WOOD. I had called for tellers before the gentleman rose. The gentleman from Maine then suggested that the committee should rise. I then rose again and called for tellers.

The CHAIRMAN. The Chair accepts the statement of the gentleman from New York and will submit to the committee the question of ordering tellers.

The question being taken, tellers were ordered; and Mr. HALE and Mr. WOOD were appointed.

The committee again divided; and the tellers reported—ayes 101, noes 96.

So the substitute, as modified, was agreed to.

Mr. WOOD. I reserve the right to call for a vote on the substitute in the House. I move that the committee rise.

Mr. HALE. I move to amend that motion by moving that the committee rise and report the resolutions to the House, with the amendments, unless that is what the gentleman's intention is.

Mr. WOOD. I moved that the committee rise. The gentleman

may make that motion, if he pleases, but I reserve the right to a separate vote upon each of these amendments in the House.

Mr. HALE. Then I make the motion to amend the motion of the gentleman from New York [Mr. WOOD] so that the committee shall rise and report the resolutions to the House, with the amendments.

The question was taken upon Mr. HALE'S amendment; and it was agreed to.

The question was then taken upon Mr. WOOD'S motion, as amended; and it was agreed to.

The committee accordingly rose, and the Speaker having resumed the chair, Mr. EDEN reported that the Committee of the Whole on the state of the Union had had under consideration the resolutions reported by the Committee on Ways and Means, providing for the investigation of certain Departments, and had directed him to report the same to the House with sundry amendments.

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

Mr. HALE. I call the previous question upon the resolutions and amendments.

Mr. WOOD. I insist upon the motion to adjourn.

Mr. HALE. Oh, I hope the gentleman will not filibuster.

Mr. TOWNSEND, of New York. Do not obstruct legislation.

Mr. HALE. Is the motion to adjourn made pending my demand for the previous question?

The SPEAKER. The motion to adjourn was made before the gentleman from Maine obtained the floor.

Mr. LUTTRELL. I ask the yeas and nays upon the motion to adjourn.

The yeas and nays were ordered.

Mr. HUMPHREY. I desire to make a personal explanation. On the first vote taken in committee by tellers I voted. I am paired with the gentleman from Alabama, Mr. LIGON, but forgot the fact at the moment.

The SPEAKER. The mischief is done, and the Chair has no remedy for the gentleman. [Laughter.]

Mr. HUMPHREY. No mischief has been done, because the amendment did not carry. I only desire to state that I will not make any more mischief of the same kind.

The question was taken; and there were—yeas 102, nays 99, not voting 91; as follows:

YEAS—102.

Atkins,	Durham,	Hewitt, Abram S.	Ross,
Bauning,	Eden,	House,	Scales,
Bicknell,	Eickhoff,	Hunton,	Schleicher,
Blackburn,	Elam,	Jones, James T.	Singleton,
Blomst,	Evins, John H.	Kenna,	Southard,
Boone,	Felton,	Kimmel,	Sparks,
Bouck,	Finley,	Knapp,	Springer,
Bragg,	Forney,	Landers,	Swann,
Bright,	Franklin,	Luttrell,	Throckmorton,
Buckner,	Fuller,	Lynde,	Townshend, R. W.
Cabell,	Giddings,	Mackey,	Turner,
Caldwell, John W.	Glover,	Manning,	Turney,
Caldwell, W. P.	Goode,	Martin,	Vance,
Candler,	Gunter,	McKenzie,	Veeder,
Chalmers,	Hamilton,	McMahon,	Whitthorne,
Clarke of Kentucky,	Hardenbergh,	Mills,	Williams, James
Clark of Missouri,	Harris, Henry R.	Morrison,	Williams, Jere N.
Clymer,	Harris, John T.	Morse,	Willis, Benjamin A.
Cobb,	Hart,	Muldrow,	Wilson,
Cook,	Hartridge,	Patterson, T. M.	Wood,
Covert,	Hartzell,	Phelps,	Wright,
Cravens,	Hatcher,	Rea,	Yeates,
Crittenden,	Henkle,	Reagan,	Young,
Cutler,	Henry,	Riddle,	
Davis, Joseph J.	Herbert,	Robbins,	
Dickey,	Hewitt, G. W.	Roberts,	

NAYS—99.

