

By Mr. NUTTING: Of W. H. Rogers and 107 others, citizens of Cayuga County, New York.

By Mr. SHERMAN: Of George G. Marsh and 497 others citizens of Oneida County, New York.

The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. ARNOLD: Of 73 citizens of Rhode Island.

By Mr. CASWELL: Of Mrs. A. H. Peck and 92 others, citizens of Wisconsin.

By Mr. HALL: Of 130 citizens of the Twenty-sixth district of Pennsylvania.

By Mr. D. B. HENDERSON: Of Rev. J. B. Albrook, D. D., and 132 others, citizens of the Third district of Iowa.

By Mr. LAIRD: Of 108 citizens of the Second district of Nebraska.

By Mr. LANE: Of 103 citizens of the Seventeenth district of Illinois.

By Mr. GALLINGER: Of 145 citizens of New Hampshire.

By Mr. GROUT: Of 145 citizens of the District of Columbia.

By Mr. VANDEVER: Of 136 citizens of the Sixth district of California.

SENATE.

MONDAY, February 6, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 11, 1888, certain information relating to the number of acres of public lands granted by the United States Government to the States to which grants have been made for school purposes, etc.; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 18, 1888, certain information relating to the claims of Thomas S. Brooks & Co., and of Evans, Nichols & Co., for and on account of cattle stolen by the Osage Indians in September, 1866; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Commissioner of Agriculture, transmitting the report of Professor Swenson on the subject of sorghum sugar; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

He also laid before the Senate a communication from the Commissioner of Agriculture, transmitting, in compliance with the requirements of the act of May 29, 1884, a report of the operations of the Bureau of Animal Industry for the year 1887; which, with the accompanying report, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

ISAAC D. SMEAD & CO.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Board of Commissioners of the District of Columbia, transmitting, in response to a resolution of January 25, 1888, certain data respecting work done for the District by Isaac D. Smead & Co.; which, on motion of Mr. DAWES, was, with the accompanying papers, referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 59 citizens of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a letter of Marie A. Brown, an American citizen resident in London, relating to the proposed world's exposition, with proof that America was discovered five hundred years before Columbus; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. ALLISON presented a petition of 111 citizens of the Fourth, Seventh, and Eleventh Congressional districts of Iowa, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. ALLISON. I present a concurrent resolution of the General Assembly of the State of Iowa, which I ask may be read and referred to the Committee on Agriculture and Forestry.

The resolution was read, and referred to the Committee on Agriculture and Forestry, as follows:

Concurrent resolution requesting Congress to prohibit the sale of adulterated lard, and require statement of actual contents on package thereof, and to pass the bill now pending for that purpose.

Be it resolved by the senate (the house concurring), That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States, unless on the package containing the same a true statement is given of the actual contents, and of the proportion of genuine lard therein; and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

I hereby certify that the above resolution passed both branches of the Twenty-second General Assembly of the State of Iowa.

[SEAL.]

FRANK D. JACKSON,
Secretary of State.

Mr. BERRY presented resolutions adopted by the Arkansas Agricultural Association, and resolutions adopted by the Board of Trade of Pine Bluff, Ark., remonstrating against the passage of Senate bill 650, known as the Dawes bill, taxing cotton-seed; which were referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented a petition of the members of the faculty of King College, at Bristol, Tenn., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of the Woman's Christian Temperance Union of Tennessee, officially signed, representing nearly 6,000 members, praying for the abolition of the internal-revenue tax on alcoholic liquors; which was referred to the Committee on Finance.

Mr. VOORHEES. I present numerous petitions from citizens of Indiana, numerous signed, praying for prohibition in this District. I move their reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. VOORHEES presented the petition of Charles McCarty, a pensioner under certificate No. 129849, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of David A. Parkhurst, late a private in Company A, First Michigan Sharpshooters, praying for the removal of the charge of desertion from his military record; which was referred to the Committee on Military Affairs.

Mr. SHERMAN. I present a joint resolution of the General Assembly of Ohio, remonstrating against any reduction of the wool tariff. I will not ask that it be read, but that it be printed in the RECORD, and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

[House Joint Resolution No. 4.]

Requesting our Senators and Representatives in the Congress of the United States to oppose any reduction of the wool tariff.

Resolved by the General Assembly of the State of Ohio: First. That we recognize in sheep husbandry one of the most important industries of our State and country, and one that almost every farmer is directly interested in, and without which our country can not be independent; and that we do therefore view with apprehension and alarm all propositions and measures to abolish or reduce the tariff duties now levied for its protection, and respectfully request our Senators and Representatives in Congress to oppose the same.

Second. That the governor be requested to transmit a copy of these resolutions to each of our Senators and to each of the members of the House of Representatives in the Congress of the United States from Ohio.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 26, 1888.

UNITED STATES OF AMERICA, OHIO,
Office of the Secretary of State:

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
Secretary of State.

EXECUTIVE CHAMBER, Columbus, Ohio, January 27, 1888.

In compliance with the request contained in the resolution above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, Governor.

Mr. SHERMAN. I present a joint resolution of the General Assembly of Ohio, opposing certain measures suggested in the President's message, which I ask be printed in the RECORD and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

[House Joint Resolution No. 5.]

Requesting our Senators and Representatives in the Congress of the United States to oppose certain measures which were suggested in the President's recent message.

Resolved by the General Assembly of the State of Ohio: First. That we believe in a protective tariff for the sake of protection, to the end that we may have a diversity of employment, domestic commerce, home markets for our farmers, good wages for our laborers, and such development of all our material resources as will make it possible for us to supply all our wants in both peace and war, and thus be independent as a nation among the nations of the earth.

Second. Under this wise and patriotic policy, inaugurated and steadily upheld and enforced by the Republican party since its advent to power in 1861, we have prospered as no other nation ever did.

Third. We regard the views expressed by His Excellency the President of the United States, in his recent message to Congress, in opposition to this policy, as

unwise, unjust, and unpatriotic, and as calculated, if formulated into law and given effect, to not only dissipate our surplus revenue, but also paralyze our industries, stop the development of our resources, degrade labor, stagnate and demoralize business, and reduce us to that weak and dependent condition to which the country had been brought by a Democratic free-trade policy when the Republican party was placed in power in 1861.

Fourth. That our Senators in Congress be instructed, and our Representatives be requested, to oppose all measures that may be offered for the purpose of giving effect to these views and recommendations of the President.

Fifth. That the governor be requested to forward a copy of these resolutions to each of our Senators and Representatives from Ohio in the Congress of the United States.

Adopted January 26, 1888.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

UNITED STATES OF AMERICA, OHIO,
Office of the Secretary of State:

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
Secretary of State.

EXECUTIVE CHAMBER, Columbus, Ohio, January 27, 1888.

In compliance with the request contained in the resolutions above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

Mr. SHERMAN presented a petition of the Grand Lodge of Good Templars of Ohio, officially signed, praying for a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Ohio, officially signed, representing 5,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented a petition of 208 citizens of the Fourteenth, Seventeenth, and Nineteenth Congressional districts of Ohio, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of the Marine Association of Cincinnati, Ohio, praying for the passage of Senate bill 616, extending the right of pensions to steam-boat men and others acting under orders from United States officers; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Macomb, McDonough County, Illinois, praying for the enactment of a law for the reissue of fractional currency, not as a substitute for silver, but to supplement it, and especially for use in the mails; which was referred to the Committee on Finance.

He also presented the petition of N. K. Fairbank, Jesse Spalding, and other citizens of Chicago, praying for an increase of the salaries of the judges of the circuit and district courts of the United States in that district; which was referred to the Committee on the Judiciary.

He also presented a petition of 150 citizens of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE presented a petition of the Woman's Christian Temperance Union of Michigan, officially signed, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

Mr. PADDOCK presented a petition of the Woman's Christian Temperance Union of the Territory of New Mexico, officially signed, representing 200 members, and a petition of the Woman's Christian Temperance Union of Wyoming Territory, officially signed, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which were referred to the Committee on Finance.

Mr. McPHERSON. I present a petition of numerous citizens of New Jersey, praying Congress by a joint resolution to adopt and propose to the several States an amendment to the Constitution to prohibit the manufacture, importation, exportation, and transportation of alcoholic liquors. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. PASCO presented the petition of G. F. Syfrett and 25 other citizens of Vernon, Fla., and the petition of W. F. Russ and 53 other citizens of Miller's Ferry, Fla., praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE presented a petition of the Business Men's Association of Evansville, Ind., praying for the enlargement of the marine hospital at that place; which was referred to the Committee on Naval Affairs.

Mr. BLAIR. I present a petition of citizens of Claremont, Surry County, Virginia, in which they set forth that the undersigned citizens of Claremont, Surry County, Virginia, respectfully represent that they believe that unless something is done to establish schools and pay teachers the South will always be as it is at present, one hundred years behind the North. They say that the school-houses are from 5 to 8 miles apart, and are poor structures at that; that they have but five months' school out of a year, and pay their teachers \$25 to \$30 a month,

and they pray for the passage of the school bill. This petition is signed by a number of citizens of that place. I move that it lie on the table.

The motion was agreed to.

Mr. BLAIR. I present the memorial of Rev. S. P. Leeds and a large number of citizens of the town of Hanover, N. H., remonstrating against the admission of Utah as a State. I move the reference of the memorial to the Committee on Territories.

The motion was agreed to.

Mr. BLAIR. I present the petition of District Assembly No. 66, Knights of Labor of this District, in which they set forth that 300 more rooms for school purposes of the best modern kind, free books and material for the children, teachers in sufficient numbers to give each child ample personal attention, and salaries on a scale to secure the best educational talent should be provided immediately for the sufficient accommodation of the school population of this District.

The petition is quite well written, strongly setting forth the necessities of the case and the occasion for further legislation in order to supply sufficient schooling facilities for the children of this District. I would ask that it be printed, but as the request is likely to be objected to, I will simply move that it be referred to the Committee on Appropriations with the request that they give it attention.

The motion was agreed to.

Mr. BLAIR presented petitions of citizens of the First and Second Congressional districts of the State of New Hampshire, praying for the passage of the bill to prevent the importation, exportation, manufacture, and sale of alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. DAWES presented a petition of Omaha Indians, praying for the payment of \$70,000 due them under the treaty of 1855, in two installments; which was referred to the Committee on Indian Affairs.

Mr. HALE. I present a communication from Vickery & Hill, publishers, of Augusta, Me., in the nature of a memorial to Congress, protesting against any legislation that will exclude from second-class postage rates publications in the nature of books, complete or in parts or in series, whether sold by subscription or otherwise, thereby preventing the diffusion of standard literature among the people. The Committee on Post-Offices and Post-Roads, I am informed, are considering this subject, which is a very important one, and I hope they will give attention to the interesting statements contained in this memorial. I move its reference to that committee.

The motion was agreed to.

Mr. DOLPH presented a petition of 182 citizens of the First Congressional district of the State of Oregon, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 42 citizens of the Second Congressional district of Connecticut, and a petition of 57 citizens of Montana and Washington Territories, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. RIDDLEBERGER presented a petition of 130 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. EVARTS presented a petition of the Woman's Christian Temperance Union of the State of New York, officially signed, representing 16,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented a petition of 202 citizens of the Sixth, Eighteenth, Twenty-fourth, and Thirty-third Congressional districts of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. WILSON, of Iowa, presented three petitions of the surviving members of the Thirty-seventh Regiment of Iowa Volunteer Infantry, and of widows of deceased members of that regiment, praying for the enactment of a law granting pensions to them; which were referred to the Committee on Pensions.

Mr. TELLER presented the petition of Anne Lucas, praying to be allowed pay as a laundress during the late war; which was referred to the Committee on Claims.

He also presented a petition of the Board of Trade of the city of Greeley, Colo., praying that a suitable appropriation be made for the construction of water reservoirs in the State of Colorado; which was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a resolution adopted by Granville Centre Grange No. 309, of Granville Centre, Bradford County, Pennsylvania, remonstrating against the repeal of the oleomargarine law; which was referred to the Committee on Agriculture and Forestry.

Mr. HAWLEY presented a petition of the Woman's Christian Temperance Union of Connecticut, officially signed, representing 3,000 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of William B. Covie and 120 other citizens of Connecticut, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. COCKRELL presented a petition of the Woman's Christian Temperance Union of Missouri, officially signed, representing 4,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

Mr. GORMAN presented a petition of 130 citizens of the First and Second Congressional districts of Maryland, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Maryland State Temperance Alliance, officially signed, praying for the passage of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. JONES, of Arkansas, presented a petition of 104 citizens of the State of Arkansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CHANDLER. I present a petition of the Board of Trade of Portsmouth, N. H., signed by William H. Sise, the president, and Charles W. Gray, the acting secretary, of the International Marine Conference, praying that an international marine conference be held in the United States.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Naval Affairs, if there be no objection.

Mr. FRYE. That matter is pending before the Committee on Foreign Relations, and it should be referred to that committee.

The PRESIDENT *pro tempore*. That reference will be made, if there be no objection.

Mr. RIDDLEBERGER. I ask the Senator from Maine if he can give any reason why the petition should go to the Committee on Foreign Relations.

Mr. FRYE. Only because it looks to an invitation to be extended by the President of the United States to the various nations of the earth calling a convention of the various maritime nations to meet here; and there are more than twenty petitions and memorials and bills relating to the subject, which have been already referred to the Committee on Foreign Relations.

Mr. RIDDLEBERGER. I did not want to encumber the committee. That was my object in making the inquiry.

The PRESIDENT *pro tempore*. The petition is referred to the Committee on Foreign Relations.

Mr. CHANDLER presented a petition of William F. C. Nindemann, formerly a seaman on the exploring steamer Jeannette, praying that he may be allowed the difference between the pay of a seaman and that of a carpenter; which was referred to the Committee on Naval Affairs.

Mr. MORRILL presented a petition of 103 citizens of the Second Vermont Congressional district, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented the petition of Mrs. Josephine Rozell, widow of Robert W. Rozell, late of Company C, One hundred and thirty-fifth Illinois Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

CHANGE OF REFERENCE.

Mr. FARWELL. On Wednesday last I presented a petition of importers at the port of Chicago, Ill., praying for the passage, with an amendment, of Senate bill 532, which proposes to amend what is known as the immediate-transportation act. That bill is now before the Committee on Commerce, while the petition, upon my request, was referred to the Committee on Finance. I desire to recall the petition from the Finance Committee and have it referred to the Committee on Commerce, where the bill is under consideration.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1235) to modify and amend the provisions of the dedication to the public use of the tract of land known as "Dearborn Park," in the city of Chicago, State of Illinois, reported adversely thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 1852) to modify and amend the provisions of the dedication to public use of the tract of land known as "Dearborn Park," in the city of Chicago, State of Illinois; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 16) to set apart from the public domain in the State of Oregon, as a public park for the benefit of the people of the United States, townships 27, 28, 29, 30, and 31, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, reported adversely thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1817) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, for a public park, reported it with amendments.

Mr. DOLPH. I should like to say in regard to the bill just reported that the Legislature of Oregon has memorialized for the creation of a

public park including the lands mentioned in the bill, and Crater Lake, situated within it, and I have received numerous petitions of citizens of Oregon to the same effect; but the Committee on Public Lands was not disposed to create a national park, and we have reported a substitute proposing to donate the land for the purpose of a park to the State of Oregon, on condition that it shall be forever used for that purpose.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1611) for the erection of a public building at Springfield, Mo., reported it without amendment, and submitted a report thereon.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (S. 539) amending section 3749 of the Revised Statutes of the United States, relating to the disposition of property of the United States, reported it with amendments.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 850) granting certain lands in the Territory of Wyoming for public purposes, reported it with amendments.

Mr. COKE, from the Committee on the Judiciary, to whom was referred the bill (S. 832) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States, reported it without amendment.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1060) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia, reported it with amendments.

Mr. RIDDLEBERGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 931) to incorporate the Washington Cable Electric Railway of the District of Columbia, reported it with amendments.

Mr. HARRIS. If the Senator from Virginia prefers it, the bill just reported by him may stand on the Calendar ahead of the one I have just reported.

Mr. RIDDLEBERGER. I thought that was the understanding.

Mr. HARRIS. I did not remember it at the moment I made the report, or I should have deferred it.

The PRESIDENT *pro tempore*. The bill reported by the Senator from Virginia will take precedence on the Calendar of the bill reported by the Senator from Tennessee, if there be no objection. The Chair hears none, and that order will be made.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 1516) to provide for inquests under national authority, reported it without amendment.

Mr. COKE. I desire to say, on behalf of the minority of the Committee on the Judiciary, that they will present their views on that bill hereafter.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 64) to authorize the juries of the United States circuit and district courts to be used interchangeably, and to provide for drawing talesmen, reported it without amendment.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 226) securing the right of a party complainant in the United States courts to file a supplemental bill in equity causes, reported adversely thereon.

Mr. CALL. Let that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 230) for the retirement of judges of the district or circuit courts of the United States on account of disability, reported adversely thereon.

Mr. CALL. Let that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1723) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, reported it with an amendment.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred the bill (S. 607) for the relief of Juliet C. Palmer, widow and administratrix of James C. Palmer, late Surgeon-General United States Navy, reported it without amendment, and submitted a report thereon.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 250) for the repair of Fort Marion, at St. Augustine, Fla., and the inclosure of the ground attached to said fort, reported it with an amendment, and submitted a report thereon.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1681) to amend section 461 of the Revised Statutes of the United States, regulating fees for exemplification of land patents, and for other purposes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1046) providing for the resurvey of township No. 18 south, of range No. 9 west of the sixth principal meridian, in the State of Kansas, reported adversely thereon, and the bill was postponed indefinitely.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the bill (S. 1378) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries, in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by star-fish, etc., and making an appropriation for such purpose, reported it without amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Public Lands, submitted a report to accompany the bill (S. 1709) to provide for the issue of patents to certain persons for donation claims under the act approved September 27, 1850, commonly known as the Oregon donation law, heretofore reported by him.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory.

The message also announced that the House had passed the joint resolution (S. R. 6) for removal of all disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia;

A bill (H. R. 48) for the relief of Benjamin M. Simpson;

A bill (H. R. 76) for the relief of L. A. Morris;

A bill (H. R. 108) for the relief of John C. Weaver;

A bill (H. R. 120) for the relief of Charlotte Caroline Hackleman;

A bill (H. R. 322) for the relief of B. M. Parish;

A bill (H. R. 439) for the relief of Grovenor A. Curtice;

A bill (H. R. 440) granting a pension to Mary C. Knight;

A bill (H. R. 481) for the relief of Stephen M. Honeycutt;

A bill (H. R. 482) for the relief of Levi Jones;

A bill (H. R. 593) for the relief of James Albert Bonsack;

A bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased;

A bill (H. R. 647) for the relief of Gottlob Groezinger;

A bill (H. R. 880) granting a pension to Mary Everingham Brown;

A bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry;

A bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.;

A bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes;

A bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased;

A bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others;

A bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, in Ohio;

A bill (H. R. 4556) to confirm New Madrid location, survey No. 2889, and to provide for issue of patent therefor;

A bill (H. R. 4811) for the relief of Robert Johnston, of New York;

A bill (H. R. 4907) for the relief of John M. Higgins, sr.;

A bill (H. R. 4908) for the relief of the heirs of A. Gates Lee and heirs of B. P. Lee, deceased;

A bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter; and

A bill (H. R. 5932) providing for the holding of the terms of the United States courts in the district of Minnesota.

ENROLLED BILLS SIGNED.

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

A bill (S. 191) to make additional appropriations for the printing of the eulogies delivered in Congress on the late John A. Logan;

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles; and

A bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory.

SUPPLEMENT TO WHARTON'S DIGEST.

Mr. GORMAN. I am instructed by the Committee on Printing, to whom was referred the joint resolution (S. R. 27) providing for the printing of the supplement to Wharton's Digest of International Law, to report it favorably without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

Resolved, etc., That there be printed, under the editorial charge of Francis Wharton, the usual number of copies of a supplement to the Digest of International

Law, printed under joint resolution of July 28, 1883, and under the same conditions and limitations as are imposed in said resolution, such supplement containing the diplomatic correspondence of the American Revolution, with historical and legal notes; and that there be printed, in addition to said usual number, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the Department of State.

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

CENTENNIAL CELEBRATION OF THE CONSTITUTION.

Mr. HOAR. I am directed by the Select Committee on the Centennial of the Constitution and the Discovery of America, to which was referred the joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States, to report it favorably with an amendment. A similar joint resolution has been passed by the Senate heretofore. It does not relate to any of the matters about which there has been any difference of opinion. It has received the unanimous support of the committee as formerly it received the unanimous support of the Senate, and I ask that it may be considered at this time.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HOAR. Let it be read for information.

The PRESIDENT *pro tempore*. The joint resolution will be read at length for information.

The Chief Clerk read the joint resolution, as follows:

That, in addition to such other celebration as may hereafter be provided for, the centennial of the inauguration of the Constitution of the United States be observed by the two Houses of Congress, who shall meet in the Hall of the House of Representatives, and that the Chief-Justice of the United States be invited to deliver an oration on the occasion, and that the President of the United States and the executives of the several States and Territories, and such other persons as may hereafter be determined, be invited to attend.

Mr. HOAR. Let the amendment at the end of the resolution be read.

The PRESIDENT *pro tempore*. The amendment reported by the committee will be read for information.

The CHIEF CLERK. In line 9, after the words "United States," it is proposed to strike out the word "and" and insert the words "the justices of the Supreme Court of the United States, the members of the Cabinet," so as to read:

And that the President of the United States, the justices of the Supreme Court of the United States, the members of the Cabinet, the executives of the several States and Territories, and such other persons as may hereafter be determined, be invited to attend.

Mr. HALE. The Senator from Massachusetts desires that the amendment be adopted. I do not object to the amendment.

The PRESIDENT *pro tempore*. The Chair has asked whether there is objection to the present consideration of the joint resolution. The Chair hears none, and it is before the Senate as in Committee of the Whole.

Mr. HALE. I do not object to the joint resolution, but I ask that the two first lines of it be read again.

The PRESIDENT *pro tempore*. The two first lines of the joint resolution will be again read.

The Chief Clerk read as follows

That, in addition to such other celebration as may hereafter be provided for—

Mr. HALE. That is sufficient. I wish to ask the Senator from Massachusetts who has reported the joint resolution whether by the words which have just been read either the committee or Congress is to be considered as committing itself in any form to a Government industrial exposition in the city of Washington? I should be glad if the Senator would state the attitude of the committee upon that point.

Mr. HOAR. The committee have not, so far as I am aware, come to any conclusion upon that subject, or even considered it. They have heard some persons in regard to various plans for a large celebration, but have not taken up the subject for action. I am not, therefore, authorized to speak either for the committee or any member of the committee as to the opinion upon any proposed scheme. The members will speak for themselves whenever they choose. But the object of the committee in reporting the joint resolution was carefully to refrain from everything which should commit either the committee or the Senate, or any member of either, to any such plan or to any plan beyond this.

I thought that if those lines were not in the joint resolution it might be taken as a commitment to the contrary, that is a commitment against any further extension of this celebration, and those lines were intended to absolutely guard against any commitment either way. They were put in with that design.

I may, perhaps, say that there are several plans which have been mentioned in the newspapers and which have found advocates before the committee. One is the plan to which the Senator from Maine [Mr. HALE] and, if I am not mistaken, the Senator from Ohio [Mr. SHERMAN] publicly expressed strong objections at the last Congress. The Senator from Ohio is a member of the present committee and favors this joint resolution. That plan is to have an exposition extending over the period between 1889 and 1892. That plan is a very large one and will require careful investigation, I suppose, before any member of the

committee would be able to bring his mind to its favor, and some Senators have expressed very strongly their objection to it.

Then there is another proposition, which does not in the least involve what I have stated, that to the centennial celebration of our Constitution the Presidents and chief justices of the different American countries shall be invited. Of course if they were invited, that would involve a slight expense, necessarily, for receiving them as guests when they arrive in Washington and during their stay in Washington. That expense would be a very small sum, a few thousand dollars, I suppose; but that proposition is entirely disconnected from this joint resolution.

I have stated the object of the joint resolution; and it is entirely unimportant whether the words which have been read are out or not. My reason was to avoid any commitment either way, and that was the general design.

Mr. VOORHEES. Mr. President—

The PRESIDENT *pro tempore*. The Senator from Maine [Mr. HALE] is entitled to the floor.

Mr. HALE. I yield to the Senator from Indiana.

Mr. VOORHEES. As I understand this proposition, it is merely an announcement that we will celebrate the centennial of the adoption of our Constitution, outlining somewhat the manner in which it will be done, giving notice to the Chief-Justice of the Supreme Court to have a speech to deliver, etc. I had supposed, however, as a member of the committee (and, in fact, I regret very much that I was not able to attend the last meeting), that some step would be taken in regard to our relations with the South American republics or countries generally, and towards extending to them an invitation for the occasion. I did not know but that the Senator from Massachusetts was going to offer an amendment, and an amendment was spoken of to that effect. Do I understand from the Senator from Massachusetts that nothing more is contemplated at this time?

Mr. HOAR. If the Senator will pardon me, if I may interrupt him at this time, as he was not present at the meeting of the committee, the committee found when they met that that matter was pending before the Committee on Foreign Relations; and I suppose there is no breach of delicacy in saying that it is before a subcommittee of that committee, of which subcommittee the honorable Senator from Maine [Mr. FRYE] is chairman, and as it is well known that the Senator has in mind a desire to have a commercial consultation of the different American countries promoted by this country and held here, we did not want to take any step which would embarrass or interfere with that. Therefore the committee were not prepared even to approach the consideration of that subject without first having some conference with the Committee on Foreign Relations, which I suppose will be had.

Mr. VOORHEES. It is a matter of no concern to me how the object is accomplished, and in view of the explanation given by the Senator from Massachusetts it is entirely satisfactory.

I desire simply to say further to Senators who may have some views in regard to establishing a prolonged exposition here, that there is nothing in this measure, as I understand it, committing anybody to that enterprise. Whatever we may do hereafter, this joint resolution does not commit us to any line of action in that regard.

Mr. HALE. I think perhaps Senators would feel easier upon the subject if the initial words were left out of the joint resolution; all the more so, because upon the explanation of the Senator from Massachusetts it is clear that the proposition for the meeting of South American representatives, in the form of a celebration and not of an exposition, is in charge of another committee. The select committee, as I understand, does not propose to deal with the subject of any other celebration. Therefore the words had better be omitted.

Mr. HOAR. No, I did not say that.

Mr. HALE. I understood the Senator to say that that matter was with the Committee on Foreign Relations.

Mr. HOAR. I said that the Select Committee on the Centennial could not deal with that subject without a conference with the Committee on Foreign Relations, who had the matter in charge. Of course the principal and important matter is the question of commercial relation.

Mr. HALE. I do not object to the joint resolution unless there lurks in it something more than is seen. Neither do I object to the other celebration which has been referred to; but the greater question of a long-continued national or international exposition to be held here or elsewhere involves more serious considerations, and it should be approached very carefully. The time should be selected with care, and the place should be selected with care.

However much pride we may have in this city and be glad to see it built up, and dignified, and adorned in ways we are all glad to help in, it is a grave question whether it is the seat of art, or science, or labor, or manufactures of any form sufficient to justify the selection of this city as a place for a great exposition, and for one I do not wish to be committed to anything which looks in that direction. I do not think the committee has any such purpose. It is plain, from the explanation offered by the Senator from Massachusetts, that it has no such purpose. If there is any danger that lurks in the phraseology here, it is one that will appear afterwards and is not carried in the intention of the committee. I am free to avow my belief in that, but I think it would rest

better if the initial words were stricken out and let the provision be simply for the celebration that is covered by the phrases of the measure.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the committee.

Mr. RIDDLEBERGER. Mr. President, I believe the joint resolution involves some matter that is a little bit foreign to this country, and in view of the fact that it seems to be impossible to get a resolution considered by the Senate looking to the ratification or rejection of the British treaty, I may be allowed to discuss it just now, because, as I understood the Senator from Maine to say, this is a matter which ought to be considered by a committee which is looking forward to a great international something. I think that puts me in order, sir.

I have asked the Senate to consider a resolution to change Rule XXXVII of the Senate, which would allow us to consider in open session the proposed treaty with Great Britain. I have had a motive beyond that, which has not appeared up to this time, and that motive is to draw from the Committee on Foreign Relations the amendment which they have proposed to the treaty. If we have here a message from the President transmitting a treaty or a stipulation, and it is proposed to be amended by any member of the Committee on Foreign Relations, it is proper that it should be known which of those committeemen favor the amendment.

I can not state what the amendment is, because I have not the terms of it at my command now, but I do say this: I do not believe there is one single member of the Committee on Foreign Relations who will rise to-day in open session and advocate the amendment which comes from that committee.

I have here the treaty, but I can not discuss it—I can only discuss the joint resolution; but I ask in the light of what has been suggested here, whether I can not have that amendment read to the Senate and to the people of the United States. I ask the chairman of the Committee on Foreign Relations, who I know upon every occasion has endeavored to bring this treaty before us in executive session, whether he can not rise and tell the people what the amendment is.

Mr. SHERMAN. Being personally appealed to, I feel it my duty to make a point of order against the Senator from Virginia, which I do with great reluctance. He asks me that I, in violation of the rules of the Senate, shall do what I regard to be improper and ungentlemanly in disclosing the secrets of the Senate against its will. When he asks me to answer that question, it is as much as if he should ask me to steal, or rob, or do anything else wrong or forbidden by law. As a matter of course, I can not state what the rules of the Senate prohibit me from saying, and I make the point of order that the Senator from Virginia is himself violating the rules. Whether it should be enforced against him or not, it is for the Senate to say. I simply make the point of order because I can not answer the question of the Senator from Virginia without violating the rules.

Mr. RIDDLEBERGER. Mr. President, that would come with better grace—

The PRESIDENT *pro tempore*. One moment. The Senator from Ohio raises a point of order which the Chair feels called upon to decide.

The Senate in its legislative capacity and the Senate in its executive capacity, are the same body, but their functions are essentially separate and distinct. The proceedings in each capacity are separately journalized; the records are separately kept. The transactions and proceedings in legislative session can not be reached by the Senate in executive session. The proceedings and transactions in executive session being separately recorded and journalized are not the subject of discussion in legislative session. It is a violation of the rules of the Senate to refer in legislative session to any matter upon the Executive Calendar until the injunction of secrecy is removed.

The Chair therefore holds that the Senator from Virginia, in referring to any matters pending in executive session while the Senate is sitting with open doors, is clearly in violation of the rules of the Senate, and he can only be permitted to proceed in order.

Mr. RIDDLEBERGER. Mr. President—

The PRESIDENT *pro tempore*. The Senator from Virginia will suspend one moment. The enforcement of the rules is intrusted to the Chair, and the Chair will endeavor, if supported by the Senate, to see that order is not violated and that the rules are strictly obeyed. The Senator from Virginia will proceed in order.

Mr. RIDDLEBERGER. Yes, sir, if I can. I do not think that anything I have said or done in this Senate has justified the observations of the Chair, but still in order to be in order I must accept them.

I did not ask the Senator from Ohio to answer the question that I propounded to him with any hope that he would do it. I was discussing the proposition propounded by the Senator from Massachusetts and trying to keep myself in order considering it, as I understood, within the proper rules of order. I think that I may be in order when I undertake, in reply to the Senator from Ohio's remark that he does not propose to deal with executive matters in legislative hours, to draw his attention back to the point. Whenever I shall violate a rule it will be in the Senate and not outside of it. This is a question that disturbs the people of this country beyond that which was involved in the letter that dismissed some officials sent to the Senate by the Senator from Ohio when he was acting in another capacity.

I will not deal further with the word "gentlemanly," sir. Every man knows for himself what is gentlemanly. If he does not, those who are associated with him can judge.

Now, Mr. President, if it is the ruling of the Chair and the sense of the Senate that I can not, or any other Senator here can not, discuss that resolution in the broad sense that it involves this British treaty, then I must take my seat, as I understand; but from that ruling of the Chair I shall reserve my right to make an appeal whenever the Chair himself shall say that I am out of order.

I have a right to discuss resolutions that are offered. On last Thursday, on this floor, and against an objection that carried a resolution under the rules, as I understand them, we could not consider the proposition to change Rule XXXVII. I can re-enforce my position on that question by drawing from this desk-drawer a note that was written to me by the then Presiding Officer himself, telling me that I could not accomplish the purpose of considering an extradition treaty unless I employed the language which he gave me then, proposing to change Rule XXXVII.

In all these international matters—for I know I must conform myself to the narrow-gauge rule—I have before me something that is headed "confidential," and it purports to be something that is international, coming entirely within the purview of the resolution that I offered the other day. I might be prepared to treat this before the people of this country who have a right to know what it is; but I do think that we should know in the Senate now before we go into executive session what is meant by the Committee on Foreign Relations—

The PRESIDENT *pro tempore*. The Senator from Virginia will not be permitted to proceed to discuss any matters pending in executive session. The Senator from Virginia will proceed in order.

Mr. RIDDLEBERGER. Mr. President, I am somewhat accustomed to rebuke, but I suppose I can still have it understood that I have a right to proceed in order. Perhaps that is the only right I have. This matter that the President undertakes to rule me down on is not in executive session and will not go there as long as there is a man on this floor to object to it. I say it is before the Committee on Foreign Relations, and it is in the office of the Secretary or the executive clerk of the Senate, and it has not yet been before the Senate in executive session, except in so far as the Senator from Ohio has been pleased to discuss it himself without getting it before the Senate. I appeal to the sense of justice of the Senate if that is not correct. It should be before us in legislative session.

I was not sent here as a Senator to legislate in executive session. I was sent here to legislate in open session, and I am here now asking to be heard in open session on that which more vitally concerns the people I represent to-day than all that has emanated from the Committee on Foreign Relations during this session, and I am rebuked every time that I refer to this. I understand the rebuke, and I intend to reiterate every time that this is the treaty that the American people will want considered and discussed in open session.

The PRESIDENT *pro tempore*. The Senator will suspend. The question recurs, Will the Senate, as in Committee of the Whole, agree to the amendment reported by the select committee to the joint resolution which has been read?

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Chair understood the Senator from Maine [Mr. HALE] to suggest a further amendment.

Mr. HALE. After the word "that," at the beginning of line 3, I move to strike out "in addition to such other celebration as may hereafter be provided for;" so as to read:

That the centennial of the inauguration of the Constitution of the United States be observed by the two Houses of Congress, etc.

The amendment was agreed to.

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

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

COURTS AT MISSISSIPPI CITY.

Mr. PUGH. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 788) to provide for holding terms of the United States courts at Mississippi City, to report it favorably without amendment. I am requested to ask the unanimous consent of the Senate to have that bill considered at this time. It passed both Houses at the last session, and failed to become a law on account of its not reaching the President in time. It is a local bill which will not consume time.

Mr. HARRIS. Let the bill be read for information.

The Chief Clerk read the bill.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DOLPH. I desire to offer an amendment to the bill which I shall be ready to do in a moment. I object for that reason. I inquire of the Senator having the bill in charge if this is not the bill to which the Senate attached last year an amendment fixing the salaries of district judges?

Mr. HOAR. One of the same character.

Mr. PUGH. There is a separate bill now before the Committee on the Judiciary, on which the committee will soon act, providing for the salaries of district judges. I hope the Senator will not incur this local bill with a general provision raising the salaries of the judges. The committee has the matter before it and will dispose of it, I have no doubt, at the next meeting.

Mr. DOLPH. Mr. President—

The PRESIDENT *pro tempore*. The bill is not the subject of discussion until unanimous consent is given for its consideration. Is there objection?

Mr. DOLPH. I hope it will go over, then, for this morning.

Mr. PLUMB. I object.

Mr. PUGH. I do not ask for its consideration if there is any objection.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

HENRY H. MARMADUKE.

Mr. VEST. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 1754) for the relief of Henry H. Marmaduke, of Missouri, to report it favorably without amendment. I ask for its present consideration. It is simply to remove political disabilities.

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

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

CATTLE AND DAIRY FARMING.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the joint resolution (S. R. 22) providing for the printing of additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming, submitted an adverse report thereon; which was agreed to, and the joint resolution was postponed indefinitely.

Mr. MANDERSON. In lieu of that joint resolution, and to comply with the law, I am instructed by the Committee on Printing to report a concurrent resolution and ask for its consideration.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 7,000 additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming, 2,000 copies for the use of the Senate, 4,000 copies for the use of the House of Representatives, and 1,000 copies for the Department of State.

Mr. SAULSBURY. I do not understand exactly what the resolution is.

The PRESIDENT *pro tempore*. The resolution will be again read. The resolution was read.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

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

BILLS INTRODUCED.

Mr. STEWART. I move that the Senate proceed to the consideration of Order of Business 120.

Mr. DAWES. Is morning business through?

The PRESIDENT *pro tempore*. The Chair understands that after the hour of 1 o'clock any Senator has a right to move to proceed to the consideration of any bill, resolution, or other matter on the Calendar, but it has been customary to receive morning business so long as it is offered.

Mr. STEWART. I withdraw the motion until the morning business is completed.

Mr. DAWES. I desire to introduce a bill when that order is reached.

The PRESIDENT *pro tempore*. Are there further reports of committees? If none, that order is closed.

Mr. DAWES introduced a bill (S. 1853) providing for the adjustment of the accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title.

Mr. DAWES. Before the bill is referred I desire to call the attention of the Committee on Education and Labor to some facts in connection with the case which it is desirable should be known.

Ever since the passage of the law making eight hours a day's labor for employes of the Government there has been a very strange persistence in disregard and in evasion of that law. For some time after its passage in some Departments of the Government employes of the Government were compelled to labor for a day's work ten hours without the slightest regard to the enactment of that law, until the President of the United States, President Grant, issued a proclamation forbidding in all the various employments of the Government a further disregard of that law.

Subsequently Congress passed an act making appropriation for the payment of such employes of the Government as had been required to work ten hours for eight hours' pay. A microscopic examination of that law revealed the fact that there were gate-keepers and watchmen and a few others of that kind of employes who were not covered by it, and that therefore the Government could still exact two hours' labor each day out of that class of its employes without paying for it, and

that class of employes has been to this time without any compensation under that law.

Subsequently there was invented a form of an agreement, which I have here, which was held up as an alternative to no employment to any one who, under the demand of the Government, required employment, by which he should contract with the Government that that law should be disregarded, and that he would work ten hours a day, if he worked at all, for eight hours' pay. That has continued in some quarters until the present time.

I call the attention of the Committee on Education and Labor to this fact, in the belief that if this bill which I have introduced shall become a law this sort of disregard and evasion of a positive enactment of Congress will cease. It may be said that any one, Government official or private individual, has the right to his private opinion as to the wisdom of such a law, but no Government official, in my judgment, has the right to defy it.

Mr. TELLER. Mr. President, I did not hear the bill read and I do not know its terms, but I know there is no necessity for any further legislation on the subject. The statute now is plain and explicit, and it is a direction to executive officers which they can not escape.

I do not know whether the Senator has correctly stated the practice of the Departments during the time this has been the law. I only rose to say, for myself and those with whom I was connected in the late Administration, that he has not stated it as it then existed. When called upon to pass on that question, as I was, I readily ruled, and there could have been no ruling in any other way consistent with common sense and law, that the Departments had no discretion, and, so far as the Department over which I presided was concerned, the law was faithfully executed, and no man worked more than eight hours.

Mr. DAWES. I desire to be permitted to say that the practice to which I have alluded was not universal and is only in certain quarters, and I have never heard that the Department over which the Senator presided was ever open to that criticism. I do know, however, that at this very hour there are employes of this Government working ten hours for eight hours' pay under the agreement to which I have alluded. The bill which I have introduced proposes to have their accounts adjusted according to law. That is all it requires.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Education and Labor.

Mr. CULLOM introduced a bill (S. 1854) to increase the pensions of certain persons who have received more than one wound or injury in the military or naval service of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1855) granting a pension to Anna M. Allen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SAULSBURY introduced a bill (S. 1856) to establish a life-saving station on the Atlantic coast between Indian River Inlet, Delaware, and Ocean City, Maryland; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BECK introduced a bill (S. 1857) for the payment of the claim of Harry I. Todd, late keeper of the Kentucky penitentiary; which was read twice by its title, and referred to the Committee on Finance.

Mr. BECK. I offer a resolution to accompany the bill, for reference to the same committee:

Resolved, That the bill providing for the payment of the claim against the United States of Harry I. Todd, of Frankfort, Ky., late keeper of the penitentiary of said State, now pending in the Senate, for a refund of internal-revenue taxes collected from him for slaughtering animals to feed the convicts, and taxes collected from him as a manufacturer, and upon articles manufactured in said prison while he was the keeper thereof, be, and the same is hereby, referred to the Court of Claims, under and by virtue of the provisions of the act approved March 3, 1887, to take such action upon the same as is therein authorized by section 14 upon reference by the Senate.

Mr. BECK. I ask that the resolution be referred to the Committee on Finance with the bill.

The PRESIDENT *pro tempore*. That order will be made.

