

Forty-Seventh Congress

Dec. 5, 1881-Mar. 3, 1883

Administration of James A. Garfield/ First Administration of Chester A. Arthur*

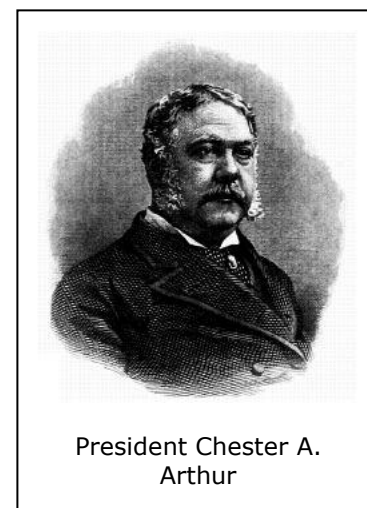
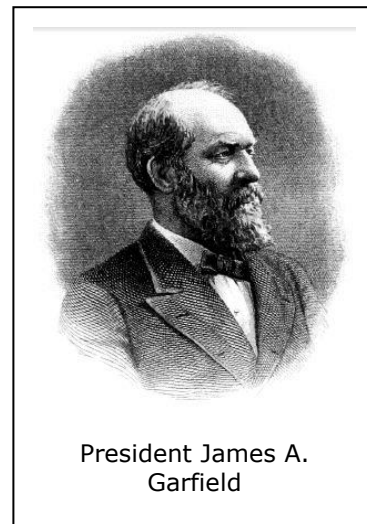
*James A. Garfield was shot on July 2, 1881 and died from complications two months later, on September 19, 1881. Vice President Chester A. Arthur succeeded him on September 20, 1881.

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Historical Background

President James A. Garfield took office on March 4, 1881 just as the 46th Congress was adjourning. He pushed for presidential authority in executive appointments, enhancing American naval power, and civil service reform, including purging the Post Office of corruption. However, before the 47th Congress convened, Garfield was shot on July 2, 1881 by Charles J. Guiteau, a Stalwart supporter and disgruntled civil service worker who wanted Vice President Chester A. Arthur to be president. Although he initially showed signs of recovery, Garfield languished for weeks, finally expiring on Sept. 19th. Upon assuming the Presidency following Garfield's assassination, Chester A. Arthur was confronted by popular demands for downward revision of the protective tariff and changes in the long-standing, patronage system of awarding jobs for the Federal civil service in favor of a more equitable, merit-based system. Preceding his election as Vice President in 1880, Arthur had identified with the "Stalwart" branch of the Republican organization; the Stalwarts strongly opposed both downward revision of the tariff and civil service reform. As President, however, after Garfield's assassination by a Stalwart sympathizer, Arthur declared that he was in favor of these changes.

Although the United States experienced a mild recession in 1883, civil service and tariff reform occupied most of Congress' attention. In January 1883, Arthur signed the Pendleton Act, which established a Civil Service Commission to develop and administer competitive examinations for Federal positions. One of the rules specified under the law provided that Federal employees were under no obligation to contribute to any political fund and



would not be removed or otherwise prejudiced for refusing to do so. The Act made it a crime for any Federal employee to solicit campaign funds from another Federal employee.

The controversy in the Congress over tariff reform, which could not be ignored considering the growing Treasury surplus following the Civil War, continued for another two months. Ultimately, this resulted in a reduction of rates which averaged only about 5 percent. This latter action came about despite the recommendation of the Tariff Commission, specifically set up by Congress in May 1882 to provide a more scientific basis for tariff legislation, for a general 25 percent lowering of duties.

Economic concerns prompted demands by organized labor for a 20-year restriction on Chinese immigration and a bill to that effect was passed by Congress on April 4, 1882. President Arthur vetoed the bill, declaring that the twenty-year suspension was "unreasonable." Failing to override the veto, Congress re-wrote the bill, reducing the term of exclusion to ten years. On this basis it was enacted into law later the same month. Early in August 1882, Congress approved a second major piece of immigration legislation, this time providing for the exclusion of all "undesirables" such as the insane, paupers, and criminals and established a head tax of 50 cents on each immigrant. In other action a second anti-polygamy law was approved which imposed additional penalties on those who engaged in such practices.