Aldrich,	Danford,	Ittner,	Price,
Bagley,	Davis, Horace	James,	Rainey,
Baker, John H.	Deering,	Jones, John S.	Randolph,
Banks,	Denison,	Joyce,	Reed,
Bayne,	Dunnell,	Keightley,	Rice, William W.
Bisbee,	Dwight,	Ketcham,	Robinson, George D.
Blair,	Eames,	Lathrop,	Ryan,
Boyd,	Ellsworth,	Lindsey,	Sapp,
Brentano,	Errett,	Marsh,	Shallenberger,
Brewer,	Evans, I. Newton	McCook,	Sinnickson,
Briggs,	Field,	McGowan,	Smith, A. Herr
Brogden,	Foster,	McKinley,	Stone, John W.
Browne,	Frye,	Metcalfe,	Stone, Joseph C.
Bundy,	Gardner,	Mitchell,	Strait,
Burchard,	Garfield,	Monroe,	Thompson,
Burdick,	Hale,	Neal,	Townsend, Amos
Cain,	Harris, Benj. W.	Norcross,	Townsend, M. I.
Calkins,	Haskell,	Oliver,	Van Vorhes,
Campbell,	Hayes,	O'Neill,	Wait,
Cannon,	Hazelton,	Overton,	Ward,
Caswell,	Hendee,	Pacheco,	White, Michael D.
Clark, Rush	Henderson,	Patterson, G. W.	Williams, C. G.
Cole,	Hubbell,	Phillips,	Williams, Richard
Conger,	Hungerford,	Pollard,	Wren.
Cox, Jacob D.	Hunter,	Pound,	

NOT VOTING—91.

Aiken,	Bliss,	Collins,	Douglas,
Bacon,	Bridges,	Cox, Samuel S.	Ellis,
Baker, William H.	Butler,	Crapo,	Evans, James L.
Ballou,	Camp,	Culbertson,	Ewing,
Beebe,	Carlisle,	Cummings,	Fort,
Bell,	Chittenden,	Darrall,	Freeman,
Benedict,	Davidson,	Davidson,	Garth,
Bland,	Clark, Alvah A.	Dibrell,	Gause,

Gibson,	Ligon,	Reilly,	Thornburgh,
Hanna,	Lockwood,	Rice, Americus V.	Tipton,
Harmer,	Loring,	Robertson,	Tucker,
Harrison,	Maish,	Robinson, Milton S.	Waddell,
Hiscock,	Mayham,	Sampson,	Walker,
Hooker,	Money,	Saylor,	Walsh,
Humphrey,	Morgan,	Sexton,	Warner,
Jones, Frank	Muller,	Shelley,	Watson,
Jorgensen,	Page,	Slemmons,	Welch,
Keifer,	Peddie,	Smalls,	White, Harry
Kelley,	Potter,	Smith, William E.	Williams, Alphens S.
Killinger,	Powers,	Starin,	Williams, Andrew
Knot,	Pridemore,	Steele,	Willis, Albert S.
Lapham,	Pugh,	Stephens,	Willits,
Leonard,	Quinn,	Stewart,	

During the roll-call the following announcements were made:

Mr. TURNEY. My colleague, Mr. REILLY, is detained at home on account of serious sickness in his family.

Mr. WOOD. My colleague, Mr. LOCKWOOD, is paired with my colleague, Mr. HISCOCK, and my colleague, Mr. MAYHAM, is paired with my colleague, Mr. STARIN.

Mr. PAGE. Upon all political questions—and I presume this is considered one—I am paired with Mr. WALKER, of Virginia.

Mr. POWERS. I am paired with the gentleman from Kentucky, Mr. CARLISLE. If present, he would vote "ay" and I should vote "no."

Mr. TUCKER. I am paired with Mr. LAPHAM. If he were present, I should vote "ay" and I suppose he would vote "no."

Mr. KEIFER. As this question is regarded as a political one, I will state that I am paired with my colleague, Mr. EWING, of Ohio.