Mr. TELLER introduced a bill (S. 1858) for the relief of Anne Lucas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1859) for the relief of Felicitas Salinas and others, heirs of Miguel Salinas; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1860) to grant the Bois  Basin Bed Rock Flume Company the right of way to construct a bed-rock flume in Idaho; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLAIR introduced a bill (S. 1861) authorizing the Secretary of the Interior to issue certificates to certain persons who owned buildings on Hot Springs reservation, for the value thereof, which buildings had been condemned and afterward burned; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PADDOCK introduced a bill (S. 1862) granting a pension to Butler Presson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1863) granting a pension to John A. Belt-

zer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1864) to provide for the erection of a public building at San Diego, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WILSON, of Iowa, introduced a bill (S. 1865) granting pensions to the surviving members of the Thirty-seventh Regiment of Iowa Volunteer Infantry, and to the widows of deceased members of said regiment; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1866) for the relief of Enoch Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1867) granting a pension to Mrs. Mary L. Ristine; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1868) to prohibit the mailing of newspapers and other publications containing lottery advertisements, and prescribing a penalty for the violation of the same; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STOCKBRIDGE introduced a bill (S. 1869) to provide for the establishment and maintenance of an Indian industrial school in the State of Michigan; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DOLPH introduced a bill (S. 1870) granting certain lands in Pierce County, Washington Territory, to the city of Tacoma for the purposes of a public park; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. FARWELL introduced a bill (S. 1871) to perfect the military record of Warren C. Alden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1872) for the relief of E. W. Ridgway; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1873) increasing the rate of pension of W. A. Shappee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS (by request) introduced a bill (S. 1874) granting a pension to Mrs. E. G. C. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 1875) for the relief of L. A. Morris; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORRILL introduced a bill (S. 1876) for the purchase of a site and erection of a custom-house and post-office at St. Albans, Vt.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALDRICH introduced a bill (S. 1877) granting a pension to Harriet L. Vaughan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 1878) for the relief of Catharine Sullivan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1879) for the relief of Joseph Clancey; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1880) declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1881) to amend an act entitled "An act for the relief of the Stockbridge and Munsee tribes of Indians, in the State of Wisconsin," approved February 6, 1871; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. ALLISON introduced a bill (S. 1882) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Clinton, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1883) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Muscatine, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MCPHERSON introduced a joint resolution (S. R. 46) authorizing and directing the Secretary of War to lease to the United States Hotel Company, of New Jersey, certain land in Monmouth County, New Jersey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALDRICH introduced a joint resolution (S. R. 47) for the relief of the widow and children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DOLPH introduced a joint resolution (S. R. 48) authorizing acceptance by Dr. W. J. Hoffman of certain decorations from foreign powers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

EASTERN FRONT OF THE CAPITOL.

Mr. MORRILL submitted the following resolution; which was referred to the Committee on Public Buildings and Grounds:

Resolved, That the Committee on Public Buildings and Grounds be directed to examine into and report upon the necessity of extending the eastern front of the Capitol, the same to be constructed of marble.

CHANNEL AT ENTRANCE OF DETROIT RIVER.

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

Resolved, That the Secretary of War be directed to furnish, at the earliest time practicable, for the information of the Senate, an estimate of the expense necessary to make the present channel from Grosse Point, in Lake St. Clair, to the entrance of Detroit River, in the State of Michigan, navigable for a width of 800 feet, and with an average depth of water of 20 feet.

RENTED DISTRICT SCHOOL BUILDINGS.

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

Resolved, That the commissioners of the District of Columbia be, and they are hereby, directed to furnish the Senate with a list of all the buildings rented by the District of Columbia for public-school purposes, giving the following information concerning each: Location, name of owner, number and size of school-rooms it contains, amount of rent paid per annum, valuation of building as assessed by the District, per cent. on valuation paid for rent; also the number of pupils in each of the rented buildings at the present time.

MISSOURI RIVER NAVIGATION AT SIOUX CITY.

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

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate full information, or such information as may be attainable, respecting the present condition of the Missouri River at and in the neighborhood of Sioux City, Iowa, as will show what improvements are needed in aid of the navigation of said river at Sioux City, or in its vicinity.

INTERNATIONAL COINAGE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered on a previous day by the Senator from Kansas [Mr. PLUMB].

Mr. SAULSBURY. I move to take up Senate joint resolution No. 30. I gave notice on Thursday last that I should ask its consideration this morning for the purpose of submitting some remarks.

The PRESIDENT *pro tempore*. The Senator from Delaware moves that the Senate proceed to the consideration of the joint resolution (S. R. 30) relating to international coinage.

The motion was agreed to.

Mr. SAULSBURY. On the 20th of December the President of the United States sent to us the following message:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanied by the report of Mr. Edward Atkinson, of Massachusetts, who was specially designated by me, under the provisions of successive acts of Congress in that behalf, to visit the financial centers of Europe in order to ascertain the feasibility of establishing, by international arrangement, a fixity of ratio between the two precious metals in free coinage of both.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 20, 1887.

He also sent to us the report on that subject. In that report Mr. Atkinson says:

Under instructions from the Department of State, I have visited London and Manchester, Paris, Berlin, Brussels, and Amsterdam, together with other places as circumstances or the necessity for interviews with persons of importance in this discussion have made it expedient.

I have met and consulted many of the financial ministers, the chief officers of all the national banks in the countries named, except one, namely, that of Holland; many officers of private banks and many bankers of distinction, most of the members of the Royal Gold and Silver Commission of Great Britain, which is now engaged in the examination of the same question, and lastly, many leading economists, statisticians, and legislators.

After stating the manner in which he proceeded in discharge of the duties assigned him, he submitted, among others, the following conclusions:

1. There is no prospect of any change in the present monetary system of European states which can modify or influence the financial policy of the United States at the present time.

2. There are no indications of any change in the policy of the financial authorities of the several states visited by me which warrant any expectation that the subject of a bimetallic treaty for a common legal tender, coupled with the free coinage of silver, will be seriously considered at the present time by them.

3. There is no indication that the subject of bimetallicism has received any intelligent or serious consideration outside of a small circle in each country named, as a probable or possible remedy for the existing causes of alleged depression in trade.

On receiving the report of Mr. Atkinson I drew up the resolution on which I propose to submit a few remarks this morning. I ask that the joint resolution may be read.

The Chief Clerk read the joint resolution, as follows:

Joint resolution relating to international coinage.

Whereas unsuccessful efforts have, on several occasions, been made by the United States to secure the co-operation of European governments in establish-

ing such a fixed ratio of value between the precious metals as would permit their free coinage and circulation in the commercial countries of the world; and

Whereas the President of the United States, under authority conferred upon him by acts of Congress, recently designated Mr. Edward Atkinson, a citizen of the United States, to visit commercial centers of Europe in order to ascertain the feasibility of establishing by international arrangements a common ratio of value between gold and silver, who, after making the investigation required by his appointment, reported among other conclusions the following:

"First. There is no prospect of any change in the present monetary system of European states which can modify or influence the financial policy of the United States at the present time.

"Second. There are no indications of any change in the policy of the financial authorities of the several states visited by me which warrant any expectation that the subject of a bimetallic treaty for a common legal tender coupled with the free coinage of silver will be seriously considered at the present time by them." Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no further effort can properly be made by the United States to obtain the co-operation of European governments in establishing a common ratio of value between silver and gold as money, and the policy of the United States in the coinage of the precious metals should not be influenced by the action, present or prospective, of any foreign government or governments in reference to the relative values of gold and silver as money.

Mr. SAULSBURY. The object proposed by the introduction of this resolution is to elicit some expression on the part of Congress in reference to further effort on the part of the United States to effect an arrangement with European powers on the subject of a common ratio of value between gold and silver and their coinage for international circulation.

Many persons in this country whose opinions are entitled to consideration believe that the proper utilization of silver as one of our coins depends upon the consent of leading European governments to its use as money, and are therefore opposed to the present policy of our Government in its coinage as a legal tender in monetary affairs among our own citizens. They insist that an international arrangement with the principal governments of Europe, especially with England, France, and Germany, for the coinage of silver upon a basis agreed upon, is a condition precedent to the proper use of that metal in this country as money, except as subsidiary coin, and demand that efforts should be made and continued to bring about such an agreement as they conceive to be necessary.

There are other persons, equally numerous and respectable, who do not believe that such an arrangement as has been suggested is either possible or essential, and have no idea that any good can result from any effort in that direction. They have not, however, interposed objections to any attempt heretofore made on the part of the United States to secure the co-operation of foreign governments in an international agreement on the subject, and have been content to leave to those who favor such an undertaking the adoption of such means as they desired to test its feasibility.

Several attempts have been made within the last few years to bring about such an arrangement with European powers without any other result than to demonstrate its impracticability and the futility of further attempts in the same direction. The mission of Mr. Atkinson, brought to our attention by the letter he addressed to the President and sent to Congress for its information, seems to have been as fruitless and barren of promise for the future as those which had preceded it, and if the conclusions at which he arrived and announced to the President are correct, it would be folly to attempt further effort to form an alliance with European governments on the subject.

The known character and reputation of Mr. Atkinson compel the acceptance of his conclusions as the honest judgment he had formed of European thought on the subject of his inquiry, but it will do him no injustice to suggest that our preconceived opinions sometimes shape, imperceptibly to ourselves, the judgments we form on any question we may be called upon to investigate. A doubt might therefore be pardoned of the correctness of the judgment formed by Mr. Atkinson upon the views entertained abroad on the subject of silver coinage without reflecting upon his motives or impeaching the honesty of his opinion.

Nor can I suppose, for an instant, that the persons who have urged the appointment of the men selected to visit the commercial centers of Europe in order to ascertain the views there entertained upon the subject were actuated by a desire to secure unfavorable reports, in the hope thereby of obtaining a suspension of silver coinage in this country. I prefer to credit all concerned with a sincere purpose to secure an agreement with foreign powers for the coinage of the precious metal upon a basis which they supposed to be indispensably necessary.

The failure of every attempt which has been made by this country to obtain co-operative action on the part of European powers, and especially the failure of the late mission of Mr. Atkinson, whose conclusions have been laid before us, justifies me in saying that no further effort in that direction can be made by the United States with any hope of success, or with a proper regard to the respect we owe to ourselves.

For one, sir, I do not believe, and never have believed, that any international arrangement which would include some of the European powers, especially England, and perhaps Germany, has ever been or will be possible, at least for many years to come.

No solicitation on our part will influence their monetary policy, and if ever they return to an unrestricted use of both the precious metals as money, it will not be the result of agreement with us, but the outcome

of an urgent necessity enforced by the conditions and demands of their own people.

The connection of France with the Latin Union justifies the belief that if free to act upon her own judgment she would at least be willing to confer with the United States upon the subject of a common ratio of value between gold and silver for coin and to provide for their international circulation upon a recognized basis, if it could be done. But her proximity to Germany and England, both standing aloof and hostile to such an arrangement, deprives her of freedom of volition in the matter, and compels her to accept a condition of things which she may not desire but can not prevent.

Germany demonetized her silver at a time when she was receiving from France the gold she demanded from that country as indemnity for the expenses of the war in which the two governments had been engaged, and was for the time freed from the necessity which had before compelled her to use, without discrimination, both gold and silver as money. The present policy of Germany in limiting the use of silver money in the empire furnishes no proof that the German people are opposed to silver coin, but only that Bismarck, whose will is controlling, has decreed a single standard for that country.

England, as the leading commercial power of Europe, drawing her supplies of gold, as well as other things, from the uttermost parts of the earth, has been enabled for more than seventy years to restrict the use of silver coin in that country, and doubtless the men that control her affairs will continue her policy in that regard for some years to come. Great Britain is not a silver-producing country, but a large purchaser of silver bullion, not only for the purposes of the arts but to meet the demands for coinage for her East India and other colonial possessions, and has no desire to aid any scheme that would be likely to advance its price in the markets of the world. It may therefore be readily supposed that she will not willingly abandon her single standard of values so long as she is able to maintain it without serious prejudice to her own interests. There are doubtless many persons in both England and Germany who would be glad to see a return to bimetalism, but in neither country has public opinion the same influence upon the action of government as in this. Even here, where public opinion is far more potential and commands much greater respect, it is sometimes disregarded, at least for a time, in the interests of monopoly, corporate and associated wealth.

It was believed to be the influence of capitalists and associations or men of wealth that led to the demonetization of silver and dropping it from the coins of the country in 1873 and 1874, and we know that with some exceptions that class of men generally opposed its restoration to use in 1878. The same class of persons in England and Germany would doubtless, from the same interested motives, oppose a return to an unrestricted use of silver as money in those countries, and thwart, as far as they could do so, any international arrangement looking to that result.

It is idle, not to say foolish, for us longer to delude ourselves with the expectation that European governments will seriously consider such a proposition.

If, however, it were possible to obtain the consent of the commercial powers of Europe to such an arrangement as has been suggested, difficulties would be presented that it would be hard, if not impossible, to overcome. If the unification of the coins of the countries agreeing to the arrangement was deemed necessary, it would present at once a bar to further negotiations on the subject. Unification could only take place by a surrender on the part of each country of its present coins and the acceptance of such as should be adopted for universal circulation. We would not be willing to give up our dollar, and France would be as unwilling to part with her franc, and the same reluctance would be manifested by other countries to a surrender of their coins. Impossible as an agreement on a common coin might be found, it is equally as feasible as an adjustment of other questions which would arise, and which it is unnecessary now to suggest, because, as I before remarked, I do not believe an international arrangement on the subject now or hereafter a possibility.

Nor do I believe such an arrangement desirable, and I should regret to see the United States enter into such alliance with any European power, if there were no difficulties in the way. Whatever temporary advantage might accrue to this country therefrom would be more than offset by embarrassments arising from the partnership into which we had entered. The coinage of both gold and silver would be subject to restriction or suspension by the determination of the countries with which we had entered into league. We could not determine our own action in reference to the amount of either of the precious metals which should be struck at our mints, but, like the states of the Latin Union, would be controlled by the determination of the governments with which we had entered into an agreement. The coinage of money is not a subject for international arrangement, but the proper concern of each government for itself, and no free people can afford to surrender this right to the control of others.

The resolution now before the Senate expresses no opinion upon the present policy of this country in the coinage of either gold or silver, and is neither calculated nor designed to elicit debate upon that subject. Its only purpose, in view of the repeated rejection by European

powers of overtures on our part to confer with them on the feasibility of an international arrangement for fixing a common ratio of values between silver and gold, is to elicit some expression on the part of Congress in reference to the propriety of further attempts to obtain the co-operation of foreign governments in an extended utilization of silver as money.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

Mr. SAULSBURY. I ask the Senator from New Hampshire to allow that to be laid aside temporarily.

Mr. BLAIR. I make no objection.

The PRESIDENT *pro tempore*. The Senator from Delaware will proceed on the joint resolution introduced by him.

Mr. SAULSBURY. The failures experienced in the efforts heretofore made to secure such co-operation should satisfy us that future attempts would prove useless, even if an international arrangement was desirable or possible. The policy of this country in the coinage of the precious metals must be in the future as in the past determined by ourselves, and should not be influenced by the present or prospective action of foreign governments.

We stand in a different relation to the question of silver coinage from that occupied by any European government. Our mines produce more silver than those of all Europe combined, and nearly one-half of all that is produced in the world; and we have a greater interest in its utilization than any other country. Our separation from the Old World renders us free from many of the embarrassments experienced by European governments, not only in regard to their political policies, but also in the adjustment of many of their domestic affairs.

The only interest we have, as I conceive, in European opinion on the subject of silver coinage is the effect which that opinion may have upon the action of the governments of Europe upon their own coinage. If those countries should be induced by the force of opinion among themselves to return to the free coinage of silver it would increase the demand for the products of our mines and enhance the price of bullion in the market; but it would not add one farthing to the value of our standard silver dollar as money in transactions among ourselves. Our coins of both gold and silver as money have in our own country no greater or less value than that which is imparted to them by law. We are therefore not dependent, as some have seemed to suppose, upon the action of foreign governments either to the extent to which silver shall be used in this country as money or the ratio of value it shall bear to gold for that purpose.

I do not know to what extent the conclusions of Mr. Atkinson reflect the sentiments of the people of any European country which he visited on the question he was charged to investigate. They doubtless embody the views of those with whom he conferred upon the subject, and I will not even suggest that his estimate of public opinion on the subject of his inquiry was influenced by his own private opinion on the propriety of silver coinage in this country; but I may be allowed to say that statements have from time to time been made by others that there was a conviction in the minds of many intelligent financiers in England that that country would at no very distant day be compelled to return to the unrestricted use of both the precious metals in monetary affairs, without limitation as to the amount that should be coined of either or discrimination in their use in monetary affairs. Perhaps if some intelligent advocate of a double standard had been designated to make the inquiry with which Mr. Atkinson was charged, he might have discovered a current of thought different from that with which Mr. Atkinson was brought in contact, and submitted conclusions varying essentially from those sent to us by the President.

Whatever may be the condition of public sentiment in England or elsewhere in Europe in reference to the use of silver as money, it is high time that we had ceased all effort to obtain the assent of foreign powers to its coinage or to the functions it shall perform. Such efforts have secured no good results in the past, and it is pretty certain that they would accomplish nothing if continued.

I am not prepared to say that the anxiety heretofore manifested to secure the assent of foreign governments to an international arrangement in the matter has had the effect to retard a return to silver coinage in those countries or to lessen the value of bullion in the market; but the repeated rejection of solicitations on our part for co-operation is calculated to make the impression here and elsewhere that the continuance of our own policy in the coinage of silver depends upon the action of other powers, and as a consequence may lessen the appreciation of silver coins by our own citizens and discourage the use of silver as money in other countries.

I have called the attention of the Senate to this matter in the hope that some action may be taken by Congress that will prevent hereafter any attempt to secure an arrangement such as has been sought, and prevent the injury which may result from further unsuccessful efforts in that direction.

Mr. BECK. Mr. President, I rise now not to debate this proposition, because I know the Senator from New Hampshire desires to go on with his bill, but to ask the Senator from Delaware not to seek to refer this resolution to the Committee on Finance at present. I desire also to ask him whether there is any objection to allowing it to lie on the

table for a few days until some of us who desire to be heard may present our views on the subject to which it relates.

Mr. SAULSBURY. I am willing to agree to that.

Mr. BECK. As the Senator from Delaware agrees to allow the resolution to lie on the table for the present until I and others can be heard, I only propose now to ask the consent of the Senate to have printed, so that they may accompany the report of Mr. Atkinson to the Finance Committee, the answers given to certain questions proposed by the committee of the English Parliament of which Lord Idlesleigh was president. These responses were made by twenty-seven of the most intelligent financiers, chambers of commerce, and bank officials in that country, and were furnished to me by the American minister to England. They almost unanimously attribute the depression of trade and prices to the demonetization of silver by Germany and the United States in 1873. I desire to append the facts they state to the report of Mr. Atkinson, as he has not seen fit to notice them.

Mr. CHACE. May I interrupt the Senator a moment? I did not understand what report this is to go with.

Mr. BECK. With the report of Mr. Edward Atkinson in regard to silver.

Mr. CHACE. That report has been printed, has it not?

Mr. BECK. That report has been printed, and I desire, as he has seen fit to leave out the statements made before the committee of the English Parliament, and to confine himself to opinions and lectures of his own, to show that he had or could have had before him, and that we ought to have before us, the testimony taken before the parliamentary committee of twenty-one, which was the basis of the present royal commission of eleven, which committee, I believe, will report against the restoration of silver coinage as an equal legal tender with gold. I have no doubt that Mr. Atkinson has contributed somewhat, as Mr. Manton Marble did before, to bring about that result. Be that as it may, I want the testimony that was taken before the Idlesleigh commission printed to go along with Mr. Atkinson's report, so that the Finance Committee and the Senate can have the real views of those people as given before their own commission. If it is printed in that form it will save me from reading it at length on this floor, because it shall be placed before the Senate in some way or other, and I do not want to take the time of the Senate to read it.

Mr. CHACE. I do not rise to make any objection whatever to the proposition of the Senator from Kentucky. While I, as the Senator well knows, do not agree with the judgment of Mr. Atkinson in regard to this and many other matters, I suppose that the Senator does not intend to cast any reflection of unfairness upon that gentleman in regard to his report.

Mr. BECK. Any reflection upon Mr. Atkinson? Of course not, any more than I would cast a reflection upon the Senator from Rhode Island, because of his what I call very peculiar views on taxation and protection to American industry. Mr. Atkinson was a curious man to select and send abroad as a friend of silver coinage in the face of his well-known record, I must say.

Mr. CHACE. The Senator from Kentucky will remember that he is as much in accord with the gentleman as I am.

Mr. BECK. I would regard the Senator from Rhode Island, for example, no matter how able and honest he may be, as a very unfit man to select to determine or advise how far taxes should be reduced on cotton goods. I make no reflection upon either him or Mr. Atkinson by these statements.

Mr. CHACE. In that case I suppose the Senator would select Edward Atkinson.

Mr. ALLISON. I should like to ask the Senator from Kentucky how he proposes to have the document which he holds in his hand printed?

Mr. BECK. I only ask to have it printed as a supplement to the report of Mr. Atkinson, so that we can have it before the Committee on Finance.

Mr. ALLISON. Of course the Senator is aware that Mr. Atkinson's report is already printed.

Mr. BECK. It has been printed.

Mr. ALLISON. Would it not be wise to have this matter so printed that it can be appended in some way to that particular document?

Mr. BECK. I should like very much to have in that form if I could.

Mr. ALLISON. I should like very much to see it attached to the document of Mr. Atkinson.

Mr. STEWART. I think that would be very improper. We should have a little glimpse of both sides.

Mr. BECK. I will not ask any action upon it now. I will consult with the members of the Committee on Finance to-morrow when it meets as to the best way to get it before the Senate. The Senator from Iowa will be there. I do not want to consume time now.

HOUSE BILLS REFERRED.

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

A bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia;

A bill (H. R. 4811) for the relief of Robert Johnston, of New York; and

A bill (H. R. 5932) providing for the holding of the terms of the United States courts in the district of Minnesota.

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

A bill (H. R. 108) for the relief of John C. Weaver;

A bill (H. R. 439) for the relief of Grovenor A. Curtice;

A bill (H. R. 481) for the relief of Stephen M. Honeycutt;

A bill (H. R. 482) for the relief of Levi Jones;

A bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry;

A bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes;

A bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased; and

A bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 322) for the relief of B. M. Parish;

A bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased;

A bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.;

A bill (H. R. 4907) for the relief of John M. Higgins, sr.; and

A bill (H. R. 4908) for the relief of the heirs of A. Gates Lee and heirs of B. P. Lee, deceased.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 120) for the relief of Charlotte Caroline Hackleman;

A bill (H. R. 440) granting a pension to Mary C. Knight; and

A bill (H. R. 880) granting a pension to Mary Everingham Brown.

The following bills were severally read twice by their titles, and referred as indicated below:

The bill (H. R. 48) for the relief of Benjamin M. Simpson—to the Committee on Revolutionary Claims.

The bill (H. R. 76) for the relief of L. A. Morris—to the Committee on Indian Affairs.

The bill (H. R. 593) for the relief of James Albert Bonsack—to the Committee on Patents.

The bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, in Ohio—to the Committee on Commerce.

The bill (H. R. 4556) to confirm New Madrid location, survey No. 2889, and to provide for issue of patent therefor—to the Committee on Public Lands.

The bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter—to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 647) for the relief of Gottlob Groezinger—to the Committee on Finance.

ORDER OF BUSINESS.

Mr. PLATT. I gave notice on Thursday last that I should ask the indulgence of the Senate to-day to make some remarks upon the motion to refer the President's message. That is a matter which ordinarily ought to have come up in the morning hour. The Senator from Florida [Mr. CALL] has the floor to-day on the educational bill, and I am about to ask that Senator and also the Senator from New Hampshire [Mr. BLAIR] to favor me by allowing me to go on at this time, if it does not occasion too much inconvenience. I suppose the Senate will have to endure it sooner or later, and perhaps it might as well do so to-day as at any other time.

The PRESIDENT *pro tempore*. The Senator from Connecticut asks that the pending business, being the bill (S. 371) to aid in the establishment and temporary support of common schools, be informally laid aside to enable him to call up for consideration the motion to refer the President's message.

Mr. BLAIR. This bill has been laid aside so much for the accommodation of individual members of the Senate that I have been subjected to a great deal of unpleasant criticism, and if it would answer the Senator's purpose as well to ask that the Senate postpone this bill until the completion of his remarks, the Senate taking the responsibility of doing it, it would gratify me. I have no objection personally to the request of the Senator from Connecticut. Perhaps it is not necessary to make the formal motion I suggest, and I shall make no objection to the request if no other Senator does.

Mr. PLATT. The Senator knows that I could under the rules of the Senate make my remarks on his bill.

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

The Chief Clerk read as follows:

Resolved, That the President's annual message be referred to the Committee on Finance.

MAILING OF PUBLICATIONS.

Mr. SAWYER. I ask the Senator from Connecticut to give way for me to secure the passage of a little bill that will take but a very few moments. It is Order of Business 162.

Mr. PLATT. I have no objection to yielding for the passage of any measure which will not occasion debate, but of course I do not wish to yield for anything which will occasion debate.

Mr. SAWYER. This can not occasion any debate. The substance of the whole bill I will state. The law now is that all residents of a county may receive one copy of a newspaper published in the county through the mail free of charge. This is to allow men to get their paper mail free within the county though they may live a little outside the county line. That is all there is in the bill; I ask for its consideration.

Mr. PLATT. Reserving my right to object if it occasions debate, I give way.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent that the Senate proceed to the consideration of Order of Business 162, being Senate bill 1627.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1627) to amend section 25 of the act of March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes."

The bill proposes to amend section 25 of the act of March 3, 1879, so as to read as follows:

SEC. 25. That publications of the second class, one copy to each actual subscriber residing in the county where the same are printed, in whole or in part, and published, or to each such subscriber who, though residing in another county, may receive one copy of such publication at a post-office within the county of publication, shall go free through the mails; but the same shall not be delivered at letter-carrier offices, or distributed by carriers, unless postage is paid thereon at the rate prescribed in section 13 of this act: *Provided*, That the rate of postage on newspapers, excepting weeklies and periodicals not exceeding 2 ounces in weight, when the same are deposited in a letter-carrier office for delivery by its carriers, shall be uniform at 1 cent each; periodicals weighing more than 2 ounces shall be subject, when delivered by such carriers, to a postage of 2 cents each, and these rates shall be prepaid by stamps affixed.

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

EXTRADITION TREATY.

Mr. PLATT. Mr. President—

Mr. RIDDLEBERGER. I ask the Senator to allow me to make a brief statement.

Mr. PLATT. Does the Senator propose to take up some time?

Mr. RIDDLEBERGER. Not a minute. I have here a copy of an agreement between Prussia and Russia "concerning the reciprocal extradition of malefactors" that I have no idea the chairman of Foreign Relations will allow me to put on the record, but I think it would come in very well in connection with the printing of the document which the Senator from Kentucky [Mr. BECK] proposed awhile ago, and in presenting it I ask that it be understood that the remarks in the document are not mine.

The PRESIDENT *pro tempore*. The Chair does not understand what disposition the Senator from Virginia desires made of the document which he has sent to the desk.

Mr. RIDDLEBERGER. I am not particular about it. It comes to me in that form. I want it to go in the RECORD and go before the people. They will get it.

The PRESIDENT *pro tempore*. The Chair did not understand what disposition the Senator desired to have made of it.

Mr. RIDDLEBERGER. The disposition I propose to make of it is to get it before the Senate, and then I know where it will go.

The PRESIDENT *pro tempore*. The paper will lie on the table.

PRESIDENT'S ANNUAL MESSAGE.

The Senate proceeded to consider the resolution submitted by Mr. SHERMAN December 19, 1887, to refer the annual message of the President of the United States to the Committee on Finance.

Mr. PLATT. Mr. President, is the President of the United States a free-trader? That is the pertinent question; a question which interests not only the Nation, but every individual citizen of the Nation; a question which touches the future welfare and prosperity not only of our Nation, but of all its citizens; and I do not propose to be deterred from asking and, if I can, from answering this question, because the President suggests that "to dwell upon the theories of protection and free trade savors too much of bandying epithets." I am a protectionist, and I consider it no epithet when I am called so. If the President of the United States is a free-trader, he ought to be willing to be called so, and not consider it an epithet if that word is used to define his position.

He sent to Congress at its opening the most remarkable paper ever submitted to Congress by the chief executive officer of the Nation. He did it, I suppose, in what he thought was the discharge of his constitutional duty to communicate to Congress from time to time "information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." But no President preceding him ever omitted to give Congress full information as to the state of the Union. No other President has ignored

all questions but one. In our darkest days, in all our wars, in the war of 1812, and in our recent war of the rebellion, a President of the United States never hesitated and never failed to communicate to Congress full information relating to all the departments of government such as he thought Congress needed to receive.

We call this paper by courtesy "the President's annual message;" and I shall call it the President's annual message. In that we were told that there was an accumulation of money in the Treasury, that the laws raised more money annually than the Treasury under law could expend annually, and that this condition of things must be remedied in one way, and one way only—that was the practical, substantial recommendation of the message—and that method was by reducing the duties upon manufactured goods, passing by every other method. Some of the other methods he directly intimated were improper methods of reduction, and others he indirectly intimated were improper methods of reduction. Passing by all other methods, he insists that the reduction shall be made by reducing our tariff duties upon manufactured goods; in other words, that there is no reduction of this surplus in the Treasury and no reduction of the yearly annual surplus under our taxation which meets his approval, and I think I may say which will meet his approval, unless that method strikes down the protective system of the United States. That is the President's message.

It was hailed with acclamations of joy by every free-trader in whatever land he resided; and I want to say right here that free-traders know each other. They never make any mistake; there is some bond of union and sympathy between them so that they know each other on sight, and know each other when they speak, either to one another or to the people. They require no freemason's grip and sign in order to recognize each other. They never make a mistake in that respect. Wherever there was a free-trader upon the broad globe this message was hailed with acclamations of joy. The Senator from Maine [Mr. FRYE] a few days ago quoted from the English free-trade journals the most fulsome commendations of President Cleveland and his utterance. It was accepted at first by the whole Democratic party of the land, and its papers in this country rang with commendations of the President because he had forced this issue of free trade to the front and made it the issue of the next Presidential campaign.

I think no man will dispute me when I say that perhaps there is no more distinguished representative of free trade in this country than Mr. Frank Hurd, of Ohio. Let us see how he regarded the message, for as I do not wish to duplicate the extracts from English journals I will confine myself to some extracts from the utterances of leading free-traders in America. Mr. Hurd, in an interview, which was first published, I believe, in the Chicago Tribune, in relation to an appeal that had been made to him by the Cobden Club for a contribution, to which he responded by giving \$50, had his attention called to the message, and he was asked whether the Cobden Club would take any part in the coming campaign, and he said:

We have no need of allies since the President sent his message to Congress. I shall never be able to describe the joy with which I read that message. I was in New York. I was standing at the corner of Wall street and Broadway. I took the paper mechanically from a newsboy, expecting nothing but a repetition of former messages. When my eyes fell on the pages I grew suddenly intent. The great crowd swept by me, but I did not see it. People jostled me, but I did not feel them. All I felt was that the issue of free trade was now decisively brought before the American people, and that its cause was more than half won.

The interviewer then said, "How do you suppose the President arrived at his present views?" and Mr. Hurd replied:

He came to Washington predisposed to free trade. There he met CARLISLE; he met MORRISON; he was in daily intercourse with the opponents of protection. He saw his duty clearly ahead of him, and when duty beckons to President Cleveland no power on earth can turn him aside from it.

He was then asked:

Do you feel certain that he has raised the issue of the coming campaign? Absolutely certain. Congress will do nothing about the matter.

And eight weeks having passed since that message was sent to us and not a whisper having been heard from any friend of the President in Congress looking to doing anything, I assume that Mr. Hurd was right.

Congress will do nothing about the matter. We shall enter into the Presidential contest with the issue precisely as it stands to-day. And when the Presidential contest is ended the issue will be definitely ended.

Perhaps the next most conspicuous representative of free-trade sentiment in the country outside of Congress may be said to be Mr. Henry Watterson. He spoke only so lately as January 21, in New York, and the toast to which he spoke was, "The platform and the outlook." He said:

The platform is the message—the President's message. The outlook is most encouraging. Considering how the painted harlot of protection is whistling to keep her courage up as she stalks across the graveyard of false vows and broken promises she has made mainly to the work-people, I should call it assured.

For more than a year my fear has been that we might not be able in advance of our national convention to close ranks and move in a solid column against the enemy on distinct lines of our own deliberate choosing—

And anybody knows what the lines of Mr. Watterson's choosing are—and as I believe that nothing clears the political atmosphere like plain speaking right out in meeting, I have given the Administration and the country the best the shop has afforded in the way of a disagreeable persistency and the sincerest candor. It was obvious to my mind that unless we could agree in Congress we should not agree in convention. The tariff plank in the last national Demo-

cratic platform was not intended to be a straddle, because although the platform committee had been adroitly packed in the interest of protection, the revenue reformers were still strong enough to hold their ground and to carry all their points. But it was made to seem a straddle. Hence nothing short of a declaration which might not bear two constructions would satisfy the demands of reform in the next national platform, and any one could see that this could not be obtained without a fight and possibly a split. Just in nick of time the President came to the rescue with the wisdom of an impetuous courage and the craft of a common sense deriving its strength from its integrity. This brave and honest man, this puzzle to the politicians and contradiction of all experience, with a single stroke of his pen, did what might for years have baffled the efforts of the greatest statesmen and philosophers. By that act he has reversed the situation from one of cowardly indecision to one of enthusiasm and confidence. He has forced the enemy back behind his earthworks and warned stragglers to come into camp. Upon the lines of that message I would rather be beaten than win upon those of a lying substitute.

I think I make no mistake when I call our late minister to London a free-trader. In the days of the holiday season, when everybody was full of peace and good-will, the tariff reformers, as they call themselves, the tariff anarchists, as I call them, because they have no conception of reform except through the methods of destruction—the tariff anarchists held a banquet in Boston at which Mr. James Russell Lowell presided, and after the cloth had been removed, at that period of the banquet when people are very apt to express their real and true sentiments, he made use of this language:

Personally I confess that I feel myself strongly attached to Mr. Cleveland as the best representative of the higher type of Americanism that we have seen since Lincoln was snatched from us.

I do not know whether Mr. Lowell intended to include in his comparison all representative Americans, all the men of America outside of the Presidential office. If he did, there are names which rise at once to the lips, which might be spoken, which all the people would hail as great, noble representatives of true Americanism.

But I will assume that he intended to confine his comparisons to the ranks of Presidents. He has held office under three of them, and it seems to me that fidelity and loyalty to his chiefs at least ought to have prompted the remembrance of them. There were two of those Presidents whom it seems to me no man whose ears have not been stopped and whose eyes have not been blinded by free trade could have overlooked.

One there was who led the embattled hosts of the Union to victory over rebellion, a rebellion the most causeless and the most detestable which this world has ever seen. He laid down his sword with the simple words, now immortal, "Let us have peace," and twice the people, the plain people of this land, who have not been dazzled by the splendors of foreign courts and whose heads have not been turned by the flattery of foreign aristocracy, raised him to the highest place in the gift of the people. At the end of the discharge of that trust he laid down his Presidential honors as simply as he laid down his sword, and then the whole world rose and competed to do him honor. Later, when he was struck by the dart of the Destroyer, how an anxious, waiting people stood with bated breath that they might hear the tidings from Mount McGregor; and at last, when he who on earth knew no surrender was forced to unconditional surrender, and that mournful, mighty funeral procession moved up Broadway to Riverside, every American citizen stood with uncovered head, feeling that we had lost the greatest and noblest type of true Americanism that there was in the land.

Another there was, Mr. President, born in humblest life, battling with and conquering adverse fortune at every turn, lifted by these same plain people to the highest office in his district, his State, and in the Nation. He was recognized as a true, noble type of the highest Americanism, with a heart full of sympathy for the common people, one that beat responsive and quick to the popular will. He stood forth by general consent the man who well represented the people. Stricken down by an assassin; how we all mourned! And as at Elberon the sad sea waves moaned his requiem, every American citizen felt that we must lay again in the "soil" of which Mr. Lowell speaks one of the noblest types of true Americanism.

But Grant and Garfield are dead. In the temple of fame which America raises to her best beloved and her greatest, they are to have no position; or if any position at all is to be accorded to them by this English-loving free-trader, it is to be subordinate to Cleveland. Grant and Garfield are dead, but they were not free-traders, and in the opinion of the ex-minister to the English court their luster is eclipsed by the sudden brilliancy of Grover Cleveland.

Mr. President, I think there will be no question made but that Henry George is a free-trader, the only person in the land, so far as I know, who uses the term "free trade" in its most radical and absolute sense. He not only believes that all custom-houses should be abolished, of course including the abolition of all taxes upon imports, but that all taxes should be abolished except those which he calls taxes upon ostentation and upon land values, and he says that that is the only logical tendency and consequence of free trade. He thinks the President's message was a free-trade message. Only so short a time ago as Saturday evening, in an interview, published in this city, he is represented as writing a telegram when he was found by the interviewer, and he said:

"I think Mr. Cleveland's last message strengthened him," he said to a Star reporter. Then he handed his dispatch to the operator and resumed: "If the Democrats fight on the plain issue of free trade, and make it strong, I think they will win. But they must go into it boldly. It won't do to be 'man afraid of his horse.' If Mr. Cleveland sticks to his message he will be elected."

He turned to translate his dispatch to the operator, and then added: "They must make the issue free trade."
"You look upon the President's message as a free-trade document?" suggested the Star.
"Certainly," was the reply. "Don't you? If they stand by that it will be all right."

Not only Democrats but Republicans took it in that sense. They accepted it; they welcomed the contest; they have been looking for it—a contest which was to come, as the Senator from West Virginia [Mr. KENNA] said, with "closed ranks," in which the Republicans should represent the system and principle of protection, and in which the Democrats should boldly avow the sentiment which nine-tenths of them profess—free trade. We thought that for once we were going to have a fair fight, in which there was to be no evasion; which was not to be made to serve two purposes; which was in no sense to resemble that god of ancient mythology, Janus; that we were not to have a Janus-faced party to contend with any longer; that we were not to have a campaign in which the Democratic party looking south was to wear a free-trade face, and looking north to New York and New Jersey and Connecticut was to wear a protection face; and we welcomed that contest, and whenever we can have it I welcome it as a member of the Republican party, and if we fail in it we will go down, and I know that when we fail on that issue we shall go down in the common disaster and disgrace of our country.

Democrats and Republicans looked upon this message as they thought they had a right to look upon it—as the ante-convention acceptance of a nomination for a second term "wring" from a reluctant party; at least that appeared then to be as good as wrung from a reluctant party.

But eight weeks have passed, and this universal exultation seems to be somewhat tempered by sadness. The few protection Democrats, after the first gush of admiration for the President, began to realize that something had hit them. They did not know exactly what it was. They were in the condition of the man who is hit by some unseen blow—a sort of dazed condition for a while, and then it occurred to them suddenly that there was a Presidential election approaching in New York, and in New Jersey, and in Connecticut, and it would never do to have it understood in those States that the President was a free-trader. And so the old game was set on foot again.

Free-traders know each other, as I have remarked. There was no doubt as to how this message would be understood and what the President would be understood to be in the Southern and Western States; but it was seen to be necessary again to convince the Democratic protectionists of New York, New Jersey, and Connecticut that, after all, the President's message was not a free-trade message, but a pretty good protection document. So up went the waterpots onto each shoulder, and the Democratic party evidently is to essay again the feat of carrying water upon both shoulders without spilling a drop. The message is to be made a "straddle" notwithstanding Mr. Henry Watterson.

The present incumbent of the Presidential chair could never have been elected if he had written that message previous to the last Presidential election. He can not be elected now, unless it can be explained away to the Democrats in Connecticut and New York and New Jersey, who believe and know that the best interests of this country are to be subserved by a continuance of its protective policy. The past and present attitude of the Democratic party upon this subject reminds me of nothing so much in the world as the relatives and acquaintances of a person in Bunyan's Pilgrim's Progress, Mr. By-ends, of the town of Fair-speech. When Christian and Hopeful had escaped the persecutions of the town of Vanity Fair, where Faithful lost his life, they met on the way this Mr. By-ends, and Christian soon discovered who he was, and proceeded to interrogate him. He asked him who his kindred were. Mr. By-ends replied:

Almost the whole town, and in particular my Lord Turn-about, my Lord Time-server, my Lord Fair-speech, from whose ancestors that town first took its name; also Mr. Smoothman, Mr. Facing-both-ways, Mr. Anything, and the parson of our parish, Mr. Two-tongues, was my mother's own brother by my father's side; and to tell you the truth I am become a gentleman of good quality. Yet my grandfather was but a waterman, looking one way and rowing another, and I got most of my estate by the same occupation.

