

By Mr. MOREY: Petition of Needham Post, Grand Army of the Republic, Newtonville, Ohio, favoring per diem pension bill—to the Committee on Invalid Pensions.

By Mr. MORRILL: Petition of Andrew Cox and 24 others, ex-soldiers, of Sedgwick, Kans., asking for passage of Grand Army of the Republic pension bill—to the Committee on Invalid Pensions.

Also, petition of George Smith Post, No. 37, Grand Army of the Republic, department of West Virginia, favoring pensions for Union ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of the New York committee for the prevention of State regulation of vice (officially signed), concerning the traffic in Chinese women for immoral purposes at the port of San Francisco—to the Select Committee on Immigration and Naturalization.

Also, petition of 80 citizens of Massachusetts, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. OSBORNE: Memorial of the American Bar Association, urging the passage of an act for the relief of the Supreme Court of the United States—to the Committee on the Judiciary.

By Mr. PEEL: Petition of William P. Box and Nancy Blogg, widow of Israel J. Blogg, that their claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: Petitions of James Milliken and 44 others, Thayer; Allen B. Hacker and 207 members of Antietam Post, No. 61, Parsons; J. L. Denison and 82 Union ex-soldiers and residents of Erie; James Thomassen and 71 residents of Osage Mission; and Post No. 289, Grand Army of the Republic, Grenoble, Elk County, Kansas, for further pension legislation—to the Committee on Invalid Pensions.

Also, memorial of Antietam Post, Grand Army of the Republic, of Parsons, Kans., for the donation of the Fort Hays military reservation for a State soldiers' home—to the Committee on Military Affairs.

Also, petition of J. C. Menfute and 42 members of Bethel Alliance, No. 153, of Cowley County, Kansas, asking for legislation prohibiting option dealing—to the Committee on Agriculture.

By Mr. PIERCE: Petition of Mary E. Ketchum, widow of James Ketchum, asking pay for the destruction of currency—to the Committee on Claims.

Also, petition of J. B. Edmunds, that his claim be referred to the Court of Claims—to the Committee on War Claims.

Also, papers relating to claim of James A. Bowling—to the Committee on War Claims.

By Mr. SCRANTON: Petition of national association of stove manufacturers, for the passage of a bankrupt law—to the Committee on the Judiciary.

By Mr. SIMONDS: Petition of citizens of Marlborough, Conn., for duty on silk, to accompany H. R. 584—to the Committee on Ways and Means.

By Mr. STAHLNECKER: Petition of 381 citizens of New York, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. STEPHENSON: Petitions of John Hall and others, of Eaton Rapids, Mich.; Louis Wolfrem and others, of Duluth, Minn.; James S. Hamilton and others, of Bessemer; Lunsford H. Stanley and others, of Negaunee, and J. Vivian and others, of Franklin Mine, Mich., to amend the present laws in regard to the appointment of light-house keepers, to give the preference to honorably discharged soldiers and sailors—to the Committee on Commerce.

By Mr. TARSNEY: Petition of Charles U. Wood, that his claim be referred to the Court of Claims—to the Committee on War Claims.

Also, papers to accompany the claim of Frank K. Larabee for pension—to the Committee on Invalid Pensions.

By Mr. WILLIAMS, of Illinois: Affidavits and papers in support of H. R. 4305, granting Nancy Neff a pension—to the Committee on Invalid Pensions.

By Mr. WISE: Petition of Fair Oaks Alliance, of Henrico County, Virginia, asking for certain legislation for the benefit of the farmers of the country—to the Committee on Agriculture.

SENATE.

MONDAY, January 27, 1890.

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

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence the Senate:

A bill (H. R. 495) to provide certificates of honorable service to those who have served in the United States Navy or Marine Corps who have lost their certificates of discharge;

A bill (H. R. 1452) for the relief of Christopher C. Andrews; and

A bill (H. R. 4970) for simplifying the laws in relation to the collection of the revenues.

The message further announced that the House had passed the following bill and joint resolution:

A bill (S. 600) to authorize the construction of a bridge across the Missouri River at some accessible point within one mile north and one mile south and east of the mouth of the Kansas River; and

A joint resolution (S. R. 48) authorizing the continuation of the printing of a supplement to the Digest of International Law under the direction of the literary executor of the late Francis Wharton.

The message also announced that the House had concurred in the amendments of the Senate to the bill (H. R. 845) to change and fix the time of holding terms of the district and circuit courts at Austin and Brownsville, Tex.

The message further announced that the House had passed the joint resolution (S. R. 37) for the removal of obstructions to navigation in the Missouri River, with amendments in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

Mr. MORRILL. I ask for the immediate consideration of the bill sent to us from the other House to simplify the laws in relation to the collection of the revenues, in order that it may be referred to the Committee on Finance and printed in season for the committee meeting to-morrow morning.

The bill (H. R. 4970) to simplify the laws in relation to the collection of the revenues was read twice by its title, and referred to the Committee on Finance.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 13th instant, a report from Maj. William Ludlow, Corps of Engineers, upon the condition of the harbor at Grand Haven, Mich., which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a letter from the Secretary of the Interior, transmitting, in response to a resolution of the 20th instant, a communication from the Commissioner of Indian Affairs relative to the Indians of the La Pointe agency in Wisconsin; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in further reply to a resolution of the Senate of December 5, 1889, correspondence relative to the right of way of the Puyallup Valley Railway through the Puyallup Indian reservation, in the State of Washington; which, with the accompanying papers, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a letter from the secretary of the senate of North Dakota, transmitting a concurrent resolution of the Legislative Assembly of that State relative to the sales of public lands, etc.; which, with the accompanying paper, was referred to the Committee on Public Lands.

Mr. HARRIS. I present the petition of a convention of delegates held at Knoxville, Tenn., in November last, the delegates being from the States of Tennessee, Virginia, Alabama, Georgia, North Carolina, and Kentucky, praying that the necessary appropriations be made for the improvement of the upper Tennessee River and its tributaries. The petition was approved and transmitted by the Board of Trade of the city of Knoxville. I move that it be referred to the Committee on Commerce.

The motion was agreed to.

Mr. CULLOM presented the petition of the John A. Logan Club, of Paris, Ill., praying that a liberal rate of pensions be allowed to disabled Union soldiers and sailors; which was referred to the Committee on Pensions.

He also presented the petition of James C. Guion, of Vandalia, Ill., praying to be placed on the roll of the United States Army from the date of his capture by the Confederate army to the date of his release, and that he receive pay, etc., for that period; which was referred to the Committee on Military Affairs.

Mr. MORRILL presented the petition of the San Diego (Cal.) Chamber of Commerce, praying for the establishment of a military post of ten companies at that place; which was referred to the Committee on Military Affairs.

Mr. SHERMAN presented a petition of the White Cross University of Science, praying for the erection of a temple of science, with an annex for public records, hall, and rooms, at Washington, D. C., also for the use of the quadro-centennial exhibition; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 31 ex-soldiers of Ohio, praying for the passage of the pension legislation recommended by the national pension committee of the Grand Army of the Republic; which was referred to the Committee on Pensions.

He also presented two petitions of the National Association of Stove Manufacturers, praying for the passage of a uniform and general bankrupt law; which were referred to the Committee on the Judiciary.

Mr. WASHBURN presented petitions of the Chamber of Commerce of St. Paul, Minn., and the Minneapolis (Minn.) Board of Trade, praying for the passage of a bill appropriating \$75,000 for beautifying the Fort Snelling military reservation; which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the Minneapolis (Minn.) Produce Exchange, urging the full appropriations for the improvements of Ste. Marie Falls Canal and the shallows connecting the Great Lakes; which were referred to the Committee on Commerce.

He also presented a petition of the Minnesota Educational Association, praying that all books, periodicals, maps, charts, and other printed matter imported by and sent direct to any college, university, high school, or any other educational institution be admitted free of duty; which was referred to the Committee on Finance.

Mr. MOODY presented a petition of citizens of South Dakota, praying that some provision be made at this session of Congress to pay the Indian depredation claims filed in the Indian Bureau of the Department of the Interior by the pioneers and early settlers on the frontier; which was referred to the Select Committee on Indian Depredations.

Mr. ALLEN. I present the petition of the Legislature of Washington, praying for the appointment of a commission to review and report upon the construction of a ship-canal connecting Lakes Union, Washington, and Samamish (near the port of Seattle) with Puget Sound, and setting forth the resulting benefits to agriculture, mining, manufacturing, ship-building, and commercial interests. I ask that the petition be printed in the RECORD in the usual manner.

The VICE-PRESIDENT. That order will be made in the absence of objection.

Mr. BUTLER. What is the length of the petition?

Mr. WILSON, of Iowa. It is usual to have that done. It is the petition of a State Legislature.

Mr. BUTLER. O, certainly.

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

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
Office of the Secretary of State.

I, Allen Weir, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the attached instrument of writing—i. e., house memorial No. 6—relative to a ship-canal between Lake Washington and Puget Sound, with the original now on file in my office, and that the same is a correct transcript therefrom and of the whole of said original.

In testimony whereof I have hereunto set my hand and affixed the seal of said State, at Olympia, this 15th day of January, A. D. 1890.
[SEAL.]

ALLEN WEIR,
Secretary of State.

Memorial.

To the Senate and House of Representatives of the United States in Congress assembled: Your memorialists of the senate and house of representatives of the State of Washington most respectfully represent as follows:

Whereas the city of Seattle, a growing maritime port, advantageously situated on the waters of Puget Sound, is bounded inland to the east by Lake Union, a body of fresh water 1 mile wide, 3 miles in length, and from 50 to 300 feet in depth; and

Whereas eastward of Lake Union lies Lake Washington, a body of fresh water 4 miles wide and about 30 miles in length, with a depth equal to that of Lake Union; and

Whereas south by southeast of Lake Washington lies Lake Samamish, a body of fresh water 9 miles in length, with a width and depth about equal to that of Lake Union; and

Whereas Lake Samamish is connected with Lake Washington by the waters of the Samamish River, and Lake Washington is connected with Lake Union and Lake Union with tide-water at Salmon Bay, on Puget Sound, by a small, shallow canal, constructed by private enterprise for logging purposes; and

Whereas the distance from tide-water to Lake Union, on the line of the canal before mentioned, is about 1 mile, in which there is a rise of 7 feet; the distance from Lake Union to Lake Washington, on the same line, 1,780 feet, in which there is a rise of 6 feet 10 inches; the distance from Lake Washington to Lake Samamish, by the Samamish River, about 20 miles, with a rising altitude scarcely perceptible, and the construction of a ship-canal connecting the three lakes with tide-water would be work easily accomplished; and

Whereas the waters of Puget Sound are 13 feet 10 inches lower than the waters of Lake Washington, and the construction of a ship-canal from tide-water to Lake Samamish would lower the water margin of all the lakes, an event that would give the Samamish River fall and current, drain the overflow of centuries, prevent the back-water floods of winter, and reclaim a great area of country now worthless, but capable of being made valuable agricultural lands; and

Whereas the advantages of a great land-locked fresh-water basin for ship-building purposes are well understood, and, since a limitless supply of the best and most valuable timber lines the shores and covers the country surrounding the lakes herein described, they would in all probability become, with the opening of the afore-mentioned ship-canal, great ship-building centers; and

Whereas the country surrounding the said lakes is rapidly growing in population, and since the said country, in addition to its timber wealth, contains iron and coal, the coal mines being now extensively worked, the construction of a ship-canal connecting the three lakes with tide-water would stimulate settlement and foster agricultural, mining, manufacturing, and commercial industry, the people of the lake country would have a water outlet for their products, and ships could load with coals at the very mouth of the mine. Such a ship-canal would confer benefits beyond measure upon commerce, the city of Seattle, and the Commonwealth of Washington.

In view of these presents we most respectfully commend to your honorable body the subject-matter of a ship-canal constructed upon the lines hereinbefore defined, and we most respectfully solicit the appointment of a commission at an early date to review and report upon the construction of the said ship-canal.

And your memorialists will ever pray.
Passed the house December 10, A. D. 1889.

J. W. FEIGHAN, Speaker.

CHAS. E. LAUGHTON, President.

Passed the senate December 11, A. D. 1889.

Mr. DAVIS presented a petition of the Chamber of Commerce of the city of Duluth, Minn., praying for more expeditious work upon the harbor of Duluth and its approaches; which was referred to the Committee on Commerce.

He also presented a petition of 75 farmers of Blue Earth County, Minnesota, praying for the passage of a law prohibiting boards of trade, bucket-shops, and other mercantile bodies from speculating in "futures" on farm products; which was referred to the Committee on Agriculture and Forestry.

Mr. STOCKBRIDGE presented six petitions of farmers of Monterey, Cooper, Granger, Bridgeport, and Wankishmee, in the State of Michigan, praying for the prohibition of speculation in grain; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of H. T. Wallace Post, Grand Army of the Republic, of Corunna, Mich., praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

Mr. HOAR. I present sundry resolutions adopted by a mass-meeting held in Tremont Temple, in Boston, on the 9th of January, 1890, signed by the secretaries of the meeting and by the president, Rev. Dr. A. A. Miner, an eminent clergyman and citizen of Massachusetts, formerly president of Tufts College, which the meeting requested should be sent to Congress as a petition.

It recites that there exists in several of the Southern States a dominant and unrestrained purpose to rebel against the supreme law of the land, to murder and outrage United States citizens, to abridge rights, privileges, and immunities that belong to American citizenship, and deprive loyal and peace-loving persons of life, liberty, and property without due process of law; and the part of these States known and recognized as the executive authorities manifest no willingness to repress this rebellious lawlessness and make no active effort to put a stop to it.

The petition recites further, in substance, that all of the above wrong is on the increase, and strikes fatally at the spirit and purposes of the Government, and tends dangerously toward its overthrow, declaring further that if the lovers of freedom and equality and peace and law and order would not have a renewal of the scene of Fort Sumter, and would not have to call forth troops to suppress a rising rebellion, and would not have countrymen and brothers meet countrymen and brothers in hostile array, would not see the torch resorted to and human nature in the black American taxed to a bloody resenting point, they will rise in their might and wage a moral and peaceful warfare against this rebellious tendency.

The petition further recites that what a whole is inhibited from doing, all the parts that constitute that whole are inhibited from doing; that the law-enforcing part of a State is bound morally and in good faith to see that no part of the State disregards an inhibition legally imposed upon the State, and that a failure to accomplish that makes State responsibility; that it is only a narrow and ingenious verbal criticism which denies the power of Congress to interpose in such a case, interpreting the thirteenth and fourteenth amendments.

The petition further recites the assertion of a distinguished son of Georgia that he would call the roll of his slaves at the base of Bunker Hill Monument, and the late declaration made by another citizen of that State that, whatever may be the conviction and action of other parts of the country in recognizing equality before the law for white and black alike, such recognition of the negro will be nullified by the people of his section, and urging President Harrison to find some just interpretation of law, as did Portia, and so act upon it as to put a stop to the exacting the heart's blood of the negro to feed prejudice and hate.

The petition urges Congress also to use its constitutional privileges to regulate in States the holding of elections for Senators and Representatives, and to refuse to seat any Senator or Representative into whose election these processes have entered.

I move that the petition be printed as a document, and referred to the Committee on Privileges and Elections.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Massachusetts that the petition be printed as a document and referred to the Committee on Privileges and Elections? The Chair hears none, and it is so ordered.

Mr. HOAR presented a petition of the Worcester (Mass.) Typographical Union, praying for the passage of Senate bill 232, concerning copyrights; which was ordered to lie on the table.

Mr. HOAR. I also present a resolution, in the nature of a petition, of the Boston Executive Business Association, which contains representatives of all leading occupations, both mercantile and manufacturing, in that city, approving what is called the Chandler bill, to transfer the revenue marine to the naval service. I move that the petition be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. DOLPH. I present sundry petitions of many citizens of Oregon, praying pay for property destroyed by Indians in the Oregon and Washington Indian war of 1855 and 1856. Some of these petitions are by the original claimants, others are by administrators and heirs.

A generation has passed away since these claims accrued. The law all the time has provided for their presentation and proof and adjudication.

cation by the Secretary of the Interior. These claims have all been passed upon years ago, and it is a disgrace to the Government that they have not been paid.

I move that the petitions be referred to the Special Committee on Indian Depredations, and I hope they will soon give them attention.

The motion was agreed to.

Mr. SPOONER presented a petition of members of the Stockbridge and Munsee tribe of Indians, praying for the passage of Senate bill 1251 for the relief of the Stockbridge and Munsee tribe of Indians; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Ashland Typographical Union, No. 447, of Ashland, Wis., praying for the passage of Senate bill 232, relating to copyrights; which was ordered to lie on the table.

He also presented a memorial of the flour manufacturers of Milwaukee, Wis., remonstrating against the passage of House bill No. 4, known as the customs administrative bill; which was referred to the Committee on Finance.

Mr. INGALLS presented the petition of M. L. Ritchie and 502 other citizens of Council Grove, Kans., praying for the passage of a bill granting arrears of pension to W. J. Miller; which was referred to the Committee on Pensions.

Mr. TURPIE presented the petition of Joseph Heaton, of Muncie, Ind., praying that he may be allowed compensation for services in the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., praying for the establishment of a military post of ten companies at that place; which was referred to the Committee on Military Affairs.

He also presented a petition of Rev. Charles C. Pierce, chaplain United States Army, praying for the passage of a bill to increase the efficiency of chaplains in the Army; which was referred to the Committee on Military Affairs.

Mr. PLUMB presented a petition of citizens of Selkirk, Kans., praying for the passage of such laws as will prevent, by prohibition or taxing, the sale of what are known as futures in the delivery of agricultural productions; which was referred to the Committee on Finance.

He also presented a petition of the Union Ex-Prisoners of War Association at the National Military Home, at Leavenworth, Kans., praying for the passage of certain legislation favoring those who were prisoners of war; which was referred to the Committee on Pensions.

He also presented a petition of the Battle Hill (Kans.) Farmers' Alliance, No. 554, praying Congress to authorize the printing of enough additional copies of the CONGRESSIONAL RECORD and of all other public documents so that one copy may be deposited in every township in the United States; which was referred to the Committee on Printing.

Mr. DOLPH presented a petition of the Chamber of Commerce of Astoria, Oregon, praying for immediate and increased appropriations for the improvement of the mouth of the Columbia River; which was referred to the Committee on Commerce.

Mr. COKE presented a petition of citizens of Texas, praying that some provision be made at this session of Congress to pay the Indian depredation claims filed in the Indian Bureau of the Department of the Interior; which was referred to the Select Committee on Indian Depredations.

Mr. JONES, of Arkansas, presented the petition of John T. Jones, of Phillips County, Arkansas, praying for the passage of Senate bill 1745, for his relief; which was referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 223) requiring contestants in land cases tried before local land officers of the United States to pay the costs of such contests in certain cases, and for other purposes, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1310) to establish two additional land offices in the Territory of Wyoming, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1311) to establish the Sundance land district, in the Territory of Wyoming, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 1015) to provide for town-site entries of lands in what is known as Oklahoma, and for other purposes, reported it with an amendment.

Mr. BERRY. The report just made by the Senator from Kansas, the chairman of the Committee on Public Lands, on the House bill in regard to town sites in Oklahoma, recommends that the Senate bill which is now on the Calendar be substituted for the House bill. I think it proper to say that, while I have made no written minority report, I am opposed to the Senate bill, and I think there are many provisions in the House bill preferable to those of the Senate bill, but I have not thoroughly scanned the House bill so as to say whether I am in favor of all its provisions. However, I am not in accord with the committee in recommending that the Senate bill be substituted for the House bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. SPOONER, from the Committee on Claims, to whom was re-

ferred the bill (S. 1874) for the relief of Eli Ayres, of Kaufman County, Texas, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1477) to increase the appropriation for the erection of a public building at Sacramento, Cal., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2038) for remodeling and repairing the apparatus for heating, ventilation, and sewerage of the United States court-house in the city of Washington, D. C., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1272) to increase the limit of cost of the public building authorized by act of Congress approved June 30, 1886, to be erected at El Paso, Tex., reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 583) for the relief of the estate of Isaac W. Tarkington, deceased, reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 281) to validate acknowledgments taken before United States commissioners appointed by the circuit courts of the United States or by the supreme court of the District of Columbia, of deeds recorded in said District, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 410) for the relief of E. R. Shipley, reported it without amendment, and submitted a report thereon.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 174) fixing the salaries of the several judges of the United States district courts at \$5,000 per annum, and for other purposes, to report it favorably.

Mr. GEORGE. I desire to say, in reference to the bill reported by the Senator from Massachusetts, that the Committee on the Judiciary was not unanimous in favor of it; and that, among others, I dissent strongly from the provisions of the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HOAR. From the Committee on the Judiciary, I report adversely the bill (S. 1177) fixing the salaries of the several judges of the United States district courts at \$5,000 per annum, and for other purposes, and recommend that it be indefinitely postponed. It is *verbatim* like the bill which has just been reported favorably.

The VICE-PRESIDENT. The bill will be postponed indefinitely, if there be no objection. The Chair hears none, and it is so ordered.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2033) providing for fireproofing the roof of the Smithsonian building, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2284) for the organization, improvement, and maintenance of the national zoological park, reported it without amendment.

Mr. INGALLS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1858) to shorten the terms of imprisonment in the jail and in the workhouse of the District of Columbia on account of good conduct during confinement, reported it with amendments, and submitted a report thereon.

Mr. DOLPH. I call the attention of the Senator from Missouri [Mr. VEST] to the report I am about to make. By direction of the Committee on Public Lands, I report adversely the bill (S. 492) to enable the inhabitants of the town of Juneau, Alaska, to obtain title to the lots improved by them in said town. The committee has already reported a bill for the selection of town sites in Alaska which is supposed to cover the case. I ask that this bill be indefinitely postponed.

While I am up I give notice that I shall call up for consideration at an early day the bill just reported from the Committee on Public Lands, to enable the entry of town sites and the purchase of land for manufacturing purposes in Alaska.

The VICE-PRESIDENT. The bill now reported will be postponed indefinitely.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 2014) for the relief of certain settlers on the public lands of the United States, and to authorize the taking and filing of final proofs in certain cases, reported it with amendments.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1518) for the relief of Orin R. McDaniel, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HALE. By direction of the Committee on Naval Affairs, I report back, without amendment, the bill (S. 538) to further increase the naval establishment. The Senator from New Hampshire [Mr. CHANDLER] desires to present at the same time a minority report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. CHANDLER. I present the views of the minority, signed by myself only. There are other dissenting members of the committee, but they have not signed my report.

The VICE-PRESIDENT. The views of the minority will be printed with the report of the committee.

Mr. McPHERSON. I should like to inquire of the Senator from Maine if the committee have presented a written report giving the views of the majority?

Mr. HALE. That has not been done.

Mr. McPHERSON. I wish further to state that I dissent from the views of the majority as expressed in this bill; but, as I have had no opportunity whatever to look over the minority report made by the Senator from New Hampshire and know nothing of what it contains, I do not know whether I shall agree with him or not. I may at some future time before the bill comes up for consideration in the Senate see fit to present my own views, being also in a minority.

Mr. HALE. The views of the majority of the committee will be presented as fully as possible when the bill is called up, and I give notice that I shall, with the leave of the Senate, bring the bill before the body some time next week.

Mr. McPHERSON. I can not state as to whether the minority would agree upon the terms of a report, as I do not know the course adopted by the Senator from New Hampshire. I think there are other members of the committee also who do not agree with the majority report, and, as I may desire to do so, I shall now ask consent that at any time before the bill is brought up for consideration I may present my own views.

The VICE-PRESIDENT. Leave will be granted.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2000) to increase the appropriation for the purchase of a site and the erection of a public building at Omaha, Neb., reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1357) to provide for the erection of a public building in the city of Annapolis, Md., reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 2286) to provide for inquests under national authority; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2287) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 2288) to pay Julia A. Rice, Jennie M. Daisley, and William D. Daisley \$5,000; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2289) granting a pension to Nellie M. Dalrymple; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 2290) granting a pension to Olina Hanson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2291) granting increase of pension to Agnes M. Bradley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON (for Mr. QUAY) introduced a bill (S. 2292) to authorize the construction of a bridge and approaches at New York City across the Hudson River, to regulate commerce over such bridge in and between the States of New York and New Jersey, and to establish such bridge a military and post road; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HALE introduced a bill (S. 2293) to require the Superintendent of Census to ascertain the number of people who own their farms and homes, and the amount of mortgage indebtedness thereon; which was read the first time by its title.

Mr. VEST. I should like to hear the bill read.

Mr. HARRIS. Let it be read at length.

The bill was read the second time at length, and referred to the Committee on the Census, as follows:

Be it enacted, etc., That it shall be the duty of the Superintendent of Census, in addition to the duties now required of him by law, to ascertain the number of persons who live on and cultivate their own farms, and who live in their own homes, and the number who hire their farms and homes, and the number of farms and homes which are under mortgage, the amount of mortgage debt, and the value of the property mortgaged. He shall also ascertain the objects for which mortgaged farms and homes have been mortgaged, and the rates of interest paid upon mortgage loans.

SEC. 2. That for the purposes of this act the sum of \$1,000,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. DAWES introduced a bill (S. 2294) to place Elmer A. Snow on the retired-list of the United States Army with the rank and pay of a second lieutenant of mounted service; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2295) providing for the appointment of a superintendent of charities in the District of Columbia, and defining his duties; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. STANFORD introduced a bill (S. 2296) for the relief of the Union Iron Works, of San Francisco, Cal.; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2297) to provide for the disposition and sale of lands known as the Klamath River reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FRYE introduced a bill (S. 2298) granting an increase of pension to Isaac D. Fuller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2299) granting a pension to Isabella W. Adduddell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2300) granting a pension to John Mickle; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 2301) for the establishment of fish hatcheries on military reservations, and the introduction and acclimation of foreign game; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. SAWYER introduced a bill (S. 2302) granting a pension to Lucinda Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 2303) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLEN introduced a bill (S. 2304) to establish two additional land districts in the State of Washington; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2305) to amend an act approved March 3, 1881, for the relief of citizens of Montana who served with the United States troops in the war with the Nez Percé Indians, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HEARST introduced a bill (S. 2306) releasing S. H. Brooks, Assistant Treasurer of the United States, and his sureties on his official bond; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FARWELL introduced a bill (S. 2307) for the removal of charge of desertion against Robert E. Hemphill; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MOODY introduced a bill (S. 2308) to establish the Sundance and Lander land districts in Wyoming Territory; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2309) for the relief of Joseph O. Cotton, dependent father of Gregory H. Cotton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 2310) for the relief of M. A. Fulton, Silas Staples, and the other sureties upon the official bond of James D. Reymert, executed to the United States on the 7th of February, 1860, as receiver of public moneys; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2311) to amend section 3354 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Finance.

Mr. STOCKBRIDGE (by request) introduced a bill (S. 2312) granting a pension to Marrilla Parsons, of Detroit, Mich.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 2313) for the relief of Silas F. Field, one of the sureties on the bond of John G. Halliburton, deceased, late marshal of the United States in and for the eastern district of Arkansas; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 2314) granting a pension to William Meachen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 2315) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia; which was read twice by its title, and referred to the Committee on the Library.