Sources:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#). Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

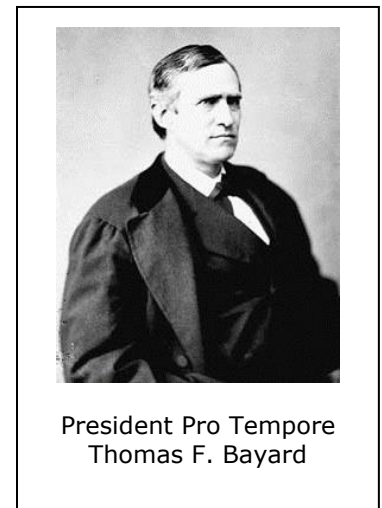
House	Senate
Majority Party: Republican (151 seats)	Majority Party: Republican (37 seats)
Minority Party: Democrat (128 seats)	Majority Party: Democrat (37 seats)
Other Parties: Nationals (10 seats); Readjuster Democrats (2 seats); Independent (1 seat); Independent Democrat (1 seat)	Other Parties: Independent (1 seat); Readjuster (1 seat)
Speaker of the House: J. Warren Keifer	President Pro Tempore: Thomas F. Bayard; David Davis

War or Peace?

Indian Wars

On July 19, 1881, the Lakota Sioux chief Sitting Bull surrendered to the U.S. Army ending nearly thirty years of resistance against westward expansion by the Federal government, including the defeat of Custer's 7th Cavalry at the Battle of Little Bighorn, during the peak of the American Indian Wars. Sitting Bull and his family had been living in Canada in self-imposed exile since 1877, when the public response to the defeat at the Battle of Little Bighorn and the death of Custer led to a substantial increase in U.S. military personnel in the areas occupied by the Lakota Sioux. Though welcomed in Canada, Sitting Bull and his family found that a lack of game made feeding and supporting his family difficult and they were faced with starvation, forcing their return and surrender.

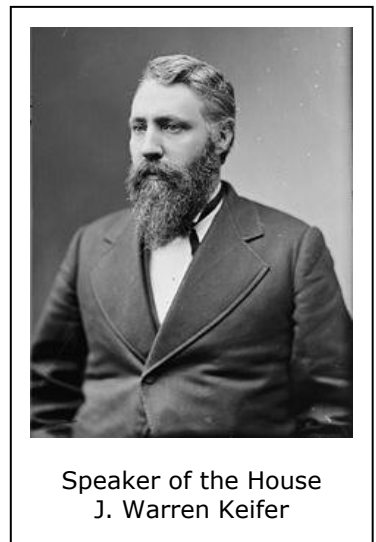
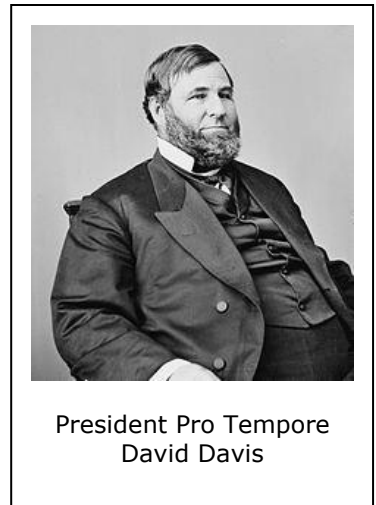
Skirmishes continued to occur throughout the remaining years of the 19th century, but the American Indian Wars slowly started to decline through this period. In the wake of Sitting Bull's surrender and the broader calming of tensions between the United States government and the territory's indigenous inhabitants, President Chester A. Arthur began advocating a shift



to an allotment system in which individual Native Americans are given land, rather than entire tribes under the current reservation policy. Though Arthur was unable to shepherd an allotment policy to fruition, it would ultimately be realized by the enactment of the Dawes Act of 1887.

Foreign engagements during the 47th Congress were almost entirely diplomatic. As President James A. Garfield was a relative foreign policy novice, he leaned heavily on his Secretary of State, James G. Blaine, though he was hardly more experienced than Garfield in diplomatic affairs. A former protectionist, Blaine experienced a change of heart and, as Secretary of State, saw increased trade relations with the nations of the Western Hemisphere as the best way to ensure the U.S.'s continued influence in the region. Blaine and Garfield made negotiating a treaty to end the ongoing War of the Pacific being prosecuted by Chile, Bolivia, and Peru a top foreign policy priority. Be that as it may, the assassination of Garfield saw the accession of Chester A. Arthur to the Presidency and negotiating a peace in the War of the Pacific was no longer a priority for him and his Secretary of State, Frederick Theodore Frelinghuysen.