Mr. SCALES. My colleague, Mr. STEELE, is at home by reason of sickness.

Mr. ELLIS. I am paired with my colleague, Mr. LEONARD. If he were present, he would vote "no" and I would vote "ay." I desire also to state that my colleague, Mr. ROBERTSON, is detained from his place here by serious illness in his family.

Mr. MCMAHON. My colleague, Mr. RICE, is paired with Mr. FREEMAN. If present, he would vote "ay."

Mr. HEWITT, of Alabama. I desire to state that my colleague, Mr. LIGON, is paired with Mr. HUMPHREY. If present, Mr. LIGON would vote "ay."

Mr. DEERING. On this question my colleague, Mr. CUMMINGS, is paired with Mr. WARNER, of Connecticut. If present, my colleague would vote "no."

Mr. STONE, of Michigan. I desire to state that Mr. TIPTON, of Illinois, is paired with Mr. COX, of New York.

Mr. SAMPSON. I am paired with Mr. WILLIS, of Kentucky.

Mr. WILLITS. I am paired with my colleague, General WILLIAMS, who is detained at his rooms by illness.

Mr. HUMPHREY. I am paired with Mr. LIGON, of Alabama.

Mr. FORT. On this question I am paired with Mr. BELL, of Georgia. If he were present, I would vote "no."

Mr. O'NEILL. My colleagues, Mr. HARMER and Mr. COLLINS, are paired. If present, Mr. COLLINS would vote "ay" and Mr. HARMER would vote "no." My colleagues, Judge KELLEY and Colonel MAISH, are paired.

Mr. MAISH. I understand that my colleague, Mr. O'NEILL, has just stated to the House that I am paired with my colleague, Judge KELLEY, on this question. I am paired with Judge KELLEY upon the amendment of the gentleman from Maine, [Mr. HALE,] but I do not understand that I am paired on this question.

Mr. O'NEILL. Then I will withdraw the announcement.

Mr. MAISH. I asked a gentleman on the other side of the House whether that pair would include the motion to adjourn, and he gave it as his opinion that it would not.

Mr. CONGER. Some gentlemen on this side have declined to vote, considering this a political question.

Mr. GARFIELD. Several of our members have declined to vote on the ground that this is a political question.

Mr. MAISH. Under the circumstances then I will withdraw my vote.

Mr. JORGENSEN. I am paired on this question with Mr. SAYLER, of Ohio.

Mr. O'NEILL. My colleague, Mr. KILLINGER, is paired on this question with Mr. CLARK, of New Jersey. If present, my colleague would vote "no."

Mr. COX, of New York. I am paired on all votes connected with this subject with Mr. TIPTON, of Illinois.

LEAVE OF ABSENCE.

Pending the announcement of the result of the vote, leave of absence was granted, by unanimous consent, as follows:

To Mr. COLLINS, for one week.

To Mr. KNOTT, indefinitely.

To Mr. MAYHAM, until the 20th instant.

To Mr. WILLIAMS, of Michigan, until Monday next.

To Mr. ROBINSON, of Indiana, for ten days.

To Mr. ROBERTSON, indefinitely.

To Mr. REILLY, for ten days.

Mr. PAGE. I ask unanimous consent to introduce a bill for reference only.

Mr. EDEN. I call for the regular order.

The SPEAKER. The regular order is the announcement of the

vote on the motion of the gentleman from New York [Mr. WOOD] that the House now adjourn.

The vote was announced as above recorded.

So the motion to adjourn was agreed to; and accordingly (at four o'clock and thirty-five minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By the SPEAKER: The petition of Theodore Artzt, for a pension—to the Committee on Invalid Pensions.

Also, the petitions of J. B. Lippincott & Co., publishers, and of Barrows Savery Company, manufacturers, of Philadelphia, Pennsylvania, that the tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. ATKINS: The petition of John T. Currier & Co., manufacturers of cotton at Paris, Tennessee, of similar import—to the same committee.

By Mr. BANNING: The petition of T. J. McGillicredy, worthy patriarch, and E. J. Morris, grand scribe of the grand division of the Sons of Temperance of Ohio, for a commission of inquiry concerning the alcoholic liquor traffic—to the same committee.