Mr. CHANDLER. I present also, in aid of the bill, the petition of Julius A. Palmer, a citizen of Massachusetts, praying for the erection of a statue in memory of Matthew Fontaine Maury, of Virginia. The petition embodies a memorial of Maury prepared by his daughter. I ask that the petition may be received and referred to the same committee, and that 1,000 copies of the petition and memorial and the bill incorporating the text be printed for the use of the Senate.

The VICE-PRESIDENT. Does the Senator desire that the petition shall be printed as a document?

Mr. CHANDLER. As a document.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from New Hampshire?

Mr. HARRIS. Let the title of the bill be read. Let us see what it is about.

The CHIEF CLERK. A bill for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia.

Mr. HARRIS. I have no objection.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

Mr. CHANDLER. It is understood that the petition and memorial will be also printed.

The VICE-PRESIDENT. The Chair hears no objection, and it is so ordered.

Mr. CHANDLER also introduced a bill (S. 2316) for the relief of John H. Spalter; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

Mr. SPOONER introduced a bill (S. 2317) to amend section 3441 of the Revised Statutes of the United States and section 17 of an act entitled "An act to amend the laws relating to internal revenue," approved March 1, 1879, amendatory thereof; which was read twice by its title, and referred to the Committee on Finance.

Mr. PLUMB introduced a bill (S. 2318) granting a pension to John McKale; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2319) granting a pension to Annie M. Easter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2320) granting a pension to William H. Haight; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2321) to appropriate money to repay and refund the Shawnee tribal fund; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2322) to secure to the Shawnee Indians their proportionate share of the proceeds of certain lands, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. JONES, of Arkansas, introduced a bill (S. 2323) to authorize the construction of a bridge across the Arkansas River at or near Pendleton, Desha County, Ark.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2324) to authorize the building of a bridge across White River, Arkansas, by the Mississippi and Little Rock Railway Company; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EVARTS introduced a bill (S. 2325) for the relief of Judah Touro Robertson; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 2326) for the relief of Charles Squire Wood, of the city of New York; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 2327) for the relief of Amos Hodgkins; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2328) for the relief of Edward B. Myer, administrator of the estate of John Penningar; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2329) for the relief of Nancy Hughey, administrator of the estate of Dr. M. C. Barkwell; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2330) for the relief of Frederick H. Pratt; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2331) for the relief of Rachel Gregory, widow and executrix of M. B. Gregory; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2332) for the relief of Charles Brown; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2333) for the relief of John E. Ross; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2334) for the relief of Thomas Van Pelt; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 2335) for the relief of Fannie Ricks Jones and Annie Ricks Willis, heirs of Benjamin S. Ricks, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. JONES, of Arkansas (by request), introduced a bill (S. 2336) for the relief of the widow of Patrick P. Burton; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 2337) to reimburse the several States the interest paid by them on moneys borrowed and applied to the objects specified in an act entitled "An act to indemnify the States for expenses incurred by them in defense of the United States," approved July 27, 1861; which was read twice by its title, and referred to the Committee on Finance.

Mr. COCKRELL introduced a bill (S. 2338) for the relief of James S. Johnson; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2339) to amend the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character, and to provide for the issue of coin certificates;" which was read the first time by its title.

Mr. COCKRELL. I ask that the bill may be read at length.

The bill was read the second time at length, as follows:

Be it enacted, etc., That so much of the act of February 28, 1878, as authorizes and directs the Secretary of the Treasury "to purchase from time to time silver bullion at the market price thereof not less than two million dollars' worth per month nor more than four million dollars' worth per month," be, and hereby is, repealed, and the Secretary shall hereafter purchase from time to time silver bullion, the product of the mines of the United States or of ores smelted or refined in the United States, at the market price thereof, not less than five million dollars' worth per month, and cause the same to be coined monthly as fast as purchased into standard silver dollars, as provided for in said act, and the amount of money necessary to make such purchases is hereby appropriated, out of any money in the Treasury not otherwise appropriated. And whenever the Secretary of the Treasury can not purchase such silver bullion at a market price less than 99 cents for 412½ grains of such silver bullion of standard fineness, then such silver bullion shall be received and disposed of in like manner as gold bullion, and any gain or seigniorage from coinage under this act shall be accounted for and paid into the Treasury, as provided by existing law.

SEC. 2. That all laws and parts of laws authorizing the issue of gold certificates and silver certificates upon the deposit of gold coin or bullion or standard silver dollars are hereby repealed, and the Secretary of the Treasury is hereby authorized and required, upon the deposit with the Treasurer or any assistant treasurer of the United States or any superintendent of any mint of the United States by any holder of gold coin or bullion or standard silver dollars, or such silver bullion of standard weight and fineness, when the market price of such silver bullion is not less than 99 cents for 412½ grains, to issue therefor in the denominations now authorized by law coin certificates, which shall be receivable for all debts, customs, and dues to the United States, and shall be redeemable at the pleasure of the United States in either gold coin or standard silver dollars, and when so received or redeemed shall be reissued, and the coin or bullion so deposited for or representing such certificates shall be retained in the Treasury for such redemption of said certificates.

SEC. 3. That the Secretary of the Treasury is hereby authorized and required to cancel and destroy all the existing gold and silver certificates as far as they are received or redeemed by the Treasurer or any assistant treasurer of the United States, and to issue at once in lieu thereof coin certificates hereinafter authorized of like denominations with the gold and silver certificates so received or redeemed. And the coin certificates herein authorized, when held by any national-banking association, shall be counted as part of its lawful reserve.

Mr. COCKRELL. I move that the bill be referred to the Committee on Finance, and I respectfully request that that committee shall take action upon the bill and report it back to the Senate, so that the Senate may consider and act upon the question involved in it.

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

Mr. TELLER introduced a bill (S. 2340) for the erection of a public building at Colorado Springs, Colo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2341) to provide for the disposal of the Fort Lyon military reservation, in the State of Colorado, to actual settlers under the provisions of the homestead laws; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DOLPH introduced a bill (S. 2342) making appropriations for improving the Columbia River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2343) for the relief of Newton McCoy; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 2344) defining "lard," also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of compound lard; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. JONES, of Arkansas, introduced a bill (S. 2345) for the relief of John H. Hamiter; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 2346) for the relief of James Petty; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 23d instant, approved and signed the joint resolution (S. R. 34) authorizing the marshal of the Supreme Court of the United States to loan the portraits of the Chief-Justices to the New York State Bar Association, for exhibition at the judiciary centennial to be holden on the 4th of February, 1890.

REPORT OF SHIP-BUILDING POLICY BOARD.

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

Resolved, That the Secretary of the Navy be, and he hereby is, directed to transmit to the Senate the report of the so-called policy board.

MISSOURI RIVER BRIDGE.

Mr. FRYE. There is lying on the President's table a bill which was returned from the House of Representatives on my motion. I ask that it be taken up.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (S. 940) to authorize the construction and maintenance of a bridge across the Missouri River at a point to be selected in the county of Douglas, or in the county of Sarpy, in the State of Nebraska, and the

county of Pottawattamie, in the State of Iowa, and make the same a post-route.

Mr. FRYE. I ask unanimous consent that the votes by which the bill was ordered to a third reading and was finally passed be reconsidered.

Mr. MANDERSON. I understand that this is for the purpose simply of making the amendment in the bill which was suggested by the Senator the other day.

Mr. FRYE. Yes, sir.

The VICE-PRESIDENT. The Chair hears no objection to the request made by the Senator from Maine, and the votes are reconsidered.

Mr. FRYE. Then that having been done, I move to amend the bill by adding to section 1 the following proviso:

Provided, That said bridge shall not be located within one-third of a mile of any existing structure.

The amendment was agreed to.

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

ACQUISITION OF CUBA.

Mr. CALL. I ask unanimous consent to reconsider the order of the Senate by which the joint resolution (S. R. 20) authorizing the President to open negotiations with Spain, reported adversely from the Committee on Foreign Relations, was indefinitely postponed in my absence, and that the joint resolution be placed on the Calendar with the adverse report of the committee. I shall desire to submit some observations upon it subsequently.

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a bill (H. R. 584) to modify existing laws relating to duties on imports and the collection of the revenue; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution for the printing, in addition to the number already ordered by law, of 15,500 copies each of the tenth, eleventh, and twelfth annual reports of the Director of the United States Geological Survey uniform with the preceding volumes of the series.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 11) to grant an American register to the ship Kenilworth; and

A bill (H. R. 845) to change and fix the time of holding terms of the district and circuit courts at Austin and Brownsville, Tex., and for other purposes.

CASE OF HENRY J. FANZ.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from New Hampshire [Mr. CHANDLER], coming over from a previous day. It will be read.

The resolution submitted by Mr. CHANDLER on the 22d instant was read, as follows:

Resolved, That the Attorney-General be directed to transmit to the Senate the report recently made by United States Marshal John S. Burton, of the northern district of Mississippi, concerning the maltreatment of Henry J. Fanz at Aberdeen, in said State.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. WALTHALL. Mr. President, I do not think it can be plausibly pretended that Congress has jurisdiction over the subject-matter of this resolution, but I do not rise to discuss the legal aspects of the subject. The resolution relates to a matter referred to by the Senator from Kansas [Mr. INGALLS] in his speech upon the race question delivered on Thursday last. Being absent from the Senate on account of sickness, I did not have the opportunity to hear the Senator, but reading his remarks in the RECORD I observe that he commented upon the hanging in effigy of Secretary Proctor at Aberdeen and upon the outrageous assault on the party named in the pending resolution in connection with that indefensible occurrence.

From what I have heard of this affair I am confident it was the wanton conduct of a few persons, and that it was disapproved by the community in which it occurred. The people of Aberdeen are as honorable, enlightened, and peaceable as any in the world. I am acquainted with the leading citizens there, and many others in every walk of life, and, so far as I can learn, no person has ever been mentioned as in any way connected with this deplorable proceeding of whom I ever heard before. Speaking for myself, sir, and expressing what I am sure is the general sentiment of the people all over Mississippi, I here unqualifiedly condemn the outrage upon the Secretary and upon the citizen who is named in the resolution and I protest against the injustice of holding an entire community responsible for the wrongful conduct of a few persons who do not represent their sentiments.

Passing from the consideration of this matter, I desire to say something, now that I have the floor, upon the general question which was under discussion when the Senator from Kansas brought it to the notice of the Senate, and which he aptly described as "the most formidable and portentous problem ever presented to a free people for solution."

My purpose at this time is to discuss the general features of this great problem, which much more deeply concerns all the people of the country than any sporadic instances of lawlessness or wrong which may have occurred in particular localities.

In the last Congress, when a municipal election at Jackson, Miss., was under discussion, I had occasion to submit some remarks to the Senate upon "The race problem in politics." Appreciating the gravity of the subject, I approached it with hesitation; but, coming from a State with a largely preponderating negro population, it seemed incumbent on me to contribute what I could to a proper understanding of the relations to each other of the white and black races in that State. Since that time the swelling tide of black immigration has been bearing down so heavily upon the people of Mississippi that their interest in the subject has become even more urgent than before.

Realizing that the peace and good order of the State and the material interests and safety of its people were staked upon the solution of this problem, I attempted to present fairly to the Senate the real situation as it appeared to me and the real causes of it as I understood them. I ventured to suggest no remedy to be applied here, for I saw none then and see none now that Congress can apply which promises any practical result. I had observed that every effort to hasten the solution of the problem by Federal interference had served but to retard it, and I believed then, as now, that arbitrary enactments can but increase its difficulties.

Convinced that the evils which afflict the people of that section spring directly out of race differences, I was and am unable to divine how those evils can be mitigated by any Congressional action, since the laws of nature can not be reversed by the laws of man.

Therefore, I was content to lay before the Senate the true condition in Mississippi so far as I was able to describe it, to tell something of the trials and the perils of the people there, to show what they had to do and to endure and what they had accomplished, and to invoke, if not sympathy, at least an impartial consideration of their situation. I invited attention to the struggles of a people who have been for years the daily sufferers from the action of others of their own race, who, themselves exempt from the consequences of that action, arbitrarily and abruptly entailed upon those people the dangers of subjection to an inferior race and all the ills and evils which race diversity must inevitably produce.

I cited the afflictions—somewhat parallel, but in much less degree—of the people of the Pacific coast arising from the presence among them of a comparatively inconsiderable body of Chinese, which the Government had promptly relieved, while it had laid its heavy hand upon the people of the South and stimulated the aggressions of a race inferior to the Chinese, whose presence in large numbers threatens in time, if the power of the Government be used against the white people, to degrade their free white, christian civilization.

I stated that there had been serious race disturbances in Mississippi, and lawless conduct which the body of the white population discountenanced and deplored, and expressed no hope that the time would ever come when these two races would be so harmonious that serious interruptions of good order would not sometimes occur as the result of race repugnance; but I showed that under white rule there had been a marvelous improvement in the condition of the negro in Mississippi, wholly inconsistent with the idea that the body of the white race was oppressing the body of the black race, and an apparent tendency toward harmonious co-operation between the two for the advancement of the best interests of both; and I appealed to the men of my own race to make some allowance for the difficulties which surround their brethren of the South, and, seeing the progress they were making, to bear with them while they struggled to adjust the new relations of the negroes to themselves and to the State on some basis not involving their degradation and the disorganization of their society.

With the advantage of later observation, I confidently repeat what I have said before, that time and care and patience are making the best of the situation in the South of which it is susceptible, and I renew my appeal for that liberality and lenient judgment which the peculiar environments of those I speak for would seem to make their due.

I realize that it is difficult for those remote from the scene where the chief trouble is to understand fully the embarrassments and perils of those who are brought face to face with the worst features of the great race problem, and whose misfortune it is to have to deal with that problem practically. I know that you who have spent your lives where the curse of race diversity has never been felt are slow to appreciate the difference between the condition of a community of intelligent, thrifty, and aspiring white people and that of one composed of two distinct races, who do not occupy the same plane of civilization and between whom the natural differences of character and habits are ineradicable and irreconcilable.

Another difficulty grows out of an erroneous assumption that all negro voters belong to the Republican party; and Republican leaders, upon

the hypothesis that their party's power in the Electoral College and in Congress is curtailed by the suppression of a large Southern vote which belongs to it, for years have been making war upon the body of the white population in the South, holding them to the strictest accountability for the alleged wrong.

In vain we have protested that there are other agencies than force or fraud by which the educated and property-holding people of the white race may impress their superiority upon an ignorant and thriftless black population, lately emerged from a state of slavery. In vain we have insisted that there is a force in that white unity which is made compact and powerful by a sense of danger that may be lawfully employed for the maintenance of white rule, and that such a force can not be resisted by an inferior race of beings not fitted by training or experience, and unfitted by a servile habit, to compete with the whites for the honors and responsibilities of official power.

In vain we have urged that ours, to use the vigorous language of the Senator from Kansas, "is the conquering and unconquerable race, through which man alone has taken possession of the physical and moral world," and that "history contains no record of two separate races peacefully existing upon terms of absolute social and political equality under the same system of government. Antagonism is inevitable. They become rivals and competitors, and in the struggle for supremacy the weaker has gone down."

In vain we have appealed to those of our own blood here to remember that the negro's only evolution, before he was made a citizen, was from barbarism to slavery, and to cease the vain attempt to set him in power above the Anglo-Saxon, whose status in the world is the gradual development of centuries and the result of much experiment and many trials.

It goes for nothing that a large proportion of the Southern people, myself among them, would gladly surrender any part of their representation in Congress and in the Electoral College if that would relieve them from the heavy strain to which they must constantly subject themselves to save themselves. The fact that we can not divide our vote nor break our solid front in a single national or Congressional election without being forced, as a consequence, to surrender all that depends on our local elections; that we can not yield the outer line without inviting an assault which, in that case, could no longer be resisted from the black horde that threatens us upon the inner defenses that protect the local governments, which we can not surrender without destruction to the sacred interests of society which we must defend—this fact, which involves everything for us and shows the extremity to which we are driven, seems to weigh nothing against the commonest considerations of party expediency. The warfare goes on against us ruthlessly and unsparringly; whole communities are arraigned without discrimination, and the crusade continues against the good and bad alike.

Obstacles such as these have stood in the way of a fair understanding of what the Southern people had to do and what they have done in the last quarter of a century to preserve their civilization, to save themselves from the domination of a class confessedly unfit to rule, and at the same time, so far as they could, to restrain the reckless and inconsiderate among them in their treatment of an ignorant and dependent element of their population.

Those who have represented the Southern States in Congress year in and year out for twenty years have laid the South's case before the country, that the white people of the North might know something of the trials of their own race whose lots have been cast in that quarter of our common country where, without probation or preparation, millions of ignorant slaves were suddenly lifted up to a plane of political equality with themselves.

If in their efforts to bring the public mind to a patient and patriotic consideration of the burdens and sufferings entailed on the people of the South by a radical and unparalleled revulsion in their social system Southern statesmen had been seconded by those responsible for that revulsion; if the latter had sought to acquaint their people with the woes and horrors that followed the hasty action which, before there had been time for the passions engendered by the war to subside, cheapened American citizenship by making freemen of a horde of slaves; if they had dealt with this great problem of the races as a matter of grave national concern outside of party politics, and had not used it as a weapon of party warfare; if they had done these things or encouraged them to be done, the current of friendly sentiment in the North, which has already set in toward the Southern people in their distress, would by this time be so strong that no public man would stand against it and urge now any harsh measures tending or intended further to oppress those people or remand them to the rule of ignorance and vice.

But it has not been the policy of the Republican party to assist the masses of the Northern people to an understanding of the true condition of the South and the causes that from time to time have bred disorders which, for the most part, have been but the natural outgrowth of a strained and abnormal state of society, largely due to that party's policy and legislation. It has not been the interest of that party to discuss the evils of negro rule, nor to remind the Northern people that race repugnance is no more deeply rooted in the Southern people than in themselves.

For party uses they have systematically persisted in ascribing to party causes much that they must know is due alone to the commonest instincts of humanity, to a sense of insecurity, and to the natural law of self-protection. Year after year in this body and in the other House, on the hustings, in party platforms, and through the partisan press, the Southern people have been held up to the execration of those of their own blood in other sections of the Union. The truth has been misconceived, perverted, or suppressed, and passionate appeals have gone forth to the country calculated to repress all sympathy and stifle every sentiment of justice or liberality in the consideration of the trials and sufferings of those people.

In the last Presidential campaign, when issue was squarely joined between the contending parties upon a great economic question, on which the principles of Democracy were in accord with the plain interests of the masses of the people, Republican leaders blinded the agricultural voters of the North to the real question before them by reviving the bitterest animosities engendered by the war; under the flag of sectionalism they made their fight to regain their lost ascendancy; a living issue was drowned out by a deluge of indiscriminate denunciation in connection with occurrences belonging to a dead past; a great national movement for reform was distorted into a Southern project to break down Northern ascendancy in the Government; and when the battle was ended and the Democrats defeated the fires of sectional antagonism were burning fiercer in many Northern localities than they had done for twenty years before.

The sectional feeling revived in the Presidential campaign has not yet wholly subsided, and it is this sentiment the Republicans rely on to tolerate if not approve some legislation which has been proposed, whose object seems to be to control Congressional elections in certain districts in the South in the interest of their party.

The proposition now is to invoke the power of Congress to regulate the manner of holding Congressional elections and employ it for the management of those elections by Federal agencies, to the virtual exclusion of the State authorities. While the proposed legislation on its face applies alike to all the States, there has been no attempt to conceal the fact that it is aimed directly and especially at the Southern States.

The professed purpose is to secure the casting and counting of the negro vote "fairly," as its advocates say, which simply means to have it cast and counted for the Republican party, it being assumed that all negro voters are Republicans. On this assumption the hope is founded that, from those districts where the negroes are in the majority and those as well where there are enough white Republicans to make a majority when added to the entire negro vote, Republican members will be returned if a Federal law can be passed providing that these elections shall be held by Federal officers independent of State authority.

The plan is, virtually, to take the election machinery out of the hands of the people of the States and commit it to selected party agents, to multiply almost indefinitely the list of Federal appointees, to cover the States with an army of partisans armed with Federal power, to strip the people of privileges they have enjoyed since the foundation of the Government, trample on the usages of a century, and dictate the result of the elections. So radical a departure from established customs and the old law, such a menace to the rights of the States and the liberties of the people, such a perversion of a power from its true purpose and the prostitution of it to a mere party end, must meet the condemnation of all who value the principles and are imbued with the true spirit of our cherished form of government. The nominal warrant for this unprecedented exercise of Congressional power is claimed to be in section 4, Article I, of the Constitution, which is in these words:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

If it be granted that here is found the authority to regulate Congressional elections, irrespective of the action or the non-action of the State Legislatures on the subject, even if it be granted that in this power is involved the right to provide for the selection of the officers to conduct the elections, the protection of the voters, and the voting places, and the return of the result, yet we know it never entered into the contemplation of those who framed the constitution that this power would ever be invoked against one political organization or one class of citizens or one race, and that their own race, to increase the strength and influence of another.

The power in question seems to have been conferred upon Congress for the single purpose of guarding against the dissolution of the Government by the non-action of the States.

The States appear to have been all opposed to the concession of the power and to have yielded it reluctantly, most of them under protest and all because to withhold it would be to leave the existence of the Union entirely at the mercy of the State Legislatures; and for more than half a century all parties seemed agreed that there should be no exercise of this power. It was never employed for any purpose up to 1842, and then only to provide that Congressmen should be elected by separate districts, instead of by general ticket, according to the regulations in

force in a number of the States. But, with this single exception, this power was never employed by Congress until the present Republican party came into existence.

Even the act of 1842 was so distasteful in some quarters that the conservative State of New Hampshire rebelled against it, and at first neither that State, nor Missouri, nor Georgia, nor Mississippi would conform to it. These four States elected their Representatives to the Twenty-eighth Congress by general ticket, and the fact that the House of Representatives found reasons to admit them in the face of the act of 1842 shows with what jealousy in that day the slightest Federal interference in these elections was regarded.

Leaving to others the discussion of other aspects of this subject and viewing it from the stand-point of expediency, I deprecate the use proposed to be made of the power in question as most untimely and harmful to the interests of both races in the Southern States. If you would promote harmony between them you defeat your object if under the thin guise of a general enactment you put Federal power behind one race and thus stimulate it to antagonize the other. If you would not arrest all tendency toward co-operation, aggravate race differences, and prevent any approach of the blacks and whites toward each other in a spirit of mutual concession, then do nothing here which a credulous and irresponsible black population will accept as a license for lawlessness and aggression.

If we look back to the date of the negro's freedom and glance at the course of Southern affairs as affecting him through the era of reconstruction and down to the present period, we will find much that may be profitably considered in this connection. When he was suddenly elevated to political equality with his former master, the abrupt sundering of the relations of a century produced a revulsion for which neither was prepared. Both were bewildered by the circumstances of their new condition. Estrangement followed soon and the adventurer who came down from the North in quest of plunder and political power saw his opportunity in the ignorant negro's credulity and used it artfully and effectively.

Under his manipulation every prejudice of the negro's nature was excited against those who had once held his race in bondage. He told the negro the Southern white man's purpose was to re-enslave him, and that to throw his ballot against his former master was his only means of protection. The negro was made to believe this, and under the influence of his fears, his resentment, and his prejudices he soon had but one rule in elections, and that was, when the whites voted one way, always to vote the other. With him in the beginning it was a struggle to preserve his freedom, which he believed was in danger, and he used his ballot as a shield or defense, and then it became a struggle for the mastery, and he used it as a "sword of attack," because his false friends told him without this his freedom would be lost.

With the white man it was a struggle against degradation, the destruction of all security, and the dissolution of society. The negro's threatening attitude excited the white man's apprehension, aroused his spirit of resistance, and firmly fixed his resolution to hold his ground. Distrust and suspicion on the one hand and determination and defiance on the other forbade all conciliation, all counseling together to reach some better understanding. The result was that the blacks were herded at the polls by their leaders and voted solidly against the whites, until the latter, seeing the dangers closing in about them, rose up as one man and recovered the control of their local governments.

This occurred in Mississippi in 1875, and until then no improvement in the political relations of these races was possible in that State. That achievement was a marvelous revelation to the negroes, and it wrought a marvelous revolution in their opinions and their conduct. Freed from the influences of their vicious leaders, whom they had seen swept from the State by a storm of popular condemnation, stunned by their unlooked-for overthrow in the election, impressed by the power of organization in the whites, they realized for the first time that the white race is invincible when thoroughly united and aroused.

Since then they have watched the course of the white Democracy in their administration of the State government and have seen no sign of danger to their freedom. On the contrary, they have seen their rights and liberties respected and have felt the benefits of liberal legislation and the equal protection of the laws in the courts. Gradually a large majority of them, seemingly, have drifted into comparative indifference to politics and parties and lost much of their interest in elections, partly because they felt secure and partly because they had no hope of wresting the reins of power from the hands of a united and resolute white population.

The Presidential election of 1884 slightly revived their interest in politics because bad men sought to impress them that their freedom would be imperiled under a Democratic President; but four years of prosperity and comparative tranquillity under Mr. Cleveland, with no suggestion of re-enslavement or disfranchisement from any Democratic source, strengthened them in their sense of safety and went far to commend Democratic rule to them, which they know means white rule in Mississippi. This feeling of confidence and security had been growing so long and had grown so strong before Mr. Harrison's election that that event, while it has impaired it, has not destroyed it; for the

negroes know that in a single Congressional district in Mississippi there are perhaps more of their race in office, whom the white people voted for, than Mr. Harrison has appointed since his term began.

But when the negroes are reminded of their voting strength by a Federal law and encouraged to believe that they can rule, when they are invited by Federal power to array themselves against the whites and vicious men among them incite them to avail themselves of that power, there will be a serious disturbance of the present condition and the troubles of both races will be greatly augmented. But it does not follow that the question of political ascendancy will be correspondingly affected.

There will be some revival of antagonisms, some interruption of those relations which seem now to promise something of good for both races. Prosperity may be hindered and business enterprise crippled; there may be friction and disquiet and even bloody strife; but, giving you my individual belief, the result of no Congressional election in any Southern State will be controlled by any Federal election law which Congress can enact. The white people will be driven into closer co-operation than ever before for their own protection; for they know, as we know, that if Congressional elections can be controlled by Federal interference the effect will not be limited to those elections, but will extend to State elections also, as there can be no complete divorcement of State and Federal politics in any State. They know if a law of the United States can be made the means of subjecting their choice of Representatives in Congress to the absolute dictation of the negroes, it must follow soon, in a State situated as Mississippi is, that the same influences, organization, and leadership which choose their Congressmen will name their governors and sheriffs, shape their legislation, and put their judges on the bench. This means negro domination, and that means death to every interest and hope and aspiration of those people.

More than forty years ago Mr. Calhoun foretold what would be the consequences of raising the black race to equality with the whites. In the light of subsequent events his language reads like prophecy, much of which has already been fulfilled; and who can say the remainder will not be at no distant day? Here are his words used in 1849:

But when once raised to an equality they would become the fast political associates of the North, acting and voting with them on all questions, and, by this political union between them, holding the white race at the South in complete subjection. The blacks and the profligate whites that might unite with them would become the principal recipients of Federal offices and patronage—

This has been fulfilled to the letter—

and would, in consequence, be raised above the whites of the South in the political and social scale.

This is the threatening danger now.