Perhaps the signature diplomatic achievement of the 48th Congress was the ratification of the Convention for the Amelioration of the Condition of the Wounded in Armies in the Field, otherwise known as the First Geneva Convention. The convention itself was convened at Geneva, Switzerland on August 22, 1864 by representatives of a number of European states, including France, the Netherlands, Belgium, and a number of Germanic kingdoms and duchies. The treaty produced by this convention aimed to define the rules of international law governing armed conflict and the peoples involved, both civilian and military. Among other provisions, the treaty prescribes that wounded and otherwise physically incapacitated soldiers are effectively out of the conflict and mandates that they be treated humanely and provided with reasonable medical care.



Sources:

Arthur, Chester A. [*Papers relating to the foreign relations of the United States, transmitted to Congress, with the annual message of the President*](#), House, Dec. 6, 1881, 47th Congress, 1st Session, H.exdoc.1/1 (Pr21.1:881). ProQuest Congressional, 2009 H.exdoc.1/1

Economic Trends and Conditions

The tariff debate dominated the 47th Congress. The tariff, and other economic policies, had not seen significant revision since the Civil War and at the beginning of the 47th Congress the federal government had acquired a large surplus. However, changing the tariff was a politically-charged issue, and the debate raged for the entirety of the Congress. In an effort to create a more scientific tariff adjustment (and to avoid major political bouts), Congress enacted the Tariff Commission Act, which established a Tariff Commission comprised of members of the private sector that would provide recommendations for tariff reform. Despite the Commission's best efforts, Congress could only agree to a modest 5% decrease in the Mongrel Tariff of 1883.

The continued use of high tariffs may have contributed to the beginning of the 1882-1885 Depression. Despite the fact the tariff was revised downward by about 5% in 1883, the effects of the 1881 drought combined with the downward tariff shift destabilized the agriculture market by removing or reducing some of protections on which farmers relied. At the same time, the economic prosperity of the years immediately preceding the downturn, which had been fed in part by the rapid growth of rail networks across the country, began to contract as the development of new rail lines slowed. This in turn slowed growth in other sectors, such as the burgeoning railroad shipping trade, and created a slow domino effect that eventually hit almost all sectors of construction and industry. The economic contraction also led to increased tension and suspicions between native U.S. citizens and the immigrants who were brought to the country to contribute to the tremendous infrastructure development of the preceding years. In response, in May 1882 Congress enacted the Chinese Exclusion Act, which suspended immigration from China for a period of ten years—an earlier attempt to suspend it for twenty years was vetoed by President Arthur—and denied citizenship to any foreign-born Chinese. Then, that August, Congress enacted the Immigration Act of 1882, which prohibited so-called “undesirables”—chiefly the very poor, the mentally ill, and the politically problematic—from entering the United States.

Sources:

Department of Treasury. [*Annual Report of the Secretary of the Treasury on the state of the finances for the year 1882*](#), House, Dec. 4, 1882, 47th Congress, 2nd Session, H.exdoc.2 (T1.1:882). ProQuest Congressional, 2104 H.exdoc.2

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Tariff Commission, [*Tariff Commission. Report of the Tariff Commission, appointed under act of Congress approved May 15, 1882*](#), Committee on Ways and Means. House. Dec. 4, 1882, 47th Congress, 2nd Session. H.misd.6/1 (Y3.T17:R29/1) ProQuest Congressional, 2116 H.misd.6/1

Merrell, Jacob S. [*Report of the Tariff Commission, appointed under act of Congress approved May 15, 1882*](#), House. Sept. 19, 1882, 47th Congress, 2nd Session. H.misd.6/2. ProQuest Congressional, 2117 H.misd.6/2

Major Treaties

[Geneva] Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Provided for the improvement of care and neutral standard of treatment for wounded soldiers; established the inviolability of medical personnel and medical units/establishments; and designated the symbol of the red cross on a white ground. Signed January 3, 1882.