Then, after a little, he said, referring to his wife:

My wife is a very virtuous woman—the daughter of a very virtuous woman. She was my Lady Feigning's daughter; therefore, she came of a very honorable family, and is arrived to such a pitch of breeding that she knows how to carry it to all—even to prince and peasant.

Nothing could more accurately describe the Democratic party in past campaigns and the Democratic party as I am convinced it is to be in the coming campaign, than this extract from Pilgrim's Progress. Tammany Hall, indeed, was so disturbed lest somebody should suspect that the President was a free-trader, that its cohorts gravely resolved in convention that—

We believe that free trade is a myth as long as the Government expenditures require the raising of a revenue, and we believe that such revenue should be raised by such a tariff as will protect American industry and insure the highest wages and make the necessities of life as cheap as possible for the workingman.

The Senator from Indiana [Mr. VOORHEES] waxes indignant. He says that the President's message "is falsely and foolishly stigmatized as a free-trade document," and the Senator from West Virginia [Mr. KENNA]

quotes the sop which the President flung to the laboring man, and says:

So we see that the cry of the demagogue the country over that the President and his policy are aiming at the lessening of a just reward of the labor of the country is as indecent as it is false.

These Senators are moved to the use of pretty expressive language, to say the least. It strikes me that there may be a shiver of apprehension in the minds of both of them, which accounts for this strong language; but the Senator from North Carolina [Mr. VANCE], shivering lest the internal-revenue taxes should not be abolished, comes to the relief of the President, and he suggests a plan, novel upon that side, yet full of truth and significance. He would repeal the internal-revenue taxes that he might reach free trade through the reduction of revenue duties, knowing that any lowering of tariff duties must inevitably raise the revenue—at least any lowering of such duties to the extent of destroying their protective character. He would reduce taxation by the repeal of internal-revenue taxes below the actual needs of Government, and then to meet the deficiency would increase our income by the reduction of tariff duties.

We have seen what free-traders thought of the message, what protectionists thought of the message. Now let us judge it by the record.

What is free trade? There is but one answer. Nowhere where the English language is spoken has the term "free trade," as used in reference to the operations of government, as used in reference to taxation, any other significance than that of anti-protection. These two great systems stand with their policies clearly defined and marked out. On the one side is protection, on the other side is free trade. Has it any other meaning in that land from which so many of the arguments come for free trade? Has it any other meaning in the land of the Cobden Club? Not at all. Everybody knows that the English system is the free-trade system and that the American system is the protective system. These words are simply the opposites of each other, and that system which does not recognize protection is universally called and rightly called the free-trade system.

Let us look at the English system for a minute. But before I come to that, perhaps I should quote the definition of a distinguished free-trader as to what free trade is. I quote from Professor Sumner in his recent work on Protectionism, and I will ask the Secretary to read what I have marked.

The Secretary read as follows:

What, then, is a protective tax? In order to join issue as directly as possible I will quote the definition given by a leading protectionist journal of both free trade and protection:

"The term 'free trade,' although much discussed, is seldom rightly defined. It does not mean the abolition of custom-houses, nor does it mean the substitution of direct for indirect taxation, as a few American disciples of the school have supposed. It means such an adjustment of taxes on imports as will cause no diversion of capital, from any channel into which it would otherwise flow, into any channel opened or favored by the legislation which enacts the customs. A country may collect its entire revenue by duties on imports, and yet be an entirely free-trade country, so long as it does not lay those duties in such a way as to lead any one to undertake any employment or make any investment he would avoid in the absence of such duties. Thus, the customs duties levied by England, with a very few exceptions, are not inconsistent with her profession of being a country which believes in free trade. They either are duties on articles not produced in England or they are exactly equivalent to the excise duties levied on the same articles if made at home. They do not lead any one to put his money into the home production of an article, because they do not discriminate in favor of the home producer.

"A protective duty, on the other hand, has for its object to effect the diversion of a part of the capital and labor of the people out of the channels in which it would run otherwise into channels favored or created by law."

I know of no definitions of these two things which have ever been made by anybody which are more correct than these. I accept them and join issue on them.

Mr. PLATT. What is the English free-trade system? Let me quote from Consul Dockery in his report from Leeds, September 1, 1881. He says:

Comparatively to population more revenue is annually collected at English custom-houses than at those of any other country in the world, excepting the United States, the total amount during the past year having reached \$96,000,000, while the United States, with nearly twice as large a population, collected \$186,000,000 in the same period. Germany, with a much larger population than England, collected from customs \$78,000,000.

The chief items of receipt under the head of customs duties during the past year were from—

Chicory.....	\$360,000
Cocoa.....	230,000
Coffee.....	1,025,000
Currants.....	1,380,000
Figs.....	130,000
Raisins.....	775,000
Rum.....	11,510,000
Brandy.....	7,935,000
Tea.....	18,500,000
Tobacco and snuff.....	43,000,000
Wine.....	7,000,000

The following is a list of dutiable articles, namely: Alcohol, ale, beer, brandy, playing-cards, chicory, chloroform, chloral hydrate, cigars and cigarettes, cocoa, coffee, colloidion, cologne-water, cordials, currants, essence of spruce, ether, iodide of ethyl, figs, fig-cake, preserved fruit (in spirits), naphtha, pickles, gold and silver plate, plums and prunes, raisins, soap, tea, gin, rum, whisky, all other spirits, wine, and varnish; and besides these there are about ninety or one hundred articles, chiefly from America, and principally patent medicines, which are held to be liable to a duty of \$3.35 per gallon.

There are in Great Britain and Ireland no less than thirty-three customs districts, each with a collector or superintendent and subordinates. In London alone the number of customs officers exceeds 1,550, while in Liverpool about 650 are employed, aggregating for the two ports 2,220 officials. These facts and figures do not look well as regards the much vaunted idea of a free and untrammelled trade.

Again he says:

They—

Meaning Englishmen—

affect great repugnance to any country that has a tariff of 50 or 100 per cent. ad valorem on any article. In their own country on one article a duty of nearly 2,000 per cent. is charged and collected; this article yields them their largest item of customs revenue, and it comes chiefly from the United States. Tobacco is the article. It is classed in their own tariff list as an article subject to "ordinary import duty," in contradistinction to a "countervailing duty," such, for instance, as the customs duty on spirits and everything else subject to internal-revenue duty. On tobacco (which is in very general use by the laboring classes in England, and which is consequently of the cheapest kind) the duty ranges, according to moisture, from 84 to 92 cents per pound for the raw or unmanufactured article, and if manufactured it pays a duty of from \$1.04 to \$1.16 per pound. This is called (in England) a revenue duty. I can not see it in that light, as the manipulated article is distinctly charged, say, 20 cents per pound more than the raw article. As a matter of fact, it is so strongly protective that it prevents Americans from successfully competing with the English manufacturers in England, owing to their being handicapped with an additional 20 cents per pound on the manufactured article.

This is an enormous protection. A great part of the tobacco consumed in England is of an inferior quality, its original cost at the American shipping port having been not more than 6 cents per pound. It pays, if not manipulated, say a 92-cent revenue duty on entering England, and if made into smoking or plug tobacco it pays \$1.16, or an additional 24 cents per pound duty. Here we have a revenue duty of, say, 1,530 per cent., and a further strictly protective duty of 400 per cent., making in all a duty of 1,930 per cent.

Cigars pay a duty of \$1.32 per pound. I do not give undue prominence to this one article, since it is one from which the large amount of \$43,000,000 of duty was collected last year.

I will refer to one portion of the English tariff in detail, and that is the tariff upon tobacco, on which they lay a duty of about 1,500 per cent. as a revenue duty and about 400 per cent. as a protective duty, making about 1,900 per cent. in all. I take this from the English tariff, as reported by Consul-General Waller very recently:

Tobacco:	
Unmanufactured, per pound.....	\$0.95
Containing less than 10 per cent. of moisture, per pound.....	.93
Cigars, per pound.....	1.34
"Cavendish" or "Negro-head," per pound.....	1.17
Same, manufactured in bond, per pound.....	1.05
Snuff, per pound.....	.99
Snuff, not more than 13 pounds (in 100 pounds) moisture, per pound.....	1.17
Other, manufactured, per pound.....	1.05

So it will be seen that England, with all its free-trade pretensions, does not hesitate to lay a protective tax, a duty to protect its manufactures, upon some of its imports. With these exceptions, however, the English system consists of the imposition of purely revenue duties, and nobody will deny that the system in England, which is called free trade there, is what the Democratic party of this country means to adopt. England, with its thirty-three customs districts, is still acknowledged to be a free-trade country.

Do not juggle with words any longer. Do not go to the people of the United States and say to them the Democratic party is not a free-trade party because it does not intend to abolish the custom-houses, because it intends to keep up a revenue tax, but just let us have this issue boldly made, Does or does not the Democratic party propose to take off the protective feature from our import duties? If so, I contend, and the whole world bears me out in the definition, that it is for free trade.

So, then, I come to this question, Does the President of the United States, as judged by his message, intend the destruction of the protective system? The honest and bold and avowed free-traders, who are not ashamed to be called free-traders, as I have shown, think that he does. He certainly argues their case for them. I call Senators to witness that no free-trader in this country or England would more boldly argue in book or pamphlet or in newspaper, or on platform would more boldly speak than the President has in his message. Listen to these words:

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended.

Is that aimed at irregularities in the system, or is it aimed at the system itself? Does that mean that if there are inequalities in the system, if one article has too high a rate of duty and another too low, if the different interests of the country are not fairly treated, revision and amendment should be made, or does it mean that the whole system which he denounces as vicious, illogical, and unjust shall be done away with? Let me read the rest of that paragraph:

These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people who never use and never saw any of the foreign products purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction—

I should think not—

but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

Mr. President, is that the language of a protectionist or of a free-trader? There is not a free-trade club in the United States or in England where that would not be adopted and accepted as the language of a free-trader. As I said, it is not aimed at irregularities, it is not aimed at inequalities, but it is aimed at what the President assumes to be the protective tax, and it is that which is to be stricken down.

Will some Democrat who insists that the President is a protectionist rise to explain this language? Nay, more; there are 37 Democrats sitting on that side of the Chamber. Will any one of them rise in his place and say the President of the United States is in his judgment a protectionist? They dare not go to the country on any such issue. They are like the animal that is between the two bundles of hay.

I wish to look a little more particularly and carefully at what the fundamental propositions of the free-traders are, and see whether the President stands with them or whether he stands with the protectionists. The first fundamental proposition of the free-trader may be stated thus: "The price of the home-made article is enhanced approximately by the amount of the duty on the foreign-made article, and such enhancement is a tax which the consumer pays to the home manufacturer." I have stated that proposition in almost identically the language which I have read from the President's message, and it will be recognized as the fundamental proposition of even *doctrinaire* free-traders, professors of free trade and of political economy in our colleges. Perhaps it was stated a little more strongly by the Senator from Maryland [Mr. WILSON] the other day in some remarks upon the educational bill.

The Senator from Maryland said:

The best-informed statisticians declare, and I fully believe, that, so far as it is raised from duties on imports, for every dollar that goes into the Treasury at least three will go into the pockets of the manufacturers; so that if \$200,000,000 are collected upon importations under the tariff, some \$600,000,000 at least will annually go into the hands of this favored class. This becomes apparent when you remember that our last census reports, with a moderate allowance for the increment since 1880, show the annual value of our home manufactures to be \$6,000,000,000, and that if we put at only 10 per cent. the average increase of the cost of these home products caused by our war tariff it will make the people of this country pay to the producers of these manufactures at least \$600,000,000 per annum, which is just three times as much as goes into the people's Treasury.

Mr. FRYE. Who said that?

Mr. PLATT. That was said by the Senator from Maryland [Mr. WILSON] in his speech upon the educational bill the other day. I speak of it merely for the purpose of showing what the free-traders' proposition is, and although it is not stated perhaps so boldly in the President's message, that is the tone of the extract which I have read from his message.

If the manufacturers of this country could be assured that they were making 10 per cent. profit upon the value of their goods manufactured, I do not think they would care very much what Congress did about the tariff or anything else. It is not true, Mr. President. The truth is that 5 per cent., or 3 per cent., or 2½ per cent., or 2 per cent. average profit upon the goods produced in this country by manufacturers would be a satisfactory profit to the manufacturers, if they could be assured of it.

Upon this proposition of the free-trader where does the President stand? Let me repeat, at the risk of wearying the Senate, what the President says:

So it happens that while comparatively a few use the imported articles, millions of our people, who never use and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles.

I wish the rules permitted me to italicise those words in the RECORD, but they do not:

Those who buy imports pay the duty charged thereon into the public treasury—

Just what the Senator from Maryland [Mr. WILSON] said—

but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer.

Then on page 8 he speaks of our system as "a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers."

Mr. President, the protectionist denies this doctrine of the free-trader and the President alike. The protectionist insists that whenever a duty is laid which protects the American manufacturer, competition among home producers always has and always will bring down the price of the domestic article "approximately, at least," to use the President's language, to the price of the foreign article on which duty is laid, less the duty. The President ought to have known this, as it seems to me. Did he or his "better-half" ever buy calico? If he did he must know that while the tax, as he calls it, the duty, as the protectionist calls it, is 6 cents per square yard upon calico, he can buy the American article for less than that at retail stores here in the city of Washington.

Has he ever heard of the manufacture of steel rails in this country and the price of steel rails here and abroad? Does he know that the tariff upon steel rails is \$17 a ton, and that they have been sold in this country as low as \$28.50, and that if you deduct the tariff duty of \$17 from \$28.50 the price would be \$11.50 a ton, when steel rails can not be bought abroad for less than double that money? The statement

is not true with regard to any single home-made article which has been so protected by tariff duties that has been manufactured here to any considerable extent, unless it be the single article of sugar as was suggested by the Senator from Maine [Mr. FRYE] the other day. Woolen clothing which seems so much to trouble the Senator from North Carolina [Mr. VANCE], he repeats over and over again to the Senate, bears a tax of about 80 per cent. Notwithstanding that duty, woolen clothing can be bought in this country, style, quality, and durability considered, as cheaply as it can be bought in London. Even in the case of blankets—which seem to be the bugbear and nightmare of the free-trader—all medium-quality blankets can be bought in this country, notwithstanding the onerous duty which it is said we lay upon the foreign article, as cheaply as anywhere in the world. So with regard to cotton clothing.

I like to have a free-trade witness once in awhile. Here is Consul Schoenhof, consul at Tunstall, who was sent abroad with a roving commission to see if he could not undo what some of our consuls had been doing to enlighten the people of this country as to the cheapness of the necessities of life here as compared to their cheapness abroad, and as to the wages paid in this country as compared to the wages paid abroad. This in one of his recent reports. I quote it from a newspaper article, but I have verified it so that I know the quotation is correct. Writing from Tunstall, he says:

So far as clothing and dry goods in general are concerned, I find cotton goods fully as cheap in the United States as here.

If you will not take the testimony of protectionists, if you will not take the testimony of the Senator from Maine, who speaks of what he has seen, and speaks from personal observation, I beg you to take the testimony of this free-trade consul:

I find cotton goods fully as cheap in the United States as here. Shirtings and sheetings, if anything, are superior in quality for the same price. Articles of underwear for women are superior in workmanship and cheaper in price in the United States. Nor are men's shirts, when chiefly of cotton, any cheaper here. Of boots and shoes, factory-made, the same may be said. Articles made to order are cheaper in England, owing to the lower prices of hand labor, but the difference in prices of ready-made things is not so marked. In workmanship and finish I find the corresponding articles of wholesale manufacture superior in the United States. This is true of clothing, as well as collars, cuffs, and like articles.

There is a standing challenge in the office of a protection newspaper in the city of New York (with the samples ready to be shown to any free-trader) to show that clothing in this country is not as cheap as it is in England. The truth is that everybody, except the dude and millionaire, can be clothed cheaper in this country than in England, and in woolen clothing, too; and I apprehend that we are not very anxious to reduce the tariff duties for the purpose of benefiting the dude and the millionaire.

Take another article which has just occurred to me. Before the tariff of 1861 there was no duty on saws by name, and all the saws used in this country were imported. To-day under a duty of 8 cents per linear foot upon crosscut-saws and 45 per cent. ad valorem upon hand-saws, buck-saws, etc.—the saw-makers of the United States hold all the saw market of the United States and export towards a million dollars' worth of saws at the same time. They must be as cheap here as in the foreign free-trade country or they could not be exported.

Now, take the second proposition of the free-trader. The next most favorite proposition of the free-trader is this: He asserts, and it is mere assertion, that the workingman is compelled under the protective system to pay so much more than he otherwise would for the necessities of life that the higher wages he obtains under the protective system are thus offset, and so free trade would be equally good for the workingman. American wages are the free-traders' stumbling-block. The demand of labor in this country compels his attention, if it does not his respect; and therefore it is industriously sought to be indoctrinated into the mind of the laboring man that although wages are higher in this country than they are in any of the countries of Europe, or anywhere else in the civilized world, yet really things cost so much more here that it is not of much advantage to the laboring man to have the higher wages in this country. I have partially alluded to this in what I have been saying upon the first proposition, but I want to see where the President stands on this. I take an extract from his recent message, on page 9:

Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives—

Now listen to this remarkable passage—

He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits the hard-earned compensation of many days of toil.

I wish the President had told us what that article was, of family use, and the worker's own manufacture, which, as he went from his shop, where he had received his wages, compelled him to pay, in addition to what he would pay under free trade, "many days' wages." Mr. President, if anybody but the President of the United States had made a statement of that sort, I should apply a word and a term characteristic of it which it is not proper for me to do in regard to him.

He makes the same argument with regard to the wool grower or the wool producer.

Above all, when it must be conceded that the increase of the cost of living caused by such tariff, becomes a burden upon those with moderate means and the poor, the employed and unemployed, the sick and well, and the young and old, and that it constitutes a tax which, with relentless grasp, is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested why the removal or reduction of this duty should be included in a revision of our tariff laws.

The only trouble about this reasoning is that it is not founded on fact. I assert once more in my place in the Senate that there is no one article of domestic production which is manufactured to any considerable extent in this country in which the price is approximately the same as the foreign article with the duty added.

But I am reading these passages from the President's message to show that he stands with the free-traders. These arguments of the President come down at last to the proposition that the laborer here is no better off than elsewhere. It is the favorite argument of the free-trader, and although you may six days in the week refute that argument in the newspapers, upon the platform, wherever you meet laboring men, it will be reiterated again and again by the free-trader.

Mr. President, the laborer of this country is better off than he ever was before. With wages higher on the average, with the price of living lower on the average, he is in this respect immensely better off than anywhere else in the whole world. The wage-earners in this country own more property than all the other wage-earners of the world put together. Nay, more, I think I would not overstate the matter if I made it stronger. I see my friend, the Senator from Rhode Island [Mr. ALDRICH], sitting by me. The wage-earners in Connecticut and Rhode Island own more property than the wage-earners of the whole world outside of the United States. This effort to make the laboring man believe that he could live as well and as cheaply here under a system of free trade as he lives now under a system of protection is not worthy of even a free-trader, in view of all the statistics and the refutations which have been made.

I wish to read a word from the last Consular Report. I should like to incorporate in my remarks all that the Senator from Maine [Mr. FRYE] said the other day from personal observation, but that is protection authority, and this is the way the free-trader, in appealing to the laboring man, answers it. "Oh," he says, "the Senator from Maine is a protectionist; you can not believe what he says." Now I want to see what free-traders say. I take this same Consul Schoenhof, because he is an avowed free-trader. Writing from Ireland, in the very last number of the Consular Reports, No. 86, November, 1887, on page 307, he says:

It is useless for me to dwell much on the linen industry of Ulster. It is well known that in Ulster they are foremost in this branch in the whole world. Still I find that the earnings of the people employed in the linen mills in Ulster are far below those of any class employed in the textile branches in England. Mill regulations and working of time of course are the same for the whole Kingdom. Flax-breakers, men who have to do very exhausting work, earn from 8s. to 20s. per week; hacklers, from 18s. to 23s.; spinners and girls, from 8s. to 10s.; half-timers, boys 5s. and girls 4s.; and weavers, mostly women tending 2 looms, from 12s. to 15s. By others I was told that the earnings were only, for weavers, 8s. to 10s., and up to 15s. only for the finer goods.

A shilling is 25 cents. At 10 shillings they have \$2.50 a week, or practically that. Then he comes to the woolen mills of Ireland, and says:

The wages I have noted down are: For men, from 12s. to 14s., 14s. being about the limit of the best men.

Three dollars and a half per week for the best men in the woolen mills of Ireland!

Spinner girls, 8s. to 10s.; children, 5s. to 6s.; and weavers earn from 10s. to 12s. The mill—

And I commend this to free-traders—

The mill, employing about 750 hands, pays out about £400 per week in wages. This includes overseers, etc., which is a trifle over 10s. per head.

There might be some occasion to attack the manufacturers of the country if they were paying these wages in the United States. But I go along a little further. I want to come to their method of living. He found a man who was a hand-loom weaver, and he says:

He was a cheery old fellow; in fact, like most of the poor people of Ireland whom I met. In his younger years he was a bricklayer in England; now he has returned to Ireland, and is well satisfied if he can ply his old trade and earn enough to keep him in bodily repair. Work, however, only lasts for him from summer until after Christmas, and very little work can be found for the first six months of the year, which is the case with all hand-loom weavers. Most of them, however, as said above, have a little land to keep them supplied with the merest necessities for these dull months in the weaving trade, and don't entirely depend on their looms for a living, as this old man does. I asked about his diet, and he gave me a piece of bread made of yellow meal, which I have been shown by nearly all the poor people and small farmers whom I visited.

Then he quotes from him:

"As to tea, coffee, or beer, and meat [he said], we know nothing at all of that. Cold water is what we drink and yellow meal we eat. If I have 2 ounces of tobacco a week I am very happy."

He pays no rent, as his neighbors, also very poor people, gave him the little shed which he occupies free of charge.

I must not detain the Senate to read longer these interesting extracts, but I wish especially to call attention to the report of Consul Neuer, at Gera, in Germany.

Mr. FRYE. Is that a Democratic appointee?

Mr. PLATT. There are no consular agents I know of now who are not Democrats, so I assume that he is a Democratic appointee. Gera is a very large manufacturing center in Germany. Consul Neuer says:

Though the city of Gera has only 35,000 inhabitants, it is one of the most prominent manufacturing places in Germany. Of its industries, the manufacture of worsted goods stands in the front rank, embracing about thirty factories, some employing as many as 1,000 steam looms.

There is here our worsted goods come from.

Besides, it contains 5 dyeing and finishing establishments, 3 worsted-yarn spinning mills, 7 carpet factories, 4 tobacco mills, 7 accordion factories, 5 iron foundries and engine works, 3 horse-hair-spinning mills, 4 piano factories, 31 tanneries, aside from a considerable number of manufacturing establishments of smaller importance.

It may fairly be taken, then, to be a representative manufacturing center. Then he says:

Under these circumstances it is extremely difficult for the workingman to make both ends meet, and there is no question that the position of the American workman is eminently superior in all that pertains to the happiness and well-being of himself and family and in his ability to save for the future.

I like to get this kind of testimony once in a while from Democratic sources, which as I understand the term is synonymous with free-trade sources.

The fare of the factory hands in this region is of a simple kind. Their principal food consists of bread and potatoes. On rising in the morning they will have a cup of common coffee and some white or black bread and butter or cheese; their dinner will consist of some cheap vegetables, mostly potatoes, and a small piece of meat, but very often without the latter; at 4 o'clock they have one or two cups of poor coffee again, with some black bread and butter, and in the evening a supper of cheese or sausage with black bread and a glass of beer. There may be a change to this diet in some cases, but they are to be considered as exceptional.

The married workman takes his meals partly in the factory and partly at home; the single one either with the family of a fellow-laborer or in a cheap restaurant. For the support of a family the wages of the husband are generally inadequate, and therefore the wife and elder children have to contribute a share to their sustenance.

The lodgings of the laboring classes are of a very poor kind. In most cases they are two or three comfortable rooms. Owing to the large and constant increase of the population rents are steadily rising, and range from 150 marks (\$35.70) to 180 marks (\$42.84) per year, according to location and condition of the premises.

I will put into the RECORD a table which Consul Neuer furnishes, giving the amount of the weekly factory wages and the corresponding hours of labor at Gera. It embraces the employment in weaving mills, dye-houses, finishing works, accordion factories, iron foundries and engine works, tanneries, tobacco mills, flour mills, carpet factories, china-ware, horse-hair-spinning mills, and worsted-yarn-spinning mills.

Rate of the weekly wages and the corresponding hours of labor at Gera.

Description of employment.	Lowest.	Highest.	Average.	Hours of labor per day.
Weaving mills:				
Overseers.....	\$4.32	\$7.20	\$5.76	11
Shearers.....	2.88	6.00	4.44	11
Weavers, men.....	3.60	7.20	5.40	11
Weavers, women.....	1.44	3.60	2.52	11
Glucers.....	2.88	5.28	4.08	11
Fasteners.....	2.88	4.80	3.84	11
Pickers, women.....	1.44	2.40	1.92	11
Winders, women.....	1.92	2.48	2.20	11
Dye-houses:				
Dyers.....	2.40	3.60	3.00	11
Washers.....	2.40	3.36	2.88	11
Female hands.....	1.68	1.92	1.80	11
Apprentices.....	1.56	1.80	1.68	10
Finishing works:				
Shearers.....	2.40	3.60	3.00	11
Fullers.....	2.40	3.60	3.00	11
Finishers.....	4.80	7.20	6.00	11
Assistants.....	3.36	4.08	3.60	11
Apprentices.....	1.56	1.80	1.68	10
Accordion factories:				
Joiners.....	3.36	4.32	3.60	11
Tuners.....	4.80	7.20	6.00	11
Journeyman.....	2.40	2.88	2.64	11
Apprentices.....	.96	2.16	1.44	11
Children.....	.36	.60	.48	6
Iron foundries and engine-works:				
Turners.....	3.60	4.32	3.84	10
Founders.....	3.60	4.32	3.84	10
Journeyman.....			1.68	10
Tanneries:				
Tanners.....	3.60	4.32	3.84	11
Journeyman.....			3.36	11
Tobacco mills:				
Twisters.....	3.84	4.80	4.32	11
Journeyman.....			2.88	11
Female hands.....	1.56	1.80	1.68	11
Children.....			.42	6
Apprentices.....	.72	1.08	.96	11
Flour mills:				
Millers.....	3.60	4.32	3.84	11
Journeyman.....	2.76	3.00	2.88	11
Carpet factories:				
Weavers.....	3.60	7.20	5.40	11
Shearers.....	4.32	4.80	4.56	11
Journeyman.....	2.88	3.60	3.24	11
Female hands.....	1.44	2.88	2.16	11
Apprentices.....	1.44	2.16	1.80	11

Rate of the factory wages and the corresponding hours of labor at Gera—Continued.

Description of employment.	Lowest.	Highest.	Average.	Hours of labor per day.
China-ware:				
Apprentices.....	\$1.44	\$2.16	\$1.80	11
Painters.....	2.40	5.76	4.08	11
Turners.....	2.40	6.00	4.20	11
Finishers.....	3.60	6.00	4.80	11
Journeyman.....	2.16	3.60	2.88	11
Female hands.....	1.44	1.92	1.68	11
Horse-hair-spinning mills:				
Spinners.....	3.60	4.32	3.96	11
Journeyman.....	2.52	3.24	2.88	11
Female hands.....	1.68	2.16	1.92	11
Worsted-yarn-spinning mills:				
Spinners.....	3.60	4.80	4.20	11
Carders, overseers.....	3.60	4.00	3.80	11
Carders, common hands.....	1.92	2.40	2.16	11
Washers.....	2.88	3.60	3.24	11
Sorters.....	3.60	4.80	4.20	11
Winders.....	1.92	2.16	2.04	11
Engineers.....			4.32	11

It will be seen that the hours of labor are generally eleven hours per day, and the highest average weekly wage is \$5.76.

Mr. FRYE. For a man?
Mr. PLATT. For a man, and from that down for other men and for women and children. As to the cost of living Consul Neuner says: As to the cost of living, I can give no better statement than to quote the retail prices of the principal articles usually classed among the necessities of life:

Retail prices of necessities of life.

Bread:			
White.....per pound...			\$0.03
Black.....do.....			.02½
Beef:			
Steaks.....do.....	\$0.20	to	.24
Roast.....do.....	.17	to	.20
Common.....do.....			.14½
Chickens.....each.....	.36	to	.60
Mutton.....per pound.....			.14
Pork.....do.....			.15½
Veal.....do.....			.13
Eggs.....per dozen.....	.14½	to	.20
Butter.....per pound.....	.24	to	.36
Cheese, Swiss.....do.....	.24	to	.28
Coffee.....do.....	.30	to	.48
Tea.....do.....	.96	to	1.20
Sugar.....do.....	.07	to	.10
Potatoes.....per 100 pounds.....			.72
Cabbages.....apiece.....	.02½	to	.05
Floor.....per pound.....	.04½	to	.05½
Kerosene oil.....per liter.....			.06
Milk.....do.....			.05

Can anybody find that the necessities of life where the highest average weekly wage is \$5.76 are not fully up to the net price of the necessities of life in America? I have quoted this somewhat, I fear, to the weariness of the Senate, because I wanted to put on record this Democratic free-trade testimony upon this question.

Oh, but the free-trader says protection does not make higher wages. The Senator from Delaware [Mr. GRAY] the other day, when the Senator from Maine was making his speech, interrupted him to ask the Senator from Maine if he claimed that protection made higher wages. No, sir; no protectionist claims that protection of itself makes higher wages; but it does this: it makes it possible for the manufacturer to pay higher wages than can be paid under a system of free trade. Strike down these protective duties and it would become impossible for the manufacturer to pay the rate of American wages now paid. If he is to have no protection he must stop or meet foreign competition by paying foreign wages. That is so plain that "he who runs may read."

The question of wage between the laboring man and the employer is one which must be settled between them. If the wage-earner does not get all that he ought as his share of production, then I hail every honorable, wise, honest effort for him to get a greater share of production; but he is not to be helped by striking down the ability of the manufacturer to pay him the American rate of wages, and that is just what the removal of the protective duties does.

Protection does another thing—it saves us our own market. It makes a demand for labor in this country, and that is, after all, the real thing which results in high wages. Strike down the protective duty, open our ports to foreign manufacturers upon the ground that we should buy where we can buy the cheapest, and by so much you have destroyed the home market and lessened the demand for labor, and made it impossible for high wages to prevail in this country.

Let me group two favorite claims of the free-trader. One is that the manufacturer of protected articles is a robber on general principles; that he robs everybody, and has grown immensely rich by robbery. The other is that he is growing rich by the robbery of a particular class, namely, the agriculturist. It is the favorite theme of the free-trader to hold out this idea, that the protective tariff is all for the benefit of the manufacturer and to the disadvantage of everybody else, and especially of the agriculturist.

Professor Sumner, who does not hesitate, as he says, to take blows when they are given, called a protected factory a nuisance. Somebody took him to task for it, and he replied. Now I want to read a word and see what such a free-trader as he thinks of a protected factory. He says:

I have called such a factory a "nuisance." The word has been objected to. The word is of no consequence. He who, when he goes into a debate, begins to whine and cry as soon as the blows get sharp, should learn to keep out. What I meant was this: A "nuisance" is something which, by its existence and presence in society, works "loss and" damage to the society—works against the general interest, not for it. A factory which gets in the way and hinders us from attaining the comforts which we are all trying to get, which makes harder the terms of acquisition when we are all the time struggling by our arts and sciences to make those terms easier, is a harmful thing, and noxious to the common interest.

Now, what says the President along this line? If I may use the expression, he fairly rolls as a sweet morsel under his tongue what he says about the "immense profits" of the manufacturer:

Relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests.

I will see by and by whether the relief proposed by him imperils the existence of our manufacturing interests:

But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns.

Then he goes on to talk about the manufacturer. He says:

So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged, that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, etc.

I will read what he says in speaking of competition. He is talking about the manufacturers who are robbing the people, as the free-traders say:

But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination. The people can hardly hope for any consideration in the operation of these selfish schemes.

Then, on page 12, he sounds a note of warning, in which he says:

Opportunity for safe, careful, and deliberate reform is now offered; and none of us should be unmindful of a time when an abused and irritated people, heedless of those who have resisted timely and reasonable relief, may insist upon a radical and sweeping rectification of their wrongs.

Did I use the right word when I said "warning," or ought I to have used the word "inciting," or "threatening"? What free-trader could have written this portion of the President's message better? This attack upon the manufacturers of the country is too open, too plain, too direct, and too severe to be allowed to pass without a word or two.

Are the manufacturers of this country realizing "immense profits"? Are they the millionaires of the land? You can count upon your fingers and thumbs, and without counting them many times over, all the manufacturers of this country who in manufacturing have accumulated a fortune equal to a million dollars, and in nine cases out of ten either those men or their fathers have struggled from the bottom, where poverty pinched the hardest and where privation was the greatest, up to their success. They have been workmen at the bench, at the loom, in the factory, in the shop, in the mill, and what they have got they have obtained in a manner which the common judgment of mankind says is honest and fair. There is not a laboring man in this country who when he comes to think of it levels his claim that men are obtaining the rewards of investment without the rendition of a fair equivalent therefor against the manufacturer. No, they are not the millionaires. Who ever heard a manufacturer called a "king"? We hear of "cattle kings," and "wheat kings," and "iron kings," and "cotton kings," and "railroad kings," but you never hear that word applied to a manufacturer.

We hear of trusts, as the President reminds us. Are they manufacturing trusts? There is the Standard Oil trust, and the great Gogebic iron trust, and the coal trust. There is not a dollar of protection on anthracite coal, or oil, and no protection on iron ore which leads to the formation of any trust. We hear of a foreign syndicate purchasing all the copper interests of the world. We hear, indeed, of a sugar trust, and if that be a manufacturers' trust, it is the only one in the United States.

That there have been combinations sometimes among manufacturers to maintain prices at a point which would keep them from absolute destruction is indeed true, but whenever they have gone above a fair price some competitor has come in and broken it up. The great trusts about which the country is now not unduly exercised are not to be found in the ranks of the manufacturers. Go to New York. Try to raise money in the city of New York for a manufacturing enterprise, and how many of the money kings do you think you will find to invest their money in that way? That is not the way manufactures are developed. They are developed from the humblest beginnings by hard, persistent labor, and by enterprise such as the world has never seen in any other occupation of life.

Our manufacturers make no more money than English manufacturers. They make less than any other class of business men. I speak for the manufacturers of Connecticut, about whom I know. Their enterprises have been wrecked over and over again. Most of those who are making any money at all are making it in enterprises where capital has been sunk time after time, and now they are making less than would be considered a fair profit in any other business or occupation of life. They make less than the merchants of this country. The profit to the manufacturer upon manufactured goods has been less than the profits of the middlemen or merchants of the country.

There is another thing which they have done. Not they alone, for when I speak of the manufacturer, I want to speak of that great body of men who have been the right hand of manufacturers in this country, and those are the skilled mechanics, the honest, intelligent artisans who have stood by the manufacturers. They have made other business profitable. They more than any other men support other business in this country. I do not know how the Senators from those States will vote, but there are States to-day that would not be represented by a star on the flag if it had not been for the manufacturers of the country. Here is Dakota, with its 600,000 people knocking at the doors of Congress for admission, that would be a barren waste, and, as General Hazen reported only a few years ago, an uninhabitable desert if it had not been for the protected manufactures of this country.

Let us see about these "immense profits." I quote from Bradstreet's of Saturday, January 14, the dividends for fifteen years of the cotton mills in Maine, Massachusetts, and New Hampshire, possibly in Rhode Island, I am not sure:

Dividends for fifteen years.

Mills.	1873-'84.	1885.	1886.	1887.	1885-'87.
Augusta: Edwards.....	<i>Average.</i>	4½	4	6	<i>Average.</i> 4.83
Biddeford:					
Laconia.....	6.33	6	5½	6	5.83
Pepperell.....	12.00	12	12	12	12.00
Brunswick: Cabot.....	7.66	3		6	3.00
Chicopee:					
Chicopee.....	10.50			6	2.00
Dwight.....	5.25	6	7	9	7.33
Dover: Cochecho.....	9.50	6	6		4.00
Great Falls: Great Falls.....	3.08			5	1.67
Holyoke: Lyman.....	5.50		2	4	2.00
Lawrence:					
Atlantic.....	5.00			3	1.00
Everett.....	3.58			2	.67
Pacific.....	14.58	10	10	10	10.00
Lewiston:					
Androscoggin.....	7.91	7	6	7	6.67
Bates.....	7.66	6	6	7	6.33
Franklin.....	4.75	6	6	6	6.00
Hill.....	5.50		2	5	2.33
Lowell:					
Appleton.....	3.00				
Booth.....	9.79	6	5	7	6.00
Hamilton.....	5.50				
Lawrence.....	8.16	6	6	10	7.33
Massachusetts.....	6.58	2	2	6	3.33
Merrimac.....	7.66	6	6	6	6.00
Tremont and Suffolk.....	7.87	2½	3	6	3.83
Manchester:					
Amory.....	3.75		6	6	4.00
Amoskeag.....	11.08	10	10	10	10.00
Langdon.....	8.00		3	10	4.33
Manchester.....	8.50	8	8	10	8.67
Stark.....	7.16	5	7½	8	6.83
Nashua:					
Jackson.....	8.00	6	6	7	6.33
Nashua.....	7.33			8	2.67
New Bedford: Wamsutta.....	6.66	4	6	6	5.33
Saco: York.....	8.91	6	7	8	7.00
Salem: Naumkeag.....	5.91		2	6	2.67
Salmon Falls: Salmon Falls.....	4.66		4	5	3.00

Fall River dividends.

Mills.	1879-'84.	1885.	1886.	1887.	1885-'87.
American Linen.....	<i>Average.</i> *6.00		12½	13½	<i>Average.</i> 8.75
Barnard.....	7.83		5½	6	3.83
Bourne.....		2	5	14	7.00
Border City.....		4	8½	12	8.17
Barnaby.....	*6.00		6	8½	6.83
Chace.....		6	6	6	4.00
Crescent.....	*3.25		6½	6	4.17
Dayol.....	*3.75			1½	.50
Fall River.....				3	2.00
Flint.....	*4.40		6	6	4.00
Globe.....		9	6	8	7.67
Granite.....	21.66	7	12	17	12.00
King Philip.....	5.16		6	6	4.00
Laurel Lake.....		1	4½	6	3.83
Mechanics.....	8.00		6½	6	4.17
Merchants'.....	9.66	1	8	7	5.33
Metacombet.....				3	1.00

*Average for four years.

†Average for five years.

Fall River dividends—Continued.

Mills.	1873-'84.	1885.	1886.	1887.	1885-'87.
Narragansett.....	<i>Average.</i> 6.50	1	6	6	<i>Average.</i> 4.33
Osborn.....	9.91		8	6	4.67
Pocasset.....				6	2.00
Richard Borden.....	*5.50		3	6	3.00
Robeson.....			4½	6	3.50
Sagamote.....	*9.40	1	8	11	6.67
Shore.....	7.00		4½	6	3.50
Slade.....	5.66		1½	3½	1.67
Stafford.....	10.83	3	7	12	7.33
Seaconnet.....				5	1.67
Tecumseh.....	9.33	1	7	8	5.33
Troy.....	*8.25		11	17	9.33
Union.....	*18.25	12	16	21	16.33
Wampanoag.....	9.16		9½	13	7.50
Weetamoc.....	5.50		4	4	2.67

*Average for five years.

For the last three years the average is 5½ per cent. upon the nominal capital, and that is not a fair way to estimate it.

I asked a question of a gentleman in New York as to what the profits of our cotton and woolen manufacturers were, and he sent me a letter from Henry F. Coe, of Boston, dated January 16, 1888, than whom no man in my judgment is better able to speak. He says:

Boston, January 16, 1888.

DEAR SIR: Yours of the 14th instant received. I know no better test of the general result of cotton manufacture than amount of dividend paid. While it may be true that the mills have earned more than dividends paid, yet it is true that they divide the greater part of their earnings. Martin's tables are authority upon this subject, and I find upon making a careful computation that he reports the names of seventy corporations working cotton, upon his list, located in Maine, New Hampshire, and Massachusetts. The companies represent a capital stock of \$61,153,000. The amount of dividends paid by them for three years past amounts to \$9,786,740. This is 15½ per cent. on the capital stock, or at the rate of 5.17 per cent. per annum. This hardly tells the story, however. It would be fair to say that the average indebtedness of these corporations is 40 per cent. of their capital stock, at least. So that they employ their own capital plus borrowed capital:

Capital owned.....	\$63,153,000
Capital borrowed.....	25,263,200
Total capital used.....	88,421,200
Dividends.....	9,786,740

This would only be at the rate of 3.69 per cent.

He might have said that if they have accumulated a surplus they pay no interest upon that, although it is really capital invested.