We would, in a word, change conditions with them—a degradation greater than has ever yet fallen to the lot of a free and enlightened people, and one from which we could not escape should emancipation take place (which it certainly will, if not prevented) but by fleeing the homes of ourselves and ancestors and by abandoning our country to our former slaves, to become the permanent abode of disorder, anarchy, poverty, misery, and wretchedness.

A ghastly picture this, and yet we, every day, are made to look this specter in the face.

I can not counsel my people to accept this desolating barbarism without a struggle, nor yet to flee their homes, and I will not counsel them to break any public law or to violate any private right. What I urge upon them—not as a remedy, but as the means of present safety—does neither; and, outnumbered as they are, I solemnly believe there is for them no other present hope. Openly and earnestly I press upon them the value of absolute unity of purpose and action and the necessity for the closest, most vigilant, and constant co-operation for self-protection, and I appeal to them, if they would save themselves, to subordinate all differences and party divisions to this end and purpose.

There is no safety for them in any different course, so long as the body of the negro population is incompetent, as it now is, to appreciate the full value and responsibilities of citizenship. From this course there is something to hope as the effect of concert among the intelligent and courageous white population under the stimulus of a powerful incentive and the lack of white leadership among the ignorant and dependent blacks. Surely none would deny us and no power can deprive us of the strength and advantage which legitimately spring from causes like these.

I need not be reminded of the serious difficulties attending such a policy or that it does not promise to be permanent. How long the unity of the white race may serve as their protection, how long it can withstand the temptations held out by the offers of preferment and the prizes of office, whether or not the education of the blacks, for which the whites are freely imposing heavy burdens on themselves, will materially mitigate the evil—all these are matters of mere speculation and conjecture. Time must solve the problem and fix the fate of the white people who are bound to the soil of the Southern States; but while the solution is progressing they are forced to protect themselves, and none can help them save by letting them alone.

If I be told that what I propose at best can prove but a temporary expedient and that there are difficulties in the way of its successful working even for a time, I can only say that I find some of the same and many greater difficulties in all the so-called solutions and remedies

which have been proposed by others and with less promise of even temporary relief.

A number of such propositions have been pressed upon public attention with more or less confidence by their authors, and some of them have been received with favor by many of those upon whom the evil discussed most sorely presses. In their extremity they seize upon every straw of help or hope and every crumb of comfort that comes from any source, forgetting that no promise of practical relief has yet been held out by those who have the power of fulfillment. Some theorists, ignoring the practical aspects of the subject, some students in their closets, speaking through the public prints, and even some public men and editors of high standing and ability have commenced to agitate the question of disfranchisement. They suggest this remedy with a vagueness which makes it the more misleading, for they do not discuss the obstacles which make what they propose impracticable.

They tell us that those responsible for negro suffrage have come to look upon it as a great national blunder and they cite some of their loose declarations and some paragraphs in the liberal press as showing sympathy for the chief sufferers from the consequences of that blunder and the readiness of those who committed it to correct the evil, when they must know that such expressions have not a feather's weight against the settled policy of the party in power, proclaimed in a thousand forms, to which all its leaders are unalterably committed, and which can not be abandoned without surrendering the most tangible result of the war and openly confessing failure in that party's mission. They remind us that in the District of Columbia, "the center of African intelligence," with a Republican President in power and a two-thirds Republican majority in both Houses of Congress, negro suffrage was struck down by law because it had so corrupted and degraded politics as to endanger every interest under the municipal government in Washington, as if that had not been accomplished by a power which can not be exerted in any State.

To a people whose dangers are imminent and their necessities urgent there is but little comfort in the suggestion that relief may come through a constitutional amendment, which must be proposed by a two-thirds vote of both Houses of Congress and ratified by three-fourths of the States, when both these Houses and most of the States are controlled by the party whose cherished policy it is sought to reverse.

Race separation has been proposed; but if so gigantic a project were feasible the dominant party here would not favor it, because it would imply a confession that the country must be freed from a great evil due to that party's action.

The most tangible form in which this proposition comes is to accomplish in some mode not yet made to appear practicable the concentration of the body of the black race in some locality over which they may exercise political control.

Since the days of Mr. Jefferson the colonization of emancipated blacks has been discussed from time to time and experiments have been made and failed, though tried when the undertaking was not a hundredth part as stupendous as it would be now. The experiment of the American Colonization Society, who spent millions of money and made great exertions to foster their enterprise, has shown that no relief can come from any plan of deportation.

The colony planted in Liberia in 1822, backed up by wealth and the intelligent efforts of philanthropists, with many local advantages and much aid from without, probably has in it now fewer negroes from America than moved into the Mississippi Valley from States east of it during the year 1889. That experiment, it may be added, made under circumstances most favorable to its success, has proven, as all others have wherever tried, that the negro is hopelessly incapable of self-government, a fact sufficient of itself to deter those who would see him elevated from forcing him, even if they had the power, into a condition where, in time, he would relapse into barbarism.

If the effort to rid the old slave States of free negroes by colonization produced no appreciable effect when their number was inconsiderable, it seems idle to think of trying the experiment upon eight millions of negroes, all as free as we are. Where is the power to make such a scheme effective? Where is the inducement to the negro to cut loose from the white man, whose taxes support the Government he lives under and educate his children, and what temptation would take him, an agricultural laborer, from the richest lands in the world to try the uncertainties of fortune in any other quarter of the earth?

Some have been trusting the situation might be relieved by white immigration; but this slow process can not be effective in Mississippi, where the preponderance of blacks is steadily increasing. There has been much speculation and some false prophecy on this subject in the past. Mr. Oliver P. Morton discussed it in his famous speech in September, 1865, in which he avowed his belief that the negroes then were unfit for the exercise of political power. After pointing out the dangers of colored State governments, which he said "would be bound together by the strongest tie that ever bound men together, the tie of race and color," and which he said he believed "would result in a war of races," he suggested that the negroes ought not to vote until they had passed through a period of probation, and said:

At the end of ten, fifteen, or twenty years let them come into the enjoyment of their political rights. By that time these Southern States will have been so completely filled up by immigration from the North and from Europe that the

negroes will be a permanent minority. Why? Because the negroes have no immigration—nothing but the natural increase—while we have immigration from all the world and natural increase besides. Thus, by postponing the thing only until such time as the negroes are qualified to enjoy political rights, the dangers I have been considering would have fully passed away. Their influence would no longer be dangerous in the manner I have indicated, and a conflict of races would not be more likely to happen there than it now is in Massachusetts. In Massachusetts the negroes have exercised political rights for twenty-five years, and yet there has been no disturbance there, no conflict of races. Why? Because the negroes have been in the minority. They can not elect a man of their own color to any office, to bring up that prejudice of race. I believe what I have stated will be the way in which the question will work itself out.

This statesman favored negro suffrage after a probationary term of not more than twenty years, not because the negroes would then be fitted for it, but because by that time they would be in a "permanent minority," and thus the dangers he described "would have fully passed away."

In the light of subsequent events see how his project has worked out. If we may adopt the census reports as being even approximately correct, we find that since he made his prediction the negro population of Mississippi, from being in 1870 about 60,000 more than the white, was 170,000 more in 1880, and even with no greater rate of increase since we must have to-day about 400,000 more negroes than white people in Mississippi, and it is estimated by some that more negroes moved into the counties composing the Yazoo Delta in the first three months of the year 1889 than there were white immigrants who settled in the entire State in the same time.

It is probable that the disproportion will be increased in 1890, and, although these estimates are somewhat conjectural, whether they be correct or not, certain it is that the black preponderance has increased immensely since the date of Mr. Morton's prediction and is growing every day.

Some have advocated the restriction of the suffrage by annexing an educational or property qualification, or both, as a condition to the right to vote, as a means of reducing the political power of the ignorant and thriftless negro population. Passing over other objections to this proposition, a fatal one is that it does not meet the fundamental evil of race differences.

If because of their intellectual, moral, physical, or social inferiority the negroes ought not to rule the whites or if by reason of a deep-seated race prejudice, unreasonable if you please, but still an existing fact, the whites can not live under such rule without constant friction and disturbance, how far can this evil be mitigated by education or the ownership of lands or goods? Is it not true—whether it ought to be or not is not the question, under the laws of nature, which we can neither alter nor repeal—that the nearer an inferior race approaches successful competition with the white man the more the white man's antagonism and spirit of resistance are excited and aroused?

This may be wrong; it may be sinful; but right or wrong it seems to be a fact, if the teachings of history are of any value and our experience with the Chinese in the Northwest has taught us any useful lesson. Does any thoughtful man believe the Chinaman's ability to read all the chapters in the Bible and all the articles in the Constitution or his owning any amount of property could have saved his life at Rock Springs, where twenty-eight of his unoffending countrymen were killed and many more were wounded and their houses and possessions destroyed, simply because they were in the white man's way? Could his education and owning property have abated, if indeed it had not intensified, the race prejudice which prompted the white man of the Pacific coast to resent his competition in business—for he had no part or lot in politics—and to demand his exclusion from our shores, which has since been ordained by law?

I am not arguing against the acquisition of either knowledge or property by the negro, for, in common with the body of the white people in Mississippi, I am anxious to see him elevated by such means or any other that do not tend to drag us down to his level. The beneficent policy of that State, especially in the matter of education, has been illustrated by the liberal application of the taxes which the whites imposed on themselves for his benefit, applying, as has been done there for years, more than half of a large school fund, of which the whites pay more than 90 per cent., to the education of negro children on equal terms with the white children. This I have cordially advocated and approved, and trust my position may not be misunderstood.

What I contend is that the settled prejudices of the people, which show themselves everywhere, must be dealt with as other realities and that imposing conditions on the right to vote will not meet the race evil by which we are confronted. Race prejudice, however unreasonable, is older than our laws or institutions; its roots have been the growth of ages, and it can not be extirpated by so simple a process as teaching the negro to read or by his owning property. It is ingrained in the very organism of the people, and the daily proofs of this are no more seen in the South than among all classes in the North: in their churches, theaters, hotels, and homes; in their separate military organizations; in the disturbances in their mixed schools; in the conflicts between white and black laborers; throughout all the branches of their business and all the ramifications of their entire social system.

I am aware there are some who do not believe in the existence of this weakness, as they term race prejudice, and think it is a myth be-

cause in their associations they have seen no exhibition of it, there being nothing to develop it. Their experience has not been with the types, but with the prodigies of the negro race. They have listened to the scholarly orations of Frederick Douglass and have seen Bruce deport himself with credit in the Senate of the United States, and Lynch display rare capacity as the presiding officer of a national convention and in other trying positions. They have seen no signs of intellectual inferiority in these men and their instincts do not rebel against intimate association with them; and judging the negro race by them they do not appreciate the dread in which the Southern people stand of negro rule. They do not know, as we know, that these negroes are phenomenal and that there is as much difference and distance between them and the average plantation negro, with whom we have to deal, as there was between Napoleon and the most ignorant soldier in the French army.

There are others in the North who believe that the race issue would die if it were not kept alive by the Southern white people for the purposes of political power, and that the fears they express of negro domination are fabricated and fictitious. If so, why is it that Northern men, not political adventurers, whether Democrats or Republicans, who move into a black county in the South, as a rule promptly see the dangers of the situation and align themselves with the native whites. And why are race disturbances and negro aggression chiefly confined to those districts where the blacks predominate, and harmony and order generally prevail where the whites have a decided majority and negro domination is impossible?

Such, as a rule, has been the condition in Louisiana, South Carolina, and all the old slave States, including Mississippi, and the rare exceptions have generally been cases where a few white men for their own advancement have used the negro vote against the best interests of the community.

Some tell us the remedy must be found in a division of the white people upon public questions, to be followed, they say, by a corresponding division among the negroes. If, as I think, the chief trouble comes from race diversity, the cause can never be removed by a reorganization of parties or any mere readjustment of party lines, and how can there be any such divisions in the South under the constant pressure of sectional assailable?

A division of the white people would simply commit the balance of power to hands unfit to wield it. "The whites would divide upon reason and the blacks would unite upon race," and the consequences would be fatal to every Southern interest worth preserving. Those who counsel these divisions should remember that it is no mere party question we have to deal with in the South; it is not a question of Democratic principles and professions against those of the Republican party, but it is whether the intelligent white people, who happen to be Democrats, shall be governed by an ignorant class, confessedly unfit to rule, who are claimed to be Republicans because they are black. Outnumbered as we are in Mississippi, such divisions among us can only serve to invite aggression, stimulate opposition, and put in peril the sacred interests which we must defend and will defend, but can defend successfully only when we are united.

I have endeavored to show that all the plans for relief which have been proposed are impracticable, misleading, and delusive, and that those here who sympathize with the people I speak for are powerless as themselves to remove the evil which every day they must look in the face, that you may see there is not even temporary safety for them unless they avail themselves of every lawful advantage of close concert and organized co-operation.

If I be expected to discuss the details of every race disturbance that is heralded in the press and to reconcile the conflicting statements which usually appear or to answer for the intemperate declarations of others, I decline the needless task.

These disturbances are cumulative proofs, coming from North and South alike, that perfect harmony at all times is impossible when two distinct types of men are in constant contact and competition in the same territory. In the language of the Senator from Kansas, "Antagonism is inevitable." These cases illustrate the formidable phases of the great problem we are considering, and to discuss their details for party effect in order to fix the blame on one race or the other for what is due to the natural repugnance between the two can not assist us to any reasonable or just solution. If we have race friction in the South and the disorders it produces, sometimes in connection with elections, but oftener otherwise, we find in other quarters of the country mob violence and serious labor disturbances and even the outcroppings of nihilism and socialism, due to the presence of a dangerous element in the population.

If there have been outrages upon negro suffrage in the South, newspaper evidence, such as is used to establish them, proves also that there have been outrages upon white suffrage in the North equally gross and glaring, with nothing to extenuate the wrong. If conflicts occur between the races where the blacks heavily predominate, they warn us that hints from without that the sword and torch may be used with effect upon the Southern whites and their possessions have not been wholly lost upon the Southern blacks, but have borne fruit in violence and blood.

The recent municipal election at Jackson, Miss., was commented on by the Senator from Kansas, and I desire to say a few words on the subject.

There was a movement of citizens at Jackson to prevent the restoration to power, by force of the solid negro vote, of a mayor named McGill, whose previous administration had been marked by open immorality and shocking deeds of blood. Prominent in the opposition to McGill were responsible, intelligent, law-abiding, christian men, of the highest character, devoted to good order and morality and identified with the largest property interests in the city. For years prior to January, 1888, they had lived and suffered under McGill's administration of their municipal affairs, which reputable witnesses swore before a committee of this body two years ago disgraced the city and afforded but little protection to either life or property.

During the last two years they had seen their city recover from the blight of a lax and lawless municipal government forced on it by a solid negro vote, and had seen it prosper and improve, its property steadily growing in value, its business enterprises rapidly developing, its schools flourishing, and its people hopeful, contented, and secure in their persons and possessions. If in their purpose to avert the repetition of such a curse as the former rule of this same mayor had been to them and their city the people were outspoken and determined; if to bring to their support the indifferent or the disaffected of their own race and to impress upon the blacks the force and power of their organization they declared their purpose to "carry the election" and made any unusual exertions short of violence or fraud to accomplish it, even if their declarations were so emphatic and their preparations so formidable and complete as to deter the blacks from all participation in an election on which the very life and safety of the city, as they believed, depended—none of these things, even if admitted as stated, can be judged of fairly here unless we consider with them the provocations of those people, their bitter experience under McGill's former rule, their peculiar surroundings, and the fact that everything to them of property, morality, and security, as they believed, depended upon their successful resistance to McGill's return to power.

As proof that a reputable Republican, if fitted for the place, may be the mayor of a Democratic city in Mississippi, I read a short article from last Friday's Post, our leading Washington paper, ably edited by a Republican:

R. F. Beck, the mayor of Vicksburg, and T. W. Campbell, editor of the Vicksburg Herald, were in the lobby at Willard's last night. Mr. Beck is a monument to the true spirit of the South. Shortly after the war he tramped into Vicksburg from Poughkeepsie, N. Y. By industry and enterprise as a building contractor he has made a fortune and gained public confidence so much, though a Republican, that he was elected mayor of the Democratic city of Vicksburg by the sole force of his personality.

Vicksburg is a Democratic city, not 50 miles from Jackson, and the largest city in the State, and Mr. Beck, a Northern Republican and one of the leaders of his party in the State, is chosen for its mayor and respected by its people.

I ask you to compare what you condemn at Jackson with the alleged coercion elsewhere of the workingman's vote through his fears of dismissal from employment. Compare it with the almost open use of money to buy white voters like cattle in the market for the purposes of party power, or with the modern criminal invention, for which there seems now no penalty, of classing voters into "blocks," that they may be more conveniently corrupted. Make the comparison, and ask yourselves which is most dangerous to the liberties of the people and which most seriously threatens the perpetuity of our free institutions.

These things are freely discussed in the newspapers, the same authority on which the Jackson people are arraigned, and I refer to them as I read them in no spirit of retaliation, but simply that we may not forget that every community has its own burdens to bear and every party its own delinquencies to answer for.

It is not pretended, whatever other wrongs may have been done there, that any man's vote was bought at Jackson, that any fraud was practiced or attempted, or that any man's blood was shed; and if there was a show of force by white people resolved to save their capital city from the curse of negro rule, it was at least evidence of more honest conviction than buying voters for the purpose of regaining lost party power.

It is proper here to state, what no man will deny, that the Jackson election is not a type of Mississippi elections, but it is an exceptional case and grew out of exceptional causes, as most of us already know from the discussion had here when the election held in that city in January, 1888, was under consideration. Those who have searched for election wrongs in Mississippi can not show and do not pretend that any such proceedings as they criticize in that mayor's election at Jackson occurred either there or at any of the thousand and more voting places in the State at the general election last November, though in a number of the counties Republicans were candidates for county offices and a number of them were elected.

There is not another point in Mississippi known to me where there is any such division among the white people as the municipal election at Jackson has developed. This division even there has not extended to State or county elections and is chiefly due to the agency of one man whose ambition is to rule the city, though he knows that three-fourths of those, including some of his personal friends, who have the largest

interest in the city, and all that concerns its peace, its prosperity, and its morality, believe from his past career that his rule means simply ruin.

With the solid negro vote and such white men as he has managed to draw around him, less than a fourth of the white voters of the city, he has defied the other three-fourths and sought again to subject them to his lawless and disreputable administration of their city affairs. In doing so he has driven peaceable and law-abiding citizens to a course which, under other circumstances, they would no more adopt than would the people of the quietest village in New England.

This Jackson election shows that, in so far as the unity of the white race is impaired, to that extent are the peace and good order of society and the safety of the people endangered in a State situated as Mississippi is in respect of her population. It discloses, too, the dreadful prospect that in time such divisions may become so serious and so general as to put such a State at the mercy of the negroes and enable them to rule it and destroy it.

If you tell me that these divisions are bound in time to come, I answer that the consequences to which I have alluded are bound necessarily to follow, and, so believing, I shall continue to appeal to the honor, the pride, and manhood of my people to do nothing to hasten the coming of that dreadful day.

The PRESIDING OFFICER (Mr. FRYE in the chair). The question is on agreeing to the resolution.

Mr. INGALLS. Let the resolution be reported.

The Secretary read the resolution of Mr. CHANDLER.

Mr. GEORGE. Mr. President, it is my duty to say something upon this resolution. The resolution is an unparalleled one, I believe, in the history of the legislation of this country. It is a simple, bald proposition on the part of the Department of Justice and on the part of the Senate, if it should pass, to convert a United States marshal into a detective in relation to the police and internal affairs of one of the States of this Union.

It is supposed that there has been a report made by the marshal of the northern district of Mississippi to the Department of Justice in relation to some injury inflicted upon the man named in the resolution. The resolution assumes that fact, and the Senate is asked to call this paper from the files of the Department of Justice and place it among the public records of the Senate, and for what purpose?

If any Senator has made up his mind—and I hope none has—to vote for this resolution, I should like to have that Senator explain to the Senate under what act of Congress a United States marshal has power or jurisdiction to inquire into and make an official report to the Department of Justice in relation to an assault and battery, or any higher injury than an assault and battery, which may be committed within one of the States of this Union by one citizen or by one man upon another citizen or upon another man. Where is the statute which makes it or allows it to be the official duty of a United States officer or a marshal to enter into a State or, being in the State, to institute an inquiry in relation to a matter exclusively within the jurisdiction of the State, and make report of his proceedings to the Department of Justice? The resolution is in these words:

Resolved, That the Attorney-General be directed to transmit to the Senate the report recently made by United States Marshal John S. Burton, of the northern district of Mississippi, concerning the maltreatment of Henry J. Fanz at Aberdeen, in said State.

If the marshal has made such a report—and I have no doubt he has, because I have a copy of it on my table, furnished to me by the Department of Justice through the courtesy of the Attorney-General—under what provision of the Constitution of the United States, under what provision of any statute passed by the Congress of the United States in the wildest time of political excitement, has the extraordinary function been imposed upon a United States marshal to make inquiry into, to investigate a violation, not of a United States law, but of a State law, and thereupon make report to the Department of Justice? That is singular enough, Mr. President. That may have resulted possibly from the overzeal of a small, ignorant, partisan employé of the Government, if I may use the word, by intermeddling in an affair which he had no legal authority to intermeddle with, to make report of his proceedings to the Department of Justice. That, indeed, might be excused from want of information on the part of this official; but what excuse is there for this Senate, composed, as it is, of able, discreet, and, I hope, fair-minded men, to call from the pigeon-holes of the Department of Justice a report thus made without authority of law, dignify it as an official document, and spread it upon the records of this body? I ask the Senate to pause and see what they propose to do.

The report, being without authority of law, is simply the statement of a private individual, not made with any sanction of his official oath, performing a function not entrusted to him, but denied by the whole framework of our institutions. Think of it! There are probably a hundred United States marshals within the Union. Can they, at their own will, each one acting for himself, constitute themselves detectives to inquire into the crimes committed, not against the United States—for there is no pretense of that—but crimes committed by a citizen within a State and against the State? Let each one of these one hundred marshals be engaged in that sort of business, and what is the re-

sult? In the first place, Mr. President, you submit to the surveillance of these petty officials of the United States the action of the grand organisms of our Government, the States themselves. Every little official who shall hold a commission from the Government of the United States, and who shall happen to reside in a community which he despises, and which, in turn, despises him, is to be made a spy upon their actions, and to report such as his malice, or such as his ignorance, or such as his belief as to his fealty to his party may dictate to him to report.

I ask Senators to pause, to stop and think what they are doing if they shall pass this resolution. A report, non-official, because it is outside of the duty of the officer, is to take a dignified place upon the records of the Senate.

Mr. President, lest it shall be thought that there is some great mystery or secret within this report which I am unwilling to disclose, I will state that by the courtesy of the Attorney-General I have been permitted to read it and have been furnished with a copy of it. It does detail—I have a right to state that in the liberty and freedom of debate—it does detail a transaction which, as stated, is disgraceful in the extreme to persons in the State. That incident, I believe, was stated, with a little, I thought, possibly, of coloring, by the Senator from Kansas [Mr. INGALLS] on last Thursday. The facts have, therefore, been made public, and I have no hesitation in saying, in addition to what I have said in relation to this transaction as disclosed by this report, which I have read, that it is such a case as demands—not of the Senate, because it is not our business—but demands of the Legislature of the State of Mississippi an examination, and if the facts be found as they are here stated and as stated by the Senator from Kansas the other day, I do not hesitate to declare that it is the duty of the Legislature of Mississippi to make reparation to the man who was thus maltreated.

Mr. President, if any Senator here has a copy, or if the Senator from New Hampshire has a copy, of this report, in the license of debate he has a right to have it read at the Secretary's desk, and whatever of opprobrium may come to the people of Aberdeen (nine-tenths of whom, I have no doubt, condemn it as severely as I do) will come to them. If the Senator from New Hampshire has not a copy, I will loan him mine and have it read at the desk.

But, Mr. President, whilst that may come out—and I think improperly, too, but still it is within the license of debate, I will admit within the just license of debate—it is a very different proposition from the one before the Senate, that this body, without warrant of law, shall call from the pigeon-holes of the Department of Justice a paper which has got a lodgment there without warrant of law, and thus by the action of this body give to this paper an official character.

As soon as Senators have expressed themselves in debate upon this resolution, if I can get the floor, I shall move to lay it on the table. If I fail in that motion, then I have an amendment which I desire to offer.

Mr. CHANDLER. Mr. President, the Senator from Mississippi [Mr. GEORGE] in opposing the passage of the resolution which I offered in the Senate has the decided advantage of me, for the reason that he has obtained a copy of the report of the marshal and has read it and knows what it contains, while I rest under the disability of not having seen it, not having read it, and of knowing nothing of what it contains, except as its contents have been narrated by the Senator from Kansas [Mr. INGALLS]. It is because I wish to see the report which the Senator from Mississippi says has been made—

Mr. GEORGE. Will the Senator allow me to ask him a question?

Mr. CHANDLER. Certainly.

Mr. GEORGE. Do I understand the Senator to say that he has never seen or read the report?

Mr. CHANDLER. I do not hear the Senator.

Mr. GEORGE. I asked if I was to understand the Senator as saying that he had never seen or read the report which he attempts to call out by his resolution.

Mr. CHANDLER. The Senator should have distinctly understood me to say that I never had seen it or one word of it. I had heard that there was such a report and I offered the resolution calling for it. I was not aware that it was the intention of the Senator from Kansas to allude, in the speech which he was about to make, to the transactions which are narrated in that report, and I offered the resolution believing that the report was one which it was the province of the Senate to call for, and believing that its contents were such that the Senate and the country should know what they were.

Mr. President, if the Senator from Mississippi be correct in saying that in making this report to the Attorney-General of the United States the marshal for the State of Mississippi interfered with the jurisdiction and the prerogatives of the sovereign and law-abiding State of Mississippi, then, most certainly, it is highly proper for the Senate to call for the report in order that this outrage upon Mississippi should be known to the Senate in all its length and in all its breadth, and, perhaps, be rebuked by this body or by the joint action of the two Houses of Congress.

More than this, the Senator from Mississippi, I suppose, will not deny that this report was directed to be made by the Attorney-General. If I am wrong on this point, he will inform me; but, as I understand it, hearing of this outrage, the Attorney-General directed the marshal to

make a report, and he has made it in pursuance of those directions; and now, forsooth, the Senator from Mississippi asks the Senate not to call for the document and give it to the public, when he himself has deemed it of so much importance that he has gone to the Departments of this Government and procured a copy, and now has it on his desk, and says that, while it is entirely right and proper that it should be read in debate in the Senate, yet that it will be a wrong and an outrage, against which he protests, to have the Senate call for it in form and put it upon the records of Congress. I say, if the Attorney-General and the marshal have been doing wrong to the State of Mississippi, let us find it out, and find it out by the passage of this resolution.

But, Mr. President, it seems that the Senator conceives that the Senate of the United States will be exercising a jurisdiction which it has no right to take if it calls for this report which he says the marshal had no right to make. As I understand the facts in the case, solely from the statements made by the Senator from Kansas and as deprecated and apologized for on this floor to-day by the two Senators from Mississippi, the Attorney-General heard that the Secretary of War had been hanged in effigy in Aberdeen, and that a citizen of the United States who had loosened the rope by which the effigy hung had been maltreated, brutally whipped, and driven from Aberdeen by a mob, and thereupon the Attorney-General asked the marshal to make a report concerning the facts. That this was the way in which this report came to be made is not disputed by the Senator from Mississippi or by any one; and yet the Senator delivers a constitutional argument here to show that this Senate ought not to call for the report and put upon its records the facts of that outrage as they stand recorded to-day upon the records of the Department of Justice.