Sources:

[\[Geneva Convention for Amelioration of the Wounded of Armies in the Field.\]](#) Message from the President, Senate. Mar. 3, 1882, 47th Congress, 1st Session, Exec.Doc.G.47-1. ProQuest Congressional, SED-47-1-9

Landmark U.S. Supreme Court Decisions

Springer v. United States, upheld the constitutionality of the Federal income tax imposed under the Revenue Act of 1864, 102 U.S. 586 (1881)

Kilbourn v. Thompson, held the House of Representatives could not punish a witness for contempt; also created the Kilbourn Test, which outlined broad limitations for House investigations, 13 U.S. 168 (1881)

Sources:

Costello, George A. and Johnny H. Killian. [Constitution of the United States of America, Analysis and Interpretation](#). CRS, Library of Congress, Jan. 1, 1996. 103rd Congress, 1st Session, S. Doc. 103-6 (Y1.1/3:103-6). ProQuest Congressional, 14152 S.doc.6

1881 Events

- **Jan. 25:** Thomas Edison and Alexander Graham Bell form the Oriental Telephone Company
- **Feb. 11:** Kansas becomes the first U.S. state to prohibit all alcoholic beverages
- **Mar. 13:** [Alexander II of Russia is killed near his palace when a bomb is thrown at him; he is succeeded by his son, Alexander III](#)
- **Mar. 23:** *First Boer War* – Boers and Britain sign a peace accord following South African President Kruger’s acceptance of ceasefire
- **Apr. 14:** The Four Dead in Five Seconds Gunfight erupts in El Paso, Texas
- **Apr. 15:** Anti-Semitic pogroms in Southern Russia begin
- **Apr. 28:** Billy the Kid escapes from Lincoln County jail in New Mexico
- **May 10:** [Romania is proclaimed a kingdom; Prince Karl of Hohenzollern-Sigmaringen is crowned King of Romania](#)
- **May 21:** [The American Red Cross is established by Clara Barton](#)
- **July 2:** [President James A. Garfield is shot by lawyer Charles J. Guiteau in Washington, D.C.](#)
- **July 4:** Booker T. Washington establishes Tuskegee Institute in Alabama
- **July 20:** Lakota Sioux Chief Sitting Bull surrenders to US federal troops
- **Sept. 19:** President Garfield dies from complications eleven weeks after being shot
- **Sept. 5:** Thumb Fire in Michigan destroys over a million acres (4,000 km²) and kills 282 people
- **Oct. 26:** Gunfight at the O.K. Corral between Cowboys Billy Claiborne, Ike and Billy Clanton, and Tom and Frank McLaury and town Marshal Virgil Earp, Special Policemen Morgan Earp, Wyatt Earp, and Doc Holliday

1882 Events

- **Jan. 5:** [Charles J. Guiteau is found guilty of the assassination of James A. Garfield; he is hanged on June 30](#)
- **Mar. 2:** Roderick Maclean fails in an attempt to assassinate Queen Victoria at Windsor
- **Mar. 24:** German scientist Robert Koch discovers and described the tubercle bacillus which causes tuberculosis
- **Mar. 22:** [Polygamy is made a felony by the Edmunds Act](#)
- **Apr. 3:** Outlaw Jesse James is killed by Robert Ford
- **May 6:** [The Chinese Exclusion Act passes Congress, the first law to exclude immigrants by ethnic group](#)
- **May. 20:** Triple Alliance is formed between Germany, Austria-Hungary, and Italy
- **July 11-13:** The British Mediterranean Fleet carries out the Bombardment of Alexandria, captures the city of Alexandria, Egypt and secures the Suez Canal
- **Aug. 18:** Married Women's Property Act 1882 receives royal assent in Britain; it enables women to buy, own and sell property, and to keep their own earnings
- **Sept. 4:** Edison switches on Pearl Street electrical power plant, the first commercial electrical power plant in history, beginning the electrical age
- **Oct. 16:** New York, Chicago and St. Louis Railroad ("Nickel Plate Road") runs its first trains over the entire system between Buffalo, New York, and Chicago. Nine days later the railroad is sold to William Henry Vanderbilt for \$7.2 million