Also, the petition of C. A. Young and others, that a better location and better buildings be provided for the United States Naval Observatory—to the Committee on Public Buildings and Grounds.

Also, a communication from the Cincinnati Chamber of Commerce, relative to a proposed change of the law regulating the construction of bridges across the Ohio River, and protesting against the same—to the Committee on Commerce.

Also, the petition of Lieutenant Henry Metcalf, of the Ordnance Department, United States Army, for permission to accept a decoration from the Sultan of Turkey—to the Committee on Foreign Affairs.

By Mr. BAYNE: The petition of A. M. Byers & Co., manufacturers of iron at Pittsburgh, Pennsylvania, that the tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. BRAGG: The petition of citizens of Wisconsin, for the repeal of the bankrupt law—to the Committee on the Judiciary.

By Mr. BREWER: Resolutions of the Michigan State Grange, opposing a reduction of the duty on foreign wools—to the Committee of Ways and Means.

By Mr. BRIGGS: The petition of Moses Sawyer and other manufacturers of woollens, at North Weare, New Hampshire, that tariff duties remain unchanged until the question is thoroughly investigated—to the same committee.

By Mr. BROWNE: The petition of 350 citizens of Wayne County, Indiana, that the duty on linseed and linseed-oil remain unchanged—to the same committee.

By Mr. CALDWELL, of Tennessee: The petition of E. A. Collins, administrator of W. P. Collins, deceased, to be refunded taxes illegally assessed and collected by United States authorities—to the Committee on War Claims.

By Mr. CLARK, of Iowa: The petitions of A. D. Griffin and others, of Vinton, Iowa; of J. P. Ripley and others, of Iowa; of Nathan Worley and others, of Iowa; and of A. C. Abbott and others, of Marshall County, Iowa, that the duty on flaxseed and linseed-oil remain unchanged—to the Committee of Ways and Means.

Also, the petition of J. Strickler, manufacturer of woollens, at Iowa City, Iowa, that tariff duties remain unchanged until thoroughly investigated—to the same committee.

By Mr. CLYMER: The petition of Thomas E. Williams, manufacturer of iron, at Shortletsville, Pennsylvania, of similar import—to the same committee.

By Mr. COX: The petition of Frank Snyder, for a pension—to the Committee on Invalid Pensions.

By Mr. CUTLER: The petitions of R. Holt, May Rue & Co., and other manufacturers of cotton, &c., at Paterson, New Jersey; and of North Jersey Iron Company, manufacturers of iron, at Port Oram, New Jersey, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. DANFORD: The petition of Jefferson Iron-Works Company, manufacturers of pig-iron, at Steubenville, Ohio, of similar import—to the same committee.

By Mr. DUNNELL: The petition of C. A. Young and others, for the removal of the Naval Observatory to a healthier and otherwise better location and secure to it fire-proof buildings—to the Committee on Public Buildings and Grounds.

By Mr. DURHAM: Papers relating to the establishment of post-routes between Live Creek and Vernon, Kentucky; and between Valley Oak, Salum Store, Dabney, Anderson's Mill, and Vanhook's Station, Kentucky—to the Committee on the Post-Office and Post-Roads.

By Mr. ELLSWORTH: Resolutions of the Michigan State Grange, opposing a change of the tariff duty on wool—to the Committee of Ways and Means.

Also, the petition of the Grand Division of the Sons of Temperance of the District of Columbia, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Judiciary.

Also, the petition of George Corscadden, manufacturer of lumber, &c., at Omer, Michigan, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. FENN: Recommendation of Charity Grange, Idaho Territory, for an appropriation for the improvement of the Clearwater River, in the Territory of Idaho—to the Committee on Commerce.

By Mr. FINLEY: The petition of C. A. Young and others, for the removal of the Naval Observatory to a healthier and otherwise better location, and secure to it fire-proof buildings—to the Committee on Public Buildings and Grounds.