However considered, the results do not indicate that manufacturers of cotton are coining money. I have excluded from above figures all corporations which work any wool. The average of woolen mills are doing very much poorer than cotton mills. The tariff of 1883 was a bad one for manufacturers of wool. I have spent the evening in arriving at above results, and they may be depended upon as a true statement of facts. Rhode Island, Connecticut, and New York are not probably doing any better than corporations named above.

Yours, very truly,
A. M. GARLAND,
Secretary, New York.

HENRY F. COE.

And right here, Mr. President, that I may get a little more Democratic testimony, I want to refer to what the Secretary of the Treasury says about the woolen and worsted manufacturing business in this country in his annual report submitted to the present Congress:

I am, however, so convinced of the imminent danger to large industries engaged in the manufacture of worsted and woolen goods, unless a change is soon made in the duties on wool and manufactures thereof, that I deem it proper to depart from my general practice in thus calling your attention to this particular provision of the tariff.

Notwithstanding his free-trade sentiment and argument he does think that the tariff on worsted and woolen goods ought to be raised to save them from immediate destruction; yet the President is talking about the immense profits of the manufacturers!

But especially I want to speak of New England manufacturers, and I do not want anybody to fall into the error of supposing that this protective system is especially or mainly for the benefit of New England manufacturers. There was a time, indeed, when New England, perhaps, might have been said to monopolize the manufacturing industries of the country. It was a monopoly born of the genius and skill of its sons. That day has passed. Manufactures have extended all over the country, and if this system of protection was such a benefit to manufacturers as the President and the free-traders would have us believe, it would not be New England particularly that was interested in its preservation. Manufactures have passed the barrier of the Alleghenies away out to the Pacific coast, in the prairie towns of the West, far down in the South, in North Carolina and West Virginia and Georgia and Alabama—diffused all over the country.

By the census returns of 1880 less than 20 per cent. of the manufactured products of the United States were produced in New England. More were manufactured west of the State of New York, as the Senator from Ohio [Mr. SHERMAN] well suggests to me, than in 1860 were manufactured in all the United States. Let us look at these facts a little because it is such a familiar thing to hear that tariff protection

is for the benefit of New England manufacturers. You may create a prejudice, if you please, against New England, a prejudice against its manufactures and its manufacturers, but if you are going to tear down the protective system, I want it understood that we are not by any means the principal sufferers.

California, Illinois, New Jersey, and Ohio manufactured in 1880 more goods than all New England. Indiana, Maryland, Michigan, Missouri, Wisconsin, Minnesota, and Iowa manufactured nearly as much as New England. New York and Pennsylvania manufactured nearly half more than New England. This has increased. If manufactures are not increasing in New England, they are rushing forward with phenomenal rapidity in other sections of the country, and when the census of 1890 comes to be taken not more than 15 per cent. of the manufacturing in this country will be done in New England. Let me give the exact figures.

The total annual product of manufactures in the United States was, by the census of 1880, \$5,369,579,191.

In the New England States it was as follows:

Connecticut.....	\$185,697,211
Maine.....	79,829,793
Massachusetts.....	631,135,284
New Hampshire.....	73,978,028
Rhode Island.....	104,163,621
Vermont.....	31,354,366
Total.....	1,076,158,303

In the following States it was:

California.....	\$116,218,792
Illinois.....	414,864,673
New Jersey.....	254,380,236
Ohio.....	348,298,390
Total.....	1,133,762,091

In these States as follows:

Indiana.....	\$148,096,411
Maryland.....	106,780,563
Michigan.....	150,715,025
Missouri.....	165,386,205
Wisconsin.....	128,255,480
Minnesota.....	76,065,198
Iowa.....	71,045,926
Total.....	846,304,808

In New York and Pennsylvania:

New York.....	\$1,080,696,595
Pennsylvania.....	744,818,445
Total.....	1,825,515,040

No, I tell the men who are seeking to destroy the protective tariff that they must not delude themselves with the idea that they are aiming their blows against New England. The New England manufacturer is the man who has least interest of all other classes of men in the preservation of the protective system. He is interested in it, indeed, but others, and all others, are interested more. If I were to name the order in which the different classes are interested in the maintenance of a protective tariff, I would say, first, the laborers everywhere, in whatever field they wipe the sweat from their brow; more than any manufacturers are the wage-receiving men of this country interested in its preservation. The blow hits them first, and it may as well be understood, and they are coming to understand it all over the land. First, the men who work in manufactories, the artisans, are hit; next, agriculturists and the men who work on farms; next, manufacturers in other sections of the country where they are not as well established and where the industries may indeed be said even now to be infant industries; next, those engaged in transportation; next, those engaged in merchandise; and last, and least, if you please, the manufacturers of New England.

If the policy of free trade is to prevail, if our progress is to be arrested and our development hindered, and if the inevitable results of it are to follow, and we are to have disaster and ruin, the first men who will emerge from the ruin will be the manufacturers of New England, the first who will adjust themselves to the new order of things and go on once more as they have in the past, endeavoring to build up and develop and make a strong, powerful, glorious Nation. The interest of the New England manufacturer is more that he may have a market in which he can sell his goods than anything else. That is what he wants. That is where free trade hits him hardest—the surrender of our market to the foreigner.

But perhaps as favorite a method of attack upon the tariff by the free-trader as any is the claim that raw materials should be free, and why? Because the free-trader knows that the protection of raw materials is the keystone of the protective arch; that when you have once ceased to protect the production of what are called raw materials in the country, there is no logical ground upon which any article can be protected here. If that kind of production which employs the greatest percentage of labor in this country can not receive protection, then nothing should receive protection; and it is, therefore, that the assault upon protection is made upon what are called raw materials.

It is more than that; it is an appeal to the supposed selfishness of manufacturers. The manufacturers are told—told by the President in

his message—that they can cheapen the cost of production if they can have free raw materials. Sir, the manufacturer that seeks to obtain raw materials free and demands a tariff upon his product is a selfish man, and selfish almost to the point of criminality; and the manufacturers of New England, as a class, spurn that bribe. When in the preparation of the bill advised by the leading free-traders out of Congress in this country, the proposition is made to purchase the support of New England manufacturers by free wool, by free iron, by free coal, I tell you that they mistake the manufacturers of Connecticut and the rest of New England. They know that this is a system or it is nothing. They know that every industry must be protected to thrive, and they know that protection alone can make us generally prosperous as a nation. They are not to be diverted from this issue.

What are raw materials? I have not time to speak on this subject as I would wish, but the only raw materials there are those which grow out of the earth or those which repose beneath its surface. The moment you dig out the iron, and the coal, and the copper, and the marble, and the salt, and the clay, that moment human labor is added to the natural product, and from that moment it is no longer raw material. When you cut down the tree and begin to saw it into timber or into boards it is no longer raw material.

When the farmer raises or buys his flock of sheep and produces his wool by means of his labor, that is no longer raw material. Human labor, the great energizing, civilizing force of the world and of humanity, has entered into that product. I would not put it too strongly if I were to say the soul of man has entered into and transformed that natural product. It is no longer raw material. Go into any one of the manufacturing establishments of this country; look at one that I have in my mind in my own State. In that factory they take copper in the ingot as it comes from the mine into the front door. When it goes out again it goes out in the shape of copper wire of $\frac{1}{100}$ of an inch in diameter. Into that crude copper ingot has passed the highest thought of man; his brain is in the wire, his soul is there.

Oh, I dislike, Mr. President, to hear work-people talk about the sale of their wages. Labor has that in it that can not be bought and sold. The labor of man is civilization; it is advancement; it is the upward trend of humanity. No matter whether man with hand and brain transforms the natural product into the finished product, or whether by pure brain labor he teaches in college or school, preaches in pulpit or speaks in the Senate, he works, he labors, he molds, he creates, he develops. In whatever field labor may be exercised it is and must be the grandest material human force.

There is no raw material which should be made free if labor is to be protected.

But here the President leaves the field of argument and fallacy and comes to the field of practical recommendation. There is no mistaking his recommendation on this subject; there is no mistaking his position side by side with the practical free-trader and doctrinaire free-trader on this subject. Let me read a little:

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessities.

It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material.

I will not go on to read his long argument to show that wool ought to be put on the free-list, and subject to no duty. There is no mistaking his recommendation in that respect. He particularly specifies wool as one of the materials that should go upon the free-list.

Let us look at this matter a little. I said that protection is a system. Every industry which can be successfully carried on within our boundaries must feel the benefit of this protection, or the system is destroyed. The protectionist says that whenever and wherever an industry can be profitably carried on in this country it should feel the benefit of the protecting power and force of the Government, and the labor which carries it on should be held above and aloof from the cheap labor by which the manufacture is carried on in foreign lands.

When he comes to consider raw material the President has no reference to any inequalities in the tariff; in this respect he does not propose to correct, he proposes to destroy. His only conception of tariff reform, so far as raw materials are concerned, is by tariff destruction.

Wool, the President says, is raw material; but raw material just as truly includes iron ore, and copper ore, and bituminous coal, and lead, and zinc, and lumber, and a number of other things, as it does wool. Take all these things that are classed as raw materials and put them on the free-list, and what have you done? You have reduced governmental income by the beggarly sum of \$12,000,000—beggarly in comparison with the amount which we are recommended to reduce. What else have you done? You have wiped out as with a brush at least \$300,000,000 of capital in the United States. Will you purchase the free-list for raw materials at any such expense as that? Have you contemplated what it is, for the purpose of reducing our taxation \$12,000,000, that nobody feels, to destroy at one fell swoop at least \$300,000,000 of capital?

The time was when Chicago was said to be in flames. The whole

country felt it an impending and existing calamity. That fire did not destroy \$300,000,000 of capital. It would take two Chicago fires to be as great a calamity to the country as putting raw materials on the free-list would be.

More than that, the only mitigation of the great Chicago fire was that it opened a new field for labor; but this destruction of capital by putting raw materials on the free-list destroys also the opportunities for labor. It throws laborers out of employment. I have made the calculation pretty carefully, having corresponded with people who are producing what are called raw materials, and I do not overstate it when I say that to put raw materials on the free-list will throw out of employment permanently not less than 200,000 and probably 350,000 laborers, and all because by striking down protection on what are called raw materials taxation can be reduced \$12,000,000, and the internal-revenue tax must not be touched.

The situation changes when compared with that of a great devastating fire. That makes a demand for labor; but the wiping out of capital by inviting raw materials free to our shores from the pauper-stricken countries of Europe makes it impossible for this labor to continue or to find any opportunity for just and adequate reward.

I have said that into the production of these materials which are called raw materials the greatest percentage of labor enters; more than into any other production. Why is it, I ask, if the President of the United States is not a free-trader, that he selects for the free-list those particular productions into which the greatest percentage of labor enters? It is a question that may not be answered here, but it will be asked in the coming months, and it must find an answer.

If the manufacturer were the selfish being that he is supposed to be, enlightened selfishness would insist on protection. He knows that to put raw materials on the free-list at the price of destroying \$300,000,000 of productive capital, and throwing out of employment from 200,000 to 350,000 laborers, immediately makes such a condition of things in this country that he can not sell his wares. That means disaster. Free trade in raw materials means no trade for the manufacturer, and if he were the selfish being that the President of the United States and the free-traders generally suppose him to be, he would still be in favor of a system which insures him the best market in the world, the best market that mankind has ever known.

I want to call attention to the utterance of one of our manufacturers. When the President's message first went out to the public and was hailed, as I have said, with acclamations of joy, and the whole Democratic party seemed to unite in one choral song to the praise of the President, they sent around a man who, I am informed, and I believe correctly, was in Government employ, holding a clerical position under the Government, to interview New England manufacturers to see if he could not obtain indorsements from them of the President's message. Among others he called on a manufacturer in New Haven, a manufacturer who makes steam-boilers, and who exports them, and he thought he had found a man to give in his adhesion to this scheme of free raw materials. The interviewer did the talking and then published an interview in a metropolitan journal, in which he said that the firm of which Mr. Bigelow, recently Governor of the State of Connecticut, was a leading member, was in favor of free raw materials. It did not take long for Mr. Bigelow to write a letter disavowing any such statement. I want to read what a manufacturer thinks about raw materials.

It is perfectly true that free raw materials would tend to increase our export trade. But the increase would be, as Mr. Barnum—

That was the man with whom the reporter talked—

told the reporter (though the latter omitted to mention it), at the expense of our home trade. Why? Because free trade would kill off many of our manufacturers here, who could not compete with foreign manufacturers in their line, and thus the demand for engines and boilers for use in this country would be greatly decreased. We might sell a few more boilers abroad; we should sell a great many less at home.

In order to successfully compete with foreign countries in this matter we must have not only free raw materials, such as they have, but cheap labor, such as they also have. Give us free raw materials and cheap labor and we can meet the world in the manufacture of engines and boilers. But I for one do not want to compete with the world on any such terms. I began life at the bench, working at my trade for \$1.50 a day. I know this question from the side of the wage-worker as well as from the side of the employer. And I never want to see the day when the workmen in my mills or in any other mills in America shall be compelled to work for the same wages and live in the same manner as the workmen of Europe.

I am a firm protectionist in everything relating to my own business, to the interests of my employes, and to the prosperity of the country. I want to be counted, every time, on the side of American industries, American wages, and American homes.

A good deal of misrepresentation about the manufacturers of New England being in favor of free raw material is manufactured just as was the report that ex-Governor Bigelow was in favor of it.

I have gone over—and at more length than I intended, and yet I do not know that I ought to apologize for it, because this is the most important topic which we shall discuss here this winter—I have gone over the facts showing that the free-traders claim the President. I have shown that every principal argument, theoretical or practical, used by the avowed free-traders is sustained by the President, by the language and the tone of his message.

But we come now to another thing, and I say with an understanding of what I utter that either the President intended free trade, or he was

not dealing fairly with the American people, for the method of reduction proposed by the President means the absolute and final destruction of the protective system. It means absolute free trade and nothing less than that; so the spirit of the message and the inevitable result of its recommendations lead us to the same conclusion.

Mr. MANDERSON. I will make a motion for an executive session if it meets the approval of the Senator from Connecticut. I notice that his voice is getting husky, and he has not completed his remarks.

The PRESIDENT *pro tempore*. Does the Senator from Connecticut yield for that purpose?

Mr. PLATT. I have come now to where I must spend some time upon the question of the reduction of the surplus, and, of course, I can not conclude to-night. I regret it very much; but if I can have the floor to go on and conclude to-morrow I am perfectly willing to yield. I can conclude to-night if the Senate will stay and hear me.

Mr. MANDERSON. It is so evident that the voice of the Senator from Connecticut is becoming quite husky that I think the Senate had better relieve him.

Mr. BLAIR. Will it be agreeable to the Senator to take the floor during the morning business to-morrow? He must be aware that there are other interests which are being delayed.

Mr. PLATT. I will endeavor to seek the floor at the conclusion of the transaction of the routine business to-morrow morning.

The PRESIDENT *pro tempore*. Before submitting the motion of the Senator from Nebraska [Mr. MANDERSON], the Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools. The Senator from Nebraska moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and four minutes spent in executive session the doors were reopened, and (at 5 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 7, 1888, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 6, 1888.

UNITED STATES ATTORNEY.

A. H. Longino, of Mississippi, to be attorney of the United States for the southern district of Mississippi.

POSTMASTER.

Calvin M. Wherry, to be postmaster at North Platte, in the county of Lincoln and State of Nebraska.

HOUSE OF REPRESENTATIVES.

MONDAY, February 6, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LEHLBACH, for three days, on account of illness.

To Mr. COTHRAN, for one week, on account of important business.

To Mr. BLOUNT, for one week, on account of sickness.

QUESTION OF PRIVILEGE.

Mr. WHITE, of New York. I rise to a question of privilege.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WHITE, of New York. I ask the Clerk to read what I send to the desk.

The Clerk read as follows:

[From the Washington News of Friday, February 3, 1888.]

The New York Tribune's Washington correspondent thus writes of "Deacon" White: "In the deep recess of one of the windows in the corridor of the House of Representatives is a telegraph instrument fenced off from the thoroughfare by an iron railing. A rather stout woman sits there constantly, from about 11 o'clock in the morning until 3 o'clock in the afternoon, with her hand on the key. Occasionally she gets a message, which she writes out and tucks in a little drawer in the table. Every few moments a short, chunky man, with spectacles on his nose, and a brown beard sprinkled with gray, comes out from the center door of the House, and goes to the iron railing with a spry step. The operator takes the messages from the drawer, hands them to him, and he writes the answers on the reverse side of the same sheet of paper. Then he goes back into the House again, and takes his seat in the front row of desks, immediately under the Speaker's eye. The short, chunky man is 'Deacon' White, the famous broker, and the other end of that wire is in his office in Wall street, New York. He leases the wire from the Western Union and knows what is going on in his office in New York just as well as if he sat at his desk there, instead of being in the House. It costs him a good many thousand dollars a year for his wire alone, and no one knows how much more for the privilege of sitting in the House of Representatives."

[Laughter.]

Mr. WHITE, of New York. Mr. Speaker, as there is in that publication something which, to a hyperaesthetic mind, might be construed as a reflection upon my character as a member of this House, I now

read a special dispatch which I have sent to the Brooklyn papers, circulating among my constituents, as my answer to this publication:

To the Editors of the Brooklyn Times, Eagle, Citizen, and Standard-Union:

On Sunday, January 29, a highly entertaining lie appeared in the New York Tribune, to the effect that I had a private telegraph wire with one end in the vestibule of the House and the other end in my New York office; that it cost me a good many thousand dollars a year for my wire alone, and no one knows how much more for the privilege of sitting in the House of Representatives. From this last clause I suppose that it is a legitimate deduction that the sittings of other members of Congress are at a fixed rental, while mine is presumably of a speculative character, and possibly carried on a margin.

[Laughter.]

It was to be expected that a festive lie of this character would reproduce itself many times, but neither the New York nor Brooklyn papers seemed willing to copy it from their esteemed contemporary, the Tribune. In the fullness of time, however, the Louisville Courier-Journal printed the same romance as original matter, and as it seemed like a free-trade indorsement of a highly protected lie—

[Laughter]—

the Sun and World, of New York, and the Eagle, of Brooklyn, copied it. When the Tribune falsehood stood alone, it seemed like a waste of ammunition to contradict it, as there was a moral certainty that a brood of such lies would be hatched and full fledged in a week. Hence I have waited for the flock, and now make the following shot at the entire covey: It is not true that I have an operator at the Capitol, or any wire to Washington, or to New York, or any correspondent or customer in Washington, or that I ever had any of these things, or that there was ever the slightest foundation for one word contained in the romance outside of the imaginings of a sensational paragraphist. Is not this a case where, if the revered founder of the Tribune were alive, he would interview that paragraphist, and say to him, in the classic United States tongue of which he was the great master, "You lie, villain! you lie!"

And now, will the original Jacob Townsend of this story, and the copyists who have copied, and the moralists who have moralized, will they each and all be as prompt to contradict as they were to cull this efflorescence of mendacity? We can tell by waiting.

S. V. WHITE.

P. S.—Since writing the foregoing, my attention has been called to the fact that the Tribune of yesterday made a prompt contradiction of the canard of its paragraphist. Many thanks for this act of justice. Now, will the free-trade wing be as just, and see if the whole party combined can overtake this lie which they have given one week's start?

S. V. WHITE.

FEEES IN PENSION CLAIMS.

Mr. WALKER, from the Committee on Invalid Pensions, by unanimous consent, reported back with an amendment the bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of disability for which the pension was allowed; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ADDITIONAL MESSENGER AND PAGE FOR THE HOUSE.

Mr. O'DONNELL, from the Committee on Accounts, reported back adversely the following resolutions, with the recommendation that they be laid on the table:

IN THE HOUSE OF REPRESENTATIVES, January 16, 1888.

Resolved, That Matt Stratton, jr., of Tennessee, be, and is hereby, appointed a messenger during the present Congress, at the same rate of compensation received by him during the Forty-ninth Congress, said compensation to be paid out of the contingent fund of the House.

IN THE HOUSE OF REPRESENTATIVES, January 16, 1888.

Resolved, That E. T. Benton, jr., be, and is hereby, appointed an additional page on the floor of the House of Representatives, and to receive the same rate of compensation as those now acting in that capacity, to be paid out of the contingent fund of the House of Representatives.

The report accompanying the resolutions was read, as follows:

The Committee on Accounts, having had under consideration the resolution submitted by Mr. WASHINGTON, January 16, 1888, providing for the appointment of Matt Stratton, jr., of Tennessee, as a messenger during the present Congress, report the same adversely, and recommend that it lie on the table.

The Committee on Accounts also, having had under consideration the resolution offered by Mr. TARNSEY, submitted January 30, 1888, providing for the appointment of E. T. Benton, jr., as an additional page on the floor of the House of Representatives, they report the same adversely, and recommend that it lie on the table.

The committee make this recommendation in each of the above resolutions for the reason that the two additional employes therein provided for are not needed, and their appointment would only create two unnecessary officers. The House is now abundantly supplied with appointees.

In this connection the Committee on Accounts deem it proper to call the attention of the House of Representatives to the fact that at the opening of the present session there were 308 clerks, messengers, and employes on the rolls of this body. To pay the salaries of the above enumeration there was appropriated at the last session the sum of \$304,468.30, which amount will be nearly exhausted at the close of the fiscal year, June 30, 1888.

Since the assembling of Congress, by direction of the House of Representatives, the number on the rolls has been increased 12. At the present time the list of persons in the employ of this branch of the Government aggregates 320, while the membership comprises 325, with 8 delegates in addition.

The contingent-fund appropriation at the opening of the session was \$30,000. The expenditures from that fund in two months has amounted to \$7,116.23, while the salaries of the 12 additional employes will aggregate \$9,230 by the end of the fiscal year. The contingent fund has been drawn upon by the above to the extent of \$16,346.23; leaving a balance of \$13,653.77, which sum must suffice for the remaining five months of the session. The four investigations ordered by direction of the House will undoubtedly greatly deplete the balance now remaining. In this calculation the current expenses for the remainder of the fiscal year are not included, and your committee are fearful that a deficiency will exist in the contingent fund. There will be no surplus there.

Your committee think it proper to submit these facts for the consideration of the House, and, while reporting adversely upon the House resolutions 18 and 25, respectively, on the ground that additional messengers and pages are not needed, as this body is amply furnished with assistants in that line, ask to be discharged from the further consideration of the subject-matter of the two resolutions aforesaid.

The report was agreed to, and the resolutions were laid on the table.

POSTAL TELEGRAPH.

Mr. CHIPMAN. I desire to present resolutions of the Detroit Board of Trade in favor of the postal-telegraph system. I ask unanimous consent that these resolutions be read and be printed in the RECORD.

Mr. CRISP. I call for the regular order.

The SPEAKER *pro tempore*. Does the gentleman call up the election case?

Mr. CRISP. No, sir.

The SPEAKER *pro tempore*. The regular order is the call of States for the introduction of bills and resolutions.

ADMISSION TO THE FLOOR.

Mr. OATES introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That Rule XXXIV of the House of Representatives be so amended as to admit to the privileges of the floor the Interstate Commerce Commissioners and the Commissioners of Agriculture, Pensions, Indian Affairs, Patents, Railroads, Education, Printing and Engraving, and the Public Printer.

EXCHANGE OF MUTILATED SILVER COIN.

Mr. MORROW introduced a bill (H. R. 6631) providing for the exchange of the worn, defaced, clipped, punched, or otherwise mutilated silver coins of the United States, of smaller denominations than \$1, for new or unworn subsidiary silver coins, at designated places and under certain conditions; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

DESTRUCTION OF OYSTERS BY STAR-FISH, ETC.

Mr. GRANGER introduced a bill (H. R. 6632) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by star-fish, etc., and making an appropriation for such purpose; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

ASSAY OFFICE, GAINESVILLE, GA.

Mr. CANDLER introduced a bill (H. R. 6633) to establish an assay office at Gainesville, in the State of Georgia; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

REFUND OF 4 PER CENT. UNITED STATES BONDS.

Mr. CANDLER also introduced a bill (H. R. 6634) to refund all outstanding 4 per cent. bonds of the United States at 2½ per cent.; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING, OLNEY, ILL.

Mr. LANDES introduced a bill (H. R. 6635) for the erection of a public building at the city of Olney, Ill.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FUND FOR REDEMPTION OF UNITED STATES NOTES.

Mr. LANDES (by request) also introduced a bill (H. R. 6636) providing that the fund held for the redemption of United States notes shall be composed of gold and silver, half in gold coin and gold bullion, and half in silver bullion, equal in value to the gold half; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

ADMINISTRATION OF THE GOVERNMENT PRINTING OFFICE.

Mr. HOPKINS, of Illinois, submitted a resolution; which was read, as follows:

Resolved, That the special Committee on Printing appointed by the Speaker under a resolution adopted by the House January 30 to make a thorough investigation of the administration of the Government Printing Office during the incumbency of the present occupant and that of his predecessor be, and are hereby, authorized and empowered, in conducting said investigation, to employ a stenographer, send for persons and papers, administer oaths, examine witnesses, and to call for and examine all books, papers, records, and documents bearing upon the subject of said investigation; and that any expense incurred in conducting the same be paid out of the contingent fund of the House.

Mr. HOPKINS, of Illinois. I ask the present consideration of this resolution.

The SPEAKER *pro tempore*. It is not in order during this hour.

Mr. HOPKINS, of Illinois. I ask unanimous consent for that purpose.

The SPEAKER *pro tempore*. It is not in order to entertain the request for unanimous consent during this hour.

Mr. HOPKINS, of Illinois. Then I will withdraw the resolution for the present.

BUTTER.

Mr. LAWLER introduced a bill (H. R. 6637) to protect the consumers of butter; which was read a first and second time (the second reading being in full, upon the request of Mr. LAWLER), referred to the Committee on Agriculture, and ordered to be printed.

REDUCTION OF REVENUE.

Mr. LAWLER also introduced a bill (H. R. 6638) to reduce revenue; which was read a first and second time (the second reading being in full, upon the request of Mr. LAWLER).

Mr. LAWLER. I ask the reference of this bill to the Committee on Ways and Means.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry. As under this bill the only article left upon which there would be an internal-revenue tax would be, as I understand, oleomargarine, I ask whether the bill should not be referred to the Committee on Agriculture instead of the Committee on Ways and Means?

The SPEAKER *pro tempore*. Does the gentleman from Kansas make that motion?

Mr. ANDERSON, of Kansas. I do.

Mr. HERBERT. I ask that the bill be again read.

The bill was read, as follows:

Be it enacted, etc., That all internal-revenue or domestic taxes, with the exception of those taxes levied upon spirits, fermented liquors, tobacco, and licenses, wholesale and retail, be, and the same are hereby, abrogated and repealed, to take effect upon the passage of this act.

Mr. HERBERT. I think this bill ought to go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. The gentleman from Kansas moves to refer it to the Committee on Agriculture.

Mr. ANDERSON, of Kansas. The only article which would be left subject to internal taxation by this bill is oleomargarine, a matter of which the Committee on Agriculture has always had charge.

The SPEAKER *pro tempore*. Debate is not in order.

Mr. LAWLER. As this bill provides for a reduction of taxes, I ask its reference to the Committee on Ways and Means.

The question being taken on the motion to refer to the Committee on Ways and Means,

The SPEAKER *pro tempore* said, The "noes" appear to have it.

Mr. McMILLIN. I rise to a parliamentary inquiry. I wish to know whether under the rules the bill just introduced would not go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. That is the motion pending, and therefore the Chair does not wish to decide the question.

Mr. McMILLIN. In the absence of a motion, would not that order be made?

The SPEAKER *pro tempore*. There are two motions pending—

Mr. McMILLIN. I understand; but in the absence of any motion would not the rules carry the bill to the Committee on Ways and Means?

The SPEAKER *pro tempore*. In the absence of any motion the Chair would so refer it.

Mr. PHELAN. I rise to a point of order.

Mr. BURROWS. Read the bill again, so we may know just exactly what it is.

Mr. HATCH. It merely excepts oleomargarine.

Mr. PHELAN. I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. PHELAN. Mr. Speaker, I make the point of order that under the rules of this House this bill goes, as a matter of course, to the Committee on Ways and Means. By Rule XXVIII it is provided:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended except by a vote of two-thirds of the members present.

Now, Rule XI, in reference to the powers and duties of committees, provides as follows:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating,

2. to the revenue and the bonded debt of the United States: to the Committee on Ways and Means.

I hold, therefore, Mr. Speaker, that under the rules of the House this bill should be referred to the Committee on Ways and Means; and that to refer it to the Committee on Agriculture, as is proposed, is a change of the rules, for which one day's notice must be given.

Mr. ANDERSON, of Kansas. That point has already been decided.

Mr. LAWLER. I call for a division.

The SPEAKER *pro tempore*. The question is on the motion to refer to the Committee on Ways and Means.

Mr. ANDERSON, of Kansas. But that was already taken.

Mr. LAWLER. I ask for a division, and I insist on a division.

Mr. MILLS. Let the bill be again read.

The bill was again read.

Mr. ANDERSON, of Kansas. My friend can have the yeas and nays on the next vote.

Mr. WILKINS. Let me ask the gentleman from Illinois, does this except bank taxes?

Mr. LAWLER. It does except bank taxes. I so understand it.

The SPEAKER *pro tempore*. The question recurs on the motion to refer to the Committee on Ways and Means.

The House divided; and there were—ayes 46, noes 143.

So the motion was disagreed to.

The question then recurred on the motion to refer it to the Committee on Agriculture.

Mr. BRECKINRIDGE, of Kentucky. It should go to the Committee on Agriculture or to the Committee on Banking, because the bank tax is excepted. [Cries of "Regular order!"]

The SPEAKER *pro tempore*. Does the gentleman make any motion? The bill was referred to the Committee on Agriculture.

PENSIONS.

Mr. PLUMB introduced a bill (H. R. 6639) to regulate the granting of pensions to soldiers for wounds received in the military service of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LEAVE OF ABSENCE EMPLOYÉS BUREAU ENGRAVING AND PRINTING.

Mr. TAULBEE introduced a bill (H. R. 6640) to extend the annual leave of absence of the employés of the Bureau of Engraving and Printing to thirty days per annum; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

SALARIES OF EMPLOYÉS OF THE NEW ORLEANS CUSTOM-HOUSE.

Mr. WILKINSON introduced a bill (H. R. 6641) to increase the salaries of certain employés of the New Orleans custom-house, so as to make the said salaries equivalent to those paid in similar departments in the different cities of this country; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

WASHINGTON CITY POST-OFFICE.

Mr. MILLIKEN introduced a bill (H. R. 6642) to authorize the acquisition of certain parcels of real estate embraced in square No. 380, of the city of Washington, to provide an eligible site for a city post-office; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SUGAR TRUSTS.

Mr. MILLIKEN also submitted the following resolution; which was referred to the Committee on Manufactures:

Resolved, That the Secretary of the Treasury be, and he hereby is, authorized and directed to make a thorough investigation of the so-called sugar trusts in the city of New York, and that he direct the collector of the port of New York and Mr. Joseph Treloar, in charge of the correspondence bureau in the New York customs district under the said collector, to formulate the information in his or their possession relating thereto to this House.

LICENSE TAX PAID BY NON-RESIDENTS.

Mr. RAYNER introduced a bill (H. R. 6643) for the relief of non-residents who have paid license taxes to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PUBLIC BUILDING, ANNAPOLIS, MD.

Mr. COMPTON introduced a bill (H. R. 6644) to provide for the erection of a public building in the city of Annapolis, Md.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SEIZURE OF FORFEITABLE IMPORTED BOOKS.

Mr. LONG introduced a bill (H. R. 6645) for the seizure and destruction of forfeitable imported books; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TARIFF LAWS AND DECISIONS FOR CUSTOMS OFFICERS.

Mr. COLLINS introduced a bill (H. R. 6646) to furnish officers of the customs with the tariff laws of the United States, and the rulings and decisions thereon; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. COLLINS also (by request) introduced a bill (H. R. 6647) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost the use of an arm or leg; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INDIAN INDUSTRIAL SCHOOL, MICHIGAN.

Mr. ALLEN, of Michigan, introduced a bill (H. R. 6648) for the establishment and maintenance of an Indian industrial school in the State of Michigan; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. CUTCHEON submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules:

Resolved, That Rule XXVIII, clause 1, be amended by adding thereto the following:

"Whenever application in writing, signed by a majority of all the members of the House, shall be presented to the Speaker requesting him to recognize any member therein named to move a suspension of the rules and pass a bill, to be named by him, upon the first Monday of the next ensuing month, it shall be the duty of the Speaker to recognize the member so named in such written request upon the said first Monday of the next ensuing month; and when more than one such written request is presented in any one month, the members therein named shall be recognized in the order in which they are presented to the Speaker."

REGISTER OF CERTAIN FOREIGN-BUILT VESSELS.

Mr. CHIPMAN introduced a bill (H. R. 6649) directing the Commissioner of Navigation to register certain foreign-built vessels as Amer-

ican vessels; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

LIQUOR TRAFFIC, DISTRICT OF COLUMBIA.

Mr. CHIPMAN also introduced a concurrent resolution relative to the liquor traffic in the District of Columbia; which was referred to the Select Committee on the Alcoholic Liquor Traffic.

MOORHEAD, LEECH LAKE, DULUTH AND NORTHERN RAILROAD.

Mr. NELSON introduced a bill (H. R. 6650) granting the right of way to the Moorhead, Leech Lake, Duluth and Northern Railroad Company through certain Indian lands in the State of Minnesota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ADDITIONAL ACCOMMODATIONS, HOUSE DOCUMENT-ROOM.

Mr. BARRY submitted the following resolution; which was read, and referred to the Committee on Accounts:

Resolved, That the Committee on Accounts be directed to inquire into the propriety of providing additional accommodations for the House document-room.

FEES, ETC., EXAMINING SURGEONS.

Mr. WALKER introduced a bill (H. R. 6651) establishing the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MAPS OF UNITED STATES.

Mr. WARNER introduced a bill (H. R. 6652) to authorize the Secretary of the Interior to cause to be printed maps of the United States in book form; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

FEES OF UNITED STATES COURT OFFICERS.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 6653) to amend the first section of an act entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts, and for other purposes," approved February 26, 1853; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TRANSFER OF UNOCCUPIED ROOMS, UNITED STATES COURTS.

Mr. SHERMAN introduced a joint resolution (H. Res. 103) authorizing and directing the Department of Justice to transfer certain rooms which have been occupied by the United States courts and officials to the city of Utica, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. HOPKINS, of New York, introduced a bill (H. R. 6654) to increase the pensions of soldiers and sailors; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, SCHENECTADY, N. Y.

Mr. WEST introduced a bill (H. R. 6655) to provide for a public building at Schenectady, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PURCHASE OF FAIRBANKS COIN SCALES.

Mr. MAHONEY introduced a bill (H. R. 6656) making an appropriation for the purchase of the scale known as "Fairbanks' infallible American gold and silver coin scale and counterfeit-coin detector" for use in the post-offices throughout the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RESTRICTION OF OWNERSHIP OF REAL ESTATE IN THE TERRITORIES.

Mr. FITCH introduced a bill (H. R. 6657) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens, etc.," approved March 3, 1887; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EASTERN AND WESTERN BANDS, CHEROKEE INDIANS.

Mr. JOHNSTON, of North Carolina, (by request) introduced a bill (H. R. 6658) to refer the claims of the Eastern and Western bands of Cherokee Indians to the Court of Claims for investigation and final judgment; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SURPLUS MONEY FOR COMMON-SCHOOL PURPOSES.

Mr. HENDERSON, of North Carolina, introduced a bill (H. R. 6659) to divide the surplus money in the Treasury of the United States on the 1st day of July, 1888, among the several States and Territories, to be used for purposes of common-school education; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

TAX ON STATE BANK CIRCULATION.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 6660) to repeal the tax of 10 per cent. on notes of State banks used as

circulation; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SECTION 1225, REVISED STATUTES.

Mr. CROUSE introduced a bill (H. R. 6661) to amend section 1225 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALARY OF LETTER-CARRIERS.

Mr. WILLIAMS introduced a bill (H. R. 6662) to amend section 3866 of the Revised Statutes in regard to the salary of letter-carriers; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REDUCTION OF REVENUE.

Mr. OUTHWAITE (by request) introduced a bill (H. R. 6663) to reduce revenue; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TRACT OF LAND IN CLEVELAND, OHIO.

Mr. FORAN introduced a bill (H. R. 6664) donating to the city of Cleveland, Ohio, a certain tract of land for street and park purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SECTION 566, REVISED STATUTES.

Mr. FORAN also introduced a bill (H. R. 6665) to amend section 566 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WATCHMEN IN EXECUTIVE DEPARTMENTS.

Mr. FORAN also introduced a bill (H. R. 6666) to regulate the compensation of watchmen in the Executive Departments of the Government; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

BOARD OF EDUCATION FOR THE DISTRICT.

Mr. BUTTERWORTH (by request) introduced a bill (H. R. 6667) to create a board of education for the District of Columbia, and to prescribe its powers and duties; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RECIPROCITY BETWEEN THE UNITED STATES AND CANADA.

Mr. BUTTERWORTH also introduced a bill (H. R. 6668) to extend the trade and commerce of the United States, and to provide for full reciprocity between the United States and the Dominion of Canada; which was read a first and second time.

Mr. BUTTERWORTH. I do not know to which committee this bill should properly be referred, whether to the Committee on Ways and Means or to the Committee on Foreign Affairs.

Mr. ADAMS. I ask that the bill be read.

Mr. BRECKINRIDGE, of Kentucky. I think it should go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. ADAMS] asks for the reading of the bill.

The bill was read.

Mr. BRECKINRIDGE, of Kentucky. I raise the point of order that under the rules this bill ought to go to the Committee on Ways and Means, as it is a bill that relates entirely to revenue.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky make a motion to refer the bill to the Committee on Ways and Means?

Mr. BRECKINRIDGE, of Kentucky. I make the point of order.

Mr. BUTTERWORTH. I have no objection to the bill going there. The bill was referred to the Committee on Ways and Means, and ordered to be printed.

SERVICE PENSIONS.

Mr. JOSEPH D. TAYLOR introduced a bill (H. R. 6669) granting pensions for service in the Army and Navy or Marine Corps of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FIRE-ESCAPES IN THE DISTRICT.

Mr. ROMEIS submitted a resolution requesting the Committee on the District of Columbia to ascertain whether the law providing for fire-escapes in the District of Columbia is complied with; which was referred to the Committee on the District of Columbia.

WATERS OF ALASKA AND BERING SEA.

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

Resolved, That the Secretary of State be, and he is hereby, requested to inform this House, if not incompatible with the public interest, what has been done by the Department of State in asserting the authority and dominion of this Government over the waters of Alaska and Bering Sea embraced in the treaty of 1867 between the United States and Russia; and whether any legislation is necessary on behalf of the United States to assert and maintain such authority and dominion, or for the protection of our fur-seal and other fisheries in said waters, and whether vessels, both foreign and domestic, adjudged by the courts of the United States to be confiscated, as well as their cargoes, for fishing unlawfully in said waters, have been released, and, if so, by what authority.

Mr. HERMANN. I ask that the resolution be referred to the Committee on Foreign Affairs.

Mr. DINGLEY. The resolution refers to fisheries of the United States. Should it not go to the Committee on Merchant Marine and Fisheries?

The SPEAKER *pro tempore*. Does the gentleman from Maine make that motion?

Mr. DINGLEY. I do.

The motion was agreed to; and the resolution was referred to the Committee on Merchant Marine and Fisheries.

MINERAL LANDS ON INDIAN RESERVATIONS.

Mr. HERMANN also introduced a bill (H. R. 6670) authorizing the Secretary of the Interior to permit miners and companies and corporations organized for mining purposes to prospect, develop, lease, and own the mineral portion of any Indian reservation, upon such terms and conditions as may be agreed upon by the Secretary of the Interior and the Indians on any such reservation; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LOT OF LAND IN PHILADELPHIA.

Mr. HARMER introduced a bill (H. R. 6671) to authorize the sale to the Schuylkill River East Side Railroad Company of a lot of ground belonging to the United States Naval Asylum in the city of Philadelphia, and providing that the amount of moneys received shall be expended in the improvement of the Naval Asylum at Philadelphia; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

EXPENSES OF CONGRESSIONAL ELECTIONS.

Mr. OSBORNE introduced a bill (H. R. 6672) to define the necessary and proper expenses incident to the nomination and election or appointment of Senators and Representatives in the Congress of the United States, and to authorize the payment thereof; which was read a first and second time, referred to the Committee on the Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

BOUNTIES.

Mr. BAYNE introduced a bill (H. R. 6673) providing bounties for soldiers and sailors of the late war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SALARIES OF JUDGES UNITED STATES COURTS.

Mr. BAYNE also introduced a bill (H. R. 6674) to increase the salaries of the judges of the United States district and circuit courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ANACOSTIA AND POTOMAC RIVER RAILROAD.