Sources:

Arthur, Chester A. [Message from the President of the United States, transmitting a report of the Secretary of State, with accompanying papers, submitted in response to Senate resolution of the 21st of March last, requesting a copy of instructions given Mr. George F. Seward, when minister to China, concerning Chinese immigration, &c., and dispatches on that subject, &c.](#) Senate, May 15, 1882, 47th Congress, 1st Session. S.exdoc.175. ProQuest Congressional, 1991 S.exdoc.175

Blaine, James Gillespie. [Memorial address pronounced in the Hall of Representatives](#), Senate, Feb. 27, 1882, 47th Congress, 1st Session. S.misdoc.123. ProQuest Congressional, 1997 S.misdoc.123

Blaine, James Gillespie. [Letter from the Secretary of State, transmitting a copy of the response of the Russian Government to the communication made to it by the United States minister at St. Petersburg of the Senate resolution of the 15th ultimo, on the death of the late Emperor Alexander II](#), Department of State, Apr. 4, 1881, 47th Congress, Special Session. S.exdoc.2. ProQuest Congressional, 1943 S.exdoc.2

D.C. Supreme Court. [Report of proceedings in case of U.S. vs. Charles J. Guiteau, tried in Supreme Court of D.C., holding criminal term, and beginning Nov. 14, 1881: Part I](#). Executive Branch Documents, Jan. 1, 1882. (DC21.2:G94/1) ProQuest Congressional, DC2102-4.1

Reagan, Ronald. [American Red Cross Month, 1988](#), Numbered Presidential Proclamations, Jan. 28, 1988. Presidential Proclamation No. 5764, ProQuest Congressional, 1988-PR-5764

[\[Treaty of Commerce and Navigation with Romania.\]](#) Message from the President. Senate, Jan. 24, 1882. 47th Congress, 1st Session, Exec.Doc.C, 47-1. ProQuest Congressional, SED-47-1-4

Utah Commission. [Report of the Utah Commission](#), Department of Interior. Aug. 31, 1882, 47th Congress, 2nd Session. H.exdoc.1/22 (I1.1:882/v.2; I1.31:882) ProQuest Congressional Research Digital Collection, 2100 H.exdoc.1/22

Major Acts

Anti-Polygamy Act of 1882. Imposed penalties on the practice of polygamy and disqualified those who practiced or approved it from voting, holding public office, or serving on juries dealing with prosecutions for polygamy. Placed elections in Utah under the supervision of a board of five persons appointed by the President. Approved Mar. 22, 1882. ([22 Stat. 30, Chap. 47](#))

Chinese Exclusion Act. Suspended the immigration of Chinese laborers to United States for a period of ten years, and denied citizenship to all foreign born Chinese. Proposed legislation prohibiting Chinese immigration for twenty years, which had earlier been vetoed by President Chester Arthur on April 4, 1882. Approved May 6, 1882. ([22 Stat. 58, Chap. 126](#))

Tariff Commission Act. Set up a nine-man Tariff Commission, to be appointed by the President from "civil life," to suggest reforms in view of the accumulating surplus in the Treasury. Approved May 15, 1882. ([22 Stat. 64, Chap. 145](#))

Immigration Act of 1882. Prohibited all "undesirables," such as paupers, criminals, convicts, and the insane, from entering the United States and established a head tax of 50 cents on each immigrant. Approved Aug. 3, 1882. ([22 Stat. 214, Chap. 376](#))

Civil Service Reform (Pendleton Act). Established a bipartisan three-man Civil Service Commission to be appointed by the President, and instructed the Commission to formulate and administer competitive examinations for determining the fitness of applicants for Federal appointments. Further provided that no Federal employee was under "any obligation to contribute to any political fund...and that he will not be removed or otherwise prejudiced for refusing to do so." This Act also made it crime for any Federal employee to solicit campaign funds from another Federal employee. Approved Jan. 16, 1883. ([22 Stat. 403, Chap. 27](#))

Mongrel Tariff Act. Made the first general revision in tariffs since the Civil War. It maintained the protective principle on several items while lowering the tariff rates on others. Approved Mar. 3, 1883. ([22 Stat. 488, Chap. 121](#))

Sources:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005