Mr. President, this is new doctrine for me to hear in the Senate. I know that the Senators upon the other side of the Chamber claim that these States of the South have the right to perpetrate outrages like this which is narrated in this report and that the hand of the United States can not be reached out to prevent or to punish such outrages. I know that they claim that they may whip and banish and murder the Republican voters of the South, black and white. I know that this extreme claim of immunity for the outrages which are committed upon citizens in the Southern States is set up by the Senator from Mississippi and by Senators from other States of the South; but I did not expect to hear them also claim that the United States have not the right so much as to make inquiry into such outrages.

Mr. President, here we have a wrong committed upon a citizen—we know not whether he was a citizen of the State of Mississippi or of some other State—a wrong which the Senator from Mississippi declares upon this floor calls for investigation by the Legislature of Mississippi, and for punishment and reparation adequate to the outrage which has been committed; and yet the Senator says that, although that outrage has been investigated, as he says wrongfully, by the Attorney-General and the marshal of the United States, the Senate of the United States not only stands powerless in view of such an outrage, but that it must stand dumb in its presence, and can not even make inquiry and spread the facts upon its records.

It may be that the power of the United States to punish the wrongs, the crimes, and the murders which for political reasons are to-day being committed in the South is not as broad as I think it is; is no broader than the Senator from Mississippi thinks it is; but I do not believe that Senators upon the other side of the Senate will be able to maintain in this Congress that our mouths are shut so that we can not even inquire, and that the United States, which is interested in the preservation of law and order and the protection of the rights of citizens in every State in this Union, North and South, can not ascertain the facts of any outrages of any sort which are perpetrated upon a citizen and take into consideration the question whether or not some remedy for such crimes may not be found.

Mr. President, if it has come to this, that not only are we to be taunted when wrongs of this kind are committed by the question, "What are you going to do about it?" "You can not help yourselves," "The Constitution does not allow you to punish wrongs of this kind," but are also to be told by the Senator from Mississippi, "You have not the right to inquire, and you dare not inquire, into outrages of this sort upon the citizen," then, Mr. President, we have indeed fallen upon woful and lamentable times.

Mr. INGALLS. Mr. President, I have no comment to make on the eulogy pronounced by the Senator from Mississippi [Mr. GEORGE] upon the patriotism and good citizenship of the inhabitants of Aberdeen. I have nothing to say about his assertions concerning their condemnation of what he is pleased to stigmatize as an abominable and inconceivable wrong. I have only to state that, whatever their sentiments may have been, however strongly they may have reprobated the outrage committed upon the person of Fanz, it is in evidence that at least three or four hundred of them stood quietly by while the castigation was being inflicted, without a word of protest and with no attempt to interfere.

The Senator from Mississippi denounces this as an inquisitorial proceeding, beyond the authority of the Senate or of the Government of the United States. Sir, the victim of that wrong was not a citizen of the State of Mississippi. If he had been, I do not know but that I should have been willing to allow the inhabitants of Mississippi to

deal with the transaction as they pleased. He was not a citizen of the State of Mississippi. He was a citizen of the United States and of the State of Indiana, temporarily in Mississippi, peacefully pursuing his lawful vocation; and the doctrine is advanced that it is beyond the competence and power of the Senate or the Government of the United States to inquire into a wrong committed by inhabitants of Mississippi, not upon a fellow-citizen, but upon a citizen of the United States, himself a citizen of another State.

I want to say to that Senator that, whenever it is made to appear that the laws of the United States are not strong enough to protect a citizen of Indiana upon the banks of the Mississippi, the artisan of New York is not safe in his home upon the banks of the Hudson, nor the farmer of the West secure in his dug-out upon the plains of Dakota.

It may be that you will succeed in securing a declaration from this body that the Senate and the Government of the United States have no power either to inquire into wrongs against its citizens or to protect them against such invasions of their rights; but if Fanz had been a citizen of the State of Kansas, as he was of the State of Indiana, and it should appear that the authorities of Mississippi would not punish the offenders, if it should appear that the Government and officials of the United States were powerless to protect its citizens against such wrongs, I will guaranty to him that the citizens of the State of Kansas would take it into their hands to resent it and to exact reparation. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. GEORGE. Mr. President, you can not decide a constitutional question—

Mr. SPOONER. I, in common with other Senators on this side of the Chamber, would be very glad to hear all that the Senator from Mississippi says. We can not hear him in the tone of voice in which he is now addressing the Senate.

Mr. GEORGE. I will try to speak a little louder.

Mr. SPOONER. Thank you.

Mr. GEORGE. I have not a great deal more to say, Mr. President.

You can not decide a constitutional question by rhetoric or denunciation. The Constitution of the United States is a document and a charter. It contains a grant of the powers which this Government may exercise. Every one of those powers is delegated, every one of those powers is specified, either in express terms or in the general clause that the powers necessary to carry into effect the powers granted specifically are also granted.

The Senator from Kansas, when he undertook to reply to me—a lawyer as he is—might have condescended, as the Supreme Court says all men must do when they claim a power under the Constitution, to name that clause of the Constitution under which the power is claimed. I ask any Senator upon that side, able lawyers as they are, to put his finger upon that clause of the Constitution which authorizes the Federal Government in any of its branches to punish or to give jurisdiction over a crime committed within a State and not against the laws of the United States.

Mr. SPOONER. Will the Senator from Mississippi permit me to ask him a question?

Mr. GEORGE. Of course.

Mr. SPOONER. Will the Senator doubt the power of the United States Senate to charge an appropriate committee of the Senate with the duty of investigating, if you please, the Department of Justice, which could call before it the Attorney-General and compel him to produce this or any other paper on file in his Department? And if we may do that, may we not call upon him constitutionally to send to the Senate any official report or any communication upon the files of his Department?

Mr. GEORGE. Mr. President, the Senator from Wisconsin, as a lawyer, will take the distinction between the physical power of the Senate to be exercised over its own employes and members and the power of the Senate as a co-ordinate branch of the United States Legislature to assume a jurisdiction over a matter exclusively within the control of the State authorities. The Senator from Wisconsin is a lawyer, and a very good one. He has given reflection to these matters. I ask him to put his finger upon that clause of the Constitution which authorizes us to do this thing. Where is the authority of the United States, as was intimated existed by the Senator from Kansas [Mr. INGALLS], to take jurisdiction over a crime committed in one State against a citizen of another State? I understood the Senator from Kansas to put it upon that ground. He did not do so expressly, but that was my conclusion from what he said. If I do him wrong, he can correct me.

Now, this is a grave constitutional question. Senators can not settle it by denunciation. They can not settle it by sarcasm. They can not settle it by threats such as the Senator from Kansas indulged in, that if certain things were not done, if the case were that of a citizen of his State, we should have a sort of war!

Mr. HOAR. I should like to ask the Senator from Mississippi, with his leave, if I understood him correctly to say that he would like to have any Senator point out to him any clause in the Constitution which authorizes the Senate to possess itself of the information contained in this report.

Mr. GEORGE. I asked any Senator to point out that clause of the

Constitution which gives to Congress or the United States, in any of its departments, jurisdiction over the transaction alleged to have been committed in the resolution before the Senate.

Mr. HOAR. I understood the Senator's question to be a little broader and to be what I stated in my inquiry. If I misunderstood him—

Mr. GEORGE. Point that out, then, and when we get that settled I will come to another.

Mr. HOAR. The Senator will pardon me; I will not interrupt him against his leave. If the Senator desires to have any member at this time, or any other, point out to him the constitutional ground which makes it proper for the Senate to call for this information, I shall be happy to do so at such time as is agreeable to him. I will not interrupt him to do it, however.

Mr. GEORGE. I should be very glad to have that information, because I assume that the Senator from Massachusetts agrees with me that there is no constitutional warrant for the United States to interfere in this transaction, and that he confines his proposition to a statement of a mere inquiry into a transaction, over which transaction itself the United States have no jurisdiction. If that be his position, I can only say in response to that that the powers of this Government, the powers granted to the Senate, the incidental powers granted to the Senate, like the incidental powers granted to Congress, are only those which are necessary to enable it to exercise the powers which are specifically granted.

Mr. HOAR. I will state my view either now or when the Senator is through. It is not necessary to enter into the debatable questions under the Constitution to vindicate this resolution which the Senator from Mississippi has attacked. I think it would be very easy to show that the Congress of the United States has the power to make legislation which shall secure to the citizens of one State traveling in another or residing in another for any lawful purpose all rights which belong to the citizens of the State where they are, which the Constitution expressly declares they shall have.

But it is not necessary to enter upon that discussion for the purpose of vindicating this resolution, as it seems to me. The Constitution of the United States has among its objects the protection of the rights of citizenship so far as it undertakes to protect them, so far as the original text of the Constitution and the amendments thereto set forth. It undertakes to secure that no citizen shall be deprived of due process of law, that no State shall deprive him of certain constitutional rights by reason of race, color, or previous condition, and a thousand others as familiar to the Senator and to the Senate as to anybody, certainly as familiar as to me.

Mr. President, the Constitution also provides that the two Houses of Congress may in fitting cases inaugurate and promote and propose amendments to the Constitution. So if, as time goes on, constitutional powers conferred and defined and restricted in that instrument turn out to be inadequate for the great general purposes of securing equality of right to all classes and conditions of men, amendments may be proposed thereto as they have been proposed for these very purposes.

Now, I hold that it is within the constitutional power of this body to inquire into every transaction which has taken place within the limits of the country with the view of ascertaining not merely whether the existing powers of the United States, of the Constitution and laws, have proved adequate or not to the security of these great rights, but also for the purpose of determining whether it be expedient or convenient or necessary to ask the people to enlarge the powers, if in any instance they have proved insufficient.

Upon that proposition, without entering into several others upon which the doctrine may be placed, I rest the right to make this inquiry and I rest the right to make the inquiry proposed by the bill for the purpose of national inquests, which the honorable Senator at the close of the last Congress discussed, which was proposed to the Senate and will be brought before the Senate again at the present session.

Mr. WILSON, of Iowa. Mr. President, the Senator from Mississippi wants some one to point out some clause in the Constitution of the United States that would warrant the proceeding it is now proposed to take by this body. If the Senator will turn to section 2 of Article IV of the Constitution of the United States, he will find there these words:

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

That clause of the Constitution has immediate connection with the case to which this resolution refers. A citizen of the United States and of the State of Indiana proceeded to the State of Mississippi for the purpose of pursuing his legitimate calling, to wit, a mechanical trade. He was occupied peacefully in that pursuit. He was set upon violently and ordered to leave the State of Mississippi, where, according to the provisions of the Constitution of the United States, he had a right to be and to be protected in the enjoyment of all the rights that the citizens of that State and of the United States might enjoy.

Now, the fact of the outrage perpetrated upon this citizen of the United States is not denied by the Senator from Mississippi. It is admitted by him and his colleague, and that admission is of itself sufficient to put this body upon inquiry as to whether it is necessary to take any steps looking to further legislation for the protection of citizens of the United States in the various immunities and the rights and privileges of citizens of the several States.

It does not matter how that information may come to the Senate, whether upon a statement by a Senator, whether in response to a resolution of this body directing the head of any Department to send here any documents, official or unofficial, that may tend to throw light upon the immediate question involved. That is all that this resolution proposes to do.

Knowledge has come to a member of this body that this outrage has been perpetrated. He has information to the effect that he may get further facts concerning that outrage by means of a report, official or unofficial, as the case may be, which is lodged, as the Senator from Mississippi says, in one of the pigeon-holes of the Department of Justice. The fact that Congress has jurisdiction in such cases gives it the full scope of getting its information by resolution of the Senate of this character, or through the investigation of one of its committees, or it may be that some Senator is so fully satisfied that legislation should be had that he would frame a bill and introduce it and send that to a committee, and that committee may pursue it and it may call by communication or in person through some of its members on the Attorney-General and ask him if he has any official or unofficial information touching the question. It may be done in that form; it may be done in the form proposed here; and the whole scheme is simply that of endeavoring to ascertain whether outrages have been committed, not covered by the present law, and that may require further legislation.

Mr. REAGAN. Mr. President, I must express surprise at the propositions made in support of this resolution, and that so many members of this body acquiesce in the doctrine that this Senate may take control of such a question.

To strip the issue of the extraneous matter which has been brought to bear upon it let us suppose that the citizens of Aberdeen, in the State of Mississippi, were indicted in the Federal court for the violation of the laws which they are alleged to have committed, would any Federal judge of any court—district, circuit, or supreme—sustain an indictment of that kind?

This presents the question now as to whether it is a subject indictable by the United States or by the State of Mississippi, and before I go further I wish to state that what I say must not be understood as a defense of what it is charged has been done in Aberdeen, for I concur fully with the sentiments expressed by the two Senators from Mississippi: that, if the facts are as stated, it was a great, a gross, and a monstrous outrage, and the men who engaged in it ought to be punished for it; and I agree with the Senator from Mississippi [Mr. GEORGE], who last addressed the Senate, in saying that if this injured man was a citizen of another State I believe it would be the duty of the Legislature of Mississippi to make reparation, as far as it is possible for it to do, for the wrongs inflicted upon him. So I desire to strip this question of any extraneous considerations.

The Senator from New Hampshire [Mr. CHANDLER], in his opening remarks, said that Senators on this side of the Chamber justified murder and violence. What authority he had for such a statement is unknown to me, for the two Senators whom he succeeded had before denounced this very transaction with as much energy and vigor as that Senator could have employed in denouncing it. Certainly he could not have assumed, therefore, from what was said on this subject that there were Senators here who justified murder and violence. Mr. President, it is a grave charge; it is a monstrous charge to be made against Senators.

The political theory upon which the attempt is now made to take Federal jurisdiction of this case is one directly in conflict with our system of government. Our system of government delegates to Congress the powers which it may exercise, whether it be by direct delegation or by necessary inference from the grant of the direct powers. It reserves to the States and to the people all the powers not granted to the Federal Government.

The right to deal with local violations of law in a State is purely a question for the State. I did not know this debate was to come up or that I should be called upon to speak on such a subject, or I should have brought here decisions of the Supreme Court of the United States which would have made this clearer than I can possibly make it.

No branch of the Federal Government has a right to deal with the violation of a State law. The Senator from Kansas assumes that if the State of Mississippi would not punish the people who committed this alleged crime, and if the United States would not furnish a remedy against such a crime, if it were the case of a citizen of Kansas, he would appeal to the State of Kansas to vindicate the rights of its citizens. I am not surprised to hear revolutionary statements like this from that Senator, for his whole theory upon this subject rests upon the idea of revolution.

The theory upon which it is proposed to pass this resolution regards this Congress as representing a consolidated people, a centralized republic, without limit to its authority. If we can make an assault and battery in a State a ground for overriding and destroying the Constitution, what do we do, sir? If the facts are true as stated, there was a great crime committed against an individual. If the position of Senators is that this Senate may assume jurisdiction over personal and private matters within the States not under the control of any Federal law or the Constitution, then it is an assumption that commits a crime greater than could be committed upon an individual, for it is a crime against

the Constitution itself, a crime against the rights and authority of the people; and besides, sir, this doctrine of consolidation, upon which in a large measure the philosophy and policy of the Republican party rest, is not only revolutionary, but it would deprive the States of all authority wherever the Federal Government chose to exercise that authority. The wise men who framed the Constitution attempted to give us a government in which by constitutional authority questions which related to our international policy and to interstate matters should be controlled by the Congress of the United States, and to give us a government which preserved the autonomy of the several States and their exclusive right to deal with questions of a purely local character.

The Senator from Massachusetts [Mr. HOAR] argued that such things as this might give rise to amendments of the law or amendments of the Constitution. That is not the question before the Senate. It is not a question as to whether we propose to amend the law or amend the Constitution, but a question as to whether an unofficial paper, not prepared by authority of any State or community or the citizen of any State, not made in the discharge of any official duty, not under the sanction of any official authority, not under the sanction of an oath—whether such a paper can be made the ground for the passage of a resolution like this. If it can institute an investigation in relation to assault and battery here without its being brought before us by any competent authority, it seems to me that our system of constitutional government is at an end.

The Attorney-General may have felt aggrieved and the Secretary of War had a right to feel outraged at what is reported here as having been done, but it seems to me that it was going a long way for an officer of the Government and a member of the Cabinet to institute an investigation as to a matter of this description, and still further for the Senate to call out an unofficial, unauthorized report as a basis either for legislation or for agitation.

Mr. President, I have only one more remark to make. Wherever there are violations of the law, whether North or South, no one can deprecate them more earnestly than I do. I would urge the enforcement of the law as vigorously in one portion of the country as another. We are confronted by a very grave trouble—the race question—which I do not now propose to discuss, but only to refer to in a single point of view.

All recognize the inherent difficulties that are involved in that question. If we would settle that question in the easiest and, as it seems to me, in the only practical way, it would be for the people of the South, where the most of the colored population reside, to provide for the protection of their rights and to enforce the law protecting them in all their rights, and for the politicians of the North, instead of using every accidental disturbance that occurs, or every disturbance, whether accidental or not, as a crime of a whole country and as a means of political agitation for the purpose of obtaining or retaining political power; if they could rise superior to this and agree with us in simply seeing that the laws were enforced; and if the Northern politicians would suspend their sectional agitation and appeals of community against community, simply because of residence in different sections or because of difference of political opinions, this trouble might be settled.

But so long as any portion of the people commit acts such as are referred to in this case, it gives a pretext, it gives a ground for sectional agitators, who think more of obtaining and retaining political power than of the preservation of our Government, the preservation of the rights of its people, the perpetuation of our system of civil liberty; who think more of obtaining and retaining political power than of all these blessings. How is that question ever to be settled? How can that question be settled, how can we find a peaceful solution of it, when a large part of the country regard it as their political capital and shrink from the investigation of the other great political questions relating to the material interests of the country, and resort for success to sectional agitation and to abuse and denunciation and wholesale charges against the white people of the South, the people of their own race?

It has seemed to me that there is something so cruel, so wanton in the war made upon the white people, simply because they can not be used by a political party, that I have wondered if it were not possible by some means to reach the consciences and judgment of men engaged in it, and to induce them to co-operate with those whose fate is cast in the southern section of the country, to abate sectional prejudice, to promote the protection of the rights of all, to stimulate a national patriotism, to elevate the character of the American citizen, and not continually to make charges and assume positions which are calculated, if not intended, to degrade the millions of white citizens who reside in the Southern States.

It can hardly be supposed, sir, I think, that this is patriotic; and while I would do all in my power to enforce the law protecting the rights of the freedmen in the South and while I feel that that is the spirit and purpose of the masses of the people there, and that when violations of the law like this occur it is an unusual circumstance, I feel that it is unjust to denounce whole States and a great section of the Union because of occasional violations of law under the circumstances which surround them. While I feel that it is the purpose of our people to protect the rights of the freed people and to secure them every advantage which they can secure to them, I feel at the same time that we have a

right to appeal to our northern fellow-citizens not to use the unfortunate condition in which we are placed as a means of agitation, of stimulating hatred and prejudice.

I would say that it seems to me true statesmanship is to conserve the rights of all, to promote fraternity and good will among the people everywhere, and that the theory which rests upon the fact that a political party is to be sustained by sectional agitation is dangerous to the perpetuity of the liberties of the people, dangerous to their rights, and can not result otherwise than in injury to them all.

I will say, as an illustration of the purpose of our people, so far as the State which I in part have the privilege of representing is concerned, that we have there a large black population, not so large as some of the other States, and the policy of our public men has been to give the freed people the protection of the law. They tax themselves heavily for the purpose of maintaining schools. The black people have the same school privileges that the white people have in the common schools. They have also a normal school provided for them for the education of black teachers, just as there is a normal school provided for the education of white teachers. They have their place in the agricultural and mechanical college of the State; they have their place in the university of the State, and our people have been disposed to do everything they can to try to elevate them to a condition of good citizenship. We do that (you may, if you wish, say, instead of upon patriotic, upon selfish principles) because we desire prosperity, peace, and happiness to all; and if we can secure to them education, intelligence, and the capacity for good citizenship, the result will be beneficial to all. Whether we can do so is an undetermined problem as yet. Our purpose is, however, to try to do so, and to do all that it is incumbent upon us to do.

Now, then, if gentlemen engaged in the agitation that is kept up here—the sectional agitation for political effect—would make a small part of the sacrifices the white people of the South make for the benefit of the blacks, there would be some excuse, possibly, for the course they take, if there could be an excuse for it. We tax ourselves all over the South. We furnish them schools. They have as much protection in the courts of the country as the white people have, and in most parts of the South they vote as freely as the white people do. If this sectional agitation could cease and the people there be permitted to shape their course with reference to the interests of their community, without guarding themselves against the assaults from the outside, you would find much fewer the cases of violation of the law there. The violations of the law there give rise to sectional agitation at the North. The sectional agitation at the North gives rise to the violations of the law there. I mention this simply as a correlative to what I have been stating. What we ought to do is to give legal protection and secure all the rights we can to the freed people, and for the politicians of the North to let this problem be worked out without prejudice and without using it as a foot-ball for political power and sectional agitation, which can only be harmful.

Mr. GEORGE obtained the floor.

Mr. BUTLER. Will the Senator from Mississippi yield to me for a moment?

Mr. GEORGE. Certainly.

Mr. BUTLER. I have been requested by my colleague—

Mr. SAWYER. Will the Senator from South Carolina give way to me?

Mr. BUTLER. I simply want to make an announcement for my colleague.

Mr. SAWYER. Very well.

EMIGRATION OF COLORED PERSONS.

Mr. BUTLER. My colleague [Mr. HAMPTON] has sent me word that he has been confined to his room by illness for the last week; that he desires to submit some remarks on the bill which I introduced; and that he will ask the Senate to allow him to do so on Thursday next at 2 o'clock, as he hopes by that time to be able to be out.

Mr. HARRIS. I ask the Senator from Mississippi, as he is so kindly yielding to everybody, to yield to me (it is now within a few minutes of four) in order that I may move that the Senate proceed to the consideration of executive business.

Mr. GEORGE. I will yield for that purpose.

Mr. SAWYER. That is just what I wanted to get the floor for.

TRANSIT OF CHINESE LABORERS.

The VICE-PRESIDENT. With the permission of the Senator from Mississippi, the Chair will lay before the Senate a message from the President of the United States.

Mr. GEORGE. I will yield with great pleasure to the Chair.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

I transmit, in reply to the resolution of the Senate of the 8th instant, a report from the Secretary of State, with accompanying documents, in relation to the execution of the acts of Congress approved May 6, 1882, and October 1, 1888, concerning Chinese.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, January 27, 1890.

PRINTING OF GEOLOGICAL REPORTS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring herein), That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies each of the tenth, eleventh, and twelfth annual reports of the Director of the United States Geological Survey, uniform with the preceding volumes of the series, of which 3,500 of each shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

HOUSE BILLS REFERRED.

The bill (H. R. 495) to provide certificates of honorable service to those who have served in the United States Navy or Marine Corps who have lost their certificates of discharge was read twice by its title, and referred to the Committee on Naval Affairs.

The bill (H. R. 1452) for the relief of Christopher C. Andrews was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 584) to modify existing laws relating to duties on imports and the collection of the revenue; was read twice by its title, and referred to the Committee on Finance.

READJUSTMENT OF SALARIES OF POSTMASTERS.

Mr. JONES, of Arkansas, submitted the following resolution; which was referred to the Committee on Post-Offices and Post-Roads:

Resolved, That the Postmaster-General be directed to send to the Senate papers and information as follows:

First. Copy of opinion of A. A. Freeman, Assistant Attorney-General for the Post-Office Department, to whom the question was referred by Postmaster-General Gresham, setting forth the requirements of section 8, chapter 114, of the laws of 1866, and chapter 119 of the laws of 1883.

Second. Copy of the rule of said laws as published by Postmaster-General Gresham on the 16th day of February, 1884.

Third. Copy of Department circular No. 1223, containing the rule of said laws as published by Postmaster-General Gresham and his successors in office.

Fourth. A tabulated statement exhibiting all the claims within the rule of the law thus published from the State of Arkansas, presented and computed under chapter 119 of the laws of 1883, said statement to exhibit the gross amount of the earnings of the postmasters for each term of service thus ascertained and the amount of salary paid for each of said terms of service, and the difference between what was paid them and what they would have received as commissions under the act of 1854 by the rule promulgated by Postmaster-General Gresham on the 16th of February, 1884.

OFFICE OF SUPERVISING ARCHITECT.

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

Resolved, That the Committee on Public Buildings and Grounds be, and it is hereby, authorized and directed to continue the investigation into the conduct of the office of the Supervising Architect authorized and directed by resolutions of the Senate adopted, respectively, the 21st day of December, 1883, and the 1st day of March, 1889; and for the purpose of continuing said investigation the committee is clothed with the powers conferred upon it by said resolutions.

Mr. SPOONER. I desire to say as to this resolution that the committee in the last Congress pursued the investigation with which it was charged by the Senate, and examined a goodly number of witnesses. It was authorized, having made no report to the Senate, to continue the investigation in the recess. The engagements of the members of the committee were such during the recess that we could not get together, and I think the power has lapsed by reason of the new Congress.

At a meeting of the Committee on Public Buildings and Grounds today it was unanimously resolved by the committee that a resolution similar to the purport of the one which I have sent to the desk be offered in the Senate and that the Senate be asked to authorize a continuance of the investigation. There are several subjects yet to be investigated, and I ask for the present consideration of the resolution, if it be not obnoxious to the point that it must go to the Committee on Contingent Expenses.

The VICE-PRESIDENT. The Senator from Wisconsin asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. CALL. As both the Senators from Louisiana are absent, who are specially concerned, the late Supervising Architect being a distinguished citizen of that State, I suggest to the Senator from Wisconsin that the resolution had better lie over until they are here.

Mr. SPOONER. I have no objection to the resolution lying over.

Mr. VEST. I hope the Senator from Florida will allow it to pass.

Mr. CALL. Very well; I have no special objection.

Mr. HARRIS. Let the resolution be disposed of, then.

The VICE-PRESIDENT. Does the Senator from Florida withdraw his objection?

Mr. CALL. Yes, sir.

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

SILVER COINAGE.

Mr. MITCHELL. On the 4th of December last the Senator from Texas [Mr. REAGAN] introduced a bill (S. 58) for the free coinage of silver, and other purposes, and asked that it lie on the table; and it is now on the table. I desire to give notice that on next Thursday, immediately after the conclusion of the morning business, I shall request the Senate to permit me to move to proceed to the consideration of that bill, with a view of submitting some remarks upon it.

Mr. HARRIS. I wish to suggest to the Senator from Oregon that

the Senator from South Carolina [Mr. BUTLER] has already given notice that his colleague will desire to occupy the hour that he indicates on that day.

Mr. MITCHELL. I, of course, will not interfere with any other notice given. I inquired at the desk and was told that no notice had been given for that day.

Mr. HARRIS. The notice has just been given.

The VICE-PRESIDENT. It has just been given.

Mr. HOAR. The notice was for 2 o'clock.

Mr. MITCHELL. My notice was for immediately after the morning business. I shall probably be through by 2 o'clock.