Mr. HEMPHILL (by request) introduced a bill (H. R. 6675) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad, in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

CLAIMS FOR DAMAGES IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6676) to create a board of audit to adjust claims for special damages to real estate by reason of public improvements in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

POLICE FORCE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6677) to amend an act entitled "An act to increase the police force of the District of Columbia, and for other purposes," approved January 31, 1883, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LAWS IN FORCE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6678) to secure to the District of Columbia a compilation of the laws in force therein on the 4th day of March, 1888; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

JUSTICES OF THE PEACE, ETC., IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6679) to amend an act entitled "An act regulating the appointment of justices of the peace, commissioners of deeds, and constables within and for the District of Columbia, and for other purposes;" which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ADDITIONAL TERM OF COURT IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6680) to provide an additional term of the circuit court of the supreme court of the District of Columbia, and for the appointment of one additional associate justice thereof; which was read a first and second time, re-

ferred to the Committee on the District of Columbia, and ordered to be printed.

LAWS IN RELATION TO IMMIGRATION.

Mr. STAHLNECKER presented a concurrent resolution of the New York State Legislature, requesting Congress to favor the passage of laws relating to immigration of foreigners; which was referred to the Committee on Foreign Affairs.

JURISDICTION OVER THE WATERS OF THE HUDSON.

Mr. MAHONEY introduced a joint resolution (H. Res. 104) declaring the waters of the Hudson River, for the protection of foreign and interstate commerce, from the sea as far northwardly as the tide ebbs and flows, to be in the exclusive jurisdiction of the United States of America; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, NEWPORT, VT.

Mr. GROUT introduced a bill (H. R. 6681) for the erection of a public building at Newport, Vt.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CARPENTERS IN THE NAVY.

Mr. WISE introduced a bill (H. R. 6682) to fix the status of carpenters in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SUGAR FROM SORGHUM.

Mr. LEE presented a memorial of the joint Assembly of Virginia, asking an appropriation of \$100,000 to erect the necessary works for the manufacture of sugar from sorghum, and to establish a school in Alexandria where the processes of the manufacture can be taught; which was referred to the Committee on Agriculture.

PUBLIC BUILDING, ROANOKE, VA.

Mr. HOPKINS, of Virginia, introduced a bill (H. R. 6683) to provide for the erection of a public building in the city of Roanoke, Roanoke County, Virginia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADDITIONAL LIFE-SAVING STATIONS, ATLANTIC COAST.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 6684) to establish additional life-saving stations on the Atlantic coast of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BUOY AT CHINCOTEAGUE INLET, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6685) to establish a fog-signal buoy at Chincoteague Inlet, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DESTRUCTION OF OYSTERS.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6686) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by starfish, etc., and making an appropriation for such purpose; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

DETAILS OF SURFMEN.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6687) authorizing the detail of surfmen for duty at isolated life-saving stations during the summer months; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TAX ON MANUFACTURERS OF STILLS.

Mr. YOST introduced a bill (H. R. 6688) to repeal the special tax on the manufacturers of stills; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAXES ON TOBACCO AND FRUIT BRANDY.

Mr. GAINES introduced a bill (H. R. 6689) for the repeal of internal-revenue taxes as applied to tobacco and fruit brandy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE CLAIMS.

Mr. HOGG introduced a bill (H. R. 6690) to relieve Congress of the power of legislating on bills of a private nature, to enlarge the jurisdiction of the Court of Claims, to create a court of pensions, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT HUNTINGTON, W. VA.

Mr. HOGG also introduced a bill (H. R. 6691) for the erection of a public building at Huntington, W. Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SALE OF FISH IN DISTRICT OF COLUMBIA.

Mr. SNYDER introduced a bill (H. R. 6692) to regulate the sale of certain fish in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

APPOINTMENTS IN MARINE-HOSPITAL SERVICE.

Mr. GUENTHER introduced a bill (H. R. 6693) to regulate appointments in the Marine-Hospital Service of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STREETS IN WASHINGTON, D. C.

Mr. GUENTHER also submitted the following resolution; which was read, and referred to the Committee on the District of Columbia:

Whereas it is a matter of general comment that the streets of the city of Washington are in an unusually bad and dirty condition: Therefore,

Be it resolved by the House of Representatives, That the Committee on the District of Columbia be, and is hereby, instructed to investigate the causes of such condition and report to this House on whom the responsibility rests.

PUBLIC BUILDING AT RACINE, WIS.

Mr. CASWELL introduced a bill (H. R. 6694) for a public building at Racine, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ONEIDA INDIAN RESERVATION, WISCONSIN.

Mr. HUDD introduced a bill (H. R. 6695) to provide for the allotment of lands in severalty to the Indians upon the Oneida reservation, in Wisconsin, and granting patents therefor, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

EDUCATION IN ARIZONA.

Mr. SMITH, of Arizona, introduced a bill (H. R. 6696) to promote education in the Territory of Arizona, and to provide for the creation of a present fund for such purpose; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ASSAY OFFICE, DEADWOOD, DAK.

Mr. GIFFORD introduced a bill (H. R. 6697) to establish an assay office at Deadwood, in the Territory of Dakota; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

BISMARCK LAND DISTRICT, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 6698) to divide the Bismarck land district, in Dakota, and create an additional land district therein; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

BRIDGE ACROSS MISSOURI RIVER, FOREST CITY, DAK.

Mr. GIFFORD (by request) also introduced a bill (H. R. 6699) to authorize the construction of a bridge across the Missouri River at Forest City, Dak., by the Forest City and Watertown Railway Company; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RIGHT OF WAY, GREAT SIOUX INDIAN RESERVATION.

Mr. GIFFORD (by request) also introduced a bill (H. R. 6700) granting the right of way across the Great Sioux Indian reservation in Dakota to the Forest City and Watertown Railway Company; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LAND GRANT TO NORTHERN PACIFIC RAILROAD.

Mr. TOOLE introduced a bill (H. R. 6701) to authorize and direct the Secretary of the Interior to cause to be re-examined certain lands in the Territory of Montana falling within the grant of the Northern Pacific Railroad Company; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of States and Territories has been concluded; but if there be no objection, the Chair will now recognize for the introduction of bills and resolutions gentlemen who were not in their seats when their names were called.

There was no objection.

BOND PURCHASES FOR SINKING FUND.

Mr. WEAVER submitted the following resolution; which was read and referred to the Committee on Appropriations:

Whereas it appears from a letter of the honorable Secretary of the Treasury, dated January 13, 1888, addressed to the Speaker of the House of Representatives, and printed in Executive Document No. 78, first session Fiftieth Congress, that an additional appropriation of \$2,000 is made necessary to meet an anticipated deficiency in telegraphic expenses of the Treasury Department, caused by the regulations recently adopted relating to deposits of Government funds in national-bank depositories; and

Whereas the Secretary of the Treasury in his annual report to Congress says, "The Government has purchased some bonds during the present fiscal year for the sinking fund, and has been obliged to pay such a price for them that the annual saving in interest upon the purchases is only about 2½ per cent; that the price of the same class of bonds has materially advanced since these pur-

chases, and that the premium paid on said purchases amounted to \$2,852,015.88;" and

Whereas the policy of purchasing bonds with surplus money in the Treasury, as aforesaid, has ceased, and the policy of depositing the public funds in a large number of national banks has been substituted in lieu thereof; and

Whereas the statute authorizing the Secretary of the Treasury to designate national banks as United States depositories provides that the Secretary shall prescribe the regulations by which said depositories of public funds shall be governed: Therefore,

Be it resolved, That the Secretary of the Treasury be, and is hereby, directed to report to this House at the earliest possible moment all the facts bearing upon the following inquiries:

First. At what dates were the propositions made by the Treasury Department to buy said bonds; and if any person or association was employed to purchase said bonds, give name of said person, persons, or association. Give dates of purchase, name of seller, kinds of bonds purchased, amounts paid, and current rates at which said bonds were quoted at the time the proposition to purchase was made by the Department.

Second. State when the policy relating to deposits in national-bank depositories was adopted which created the deficiency spoken of in the letter aforesaid of the Secretary of the Treasury, and whether after the purchase spoken of on the eleventh page of the annual report of the Secretary of the Treasury for the year 1887; give also reasons for changing policy first adopted, to wit, the purchase of bonds.

Third. State if the deficiency spoken of in the aforesaid letter of the Secretary was caused by the large increase in the number of national-bank depositories. Append to your answer a statement showing the per cent. of deposits on bonds deposited to secure the same under present regulations of the Treasury Department; also append copy of said regulations. State what per cent. of deposits has been allowed by the Department on United States bonds deposited for this purpose for the past twelve years, and whether the rate has been uniform, and whether below or above the par value of the bonds previous to the adoption of the present policy, and what was the rate percentage at the date of change of policy.

Fourth. Has said new policy of the Department concerning United States depositories, the number thereof, and the increased percentage of deposits allowed had any effect to either increase or diminish the circulation of national-bank notes, and to what extent, and whether said policy has resulted in the increase or diminution of the money supply of the country?

Fifth. State the number of national banks which have been designated as depositories of public funds since the adoption of the present policy, the number formerly designated that have availed themselves of the increased rate, and where said banks have been designated since the adoption of the present policy and rates of deposits, state when the bonds deposited in the Treasury by said designated depositories were transferred to said associations, and by whom.

BILLS FROM THE COMMITTEE ON NAVAL AFFAIRS.

Mr. HERBERT submitted the following resolution, and moved its reference to the Committee on Naval Affairs:

Resolved, That Tuesday and Wednesday, the 28th and 29th of February, immediately after the reading of the Journal, be set apart for the consideration of bills reported from the Committee on Naval Affairs, not to interfere with general appropriation bills, bills from the Committee on Ways and Means or Elections, or with prior orders; this to be a standing order and continuing from day to day until two whole days shall have been devoted to the consideration of said bills.

Mr. ANDERSON, of Kansas. Should not that resolution go to the Committee on Rules?

Mr. BURROWS. I insist on its reference to the Committee on Rules.

Mr. HERBERT. Let it go to that committee.

The resolution was referred to the Committee on Rules.

PUBLIC BUILDING AT EUREKA, CAL.

Mr. THOMPSON, of California, introduced a bill (H. R. 6702) for a public building at Eureka, Cal.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FACILITATING IMPROVEMENT OF RIVERS AND HARBORS.

Mr. JONES introduced a bill (H. R. 6703) to facilitate the prosecution of works projected for the improvement of rivers and harbors; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORT ON WHITE SCALE-INSECTS.

Mr. FELTON submitted the following resolution; which was referred to the Committee on Agriculture:

Resolved by the House of Representatives (the Senate concurring), That a special report on the white scale and other scale-insects affecting the orange and other fruit trees in California be printed, and that 50,000 additional copies be printed, of which 25,000 copies shall be for the use of members of the House in whose districts the orange is grown, 12,500 for the use of Senators in whose district the orange is grown, and 12,500 for the use of the Department of Agriculture.

SPECIAL REPORT ON INSECTS AFFECTING THE ORANGE.

Mr. FELTON also submitted the following resolution; which was referred to the Committee on Agriculture:

Resolved by the House of Representatives (the Senate concurring), That a second edition of the special report of the Department of Agriculture on insects affecting the orange be printed, and that 20,000 additional copies be printed, of which 10,000 copies shall be for the use of members of the House in whose districts the orange is grown, 5,000 for the use of Senators in whose districts the orange is grown, and 5,000 for the use of the Department of Agriculture.

FRENCH SPOILATION CLAIMS.

Mr. ROGERS introduced a bill (H. R. 6704) to amend the act of the 20th of January, 1885, entitled "An act to provide for the ascertainment of claims of American citizens for spoliation committed by the French prior to the 31st July, 1801," so as to provide for the rendition of judgments by the Court of Claims and for appeals to the Supreme Court; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RESOLUTION OF INQUIRY.

Mr. LANDES submitted the following resolution; which was referred to the Committee on Rivers and Harbors:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish the House with information touching an alleged obstruction of the Wabash River at a point opposite to the city of Mt. Carmel, Ill., by the construction and maintenance, without authority of law, by the Louisville, Evansville and St. Louis Railroad Company, of a railroad bridge.

LARD ADULTERATION.

Mr. HENDERSON, of Iowa, submitted the following concurrent resolution of the Legislature of the State of Iowa, requesting Congress to prohibit the sale of adulterated lard and require statement of actual contents on package thereof, and to pass the bill now pending for that purpose; which was referred to the Committee on Agriculture, and ordered to be printed in the RECORD.

It is as follows:

Be it resolved by the senate (the house concurring), That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States, unless on the package containing the same a true statement is given of the actual contents and of the proportion of genuine lard therein; and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

I hereby certify that the above resolution passed both branches of the Twenty-second General Assembly of the State of Iowa.

FRANK D. JACKSON,
Secretary of State.

COST OF PRODUCING LEADING ARTICLES OF CONSUMPTION.

Mr. O'NEILL, of Missouri, submitted a joint resolution (H. Res. 105) authorizing and directing the Commissioner of Labor to make an investigation as to the cost of producing articles of consumption in the United States and competing countries, and for other purposes; which was referred to the Committee on Labor, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. MORRILL, introduced a bill (H. R. 6705) to increase the pensions of those now on the rolls who are incapacitated from performing any manual labor whatever, from \$30 to \$45 per month; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POTTAWATOMIE INDIANS.

Mr. MORRILL also submitted the following resolution; which was referred to the Committee on Indian Affairs:

Whereas one E. John Ellis, an attorney, of the city of Washington, D. C., has pending in the House a claim for services rendered professionally for the Pottawatomie Indians; and

Whereas many of these Indians are citizens of the United States, and claim that they are not indebted to the said E. John Ellis in any sum: Therefore,

Be it resolved, That the Secretary of the Interior be requested to furnish this House all the information possessed by his Department concerning said claim, for whom rendered, and circumstances under which rendered, and any other information he may possess concerning the propriety of the said proposed legislation; and also, if any moneys have been paid to any other persons for services rendered in procuring appropriation from Congress in favor of said Indians in act of August 3, 1886, and, if so, to whom and by what authority said moneys were paid.

OLD FORT CHARTRÉ

Mr. BAKER, of Illinois, submitted the following resolution; which was referred to the Committee on Military Affairs:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of the United States Government purchasing the celebrated historical site of Old Fort Chartres, in Illinois (a site which stands so prominently connected with the early history of the Mississippi Valley), with a view to its preservation in as near its original form as possible; and that said committee be instructed to report on the subject by bill or otherwise.

ADJUSTMENT OF LAND GRANTS, ETC.

Mr. SYMES introduced a bill (H. R. 6706) to amend an act for the adjustment of land grants by Congress, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RIO GRANDE PACIFIC RAILROAD COMPANY.

Mr. SYMES also introduced a bill (H. R. 6707) to grant the Rio Grande Pacific Railroad Company the right of way through the Uncompahgre and Uintah reservations, in the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ALLOWANCES FOR EXPENSES AT PRESIDENTIAL POST-OFFICES.

Mr. SYMES also introduced a bill (H. R. 6708) to equalize the allowances for office expenses at Presidential post-offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REMOVAL OF TIMBER ON THE PUBLIC DOMAIN.

Mr. SYMES also introduced a bill (H. R. 6709) to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PROPERTY NEAR GOSPORT NAVY-YARD.

Mr. BOWDEN introduced a bill (H. R. 6710) authorizing and directing the Secretary of the Navy to purchase certain property opposite the Gosport navy-yard, near Norfolk, Va.; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, HUTCHINSON, KANS.

Mr. PETERS introduced a bill (H. R. 6711) for the erection of a public building at Hutchinson, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LAND CONTEST CASES, INTERIOR DEPARTMENT.

Mr. PETERS also submitted the following resolution of inquiry; which was read and referred to the Committee on the Public Lands:

Resolved, That the Secretary of the Interior be requested to inform the House of Representatives:

First. How soon after the filing of an appeal in a land-contest case in the office of the Commissioner of the General Land Office is such case reached for hearing and consideration.

Second. If such cases are considered in the order of their filing.

Third. The cause of delay in the consideration of such cases, if there is any such delay.

Fourth. After an appeal is taken to the Secretary of the Interior in such cases, how soon is it reached for hearing and consideration.

Fifth. The cause of such delay, if any.

Sixth. How soon after final decision in such cases does patent issue.

Seventh. The cause of such delay, if any.

RIGHT OF WAY THROUGH FORT HAYS MILITARY RESERVATION.

Mr. TURNER, of Kansas, introduced a bill (H. R. 6712) to authorize the Omaha, Hays City and Southwestern Railway Company to build its road across the Fort Hays military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, ELMIRA, N. Y.

Mr. FLOOD introduced a bill (H. R. 6713) for the erection of a public building in the city of Elmira, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EFFECTS OF OFFICERS ON LOST VESSELS.

Mr. HOLMES introduced a bill (H. R. 6714) making allowance for effects of officers of lost vessels; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, VINCENNES, IND.

Mr. O'NEALL, of Indiana, introduced a bill (H. R. 6715) for the erection of a public building at the city of Vincennes, Ind.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROTECTION OF SHEEP HUSBANDRY, OHIO.

Mr. GROSVENOR presented resolutions of the General Assembly of the State of Ohio in regard to sheep husbandry; which were read, and referred to the Committee on Ways and Means.

PROTECTIVE TARIFF.

Mr. GROSVENOR also presented resolutions of the General Assembly of the State of Ohio in reference to a protective tariff; which were read, and referred to the Committee on Ways and Means.

Mr. GROSVENOR. I ask that these resolutions be printed in the RECORD.

There was no objection.

They are as follows:

[House Joint Resolution No. 4.]

Requesting our Senators and Representatives in the Congress of the United States to oppose any reduction of the wool tariff.

Resolved by the General Assembly of the State of Ohio, First. That we recognize in sheep husbandry one of the most important industries of our State and country, and one that almost every farmer is directly interested in, and without which our country can not be independent; and that we do therefore view with apprehension and alarm all propositions and measures to abolish or reduce the tariff duties now levied for its protection, and respectfully request our Senators and Representatives in Congress to oppose the same.

Second. That the governor be requested to transmit a copy of these resolutions to each of our Senators and to each of the members of the House of Representatives in the Congress of the United States from Ohio.

ELBERT L. LAMPSON,

Speaker of the House of Representatives.

WM. C. LYON,

President of the Senate.

Adopted January 26, 1888.

UNITED STATES OF AMERICA, OHIO,

Office of the Secretary of State:

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 25th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,

Secretary of State.

EXECUTIVE CHAMBER, Columbus, Ohio, January 27, 1888.

In compliance with the request contained in the resolution above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, Governor.

[House Joint Resolution No. 5.]

Requesting our Senators and Representatives in the Congress of the United States to oppose certain measures which were suggested in the President's recent message.

Resolved by the General Assembly of the State of Ohio, First. That we believe in a protective tariff for the sake of protection, to the end that we may have a diversity of employment, domestic commerce, home markets for our farmers, good wages for our laborers, and such development of all our material resources as will make it possible for us to supply all our wants in both peace and war, and thus be independent as a nation among the nations of the earth.

Second. Under this wise and patriotic policy, inaugurated and steadily upheld and enforced by the Republican party since its advent to power in 1861, we have prospered as no other nation ever did.

Third. We regard the views expressed by His Excellency the President of the United States, in his recent message to Congress, in opposition to this policy, as unwise, unjust, and unpatriotic, and as calculated, if formulated into law and given effect, to not only dissipate our surplus revenue, but also paralyze our industries, stop the development of our resources, degrade labor, stagnate and demoralize business, and reduce us to that weak and dependent condition to which the country had been brought by a Democratic free-trade policy when the Republican party was placed in power in 1861.

Fourth. That our Senators in Congress be instructed, and our Representatives be requested, to oppose all measures that may be offered for the purpose of giving effect to these views and recommendations of the President.

Fifth. That the governor be requested to forward a copy of these resolutions to each of our Senators and Representatives from Ohio in the Congress of the United States.

ELBERT L. LAMPSON,
Speaker of the House of Representatives.
WM. C. LYON,
President of the Senate.

Adopted January 26, 1888.

UNITED STATES OF AMERICA, OHIO,
Office of the Secretary of State:

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
Secretary of State.

EXECUTIVE CHAMBER, Columbus, Ohio, January 27, 1888.

In accordance with the request contained in the resolutions above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

ADDITIONAL JUSTICE FOR SUPREME COURT OF UTAH.

Mr. CAINE introduced a bill (H. R. 6716) providing for the appointment of an additional justice for the supreme court of the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ALIEN LAND ACT.

Mr. CAINE also submitted a memorial of the governor and Legislative Assembly of the Territory of Utah, asking for an amendment of the alien land act so as to exclude from its operations mineral lands in the Territories; which was referred to the Committee on the Public Lands.

ADDITIONAL JUSTICE, UTAH.

Mr. CAINE also submitted a memorial of the governor and Legislative Assembly of the Territory of Utah, asking for the appointment of an additional associate justice for that Territory; which was referred to the Committee on the Territories.

PUBLIC BUILDING, JUDICIARY SQUARE, WASHINGTON.

Mr. DIBBLE introduced a bill (H. R. 6717) to provide for the erection of a public building on Judiciary Square in the city of Washington; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. This completes the call of the States and Territories for the introduction and reference of bills.

[Speaker CARLISLE here resumed the chair, his appearance being greeted with loud and prolonged applause.]

THANKS TO SPEAKER PRO TEMPORE COX.

Mr. PERKINS. Mr. Speaker, I offer the following resolution for present consideration, and I know that after it is read every gentleman in this House will take pleasure in voting for it.

The Clerk read as follows:

Resolved. That the thanks of this House be granted to Hon. SAMUEL S. COX for the courteous, just, and impartial manner in which he presided over its deliberations as Speaker *pro tempore* during the absence of the Speaker, and for his expeditious and satisfactory dispatch of public business.

The resolution was unanimously agreed to.

Mr. COX. Mr. Speaker, during your regrettable absence it pleased the gentlemen on both sides of the Chamber to make me for a time your *locum tenens*. I thank gentlemen on both sides for their uniform good temper and for their forbearance towards one who was called fresh from the floor for the exacting and perplexing duties of the Chair. I had not the opportunity to thank gentlemen at the time I was elected to that place; but I do so now, and I tender my heartiest acknowledgments. [Applause.]

CONTESTED ELECTION—LOWRY VS. WHITE.

Mr. CRISP. I call up for consideration, as a question of privilege, the contested-election case of Lowry vs. White, Twelfth district, Indiana.

The SPEAKER. The Clerk will report the resolutions of the committee.

The Clerk read as follows:

Resolved, First. That James B. White, not having been a citizen of the United States for seven years previous to the 4th of March, 1887, is not entitled to retain his seat in the Fiftieth Congress of the United States from the Twelfth Congressional district of Indiana.

Resolved, Second. That Robert Lowry, not having received a majority of the votes cast for Representative in the Fiftieth Congress from the Twelfth Congressional district of Indiana, is not entitled to a seat therein as such Representative.

Mr. CRISP. There is also pending a substitute offered by the minority. Under the arrangement gentlemen on the other side will now use the time which remains to them.

Mr. ROWELL. I yield forty-five minutes to my colleague on the committee, the gentleman from Indiana [Mr. JOHNSTON].

Mr. JOHNSTON, of Indiana. In some respects this is a very remarkable contested-election case. In the fall of 1886 there was an election held in the Twelfth Congressional district of Indiana at which there were 34,589 votes cast. Of that number James B. White, the sitting member, got 17,900, and Robert Lowry 15,416 votes; making a plurality for Mr. White of 2,484, and a majority of 1,214 votes. Upon this record Mr. White's election is contested by his competitor, Robert Lowry.

The majority of the committee—in fact, I might say all of the committee but one—decided that Robert Lowry, the contestee, has no rights in court. The minority of your committee concede that Mr. Lowry, as a citizen of the Twelfth Congressional district, has a right to petition and raise the question of the eligibility of his competitor, James B. White. Then, as this record appears before this House to-day, Mr. Lowry stands here simply as an elector of the Twelfth Congressional district, saying that because James B. White is not a citizen of the United States he is not eligible to hold the seat to which the people have elected him. Out of nearly 35,000 voters, Mr. Speaker, he is the only elector in that district who is here contesting the right of James B. White. Out of 34,500 voters, 34,499 of them concede the right of this man to his seat upon this floor.

Then we are brought face to face with the proposition whether or not he is entitled to hold the seat that he has been elected to by 2,500 majority over his competitor.

The majority of the committee say that, as he is unable to show by the records of the court in which he was naturalized that he is a naturalized citizen, he is therefore barred of the right of proving it. The minority of your committee say that if he is a naturalized citizen it is a fact, and he has the right to prove that fact.

The majority of the committee quote authorities on their side to show that certain courts have held that naturalization can only be proved by the record of it. The minority of the committee quote authorities equally strong to show that where the record fails to exhibit the fact it may be proved by parol evidence. Then we are brought here with one side contending that these authorities show one thing; the other side contending that they show another; and we come back then to the great fundamental principles that govern this body.

It is an old and well-settled principle in law that no court can construe an act of the legislative branch of the Government as well as the power that makes it. In nearly every State of this Union at every session of the Legislature it is called upon to pass acts to construe this or that act of the Legislature. We are then called upon in this case—not conceding the position taken by the majority—we are called upon in this case to decide what the act of Congress providing for naturalization means.

I for one would rather hold with the judge that decided the Coleman case, that whenever the man who seeks his naturalization has done all the law compels him to do he becomes a citizen of the United States; that the mere act of omission of the clerk shall not deprive him of his naturalization. And that is in accordance with our ideas of republican institutions; it is in accordance with our ideas of the right of men to be naturalized. I would rather hold with the supreme court of California, where they passed upon the question of the right of a citizen to vote; they say that wherever the act says the voter shall do certain things it is mandatory, but where it says the clerk shall do certain things it is directory; and if the clerk fails to perform his duty that failure of his shall not deprive the man of his right to vote and his right to citizenship.

The honorable gentleman from Virginia [Mr. O'FERRALL] the other day said that he honored Captain White for his military record.

Mr. O'FERRALL. If the gentleman will allow me to interrupt him a moment, I do not think that I said that I honored Captain White for his military record. I said that I honored any brave and gallant Union soldier for his military record. I did not apply that to Captain White.

Mr. JOHNSTON, of Indiana. I will take the gentleman's statement as he makes it, that he honors any brave Union soldier for his mil-

itary record. Coupled with that he said the other day that he himself had served four years on the other side, and I can readily conceive how he can honor a brave man against whom he fought; but did it ever occur to the honorable gentleman that while he was engaged in that conflict on the one side and Captain White on the other, they were really appealing from the courts to settle a disputed question as to the construction of the organic act of the Government—the construction of the Constitution of the United States? That question was appealed from the courts to a higher tribunal, and when we find the courts differing in their decisions we stand here to settle the rights of an American citizen under the acts of Congress authorizing him to be naturalized, and we are a court unto ourselves, because the Constitution says that this House is the sole judge of the elections, returns and qualifications of its own members.

We could make no rule here that would bind a future Congress, and as this question is to be settled by Congress, I believe, with the minority of this committee, that it is right to let Captain White come in and prove his citizenship in any way he can that is known to the law of evidence. This brings us to the simple isolated question of fact, Was Captain White ever naturalized? Did he become a naturalized citizen of the United States seven years before he took his seat in this Congress as a member from the Twelfth district of Indiana? Captain White came to this country in 1854, a beardless boy, before he had reached the years of manhood. They say Captain White has admitted that in 1856 he voted for John C. Frémont. I am not here to dispute that proposition, and I think that if every man upon the opposite side of this Chamber would go to Captain White and ask him if he voted for John C. Frémont in 1856, he would tell them very frankly that he thinks he did; that he came here a minor and believed then, and until 1858, that having come here as a minor, he had a right to vote when he attained his majority without being naturalized.

In 1858 he took out his first papers in Allen County, Indiana. In 1861 Captain White enlisted in defense of a country of which he was not yet a citizen. He had left the home of his fathers and come to cast his fortunes with this growing nation of ours, and when its perpetuity was threatened, he, like a man who loved liberty and loved our free institutions, enlisted in their defense. He came out of the service in 1863 or 1864. In 1865 he thought he would go and visit the land of his nativity, that he would go back and see his father and mother. Then it was that he was told by relatives and by citizens of his town that he had better take out his second papers. Captain White swears that in February, 1865, he went into the clerk's office of Allen County and took out his second papers, and started on his contemplated visit, but when he got to the city of New York he received information by telegraph that his wife was lying dangerously ill, whereupon he abandoned the trip, came home to Indiana, and has ever since been a citizen of Fort Wayne. He has been elected to office after office; he has been honored by the people of his own city; he has been voted for time and again; and this question of his naturalization was never raised until 1886.

Now, then, as to the facts and the proof whether or not Captain White was ever a naturalized citizen. A few days before the election he was confronted by Mr. Bell, of Fort Wayne, and Mr. Moynihan, agents of the contestant, Mr. Lowry. Then, for the first time in his life, he was charged with not being a naturalized citizen. What did White say upon that occasion? He said, "I am a citizen; I was naturalized in this Allen County, and Isaac Jenkinson was with me when I was naturalized. I was naturalized in the court-house." "Well, but Captain White, have you got your papers?" "I do not know whether I have got my papers or not. I do not know whether I can find my commission in the Army or not. I do not know whether I can find my marriage certificate; but still I know I was married." What was the object of Mr. Bell's interview with Captain White? To prepare a publication that was to drive consternation into the ranks of Captain White's followers.

Now, let us go one step farther and see whether or not Captain White is corroborated by the circumstances surrounding this case. Upon Thursday, the 28th day of October, there came out a publication in the papers of Fort Wayne charging that Captain White was not a naturalized citizen, and Isaac Jenkinson, living a hundred miles away, sitting in his office the next day reads that statement, and what does he say? Why, he says, "That is impossible! I certainly was with Captain White and saw him naturalized." No man can contend, no man who reads the evidence can contend that there was any understanding or communication between Captain White and Mr. Jenkinson.

Can there be any doubt that Mr. Jenkinson is to be believed? If any man on the other side of the Chamber doubts it for one moment, let him take up the report of the committee, written by the honorable gentleman from Mississippi [Mr. BARRY], and he will find it conceded that Isaac Jenkinson is a man worthy of belief, having long been a citizen of high standing in his own State, and having for six years represented our nation in a foreign land. He stands before you, then, unimpeached. And what does he say on this question? He says, "I was with Captain White just after the war closed, and I think he was naturalized in Allen County, in the city of Fort Wayne."

I admit that, as gentlemen on the other side have pointed out, the

evidence of Mr. Jenkinson in his examination-in-chief was not so strong and pointed as it might have been. But there sat Mr. Lowry, the contestant, a sharp, shrewd practitioner, who commenced upon cross-examination to press the witness with questions. "Where was this man naturalized? Was it in the clerk's office or in the court-house?" "It was in the court-house," says Mr. Jenkinson. "Who were present?" "There were myself, Mr. White, Mr. Brown, I think, and perhaps others, and possibly Mr. Chittenden." Then Mr. Lowry puts the question, "Did you sit down or were you standing up?" "Captain White and I were standing up in front of the court, a little to the right and in front of the court." "But," asks the contestant, "was not the clerk's desk there?" "The clerk's desk was there; but we stood to the right and in front of the court." He was driven on still further by this kind of cross-examination until he said, "There is one fact which convinces me that I was there and that it was after the war." "What is that, Mr. Jenkinson?" "Why," says he, "it was remarked there that it was a strange thing that a Union soldier should have to swear allegiance to the United States Government."

Mr. BARRY. Let me interrupt the gentleman a moment. He says, "It was remarked." Who "remarked" it?

Mr. JOHNSTON, of Indiana. Mr. Jenkinson says it was remarked at that time.

Mr. BARRY. Where does Mr. Jenkinson say that?

Mr. JOHNSTON, of Indiana. If you will turn to the record—

Mr. BARRY. Read it and see.

Mr. JOHNSTON, of Indiana. If the gentleman will turn to the re-examination of Mr. Jenkinson, question 4, he will find that is what he says—that it was remarked as strange that a Union soldier must swear allegiance to the United States Government and renounce allegiance to Queen Victoria.

What happened next? He is asked, "To whom did you first make that remark?" He answers, "The first man I talked about it was Colonel Robinson, of Fort Wayne, a few days after the election. I said to him, 'I see that they are raising the question that Captain White has not been naturalized; that can not be possible; I was present when he was naturalized;' and Colonel Robinson spoke up and said, 'That is just what Jim White says about it.'"

Here are these two persons, a hundred miles apart, who, without opportunity to consult with each other, agree thus in their statements.

Now, I want to put it to the majority of the committee, Do you believe that if Captain White were trying to show a naturalization which did not take place, he would, when confronted with the question, have referred to a high-toned, honorable gentleman like Mr. Jenkinson, and said that that gentleman was present at the time of the naturalization? Would he have selected a man a hundred miles away and said he was there, basing his whole case upon this statement without knowing how that other man would testify? This fact alone does away with the idea that James B. White was stating anything but what he really and absolutely believed. If he had been undertaking to prove that he was naturalized when he knew that he was not, he would have selected two of his followers in the city of Fort Wayne and said that they were present as his witnesses. But instead of this he names a man whom he has not seen for years, a man 100 miles away, and a man who, as all agree, is an honorable, high-toned gentleman.

Now, I wish to call attention to one very astounding fact; and I want gentlemen representing the majority of the committee, when they come to make their closing argument, to state the reason for what I am about to bring to the attention of members. We find that in the report of the majority, where the interview between Mr. White, Mr. Bell, and Mr. Moynihan is referred to, the evidence of Mr. Bell and Mr. Moynihan is set out nearly in full; and the majority of the committee, making a great show of fairness, then say, "It is but fair to set out the evidence of Mr. White," attempting to leave the impression upon this House that the evidence of Mr. White and the evidence of Mr. Bell and Mr. Moynihan constitute the whole evidence of what transpired at that interview. Why, gentlemen of the majority of the committee, if you wanted to treat Mr. White fairly in this report, why did you not set out also the evidence of John W. White as to that interview, thus giving the evidence of the four witnesses to the transaction? But instead of that, you rely upon the evidence of two witnesses on your side and one upon ours. How does that record stand? Mr. Moynihan and Mr. Bell swear to one version of that interview; James B. White and his son, John W. White, swear to another and entirely different version. Captain White swears that he never gave any date as to when these papers were taken out. His son, John W. White, comes in and corroborates him. Therefore, as to what took place at that interview this record stands with Mr. Bell and Mr. Moynihan on one side, and Mr. James B. White and Mr. John W. White on the other.

Now, then, if it was the mere preponderance of evidence on that point your case would have to fall.

But let us look for a few moments as to how the witnesses stand before this House; how the witnesses stand in this evidence. Who is Robert C. Bell, of Fort Wayne? A politician, as shown by this record, who has been the worker of the contestant in this case; who, as the

record shows, was in the convention that nominated him, and the chairman of the committee on credentials, with power to throw out delegates for one man and to seat delegates for another.

He goes down on the 28th of October to Captain White with a falsehood in his mouth. Turn to the record, page 155. He had Captain White telegraphed for on the 27th. He leaves the heat and turmoil of a political campaign. He goes to Fort Wayne to answer the telegram sent to him at the instance of Robert C. Bell, who was acting as the agent of Robert Lowry; when Mr. Bell meets him, he says, "Captain White, I have always been a friend of yours; they are going to spring something on you in the contest, and that is you are not a naturalized citizen of the United States. I heard it but yesterday."

Turn to the record and you will find he admits that he told Captain White that fact. But when did he learn it? By his own evidence he had known it fourteen days before. But he tells Captain White, to mislead him and throw him off his guard, that he had merely learned it the day before.

One step further. I ask the majority of this committee if they are here to defend the record of Robert C. Bell in this evidence. If it shows anything, it shows that on a certain Saturday John D. Sardingham, a naturalized German, a member of the Indiana State senate, was met by Mr. Lowry, and told by him that he could put him out of the State senate sooner than he got in, because he was not a naturalized citizen. But, said Mr. Sardingham, "I am a naturalized citizen, and was naturalized before you, Judge Lowry."

Let us go one step farther in this investigation. John D. Sardingham the next day, on Sunday, showed his naturalization papers to Robert C. Bell. On Monday Robert C. Bell went to the clerk's office to investigate the fact, whether there was a record there or not, and on the next day he brought back the record showing that he had been naturalized. That puts Judge Lowry, the contestant in this case, in the position of charging, as in this case, that the record in the case of J. D. Sardingham was a forgery.

Then what have you got? You have got the fact that Robert C. Bell went to the court-house in the city of Fort Wayne, as the attorney of John D. Sardingham, and forged a record of naturalization, or Mr. Lowry has testified falsely in this case. They ask you to believe, in the trial of this cause, a man who, as shown by Lowry's own evidence, has tampered with and forged the records of Allen County; upon such evidence as that you are asked to say that James B. White has perjured himself! That is just where this case lies. You bring a man as witness who, according to your evidence, tampered with the records—made records which never existed—and then ask us to turn this man out on such evidence as that.

Still one step further. The majority of this committee seek to make some capital out of the fact that James B. White took out his third papers in Kosciusko County. Does not the evidence show that he had taken out his second papers in Allen County? Does not the evidence of Mr. Colerick and Mr. Purman show that they advised him, as lawyers, to go and take them out? They testify, sir, the court was not in session in Allen County, and they told him it would do no harm, and it might do him some good; and on their advice he went and took out his papers. Is that to be used against him in weighing his right to a seat on this floor?

I want to call your attention to some other evidence—the evidence of William T. Pratt, a man who was sheriff of Allen County for four years, who has been justice of the peace, and honored by his State on the board of supervisors and the board of trustees of the northern penitentiary. Mr. Pratt swears that he was in court, that he saw Mr. Jenkinson and Mr. White in court holding up their hands and testifying, and that he thinks they were going through the operation of naturalization.

Now, I want to call the attention of my colleague on the committee from Ohio [Mr. OUTHWAITE], as he is the only man in this discussion who has sought to drag politics into it in any way, to some of the testimony given here, and I am certain that my friend could never have read this evidence on the part of Mr. Pratt, or he would not have been willing to sit here in his place and deny his Democracy. I ask my friend to turn to page 207 of the record, at the bottom of the page, and read these words:

142. Q. You have been asked and answered concerning your past political affiliations. Is it not a fact that for some years past, in consequence of the disappointments you have unfortunately met with politically, been generally about election time considerably given to grumbling and enrolled usually in the ranks of those known as political kickers?—A. No, sir; I vote the Democratic ticket straight and take my whisky straight and don't belong to kickers.

Is he a Democrat after that? Can you doubt his Democracy on reading such testimony? [Laughter.]

Mr. OUTHWAITE. Not from your point of view.

Mr. JOHNSTON, of Indiana. I simply quote that for the benefit of my honored friend from Ohio, who seeks to cast a doubt upon Mr. Pratt's testimony on political grounds.

Mr. OUTHWAITE. Will the gentleman yield to me for a question? Mr. JOHNSTON, of Indiana. I will yield for a question. How long a time do you want?

Mr. OUTHWAITE. Only for a moment.

Mr. JOHNSTON, of Indiana. All right.

Mr. OUTHWAITE. I ask the gentleman if it is not true that Mr. Pratt testified that he was bitterly hostile to Mr. Lowry during the whole of that contest?

Mr. JOHNSTON, of Indiana. That may be true, I will answer the gentleman; but that is no reason for discrediting his testimony, for there are 2,500 or 3,000 of the best Democrats in the world that were hostile to him at the same time. If you are going to brand this man as a liar and a perjurer because he did not stand under the party lash of Mr. Lowry, why then you will necessarily discredit 3,000 of the best Democrats in Indiana. [Applause.] If they are perjurers simply because they did not bow the knee and bend their backs to the crack of Judge Lowry's party whip, why of course in view of the fact that they did not bow the knee they come under the ban of your denunciation.

Now, then, another point. I want to appeal to this House for fair play and fair dealing. I also appeal to the majority of this committee. You quote here the evidence of a Mr. Spencer, who swears that he was at a party and had a conversation after the election with contestee. If you had been judges upon the bench during the trial of this case you would have stricken out that testimony upon the motion of James B. White. But what do you do? You produce it here to impeach him, when he never had a chance to deny the conversation, for when he offered, after the evidence in the case was closed, to prove to the contrary, you denied him the right.

Now, Mr. Speaker, if James B. White is not a citizen of the United States, to what country on earth does he belong? He has renounced his allegiance to Queen Victoria. You say he is not a citizen of this country; then it follows that he is a man without a country. If, after taking out his papers here, he had gone to Scotland, and when he got there the Queen had called him as her own, James B. White could have stood up in the face of the British Government and said, "I am an American citizen; here is my certificate of naturalization." "Oh!" but the gentleman from Mississippi and the gentleman from Virginia say, "unless you can show the record of the court in which you were naturalized you are not entitled to the protection of the flag you fought to perpetuate."

Then James B. White would open his coat and exhibit the scar upon his manly bosom and say, "Gentlemen, here is my certificate; here are the wounds I received fighting for the perpetuity of a republican form of government in the United States." "Oh!" but say the majority of the committee again, "that all goes for naught; that amounts to nothing; you must show the record." But I ask you, sir, what would the American Congress have said in the face of these facts? It would have declared war if necessary against Great Britain and demanded the release of this man as an American citizen.