By Mr. FRYE: The petitions of Denison Paper Manufacturing Company, and other manufacturers of paper, &c., at Mechanic Falls, Maine; and of Hiram Hall & Co., manufacturers, at East Wilton, Maine, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. HASKELL: The petition of A. Gottschalk & Co., and other manufacturers of silk, soap, &c., at Ottawa, Kansas, of similar import—to the same committee.

Also, the petition of Rebecca Adams, for compensation for property destroyed by Indians—to the Committee on Indian Affairs.

Also, papers relating to the claim of W. C. O'Brian for compensation for property taken and destroyed by the United States Army—to the Committee on War Claims.

By Mr. HENDEE: The petition of the Women's Christian Temperance Union of Saint Albans, Vermont, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Judiciary.

Also, the petition of Gant & Shephardson, manufacturers at Fairfax, Vermont, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. HENRY: The petition of W. Wilson Byron, F. P. Phelps, L. Ross, and 150 others, for an appropriation for the improvement of the harbor at Cambridge, Maryland—to the Committee on Commerce.

Also, the petition of John H. Smith and 15 others, of Wicomico, Maryland, for the erection of a light-house in or near Hooper's Straits—to the same committee.

By Mr. HEWITT, of New York: The petition of the Chamber of Commerce of New York City, for legislation that will authorize the correction of errors in the assessment of duties on imports—to the Committee of Ways and Means.

By Mr. HUBBELL: The petition of D. W. Flora, A. P. Day, and other citizens of Newaggo, Michigan, that a pension be granted to Daniel H. Morrison—to the Committee on Invalid Pensions.

Also, the petitions of James Pascal, R. T. McKay, and 70 other citizens of Champion, Michigan; of Henry W. Sterling and 25 other citizens of English, Michigan; of Henry Worthem, T. L. Chadbourne, and 25 other citizens of Houghton, Michigan; of Peter W. Hornback, Byron Cubbley, and 75 other citizens of Point Saint Ignace, Michigan; and of Alfred Meads, George D. Greenfield, and 50 other citizens of Ontonagon, Michigan, for the establishment of a United States court in the upper peninsula of Michigan, to be called the northern district of said State—to the Committee on the Judiciary.

Also, resolutions of the Michigan State Grange, opposing the removal of the tariff on wool—to the Committee of Ways and Means.

Also, the petitions of Tioga Manufacturing Company and other manufacturers of lumber at Big Rapids, Michigan; and of Lake Superior Iron Company and other manufacturers and ore miners of Ishpeming, Michigan, that tariff duties remain unchanged until thoroughly investigated—to the same committee.

By Mr. HUMPHREY: The petition of S. Rudesill, manufacturer of lumber at Wilson, Wisconsin, of similar import—to the same committee.

Also, papers relating to the claim of W. S. McKnight and James W. Richardson—to the Committee on War Claims.

By Mr. JOYCE: The petition of Edwin F. Lewis, for a pension—to the Committee on Invalid Pensions.

Also, the petition of the National Horse Nail Company, manufacturers of nails at Vergennes, Vermont, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. KETCHAM: The petition of John J. Marshall, for a pension—to the Committee on Invalid Pensions.

By Mr. LUTTRELL: The petition of B. Conroy and others, of Reading, California, for the abrogation of the Burlingame treaty between the United States and China—to the Committee on Education and Labor.

By Mr. MACKEY: The petition of McCoy & Linn, manufacturers of iron, at Milesbury, Pennsylvania, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. MANNING: A paper relating to the establishment of a post-route between New Albany, Davis's Mills, Darden's Store, and Cornersville, Mississippi—to the Committee on the Post-Office and Post-Roads.

By Mr. MCKENZIE: Papers relating to the claim of Strong & Frankel for compensation for property destroyed by the confederate forces—to the Committee on War Claims.

Also, the petition of W. C. Downs, for a pension—to the Committee on Invalid Pensions.

By Mr. MCKINLEY: The petitions of Haldeman Paper Company,

of Lockland; of John Wyllie & Sons and other manufacturers of China-ware, at East Liverpool; and of Buchert, Selk & Co., of Canton, all in Ohio, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. McMAHON: The petition of John S. Ankeny, Robert Lytle, A. H. Currie, and others, of Greene County, Ohio, that the tariff duties on flaxseed and linseed-oil remain unchanged—to the same committee.