Mr. HARRIS. I simply wanted to give the Senator the information, so that he might change his notice or let it stand as it is. I have no objection to make.

Mr. HOAR. The notice of the Senator from South Carolina was for 2 o'clock.

Mr. HARRIS. Yes; that is my understanding.

Mr. HOAR. The Senator from Oregon proposes to occupy a previous time.

Mr. MITCHELL. I would not wish, however, to commence a speech that might interfere with the Senator from South Carolina, and for that reason I will change my notice to Wednesday morning, immediately after the conclusion of the morning business.

EXECUTIVE SESSION.

Mr. HARRIS. I renew my motion.

Mr. GEORGE. As I gave way to the Senator from Tennessee, I presume that I shall be entitled to the floor when the question which has been under consideration comes up again.

Mr. HARRIS. Yes, when the resolution comes up.

Mr. GEORGE. I shall be entitled to the floor then?

The VICE-PRESIDENT. The Senator from Mississippi is entitled to the floor on the pending resolution. The question is on the motion of the Senator from Tennessee 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 twenty-five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 28, 1890, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate the 27th day of January, 1890.

SUPERVISORS OF CENSUS.

Stansbury J. Willey, of Wilmington, Del., to be supervisor of census for the census district of Delaware.

Cash C. Jones, of Rockford, Ill., to be supervisor of census for the second census district of Illinois.

John C. Rose, of Baltimore, Md., to be supervisor of census for the first census district of Maryland.

Horace G. Wadlin, of Boston, Mass., to be supervisor of census for the census district of Massachusetts.

James N. McBride, of Owosso, Mich., to be supervisor of census for the third census district of Michigan.

Elmer E. Adams, of Fergus Falls, Minn., to be supervisor of census for the fourth census district of Minnesota.

Edward J. Davenport, of Minneapolis, Minn., to be supervisor of census for the second census district of Minnesota.

Thomas M. Cook, of Lincoln, Nebr., to be supervisor of census for the third census district of Nebraska.

George I. Lammon, of Virginia City, Nev., to be supervisor of census for the census district of Nevada.

William S. Randall, of Fairfield, Nebr., to be supervisor of census for the first census district of Nebraska.

Benjamin F. Stouffer, of Fremont, Nebr., to be supervisor of census for the second census district of Nebraska.

Everett B. Huse, of Enfield, N. H., to be supervisor of census for the census district of New Hampshire.

John Bumstead, of Jersey City, N. J., to be supervisor of census for the second census district of New Jersey.

Arthur B. Pearce, of Paterson, N. J., to be supervisor of census for the first census district of New Jersey.

Richard T. Starr, of Salem, N. J., to be supervisor of census for the third census district of New Jersey.

Horatio O. Ladd, of Santa Fé, N. Mex., to be supervisor of census for the census district of New Mexico.

William C. Daley, of Chatham, N. Y., to be supervisor of census for the third census district of New York.

Charles H. Murray, of New York, to be supervisor of census for the first census district of New York.

Edwin L. Wage, of Albion, N. Y., to be supervisor of census for the tenth census district of New York.

John Devor, of Greenville, Ohio, to be supervisor of census for the second census district of Ohio.

William Grinnell, of Ravenna, Ohio, to be supervisor of census for the eighth census district of Ohio.

Isaac Minor Kirby, of Upper Sandusky, Ohio, to be supervisor of census for the first census district of Ohio.

Samuel H. Peterman, of Mount Vernon, Ohio, to be supervisor of census for the fifth census district of Ohio.

Mark Sternberger, of Jackson, Ohio, to be supervisor of census for the fourth census district of Ohio.

James P. Wood, of Athens, Ohio, to be supervisor of census for the seventh census district of Ohio.

Lot Wright, of Lebanon, Ohio, to be supervisor of census for the third census district of Ohio.

John H. Shupe, of Oakland, Oregon, to be supervisor of census for the first census district of Oregon.

J. W. Strange, of La Grande, Oregon, to be supervisor of census for the second census district of Oregon.

Robert B. Beath, of Philadelphia, Pa., to be supervisor of census for the first census district of Pennsylvania.

John H. Landis, of Lancaster, Pa., to be supervisor of census for the second census district of Pennsylvania.

John H. White, of Norristown, Pa., to be supervisor of census for the third census district of Pennsylvania.

John Henry Miller, of Lebanon, Pa., to be supervisor of census for the fourth census district of Pennsylvania.

George K. Ashley, of Brooklyn, Pa., to be supervisor of census for the fifth census district of Pennsylvania.

Peter D. Bricker, of Jersey Shore, Pa., to be supervisor of census for the sixth census district of Pennsylvania.

David G. Alter, of Port Royal, Pa., to be supervisor of census for the seventh census district of Pennsylvania.

George W. Hood, of Indiana, Pa., to be supervisor of census for the eighth census district of Pennsylvania.

Alonzo Williams, of Providence, R. I., to be supervisor of census for the census district of Rhode Island.

Charles W. Mather, of Deadwood, S. Dak., to be supervisor of census for the second census district of South Dakota.

James G. Parks, of Ducktown, Tenn., to be supervisor of census for the second census district of Tennessee.

Amasa S. Condon, of Ogden, Utah, to be supervisor of census for the census district of Utah.

Will D. Jenkins, of Whatcom, Wash., to be supervisor of census for the first census district of Washington.

George M. Bowers, of Martinsburgh, W. Va., to be supervisor of census for the first census district of West Virginia.

Luther B. Noyes, of Marinette, Wis., to be supervisor of census for the fourth census district of Wisconsin.

COLLECTORS OF CUSTOMS.

John R. Berry, of California, to be collector of customs for the district of San Diego, in the State of California, in place of Thomas J. Arnold, to be removed.

William H. Saxton, of Connecticut, to be collector of customs for the district of New London, in the State of Connecticut, in place of William M. Stark, to be removed.

Richard O. Bush, of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina, in place of B. Huger Ward, to be removed.

ASSISTANT APPRAISER OF MERCHANDISE.

Daniel C. Clarke, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, in the place of George R. Snowden, to be removed.

CONSUL-GENERAL.

Richard Guenther, of Wisconsin, to be consul-general of the United States at the City of Mexico, *vice* Elawson C. More, resigned.

UNITED STATES CONSUL.

Louis Gottschalk, of California, to be consul of the United States at Stuttgart, *vice* Edward P. Crane, recalled.

Thomas McDermott, of Tennessee, to be consul of the United States at St. Thomas, West Indies, *vice* Alexander C. Moore, declined.

George W. Pepper, of Ohio, to be consul of the United States at Milan, *vice* Henry C. Crouch, recalled.

John F. Winter, of Illinois, to be consul of the United States at Mannheim, *vice* Joseph T. Mason, declined.

MINISTER RESIDENT AND CONSUL-GENERAL.

Augustine Heard, of Massachusetts, to be minister resident and consul-general of the United States to Corea, *vice* William O. Bradley, declined.

ASSISTANT TREASURER.

Samuel Bailey, jr., of Ohio, to be assistant treasurer of the United States at Cincinnati, in the State of Ohio, to succeed William Wayland Sutton, whose commission will expire by limitation February 25, 1890.

UNITED STATES ATTORNEYS.

Elihu Colman, of Wisconsin, to be attorney of the United States for the eastern district of Wisconsin, *vice* William A. Walker, resigned.

Benjamin F. Fowler, of Wyoming, to be attorney of the United States for the Territory of Wyoming, *vice* Anthony C. Campbell, whose term will expire February 10, 1890.

UNITED STATES MARSHAL.

John E. Haggart, of North Dakota, to be marshal of the United States for the district of North Dakota, as provided by section 21, chapter 180, volume 25, Laws 1889, United States Statutes at Large.

CHIEF OF BUREAU OF ORDNANCE, NAVY DEPARTMENT.

Commander William M. Folger, to be Chief of the Bureau of Ordnance, in the Department of the Navy, with the relative rank of commodore, to fill a vacancy.

PROMOTIONS IN THE NAVY.

Lieut. Commander Joseph E. Craig, to be a commander in the Navy, from the 3d of January, 1890, subject to the examination required by law, *vice* Commander William S. Dana, deceased.

Lieut. Henry B. Mansfield, to be a lieutenant-commander in the Navy, from the 3d of January, 1890, subject to the examination required by law, *vice* Lieut. Commander J. E. Craig, promoted.

Lieut. James T. Smith, junior grade, to be a lieutenant in the Navy, from the 3d of January, 1890, *vice* Lieut. H. B. Mansfield, promoted.

Ensign William L. Burdick, to be a lieutenant, junior grade, from the 3d of January, 1890, *vice* Lieut. J. T. Smith, junior grade, promoted.

Lieut. Ridgely Hunt, junior grade, to be a lieutenant in the Navy, from the 7th of January, 1890, *vice* Lieut. Henry T. Monahan, deceased.

Ensign Harry Kimmell, to be a lieutenant, junior grade, in the Navy, from the 7th of January, 1890, subject to the examination required by law, *vice* Lieut. Ridgely Hunt, junior grade, promoted.

POSTMASTERS.

William C. Chynowith, to be postmaster at Rogers, in the county of Benton and State of Arkansas; the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1889.

Eben P. Couch, to be postmaster at Mystic Bridge, in the county of New London and State of Connecticut, in the place of Joseph S. Williams, jr., whose commission expires January 27, 1890.

Marvin H. Tanner, to be postmaster at Winsted, in the county of Litchfield and State of Connecticut, in the place of Henry A. Bills, whose commission expires February 19, 1890.

Orange L. Campbell, to be postmaster at Knoxville, in the county of Knox and State of Illinois, in the place of Elijah T. Eads, whose commission expired January 13, 1890.

George F. Bucher, to be postmaster at Mount Carroll, in the county of Carroll and State of Illinois, in the place of William P. Baird, whose commission expired January 21, 1890.

James B. Parsons, to be postmaster at Dwight, in the county of Livingston and State of Illinois, in the place of John C. George, whose commission expires February 10, 1890.

John F. Sayles, to be postmaster at Vandalia, in the county of Fayette and State of Illinois, in the place of Sidney B. Stout, whose commission expired January 13, 1890.

Clark K. Denny, to be postmaster at Greenville, in the county of Bond and State of Illinois, in the place of John B. Reid, whose commission expires February 19, 1890.

Gabriel C. Butts, to be postmaster at Pana, in the county of Christian and State of Illinois, in the place of William H. Newcomb, whose commission expired January 13, 1890.

William H. Shaw, to be postmaster at Canton, in the county of Fulton and State of Illinois, in the place of R. A. Perkins, resigned.

James E. Anderson, to be postmaster at Wamego, in the county of Pottawatomie and State of Kansas, in the place of Charles W. Sebow, whose commission expires February 8, 1890.

Robert M. Blair, to be postmaster at Stafford, in the county of Stafford and State of Kansas, in the place of Taylor W. Scott, resigned.

Ora S. Casad, to be postmaster at Pittsburgh, in the county of Crawford and State of Kansas, in the place of Albert E. Nan, resigned.

John W. Claypool, to be postmaster at Nickerson, in the county of Reno and State of Kansas, in the place of George W. Sain, resigned.

W. H. Fitzwater, to be postmaster at Seneca, in the county of Nemaha and State of Kansas, in the place of William F. Troughton, removed.

John H. Gray, to be postmaster at Neodesha, in the county of Wilson and State of Kansas, in the place of Lyeurgus W. Lee, removed.

John Lehmann, to be postmaster at Halstead, in the county of Harvey and State of Kansas, in the place of Clement Philbrick, whose commission expires February 10, 1890.

Clarence J. Trigg, to be postmaster at Mound City, in the county of Linn and State of Kansas, in the place of Julius A. Mantey, resigned.

Samuel S. Clay, to be postmaster at Paris, in the county of Bourbon and State of Kentucky, in the place of John V. Lovely, whose commission expires February 19, 1890.

Samuel A. Vannort, to be postmaster at Port Deposit, in the county of Cecil and State of Maryland, in the place of Alonzo L. Barry, whose commission expired January 13, 1890.

Benjamin F. Brooks, to be postmaster at Barre, in the county of Worcester and State of Massachusetts, in the place of Austin G. Wheelock, whose commission expires February 19, 1890.

Asa B. Fay, to be postmaster at Northborough, in the county of Worcester and State of Massachusetts, in the place of Noah Wadsworth, whose commission expires February 10, 1890.

Willard J. Hale, to be postmaster at Newburyport, in the county of Essex and State of Massachusetts, in the place of Samson Levy, whose commission expires February 10, 1890.

James H. Mansfield, to be postmaster at Gloucester, in the county of Essex and State of Massachusetts, in the place of Charles C. Cressy, whose commission expires February 10, 1890.

Henry M. Phillips, to be postmaster at Springfield, in the county of Hampden and State of Massachusetts, in the place of John L. Rice, whose commission expired January 20, 1890.

Reuben K. Sawyer, to be postmaster at Wellesley, in the county of Norfolk and State of Massachusetts, whose commission expired February 10, 1890.

Clark Crawford, to be postmaster at Milford, in the county of Oakland and State of Michigan, in the place of James Rutherford, removed.

William S. McKay, to be postmaster at Redwood Falls, in the county of Redwood and State of Minnesota, in the place of James L. Thompson, removed.

Eli R. Crafton, to be postmaster at Liberty, in the county of Clay and State of Missouri, in the place of Thomas H. Frame, resigned.

Henry J. Curtice, to be postmaster at Neosho, in the county of Newton and State of Missouri, in the place of Barton J. Morrow, removed.

Benjamin W. Dillard, to be postmaster at Aurora, in the county of Lawrence and State of Missouri; the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1890.

Benjamin F. Leonard, to be postmaster at Bolivar, in the county of Polk and State of Missouri, in the place of Charles W. Freeman, whose commission expires February 15, 1890.

Charles W. Pelsue, to be postmaster at Centralia, in the county of Boone and State of Missouri; the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1890.

William A. Spence, to be postmaster at Poplar Bluff, in the county of Butler and State of Missouri, in the place of C. M. Heltibrand, removed.

Samuel L. Brown, jr., to be postmaster at David City, in the county of Butler and State of Nebraska, in the place of Frederick E. Wilson, whose commission expired January 13, 1890.

George M. Prentice, to be postmaster at Fairfield, in the county of Clay and State of Nebraska, in the place of Dennison Howe, whose commission expires February 19, 1890.

Charles L. Wood, to be postmaster at North Platte, in the county of Lincoln and State of Nebraska, in the place of Calvin M. Wherry, removed.

Frank H. Daniell, to be postmaster at Franklin Falls, in the county of Merrimack and State of New Hampshire, whose commission expired January 20, 1890.

Rowe R. Hooper, to be postmaster at Nashua, in the county of Hillsborough and State of New Hampshire, in the place of Albert N. Flinn, removed.

Eben W. Jones, to be postmaster at Peterborough, in the county of Hillsborough and State of New Hampshire, in the place of Herman A. Pittingill, whose commission expires January 20, 1890.

Thomas Hendricks, to be postmaster at Greensburgh, in the county of Decatur and State of Indiana, in the place of N. E. Black, whose commission expires February 15, 1890.

Lambert L. Mulford, to be postmaster at Salem, in the county of Salem and State of New Jersey, in the place of Robert Newell, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1890.

UNITED STATES MARSHAL.

James R. Clarke, of Michigan, to be marshal of the United States for the western district of Michigan.

COLLECTOR OF CUSTOMS.

Marco B. Gary, of Ohio, to be collector of customs for the district of Cuyahoga, in the State of Ohio.

UNITED STATES ATTORNEYS.

Theodore F. Shepard, of Michigan, to be attorney of the United States for the eastern district of Michigan.

Lewis G. Palmer, of Michigan, to be attorney of the United States for the western district of Michigan.

HOUSE OF REPRESENTATIVES.

MONDAY, January 27, 1890.

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 last was read and approved.

MOUNTAIN GUNS, CARRIAGES, ETC.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of appropriation for mountain guns, carriages, etc.; which was referred to the Committee on Military Affairs, and ordered to be printed.

SURVEYS FOR RIVER AND HARBOR IMPROVEMENTS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports upon the survey and preliminary examination of Elk River, Md.; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports upon the survey and preliminary examination of Warrior and Tombigbee Rivers; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CHANGES OF REFERENCE.

The SPEAKER. The attention of the Chair has been called to several bills erroneously referred. In the absence of objection the references will be corrected.

There being no objection, the Committee on Claims was discharged from the further consideration of the bill (H. R. 3222) for the relief of Fannie Pemberton, formerly Fannie Glass; and the same was referred to the Committee on War Claims.

The Committee on Invalid Pensions was discharged from the further consideration of the bill (H. R. 2738) granting a pension to Christina Schneider; and the same was referred to the Committee on Pensions.

The Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 3493) for the relief of Elizabeth Jones, widow of John Jones, deceased, and to place the name of said John Jones on the muster-rolls of Company B, Second Regiment North Carolina Mounted Infantry; and the same was referred to the Committee on War Claims.

ORDER OF BUSINESS.

The SPEAKER. If there be no objection, the Chair will proceed to call the States and Territories for the introduction of bills and resolutions for reference.

There was no objection.

CONSOLIDATION OF CUSTOMS COLLECTION DISTRICTS.

Mr. BRECKINRIDGE, of Arkansas, introduced a bill (H. R. 5936) to authorize the consolidation of customs collection districts in certain cases and to provide for the compensation of certain collectors and surveyors of customs; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ARTIFICIAL EYES FOR PENSIONERS.

Mr. VANDEVER introduced a bill (H. R. 5937) to amend the act approved August 15, 1876, allowing artificial limbs, so as to allow artificial eyes to pensioners; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING AT FITCHBURG, MASS.

Mr. WALLACE, of Massachusetts, introduced a bill (H. R. 5938) to erect a public building at Fitchburg, in the State of Massachusetts; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SETTLERS ON NORTHERN PACIFIC RAILROAD INDEMNITY LANDS.

Mr. COMSTOCK introduced a bill (H. R. 5939) for the relief of settlers on Northern Pacific indemnity lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

DUTY ON CROCKERY, CHINA, AND GLASSWARE PACKAGES.

Mr. LAWLER. I send to the desk a protest of business men of my district against the reimposition of the duty on crockery, china, and glassware packages. I ask that the body of this paper be read, without the names.

The SPEAKER. This, as the Chair understands, is a petition, and is not in order under this call.

TERMS OF IMPRISONMENT IN THE DISTRICT OF COLUMBIA.

Mr. CHEADLE introduced a bill (H. R. 5940) to shorten the terms of imprisonment in the jail and in the workhouse of the District of Columbia on account of good conduct during confinement; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

DONATION OF CANNON FOR SOLDIERS' MONUMENTS.

Mr. CHEADLE also introduced a bill (H. R. 5941) authorizing the Secretary of the Navy to donate four cannon to the La Fayette (Ind.)

Soldiers' and Sailors' Monument Association; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

WORLD'S FAIR OF 1892.

Mr. CONGER presented a resolution of the senate of Iowa in favor of holding the world's fair of 1892 in Chicago, and requesting the United States Senators and Representatives in Congress from Iowa to advocate and support such measure; which was referred to the Select Committee on the World's Fair, and ordered to be printed.

PREFERENCE OF UNION SOLDIERS FOR CIVIL APPOINTMENTS.

Mr. CONGER also introduced a bill (H. R. 5942) to amend section 1754 of the Revised Statutes, as to preference of ex-Union soldiers for appointment to civil offices; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

WOMEN AS ARMY NURSES.

Mr. KELLEY introduced a bill (H. R. 5943) for the relief of women enrolled as army nurses; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GOVERNMENT OF BRAZIL.

Mr. MCCREARY. I send to the desk a resolution requesting the President of the United States to send to the House of Representatives copies of all correspondence between the United States and Brazil and all papers on file in the Department of State relative to the recent change in the government of Brazil. I ask unanimous consent to occupy only a few minutes in explaining the reason why I would like immediate action on this resolution.

The SPEAKER. If the gentleman will withhold his resolution until the call of States is concluded, the Chair will submit his request.

UNITED STATES MILITARY ACADEMY BAND.

Mr. ROBERTSON introduced a bill (H. R. 5944) to reorganize the band of the United States Military Academy; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FARMERS' MORTGAGED INDEBTEDNESS.

Mr. ROBERTSON also introduced a bill (H. R. 5945) to ascertain the amount of the mortgaged indebtedness of the farmers of the United States and the percentage of the farmers who are tenants; which was read a first and second time, referred to the Select Committee on the Eleventh Census, and ordered to be printed.

SOUTH CUMBERLAND BATTALION KENTUCKY STATE TROOPS, ETC.

Mr. GOODNIGHT introduced a bill (H. R. 5946) for the relief of the officers and enlisted men and the widows, children, and dependent parents of the officers and enlisted men who served in the South Cumberland Battalion of Kentucky State Troops during the late war of the rebellion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

TOBACCO PLANTERS.

Mr. STONE, of Kentucky, introduced a bill (H. R. 5947) to enable tobacco planters to sell the tobacco raised or produced by them free from any internal-revenue tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CAPTURED AND ABANDONED PROPERTY.

Mr. STONE, of Kentucky, introduced a bill (H. R. 5948) in relation to claims arising under the captured and abandoned property acts; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ABSENTEEISM.

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

Whereas the absence of members from the House during the sessions thereof is a serious hindrance to the public business: Therefore,

Resolved, That the Committee on Rules are hereby directed to incorporate in the code of rules now being framed the following:

Immediately after prayer by the Chaplain, at the daily sessions of the House, there shall be a call of the House and the names of all members absent at said call shall be entered on the Journal of the House.

TRUST COMPANIES IN THE DISTRICT OF COLUMBIA.

Mr. HATCH introduced a bill (H. R. 5949) to amend chapter 18 of the Revised Statutes, relating to the District of Columbia, authorizing the formation of trust companies in said District; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

DISTRICT GOVERNMENT.

Mr. HATCH also introduced a bill (H. R. 5950) to amend section 2 of the act approved June 11, 1878, entitled "An act providing for a permanent form of government for the District of Columbia;" which was referred to the Committee on the District of Columbia, and ordered to be printed.

FUNERAL EXPENSES OF THE LATE HON. JAMES LAIRD.

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

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, the sum of \$660, or so much thereof as may be necessary to pay in full the funeral expenses of the late James Laird, Representative-elect from the Second district of Nebraska.

HISTORICAL DISTRICT MANUSCRIPT.

Mr. BREWER (by request) introduced a bill (H. R. 5951) providing for the purchase of historical manuscript relating 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.

PENSION LAWS.

Mr. BREWER also introduced a bill (H. R. 5952) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, approved August 4, 1886; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAPANESE INDEMNITY FUND.

Mr. COVERT introduced a bill (H. R. 5953) to amend an act entitled "An act in relation to the Japanese indemnity fund," approved February 22, 1883; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

MILITIA.

Mr. COVERT also introduced a bill (H. R. 5954) to improve the efficiency of the militia; which was read a first and second time, referred to the Committee on the Militia, and ordered to be printed.

RELIEF OF THE STATE OF NEW YORK.

Mr. TRACEY introduced a bill (H. R. 5955) for the relief of the State of New York; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

NEW SYSTEM OF TELEGRAPHY.

Mr. KETCHAM (by request) introduced a joint resolution (H. Res. 85) authorizing an investigation as to a new system of telegraphy; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

COMMON SCHOOLS.

Mr. HANSBROUGH submitted a concurrent resolution for a memorial to Congress for the appropriation of 5 per cent. of the amount of the sales of public lands situated within the limits of the State of North Dakota, and which were sold by the United States prior to the admission of the State of North Dakota into the Union, to be used as a permanent fund for the support of the common schools of that State; which was referred to the Committee on Education.

FORT ABRAHAM LINCOLN.

Mr. HANSBROUGH also submitted a concurrent resolution and memorial to the Congress of the United States, praying for the maintenance of Fort Abraham Lincoln as a military post and for an appropriation for its improvement; which was referred to the Committee on Military Affairs.

PUBLIC BUILDING, STEUBENVILLE, OHIO.

Mr. JOSEPH D. TAYLOR introduced a bill (H. R. 5956) for the erection of a public building in the city of Steubenville, in the State of Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF GUERNSEY COUNTY, OHIO.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 5957) for the relief of Guernsey County, Ohio; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ALCOHOLIC LIQUOR TRAFFIC.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 5958) to provide for a commission on the subject of the alcoholic liquor traffic; which was read a first and second time, referred to the Select Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

TEMPORARY IMPROVEMENT OF NAVIGABLE RIVERS.

Mr. HERMANN introduced a bill (H. R. 5959) authorizing the Secretary of War to order certain repairs and improvements of a temporary character in navigable rivers, in order to preserve and continue the use and uninterrupted navigation thereof, and to draw his warrant or requisition, from time to time, upon the Secretary of the Treasury for such expenditures; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

OREGON INDIAN-WAR CLAIMS.

Mr. HERMANN also introduced a bill (H. R. 5960) to pay the Oregon Indian-war claims audited by Philo Callender, war commissioner; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

REGULATION OF STEAM-VESSELS.

Mr. ATKINSON introduced a bill (H. R. 5961) to amend section 4414, Title LII, of the Revised Statutes of the United States, "Regula-

tion of steam-vessels;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MILITARY ROAD, FORT DONELSON, TENN.

Mr. WASHINGTON introduced a bill (H. R. 5962) to construct a road to the national cemetery at Fort Donelson, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, MANCHESTER, VA.

Mr. WISE introduced a bill (H. R. 5963) to provide for the erection of a public building in the city of Manchester, Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SPOKANE FALLS AND NORTHERN RAILWAY COMPANY.

Mr. WILSON, of Washington, introduced a bill (H. R. 5964) granting the Spokane Falls and Northern Railway Company the right of way through the Colville Indian reservation; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

COLVILLE INDIAN RESERVATION.

Mr. WILSON, of Washington, also submitted a memorial from the Legislature of the State of Washington, asking that the Colville Indian reservation be opened to settlement; which was referred to the Committee on Indian Affairs.

WILLIAM PACKWOOD.

Mr. WILSON, of Washington, also submitted a memorial from the State Legislature of Washington, for the relief of William Packwood, and for the survey of certain lands; which was referred to the Committee on the Public Lands.

PALOUSE RIVER, WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial from the Legislative Assembly of the State of Washington, praying an appropriation for clearing the Palouse River; which was referred to the Committee on Rivers and Harbors.

ARTESIAN WELLS, STATE OF WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial of the Legislature of the State of Washington, relative to sinking artesian wells in the State of Washington; which was referred to the Select Committee on Irrigation of Arid Lands in the United States.

RIGHT OF WAY THROUGH THE PUYALLUP INDIAN RESERVATION.

Mr. WILSON, of Washington, also submitted a memorial of the Legislature of the State of Washington, relative to the construction of a railway through the Puyallup Indian reservation; which was referred to the Committee on Indian Affairs.

IMPROVEMENT OF THE NOOKSACK RIVER.

Mr. WILSON, of Washington, also presented a memorial of the Legislative Assembly of the State of Washington, relative to the improvement of the Nooksack River; which was referred to the Committee on Rivers and Harbors.

SHIP-CANAL, LAKE WASHINGTON AND PUGET SOUND.

Mr. WILSON, of Washington, also presented a memorial of the Legislature of Washington, relative to a ship-canal between Lake Washington and Puget Sound; which was referred to the Committee on Rivers and Harbors.