If we are to establish this rule, that every foreigner who lands upon our shores is compelled to stand over the county clerk and see that he makes a proper record of his naturalization, and does his duty before he can safely claim that he has been naturalized, I would not give much for the rights you confer upon him as an American citizen. Is the life of a man to go for naught on this kind of evidence and on such a ruling? Why, since 1854, for over thirty years, this man has been an honored citizen of the United States, an honored citizen of the State of Indiana. He has shown his devotion to his country by defending her flag and her Constitution upon many a well-fought field; cemented it with his blood, and is here now to ask you to give him the right of an American citizen, because he has performed every single act and deed that he has been called upon to perform.

Mr. Speaker, I should hate to go back to my constituency and face any honest foreigner, and take him by the hand and say I have voted that he, as an adopted American citizen, must carry a copy of the court record with him to prove his citizenship; and if he loses the paper, and the clerk of the court failed to do his duty, that he must be deprived of the right of American citizenship. I do not believe it is the law; I do not believe it is in accordance with right; I do not believe it is in accordance with the principles of common justice, and hence I shall vote to retain Mr. White in his seat. [Applause.]

Mr. ROWELL. I reserve the remainder of my time.

Mr. CRISP. I yield forty minutes to the gentleman from Indiana [Mr. O'NEALL].

Mr. O'NEALL, of Indiana. Mr. Speaker, I was taught when I was a boy to do what I believed to be my duty, and then not to apologize on account of having so done. I took more interest in the case which is now pending before the House for the reason probably that it comes from the State which I have the honor in part to represent on this floor.

I heard the able arguments of counsel on both sides, and I may say that they were made by able and fair men. I read the briefs in the case and I looked through all this evidence and tried to eliminate all that part of the evidence which I regarded as unquestionably irrelevant. I undertook to reconcile the relevant testimony in order to determine, if I could, where the truth lay. I did that with some degree of care and painstaking, and I came to the conclusion at which a majority of the committee arrived so far as the eligibility of James B. White to a seat on this floor is concerned; and for having arrived at that conclusion I have no apology to make.

But why should we discuss matters not connected with this case?

Why should we bring into the record in this case things that belong not to it? The fact that Mr. White was a soldier is paraded here with some pomp and circumstance. If we were called upon to vote a pension to the contestee; if we were voting a resolution of thanks to the contestee; if we were voting to give him a medal for gallant and meritorious conduct on the field of battle, then such arguments as that might be brought into this case. But why should that be brought into this case when it has nothing to do with the question at issue at all?

What is the question at issue? The question in this case is whether James B. White is and was prior to the 4th day of March, 1887, for a period of seven years a citizen of this country? That is the question and that is the sole question. If we were to sit upon the question as to whether Mr. White received enough votes to give him the privileges of this floor, we should look to the popular voice of the district from whence he came. But that is not the question. The question in this case is this, is the contestee eligible to sit in his place on this floor? And that is the sole question.

I hope I have as much respect and as high a regard for the expression of public opinion as any man upon this floor. And when gentlemen who have never been engaged in the study of the law books of the country rise in their places here and undertake to discuss questions of that kind I am not at all surprised that they are disposed to be influenced by the *vox populi*. But when gentlemen who have grown gray in the practice of the legal profession; when lawyers who have sat upon the bench, lawyers who have drank at the fountains of Blackstone, of Kent, and of Story, judges who have adorned the bench and by their wisdom enriched the literature of our jurisprudence—it does surprise me when such men come here and discuss the questions as to whether James B. White was a soldier in the Army, or whether he had 2,500 majority, and parade that fact as testimonial to his popularity.

If that is the argument, might it not be answered that the expression of the popular will is simply an evidence of the want of popularity in the other man. The voice of the people is sometimes wavering, often uncertain, and not infrequently a fickle guide; but that voice should be heeded when expressed in a legitimate way.

If the fact that Mr. White was a soldier is to be considered, why not inquire what manner of service he performed to the country. Did he enlist as a private, or did he take the place of a commissioned officer, a place which he could easily resign, and a place which he did resign. Why not inquire if he did not make himself so unpleasant to his superior officers as to demand that his resignation be given for the good of the service. Why not inquire if he did not thus make himself unpleasant and insubordinate in order to get a pretext to resign; all to the end that he obtain a sutler's position in another quarter, where he could sell to the boys sardines, bologna, skimmed milk, watered whisky, and Kentucky lug at a dollar a plug. Upon full inquiry all of these facts would be found to be true, and would be equally pertinent.

All such facts and arguments are the most arrant demagoguery and the thinnest and cheapest kind of political clap-net, and lugged into the case to distract the attention of the House from the real controversy. The conduct of contestee and his friends in keeping such rubbish prominent in the case reminds one of the mother bird that when incubating her eggs, or caring for her young brood, at the approach of an enemy or antagonist leaves her nest or her young ones, and starts off, making the most pitiful cries, until she has lured the supposed enemy from her nest and her young offspring. So in the matter before the House.

Let us get down to this case as we find it. Let us strip it of all that verbiage and irrelevant matter which belongs not to it. When we have done that, when we have cleaned away the rubbish, when we have cleared away the mist thrown about it for the purpose of preventing us from seeing the points involved—when that is done let us examine those points, because those are the points upon which this House wants to be enlightened.

What is the issue? A question of fact? Yes, a question of fact. What fact? Is contestee eligible to a seat on this floor? To be eligible he must be a citizen for the full term of seven years before March 4, 1887. He was born in a foreign land; this being admitted, the burthen is upon him to show his naturalization. Has he done that? If so, by what evidence? I maintain he has not proven that fact by any sort of evidence. His friends claim he has proven it by parol. If he has, is that testimony admissible and competent? These are the important inquiries. They ought to be determined from a legal standpoint. The law and the Constitution is our safety. The police-court lawyer may pettifog his case and be excused.

Such practice on the part of the matured, trained, and respectable lawyer would be intolerable. While those upon this floor may resort to such methods and be excusable, I trust that all who have respect for the law will not allow themselves to be swerved from the line of duty by such cheap talk. Such arguments should influence the votes of no one. The law, with its safeguards, has come down to us tested in the crucible of years. I think I have as high respect and as much consideration for public opinion as any other gentleman. While such is the case, I want to say that I venerate the Constitution and the law. It is to the broadegis of that Constitution and those laws that we must

look for our safety. That Constitution and those laws, like a flaming sword, is our protection by day and by night, the protection of the dear ones at home.

Shall we be governed by considerations of law, or go off at a tangent and lose sight of these safeguards? If we are to lose sight of these safeguards, then why inquire into the question of eligibility? Because it is the merest folly to have constitutional provisions prescribing qualifications if the fact that an individual has been a soldier or that he comes here indorsed by a popular majority is to control our conduct in passing upon the question of eligibility.

If the fact that contestee was a soldier, that he did good service or disgraced himself, is to and can cut no figure in determining the question of eligibility, if the fact that contestee had 2,500 majority has nothing to do with the question of qualification, then we come to inquire of the facts.

Admitting that parol testimony under the circumstances in this case is admissible to prove the fact of naturalization, does that proof establish the fact? If the parol evidence in this case does not establish that fact, then all will admit that contestee can not retain his seat. What does the parol testimony prove? We are told that contestee has testified, and that his testimony is undisputed, that he was naturalized. We are told that contestee stands unimpeached. And we were asked, why were not witnesses produced to impeach him, to call in question his general reputation for truth? The failure to do this is paraded with some degree of pomp and circumstance. Sirs, there are other ways known to the law by which witnesses may be impeached. Impeachment by proving general bad character is one of the poorest ways of impeachment.

A witness's testimony can be impeached by showing that at different times and places he made statements which are contradictory of those to which he testifies. When he testifies, you take the circumstances surrounding the case and the circumstance to which he testifies, and when you sift out the facts which from his testimony and the testimony of others appear to be clearly proven, then if the point for which he contends is found to be inconsistent with those facts which are clearly and indisputably proven, you have a right to reject that part of his testimony which you thus find to be untrue. Is that the law?

I need not read to lawyers upon this floor or to gentlemen who have sat upon the bench authorities to show that such is the law, but from some of the speeches made upon the other side of this Chamber, and some made even upon this, it would appear that there are members upon this floor who are not lawyers, and for their benefit I desire to read from a recent decision which shows that a man's testimony must be consistent with the established facts in the transaction that he claims he is testifying about. This is a decision rendered by the United States Supreme Court on the 5th day of December last. On the very day upon which this House was organized the Supreme Court promulgated this decision. The opinion was delivered by Mr. Justice Blatchford, the same man who delivered the opinion in the Coleman case, so frequently referred to in this argument. I hope that the decision from which I am about to read will lose none of its force with the House when I state that one of the parties to the case decided was James B. White. The title of the case is James B. White against George M. Barber. What James B. White it may be asked? I answer, the same James B. White, the identical man who is the contestee upon this floor. He was the plaintiff in the case in the court below, and that court decided against him. He was the appellant; he took the case to the Supreme Court of the United States, and the court above affirmed the decision of the lower court.

Now, what are the facts of this case, and what principle of law does the Supreme Court there lay down? Let us see. James B. White sued this man, Barber, for \$15,000 upon the face of his complaint. He filed therewith a bill of particulars, and that bill of particulars set forth items which when summed up made eleven thousand and some odd dollars. The court referred to the testimony of White in the case. Here is what he testified to in the court below:

James B. White, the plaintiff, testified that now and during the time in question he resided at Fort Wayne, Ind., engaged in the business of dealing in general merchandise; that in 1879 and prior thereto, one A. S. Maltman, of Chicago, acted as his agent in purchasing and forwarding merchandise of various kinds; that about September, 1879, "desiring to do some trading on the Board of Trade of Chicago, I got Maltman to recommend some good, responsible broker on the Board of Trade through whom I could do business; that Maltman recommended the defendant, who then and during the time in question was a broker residing in Chicago and doing business on the Board of Trade; that thereupon I commenced trading on the Board of Trade, sending my orders at first to Maltman, who communicated them to the defendant; that about December, 1879, I came to Chicago and made the acquaintance of the defendant, and thereafter did business directly with him; that I continued to do business with the defendant during the years 1879, 1880, 1881, and 1882, buying and selling on the board, through the defendant as a broker, corn, wheat, oats, pork, and other commodities, and that about April 19, 1882, I had a settlement with the defendant in which all previous dealings were adjusted; that up to this time the transactions which I had made through defendant on the board amounted to \$105,000 in 1879, \$1,718,000 in 1880, \$640,000 in the year 1881, and \$672,000 in 1882; that in November or December, 1879, and at other times prior to the settlement in April, 1882, I had conversations with the defendant in which I told the defendant that I was a merchant in Fort Wayne, Ind., and did not want it known that I was engaged in speculating on the Board of Trade in Chicago, as it might affect my credit, and that the account could be kept in the name of A. S. Maltman; that I considered it a hazardous business, but was willing to gamble provided that I could have a fair show; that I wanted my deals placed with responsible

parties, so that I could get my money when I made it; that I did not want any of the property, but meant simply to do a gambling business," etc.;

Now, the testimony goes on in that way. The opinion of the Supreme Court upon this case was delivered by Mr. Justice Blatchford, who gave the celebrated opinion in the Coleman case, to which so much reference has been made here. Justice Blatchford, referring to the testimony of the appellant in that case, the contestee on this floor in the present case, says:

White testifies that such was his understanding, communicated to Barber before Barber made the contracts of sale. Barber testifies that he has no recollection of anything of the kind. The evidence as to what White did in connection with the transactions is inconsistent with White's version, and it clearly appears that Barber had no such understanding.

Now, why should we be required to bring witnesses to impeach a man here because of want of reputation among his neighbors? The shrewdest men who undertake to deceive when they go upon the stand you can never reach in that way. But sometimes even a shrewd man leaves his tracks, and when you undertake to go and find where he has been along the highways and byways you find a track here and a track there which fail not to impress themselves upon your mind. And then the tracks of other individuals that have gone with him are sometimes found pointing in the same direction; and when the man sets up a story inconsistent with the existence of those facts you determine at once that his testimony is not reliable. Let us take Mr. White's testimony in this case and weigh it in that scale. Let us see where he stands. What are the facts in this case?

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

Mr. O'NEALL, of Indiana. Not at all. I would take great pleasure in answering any question, but I have not time to do so; and I do not intend to be annoyed or diverted from the line of my argument by questions which I have not time to answer.

I say, let us examine the testimony of James B. White. As I said awhile ago, we may be able to show that he made contradictory statements on other occasions. We may be able to show facts the existence of which is inconsistent with Mr. White's claim in this case. We have the right to take what we find and what is asserted but not found. Let us test the testimony of White in this case by that rule of reason and of law.

What is Mr. White's claim? He admits that he has no certificate; and that circumstance, so far as it goes, tends to sustain the claim that he never had one. Mr. White admits that there is no record, no trace of a record, no scratch of a pen, showing that he ever had any naturalization papers. These are two very strong circumstances. But they are not the only ones to be considered. What are the other circumstances? The next circumstance is this: On the 28th of October, 1886, he was for the first time confronted with the question whether he was a naturalized citizen, and we have his statements made upon that occasion to the men who confronted him, Mr. Bell and Mr. Moynihan.

To be sure, the record in this case shows that Mr. White himself undertook to contradict to some extent the testimony of those two witnesses. But it must be remembered that in this case he is the contestee, as in the case to which I have just referred he was the plaintiff, having in each case some interest in the result. A few years ago, in all the States of this Union, such an interest would have made a man incompetent to testify before a court of justice. It is only within the last few years that the law has broken down the barrier and allowed a man to testify in his own behalf. Mr. Bell and Mr. Moynihan, in their testimony, state what Mr. White said—that he voted for Frémont, that he took out his papers to vote for Frémont. Mr. White himself does not deny that part of his conversation in any of the printed testimony in this case. He said, "I know I am all right;" he did not say, "I am a naturalized citizen." The record does not show anything of that kind. He did say, "I am all right; I took out my second papers in 1857 or 1858, and Isaac Jenkinson was with me." Never, at no time, did he, until served with notice of contest, claim that he took them out in 1865.

Now let us digress for a few minutes and examine the testimony of Mr. Jenkinson to see how it dovetails in and corresponds with other facts proven along the line of this testimony and about which there is no controversy. Mr. Jenkinson testifies that in 1851 he was admitted to the bar; that he was a practitioner from that time until 1863; that in 1863 he retired from practice—possibly the practice may have retired from him; but after that time there is no pretense here that he was a lawyer or attorney in any court of the State. During the time that J. D. G. Nelson was clerk of the circuit court of Allen County Mr. Chittenden was deputy clerk. Mr. Nelson's term of office expired in 1862; Mr. Chittenden went out of that office in 1862, and in 1863 Mr. Jenkinson retired from the practice of the law. Now, the evidence in this case does show that Mr. White took out his first papers in 1858. That is when he said to Bell and Moynihan that he had made the thing all right. It was in 1858. At that time Jenkinson was about the court-house. At that time Chittenden was about the court-house. Sir, day after day and week after week these men were about the court-house until they retired. It was natural to find these men there. What is the conclusion? The conclusion which I have reached is this: Mr. White wanted his first papers and he needed a little assist-

ance, which he secured in the person of Jenkinson, who at that time—but not in 1865—was an attorney and willing to render him that assistance. They went to Chittenden, and the evidence is that the first papers are in the handwriting of Mr. Chittenden.

In his conversation with Bell and Moynihan he made no claim of taking out papers at any other time. In his own testimony he claims that in said conversation he referred to no time. Bell and Moynihan testify that he did, that he was all right, that he took out his papers—the papers that made him all right—in 1858. The statement here made is contradictory of his claim afterward made that he took out his papers in 1865. It is easy to reconcile Jenkinson's testimony upon the theory that it was 1858 that he assisted White.

At that time, 1858, Jenkinson was a practicing lawyer. In 1865 he was not; he had quit in 1863. Jenkinson's testimony is very muddy, and this is not surprising after the lapse of nearly a quarter of a century. Jenkinson in his testimony-in-chief says he does not know whether he was at the court-house as a spectator, a witness, or a lawyer. Singular that the court should be in session in 1865, after Chittenden had been out of the court-house nearly three years; after Jenkinson had been away about two years; and that these individuals should be there keeping the judge company and no other lawyer there, no court officer there except Pratt, and no other individual there except those taken there by White. In 1858, when the first papers were taken out, which could be effected in vacation, the parties named would much more likely have been there than in 1865.

White's first effort to make himself eligible by reason of his service as a soldier is inconsistent with the fact of naturalization in 1865. His conversations with his lawyers, in consultation with them, and his failure to claim naturalization in 1865, which failure to so claim, when Bell and Moynihan asked him, October 28, if it were not possible that he took out his second papers to enable him to obtain a passport, and his denial thereof, tend to contradict his after claim. Long after these conversations, in which nothing is said about a passport by him, in face of the fact that his attention was called thereto, he begins placing the procurement of his second papers upon the ground that he needed them to secure a passport.

Accordingly, February 28, 1865, he secures his second papers and a few days thereafter boards a train for New York, passes by the city of Washington, gets to New York, is ready to sail for the haunts of his boyhood, and yet he procures no passport, which a thorough examination of the passport records develops. No certificate of second papers, no record of second papers, no passport. What manner of man is this? Can any reasonable man persuade himself that all these things could take place and not a trace of evidence remain of record anywhere of any of them?

White's testimony and Jenkinson's testimony can be reconciled on the theory that what they testify about is connected with the taking out of first papers in 1858, but not with the taking out of second papers. Much has been said about the records of Allen County—that they are pigeon-tracked all over with forgery and fraud. No evidence can be found anywhere in the record to substantiate any such assertion.

The clerk of Allen County, whose testimony is in the record and from which we learn that he became clerk in 1878 and that his term expired in 1882, when he came into office found that all naturalizations were recorded on the order-book of the court as required by the laws of the State of Indiana, and who for that reason seems to have thought, if we are to believe his testimony, that unless placed on the order-book that all naturalizations were illegal and of no avail, and so testifies. He forgets that in the naturalization of foreigners the courts of Indiana derive jurisdiction from the Federal law and not from the State law, and that such records need not go on the order-book prescribed by the laws of Indiana for the recording of all court proceedings.

An examination of his evidence, if the cross-examination is left out, would lead one to believe that from January 16, 1860, to August 20, 1870, when a reform was instituted, no record whatever was made of naturalization cases. And he gives one hundred and seventy-eight cases about which he swears there is no record. But on cross-examination he tells us, and so the record shows, that every one of these one hundred and seventy-eight cases is recorded at full length on the record of final oaths.

One case, to be sure, jumped on in 1865, which is *coram non judice*, and had it not been it would have been placed there in 1854. That is the case of Gotlieb Laemle, whose case shows that he took out his first papers November 19, 1853, and his second December 9, 1854, a lapse of only one year and twenty days intervening. But who put that case on record in 1865? J. D. G. Nelson, an ex-clerk, whose term expired in 1862. From 1862 to 1870 William Fleming was the clerk. This covered the period—1865—when contestee claims he got his second papers.

During this period, from 1862 to 1870, not a fault can be pointed out in the records of Allen County. To be sure gentlemen refer to forged decrees of divorce. But what are the facts about these divorce decrees? Nothing is more common. Simply this, and nothing more; they appear properly entered on the order-book, where all such decrees, by provision of statute, which is mandatory, require that they should go. But no minute of the cases appears on the issue docket, sometimes called the judge's.

There is not a county in the State where just such omissions do not occur. Because while the statute provides that an issue docket should be kept, still it is directory. And the judge, instead of making a minute on the issue docket, from which minute the clerk writes up, elaborates, and enters upon the order-book the proper decree, often says to counsel interested, "Prepare the order and give it to the clerk." This the lawyer does. The decree or order goes on the order-book. And yet gentlemen say these decrees of divorce are forged, and in this way the endeavor is made to bring these records of Allen County into disrepute.

If, as is insisted upon this floor, the uniform custom is to issue the papers of naturalization in duplicate, leave one of record and give the other to the person naturalized, that the judge need not sign them, is the naturalization of individuals in Allen County in the usual form except the one isolated case of James B. White? Even the case of John D. Sardingham par excellence a good record. His naturalization appears on the order-book in 1868, but the order is not signed by the judge, and for this reason, although Sardingham had been given a certificate, he, Sardingham, went again in 1885, and took out papers again.

Can parol testimony be introduced to prove naturalization? My idea of a record is that it speaks for itself and can not be proven by parol until lost or destroyed. An exemplified copy, though not the best evidence, is admissible to prove the record. But when this copy is lost, the best evidence of its contents is the original; and you can not prove its contents by parol, because that is not the best evidence, but you must prove its contents by the original or by another copy. If the original is destroyed, you may prove by parol its contents; but you must first show that it once existed and has been destroyed.

Gentlemen, however, tell us that the certificate given is an original record of itself, and for that reason you may prove its contents by parol when once destroyed. They cite no law and give no reason to show that it is original evidence, but say because of universal custom these naturalization papers issue in duplicates, and because of that custom each is original. It is admitted, however, that a duplicate exists, that the custom does not extend further than to authorize their issuance in duplicate. Then, if one is lost, the best evidence thereof would be the other; but if the other never existed, then there were no duplicates. It takes two to make duplicates. And in that case your right to resort to parol is gone.

Mr. COLLINS. Mr. Speaker, like the gentleman from Indiana who has last spoken, I too in my early days was taught to do right without fear or favor, and instead of making an apology for so doing, I was taught to do right fearlessly and regardless of consequences. I propose to do that now according to the best of my lights in this case.

I know, sir, that it is regarded very often as somewhat ungracious to cross the purpose or the judgment of a committee who have carefully considered a subject referred to them and reported their conclusions to the House; and I do it here with all the more reluctance because the contestant is a personal, political, and professional friend of mine, and, in addition to that, he and I were born in the same distant land; while on the other hand the sitting member is a perfect stranger to me, and in all probability, in the ages gone by, his people and mine were continually at war. [Laughter and applause.]

But, Mr. Speaker, this question is to be decided not on the grounds of personal friendship or party ties, nor on any other consideration than the honor and the dignity of this House and the law that should fit the case in hand. I have the highest possible respect for the honor, the integrity, and the intelligence of the committee and belief in their endeavor to reach a just conclusion. But I am constrained to believe that in their consideration of this case the law applicable to it has been misunderstood. The committee seem to have confounded the judgment itself with the record of the judgment, and have confounded the certificate which indicated that a judicial act had been done with the judicial act itself.

The law of Congress passed in 1802, to be found in Title XXX, Revised Statutes, section 2165, in its third paragraph prescribes the terms on which an alien shall be naturalized finally as a citizen of the United States:

3. It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held one year at least; and that during that time he has behaved as a man of a good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. * * *

That is all the statute requires the postulant for citizenship to make to appear to the satisfaction of the court; and when he has done that and satisfies the court, he has done all that the law requires and all that he can possibly do to become a citizen.

The law further requires that when the court is satisfied (not the clerk, but the presiding judge) that the man is a fit and proper person to become a citizen of the United States, the judge shall administer the oath in the prescribed form. What is the effect? Judge Washington, in the case of *Campbell vs. Gordon*, 6 Cranch, 171, says:

The oath, when taken, confers upon him the rights of a citizen, and amounts to a judgment of the court for his admission to these rights.

The man—the applicant for citizenship—performs his duty, all the

law requires—all he can do—and when the court is satisfied, the man becomes a citizen of the United States, whether anybody else does his duty or fails to do his duty. The clerk of the court may or may not record the fact. The duty of the clerk is a ministerial duty, not a judicial act. He may or he may not grant the certificate of the fact; but that does not alter the fact. It exists in spite of his negligence or his contumacy. The certificate or the record is merely evidence which is to be used here and there of the fact when called in question.

Suppose, as in my own State, in the old dark days when Know-nothingism was a dominant craze, an alien, having the requisite qualifications, went before a just magistrate who sat in the serene atmosphere of the law and made his application for citizenship, and a declaration was made by the judge that the alien should become a citizen of the United States; but the clerk of the court, crazed with the prevalent Know-nothing mania, declined to record the judgment and declined to grant the certificate. I ask, would the man not still be a citizen of the United States by a judgment of the court? [Applause.] The majority of the committee say not, and I challenge their conclusions, and say it is not the law now nor has it ever been the law in this country. [Renewed applause.]

Mr. Speaker, in 1871 the homes of eighty thousand citizens and all the records of the courts in the great city of Chicago were burnt in a dreadful night. Did the fact that they were destroyed and the certificates showing their citizenship burnt in their homes deprive these men of their citizenship? Does it make any difference whether the record was destroyed or that it never existed? The judgment of the court can be proved in another way. It is indeed the law that you must prove a judicial act or fact by the highest attainable evidence; but if the highest attainable evidence be lost, or if it never existed, the next available evidence can be used and in any court in the country to sustain any proposition which may be made or which may be necessary in the absence of the record.

Another example: Suppose in the city of Washington, or elsewhere, a man or woman who has a perfect legal right to have the bonds of matrimony dissolved, comes before a court of competent jurisdiction, and by its judgment and decree the divorce is granted, but by some mischance there is no record of that judgment, or it has been destroyed and no certificate issues, and the man or woman marries again. Does that state of facts constitute him or her a bigamist, and subject him or her to the penalties of the law? If you take the reasoning of the majority it leads straight to that.

I say that parol evidence is perfectly competent to prove a judgment in the absence or loss of a record, and if not competent a statute should be passed for the protection of every honest man in the community who does all he can, and for the protection of a court who do all they can. There are careless clerks, and there will be careless clerks in this country to the end of time. Records in some instances do not exist and in others may be destroyed. But the judicial act stands, and stands forever. If the record evidence of it does not exist, the best available evidence is competent to prove it.

Now, sir, the effect of carrying into a decision of this House the conclusions of the majority of the committee would be that if James B. White, according to the law of the land, were a citizen of the United States to-day, provided there was a record, and is not a citizen if there is not a record, all he has done is vain; that deprives him of citizenship. You can not deprive him of his citizenship in that way, if he ever had it.

This being the law the only thing that remains in this case for the House to consider, not as a judicial question but as a question of fact, is whether Mr. White, the sitting member, has told the truth. I am loath to believe that a gentleman with his honorable record in this country is here under false pretenses; that having declared his intention to become a citizen in 1858—a matter of record—he did not perfect his naturalization as he says he did. He has sworn to his naturalization, and if there were any doubt of it in my mind I would give him and his constituents the benefit of that doubt. [Applause.]

[Here the hammer fell.]

Mr. COLLINS. I should like a few moments more.

Mr. ROWELL. I yield the gentleman from Massachusetts five minutes more.

Mr. COLLINS. The statement of Mr. White is re-enforced substantially by the testimony of the two witnesses whose names are mentioned in the report. If these witnesses had testified with too much particularity; if they were altogether too exact in their recitals of time, place, and circumstances, I should begin to distrust their veracity. But they testify so naturally as to this transaction, in which they were not immediately concerned, that I am bound to believe them honest witnesses and satisfactory in corroboration of the testimony of the sitting member. It will not do to say that gentlemen on the other side of the House have disgraced the records of previous Congresses by doing injustice in election cases. The Democratic party can afford to set bad men a good example. [Laughter and applause.] We have set them more than one good example here and elsewhere, and if they have not conscience enough to do right, the conscience of the Democratic party will set them right.

Now, we make a record to-day which will not be lost or destroyed by time, it will stand forever; whether it be a record of wisdom or of folly; whether it be a record of justice or of wrong—it stands for or against us. I do not believe that we set a decent or an honorable precedent in refusing the sitting member his seat. The law is plain to those who read it intelligently and who apply it to the facts in the case and the circumstances surrounding it without prejudice and without favor; and I, for one, believe that if the report of the committee should be adopted it would be an error; if the report of the minority be adopted it will be a sound precedent for future Congresses to follow. [Applause.]

Mr. LONG. Before the gentleman resumes his seat, will he allow me a question?

Mr. COLLINS. Certainly.

Mr. LONG. You have read the testimony. There is evidence which goes to show that Mr. White was naturalized. Is there the slightest evidence that goes to show he was not naturalized except the lack of a record?

Mr. COLLINS. I thank the Lord I did not read the testimony. [Laughter.] But I have read the reports of both the majority and minority of the committee upon the testimony. There is not of course the slightest evidence in the world that he was not naturalized; that would be an impossible negative to prove. But all the positive evidence in the case goes to show he was naturalized. He may have acted very foolishly and talked with little discretion throughout the contest, and I think he did, but it must be remembered that they do not always elect a Solomon from the Twelfth district of Indiana. [Laughter.]

Mr. ROWELL. I yield five minutes to the gentleman from New Jersey [Mr. McADOO].

Mr. McADOO. Mr. Speaker, it is with some reluctance, respecting them as I do, that I rise to speak against the majority report of this committee. I am asked by the majority of the committee to annul the will of the majority of the people of this district in Indiana by unseating the sitting member, who received 2,500 plurality of its votes. I am asked, as I consider the case, to imperil and cast a shadow over the rights of hundreds of thousands of the naturalized citizens of the United States by my vote in this case.

It is therefore, Mr. Speaker, a vote to me of the very highest and gravest importance, and one which demands the exercise of my best reason and careful consideration and in which I am to be swayed alone by my conscience and my sense of honor as a man and a Representative.

If I had any doubt as to the legal status of this case, it was removed on Saturday last when the keen, analytical mind of my friend, the distinguished jurist of Minnesota [Mr. WILSON], expounded what to me seemed a correct view of the law in this case. Coming to this House from the most elevated judicial position of that State, breathing its impartial atmosphere, with a mind unbiased by prejudice and unswayed by partisanship, and giving to this case the consideration which he was accustomed to give to cases while on the supreme bench of his State, his judgment of the law of the case has with me great weight. It is no fault of mine, or of his, that in that fierce crucible of conscience and judgment the case of the majority of the committee is turned to dross and ashes. The case in 6 Cranch, United States Reports, and the decision of Justice Blatchford need not be gone over again. Who would be safe as a naturalized citizen if the neglected record of a stupid or forgetful clerk determined his holiest of rights?

I agree entirely with what the eloquent gentleman from New York [Mr. COCKRAN] said on Saturday, and with what the distinguished gentleman from Massachusetts [Mr. COLLINS] has reiterated here to-day—that this is simply a question of fact. Now, as to that fact we have the positive, sworn testimony of Captain White and his witnesses, and his credibility has not been attacked nor his statements denied except by insinuation and innuendo. If his character for veracity is bad, it should be shown positively and affirmatively on the record of this case. It has been attempted here to-day to show that he was mixed up with the Chicago trade speculators. The fact that he was taken in by that incorporation of swindlers is to me very good evidence of his excellent character. [Laughter.]

We have been told that in the past the party on the other side of this House has set us a very bad example. I am willing to admit it. I thank Heaven that my conscience is not in the keeping of the other side of this Chamber; I will take care of that myself. But it is no argument to say that we are bound to follow a line of prejudiced and partisan decisions. When the question is narrowed down, as it is in this case, to a matter of conscience and reason, I for one wish to state that there is no power in this land, whether it be of party or of state, that can swerve me for one instant from doing my duty as I conceive it. [Applause on the Republican side.] I believe what the gentleman from New York [Mr. COCKRAN] so eloquently asserted on Saturday, that the highest partisan advantage that can be reaped will be gained by the Democrats of this House doing justice according to the evidence and the law. I believe that we will avert the danger of any possible partisan disadvantage by an honorable, open, frank course of conduct in this case, even to our seeming injury for the present, and that at the polls the honest yeomanry of this land, and more especially the hun-

dreds and thousands of our naturalized citizens, will appreciate the votes of the Democratic party which are cast to give sanctity to the naturalization papers of James B. White.

Mr. Speaker, one word more and I close. Living just across the river from the great metropolis of New York, I remember very well when a small partisan United States marshal, seeking to wrest a party advantage, put into a cage in the New York post-office, like so many wild animals, hundreds of naturalized citizens, simply because they were voting the Democratic ticket, and I remember how the heart of that great metropolitan community went out to that distinguished jurist, Judge Blatchford, now on the United States bench, when by his decision this petty act, instigated by the rat intellect of the Federal satrap, was done away with, and those citizens whose cases were no stronger than that of Capt. James B. White were liberated and allowed to exercise their right of suffrage in voting the Democratic ticket. [Applause.]

Mr. ROWELL. I now yield ten minutes to the gentleman from Tennessee [Mr. HOUK].

Mr. HOUK. Mr. Speaker, while this debate has been very interesting and able, I must think that a very large part of the discussion has been wholly irrelevant. We have heard decisions cited from West Virginia, from other States, and from the Federal courts, and those decisions appear to be relied on as governing this case, as though this was some sort of inferior tribunal trying a case under the common law and bound by the precedents of the courts and the rigid rules of testimony. Mr. Speaker, the power we are acting under—the only power under which we can act in a contested-election case—grows out of one of the fundamental principles of the Constitution.

Section 5 of Article I declares that "each House shall be the judge of the elections, returns and qualifications of its own members." In that provision of the Constitution is found the entire power which we are to exercise here, and I care not what any court may have decided, I care not what any inferior or superior tribunal may have decided, the entire and supreme power over this question is vested in us by the Constitution, and we can accept what we please as testimony. This House is bound by no technical rules of the common law, nor by judicial construction. Why, sir, if any one should have made a pilgrimage to Washington for the purpose of seeing the American Congress, and should have come into our gallery and looked down upon us during the time we have been debating this case, and heard gentlemen discussing critical points of the law of evidence, he would naturally suppose that he had made a mistake, and that, instead of being in the House of Representatives of the great American Congress, he had wandered into some inferior court, where the judge was required to pass upon some ordinary question of evidence. I hold, Mr. Speaker, that under the provision of the Constitution we are not required to ask or to consider what any court has decided.

Why, Mr. Speaker, if Congress itself were to attempt to pass a law governing the proceedings of this body in a contested-election case, it would be absolutely null and void, and how much less the decision of a court over in Virginia. The Constitution provides that we, this House of Representatives, shall be the exclusive judge of the elections, returns and qualifications of our members. Whatever testimony satisfies us, whether it comes under the rigid rules of evidence or not, whether it is handed down by some distinguished jurist, or whether we adopt some other mode of ascertaining the facts here—whatever evidence satisfies the consciences of the members of this House is legal testimony under that provision of the Constitution.

If I had the time this proposition could be elaborated, illustrated, and exemplified in many forms, and to the satisfaction of every legal mind at least.

Were we so disposed, Mr. Speaker, we might decide this case on a telephonic message. Why? Because it is to be decided according to the conscience, the judgment, and the conviction of members of this House; we, the Representatives of the people, are the exclusive judges in this matter.

But, Mr. Speaker, I have not made these remarks in order to avoid anything that has been said in favor of these legal technicalities. Apply the most rigid principles of the rules of evidence, and still Captain White is entitled to his seat, unless he is a perjured man, and that I do not believe, nor does any one else believe it.

Now, taking the view that I have stated of the Constitution—that no law book, no report, no outside authority of any character is entitled to influence our judgment here unless we see cause to yield and listen to it—taking this view, or any view in which it has been presented, let us see whether Captain White has been naturalized or not. Upon his examination this question is put to him: "You may state whether or not you at any subsequent time procured a final certificate of admission to citizenship." His answer to that question is, "Yes, sir; I did;" and he proceeds to give detailed circumstances of time and place, as follows:

In the year 1865, in the latter part of February, about the 28th of that month, I had determined to make a trip to Europe, and had talked with some of my friends in relation to it, amongst them Mr. John Brown, who advised me before doing so to take out my second papers in order to get a passport. I went with Mr. John Brown, accompanied with Mr. Alexander Muirhead, for that purpose. I told them to go to the court-house, and I would get the Hon. Isaac Jenkinson

as my other witness. I went there with Mr. Jenkinson, and Mr. Chittenden was there in the court-house, and Mr. David H. Colerick was there. Judge Borden was in the court, on the bench, and I told him I wanted to get my second papers. He asked me who my witnesses were. I said they were here. Mr. John Brown and Mr. Jenkinson were then sworn as my witnesses. I then took the oath, so prescribed for that purpose, to become a citizen of the United States. It was in the court of common pleas. The oath of allegiance was administered to me in open court by Judge Borden, the then presiding judge of the court of common pleas. The principal fact in connection therewith was the fact that I was going to Europe.

I therefore insist that if we believe Captain White has told the truth—and we may follow if we please the ordinary rules of law, but there is no obligation upon the House to observe any of these technical principles of legal practice—when we are satisfied that Captain White has told the truth, whether we reach that decision according to the principles laid down in Greenleaf and by regular judicial decisions, or whether we reach the conclusion in any other way, if we believe Captain White, we are bound to believe he was a naturalized citizen at the time he states, and is eligible to a seat here, and we are bound to vote to give him that seat.

There is an attempt made to show that Mr. Jenkinson, one of the witnesses who, Captain White says, was present at the time of his naturalization, does not corroborate Captain White as to that fact occurring in 1865. Yet Mr. Jenkinson does recall one all-important and forcible circumstance that occurred that day. When the naturalization was taking place it was remarked, as Mr. Jenkinson swears, that it seemed strange that a Federal soldier who had fought during the war should, after the close of that struggle, be obliged to go into court and renounce his allegiance to Queen Victoria. The following questions and answers occurring in Mr. Jenkinson's testimony overwhelmingly corroborate Captain White. Responding to a question he says:

From the time he was first naturalized the matter had passed out of my mind for years until the Friday or Saturday evening before the last November election. I noticed the fact that it was questioned in the Fort Wayne Gazette, which I was reading in my office that evening. Reading that statement revived in my mind instantly that I had been present at the time he was naturalized.

Q. 4. To whom, if any one, did you communicate your knowledge of said naturalization? State when and precisely what was said on the subject as near as you can recollect.

A. The first person I spoke to on the subject was Colonel Robertson; that was on the Thursday after the last November election. I was on my way to Bloomington that day and met Colonel Robertson at Greencastle Junction; in the conversation I had with him there I referred to the statement that Captain White had not been naturalized, and said, "It must be a mistake, because I felt sure I was present when he was naturalized." Robertson immediately replied, "That is just what Jim White says."

Q. 5. On your cross-examination, in your answer to question 41, you speak of some incident in these words: "There is one incident connected with the occasion which satisfies me that the purpose was not a mere declaration of intention." Please state what that incident was.

A. It was a remark as to the strangeness of a Union soldier having to renounce his allegiance to Queen Victoria and swearing allegiance to the United States.

Now, I believe this testimony, and if the House believes it, then it should vote unanimously to give him a clear title to his seat, in defiance of that little court over in West Virginia.

[Here the hammer fell.]

Mr. HOUK. I hope I may be allowed a minute or a minute and a half more.

Mr. ROWELL. All right.

Mr. HOUK. Mr. Speaker, the position I take on this case is no new position with me. Ever since I have been a member of this House I have in every contested-election case stood on this clause of the Constitution which I have quoted, and voted according to my judgment and conscience. When it was attempted, and gentlemen on the other side will remember the case, to repel Mr. Cook, of Iowa, from this House under a cold-blooded statutory provision of that State, when that effort was led by the distinguished Mr. Ranney, of Massachusetts, then a member of this body, for the purpose of keeping Mr. Cutts in and keeping Mr. Cook out, I took then the same position that I take to-day, holding that no statutes of Iowa or any other State and no technical law of any description should prevent me from standing on this clause of the Constitution; and I, with sixteen other Southern Republicans, joined with the Democrats on that occasion and seated Mr. Cook in opposition to the vote of the Republican majority in this House in the Forty-seventh Congress. I vote upon the same principle to-day, and I appeal to my friends on the other side to imitate my good example and the good example of the Southern Republicans set on that occasion and pursue a similar course in the present case by voting to do equal and exact justice to a Republican according to the law and the testimony and in obedience to the fundamental provisions of the Constitution.

[Here the hammer fell.]

Mr. CRISP. I yield twenty minutes to the gentleman from Alabama [Mr. OATES].

Mr. OATES. Mr. Speaker, at the last Congressional election in the Twelfth district of Indiana Mr. Lowry was the Democratic candidate and Captain White was the Republican candidate, and was elected over Lowry. The latter contested White's election. The majority, including every Democratic member, of the Committee on Elections have made a report against White's eligibility. He is a native of Scotland, and began his residence in Indiana many years ago. He legally declared his intention to be naturalized and to become a citizen of the United States in 1858.

The majority of the committee report that he never did complete that intention and never was naturalized until a few days prior to his election; and that under the Constitution of the United States he, not having been a citizen for seven years, was ineligible to the office of Representative in Congress. The minority of the committee, composed entirely of Republicans, report that he was naturalized in 1865 and received a certificate thereof, which has since been lost or destroyed; that, although no judgment can be found upon the records of the court, nevertheless his naturalization can legally be and has been proven by parole evidence.

This statement sets forth the legal phase of the controversy in this case, to which alone I shall speak. I do not care whether the determination of this case will have any effect upon the voters of foreign birth in favor of the one party or the other. It is our duty to put on our manhood, leave demagoguery and policy in the rear, and assert here what the law, the Constitution, and our oaths of office require of us.