Also, the petition of D. A. Trump, James Hager, and others, of Darke County, Ohio, of similar import—to the same committee.

Also, the petition of William Hughes, for a pension—to the Committee on Invalid Pensions.

By Mr. MONROE: The petition of E. W. Metcalf, for the establishment of a tribunal to adjudicate upon further claims to the Geneva award—to the Committee on the Judiciary.

By Mr. NEAL: The petitions of Globe Iron Company, of Jackson, Ohio; of Richland Furnace Company, of Richland, Ohio; of Milton Furnace Coal Company, of Wellston, Ohio; of Waddell, Blazer & Co., of Gallipolis, Ohio; of L. C. Robinson & Co. and other manufacturers of iron, at Portsmouth, Ohio; and of Union Iron Company, of Portsmouth, Ohio, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. O'NEILL: The petition of Ruth I. Naylor, for a pension—to the Committee on Invalid Pensions.

Also, the petition of John Sullivan & Sons, of Philadelphia, for a change of the tariff on fine stay-binding and fine cotton-yarns—to the Committee of Ways and Means.

By Mr. SCHLEICHER: The petition of Charles Eichlitz, for the payment of a voucher issued to him by Brevet Major J. L. Hodges, United States Army, for rent of certain buildings in Indianola, Texas—to the Committee on Military Affairs.

By Mr. SMITH, of Pennsylvania: The petitions of Chestnut Hill Iron Ore Company, and of C. S. Kauffman & Co., and other manufacturers of iron, &c., at Columbia, Pennsylvania, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

Also, the petition of the Susquehanna Canal Company and the Tidewater Canal Company, for compensation for the loss of their bridge over the Susquehanna River, near Columbia, Pennsylvania, burned by order of General Couch, commanding United States forces—to the Committee on War Claims.

Also, the petition of the Columbia Bank of Pennsylvania, for compensation for the loss of Columbia bridge, burned by order of General Couch, United States Army—to the same committee.

Also, the petition of 60 employes in the cork manufactories of Lancaster, Pennsylvania, remonstrating against the reduction of the duty on imported cork—to the Committee of Ways and Means.

Also, the petition of M. S. Cadwell, of Lancaster, Pennsylvania, manufacturer of cork, of similar import—to the same committee.

By Mr. SPRINGER: The petition of certain officers of the Mexican war, and others, that a pension be granted to Mrs. Mary E. Owens—to the Committee on Invalid Pensions.

Also, the petition of Edwin R. Roberts, for compensation for services rendered as a clerk at the Union Indian Agency, at Muscogee, Indian Territory—to the Committee on Appropriations.

By Mr. TOWNSEND, of New York: The petitions of Wagman, Thorpe & Co., manufacturers of paper, at Fort Miller, New York; of Troy Fire-Brick Company; of C. P. Stearns & Co., manufacturers of boxes, at Troy, New York; and of Daniel Bruner & Son, manufacturers of yarn at New Lebanon, Kentucky, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

Also, the petition of Peter Havermans, that he be granted patents to certain lands claimed by the Southern Minnesota Railroad Company—to the Committee on Private Land Claims.

By Mr. TURNEY: The petition of W. H. Bailey & Co., manufacturers of locomotives, at Connellsville, Pennsylvania, that tariff duties remain unchanged until after a thorough investigation—to the Committee of Ways and Means.

By Mr. VANCE: The petition of J. N. Gill, for compensation for inventions used by the United States—to the Committee on Patents.

Also, the petition of W. C. Dodge, of similar import—to the same committee.

By Mr. WARD: The petition of Samuel Riddle & Son, manufacturers at Green Riddle, Pennsylvania, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

By Mr. WHITTHORNE: The petition of J. D. Sarvern, for an extension of a patent—to the Committee on Patents.

By Mr. WOOD: The petition of Van Tassell Conklin, for a pension—to the Committee on Invalid Pensions.

Also, the petition of Francis Watt, of similar import—to the same committee.