PUBLIC LANDS, STATE OF WASHINGTON.

Mr. WILSON, of Washington, also submitted a memorial of the Legislature of the State of Washington, in relation to odd-numbered sections of land withdrawn by order of the Secretary of the Interior, dated August 13, 1870; which was referred to the Committee on the Public Lands.

YAKIMA INDIAN RESERVATION, WASH.

Mr. WILSON, of Washington, also presented a memorial of the Legislative Assembly of the State of Washington, relative to the Yakima Indian reservation; which was referred to the Committee on Indian Affairs.

IMPROVEMENT OF RIVERS, PACIFIC COUNTY, WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial of the Legislature of the State of Washington, relative to the improvement of certain rivers in Pacific County, Washington; which was referred to the Committee on Rivers and Harbors.

REMOVAL OF BAR, COLUMBIA RIVER.

Mr. WILSON, of Washington, also presented a memorial of the Legislative Assembly of the State of Washington, relative to the removal of a bar in the Columbia River; which was referred to the Committee on Rivers and Harbors.

FISH HATCHERY, COLUMBIA RIVER.

Mr. WILSON, of Washington, also submitted a memorial from the State Legislature of Washington, relative to the donation of lands for a fish hatchery on the Columbia River; which was referred to the Committee on the Public Lands.

MILITARY WAGON-ROAD, STATE OF WASHINGTON.

Mr. WILSON, of Washington, also submitted a memorial of the Legislature of the State of Washington, relative to a military wagon-road along the Straits of San Juan de Fuca; which was referred to the Committee on Military Affairs.

WITHDRAWAL OF LANDS IN WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial of the Legislature of the State of Washington, relative to withdrawal of public lands of Stevens County; which was referred to the Committee on the Public Lands.

LANDS GRANTED TO THE STATE OF WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial from the Legislature of the State of Washington, relative to selection of lands granted to the State of Washington; which was referred to the Committee on the Public Lands.

GENERAL R. H. MILROY.

Mr. WILSON, of Washington, also presented a memorial from the Legislature of the State of Washington, requesting that General R. H. Milroy be placed on the veteran-list of the United States Army; which was referred to the Committee on Military Affairs.

DREDGING SWINOMISH CHANNEL, STATE OF WASHINGTON.

Mr. WILSON, of Washington, also presented a memorial from the Legislature of the State of Washington, praying Congress for an appropriation of \$100,000 for dredging Swinomish Channel; which was referred to the Committee on Rivers and Harbors.

COLUMBIA RIVER.

Mr. WILSON, of Washington, also presented a memorial from the Legislative Assembly of the State of Washington, relative to the navigation of certain tributaries of the Columbia River; which was referred to the Committee on Rivers and Harbors.

CLAIMS REPORTED BY ACCOUNTING OFFICERS.

Mr. THOMAS introduced a bill (H. R. 5965) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICE OF SUPREME COURT OF NEW MEXICO.

Mr. JOSEPH introduced a bill (H. R. 5966) to provide for an additional associate justice of the supreme court of the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

GIRLS' REFORM SCHOOL OF DISTRICT OF COLUMBIA.

Mr. DE LANO introduced a bill (H. R. 5967) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of 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.

POST-OFFICE BUILDING IN CHICAGO.

Mr. MASON introduced a bill (H. R. 5968) to make an appropriation for a post-office building in Chicago; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNITED STATES ARSENAL NEAR AUGUSTA, GA.

Mr. BARNES introduced a bill (H. R. 5969) making the United States arsenal near Augusta, Ga., an arsenal of manufacture, construction, and repair; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

TO REFUND CERTAIN TAXES.

Mr. BARNES also introduced a bill (H. R. 5970) to refund certain taxes collected by the United States Government on raw cotton during the years 1863 to 1868, inclusive; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

POST-OFFICE BUILDINGS IN CERTAIN CITIES.

Mr. POST introduced a bill (H. R. 5971) to provide for the erection of post-office buildings in cities where the gross receipts of the post-office for three years preceding have exceeded \$3,000 annually; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

JACKSONVILLE, ST. AUGUSTINE AND HALIFAX RAILWAY COMPANY.

Mr. BULLOCK introduced a bill (H. R. 5972) granting to the Jacksonville, St. Augustine and Halifax Railway Company a right of way across the United States military reservation at St. Augustine, Fla.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RELIEF OF SETTLERS ON PUBLIC LANDS.

Mr. DORSEY introduced a bill (H. R. 5973) to amend an act entitled "An act for the relief of certain settlers on public lands and to pro-

vide for the repayment of certain fees, purchase-money, and commissions paid on void entries of public lands," approved June 16, 1880; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EXTENDING TIME OF PAYMENT FOR LAND OF OMAHA INDIANS.

Mr. DORSEY also introduced a bill (H. R. 5974) extending the time of payment to purchasers of land of the Omaha tribe of Indians, in Nebraska, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

GOVERNMENT OF DISTRICT OF COLUMBIA.

Mr. ROWELL introduced a bill (H. R. 5975) to amend section 2 of the act approved June 11, 1878, entitled "An act providing for a permanent form of government for 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.

ADDITIONAL COPIES OF RECORDS OF WAR OF THE REBELLION.

Mr. WHEELER, of Alabama, introduced a bill (H. R. 5976) to provide for the printing of additional copies of the Records of the War of the Rebellion; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

WORLD'S FAIR OF 1892.

Mr. GEAR presented a resolution of the Iowa senate, declaring in favor of holding the world's fair in 1892 at Chicago; which was referred to the Select Committee on the World's Fair.

COMMISSIONER OF IMMIGRATION.

Mr. STRUBLE introduced a bill (H. R. 5977) establishing the office of Commissioner of Immigration, providing for the appointment of a commissioner, defining his duties, and for other purposes; which was read a first and second time, referred to the Select Committee on Immigration and Naturalization, and ordered to be printed.

PROHIBITING TRANSPORTATION OF INTOXICATING LIQUORS.

Mr. STRUBLE also introduced a bill (H. R. 5978) prohibiting the transportation of intoxicating liquors from any State or Territory of the United States or the District of Columbia into any other State or Territory, contrary to and in violation of the laws thereof; which was read a first and second time, referred to the Select Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

TO RESTORE THE NAMES OF CERTAIN WIDOWS TO PENSION-ROLL.

Mr. STRUBLE also introduced a bill (H. R. 5979) to restore the names of widows of Union officers, soldiers, and sailors of the late war to the pension-roll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WORLD'S FAIR, 1892.

Mr. STRUBLE also presented resolutions of the Iowa senate, favoring Chicago as the place of holding the world's fair in 1892; which were referred to the Select Committee on the World's Fair.

OFFICERS ON THE RETIRED-LIST.

Mr. HENDERSON, of Illinois, introduced a bill (H. R. 5980) for the relief of certain officers on the retired-list of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, NORWICH, CONN.

Mr. RUSSELL introduced a bill (H. R. 5981) for the erection of a public building at Norwich, Conn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MONTHLY PAYMENTS TO THE ARMY.

Mr. CUTCHEON introduced a bill (H. R. 5982) to provide for monthly payments to the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SECTION 5278, REVISED STATUTES.

Mr. HENDERSON, of Iowa, introduced a bill (H. R. 5983) to amend section 5278 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.

WORLD'S FAIR, 1892.

Mr. HENDERSON, of Iowa, also presented a resolution of the State senate of Iowa, favoring Chicago as the proper place for holding the world's fair; which was referred to the Select Committee on the World's Fair.

PENSIONS.

Mr. KELLEY introduced a bill (H. R. 5984) to pension the widows, dependent parents, and minor children of all citizens of the United States who have been killed for political purposes since the close of the late civil war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

ELECTIVE FRANCHISE.

Mr. KELLEY (by request) also introduced a bill (H. R. 5985) to amend the Revised Statutes of the United States relative to the elect-

ive franchise; which was read a first and second time, referred to the Select Committee on Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

MONUMENT TO GENERAL JAMES S. WADSWORTH.

Mr. OSBORNE introduced a bill (H. R. 5986) for the erection of a monument to the late Brig. Gen. James S. Wadsworth, United States Volunteers; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

MONUMENT AT SACKETT'S HARBOR, N. Y.

Mr. LANSING introduced a bill (H. R. 5987) to erect a monument upon the battle-field of Sackett's Harbor, N. Y.; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

MONUMENT TO ISABELLA I, OF SPAIN.

Mr. BURROWS introduced a bill (H. R. 5988) to provide for the erection of a memorial monument to Isabella I, of Spain; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The Chair will now recognize the gentleman from Kentucky [Mr. McCREARY].

Mr. McCREARY. Mr. Speaker, I ask that the Clerk read the resolution which I have submitted.

The Clerk read as follows:

Resolved, That the President be requested, if it is not inconsistent with the public interests, to send to the House of Representatives copies of all correspondence between the United States and Brazil and of all papers on file in the Department of State relating to the recent change in the Government of Brazil.

The SPEAKER. The gentleman from Kentucky [Mr. McCREARY] asks unanimous consent to address the House for three minutes on the subject of this resolution. Is there objection?

Mr. HITT. Mr. Speaker, I must ask that the resolution go to the Committee on Foreign Affairs, where the same subject is being considered.

Mr. McCREARY. I hope my colleague will be willing to allow me to give my reasons for introducing this resolution. I shall not occupy more than three minutes, and after that he can make his motion for reference.

Mr. HITT. Inasmuch as I must object to action at this time, I can hardly consent to debate.

Mr. McCREARY. I ask only three minutes, and I trust that my colleague will not object.

Mr. HITT. Gentlemen around me object to debate at this time, and, much as I regret it, I feel compelled to insist on the objection.

Mr. McCREARY. I hope the gentleman will allow me three minutes to state my reasons.

Mr. HITT. I did not hear the gentleman's last remark.

Mr. McCREARY. I ask three minutes in which to state my reasons for introducing this resolution of inquiry, in which I simply ask that, if not incompatible with the public interests, the President of the United States shall furnish the House with such communications and papers as may be on file in the State Department in regard to the late change of government in Brazil. I merely wish to explain my reasons for introducing the resolution.

Mr. HITT. Mr. Speaker, I must object to any debate on that subject until it is brought in from the committee.

The SPEAKER. The gentleman from Illinois objects, and the resolution will be referred to the Committee on Foreign Affairs.

Mr. McCREARY. Now, Mr. Speaker, I desire to offer resolutions which I ask to have read, after which I will move their reference.

The Clerk read the resolutions, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

1. That the United States of America congratulates the people of Brazil on their just and peaceful assumption of the powers, duties, and responsibilities of self-government, as indicated by their recent adoption of a republican form of government.

2. That the Republic of Brazil is entitled to exercise and enjoy international comity and the benefits of all rights, privileges, and advantages under existing treaties that were concluded between the United States of America and the late Empire of Brazil.

3. That the United States of Brazil is hereby recognized by the United States of America as a free, sovereign, and independent Republic, and the President of the United States of America shall give proper notice of this recognition to the President of the United States of Brazil.

Mr. McCREARY. I ask unanimous consent that the resolutions be printed in the RECORD.

There was no objection, and it was so ordered.

DUTIES ON SILK RIBBONS.

Mr. MCKINLEY. I am instructed by the Committee on Ways and Means to report back with amendments the bill (H. R. 534) to modify existing laws relating to duties on imports and the collection of the revenue, and to ask for its immediate consideration.

The bill was read, as follows:

Be it enacted, etc., That on and after the passage and approval of this act the following amendments to, and provision for, existing laws shall take effect, as follows:

Section 5 of the act of March 3, 1883, entitled "An act to reduce internal-rev-

enue taxation, and for other purposes," providing a substitute for Title XXXIII of the Revised Statutes of the United States, is hereby amended as to the following section or part of section or schedule in such substituted title, so that the same shall be as follows:

Section 2502, Schedule N, strike out the clause of this schedule commencing with the words "hats, etc., materials for," and insert in lieu thereof the following:

"Hats, materials for: Braids, plaits, flats, willow sheets, and squares fit only for use in making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, hair, whalebone, or any vegetable material, not specially enumerated or provided for in this act, 20 per cent. ad valorem."

The amendments as reported by the committee were read, as follows:

In line 20 strike out the words "in this act."

Amend also by adding the following as a new section:

"All laws or parts of laws inconsistent with the provisions of this act are hereby repealed."

Mr. MCKINLEY. Mr. Speaker, this bill, with the amendments, is reported from the committee unanimously. I have here a written report which can be read if any gentleman so desires; but I think I can save time by stating the substance of it. I will cause it to be printed in the RECORD to-morrow morning.

This bill is designed to correct a manifest error in the act of 1883 revising tariff duties. In that act silk ribbons are nowhere designated by name. They were imported for a number of years under the omnibus clause of the silk schedule as "materials made of silk not otherwise provided for," and that was the evident intention of the law-makers, and paid a duty of 50 per cent. ad valorem. Since the passage of the act of 1883 some importers and merchants of this country sought to import silk ribbons under section 448 of the statute of 1883, which provides:

Hats, etc., materials for: Braids, plaits, flats, laces, trimmings, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, hair, whalebone, or any other substance or material not specially enumerated or provided for in this act, 20 per cent. ad valorem.

This was resisted and resulted in an appeal to the courts.

The question being taken to the Supreme Court of the United States, that court has decided that silk ribbons used for trimming hats are dutiable at 20 per cent., not at 50 per cent. under the general clause of the silk schedule.

The result is that the Government has been compelled to pay back in duties nearly \$6,000,000.

Now, in the act of 1883 the word "vegetable" was, by an oversight, omitted from the section which I have just read. It is found in the law as it existed prior to 1883, and was clearly left out of the revision by mistake. What we propose to do by this bill is to restore that word, so that the section shall read as in the bill read by the Clerk.

I might add, Mr. Speaker, that this correction was made in the Senate bill which came to this House in the last Congress, and was also made in the House bill as reported by the then chairman of the Committee on Ways and Means [Mr. MILLS] of the last Congress and passed by the House. There is an emergency calling for this correction, and unless made great injury will be inflicted upon one of our important industries.

The report of the committee is as follows:

Mr. MCKINLEY, from the Committee on Ways and Means, submitted the following report, to accompany H. R. 584:

The purpose of this bill is to correct what is manifestly an error in the present law. In the act of March 3, 1883, the word "ribbons" was omitted from the paragraph in the silk schedule which imposes a duty of 50 per cent. ad valorem on all goods, wares, and merchandise made of silk, or of which silk is the component material of chief value, and by a singular coincidence the word "vegetable" was omitted from that paragraph of the sundries schedule which imposes a duty of 20 per cent. on hat trimmings, "or any other substance or material not specially enumerated or provided for" in the act. Prior to the act of March 3, 1883, silk ribbons were specifically provided for in the silk schedule, and until the passage of that act the trimmings for hats provided for in the sundries schedule, not specially named, were limited to vegetable substances or materials. The omission of the word "vegetable" was undoubtedly an error, and that it was an error is too plain to admit of doubt.

The claim was made, however, by importers of silk ribbons that they were materials for hat trimmings, and as ribbons were not specifically enumerated in the act such ribbons were entitled to entry at 20 per cent. ad valorem. Suit was brought against the Government and the claim was sustained by the United States Supreme Court in a decision rendered January 6, 1890, in *Robertson vs. Edenhoff*. The effect of this decision is to cause a refund from the Treasury to importers of ribbons amounting to several million dollars, and to give silk ribbons *entrée* hereafter at the same rate of duty as "braids, plaits, flats, laces, trimmings, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, hair, whalebone."

It is plain from a reading of the paragraph that it was the intention of Congress to limit trimmings for hats and bonnets to articles manufactured from the several materials named, but the omission of the word "vegetable" from the clause, "or any other substance or material not specially enumerated or provided for in this act," enables foreign manufacturers of silk ribbons, "or any other substance or material" intended for hat trimmings, to enter them at 20 per cent. instead of 50 per cent.

Provisions similar to those of this bill were incorporated in previous measures recommended in former Congresses by the Committee on Ways and Means, and at the last session the House passed the Mills tariff bill, which contained a clause identical with the language employed in the measure which we now report with an amendment, and recommend its early consideration and passage.

Your committee recommend that the words "in this act," contained in line 20, be stricken out, and that the following words be added as an additional section:

"Sec. 2. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed."

As thus amended, the bill would read as follows:

"Hats, materials for: Braids, plaits, flats, willow sheets, and squares fit only for use in making or ornamenting hats, bonnets, and hoods composed of straw, chip, grass, palm-leaf, willow, hair, whalebone, or any vegetable material, not specially enumerated or provided for in this act, 20 per cent. ad valorem."

"Sec. 2. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed."

The paragraph of the act of March 3, 1883, which the foregoing is intended to replace, reads as follows:

"Hats, etc., materials for: Braids, plaits, flats, laces, trimmings, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, hair, whalebone, or any other substance or material, not specially enumerated or provided for in this act, 20 per cent. ad valorem."

I now yield a moment to my colleague on the committee, the gentleman from Kentucky [Mr. CARLISLE].

Mr. CARLISLE. Mr. Speaker, I have nothing to say upon this subject except to apprise the House that this is a unanimous report of the Committee on Ways and Means. The sole purpose of the bill, as stated by the gentleman from Ohio, is to correct a mistake in the act of 1883, for I think it was undoubtedly the intention of Congress in that act to place silk ribbons used for bonnets and hat trimmings upon the same footing precisely as other imported silk goods, and to impose upon them an ad valorem rate of 50 per cent. The Supreme Court of the United States, however, has held that upon a proper legal construction of the act of 1883 this character of silk goods is subject to duty at the rate of 20 per cent. ad valorem. Now, these goods can not be classed with the necessities of life; and it seems just to all parties interested that similar classes of goods should pay the same rates of duty. That is all there is in this bill.

This mistake was corrected in the bill passed by the House during the last Congress, the Mills bill, and, as stated by the gentleman from Ohio, it was also corrected in the Senate bill which came over here and was not acted on. The Committee on Ways and Means, after investigation of the subject, have unanimously reported this bill.

Mr. MCKINLEY. I ask the previous question on the bill and amendments.

The previous question was ordered; and under the operation thereof, the amendments reported by the Committee on Ways and Means were agreed to.

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

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

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. EZRA B. TAYLOR. I move that the House resolve itself into Committee of the Whole for the consideration of House bill No. 182.

PRINTING REPORT OF GEOLOGICAL SURVEY.

Mr. RICHARDSON. I ask the gentleman from Ohio to yield to me a moment, that I may submit a report from the Committee on Printing.

Mr. EZRA B. TAYLOR. If I do not lose my right to the floor, I will yield.

The SPEAKER. By unanimous consent, the gentleman from Tennessee [Mr. RICHARDSON] can be allowed to present his report. Is there objection? The Chair hears none.

Mr. RICHARDSON. I am directed by the Committee on Printing to report back without amendment the resolution which I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring herein), That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies each of the tenth, eleventh, and twelfth annual reports of the Director of the United States Geological Survey, uniform with the preceding volumes of the series, of which 3,500 of each shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

Mr. BREWER. I wish to inquire how the number here proposed to be printed compares with the number provided for in the last House.

Mr. RICHARDSON. The number is the same as that heretofore printed of this report.

The resolution was adopted.

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

The latter motion was agreed to.

CIVIL-SERVICE REFORM.

Mr. LEHLBACH. I am directed by the Select Committee on Reform in the Civil Service to report back adversely joint resolution (H. Res. 45) to investigate the Civil Service Commission, and to move it be laid on the table.

The joint resolution (H. Res. 45) was read, as follows:

Whereas it is openly and notoriously charged that for several years past the Civil Service Commissioners have refused to select their own clerks under the provisions of the civil-service law, but have appointed the said clerks under what is termed the "spoilsman system;" and

Whereas it has also been charged that civil-service questions have been stolen and given out before an examination, and that by manipulation of the rules and regulations any desired results may be secured; and

Whereas other charges of a grave and serious character have been preferred against the said Civil Service Commission: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Select Committee on Reform in the Civil Service be directed to fully investigate the said charges, and to that end that the said

committee be fully empowered to send for persons and papers, and report their findings to this House.

The motion was agreed to.

Mr. LEHLBACH. I now report the following resolution from the committee.

The Clerk read as follows:

Whereas it is openly and repeatedly charged by persons of responsibility and by prominent journals throughout the country that the law pertaining to the civil service is being extensively evaded by the Civil Service Commissioners; and

Whereas charges of partiality shown by said commissioners in making selections for appointments have caused uneasiness in the minds of many, and to such an extent that new legislation as to the manner of making appointments is advocated; and

Whereas it is deemed expedient that the acts and doings and practical workings of the said Civil Service Commission and the results thereof, and also the practical workings and results generally of the present law relating to the civil service, should be thoroughly investigated: Therefore,

Be it resolved, That the Select Committee on Reform in the Civil Service is hereby authorized and directed to investigate said charges, and to examine and report the practical workings of the system, and to report the evidence and the conclusions thereon to the House, and that said committee is hereby authorized to send for and examine persons, books, and papers, and administer oaths to witnesses, and to employ a stenographer, the expenses of said investigation to be paid out of the contingent fund of the House.

Mr. BUCHANAN, of New Jersey. I would like to ask my colleague a question.

Mr. LEHLBACH. I will yield for that purpose.

Mr. BUCHANAN, of New Jersey. Is this investigation confined to the present status of the civil service or is there authority given to go back for some years?

Mr. LEHLBACH. The resolution gives full authority to the committee to make complete examination of the service and to report its conclusions to the House.

Mr. SPRINGER. There is a clause in the resolution authorizing the committee to employ a stenographer. Now, the House has two stenographers under pay all the time for the purpose of doing just such business. I think the regular reporters could attend to this business, as they will have nothing to do unless this business is committed to their charge.

Mr. HOPKINS. The committee will say, Mr. Speaker, that this stenographer will not be used unless the committee stenographers are employed in other service.

The SPEAKER. The Chair is advised the regular stenographers for committees are occupied with something else.

Mr. SPRINGER. With the statement of my colleague that the committee will use the committee stenographers whenever they can and will not incur any additional expense, I have no objection to the resolution.

Mr. SPINOLA. I wish to ask, Mr. Speaker, whether the suggestion of the gentleman from New Jersey [Mr. BUCHANAN] was accepted and this investigation shall go back some years?

Mr. LEHLBACH. It is the intention of the committee to make a thorough examination.

Mr. SPINOLA. Is it proposed to go back? I agree with the gentleman from New Jersey [Mr. BUCHANAN] that the investigation should go back to the beginning.

Mr. HOPKINS. The intention is to investigate the entire system of civil-service reform.

Mr. SPINOLA. Does it propose to cover it from the very beginning?

Mr. HOPKINS. I believe the resolution is broad enough to cover a complete investigation.

Mr. SPINOLA. If it does not go back and enter into an investigation of the entire question it should be amended so as to do so. I am in favor of commencing the investigation from the beginning of the Civil Service Commission down to the present time. If any one in the Cleveland Administration was found violating the civil-service reform I am in favor of having the fact come out. I am in favor of the fullest investigation, going back to the very beginning of the creation of the Civil Service Commission. If any dereliction can be shown against any one I am in favor of the responsibility being put where it belongs. This investigation I understand is to be non-partisan and is to include the whole system.

Mr. STONE, of Kentucky. Would it be in order to move to this resolution an amendment repealing the civil-service law?

The SPEAKER. The Chair hardly thinks that would be in order. The resolution was adopted.

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

The latter motion was agreed to.

UNITED STATES PRISONS.

Mr. EZRA B. TAYLOR moved that the House resolve itself into the Committee of the Whole.

The motion was agreed to; and the House accordingly resolved itself into the Committee of the Whole, Mr. BURROWS in the chair.

The CHAIRMAN. The committee resumes the consideration of the bill (H. R. 182) for the erection of United States prisons, and for other

purposes. The pending question is on the amendment proposed by the gentleman from New Jersey to section 3, which the Clerk will report.

The Clerk read as follows:

Amend by striking out the words "Attorney-General" wherever they occur in section 3 and substitute therefor the following words: "Secretary of the Interior."

Mr. MCADOO. Mr. Chairman, I understand that the gentleman from Georgia [Mr. STEWART] in charge of this bill has some written statements from the ex-Attorney-General, as well as the present Attorney-General, on this subject, who favor the inclusion of the Department of Justice. My objection to that is based entirely upon principle. I do not believe it to be a wise policy to intrust the administration of a prison to the prosecuting officer of the Government. My own idea has been that it is only in the comic opera where the lord high chancellor and the lord high executioner are one and the same and the duties of their respective offices are combined in the same individual. The Attorney-General of the United States has a quasi-judicial function to exercise, and it is his duty as such to protect the liberty of the citizen, on the one hand, as well as to enforce the laws of the Government, upon the other. But by the combination of the two functions as embodied in this bill you make the Attorney-General the prosecutor in the first place and then the administrator of the jail. He has to prosecute the defendant for an infraction of the law and secure his conviction in the courts as such prosecutor, while at the same time, in his character as a quasi-judicial officer, he has to protect the liberty of the defendant, the latter duty being just as much incumbent upon him and as much a function of his office as the other. On the one hand he is the defender of the liberty of the citizen, and on the other you excite his zeal as an administrator of the jails of the country to make the best showing possible in regard to them.

Suppose, for instance, that there was in some section of the country a jail—one of the three proposed by this bill—which on an economic showing as to the conduct of its affairs was proved to be not self-sustaining. You excite, then, the zeal of the administrator of the jails to make the best showing possible in regard to them, and, if possible, to make them all self-sustaining; and yet one of the administrators of the jails to make them self-sustaining is this very man, the Attorney-General, who, as a quasi-judicial officer, must protect the rights of the citizen, keeping them vacant, and, as an administrator of the jails, must seek to make them self-sustaining.

Now, I have no objection to the present or the future Attorney-General acting in concert with the Department of the Interior in this regard. But, Mr. Chairman, I believe it will be a wise principle in this country, in the making of rules for the administration of these penal institutions, to separate these two functions, and that the conduct of the prisons should be given to the Department of the Interior, where it naturally belongs, and that it should rest there alone.

Mr. EZRA B. TAYLOR. Mr. Chairman, as suggested the other day, the amendment of the gentleman from New Jersey [Mr. MCADOO] would more properly come in at the next section. The proposed amendment is to strike out the words "Attorney-General," first line of section 3, and insert words which are already there. The gentleman proposes to strike out "the Attorney-General" and insert "the Secretary of the Interior."

This section, however, only provides for the selection of the location of the prisons, the purchasing of the site, etc., and there the Attorney-General is joined with the Secretary of the Interior. As it now stands, it would be obviously a mistake to strike out the words "Attorney-General" and put in there "the Secretary of the Interior." I think, however, when the next section is reached the amendment would be perhaps applicable.

Mr. MCADOO. I want to say, with the permission of the Chair, to the gentleman from Ohio that perhaps it would be better to offer this amendment at the close of the bill, because I want it to apply to every section where the words "Attorney-General" appear.

I will withdraw the amendment for the present and offer it at the close of the bill.

The Clerk read sections 4, 5, and 6. Section 7 was read, as follows:

Sec. 7. That this act shall not apply to minors who, in the judgment of the judges presiding over United States courts, should be committed to reformatory institutions.