Mr. Speaker, the limited time which I have had for the investigation of this case has been devoted to its legal aspects. I congratulate the minority of the Committee on Elections upon their well-conducted battle on this floor. I confess that there is some demoralization on this side of the Chamber, produced by the well-directed fire of gentlemen on the other side in favor of the contestee. I felt this on Saturday, because I had not then had time to investigate this case as I desired. But I have since considered the question in its legal aspect—which is the important one—and not with any partisan bias whatever, because I believe that partisan considerations should have no place in determining a question of this kind.

This case is important, sir, as a precedent. It must be conceded that the sitting member was overwhelmingly elected; and the only question is as to his eligibility under the Constitution to a seat on this floor. If he is eligible, no one would vote more unhesitatingly in favor of his retention of the seat than I would, without regard to his political opinions.

But, sir, upon such investigation as I have had the opportunity to make, I totally dissent from the views which some gentlemen have so freely expressed on this floor, and which have been greeted by the applause of gentlemen in sympathy with them—gentlemen whose judgments were, perhaps, warped by that sympathy, and who, not having thoroughly examined the real question at issue, were influenced by a very natural inclination in favor of a member who is acknowledged to have been elected by a large majority.

Now, the first fact in this case which is misleading is that under the constitution and laws of the State of Indiana, as in my own State, an alien who has legally declared his intention to become a citizen can vote and hold office. This circumstance presents an anomaly when you come to test the qualification of a person for a seat as a member of Congress, for under the law and constitution of my own State—and I presume it is so in the State of Indiana—a man may be eligible in one sense, as a member of Congress, and yet not in another. By section 2, of Article I, of the Constitution, it is provided:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

But the Constitution further provides:

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

An alien may, by declaring his intention to become a citizen, under the constitution of many of the States, my own included, be a voter and eligible as a member to the most numerous branch of the Legislature, and yet not eligible to the office of Representative in Congress. I regard such a provision in a State constitution as unfortunate and mischievous. No doubt the sitting member's constituents, not aware of the requirements of the Constitution of the United States, believed Captain White to be eligible when they voted for him.

The question of fact which presents any difficulty is as to the sufficiency of the evidence, if competent to show that the sitting member completed his naturalization more than seven years before his election. Admitting, for the sake of the argument, its sufficiency, the question arises, is it presented here in legal and admissible form?

Just at this point there is a wide divergence of opinion among members. I, sir, agree with the majority of the committee. If Captain White, the sitting member, has failed to show by legal evidence that he was naturalized by a court of competent jurisdiction at least seven years before his election, he is not entitled to a seat in this House, I care not by what majority he was elected. Let us examine the question.

It is, I believe, conceded by all that naturalization requires judicial action—a proceeding, proof, the oath, the order of court, and the judgment. What, then, is a judgment? A judgment is—

The final determination of the rights of the parties in the action. (New York Code of Procedure.)

Judgment:

The decision or sentence of a court on the main question in a proceeding, or on one of the questions, if there are several. (Rapahe and Lawrence's Law Dictionary.)

Judgment:

The authenticated decision of the court, obtained in a suit, upon the relative claims of the parties therein submitted; the sentence of the law pronounced by the court upon the matters presented by the record of proceedings in a suit. (Abbott's Law Dictionary.)

Whenever the proofs are submitted, the oath taken, and the judicial mind passes upon it, and thus gives voice to the law declaring in favor of the applicant's right to become a citizen of the United States, this is the judgment. It is perfect up to this point, but stopping here it can neither be proven nor enforced. It must be enrolled or recorded, or some record made thereof.

Judgments do not and can not rest in parol. Where the judicial mind has passed upon a question within its jurisdiction and an imperfect record has been made thereof, it may be amended subsequently *nunc pro tunc*; or if a judgment be perfectly enrolled or entered of record and the record is destroyed, it may be re-established in the court where rendered, and in some cases, where it comes in collaterally, it may be proved by parol. But in no case can it be thus proven where the beneficiary finds a right upon it or where the right he claims depends upon its existence.

The judgment itself, or a certified copy thereof, is the highest, best, and only competent evidence to prove its existence and contents. The judgment of the court admitting the contestee to citizenship is one thing, the proof of it is quite another. The friends of the contestee confound the two, which produces all the fog and misunderstanding in this case. I say it is not a judgment complete until a record is made of it; and the friends of contestee do not claim that any record ever was made of the proceedings of the court by which he claims to have been naturalized, except a certificate which he says that he had, but can not produce it.

Now, the gentleman from Massachusetts [Mr. COLLINS] and others rely on the case in 6 Cranch, which is about the strongest on their side of the question; therefore I will invite the attention of the House to it, as an examination of it fails to bear out their assertions. The certificate in that case is as follows:

At a district court held at Suffolk, October the 14th, 1795, William Currie, late of Scotland, merchant, who hath migrated into this Commonwealth, this day in open court, in order to entitle himself to the rights and privileges of a citizen, made oath that for two years last past he hath resided in and under the jurisdiction of the United States, and for one year within this Commonwealth, and also that he will support the Constitution of the United States, and absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, or other state whatsoever, particularly to the King of Great Britain.

A copy.

Teste:

JOHN C. LITTLEPAGE.

The original memorandum made upon the minutes of the court was as follows:

At a district court held at Suffolk, October the 14th, 1795, William Currie, native of Scotland, migrated into the Commonwealth, took the oath, etc.

Now, sir, while that was defective in not containing all the recitals which the law required, yet it contained enough, with that which was stated and entered upon the record, that when it came to be dealt with collaterally the court held it to be sufficient.

The daughter of Currie after his death brought a suit for the land of which he died seized, and the plea was that she was an alien and could not recover it. She replied that she was the daughter of an alien who had been naturalized. After this proof was brought in there was no response from any one—no contradictory evidence offered—and the court held that this, while a defective record, was sufficient. Under the law which permits certain defective records to be explained by parol, that evidence was competent and sufficient, no contrary testimony appearing. Now, sir, that decision does not sustain gentlemen in this case at all.

What is the case here? It is not that a record was made. It is not that there is a certificate and defective record, but of no record at all.

I do not profess to be familiar with the evidence in the record of this case; but whether the sitting member has produced here evidence sufficient to have entitled him to a record of naturalization and certificate in the court where he says he obtained it, is unimportant, because wholly inadmissible in the form it is here presented.

Mr. Speaker, if there ever was a certificate, and I may concede for the purpose of my argument that there was, the sitting member has not done that which it was his duty to do to entitle him to the benefit of it and the judgment, which he does not even allege was ever entered of record. I dissent from the proposition that a man in whose favor a judgment of a competent court has been rendered and never entered can go on in a case like this, take the oath, and become entitled to all the privileges and rights of a citizen without doing something more.

Why, sir, the judgment in such a case confers no higher right or privilege, that makes a different case from judgments rendered in other proceedings, than those, for instance, where a citizen sues and obtains a judgment for property or money, which judgment has never been entered. Can any one maintain an action upon a judgment which is never entered or enrolled?

I appeal to every lawyer in this House to answer this point. If A sues, and the judicial mind passes upon the question and awards him \$50,000, yet the clerk has never entered it, A does not look into the fact and ascertain whether there has been a compliance on the part of the clerk, or does not compel the performance of this ministerial duty.

The clerk of course fails to issue an execution upon the judgment because it was never entered of record, and when A sues upon that judgment or pursues the defendant into another jurisdiction and sues upon it to obtain his money, as he would or might have to do, and the defendant pleads *nul tiel record*, can the plaintiff sustain his claim by setting up the fact that the judicial mind has passed upon his claim and adjudged him to be entitled to the award of \$50,000 without showing that judgment? Would the court receive any other evidence of that judgment than the record itself or a certified copy thereof?

I apprehend that there is no lawyer here who will risk his reputation by asserting the contrary. In the present case the contestee asserts his right to retain his seat upon the floor of the House by virtue of a judgment which rests alone in the judicial mind—an intangible thing, like an immaterial substance, and with no legal or competent proof to establish it. He asks this House to trust to the slippery memory of man rather than to the solemn record of a court, which imports absolute verity.

If the contestee had a judgment against me for money or property, and there was no record evidence of it, as in this case, and he were to sue me upon his judgment, and I should reply *nul tiel record*, no court would receive parol evidence of his judgment to overturn my plea. He who founds a right upon a judgment must produce that judgment or show that it once existed of record in due form and has been destroyed. The contestee's proof utterly fails to come up to either of these requirements.

Now, Mr. Speaker, as to the necessity of entering of record judgments, I will claim the attention of gentlemen for a few moments while I read an extract from Freeman on Judgments:

The promptings of the most ordinary prudence suggest that whatever, in the affairs of men, has been so involved in doubt and controversy as to require judicial investigation, ought, when made certain by a final determination, to be preserved so by some permanent and easily understood memorial. Hence all courts, and all tribunals possessing judicial functions, are required by the written or unwritten law, and often by both, to reduce their decisions to writing in some book or record required to be kept for that purpose. The requirement is believed to be of universal application.

Several decisions covering the point are referred to, and the text proceeds:

So that if any judgment or decree of any court, whether of record or not of record, whether subordinate or appellate, fails to be entered upon its record, the failure is attributable to the negligence or inadvertence of its officers and not to the countenance and support of the law.

Then again:

That which the court performs judicially, or orders to be performed, is not to be avoided by the action or want of action of the judges or other officers of the court in their ministerial capacity. In the case of judgments they must first be entered upon the record before they are admissible as evidence in other courts.

Mark the language—

Must first be entered upon the record before they are admissible in evidence in other courts. For this purpose they are not otherwise perfect. The record, if not made up, or if lost or destroyed, should be perfected or replaced by appropriate proceedings in the court where the judgment was pronounced.

Mr. Speaker, if there was a judgment which was never entered, or if there was a judgment which was evidenced only by the certificate issued to Captain White, and that certificate, as he says, is lost or destroyed, it was incumbent upon him to avail himself of the unrecorded judgment, and to have taken affirmative action in the court where it was obtained, to first establish it, and then he could have brought a certified transcript of it and his certificate here, and have met the plea or objection that he is not a naturalized citizen of the United States and the proof would not have been questionable. But as it is, he is here asserting his naturalization without any legal proof to establish it. It is no hardship to require this. Our too liberal naturalization laws are easily complied with. What hardship is there in requiring him to produce legal evidence that he is entitled under the Constitution of the United States to be a member of this Congress? I can see none, and I fear none of the dire consequences predicted by some gentlemen on the Democratic side of the Chamber in the event of the contestee being unseated for the want of such proof.

Why, sir, the wisdom of ages has decreed against tracing the judicial determinations of the courts of the country through the slippery memory of men, which is full of uncertainty, and fades with time. The position of gentlemen upon the other side of this question, when stripped of its fustian, gaudy rhetoric, and misleading eloquence, which pronounces any man who ever served in the Union Army incapable of telling a lie, exhibits the nude deformity of an assertion that the solemn judgment of a court can rest in parol, which is an absolute absurdity in the estimation of every gentleman who has ever become familiar with the mere horn-books of the law.

Mr. MILLIKEN. Will the gentleman allow me a question?

Mr. OATES. I am unable to do so, I regret to say, as my time is limited.

Mr. Speaker, the position I have assumed here has not been taken recklessly, for I have the authorities to sustain me.

In a recent case in North Carolina, sixty-fourth volume Supreme Court Reports, that court held that parol evidence was in no case admissible to prove a judgment; that it must be first re-established under the law for that purpose in the court that rendered it.

Why, sir, if it were permissible to come here into this forum and

prove by parol what the judicial authority in Indiana passed upon, how uncertain would be the proceeding. It would utterly destroy the safeguards of the law, which require these proceedings before a court to naturalize an alien and entitle him to the rights of citizenship. Let him go to the court where the proceedings are had, and if there is any fault in that court, any defect in the judgment there, any failure to enter it there, he may institute the proper proceedings, which the law provides for, re-establish his judgment, and bring here a certified record of it, which would be conclusive.

Then, again, in the State of Vermont, in a case involving the very question of naturalization, the supreme court of that State held this language:

The only other legal question which it is necessary for us to pass upon is whether parol evidence was admissible to prove the naturalization of a foreigner. A certified copy of the record of the court in which one is naturalized is the legitimate evidence of the fact. Parol evidence to prove naturalization is inadmissible.

What is plainer than that? I will next invite the attention of gentlemen to an adjudication by the supreme court of my own State, *Hall vs. Hudson*, twentieth volume Alabama Reports. It is there held—

that a paper purporting to be a decree on the final settlement of an estate by the judge of the orphans' court and filed among the papers of the case with the indorsement thereon: "Decree in the estate of James Hudson, deceased, filed second Monday April, 1847;" also signed by the judge, is not the judgment of the court until entered on the record.

[Here the hammer fell.]

Mr. OATES. I should like two minutes more.

Mr. CRISP. I yield the gentleman two minutes more.

Mr. OATES. In the case of *Hinson* against *Wall* the same court—I have but time to read the syllabus—held—

that a mere memorandum of the clerk stating the amount of damages assessed by the jury with the words "this judgment for the sum so found added" does not constitute a judgment on which an action of debt can be maintained, although the clerk certifies in proper form that it is "a true and perfect transcript and exemplification of the record." And the proceedings of the courts of the several States composing the Union will be presumed to be governed by the common law until the contrary is shown.

Just one authority more, and that is a very ancient but a good one. I refer to *Blackstone's Commentaries*, which, like the Constitution of the United States in the estimation of some gentlemen, is well-nigh obsolete.

Blackstone says:

A court of record is that where the acts and judicial proceedings are enrolled on parchment for a perpetual memorial and testimony, which rolls are called the records of the court, and are of such high and supereminence authority that their truth is not called in question. For it is a settled rule and maxim that nothing shall be averred against a record. Nor shall any plea or even proof be admitted to the contrary. If the existence of a record be denied it shall be tried by nothing but itself; that is, upon bare inspection whether there be any such record or no, else there would be no end of disputes.

And yet gentlemen assert that where no judgment was ever entered it is competent for them to come here and prove by parol that such judgment was rendered. I utterly deny the proposition, and to my mind if this House allows this gentleman to retain his seat in direct violation of the well-established rules of evidence, they will violate that clause of the Constitution which declares an alien ineligible until he is naturalized. [Applause.]

Mr. ROWELL. I yield five minutes to the gentleman from Massachusetts [Mr. DAVIS], and the remainder of my time to the gentleman from Massachusetts, my colleague on the committee [Mr. LODGE].

Mr. DAVIS. Mr. Speaker, as a layman I have listened during two Congresses to the consideration of election questions—always, I hope, with a due feeling of responsibility, but often with impatience, and often with a feeling of utter helplessness in view of the strictly technical character of the arguments advanced on each side—arguments of such a character that the members of this body who are not lawyers can not be expected to apprehend their full force or precise bearing upon the facts in issue. Precedents are cited and judicial opinions and dicta are accumulated on each side which usually to the unprofessional mind appear to balance each other, and consequently confuse the judgment and prove nothing. Now I submit that there has been something too much of this, when it must be admitted that Congress is not a body which can safely or intelligently decide such questions in this manner.

This is not a judicial body, and there is no member who can speak with authority upon the questions of law which are involved. We have counsel learned in the law, and who expound it abundantly, but we have no judge to determine the law in its relation to the given case. This is not a judicial proceeding under the law requiring close and technical construction of statutes, and in which judicial opinions previously rendered in similar cases have more or less force, and often commanding authority.

No, sir; this is a strictly parliamentary procedure, in which a body of men, many of whom are not learned in the law, are called upon to determine, in the exercise of their best judgment, and acting under a very solemn obligation, a fact, to wit, whether the sitting member is entitled to his seat, or if not, whether the contestant is so entitled. And when that fact is determined no court, no process, no authority can contravene or challenge it. The decision is unassailable and final. I of course admit that in many cases the laws relating to the conduct of elections must control the decision of this body, and that the legal

rules of evidence must be our guide—our guide, I say, but not our master.

Our purpose is, above all things, to ascertain the truth, and if by blindly obeying a given rule with regard to parol testimony, or written testimony, we are compelled to do violence to our convictions regarding any essential fact, we are bound in the discharge of our parliamentary duty to disregard that rule, no matter how ancient or honored. It is the letter that killeth, it is the spirit that maketh alive. In the case before us there is but one fact to be ascertained: Was this man naturalized at a certain time and place, as he alleges? If so, he is entitled to his seat. There is no question as to any legal defect in the process, any error in the judgment of the court—if naturalized at all, he was duly and properly naturalized.

The sitting member presents to me satisfactory and ample evidence of this fact—his own sworn testimony, fortified and made impregnable by other testimony. There is no attempt made to impeach his character—that is unimpeachable. Indeed, the gentlemen who defend the majority report express their respect and sympathy for him. But there is a defective record, and they claim that it is a rule of law that parol testimony can not cure that defect. Suppose this to be so in an ordinary judicial proceeding, does that control this parliamentary proceeding? Should it control me if the evidence presented has convinced me that the sitting member was duly naturalized? I say no, because I am bound by the obligation I have taken to decide this question in accordance with my judgment whether that does or does not coincide with the rules adopted or the opinions expressed in other cases by another tribunal.

The application of an arbitrary rite of law upon a question of mere fact in an issue so important as this is simply absurd. A case might easily be supposed where the record would be defective and the certificate lost, and where sworn testimony could be produced to prove the naturalization beyond the shadow of a doubt. Would the chairman of this committee vote to unseat this member in obedience to this arbitrary rule, although he knew that he was eligible and admits that he was elected? Sir, the majority report of your committee strikes at every naturalized citizen. It makes that precious right which the policy of a beneficent Government has conferred upon him dependent upon the existence of a record which may never have been made, or which may be lost or destroyed. And if he have acquired the confidence and respect of his fellow-citizens sufficiently to be placed by their suffrages in a position of honor and responsibility, it places it in the power of a mean and mousing opponent, whom he had defeated, to drive him with disgrace from his seat.

This is a simple question of fact to be determined upon our confidence in the veracity, under oath, of the sitting member. He is a Scotch emigrant who came to this country in boyhood, and for more than thirty years has gone in and out among the citizens of the Twelfth district of Indiana. He has acquired their respect, their affection, and their boundless confidence, and finally the party with which he had always been associated determined to testify their regard for this adopted citizen by selecting him as their candidate for Congress; and then a strange thing happened.

He not only received the unanimous vote of his own party, but 3,000 men stepped from the ranks of his opponents and declared by their votes that although they did not believe in his political views they did believe in him. [Applause.]

Added to this, Mr. Speaker, there is a crowning fact in his personal history. When in the flush of his early manhood the country which he loved and to which he came across the seas, was in mortal peril, he volunteered in her defense, he shouldered his musket, and with uncounted thousands of brave men marched to the battle-field to prove his devotion to her interests and institutions, if need be, by the severest of all tests—the offering of his life.

Mr. Speaker, my eyes are not as clear as they once were, but I can see on that modest brow the laurel wreath which the genius of his country placed there as he lay bleeding and unconscious upon the immortal field of Shiloh. [Applause.]

Shall we drive this true, this honest and brave man, bearing honorable and glorious scars, from this Hall with the brand of falsehood and perjury upon his brow? God forbid! [Applause.]

Mr. LODGE. Mr. Speaker, it is not my intention at this hour of the debate to enter into any protracted argument. I merely wish, in closing, to restate as simply as possible those points on which the minority have relied in the position which they have taken.

It must have been observed in this case, as the testimony has proceeded, that we have drifted far from that simple legal question on which it appeared at the outset the statement of the case was to turn. But the arguments on the legal point which seemed pretty solid and effective in the committee-room have become somewhat attenuated when they have been brought into this Hall and into the presence of the larger audience beyond these walls. Therefore to sustain the legal question the question of fact has been brought in and forced to great prominence. From this, sir, there was no escape, and it appears as it did in the beginning to me, that it is on that question of fact that the decision in this case must finally turn. The legal argument was weak; it was sought to prop it with the argument on fact. The argument on

fact is weak on the side of the majority. The two broken reeds can not sustain each other.

If you accept the doctrine of the majority, we have got to assume that a man's citizenship, which is to him of priceless value, depends not upon his own act, done in good faith, but upon the act and upon the performances of some one else. Into the legal discussion of the question, which has been so ably presented by my colleague [Mr. COLLINS] this afternoon, I do not propose to enter; but I wish to call the attention of the House for just one moment to the result of intrusting a man's citizenship to the ministerial act of anybody else. Carelessness may intervene in an act of a clerk. There may be destruction of the records by fire, by accident, by a thousand causes.

If gentlemen will turn to a single piece of testimony, on page 223 of the record, they will find that one Templar testifies that he appeared before the clerk to procure a copy of the record of his naturalization, he having taken the oath of citizenship, and that after hunting for the record the clerk failed to find it, and "told me that he would give the matter a more careful and thorough search, and that I should call again in a few days, or at my convenience, and that he would then have it ready for me. I have repeatedly, during the last ten years, called at the clerk's office for a certified copy, and have never been able to procure it."

That is the court on the performances of which it is proposed to take away the citizenship of Captain White, a court in which a man who had taken the oath of citizenship applied vainly for ten years for the certificate to which he was entitled. In another case, that of a German-born citizen, the judge of the court, the ingenious jurist who is before this House now as the contestant, had had a slight difference with this gentleman, Mr. Sardinghausen. The contestant was a candidate for Congress; Mr. Sardinghausen thought he ought not to be; the contestant naturally did not agree with Mr. Sardinghausen's views of the case. They differed as good men will differ, and the contestant said to Sardinghausen, who was then and had been for a long time a State senator in Indiana and a member of the Democratic party, "You had better look to your own citizenship." Sardinghausen's reply was, as it appears in his sworn testimony, that he had gone into that court and been naturalized before the contestant himself, to which the contestant replied, "There is no record of it." We see, therefore, that it is no new thing for the records of this particular court to be brought into politics to affect the citizenship of candidates for office. That record is defective throughout. There are one hundred and fifty names of naturalized citizens with nothing but bare memoranda of them.

There are others without one line of memorandum in that court. Citizens applied for certificates in order that they might go out and take up land in the Territories, but no record of their naturalization could be found. There are cases where men had certificates and where there was not even a scratch of a pen to show it. There are the cases of two men whose names had afterwards been entered in that record, forgeries, as appears by the testimony in this case; and it is on that disfigured, imperfect record, tainted with forgery, that it is proposed to deprive the contestee of his seat in this House. So much for the record, as to which it is argued by the other side that we can not bring any parol testimony to cure its defects.

The other single point in this case is the fact of naturalization. To that fact we have the testimony of Mr. Jenkinson, which is entirely unimpeached. He swears to two conclusive facts—that he was present when Captain White was naturalized, and that it was after the war, and after he (Jenkinson) had given up the practice of the law. That testimony has not been impugned in the slightest degree. We then have the testimony of Pratt, the sheriff, who was in court at the time of the naturalization, and the only attempt to impugn his testimony is by saying that he was hostile to the contestant. If the veracity of men in that Indiana district is to be impugned on that ground—I say it with entire respect—there will be a very large number of persons, reaching into many thousands, who can not be received as credible witnesses. That testimony stands to the fact of naturalization and to the fact that the naturalization occurred subsequent to the war, defeating the attempt made by the other side to show that the declaration of intention was in 1858.

Last of all, we have Captain White's own testimony. It is admitted that in the confusion and excitement of the election he made contradictory statements, but from the beginning he said, "I have been naturalized." From that he never swerved. His testimony on that point is direct, and until this afternoon, in the speech of the gentleman from Indiana [Mr. O'NEALL], there has not been a single attempt to impeach his character for veracity.

I wish to say a word, sir, as to the general policy of proving lost records. We know that provisions are made by the States for the proof of lost records. We know that that is the policy of the States. In the case of a great destruction of records like that of Chicago, provision is made for the proof of those records. It is a matter of general policy. Now, here is a case in which the record was practically destroyed, and it is proposed to say to this man, "You can not prove your citizenship, the dearest thing you have, though we make provision in every State to allow proof of lost records."

The doctrine of citizenship has always in this country received a lib-

eral interpretation; and I wish to call attention to a case which happened some years ago involving the protection of a citizen in a foreign country—a case showing how far the Government of the United States has been willing to carry this doctrine. It is the case of Martin Koszta, who was one of Kossuth's staff. He was seized in Smyrna by the Austrians with the intention of carrying him to Austria and consigning him to an Austrian prison. Captain Ingraham, in command of an American man-of-war, lay alongside the Austrian brig and threatened to fire upon her if Koszta was not given up. He was given up to the French consul, and was finally returned to the United States. Our Government took that extreme ground—on what? On a mere declaration of intention—on absolutely nothing else.

Mr. Marcy, then Secretary of State, said that though Martin Koszta was not vested with all the rights and privileges of a citizen of the United States, he was, at the time the outrage was committed upon him, entitled to the protection extended to him by the American functionaries at Smyrna. A declaration of intention was thought sufficient then to entitle a man to the protection of the American flag. Yet it is argued to-day that a man who has not only declared his intention, but has served in the armies of the United States, is not a citizen of the country.

One word, in closing, as to the personal aspect of this question. I am aware that ordinarily no argument based upon any personal consideration should find place here. But this, I submit, is a peculiar case. In most election cases the unsuccessful party, whether unseated justly or unjustly, can go back to the final tribunal, the constituency of his district, and appeal to them against the verdict which has been rendered here. But if you unseat Captain White, you leave him no such appeal. You will have declared that he is not a citizen of the United States, and can not be eligible to a seat in this body for seven years. The verdict which we shall give here to-day on this case is, so far as Captain White is concerned, final and irreversible.

Captain White came to this country in 1853. In 1858 he declared his intention to become a citizen. A few years later he entered the armies of the United States. He was badly wounded at Shiloh. Coming back to Fort Wayne, he has built up there a prosperous business. He enjoys the respect of the people among whom he has lived. He has reared his family there. He has accumulated property. And now you are asked to say that he has come into this House by means of perjury. I am aware that members of the majority disclaim, as they naturally would, any intention to fix such a brand as that upon Captain White, yet the attempt is useless. There can be no escape from this result—that if Captain White is now turned out, you send him back to the community in which he has lived, to the people whose respect he has enjoyed, voters of both parties who have given him their personal confidence—you send him back with the declaration that, in the opinion of the American Congress, he is a perjurer. Beside the honorable scars that he bears on his front like a brave man, you propose to fix the burning stigma of "liar and perjurer!" There is the personal aspect of this case that cannot be escaped. Such a judgment as that would be a cruel injustice; and I do not believe that on the frail legal argument, or the still frailer argument upon the facts, this House will be guilty of such an injustice to any man who has been admitted as a member. [Applause.]

Mr. CRISP. Mr. Speaker, I know the House is somewhat fatigued and is anxious to dispose of this case. I have reserved for myself only a few moments in which to express, in conclusion, the views entertained by the majority of the committee on the merits of the contest.

During the progress of this debate we have had from gentlemen on this side of the Chamber—the distinguished gentleman from New York [Mr. COCKRAN], the distinguished gentleman from Massachusetts [Mr. COLLINS], the distinguished gentleman from New Jersey [Mr. MCADOO], and the distinguished ex-judge from Minnesota [Mr. WILSON]—some of the most marvelous expositions of law, I venture to say, that ever were heard in a legislative body. We are told by these gentlemen that the judgments of a court of record can exist in the air, can be hawked about in the pockets of individuals. We are told by these gentlemen that the certificate given to a naturalized citizen by the clerk of the court is a part of the record of the court, and that when it is proven that a man has once had such a certificate and has lost it, he can prove its contents by parol testimony. These propositions, Mr. Speaker, are absolutely startling to any one who is at all familiar with the elementary principles of the law. Blackstone's Commentaries, an inexhaustible source of information upon legal questions, tells us that a court of record is a court wherein the judgment is enrolled upon parchment as a perpetual memorial of the act of the court.

Neither of the distinguished gentlemen to whom I refer has produced, and I venture the assertion that neither of them can produce, the judgment of any respectable court sustaining the position which they urge upon the House. The leading case relied upon is the case from New York, decided by Justice Blatchford. In that case—and I ask the House to bear it in mind—there was in the office of the clerk of the court a statement of the oath taken before the court and of all the proceedings requisite for the naturalization of the citizen; and this was identified by the initials of the judge. The judge who sat in the case put on the papers his initials, and Judge Blatchford held this to be compe-

tent evidence of the judgment of the court. In the case from Virginia there was found upon the minutes of the court an entry stating that the applicant for citizenship appeared and was naturalized. Sir, there can not be produced a single case—I appeal to any man on this floor who has made an investigation of the question to produce a case—in which any respectable court has held that naturalization, the whole of it, can be proved by parol.

Why, Mr. Speaker, a citizen must be naturalized in a court of record having a clerk and having a seal. Why this requirement of the law, but that such judgment may be entered of record by the clerk and thus become a memorial for all time? If naturalization may be proven by parol, why does not the statute authorize courts not of record to hear such cases and give judgment? The conclusion is irresistible that jurisdiction was limited by Congress to such courts as had a clerk and seal in order that the judgment admitting a person of foreign birth to citizenship here might be enrolled for a perpetual memorial and testimony. The proceedings in cases of naturalization are strictly judicial; there must be, as in other judicial matters, that judgment which is the "end of the law." A court of record can speak only by its dockets, minutes, or records, and in the absence of any docket, minute, or record, its voice can not be heard.

Mr. Speaker, the proposition here is to prove by parol every single fact necessary to establish the naturalization of contestee.

Mr. MACDONALD. Will the gentleman permit me to ask him a question?

Mr. CRISP. I have but twenty minutes, and I must therefore respectfully decline to yield.

Mr. MACDONALD rose.

Mr. CRISP. Others who are not so familiar with the records in this case as the members of the committee, who have labored over them for weeks, can not inform me of anything in the record which I do not already know.

Mr. MACDONALD again rose.

Mr. CRISP. I decline to be interrupted, and I give as a reason for so doing the shortness of the time I have allowed myself.

Now the proposition is, Mr. Speaker, in the face of the Constitution of the United States, in the face of the decision of the courts, in the face of the decisions of the executive department of the Government, to establish in the legislative department a rule which will open wide the door for fraud and make uncertain and unsatisfactory that which under the established rules of evidence can now, without hardship to any one, be made perfectly clear and plain. If I am right that the judicial department of the Government have a uniform rule on this subject, let us look for a moment to the executive department of the Government and see what their rule is.

If Mr. White should go to the State Department and say, "Mr. Secretary, I desire a passport to go to Europe; I am a foreign citizen," the Secretary would say to him, "Let me see your papers of naturalization." If Mr. White replied, "I have not got them; I have lost them," the Secretary would say, "Go back to the court of record where you got your naturalization papers and obtain a copy of them." Mr. White replies again that there is no copy of them there. "I propose to bring Mr. Jenkinson, Mr. Pratt, and others to prove that I am naturalized and am a citizen. They will prove that I did apply for naturalization, and that the paper was issued to me, but I have lost it." Does any gentleman here suppose for a moment the State Department, on such a showing as that, would grant to that individual the protection of that flag we all reverence and respect? Is that the practice of the executive department, to give to a citizen who proposes to prove by parol testimony only the fact of his naturalization the protection and safe conduct of that flag? No, the executive department would say to him, "We can not safely give you a passport under those circumstances."

Mr. Speaker, the executive department would refuse him. He now comes to this legislative department of the Government and asks this House to seat him on evidence on which no court would decide he was naturalized and on which the executive department would not decide that he was a citizen entitled to a passport. In the determination of this case, we are gravely asked to violate every principle of the law of evidence. The gentleman from Tennessee says we are bound by no rule of evidence or law. The gentleman from New York [Mr. COCKRAN] says this case should be decided on a different basis from ordinary contests between individuals; and the gentleman from Massachusetts [Mr. DAVIS] says in its determination we can be governed by such rules as we please. Are not these propositions astounding, when the House of Representatives is called upon by the Constitution, that we have all sworn to support, to judge of the qualifications of one of its returned members? If we do not judge and determine according to the established rules of evidence, how are we to judge and determine?

By looking to the effect the unseating of the contestee might have in some particular district, as some gentleman has suggested here—by looking to the fact there are a great many foreigners in your district, and they might be displeased. Is that the rule asked for? Is that the rule acted on by any member of the House? Is that what is meant by judging? I protest, Mr. Speaker, we will judge it by the rules of evidence established in all the courts of every civilized country in the

world, the faithful observance of which is absolutely essential to the ascertainment of the truth.

Judging by that rule, Mr. Speaker, I say in this case there is no competent testimony to establish naturalization.

Now, I can not dwell upon this legal view, but want to say something upon the facts as presented. If there are those who really believe that naturalization can be proven by parol, I desire to demonstrate to them that there is no satisfactory evidence to justify a finding which would retain the contestee in his seat.

Satisfactory evidence, Mr. Speaker, is that character of evidence which satisfies the mind of the correctness of a proposition which has been asserted.

The gentleman from Indiana, the contestee, asserts that he became a naturalized citizen of the United States in 1865. Having admitted that he was foreign born the *onus* is upon him to establish his claim to citizenship. The presumption is not, as some gentleman has suggested in this debate, that he is a citizen, but the presumption is that he is not a citizen, that his original status remains until he shows the contrary. Accept that issue and view the case in that light for a moment.

Here is a foreign-born gentleman who says he is naturalized. Let us see his proof. It is admitted that in 1858 Mr. White filed his declaration of intention to become a citizen.

I ought to say just here, Mr. Speaker, that under the laws of Indiana the filing of such a declaration gives to the person filing it the right to vote, the right to hold property, the right to do everything in that State that a full citizen may do except the right to hold office. This gentleman tells us here that he filed the declaration and complied with every requirement in order to vote for Fremont. There is some confusion about the statement there, and I do not care to dwell upon that part of the testimony.

The declaration was filed in 1858. Now, then, let us come down to the year when Mr. White was a candidate for Congress and see what was done by him, and what was done by others, that may throw light upon his claim of citizenship.

It is true that the contestee did hold some little office in the State of Indiana; but he held no great number of distinguished offices. I think he was alderman of some little city, or something of that sort. Finally, he became a candidate for Congress. Just before the election the charge was made that he was not a naturalized citizen.

Two gentlemen, Mr. Bell and Mr. Moynihan, as the testimony shows, went to him and said, "The statement is made that you are not a naturalized citizen." His reply was, "I have got my papers." Did he stop there? No. He says, "I got my papers in 1857 or 1858." Upon the first blush of the moment, when distinctly charged with a want of naturalization, what does he say, and I call your attention to it again?

I got my papers in 1857 or 1858.

Did you get then all the papers that you got?

Answer. I did.

That night you find the contestee in consultation with certain friends of his in a printing-office in the town, the office being that of the paper that advocated his election. What do you find the next morning? There is a publication in that paper of a letter from the Adjutant-General of the Army—a mutilated letter. It seems that an inquiry was made of the Adjutant-General as to whether the honorable discharge of a soldier from the Army entitled him to the rights and privileges of citizenship. The Adjutant-General replied that it did not. That letter, on that night, in that town, in the printing-office was talked about, the contestee was that night in the office, and the letter was mutilated and appeared in a mutilated form in the newspaper on the next day, stating that the honorable discharge of a soldier from the Army does entitle him to citizenship. In the very same newspaper that contained the mutilated letter appeared this statement:

I was a soldier; I am a citizen.

J. B. WHITE.

On that day, Mr. Speaker, I ask the House, was the contestee standing upon any supposed naturalization in 1865? I deny it. The thought had never entered his mind, and he resorted to that kind of subterfuge because he had no real naturalization.

Mind you, that notice was kept standing in the paper, and on the next day you find him in consultation with his lawyers. He has gone and looked for his paper, the declaration of intention, the only paper he ever had, and the paper on which he voted and held property for thirty years. He was looking for that and fails to find it; and there is a meeting of his lawyers for consultation as to what is to be done in the emergency. Some of these attorneys have been sworn, and there is not one who tells you that White then claimed he had been naturalized in 1865. The first intimation that we receive of his having made that claim was after the service of notice of contest in this case. If he was naturalized in 1865, why did not he tell them so? But what did they do? They advised him to take out naturalization papers at once, that possibly it might relate back to something and help him. He went into another county and became naturalized. To do that he had to swear that he was a subject of Queen Victoria and renounced his allegiance to her; this was the day before the election in 1886, and yet contestee asks you now to determine that what he then stated was not true.

After getting his papers he hastens back to his home, and says, in response to questions by his constituents, "I have got my papers, my first papers, my second papers, and I have got my third papers; and if you vote for me I will show them to you."

Is that, I ask you, gentlemen, the conduct of an honest man, who is conscious he is a citizen and became so in 1865?

Gentlemen say Mr. White said he was a citizen. I say to the gentlemen, in reply, that Mr. White said he took out his papers in 1858. I say, in reply, that the actions of Mr. White were absolutely inconsistent with the statements he has since made. A man's actions sometimes speak louder than his words. You find the contestee shifting from pillar to post to establish his citizenship. First he says, "I became a citizen in 1857 or 1858." Then he says, "I am an honorably discharged soldier, and hence I am a citizen;" and then he says, in 1886, "I owe allegiance to Queen Victoria, but I now swear I will bear true faith and allegiance to the Constitution of the United States."

I ask you is such conduct consistent with the idea that he all the time knew he became a naturalized citizen in 1865?

It is impossible, Mr. Speaker, that I should go over this case in the time allotted. I am admonished that but three minutes of my time remain. I desire to call the attention of the House to the inconsistencies in the statements of the witnesses presented by Mr. White to prove his naturalization. One says it was in the common pleas court; the other says it was in the circuit court. One says a certain person was present; another says it was another person who was present. Mr. White says it was Mr. Chittenden; Mr. Jenkinson says it was Mr. Chittenden. The original declaration of intention was in Mr. Chittenden's handwriting and he went out of office in 1862 and went into another office.

All these things indicate to my mind conclusively that the only time contestee applied to the court was when he filed his declaration of intention, and that was when Mr. Jenkinson appeared and the other witnesses with him.

I might point to inconsistencies in other parts of the testimony. I might state to you that so far from his being the gallant and distinguished soldier his friends would have you believe, he resigned under fire, and that when he resigned from the service his superior officers stated that they fully agreed with him that the acceptance of his resignation would be for the benefit of the service.

I might state that he continued with the Army, not fighting for the Government, but in the capacity of a sutler, a man who for large profit furnishes supplies to the troops; that that was the position in which he rendered such distinguished service from the latter part of 1862 until he abandoned the business. All this would only be justifiable in rebuttal of the extraordinary claim made on behalf of the contestee. In this country no man can occupy a position so high that his claims are not to be tried by the common and established rules of evidence. I do not care how distinguished a man may be or what his character has been. It is the proud boast of this democracy that when it comes to a question before the courts all men stand alike; that nothing in the past history of a man raises him above the law, and that nothing in his past history shall deny him the right to justice.

It is claimed that because contestee was a soldier, therefore he shall be believed. I think if you will look to the evidence—my distinguished friend from Massachusetts [Mr. COLLINS] says he has not read it; my distinguished friend from New York [Mr. COCKRAN] does not say whether he has read it or not—but if you will look at the evidence you will find that Mr. White absolutely fails to satisfy you that he ever became naturalized until 1886, on the day before the election.

Mr. Speaker, the Committee on Elections have tried this case, as they believe, according to the law and according to the evidence. They have not made inquiry as to how the finding might affect votes in their own or anybody else's district. That is perfectly immaterial to them. So far as I am concerned I shall decide each case according to my view of the law and the evidence. While I am a party man, I trust I am not so much a partisan as to violate the law and the evidence in any case, and I am very sure that I shall cast no vote contrary to my conviction of duty in order to pander to some element in my district or State.

[Here the hammer fell.]

Mr. CRISP. I demand the previous question on the resolutions and the substitute.

Mr. ROWELL. I now offer the substitute, and move the previous question on it.

The SPEAKER. The gentleman from Georgia has demanded the previous question on the resolutions and the substitute which the Chair understands is admitted as pending.

Mr. RANDALL. I desire to ask a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. RANDALL. I understood the Chair to state, in reply to the gentleman from Illinois, that his substitute was pending. Did I correctly hear the statement of the Chair?

The SPEAKER. The gentleman from Georgia demanded the previous question on the report; and thereupon the gentleman from Illinois moved the substitute reported by the minority of the committee, and the Chair understood the gentleman from Georgia to yield for that purpose.

Mr. CRISP. I did.

Mr. RANDALL. I desire to know whether a negative vote on the first proposition of the Committee on Elections does not in effect seat the sitting member, and after that no other vote is essential?

The SPEAKER. The first resolution reported from the committee declares that the sitting member is not entitled to his seat. If the House refuses to pass that resolution he retains his seat under his certificate and the oath of office he has taken.

Mr. RANDALL. So we need but one vote?

Mr. REED. The motion is made by the gentleman from Illinois [Mr. ROWELL] to substitute his resolution for another.

The SPEAKER. The Chair so understood; but the inquiry of the gentleman from Pennsylvania is, whether in a parliamentary sense more than one vote is necessary to retain the gentleman in his seat? The Chair merely answered the question of the gentleman from Pennsylvania. The Chair does not decide that the substitute is not pending.