By Mr. WRIGHT: The petition of Scranton Manufacturing Company, Scranton, Pennsylvania, that tariff duties remain unchanged until thoroughly investigated—to the Committee of Ways and Means.

Also, papers relating to the claim of Charles Daugherty—to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 11, 1878.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON.

The Journal of yesterday was read.

Mr. PRICE. I ask unanimous consent to introduce a bill for reference only.

Mr. HALE. I call for the regular order.

CORRECTION OF THE JOURNAL.

Mr. SPRINGER. I rise to a correction of the Journal (I heard read only the latter portion of it) with reference to the question whether the motion for the previous question is now pending or not. I do not understand the fact to be in accordance with the Journal as read by the Clerk. I ask that that portion of the Journal be again read.

The Clerk read as follows:

The House having proceeded to its consideration, Mr. HALE demanded the previous question thereon.

Mr. SPRINGER. My understanding is that the gentleman from New York [Mr. WOOD] had the floor and moved to adjourn. Pending the question on the motion to adjourn the gentleman from Maine [Mr. HALE] called for the previous question. Under the rule the motion to adjourn took precedence.

The SPEAKER. The Chair stated at the time that the gentleman from New York [Mr. WOOD] was recognized to make the motion to adjourn prior to the time when the gentleman from Maine [Mr. HALE] arose and called the previous question, being recognized to make a motion of higher privilege than the demand for the previous question. It is within the province of the gentleman from Maine to make that motion whenever the unfinished business is resumed, and it would be the duty of the Chair to recognize him to make such motion, because the Committee of the Whole by its action sustained the substitute which he offered.

Mr. CONGER. My point of order is that this is private-bill day.

The SPEAKER. This is a correction of the Journal, which is in order on any day.

Mr. SPRINGER. I make this point of order in regard to the motion to adjourn, that under the rules that motion takes precedence of all other motions.

The SPEAKER. Undoubtedly, and so the Chair has stated.

Mr. SPRINGER. The motion to adjourn having carried, I hold that the demand for the previous question was not pending.

The SPEAKER. The Chair thinks the demand for the previous question was not pending, but at the same time the Chair would be bound to recognize the gentleman from Maine to test the sense of the House, when the subject is again up for consideration, by making the demand for the previous question.

Mr. SPRINGER. As the Journal now stands, the demand for the previous question is pending.

The SPEAKER. The Chair will read exactly what occurred; it will be found in the RECORD, pages 16 and 17:

Mr. HALE. Is the motion to adjourn made pending my demand for the previous question?

The SPEAKER. The motion to adjourn was made before the gentleman from Maine attempted to obtain the floor.

Mr. ROBBINS. The Journal does not read like the RECORD.

The SPEAKER. The Journal will be corrected. The gentleman from Maine suffers nothing by the correction.

Mr. HALE. As my resolution had been passed by the Committee of the Whole, the moment the committee rose and the Speaker reached the chair and the announcement was made of what was before the House I rose to demand the previous question.

The SPEAKER. The gentleman from New York was recognized to a more privileged motion, which was the motion to adjourn, but whenever the subject comes up the Chair would feel bound to recognize the gentleman from Maine, whose substitute prevailed in the Committee of the Whole, to test the sense of the House on his demand for the previous question.

Mr. HALE. Undoubtedly I am aware in that regard I am safe in the hands of the Chair.

The SPEAKER. The Journal should be corrected.

Mr. WOOD. It is exceedingly important the Journal should be corrected. The facts are stated accurately in the RECORD. The chair recognized me immediately upon the announcement of the report from the Committee of the Whole, and before the gentleman from Maine had made his demand for the previous question, to move that the House do now adjourn, and therefore the gentleman's proposition is not before the House.

The SPEAKER. The Chair recognized the gentleman from New York only because he rose to make a motion which, under the rules, had precedence. If the motion to adjourn had been voted down then, according to the uniform practice and in compliance with the well-known principle of parliamentary law, the Chair would have recognized the gentleman from Maine, whose substitute prevailed in the committee, to test the sense of the House on the demand for the previous question.

Mr. HALE. I do not consider it material, for whenever the ques-