Mr. KERR, of Iowa. I offer the amendment which I send to the desk, to come in at this point.

The Clerk read as follows:

Strike out section 7 and insert, as section 7, the following:

"The Attorney-General shall make such rules and regulations for the care, education, and improvement of juvenile offenders as he may deem proper, in conformity with the humanitarian spirit of the age."

Mr. KERR, of Iowa. Mr. Chairman, at the beginning of this session of Congress, at the request of one of the officers of the Department of Justice, I introduced a bill for the creation of a commission looking to the erection of a prison which would provide for the care of the United States prisoners, including the juvenile offenders, House bill No. 300. The object to be obtained by the bill I introduced has been anticipated by the committee in the bill reported. I did not anticipate it would be taken in hand by the committee, at least not so soon.

I concede that there is necessity that these prisons should be estab-

lished. But it is no more necessary to have prisons for the incarceration and care of the aged and mature criminals of the United States than it is to have them for the juvenile offenders of the country; and I think we ought to provide in this bill for the care of the juvenile offenders.

In the bill that I introduced was this provision:

That the commission appointed should inquire and provide for a reformatory for juvenile offenders or first offenders, with a capacity of five hundred such persons.

Now, this is entirely omitted in this bill and I think it should be left to the discretion of the Attorney-General, in connection with the building of the prisons, to make suitable provision for the care, education, and improvement of the juvenile offenders, and hence I have proposed the amendment, which I hope will be adopted.

Mr. EZRA B. TAYLOR. Mr. Chairman, my objection to this amendment is twofold. First, it is premature, I think, and, second, it would be giving to the Attorney-General too much power. It would be giving him more power than I would like to see him have now in relation to this matter.

This, as has been said by the gentleman from Iowa, is only a step, the first step and the necessary step in the direction at which we want to arrive. There are other bills, covering the same points as that to which the gentleman refers, now pending in the Judiciary Committee, and they will be considered properly and reported, I have no doubt, at some time or other. How they may be reported of course I do not know, but at all events they will be carefully considered; and I would object to inserting such a provision as he suggested in this bill, which is simply now a provision to build prisons for the imprisonment therein of convicts of the United States of mature ages, it being rendered necessary now by the action of the States in reference to the use of their prisons, and I prefer to leave the bills which embody the suggestion which the gentleman from Iowa has just made to be more carefully considered hereafter.

I hope the amendment will not be adopted.

The amendment was rejected.

Mr. PERKINS. I have an amendment which I desire to offer to this section.

The Clerk read as follows:

Amend by adding the following to section 7:

"And provided, That nothing in this act shall be construed as prohibiting the courts of the United States from sentencing or confining prisoners, either civil or military, in the United States military prison at Fort Leavenworth, Kans."

Mr. PERKINS. I presume there is no objection to that. I would say that the Government has a large military prison in which military prisoners are confined, and I think some civil ones, at Fort Leavenworth, and I think this amendment should be adopted.

The amendment was agreed to.

Section 9 was read, as follows:

SEC. 9. That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement: *Provided*, That this act shall not apply to the States of California, Oregon, Nevada, and Washington, and the Territories of Utah, Idaho, and Wyoming.

Mr. EZRA B. TAYLOR. I move to strike out the word "*Provided*," in line 3 of this section, and all the subsequent words. This has been rendered entirely unnecessary by the amendment that was adopted to the present section.

The Clerk read as follows:

Amend by striking out the following words in section 9: "*Provided*, That this act shall not apply to the States of California, Oregon, Nevada, and Washington, and the Territories of Utah, Idaho, and Wyoming."

Mr. CLEMENTS. I move to strike out the last word.

I suppose this bill is to pass, but inasmuch as I can not support it I desire to state the reasons why I will not. The statement has been made that the necessity has grown up for Federal prisons. The United States Government has gotten along for over one hundred years without any provision of this sort. There has been no difficulty shown here—

Mr. BRECKINRIDGE, of Kentucky. That is the very difficulty in my mind about voting for this bill. Why should there be any Federal prisons at all? Why should we not make some regulation that will require the district courts of the United States to send Federal prisoners to the penitentiary in the States in which the prisoners are convicted? Now, it seems to me that if that could be done we would get rid of the climatic argument which has been used. The prisoner would then be near his home, and the true reformatory object would be obtained by sending the prisoners to the penitentiary in the State in which they are convicted.

Mr. OUTHWAITE. I do not want to break into the remarks of the gentleman from Georgia at this point, but I would like to answer that question.

Mr. CLEMENTS. I will not be able to yield to the gentleman from Ohio, as I have only five minutes.

Mr. BRECKINRIDGE, of Kentucky. I will endeavor to obtain the floor and yield time to the gentleman from Georgia.

Mr. CLEMENTS. I am not complaining of the interruption of the gentleman from Kentucky, but I can not yield to the gentleman from Ohio, because I have so little time, and the gentleman from Ohio can obtain the floor. I see no difficulty myself of a law being framed on

the idea suggested by the gentleman from Kentucky, and his suggestion would be a complete answer to the climatic difficulties suggested. Still I have not thoroughly investigated the question as to the authority of the Federal Government by act of Congress to make use of the State prisons for this purpose; but practically, so far as experience has been shown here in this debate and in this argument, there has been no time in the history of the country when the Government of the United States has not been able to make arrangements with a number of the States for the imprisonment of its convicts. It has always been possible; it has always been done; it is done to-day.

Mr. STEWART, of Georgia. If the gentleman will permit me to interrupt him I will state that it is not done in all the States now. The State of Illinois has absolutely refused to permit the convicts of the Government to go to its prisons.

Mr. CLEMENTS. That may be true. Still that is only one State out of forty-two States that are in this Union now.

Mr. STEWART, of Georgia. I will also state to my colleague that the State of Georgia does not permit it. An act has been passed under which any jailor or sheriff can decide whether he will or will not receive them.

Mr. CLEMENTS. So far it has been demonstrated that few States have passed bills preventing Federal prisoners from being confined in the State penitentiaries. The law of Georgia does not prohibit it. Not more than two or three States have been named out of the forty-two in this Union, but we know that in a majority of the prisons throughout these States Federal prisoners are taken care of.

Now, so far as the working of the past is concerned, as demonstrated by this discussion and by the report, no difficulty has been shown in providing for the proper imprisonment and punishment of Federal convicts in the different State prisons of the Union. The States of the Union and the people make up this Government, and so far as the question of humanity is concerned, which has been urged as a reason for the passage of this bill, I would suggest that the sentiment of the people of the States and the laws enacted by the States and Congress are just as likely to insure that proper humanity will be exercised in the State prisons as in any Federal prison. What is the necessity for this large expenditure and for this permanent appropriation in different quarters of this country for the reception of prisoners? It seems to me that it would be better for Congress to devote some little time to the amendment or repeal or revision of some of the unjust laws under which innocent men are now sent to prison.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky, was recognized, and yielded five minutes to the gentleman from Georgia.

Mr. CLEMENTS. I am very much obliged to the gentleman from Kentucky. I have only a few words more to say. It was stated by my colleague [Mr. STEWART] a few days ago, in the beginning of the debate on this bill, that there were several hundred prisoners last year who were imprisoned for violation of the internal-revenue laws. I presume the number this year—

Mr. STEWART, of Georgia. It is not so many as that. I will obtain the report for you and let you see.

Mr. CLEMENTS. I am not sure what the number is. I have not read the report. It was several hundred. The convictions under the internal-revenue law are in relation to the manufacture and sale of whisky and tobacco.

Mr. BUCHANAN, of New Jersey. The number under the internal-revenue laws was twenty-nine. I know it interferes seriously with the gentleman's argument; but that is the number.

Mr. CLEMENTS. What did that relate to?

Mr. BUCHANAN, of New Jersey. I read from the report:

During the year ending June 30, 1889, there were received in the different penitentiaries, reformatories, etc., throughout the United States 1,083 prisoners.

Mr. CLEMENTS. The twenty-nine referred to only includes the long-term prisoners. There are several hundred each year in all.

But it does not matter what the number is. The principle is what I want to speak of. Under the internal-revenue laws which relate to the manufacture and sale of whisky and tobacco many of these convictions are had—under the internal-revenue law which prevents a man who plants his tobacco and who puts his labor into it and cultivates it upon his own land from selling it in the open market.

Mr. BUCHANAN, of New Jersey. We are going to fix that as sure as you live.

Mr. CLEMENTS. The gentleman says his party is going to fix it.

Mr. EZRA B. TAYLOR. This House is going to fix it.

Mr. CLEMENTS. I will send to the Clerk's desk and have read what the present Speaker of the House said in relation to that matter on the 16th day of December, 1887, and I want the attention of the House to the necessity he mentioned for prompt action in reference to a repeal of these laws.

The Clerk read as follows:

Mr. Speaker, I think the peculiar condition of the business affairs of this country renders the action which has been taken, or rather the non-action which has been suffered, by the Democratic side of this House matter for legitimate criticism both here and before the country. I think that, taking it all in all, it is without a precedent under the circumstances. Many changes are proposed in the rules of the House—we have adopted none—and yet it is proposed here to adjourn until after the holidays and commence where it has been the custom

heretofore to begin at the opening of the session. If there were no public matters of deep interest before the country awaiting legislation such a course might awaken only a passing comment. But to-day we are pressed upon by a serious public duty, which is the reduction of a surplus which is coming into the Treasury in a manner calculated, under the management of the Treasury Department, to become a serious embarrassment to the business affairs of the country. We are all agreed, at least upon this side of the House, that the surplus should be reduced, and we stand ready now, before the holidays, to make one reduction in which the other side of the House are agreed—that is, in relation to the tobacco tax; and I hope that an opportunity will be given us before we separate, by the powers that be and that are to be, to vote thereon and show to the country some disposition proper and suitable in this matter.

Mr. CLEMENTS. Now, Mr. Chairman, one word more. The gentleman from New Jersey [Mr. BUCHANAN] says that we are going to remedy this oppressive tobacco tax, which prohibits a man from cultivating, raising, and selling freely in the open market, to the highest bidder, the product of his own land and of his own toil. I have had this extract from the RECORD read for the purpose of reminding the other side of the House of the eagerness with which they desired two years ago, even before the holidays, to enter upon a repeal or correction of that law and the impatience with which their leader then, now Speaker of this House, desired to reach a vote upon that question.

Mr. BUCHANAN, of New Jersey. And was not allowed to by the then Speaker.

Mr. CLEMENTS. The last House did pass a bill greatly modifying these laws, and the Senate refused to let it become law.

I wish further to call the attention of the House to the fact that the present Speaker of this House, then the leader of the other side, when it was proposed to adjourn and go home for the holidays, objected and said that the House would come back after the holidays in the condition in which this House was usually at the beginning of the session, to wit, without rules, and without having adopted this necessary legislation; and also to the fact that now, on the 27th day of January, six weeks later in the session than the time at which the gentleman made those remarks two years ago, we are still in the condition which he then described, to wit, without any rules and without a bill reported to correct this oppressive law and its abuses. The country needs legislation that will avoid the cruel imprisonment of honest people under oppressive and un-American laws more than it needs prisons in which to incarcerate them.

The CHAIRMAN. The time of the gentleman has expired. The question is on the motion to strike out the proviso.

The motion was agreed to.

Mr. EZRA B. TAYLOR. Mr. Chairman, I move that the committee rise and report this bill to the House.

Mr. STONE, of Kentucky. I ask unanimous consent to offer an amendment to come in at the close of the third section of the bill.

The CHAIRMAN. The gentleman from Kentucky [Mr. STONE] asks unanimous consent to return to section 3, and proposes an amendment thereto. Is there objection?

Mr. EZRA B. TAYLOR. Let us hear the amendment.

The amendment was read, as follows:

Add to section 3 the following:

"That in the construction of the prison buildings provided for in this act there shall be such arrangement of cells and yard-space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be, as far as possible, reformatory."

Mr. EZRA B. TAYLOR. Mr. Chairman, inasmuch as that subject is under consideration in another bill, and as, in my judgment, we can not make the necessary provisions in this bill, while I am in favor of the idea contained in the gentleman's amendment, I think I shall have to object to its being put into this bill.

Mr. STONE, of Kentucky. I can see no reason, Mr. Chairman, why the amendment should be objectionable. If we are going into the business of constructing prisons for the imprisonment of persons sentenced by the United States courts, there will unquestionably be many persons below the age of twenty so sentenced, and I think we ought to provide for them.

Mr. EZRA B. TAYLOR. I would suggest to the gentleman that section 7 of this bill already makes such a provision as he desires. It provides that this act shall not apply to minors.

Mr. STONE, of Kentucky. I suggest to the gentleman from Ohio that we have no United States reformatory institutions now.

Mr. EZRA B. TAYLOR. The gentleman is laboring under a mistake; we have one in this District.

The CHAIRMAN. The gentleman from Ohio [Mr. EZRA B. TAYLOR] objects to returning to section 3. The Chair has no power over the matter, and therefore the amendment is not before the committee.

Mr. MCADOO. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. Is it an amendment to section 9?

Mr. MCADOO. It applies to the last section and also to the other sections of the bill. When the amendment is read, I will explain my intention to the gentleman from Ohio [Mr. EZRA B. TAYLOR].

Mr. CLUNIE. Mr. Chairman, I would like to hear section 9 read as amended.

The CHAIRMAN. The amendment merely strikes out the proviso. The amendment of Mr. MCADOO was read, as follows:

Amend by striking out the words "the Attorney-General" in section 1 of the bill; in section 2 substitute "Secretary of the Interior" for the words "Attorney-

General;" strike out the words "Attorney-General" in section 3; strike out the words "Attorney-General" in section 4 and substitute "Secretary of the Interior;" strike out in section 5 the words "Attorney-General" and substitute "Secretary of the Interior;" strike out in section 8 the words "Attorney-General" and substitute "Secretary of the Interior;" strike out in section 9 the words "Attorney-General" and substitute "Secretary of the Interior."

Mr. EZRA B. TAYLOR. I raise the question of order as to that amendment excepting as it relates to section 9.

Mr. MCADOO rose.

The CHAIRMAN. The Chair will hear the gentleman from New Jersey [Mr. MCADOO] upon the point of order.

Mr. MCADOO. Mr. Chairman, it would have been impossible to make this substitution unless I had offered an amendment to every section of the bill. If the Chair rules the amendment out of order, then I rise to a parliamentary inquiry, and ask the Chair whether it would not be proper to move to recommit the bill with instructions to report it back with the substitutions set forth in my amendment.

The CHAIRMAN. This bill has been read by sections for debate and amendment, and after any section is passed it is not in order to return to that section to amend it. The proposition of the gentleman from New Jersey is to amend each section of the bill, and the point of order is well taken that the amendment is not in order except as to the last section. As to the gentleman's parliamentary inquiry, it will be in order for the Committee of the Whole to report the bill back to the House with the recommendation that it be recommitted with or without instructions.

Mr. HOLMAN. I move to strike out the last word.

The CHAIRMAN. If the gentleman from New Jersey [Mr. MCADOO] desires it, the Chair will put the question on the last proposition of his amendment, to strike out the words "Attorney-General" in section 9.

Mr. MCADOO. The trouble is that the bill will be incongruous if those words be stricken out only in this section. But I will ask to have the question put on that part of my proposition.

The CHAIRMAN. The gentleman from New Jersey moves to strike out the words "Attorney-General" in section 9.

Mr. EZRA B. TAYLOR. Mr. Chairman, as there has been considerable discussion on this question, I wish to say a word upon it. In my opinion the officer of the United States best calculated to have charge of this matter of the care of prisoners is the Attorney-General of the United States. From a humanitarian point of view I believe his services are more valuable in this capacity than those of any other officer of the Government, because he knows, it may be presumed, more about the subject than does any other officer. All the reports concerning the prisoners are made to him; he has the whole matter in his charge; he therefore has the opportunity to know more thoroughly than any other officer of the Government the needs of the various classes of criminals.

Mr. Chairman, according to my observation in this world it is not the lawyer who becomes hard-hearted toward the criminal; on the contrary, he, more than the man in any other profession or business, understands the weaknesses of human nature and the temptations under which men may fall. And certainly his heart is as kind toward the unfortunate criminal as that of any other man. I think the lawyer has more tenderness in this respect than men of any other class, and I except none—not even the clergy.

Mr. Chairman, the reformatory suggestions put before this House and the country during a number of years past in regard to United States prisoners have uniformly come from the Attorneys-General of the United States. I hold in my hand now two letters in favor of this bill, letters dated this morning—one written by ex-Attorney-General Garland, the other by the present incumbent of that office, Mr. Miller. Both of these letters urge the passage of this bill because of its humanitarian character. A man holding the office of Attorney-General knows how to distinguish the hardened criminals from those who are not hardened in crime.

These letters furnish evidence that if you wish to find a man who is keenly alive to the interests of this unfortunate class you need go no further than the Attorney-General's office. The Attorney-General is not the active prosecuting attorney; he stands, as he ought to stand, defending the rights of the criminal as well as the rights of the public. I repeat—and if gentlemen will pause and reflect they will appreciate the force of what I say—of all the officers of this Government the man who will take the kindest and most thoughtful care of the prisoners of the Government is the Attorney-General. This view is confirmed by the character of these officers in the present and in the past, as it will be in the future.

Mr. Chairman, I regard it as one of the most valuable provisions of this bill that the Attorney-General, such a man as I have described him to be, with tendencies and feelings such as have always characterized the incumbents of this office, is to have the charge and direction of this very matter of the care of prisoners.

Aside from this, the Secretary of the Interior is already overburdened with business; and if this matter were placed in his charge it might result in a thoughtless administration of the law. I can not but repeat that if there is any officer of this Government who in the interest of the condemned ought to have the direction and control of the administration of this law it is the Attorney-General of the United States.

Mr. ROGERS. Mr. Chairman, I desire in a brief way to supplement the remarks just made by the distinguished chairman of the Judiciary

Committee [Mr. EZRA B. TAYLOR] with this statement: It must be remembered that in making any change of this description you at once invade the whole system of keeping the accounts of the Government. Under the present arrangement of affairs every question involving the improvement or repair of prisons, their regulation or control, goes through a regular channel from the different courts of the country to the Department of Justice, and receives the attention of officers whose special duty it is to rectify such evils as have been complained of.

Then, again, all questions with reference to pardons must of necessity pass through the Attorney-General's Department. The President in passing upon such questions requires a report from the Attorney-General, whose report shows the action of the different district attorneys and judges of the United States. Thus in the very nature of things there have grown up in the Department of Justice these different officers who deal with these questions relating to Federal prisoners. To provide now that the various questions arising in connection with these prisons, the conduct of prisoners, etc., subjects on which reports are now made to the Attorney-General, his action being based upon such reports—and on these reports the action of the President must at last be based in cases of pardons—would be to disarrange a well settled system, would interfere with the accounts in the Departments, would involve the employment of new accounting officers and the creation of new bureaus.

I therefore concur fully in what has been said by the gentleman from Ohio. I submit to my friend from New Jersey [Mr. MCADOO], who bases this proposition of his upon a humanitarian sentiment, that he will commit the gravest error he could commit if he should succeed in securing the adoption of an amendment of this kind which would disarrange the offices in these several departments as they have grown up and as they now control and manage these affairs.

He will permit me to make one other suggestion. All the prisons of the United States are now under the control of the Department of Justice; and after eight years' service on this floor, during which committees organized in both branches of Congress have been looking after the interests of prisoners in this District, I have yet to hear a single complaint in regard to the administration of the prison here, that institution being now regarded as the model prison of the United States. This fact of itself demonstrates conclusively that the rules and regulations established by the Department of Justice have met the demand of public sentiment in this District, where will be found as many men who have studied these questions as will be found anywhere in the same space in the United States. I believe, Mr. Chairman, that if these prisons are established and are placed under the management of the Attorney-General, that officer will not be found an oppressor of the persons there confined, for he has a closer connection with the criminals of this District than any other officer of the Government, and no complaints arise here. I believe that no complaints will arise in regard to any rules or regulations which may be adopted by that great Department of the Government for the control of these prisons. Therefore I would dislike very much to see the amendment suggested by the gentleman from New Jersey incorporated into our public law.

[Here the hammer fell.]

Mr. STEWART, of Georgia. I desire for a moment the attention of the gentleman from New Jersey [Mr. MCADOO]. I have made full investigation in reference to this matter, and in all the countries in Europe except two the prison system is under the direction of the minister of justice. In all but four the minister of justice has supervision, formulates the rules and regulations, and has direct control of the prison system. I wish to call my friend's attention therefore to the fact that we are not out of line in this matter of the control of prisons.

I made a statement last week which I now wish to correct. I stated the prison system cost between \$350,000 and \$400,000 for the present year. I am informed that it does not include the item of mileage. I then stated we were paying the interest on \$10,000,000, but it is many thousands of dollars larger, as it does not include the heavy payments for mileage.

Mr. MCCREARY. Mr. Chairman, I think the prisons should be under the control of the Attorney-General all over our country. As stated, the Department of Justice in some way regulates the prisons of the country. I believe that, while justice should be certain and the law enforced, there is no class who would be more humane than the lawyers of the country or the Attorney-General of the United States.

Now, I think the work should be properly distributed. We find the Secretary of the Interior has now under his charge and reporting to him the head of the Land Office, the Commissioner of Pensions, the Commissioner of Education, the Commissioner of Indian Affairs, the Commissioner of Railroads, the Director of the Geological Survey, and the Superintendent of the Census. There is no other Department of the Government, perhaps, so weighed down with work and responsibility as the Interior Department, except it may be the Treasury. I do not believe we should now add any more responsibility to it; not only because it has now sufficient, but because the duties of the Secretary of the Interior are not in the line of the demands of this legislation. I hope, therefore, unless my friend from New Jersey withdraws his amendment, that it will not be adopted.

Mr. MCADOO. Mr. Chairman, I move to strike out the last word.

I have no desire to insist upon my amendment if it be the general desire of the House the Attorney-General should have charge of these prisons. I appreciate the full force of the remarks made by the gentleman from Arkansas [Mr. ROGERS] and the gentleman from Kentucky [Mr. MCCREARY] as to the responsibility of the Interior Department. You have already overloaded and incapacitated your Treasury and Interior Department. Personally I believe this and kindred affairs should be given to a department of public works. It is overloading the law department of the Government with incongruous duties relating to these prisons.

I have heard nothing from the gentleman from Ohio [Mr. EZRA B. TAYLOR] or other gentlemen which has changed my mind one iota as to the proposition that the law officer is the person to have the control of United States prisons and United States prisoners. In the matter of the regulation of commutation the Attorney-General is given a portion of the discretion which belongs to the judiciary. He helps to prosecute citizens who violate the revenue law. The judge fixes the sentence, and under this law the Attorney-General fixes the time the man shall stay in prison. He is the maker of the rules, and he is the only person who can fix the amount of commutation. You place the public prisons of the United States, by this bill, under the charge of the Law Department, when the only object should be to confine it to its law business.

You place these prisons under the sole charge of the Attorney-General, and you open them to the detectives and the various officers of the Federal Government to control prisoners who may be witnesses in other cases.

But as I said, Mr. Chairman, it seems to be somewhat the general sentiment of the House that this matter should be given to the Attorney-General, and as I was not able to offer an amendment to the first section of the bill, where the word Attorney-General occurs, I therefore ask leave to withdraw the amendment.

The CHAIRMAN. The amendment will be considered as withdrawn.

Mr. STONE, of Kentucky. Mr. Chairman, I offer the following new section to be added to the bill.

The Clerk read as follows:

Provided, That in the construction of the prison buildings provided for in this act there shall be such arrangements of cells and yard space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be as far as possible reformatory.

Mr. EZRA B. TAYLOR. Mr. Chairman, that amendment will be accepted by the committee.

The CHAIRMAN. Then, without objection, the amendment will be considered as agreed to.

There was no objection, and it was so ordered.

Mr. EZRA B. TAYLOR. I move that the committee do now rise and report the bill favorably to the House.

Mr. HOLMAN. Before that motion is submitted I desire to submit a few remarks upon the general features of this bill. I do not like to antagonize the Judiciary Committee, and I highly appreciate the ability and prudence of the gentleman from Georgia [Mr. STEWART] who reported the bill. But I regret, sir, that the committee have seen proper to recommend this measure. I think there is no existing evil which requires the remedy contemplated by the bill. There may be parts of the country where it is inconvenient to make contracts for the custody and safe-keeping of prisoners convicted by the Federal courts; but if such exists, it certainly can not apply to any material extent of country or to any considerable number of States. There has never been any question as to the propriety of continuing the present system in the States of the Northwest, so far as I am informed, nor do I believe that there has been or will be any difficulty in making contracts for the imprisonment of persons convicted in the Federal courts in most of the States. Gentlemen should bear in mind, therefore, in the consideration of this bill, that there are but few States of the Union which discourage or prohibit arrangements between the State authorities and the Attorney-General for the keeping of the Federal prisoners. There are over thirty State prisons and State institutions where the convicts of the Federal courts are now imprisoned.

Now, what is the effect of this bill? and I call the attention of gentlemen specially to the effect. In the first place, it still further separates our Federal system from the several States of the Union. With some gentlemen this seems to be all right and proper; but I must say that every step in the progress of our legislation which more completely centers in the Federal system the powers that are safe under State authority is objectionable. And, Mr. Chairman, it should also be remembered that while this measure will not diminish at all the number of State officials employed for such purpose, not by a single man—just see what an army of employés under the Federal Government you are providing for. Let us read the fourth section of the bill. It provides:

That the control and management of said prisoners be vested in the Attorney-General—

That is perhaps well enough under facts submitted by gentlemen if this system must be adopted—

who shall have power to appoint a superintendent, assistant superintendent, warden, keeper, and all other officers necessary for the safe-keeping, care, protection, and discipline of such United States prisoners.

I think you have never conferred upon a public officer such enormous power, such unlimited power, such absolutely unrestricted power in regard to appointments.

Mr. STEWART, of Georgia. Will the gentleman permit me to ask him a question?

Mr. HOLMAN. Certainly.

Mr. STEWART, of Georgia. I wish to ask the gentleman if he does not know that that power is already conferred upon the Attorney-General, who makes all the appointments for the five prisons and reformatory institutions, while this makes provision really for a less number of officers than have heretofore been provided.

Mr. HOLMAN. To the limited extent to which that officer now exercises the power named in institutions in this District and in the Territories exclusively under Federal control there is perhaps no great ground of complaint, for that is inevitable. But here is a bill for the establishment of three grand central establishments, and my friend will bear in mind that, whilst we do not diminish the number of State officials one man, we necessarily create, and will create, a very large number of Federal officials to take charge of these institutions.

Mr. STEWART, of Georgia. Will the gentleman please answer the question I have asked him: if it is not a fact that while there are five of these institutions now, with a full complement of attendants, this bill makes provision but for three, and is therefore a decrease of the number instead of an increase.

Mr. HOLMAN. Those, of course, will still remain. The system that has heretofore been established for the care and custody of these prisoners has been eminently satisfactory, as far as the House is informed. The institutions in this District will be continued, and the appointment of the small number of persons necessary to take control of them will of course be inevitable. It was then necessary and was exclusively a Federal matter. But here is an unnecessary piece of legislation, involving a large expenditure of public money in the first instance and a large increase of Federal appointments. There is no real ground of complaint against the present system. I do not know, of course, how it may be in Georgia. But no complaint has reached this House as to the policy that has so long prevailed in the safe-keeping and maintenance of these prisoners that would seem to warrant the very large expenditure involved in this bill and the large increase of Federal officers it necessarily involves; for I repeat, gentlemen, that, while you do not diminish the number of State officials employed in this branch of the public service, you enormously increase the number of appointees of the Federal Government. A measure involving such results ought not to be adopted unless there be an absolute and real necessity for it. I submit that no such necessity is shown to exist, so far as this House is informed. I trust this bill will not become a law.