Mr. REED. The substitute is pending, and the vote will have to be on the substitute first.

The SPEAKER. As a matter of course.

Mr. TAULBEE. Let us have the substitute read, Mr. Speaker.

The SPEAKER. It will be read. The Chair desires to understand whether the substitute proposed by the gentleman from Indiana [Mr. O'NEALL] for the substitute proposed by the minority of the committee is pending.

Mr. CRISP. The majority of the committee have submitted two resolutions. The resolution of the gentleman from Illinois [Mr. ROWELL] is a substitute for the first resolution, and the resolution of the gentleman from Indiana [Mr. O'NEALL] is a substitute for the second resolution reported by the committee.

The SPEAKER. The Clerk will report the resolutions proposed by the majority and the substitute proposed by the gentleman from Illinois [Mr. ROWELL].

The Clerk read as follows:

Resolved, First. That James B. White not having been a citizen of the United States for seven years previous to the 4th of March, 1887, is not entitled to retain a seat in the Fiftieth Congress of the United States from the Twelfth Congressional district of Indiana.

Resolved, Second. That Robert Lowry not having received a majority of the votes cast for a Representative in the Fiftieth Congress for the Twelfth Congressional district of Indiana is not entitled to a seat therein as such Representative.

The Clerk read the substitute proposed by Mr. ROWELL, as follows:

Resolved, That James B. White was duly elected a Representative to the Fiftieth Congress from the Twelfth Congressional district of Indiana, and is entitled to retain his seat.

The SPEAKER. As the Chair understands, this resolution is offered as a substitute of the first resolution reported by the committee.

Mr. ROWELL. Yes.

The SPEAKER. And upon this report and substitute the gentleman from Georgia [Mr. CRISP] demands the previous question.

Mr. REED. The gentleman from Illinois [Mr. ROWELL] demands the previous question upon the substitute.

The SPEAKER. But the gentleman from Georgia had the floor and yielded only for the amendment, as the Chair understood.

Several MEMBERS. That is correct.

The SPEAKER. The effect is precisely the same.

Mr. O'NEALL, of Indiana. Mr. Speaker, I ask the privilege of withdrawing the resolution which I reported.

Mr. RANDALL. The proposition of the gentleman from Indiana [Mr. O'NEALL] was that Mr. Lowry was entitled to the seat.

The SPEAKER. The gentleman has a right to withdraw the resolution, no vote having been taken upon it.

The previous question was ordered.

The SPEAKER. The question now is upon agreeing to the substitute proposed by the gentleman from Illinois [Mr. ROWELL] for the first resolution reported by the Committee on Elections.

Mr. CRISP. And on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 105, not voting 32; as follows:

YEAS—186.

Adams,	Browne, T. H. B.	Conger,	Gaines,
Allen, C. H.	Browne, T. M.	Cooper,	Gallinger,
Allen, E. P.	Brown, C. E.	Croser,	Gear,
Anderson, A. R.	Brown, J. R.	Culbertson,	Gest,
Anderson, G. A.	Bryce,	Cutcheon,	Glass,
Anderson, J. A.	Buchanan,	Dalzell,	Goff,
Arnold,	Bunnell,	Davenport,	Grosvenor,
Atkinson,	Burnes,	Davis,	Grout,
Baker, C. S.	Burnett,	De Lano,	Guenther,
Baker, Jehu	Burrows,	Dingley,	Hare,
Bayne,	Butterworth,	Dockery,	Harmer,
Belden,	Bynum,	Dorsey,	Haugen,
Biggs,	Campbell, T. J.	Dunham,	Hayden,
Bingham,	Cannon,	Enloe,	Henderson, D. B.
Bliss,	Caswell,	Farquhar,	Henderson, T. J.
Boothman,	Cheadle,	Finley,	Hermann,
Bound,	Chipman,	Fisher,	Hiestand,
Boutelle,	Clark,	Flood,	Hitt,
Bowden,	Cockran,	Ford,	Holmes,
Bowen,	Cogswell,	Forney,	Hopkins, A. J.
Brewer,	Collins,	Fuller,	Hopkins, S. T.
Brower,	Compton,	Funston,	Houk,

Hovey,
Hunter,
Jackson,
Johnston, J. T.
Kean,
Kelley,
Kennedy,
Kerr,
Ketcham,
Laffoon,
La Follette,
Laidlaw,
Laird,
Lanham,
Lind,
Lodge,
Long,
Lyman,
Macdonald,
Mahoney,
Mason,
McAdoo,
McCulloch,
McKenna,
McKinley,

McKinney,
McShane,
Merriman,
Milliken,
Moffitt,
Morrill,
Morrow,
Neal,
Nelson,
Nichols,
Nutting,
O'Donnell,
O'Neill, Charles
O'Neill, J. J.
Osborne,
Owen,
Parker,
Patton,
Payson,
Perkins,
Peters,
Phelan,
Phelps,
Plumb,
Post,

Pugsley,
Randall,
Rayner,
Reed,
Rockwell,
Romeis,
Rowell,
Rowland,
Russell, C. A.
Rusk,
Ryan,
Sawyer,
Sayers,
Scull,
Sherman,
Shively,
Smith,
Sowden,
Spooner,
Springer,
Steele,
Stephenson,
Stewart, Charles
Stewart, J. W.
Stone of Mo.

Struble,
Symes,
Tarsney,
Taylor, E. B.
Taylor, J. D.
Thomas, G. M.
Thomas, O. B.
Thompson, A. C.
Tillman,
Turner, E. J.
Vandever,
Wade,
Warner,
Weaver,
Weber,
West,
White, S. V.
Whiting, J. R.
Wickham,
Williams,
Wilson, Thomas
Yardley,
Yost.

NAYS—105.

Abbott,
Allen, J. M.
Anderson, C. L.
Bacon,
Bankhead,
Barry,
Blanchard,
Bland,
Breckinridge, C. R. Grimes,
Breckinridge, WCP Hall,
Buckalew,
Campbell, J. E.
Candler,
Carlton,
Caruth,
Catehings,
Clardy,
Clements,
Cobb,
Cowles,
Cox,
Crain,
Crisp,
Cummings,
Dargan,
Davidson, R. H. M.
Dibble,

Dougherty,
Dunn,
Elliott,
Ermentrout,
French,
Gibson,
Granger,
Greenman,
Hatch,
Hayes,
Heard,
Hemphill,
Henderson, J. S.
Herbert,
Hogg,
Holman,
Hooker,
Hopkins, S. I.
Howard,
Hudd,
Hutton,
Johnston, T. D.
Jones,
Kilgore,
Landes,

Lane,
Latham,
Lawler,
Lee,
Lynch,
Maish,
Mansur,
Martin,
Matson,
McClammy,
McCreary,
McMillin,
McRae,
Mills,
Montgomery,
Morgan,
Newton,
Norwood,
Oates,
O'Ferrall,
O'Neill, J. H.
Outhwaite,
Peel,
Pennington,
Perry,
Rice,
Richardson,

Robertson,
Rogers,
Russell, J. E.
Seney,
Shaw,
Simmons,
Snyder,
Stahnecker,
Stewart, J. D.
Stockdale,
Stone of Ky.
Taulbee,
Tracey,
Turner, H. G.
Vance,
Walker,
Washington,
Wheeler,
Whithorne,
Wilkins,
Wilkinson,
Wilson, W. L.
Wise,
Yoder.

NOT VOTING—32.

Barnes,
Belmont,
Blount,
Brumm,
Butler,
Campbell, Felix
Cotthran,
Darlington,

Davidson, A. C.
Felton,
Fitch,
Foran,
Gay,
Glover,
Hires,
Lagan,

Lehlbach,
Maffett,
McComas,
McCormick,
Moore,
Morse,
Pidcock,
Scott,

Spinola,
Thomas, J. R.
Thompson, T. L.
Townshend,
White, J. B.
Whiting, William
Wilber,
Woodburn.

So the substitute of Mr. ROWELL was agreed to. Before the result of the vote was announced, Mr. MOORE said: On this question I am paired with the gentleman from Pennsylvania [Mr. DARLINGTON], who, if present, would vote in the affirmative, while I should vote in the negative. The SPEAKER. The rules require that pairs shall be announced in writing from the Clerk's desk. The Clerk will read the pairs. The following-named members were announced as paired on all political questions, until further notice: Mr. SPINOLA with Mr. THOMAS, of Illinois. Mr. TOWNSHEND with Mr. MCCOMAS. Mr. GLOVER with Mr. WILBER. Mr. BLOUNT with Mr. WHITING, of Massachusetts. The following pairs were also announced: Mr. BARNES with Mr. MCCORMICK, on all questions, until Saturday, February 11. Mr. PIDCOCK with Mr. BUTLER, on all political questions, for this day. Mr. THOMPSON, of California, with Mr. FELTON, on all political questions for this day. Mr. FORAN with Mr. BRUMM, on all political questions, for this day; and on the Indiana election case; if present, Mr. FORAN would vote for the majority report, and Mr. BRUMM against it. Mr. COTHRAN with Mr. FITCH, on all political questions, for this day; also on the Indiana election contest; if present, Mr. COTHRAN would vote for the majority report, and Mr. FITCH against it. Mr. MOORE with Mr. DARLINGTON, on the Indiana election contest. Mr. MOORE would vote for the majority report, and Mr. DARLINGTON, if present, would vote against it. Mr. DAVIDSON, of Alabama, with Mr. HIRES, on the Indiana election contest. If present, Mr. DAVIDSON would vote for the majority report. Mr. BUCHANAN. I desire to state that my colleague, Mr. HIRES, has been called home by serious illness in his family, and my colleague, Mr. LEHLBACH, is confined to his bed by sickness. The SPEAKER. On this question the yeas are 186, the nays 105. The substitute is agreed to. [Applause.]

The question then recurring upon agreeing to the report of the Committee on Elections, as amended by the adoption of the substitute of Mr. ROWELL, it was agreed to.

Mr. ROWELL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

LEAVE OF ABSENCE.

Mr. GAY, by unanimous consent, obtained indefinite leave of absence, on account of sickness.

ENROLLED JOINT RESOLUTION.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers; when the Speaker signed the same.

ADDITIONAL TERRITORIAL JUDGE.

Mr. CAREY, by unanimous consent, introduced a bill (H. R. 6828) to provide additional justices of the supreme courts of Dakota, Washington, Wyoming, Utah, Idaho, and Arizona Territories, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PENSIONS.

Mr. BINGHAM, by unanimous consent, introduced a bill (H. R. 6829) to increase the pensions of those who have lost a limb, two limbs, or both eyes, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TESTING OF CHAINS AND ANCHORS, ETC.

Mr. TARSNEY, by unanimous consent, reported back favorably from the Committee on Commerce the bill (H. R. 1241) to require the testing of chains and anchors and for the better security of life and property on shipboard; which was referred to the House Calendar, and the accompanying report ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills and resolutions of the following titles; in which the concurrence of the House of Representatives was requested, namely:

A bill (S. 1627) to amend section 25 of the act of March 3, 1879, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;

A bill (S. 1754) for the relief of Henry H. Marmaduke, of Missouri; Joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States;

Joint resolution (S. R. 27) providing for the printing of a supplement to Wharton's Digest of International Law; and

Concurrent resolution providing for the printing of 7,000 additional copies of Executive Document 51, first session of the Forty-ninth Congress, on the subject of cattle and dairy farming.

GRAY'S BATTALION, MEXICAN WAR.

Mr. BRECKINRIDGE, of Arkansas, by unanimous consent, introduced a bill (H. R. 6830) to place upon the pension-roll members of Gray's Battalion of United States Volunteers, Mexican war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

THOMAS H. NORTON AND JAMES M'LEAN.

Mr. McCULLOGH, by unanimous consent, reported back favorably from the Committee on Claims the bill (H. R. 4706) for the relief of Thomas H. Norton and James McLean; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

And then, on motion of Mr. McMILLIN (at 5 o'clock and 20 minutes p. m.), the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. MORROW: A bill (H. R. 6718) to remove the charge of desertion against Isaac Trimble—to the Committee on Military Affairs.

Also, a bill (H. R. 6719) for the relief of Charles B. Wagner—to the Committee on War Claims.

By Mr. ROWELL: A bill (H. R. 6720) for the relief of Kate Tarlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6721) for the relief of John A. Erwin—to the Committee on Claims.

By Mr. LAWLER: A bill (H. R. 6722) for the relief of Sarah Jane Owen—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 6723) for the relief of Mrs. D. H. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6724) to increase the pension of Charles A. D. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6725) granting a pension to Ernest Hodder—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 6726) granting a pension to Palmer Crutchfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6727) granting a pension to Mrs. Mary C. Holmes—to the Committee on Pensions.

By Mr. BYNUM: A bill (H. R. 6728) for the relief of Louis Myers—to the Committee on Military Affairs.

By Mr. MATSON: A bill (H. R. 6729) for the relief of Charles B. Garrett—to the Committee on Military Affairs.

By Mr. OWEN: A bill (H. R. 6730) granting a pension to Manerva Luce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6731) increasing the pension of Thomas Ward—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 6732) granting a pension to Mrs. Leora Gear—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 6733) granting a pension to Emerson Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6734) granting a pension to Margaret P. Minteer—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 6735) granting arrears of pension to Henry Schafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6736) to enable the city of Aberdeen to acquire certain real estate within its limits, and for other purposes—to the Committee on the Territories.

By Mr. RYAN: A bill (H. R. 6737) granting the right of way through the Fort Riley military reservation, Kansas, to the Chicago, Kansas and Western Railway Company—to the Committee on Military Affairs.

By Mr. E. J. TURNER: A bill (H. R. 6738) authorizing the Secretary of War to deliver to the Plainville Post, No. 298, Grand Army of the Republic, at Plainville, Kans., six condemned brass cannon for monumental purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 6739) making a donation to the Kansas Veteran Association of two condemned brass cannon and two hundred stand of small-arms and equipments—to the Committee on Military Affairs.

By Mr. MCCREARY: A bill (H. R. 6740) granting a pension to Lemuel Main—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6741) granting a pension to Joseph Bastian, of Lincoln County, Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6742) granting a pension to Emily Dunbar, widow of Reuben B. Dunbar, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6743) for the relief of Colyer & Brown—to the Committee on Claims.

Also, a bill (H. R. 6744) for the relief of the soldiers of the Three Forks Battalion, of Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6745) for the relief of Mrs. Lucy Steenberger—to the Committee on War Claims.

Also, a bill (H. R. 6746) for the relief of T. H. Bohanon, administrator of John Slaughter—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 6747) for the relief of the sufferers by the wreck of the United States steamer Saginaw—to the Committee on Claims.

By Mr. LAFFOON: A bill (H. R. 6748) for the relief of James S. Stull—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 6749) for the relief of John W. Rice—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 6750) for the relief of John Green Haemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6751) for the relief of W. H. C. McKinster—to the Committee on Invalid Pensions.

By Mr. SHAW: A bill (H. R. 6752) for the relief of Luke Goodyear—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 6753) for the relief of P. Gough Edelin—to the Committee on Claims.

By Mr. DINGLEY: A bill (H. R. 6754) granting a pension to John B. Frisbee—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 6755) granting a pension to Mary Jane Harris—to the Committee on Invalid Pensions.

By Mr. C. H. ALLEN: A bill (H. R. 6756) granting a pension to Joseph D. Laze—to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 6757) to refer the claim of the owners of the brig Tally Ho to the Court of Claims—to the Committee on Claims.

By Mr. E. P. ALLEN: A bill (H. R. 6758) granting a pension to Ellen J. Springer—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: A bill (H. R. 6759) granting a pension to Mary Robinson—to the Committee on Invalid Pensions.

By Mr. RICE: A bill (H. R. 6760) for the relief of the estate of John Cook—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6761) for the relief of James H. Orr—to the Committee on Invalid Pensions.

By Mr. MACDONALD: A bill (H. R. 6762) for the relief of Perry Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6763) granting a pension to John Mann—to the Committee on Pensions.

Also, a bill (H. R. 6764) to grant a pension to Muck-a-pec-wak-keu-

zah, or John, an Indian, who aided in saving the lives of many white people in the Indian outbreak in Minnesota in the year 1862—to the Committee on Pensions.

By Mr. BURNES: A bill (H. R. 6765) for the relief of William S. Thatcher—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 6766) for the relief of Samuel C. Coonsy—to the Committee on War Claims.

By Mr. McSHANE: A bill (H. R. 6767) to restore J. Rock Williamson to the pension-roll—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 6768) granting a pension to Mary A. Canfield, widow of Job A. Canfield—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 6769) for the relief of John G. Crawford—to the Committee on Claims.

By Mr. MCKINNEY: A bill (H. R. 6770) granting a pension to Miss Carrie A. Luey—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 6771) granting a pension to William H. Peters—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 6772) granting a pension to Frank B. Coffey—to the Committee on Invalid Pensions.

By Mr. T. J. CAMPBELL: A bill (H. R. 6773) granting a pension to Caroline Miller—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 6774) granting a pension to Catharine Callaghan—to the Committee on Pensions.

By Mr. COCKRAN: A bill (H. R. 6775) granting a pension to August F. Bronner—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 6776) granting a pension to Jacob F. Bradt—to the Committee on Invalid Pensions.

By Mr. SAWYER: A bill (H. R. 6777) for the relief of Charles H. Wisner—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 6778) for the relief of Caroline T. Bancroft, executrix and trustee—to the Committee on the District of Columbia.

By Mr. BACON: A bill (H. R. 6779) for the relief of H. D. Batchelder—to the Committee on Claims.

By Mr. NICHOLS: A bill (H. R. 6780) for the relief of the heirs of J. W. Brower, deceased—to the Committee on War Claims.

By Mr. BROWER: A bill (H. R. 6781) for the relief of Henry Bass—to the Committee on War Claims.

By Mr. T. D. JOHNSTON: A bill (H. R. 6782) for the relief of James Ballard—to the Committee on Claims.

Also, a bill (H. R. 6783) to place the name of John A. Griffey on the pension-roll—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 6784) granting a pension to Rhoda Dowell, widow of Emerald Dowell—to the Committee on Invalid Pensions.

By Mr. WILKINS: A bill (H. R. 6785) for the relief of F. W. McCauley—to the Committee on Military Affairs.

By Mr. MCKINLEY: A bill (H. R. 6786) granting an increase of pension to Henry Hench—to the Committee on Invalid Pensions.

By Mr. ROMEIS: A bill (H. R. 6787) granting a pension to Frank Felder—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 6788) to provide for the payment of certain claims heretofore allowed, etc.—to the Committee on the Judiciary.

By Mr. BINGHAM: A bill (H. R. 6789) granting a pension to Mary S. Wells—to the Committee on Pensions.

By Mr. BOUND: A bill (H. R. 6790) to remove the charge of desertion from the military record of Isaac W. Rhawn—to the Committee on Military Affairs.

By Mr. HARMER: A bill (H. R. 6791) granting a pension to Samuel J. Perry—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 6792) for the relief of W. L. Adams, of Oregon—to the Committee on Claims.

By Mr. RANDALL: A bill (H. R. 6793) for the relief of Timothy A. Sloan—to the Committee on Military Affairs.

By Mr. YARDLEY: A bill (H. R. 6794) for the relief of Howard Barnis—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: A bill (H. R. 6795) for the relief of the county of Davidson—to the Committee on War Claims.

Also, a bill (H. R. 6796) for the relief of the city of Nashville, Tenn.—to the Committee on War Claims.

By Mr. CRAIN: A bill (H. R. 6797) for the relief of Wilbur F. Cogswell—to the Committee on Military Affairs.

By Mr. T. H. B. BROWNE: A bill (H. R. 6798) for the relief of Raymond Somers and John P. Hurst—to the Committee on War Claims.

Also, a bill (H. R. 6799) to reimburse the county of Essex, in Virginia, for loss of its jail, destroyed while occupied by United States troops in 1865—to the Committee on War Claims.

By Mr. A. J. HOPKINS: A bill (H. R. 6800) for the relief of John Powers—to the Committee on Military Affairs.

By Mr. YOST: A bill (H. R. 6801) granting a pension to William M. Mayhew—to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 6802) for the relief of Henrietta M. Sands, widow of the late Rear-Admiral Benjamin F. Sands, United States Navy—to the Committee on Naval Affairs.

By Mr. HENRY SMITH: A bill (H. R. 6803) for the relief of Augusta Heiss and Theodore Heiss—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6804) granting an increase of pension to Lafayette Brockway—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 6805) to authorize the Denver Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. GIFFORD: A bill (H. R. 6806) for the relief of Benjamin F. Slaughter—to the Committee on War Claims.

By Mr. DUBOIS: A bill (H. R. 6807) granting a pension to Nathan G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6808) granting a pension to James Larson—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 6809) granting a pension to P. J. Reuss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6810) authorizing the purchase of condensed statements, with covers, of the Compendium of the Tenth Census—to the Committee on the Library.

By Mr. MILLIKEN: A bill (H. R. 6811) granting an increase of pension to John F. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6812) granting an increase of pension to Stephen Thurston—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 6813) for the relief of John P. Fraley—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky (for Mr. CARLISLE): A bill (H. R. 6814) for the relief of Moses Swango—to the Committee on War Claims.

Also, a bill (H. R. 6815) for the relief of Martin Edwards—to the Committee on War Claims.

Also, a bill (H. R. 6816) for the relief of Ransom Plunkitt—to the Committee on War Claims.

Also, a bill (H. R. 6817) for the relief of John C. Hamilton—to the Committee on War Claims.

Also, a bill (H. R. 6818) for the relief of David Story—to the Committee on War Claims.

Also, a bill (H. R. 6819) for the relief of Robert Pain—to the Committee on War Claims.

Also, a bill (H. R. 6820) for the relief of J. G. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 6821) for the relief of A. P. Roswell—to the Committee on War Claims.

Also, a bill (H. R. 6822) for the relief of the heirs of B. J. Grubbs, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6823) for the relief of W. W. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 6824) for the relief of F. M. Glenn—to the Committee on War Claims.

Also, a bill (H. R. 6825) for the relief of T. M. Butler—to the Committee on War Claims.

Also, a bill (H. R. 6826) for the relief of the heirs of D. A. Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6827) for the relief of James E. Kevil—to the Committee on War Claims.

Changes in the references of bills improperly referred were made in the following cases, namely:

A bill (H. R. 4666) for the relief of John W. Rowlett—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 4665) for the relief of Anthony L. Woodson—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 3712) increasing the pension of Milton Judd—from the Committee on Pensions to the Committee on Invalid Pensions.

A bill (H. R. 3202) granting a pension to Electa A. McColly—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 2116) granting a pension to Johanna Eckhardt—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 4518) for the relief of William P. Madden—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 5148) for the relief of the mail contractor on route 30100, New Orleans to Port Eads—from the Committee on Claims to the Committee on the Post-Office and Post-Roads.

A bill (H. R. 2227) for the relief of Josiah Elkins—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 2196) for the relief of S. T. Marshall—from the Committee on War Claims to the Committee on Claims.

PETITIONS, ETC.

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

By Mr. C. H. ALLEN: Petition of Joseph D. Lane, for a father's pension—to the Committee on Invalid Pensions.

By Mr. J. A. ANDERSON: Petition of 562 citizens of Davis and Riley Counties, Kansas, for a Government postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. ARNOLD: Petition of Cyrus M. Perry and others, citizens of the Second district of Rhode Island, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. BOOTHMAN: Petition of George W. Deitrick and 190 others, citizens of Defiance, Ohio, that a post-office site be purchased and a post-office building be erected thereon in said city—to the Committee on Public Buildings and Grounds.

By Mr. W. C. P. BRECKINRIDGE: Petition of 19 professors of United States colleges to place books printed in other languages than English on the free-list; also of 19 professors and instructors in colleges of the United States, and of Professor E. D. Cope, of the National Academy of Sciences, and 36 professors of universities of the United States—to the Committee on Ways and Means.

By Mr. BROWER: Petition of citizens of Cefco, Person County, North Carolina.

By Mr. BUCHANAN: Petition of the Anglers' Association of Eastern Pennsylvania, relative to fishing on the Atlantic coast with purse-nets—to the Committee on Merchant Marine and Fisheries.

Also, petition of William H. Peters for original pension—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: Petition of Rosina Maus, widow of Joseph Maus, late of Company B, Forty-seventh Regiment Ohio Volunteer Infantry, for relief—to the Committee on Invalid Pensions.

Also, petition of the commanders of Grand Army of the Republic posts, representing 3,000 soldiers, praying for an appropriation to enable the Secretary of War to purchase the ground of the Spring Grove Cemetery Association, of Cincinnati, for the burial place of their dead—to the Committee on Appropriations.

By Mr. T. J. CAMPBELL: Petition of Caroline Miller, widow of Frederick Miller, Company A, Fifth New York Heavy Artillery, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. CAREY: Petition of the Women's Christian Temperance Union, of Wyoming Territory, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. CHIPMAN: Petition of the Detroit (Mich.) Board of Trade, in favor of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARDY: Two petitions of citizens of the Indian Territory, for a court to be established in the Territory, at Muscogee—to the Committee on the Judiciary.

Also, petition of John Williams and 7 others, citizens of Missouri, against the reduction of duty on plate-glass—to the Committee on Ways and Means.

Also, petition of M. F. Byrne and 16 others, and of S. W. Bowers and 44 others, for the retention of duty on plate-glass—to the Committee on Ways and Means.

By Mr. COBB: Petition of James M. Alexander, of Macon County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Samuel W. Duncan, of Chambers County, and of Emeline Dexter, of Bibb County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COCKRAN: Petition of the United American Clay Tobacco-Pipe Employers and Employés' Association, for a revision of the tariff laws on manufactured clay pipes brought into this country from the factories of Europe—to the Committee on Ways and Means.

By Mr. COWLES: Petition of Rhoda Dowell, widow of Emerald Dowell, private Company G, Thirteenth Tennessee Cavalry Volunteers—to the Committee on Invalid Pensions.

By Mr. CRAIN: Petition of Richard Galway, for a pension—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: Petition of citizens of Manistee County, Michigan, for the completion of the harbor of refuge at Portage Lake, Manistee County, Michigan—to the Committee on Rivers and Harbors.

By Mr. DARGAN: A bill for the improvement of the navigation of Clark's Creek, South Carolina—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the navigation of Mingo Creek, South Carolina—to the Committee on Rivers and Harbors.

By Mr. DUBOIS: Petition of the anti-Mormon central committee, of Bingham County, Idaho, against the dismemberment of Idaho—to the Committee on the Territories.

Also, resolutions of the Democratic Territorial central committee, and protest of the county commissioners of Ada County, Idaho, against any division of Idaho Territory—to the Committee on the Territories.

Also, protest of the board of commissioners of Idaho County, Idaho Territory, against annexation—to the Committee on the Territories.

By Mr. DUNHAM: Petition of the National Board of Trade for an act authorizing the calling of an international conference, to be held in the United States, to consider and report rules and regulations that may lessen the dangers of navigation and to the safety of life and property on the high seas—to the Committee on Commerce.

By Mr. DEUNN: Petition of D. C. Ashley, administrator of William York, of Woodruff County; of David Alexander, heir of David Alexander, deceased, of Desha County, and of the widow of John Williams,

deceased, of Phillips County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. FORNEY: Petition of citizens of Etowah and Marshall Counties, Alabama, residing on or near the Tennessee and Coosa River Railroad, praying for the non-forfeiture of the lands granted to said company by act of June 3, 1856—to the Committee on the Public Lands.

By Mr. GEST: Petition of citizens of Macomb, Mo., for the reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. GIFFORD: Petition of F. A. Abercrombie Post, No. 79, Grand Army of the Republic, of Lisbon, Dak., that all arrearage of pensions shall commence with date of disability—to the Committee on Invalid Pensions.

Also, petition of the Bismarck (Dak.) Gun Club, for the establishment of a reserve in the Yellowstone Park for the preservation of large game—to the Committee on the Public Lands.

Also, petition of S. A. Street and 41 others, of Ravillo, Dak., for the establishment of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. GLASS: Petition of R. H. Jackson, of Gibson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GREENMAN: Petition of citizens of Fort Edward, N. Y., to repeal the provision of the pension law which limits the time for making applications for pensions—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of Junior Order of United American Mechanics, for more stringent immigration laws—to the Committee on Foreign Affairs.

Also, proofs in support of House bill granting a pension to Olive Wallace—to the Committee on Invalid Pensions.

Also, testimony in support of House bill granting a pension to Edna M. Hildreth, and affidavit of Dr. M. E. Smith in support of same—to the Committee on Invalid Pensions.

By Mr. HAYDEN: Petition of Edwin Pape and others, for an act referring their claim to the Court of Claims—to the Committee on Claims.

By Mr. HAYES: Petition of Henry Schaper, of Jackson County, Iowa, to accompany bill—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: Resolutions of the Dubuque (Iowa) Typographical Union, in relation to the pay of employés in the Government Printing Office—to the Committee on Printing.

By Mr. J. S. HENDERSON: Petition of the president and faculty of Trinity College, North Carolina, for an international copyright law—to the Committee on Patents.

By Mr. T. J. HENDERSON: Petition of Charles Richter, late of Company D, Seventeenth Regiment Indiana Volunteer Infantry, for removal of charge of desertion—to the Committee on Military Affairs.

Also, resolutions of the Whitesides County (Illinois) Medical Association, favoring the removal of import duties on all medicines, medical and surgical apparatus, etc.—to the Committee on Ways and Means.

Also, petition of the Farmers' Alliance of Sheffield, Bureau County, Illinois, for reduction of taxation on the necessities of life and against reduction on spirits and tobacco—to the Committee on Ways and Means.

By Mr. HERMANN: Papers in the claim of Robert Smith, of Curry County, Oregon—to the Select Committee on Indian Depredation Claims.

By Mr. HOLMES: Petition of David J. Haire and 147 others, citizens of Webster County, Iowa, for a pension to John Kennedy—to the Committee on Invalid Pensions.

By Mr. HOOKER: Petition of Catherine Sulm, widow of George Sulm, of Madison County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of Rev. R. M. Davis and 106 others, citizens of Lawrence County, Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. JOSEPH: Petition of the Women's Christian Temperance Union of New Mexico, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. KETCHAM: Petition of Caroline T. Bancroft, executrix and trustee—to the Committee on the District of Columbia.

By Mr. LAFFOON: Petition of Richard Vaughan, of Christian County, Kentucky, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LAGAN: Petition for the relief of employés of the United States mint at New Orleans—to the Committee on Claims.

By Mr. LANDES: Petition of E. V. Phillips and 135 others, citizens of Richland County, Illinois, for equalization of soldiers' pay on gold basis—to the Committee on War Claims.

By Mr. LEE: Petition of Robert L. Martin, of Spottsylvania County, Virginia, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. MCCREARY: Petition of William Barnes, of George Lackey, of Eugene Sullivan, and in behalf of Rachael Robbins, for relief—to the Committee on Invalid Pensions.

Also, petition of James Crawford, for relief—to the Committee on War Claims.

By Mr. MCKINLEY: Petition of the Cleveland Vessel-Owners' Association, in relation to legislation to secure greater safety to life and property—to the Committee on Commerce.

Also, resolutions of miners and others of Caperton, of Sunnyside, and of Elmo, W. Va., against the removal or disturbance of the duty on soft coal or coke—to the Committee on Ways and Means.

By Mr. MACDONALD: Petition of citizens of Meeker County, Minnesota, for the establishment of a Government system of telegraph—to the Committee on the Post-Office and Post-Roads.

Also, joint resolution of the Legislature of the Minnesota, for an appropriation of \$10,000 for the improvement of the Minnesota River at Belle Plaine—to the Committee on Rivers and Harbors.

Also, petitions of the faculty of Carleton College, Northfield, Minn., for removal of duty on imported books, especially those printed in a foreign language—to the Committee on Ways and Means.

By Mr. MILLIKEN: Petition of J. H. Sherman and others, for increase of pension to Stephen Thurston—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of M. G. Tally and others, of Marshall County, Mississippi, against laws discriminating against cotton-seed oil—to the Committee on Agriculture.

By Mr. MORROW: Petition of citizens of California and Iowa, for legislation promoting international peace arbitration—to the Committee on Foreign Affairs.

Also, papers relating to the claim of Charles B. Wagner, for relief—to the Committee on War Claims.

Also, papers relating to the case of Isaac Trenible, for relief—to the Committee on Military Affairs.

Also, resolutions of the Wool-Growers' Association of California, against the removal or reduction of tariff on wool—to the Committee on Ways and Means.

By Mr. MORSE: Petition of citizens of Boston, Mass., against the admission of Utah as a State while the local power remains in the hands of the Mormons—to the Committee on the Territories.

By Mr. NELSON: Resolution of the Grant County (Minn.) Farmers' Alliance on the subject of the tariff, and especially asking that lumber, coal, sugar, and binding-twine material be put upon the free-list—to the Committee on Ways and Means.

By Mr. NEWTON: A bill for cleaning out, removing obstructions from, and improvement of the navigation of Bayou Bonne Idée, in North Louisiana—to the Committee on Rivers and Harbors.

Also, a bill appropriating \$10,000 for the cleaning out, removing obstructions from, and improving Bayous Roundway and Vidal, in North Louisiana—to the Committee on Rivers and Harbors.

By Mr. O'DONNELL: Petition of Mrs. Ann Coffield, widow of Patrick Coffield, Company F, Eighth Regiment Michigan Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. OSBORNE: Resolutions of miners and others at Caperton and Stone Cliff, W. Va., protesting against removal of duties on soft coal, coke, etc.—to the Committee on Ways and Means.

By Mr. PARKER: A bill for the improvement of the harbor at Ogdensburg, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the channel of the St. Lawrence River at Waddington, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill for improving Grass River at Massena, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill to provide for the improvement of the breakwater at Cape Vincent, New York—to the Committee on Rivers and Harbors.

Also, a bill to provide for the improvement of Black River, New York, between Brownville and Lake Ontario—to the Committee on Rivers and Harbors.

By Mr. RANDALL: Resolutions of the Engineers' Club, Philadelphia, Pa., that provision be made by Congress for automatic rain-gauges at all signal-service stations—to the Committee on Appropriations.

By Mr. RAYNER (by request): Petition of Virginia Taylor Lewis as to sword of General George Washington—to the Committee on the Library.

By Mr. RICE: Preamble and resolutions of the Board of Trade of Winona, Minn., indorsing and forwarding resolutions of Upper Mississippi River Convention for the improvement of said river—to the Committee on Rivers and Harbors.

By Mr. ROBERTSON: Petition of Mrs. L. L. Gilmer, administratrix of Thomas M. Gilmer, of St. Landry Parish, Louisiana, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Mr. ROGERS: Petition of Cornelius Cain, of Montgomery County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SAWYER: Petition for the relief of Charles H. Wisner, late lieutenant Company F, One hundred and thirty-sixth New York State Volunteers—to the Committee on Invalid Pensions.

By Mr. SHAW: Petition of Amanda G. Walter, executrix of Thomas U. Walter, deceased, for relief—to the Committee on Claims.

Also, petition of Luke Goodyear, for removal of charge of desertion—to the Committee on Military Affairs.

Also (by request), petition of survivors of the Mexican war, for amendment to law granting pensions to certain survivors of that war—to the Committee on Pensions.

By Mr. SHIVELY: Petition of the deaf soldiers, sailors, and marines, for increase of pension to deaf soldiers—to the Committee on Invalid Pensions.

By Mr. HENRY SMITH: Petition of 26 citizens of Saltville, Va., in favor of House bill 4412, relating to per diem wages of Government employes—to the Committee on Labor.

By Mr. STOCKDALE: Petition of A. H. Spicer, of Pike County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Missouri: Paper to accompany House bill 5211, for relief of Francis M. Lawrence—to the Committee on War Claims.

By Mr. SYMES: Petition for the establishment of a United States land office at Boston, Colo.—to the Committee on the Public Lands.

Also, for a land office at Boston, Colo.—to the Committee on the Public Lands.

By Mr. E. B. TAYLOR: Petition of Joseph Mathews, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: Petition of Joshua T. Harvey, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of John M. Parker, for an original pension—to the Committee on Invalid Pensions.

By Mr. WEST: Petition of citizens of Saratoga County, New York, for the repeal of the law limiting the time for filing claims for arrears of pensions—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of Louisa Ladd, of Jackson County; of James D. Jones, of Limestone County, and of L. C. Coulson, heir of Jacob Coulson, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of members of the faculty of Richmond College, Richmond, Va., for an international copyright law—to the Committee on Patents.

Also, petition of John A. Palmer, late index clerk of the House of Representatives, for reimbursement of certain moneys expended by him in the prosecution of his duties as such clerk—to the Committee on Claims.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. FLOOD: Of D. J. Allen and others, citizens of Chemung County, New York.

By Mr. A. J. HOPKINS: Of C. L. Dickson and others, citizens of Kane County, Illinois.

The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. HERMANN: Of 182 citizens of the First district of Oregon.

By Mr. LYNCH (by request): Of citizens of the Twelfth district of Pennsylvania.

By Mr. MCKINNEY: Of 106 citizens of the First district of New Hampshire.

By Mr. O'DONNELL: Of 115 citizens of Napoleon, Mich.

By Mr. RAYNER (by request): Of the Maryland State Temperance Alliance.

By Mr. SHIVELY: Of Mrs. M. E. Goodman and 51 others, citizens of Kendallville, Ind.

By Mr. SYMES (by request): Of H. S. Beavis and others, and of P. K. Linton and others, citizens of Colorado.

By Mr. C. L. ANDERSON: Of J. W. Leggett, of Leake County, and of Frank Bell and others, of Attala County, Mississippi.

By Mr. T. H. B. BROWNE: Of James O. Harding and others, of Rehoboth Church, Va.

By Mr. ENLOE: Of George D. Smith and 15 others, of Live Oak, Henry County; of R. W. Kittrell and 59 others, of Sego, Perry County, and of W. L. Moore and 64 others, of Sardis, Henderson County, Tenn.

By Mr. HARE: Of citizens of Lock, Clay County, Texas.

By Mr. HOUK: Of citizens of Bearden, Tenn.

By Mr. McCLAMMY: Of citizens of Keith, Pender County, North Carolina.

By Mr. MCKINLEY: Of citizens of Homerville, Ohio.

By Mr. PEEL: Of citizens of the Fifth district of Arkansas.

By Mr. SENEY: Of William Price and 50 others, citizens of North Robinson, Crawford County, Ohio.

By Mr. SHIVELY: Of J. L. Shoemaker and 52 others, citizens of Kosciusko County, Indiana.

By Mr. WASHINGTON: Of J. H. Grant and 50 others, of Omar, Montgomery County, Tennessee.

By Mr. WHITTHORNE: Of J. H. McCorkle and others, of Wayne County, Tennessee.

SENATE.

TUESDAY, February 7, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

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

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 25, 1888, a report of Special Agents Gordon and Martin on the investigation of the north boundary line of the Warm Springs Indian reservation, in the State of Oregon; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PROPERTY STATEMENT OF SERGEANT-AT-ARMS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Sergeant-at-Arms of the Senate, transmitting a complete statement of all property belonging to the United States in his possession on the 6th day of December, 1887; which, with the accompanying paper, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 145 citizens of the District of Columbia, and a petition of 282 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a memorial of citizens of the United States, resident in Connecticut, remonstrating against the admission of Utah until polygamy is abolished; which was referred to the Committee on Territories.

He also presented a petition of citizens of New York, praying for the appointment of a commission to examine into the charges alleged against the priesthood of the Roman Catholic Church on account of the practice of auricular confession; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Kansas, officially signed, representing 3,500 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of the First Baptist Church, of Salem, N. J., signed by the pastor and clerk, representing 400 members, also of the Memorial Baptist Church, signed by its officers, representing 250 members, praying for the better protection of young girls in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. FRYE presented the petition of Abigail R. Paul, Henry Bassett, and other citizens of Salem, N. J., praying for the better protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of the Woman's Christian Temperance Union, signed by Mrs. S. D. La Fetra and other officers of that organization, praying for the appointment of a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. FARWELL presented a petition of 199 citizens of the First, Eighth, Fifteenth, and Seventeenth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of the Woman's Christian Temperance Union of Illinois, officially signed, representing 12,026 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of the faculty of the Northwestern University, and the faculty of the Garrett Biblical Institute, at Evansville, Ill., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented the petition of the faculty of the Northwestern University and the faculty of the Garrett Biblical Institute, at Evansville, Ill., praying for the removal of all duties and restrictions on the importation of foreign books; which was referred to the Committee on Finance.

He also presented the petition of N. K. Fairbank and other residents of the State of Illinois, praying that increased salaries be allowed to judges of the circuit and district courts of the United States; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Chicago, Ill., and members of the Grand Army of the Republic, praying for legislation for relief of Warren A. Alden, of Chicago, Ill.; which was referred to the Committee on Military Affairs.

Mr. WALTHALL. I present six memorials, numerously signed by citizens of Mississippi, remonstrating against the proposed legislation to tax and make subject to inspection compounds of lard with cotton-seed.