I withdraw the *pro forma* amendment.

Mr. SWENEY addressed the Chair.

Mr. SPINOLA. I move to strike out the last word.

The CHAIRMAN. The Chair has recognized the gentleman from Iowa, who desires to offer a substantial amendment.

Mr. SWENEY. Mr. Chairman, I desire to propose what I send to the desk as an amendment to section 7, an addition to that section.

The CHAIRMAN. Section 7 has been passed over.

Mr. SWENEY. I ask the gentleman from Ohio if he will not consent to recur to that section for the purpose of considering this amendment?

Mr. EZRA B. TAYLOR. I feel obliged to object, Mr. Chairman; I can not consent to that.

Mr. SWENEY. Then I offer it as an additional section to the bill. The Clerk read as follows:

That the Attorney-General shall be, and hereby is, authorized to make new or continue old contracts or arrangements with the authorities of any State for the confinement and keeping of prisoners in the penitentiaries of any State when such arrangement shall be less expensive to the United States than to transport convicts long distances to the prisons provided for in this act.

Mr. HILL. I wish to make a parliamentary inquiry: Whether that amendment would preclude an amendment to section 9, which I hold in my hand.

The CHAIRMAN. It would. The amendment to section 9 the Chair will recognize first.

Mr. EZRA B. TAYLOR. But that has been passed over.

The CHAIRMAN. The Chair was in error. Section 9 has been passed, and a new section, section 10, added.

Mr. SWENEY. I desire to ask the gentleman from Ohio in charge of the bill if he has estimated the expense of transporting prisoners from the different parts of the country to these various prisons that are proposed in the bill.

Mr. EZRA B. TAYLOR. In answer to the gentleman's question, I will state that I have not made any such estimate, neither is it possible of estimation, neither can the gentleman or anybody else estimate it. I can make this statement, however, that as it is now the transportation is very large and forms a very considerable item; for instance, as to Albany State prison, prisoners are sent there from the extreme South and other parts of the country. But that condition of affairs changes all the time, and how it will be hereafter if this bill does not pass no one knows. Certain prisons heretofore accessible have been closed altogether against the Government, and it is not a mere

question of cost, but it is a place to put the prisoners. Again, the officers who have the matter in charge, both the present Attorney-General and the last one, estimated this system as one of saving in the keeping of prisoners, instead of enlarging the costs.

Mr. SWENEY. Mr. Chairman, I find by the report of the Attorney-General for 1889 that there are forty-three prisons in the States of this country and in the Territories where Federal prisoners are confined. Six of these are west of the Rocky Mountains. I find that the expense of transporting prisoners from the city of Washington to Albany, N. Y., averages, where two are taken at a time, between \$30 and \$35 per prisoner. On page 34 of the Attorney-General's report I find that the expense (as I read this and understand it to be), with reference to the transportation for prisoners for the year preceding, was \$334,000 and something over. The number of prisoners delivered to the several prisons of the country was 1,083, making an average cost of nearly \$32 apiece for their transportation, this transportation being to forty-three prisons, scattered all over the United States and Territories and easily accessible to any district or circuit court of the country. I believe that the system of transporting convicts to three prisons in the country would be more than double the expense that is now incurred in the transportation, and would cost from three-quarters of a million to a million dollars annually. Ten hundred and eighty-three prisoners were taken to the prisons in the year preceding July 1, 1889, while at the expiration of a year from that but little over twelve hundred were remaining in the prisons, thus showing, on an average, a term of imprisonment of a little over one year.

I deem it an unnecessary expenditure to transport prisoners from a remote section of the country for imprisonment for short terms, averaging, a great many of them, but a few months, while there are so many places in the country that do receive prisoners, there being forty-three according to this report of the Attorney-General of 1889; and, as is known to every member doubtless upon the floor, almost all the States are willing to receive prisoners of their own States, and thus save that enormous expense for transportation to the Government. It is for these reasons that this amendment is offered.

[Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the adoption of this amendment.

Mr. CHIPMAN rose.

Mr. HOLMAN. I hope that the amendment will be again reported. The amendment was again read.

Mr. CHIPMAN. I wish to make one remark in regard to this amendment. It restores the very feature of this bill we eliminated, and which was the object of the amendment—

Mr. SWENEY. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SWENEY. Was the result of the vote declared?

The CHAIRMAN. The gentleman is speaking to the amendment.

Mr. CHIPMAN. The amendment restores to the bill the very feature that was sought to be eliminated by the amendment of the gentleman from New York [Mr. RAINES]. That amendment forbids the use of machinery in prisons. The object of that was to prevent competition with free labor, and the only inducement in my mind which there is to vote for this bill is the presence of that very amendment prohibiting that competition. Without it I should oppose the bill. The amendment of the gentleman from Iowa restores it. It provides a way to upset the system we established. Under that amendment the prisons in my own State and the prisons in other States may be filled by contract with United States prisoners, and injure the business and take away the means of livelihood of thousands of workmen who have not graduated in crime, who have committed no crime and so earned the opportunity to compete with these prisoners.

Every other reason, except the removing of competition with free labor, is against the bill. The reasoning of my friend from Indiana against it is very strong. The remarks which have been dropped by other gentlemen I agree with, and would support if I did not feel that this measure as it now stands treats free labor fairly. Every other reason except that one reason is against the adoption of this measure. But, if the amendment offered by the gentleman from Iowa is incorporated in the bill, then it should be defeated in its entirety, because it leaves the odious features of prison labor in force.

[Here the hammer fell.]

The CHAIRMAN. The question is upon the amendment.

Mr. SPINOLA. I move to strike out the last clause in the bill.

I shall deem it to be my duty as a Representative on the floor of this House to vote against this bill when the time comes to cast my vote. I shall vote against it, sir, for the reason that it is going to place additional burdens upon the people of the country. The expense of the construction of the three prisons contemplated by the bill will, before they are completed, be not less than \$3,000,000. The annual cost of the support of each prison, when it is completed and their whole army of office-holders have been appointed, will not be less than three or four hundred thousand dollars, while to-day the entire expense is met by an appropriation of about \$400,000, including transportation.

Now, sir, I hold that at this particular time there is no necessity for this extraordinary outlay. We are here to protect the people. They

are already overburdened with taxation of various kinds. If this is to be resorted to as a means of disposing of the surplus in the Treasury, all very well; let the majority of this House take the responsibility and empty the Treasury if they think it proper and prudent and politic to do so. So far as I am concerned, in the interest of the Treasury of the country and in the interest of the overburdened tax-payers, I shall vote against this bill.

Now, sir, the argument here is that it will not cost any more. In the report I find the following about the cost of conducting a United States penitentiary:

Will not in my opinion be greater eventually than the cost of subsistence of the prisoners.

"Will not be greater eventually." There is a great admission, coming from the Attorney-General himself, that it is going to largely exceed the present cost to the people and the Government. Therefore, sir, there is no man to-day on the floor of this House who has any idea of what the actual cost will be to the Government if this bill should pass.

The CHAIRMAN. Debate upon this amendment is exhausted.

Mr. McMILLIN. Mr. Chairman, I move to strike out the last word.

Mr. STEWART, of Georgia. I ask the gentleman from Tennessee [Mr. McMILLIN] to yield to me for a moment while I have a letter read.

Mr. McMILLIN. I yield to the gentleman for that purpose.

Mr. STEWART, of Georgia. I send to the Clerk's desk a letter which I ask to have read to the House.

The Clerk read as follows:

WASHINGTON, D. C., January 27, 1890.

DEAR SIR: Your letter touching the subject of building separate United States prisons is received and has been carefully read.

When I was Attorney-General I gave this subject much attention and most careful examination. I believe now, as then, these separate prisons for United States convicts are absolute necessities for the well-being of the prisoners in a certain and uniform treatment, and in economy to the United States in all the expenses incident to this business, and I do not see how, in justice and humanity, this can be longer postponed.

More elaborate reasons for this conclusion will be found in my annual reports as Attorney-General submitted to Congress from 1885 to 1888, inclusive, and subsequent reflection has confirmed and made stronger those reasons to my mind.

Very truly, etc.,

A. H. GARLAND.

Hon. J. D. STEWART, M. C.

Mr. McMILLIN. Mr. Chairman, I have examined this bill with what care my many other duties would allow, and it seems to me that its provisions are not such as to commend it to enthusiastic support in this House. I must state that at first I was prejudiced in favor of the report of the committee from which this bill comes, knowing the usual painstaking character of its members and more particularly of the gentleman who reports the bill [Mr. STEWART, of Georgia], and who, I know, is extremely vigilant to secure what he deems to be correct legislation; but careful scrutiny develops the fact that, whereas we are now expending some \$300,000 to \$400,000 per annum in the care and custody of our prisoners, it is proposed by this bill to construct three Government prisons at a cost of half a million dollars apiece, and an additional expenditure of \$100,000 for machinery, making the first cost \$1,600,000, upon which the mere interest charge alone, even at the low rate at which we now obtain money, would be double the present cost of keeping the prisoners.

But even this does not include all the expense, because, after you get the prisons built, the cost of transporting the prisoners to these prisons will be much greater than the cost of sending them to the several State prisons in which they are now confined. Then the expense of running the prisons will be greater than the total cost now, in my opinion. I do not believe, sir, that this bill is a remedy for any evil. On the contrary, I think the true policy is to cut up the root of this trouble. Have fewer United States prisoners by making those amendments to the internal-revenue laws which were proposed and passed by the House in the last Congress, and cut down the Federal jurisdiction, which is a curse and an oppression as it is now administered.

Some gentlemen try to confuse this question. It is not a question as to whether or not prison labor should be brought in improper contact with free labor. Where that is the question, I will always be found fighting for the interests of free labor. Improper contact can be prevented, whether we build penitentiaries for the Government or not.

Mr. STEWART, of Georgia. Does the gentleman know how many persons convicted of violations of the internal-revenue laws were confined in the prisons during the last year?

Mr. McMILLIN. I do not know the number.

Mr. STEWART, of Georgia. Twenty-nine.

Mr. McMILLIN. Twenty-nine; but I want to state to the gentleman from Georgia that this bill provides for the incarceration in these United States penitentiaries of every man whose term of service is more than twelve months, and I think even those convicted of misdemeanors can, under the bill, be so incarcerated.

Mr. CLEMENTS. I want to ask my friend from Georgia [Mr. STEWART] and also the gentleman from Tennessee [Mr. McMILLIN] if it is not true that many hundreds of persons are convicted under the internal-revenue laws and sentenced to imprisonment for sixty days or thirty days who are not included in the number stated by the gentleman from Georgia, but who might be sent to these prisons?

Mr. STEWART, of Georgia. They could not be, unless they were sentenced for one year. It would not change the existing system at all.

Mr. McMILLIN. Now, Mr. Chairman, I do not want to occupy the time of the committee at any length. As I said before, I know how careful and painstaking the gentleman from Georgia [Mr. STEWART] is, but in this case I believe that the House is making a blunder in providing for the construction of three United States penitentiaries. For more than one hundred years we have got along without such institutions, and for one I have no desire to see the Federal power extended beyond what is necessary. Under this bill there is no limit, I believe, to the number of officers that may be employed by the Attorney-General and no limit to the salaries that may be paid them. A discretion is given by this bill to the Attorney-General which I think ought to be retained by the lawmakers themselves, or ought at least to be limited by statute. I will not detain the committee longer. I simply wanted to enter my protest against this proposition, and in conclusion I suggest that if we are going into this business at all we ought to do it tentatively. Construct one prison only now and see how it works, instead of going on and spending \$1,600,000 in a mere experiment, and that an experiment which has never been found necessary in our country's history.

Mr. EZRA B. TAYLOR. Mr. Chairman, the reason this bill is now presented is because the time has arrived when it is necessary. It may not have been and was not necessary when the population of the country was limited and the number of prisoners few. But now, when we have 65,000,000 of population and convictions are numerous, and when in addition there are no places where these prisoners can be put, this is no longer a matter of discretion.

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

Mr. EZRA B. TAYLOR. Certainly.

Mr. McCREARY. This bill provides for the confinement of all persons who have been convicted of crime and sentenced to imprisonment for one year or more. Where do you propose to confine those who are not sentenced for as long a term as one year?

Mr. EZRA B. TAYLOR. We propose to put them where we do now.

Mr. McCREARY. Then under this bill those United States prisoners, whatever their number, who are not sentenced for as long a term of imprisonment as one year are to be confined as they are under the present law.

Mr. EZRA B. TAYLOR. Just as they are now.

Mr. McCREARY. I would like to ask the gentleman from Ohio how many such prisoners there are in the United States now. I mean prisoners who have been convicted and sentenced for less than one year.

Mr. EZRA B. TAYLOR. There is no report giving me that information.

Mr. McCREARY. I understood some gentleman to state here in debate that the number of convictions with sentences for a term less than one year is greater than the sentences for one year and longer. Is that correct?

Mr. EZRA B. TAYLOR. I think not. In regard to convictions I will state that there are in certain courts of this country a great many convictions with no sentences. In certain United States courts in Alabama there are now hundreds of convictions with no sentences, the sentences being suspended.

Mr. McMILLIN. I wish to ask my friend from Ohio this question: If the State prison is a safe and proper place in which to imprison a man who is convicted for, say, ten months, why is it an unsafe and improper place for one convicted for twelve months?

Mr. EZRA B. TAYLOR. I have not time to answer that question; it is so small it must answer itself.

Now, Mr. Chairman, I want to proceed a moment with the statement I was making. The time has now come when convictions under the United States laws are so numerous and the places where United States prisoners may be confined are so limited that it is not a question of cost, not a question of discretion, but a matter of necessity, that the United States furnish some place that can be used for the confinement of these prisoners.

There was a time, and only recently, when the State prisons, the prisons called penitentiaries in some of the States, were anxious to receive these United States prisoners, because out of their labor they could make a profit. But the labor agitations have cut off such opportunities, and now in many cases the doors of the very prisons which formerly were reaching out to make contracts for the services of United States prisoners are shut against them, and those institutions can not receive them if they wished to do so. In other States the convictions under State laws are becoming sufficiently numerous to require the use of all the State prisons, and in such States those institutions have refused or are refusing these prisoners or are giving indications of an intention to refuse, even where to-day they are receiving them.

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

Mr. EZRA B. TAYLOR. I would like to continue a moment in my own way. Attorney-General Miller writes:

In many of the districts of the United States there is no penitentiary suitable for the confinement of Government convicts, and the Attorney-General is com-

pelled to make arrangements for their incarceration in prisons situated in other States and Territories. At the present time there is not a single institution in the country which will receive United States prisoners free of cost. The number of penitentiaries which will receive United States prisoners from outside the State at all is becoming limited, and in some cases the transfer of Government convicts from one penitentiary to another becomes necessary in view of the vacillating enactments of the Legislatures in the several States. Should all the States in which suitable penitentiaries are located enact laws excluding United States prisoners, the Government will be compelled to hire quarters for its criminals or to designate institutions which are in no way proper places for their confinement.

Mr. WASHINGTON. Will the gentleman allow me to ask him a question pertinent to what he has just been reading?

Mr. EZRA B. TAYLOR. Proceed.

Mr. WASHINGTON. Of course I have read what the gentleman has just read from the report of the Attorney-General. Now, will the gentleman tell us how many prisons in the different States are now open for the reception of United States prisoners? How many State penitentiaries will now receive prisoners of the United States?

Mr. EZRA B. TAYLOR. The gentleman from Georgia [Mr. STEWART] will show the gentleman from Tennessee the list.

Now, Mr. Chairman, with reference to the cost, I am of opinion that this new system will be cheaper than the old, for from this time on we shall be obliged to pay for the subsistence of United States prisoners in the State institutions everywhere, besides paying the cost of transporting them to such institutions. While no computation as to that matter can be demonstrated to be correct, yet such is the opinion of ex-Attorney-General Garland, who gave the subject great thought, and of the present Attorney-General, as is evidenced in the paper before me. On this question, while some gentlemen here take one ground and I take the other, it is difficult to reach a satisfactory verdict; but those gentlemen who have had the best opportunities to inform themselves say that I am correct.

Now, in regard to the number of officers, there will be a reduction instead of an enlargement by the passage of this bill. There are now officers at six or seven prisons with salaries as large as will be needed under this bill.

One thing further. It is said that this bill does not fix the amount of the salaries to be paid. Mr. Chairman, this is purposely the case. We regarded the question in this way: If this bill be passed now authorizing these prisons, the buildings will not be completed for at least three or four years. Until the prisons are completed the officers can not be appointed, and then the party in power can appoint the officers for these prisons and fix the salaries. That is the reason this bill does not contain any provision fixing salaries. Let me repeat that the bill proposes simply to commence this new system, to authorize the building of these prisons.

[Here the hammer fell.]

Mr. TURNER, of New York. Mr. Chairman, my purpose in rising at this time is to oppose the amendment of the gentleman from Iowa [Mr. SWENEY]. As the gentleman from Michigan [Mr. CHIPMAN] has well stated, this renews the most objectionable feature of this whole measure. The people of my own State of New York, acting on the suggestion of different bodies of organized workmen in that State, have so conducted their prisons recently that the products or the output of the labor of prisoners confined in them has not come into competition with the free labor of that State. On the other hand, our great sister State of Pennsylvania, adhering to the older system, has been turning out large quantities of products of prison labor, which, coming into competition with the labor of free and unshackled men, has in Brooklyn and other portions of the State driven out the products of that free labor. As a laboring man, therefore, and a representative of a great laboring community, I enter my solemn protest against any system passing this House which shall render possible any competition between prison labor and the working people of this country.

Mr. EZRA B. TAYLOR. This does not do that.

Mr. TURNER, of New York. I am aware of that. I am speaking of the amendment of the gentleman from Iowa [Mr. SWENEY]. We all know there are prisons where the contract-labor system exists and where the products of convict labor come into competition with free labor. In such prisons they can keep prisoners more cheaply than in prisons where the prisoners become a charge upon the State for their subsistence. They are, therefore, the most likely to compete for the contracts which the gentleman's amendment permits. They are the ones who get and are the most likely to get them, and this system is most detrimental to the interests of the workingman.

The workmen of the country have enough to compete with. The legislation of this body, in my humble judgment, Mr. Chairman, has been, for years past, too little in favor of the brawn and sinew of the country. The people of the city and State which I have the honor in part to represent would think I poorly represented them if I did not rise when this new opening is proposed for a new influx of convict goods to compete with the products of free labor and enter my protest against it. I hope the members of the House will join with me so as to prevent the products of the convict labor of any jail of the land being brought into competition with free labor. [Applause.]

Mr. SWENEY. Mr. Chairman, I desire to call attention to some information I have here which will be in reply to some of the inquiries

propounded by the gentleman from Kentucky [Mr. McCREARY] on the other side. By the report of the Attorney-General for 1889 I find there were 1,065 convicts sent to prison and 944 were discharged, so there are in the penitentiaries of the United States to-day—

Mr. McCREARY. What is the number sentenced for one year?

Mr. SWENEY. It is not in that exact form, but given in this way: Received, 1,065; discharged by expiration of term, 944.

Mr. McCREARY. Are those prisoners who have served less than one or more than one year?

Mr. EZRA B. TAYLOR. More.

Mr. McCREARY. How many United States prisoners are there now?

Mr. SWENEY. Twelve hundred and fifty-two.

Mr. McCREARY. Now?

Mr. SWENEY. Yes; now 1,252.

Mr. McCREARY. That is the whole number now in prison?

Mr. SWENEY. Yes; on the 1st of July, 1889.

Mr. McCREARY. That refers to prisoners sentenced for over one year. How many are now in the jails of the country?

Mr. SWENEY. I have not examined as to that.

Mr. WASHINGTON. I renew the *pro forma* amendment.

Mr. Chairman and gentlemen of the committee, one of the reasons urged by the advocates of this bill for its passage is that there are at the present time but few places in this country where United States prisoners may be confined. In response to that statement I will say that I hold in my hand a list of the penitentiaries to which United prisoners may be sent upon conviction when sentenced for a term of more than one year. Hastily counting this number, without going over it accurately in detail, I find that there are no less than forty places in the United States where such prisoners may be confined. These institutions are scattered over thirty-two of the different States and Territories of the Union, as follows:

Alabama, northern district, Columbus, Ohio.
Alabama, middle district, Columbus, Ohio.
Alabama, southern district, Columbus, Ohio.
Arkansas, eastern district, Little Rock, Ark., and Detroit, Mich.
Arkansas, western district, Little Rock, Ark., and Detroit, Mich.
California, San Quentin and Folsom, Cal.
Colorado, Laramie, Wyo.
Connecticut, Wethersfield, Conn.
Delaware, jails.
Florida, northern district, Columbus, Ohio.
Florida, southern district, Columbus, Ohio.
Georgia, northern district, Columbus, Ohio.
Georgia, southern district, Columbus, Ohio.
Illinois, northern district, Joliet, Ill.
Illinois, southern district, Menard, Ill.
Indiana, Michigan City, Ind.
Iowa, northern district, Anamosa, Iowa.
Iowa, southern district, Anamosa, Iowa.
Kansas, Lansing, Kans.
Kentucky, Columbus, Ohio.
Louisiana, eastern district, Detroit, Mich.
Louisiana, western district, Detroit, Mich.
Maine, Thomaston, Me.
Maryland, Baltimore, Md.
Massachusetts, Charlestown, Mass.
Michigan, eastern district, Detroit, Mich.
Michigan, western district, Detroit, Mich.
Minnesota, Stillwater, Minn.
Mississippi, northern district, Detroit, Mich.
Mississippi, southern district, Detroit, Mich.
Missouri, eastern district, Jefferson City, Mo.
Missouri, western district, Jefferson City, Mo.
Nebraska, Sioux Falls, Dak.
Nevada, Carson City, Nev.
New Hampshire, Concord, N. H.
New Jersey, Trenton, N. J.
New York, northern district, Albany, Buffalo, Brooklyn.
New York, southern district, Albany, Buffalo, Brooklyn.
New York, eastern district, Albany, Buffalo, Brooklyn.
North Carolina, eastern district, Columbus, Ohio.
North Carolina, western district, Columbus, Ohio.
Ohio, northern district, Columbus, Ohio.
Ohio, southern district, Columbus, Ohio.
Oregon, Salem, Oregon.
Pennsylvania, eastern district, Philadelphia, Pa.
Pennsylvania, western district, Allegheny City, Pa.
Rhode Island, Cranston, R. I.
South Carolina, Columbia, S. C., and Albany, N. Y.
Tennessee, eastern district, Columbus, Ohio.
Tennessee, middle district, Columbus, Ohio.
Tennessee, western district, Columbus, Ohio.
Texas, northern district, Detroit, Mich.
Texas, eastern district, Detroit, Mich.
Texas, western district, Detroit, Mich.
Vermont, Rutland, Vt.
Virginia, eastern district, Albany, N. Y.
Virginia, western district, Albany, N. Y.
West Virginia, Moundsville, W. Va.
Wisconsin, eastern district, Waupun, Wis.
Wisconsin, western district, Waupun, Wis.
Arizona, Yuma, Ariz.
Dakota, Sioux Falls, Dak.
District of Columbia, Albany, N. Y.
Idaho, Boise City, Idaho.
Montana, Deer Lodge, Mont.
New Mexico, Santa Fé, N. Mex., and Columbus, Ohio.
Utah, Salt Lake City, Utah.
Washington, McNeil's Island, Wash.
Wyoming, Laramie, Wyo.

Mr. EZRA B. TAYLOR. Will the gentleman yield for a question?

Mr. WASHINGTON. With pleasure.

Mr. EZRA B. TAYLOR. How many of these institutions are situated in the State of New York?

Mr. WASHINGTON. There are three in the State of New York, to wit: The penitentiaries at Brooklyn, Buffalo, and Albany.

Mr. EZRA B. TAYLOR. I think the gentleman, if he looks, will find that there are five such places.

Mr. WASHINGTON. Be that as it may, I repeat the statement that I have found twenty-five States and seven Territories where they may be confined under existing law.

That being the fact, Mr. Chairman, the next question is as to the cost of transportation. I find that it costs nearly \$350,000 per annum for the transportation of convicts to these places of confinement. If we do away with these forty institutions, scattered all over the Union, and establish but three, the cost of transportation will be necessarily increased to not less than one and a half millions of dollars.

In addition to that, as has been suggested during this discussion, it will cost a million and a half more to keep them when they are confined in these prisons and reformatory institutions in which they shall be employed at manual labor. The cost of keeping the 1,252 prisoners in confinement at the date of the last annual report of the Attorney-General was about \$400,000 per annum.

If these convicts are transferred from the State institutions in which they are now confined to Federal penitentiaries, I predict that the cost of maintenance will be increased to at least \$1,200,000 per annum.

I know by the experience in my own State that when the prisoners were confined entirely within the walls of the prison and numbered only about 600, although we had local management and a close inspection

by our own citizens, the penitentiary cost the tax-payers of the State over \$300,000 per annum for its maintenance. I am quite certain that when you confine 1,252 United States prisoners in three penitentiaries, where you have, as in this bill, a practically unlimited number of employed, wardens, deputy wardens, and guards, it will cost a million and a half of dollars per annum to keep them. In addition to that, Mr. Chairman, I do not see how this bill is going to secure any better management or more humane system of dealing with the prisoners. There is nothing in the bill which looks to improving their condition, morally or mentally. I fail to find anywhere a word or line in regard to prison reform. It seems to me to be merely an attempt to enlarge the powers of the Federal Government, to increase the amount of Federal patronage, and to have the Department of Justice undertake what the States can and are now doing cheaply and satisfactorily.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. WASHINGTON. Certainly.

Mr. OUTHWAITE. I wish to ask the gentleman whether, in his State, they permit the prison to let out the work of the convicts in the coal mines and other mines?

Mr. WASHINGTON. That is the present system, and I believe it is in Ohio also.

Mr. OUTHWAITE. No, sir; it is not.

Mr. WASHINGTON. It was for a while.

Mr. OUTHWAITE. Never.

Mr. WASHINGTON. Mr. Chairman, my time having expired, I will close by asking that the interesting table from the report of the Attorney-General, marked Exhibit L, be appended to my remarks.

EXHIBIT L.—Detailed statistics of the institutions where United States prisoners were confined during the year ending June 30, 1889.

District.	Prison.	Location.	Name of warden or superintendent.	Districts from which prisoners have been received during year.	In prison July 1, 1888.	Received from July 1, 1888, to June 30, 1889.	Total in prison during the year.	Discharged from July 1, 1888, to June 30, 1889.	Remaining in prison July 1, 1889.	Discharged.			
										By expiration of sentence.	Died.	Pardoned.	By habeas corpus, transfer to insane asylum.
Arizona*	Arizona Territorial penitentiary.	Santa Fé											
Arkansas, eastern	Arkansas State penitentiary.	Little Rock	A. N. Johnson	Arkansas, eastern and western.	121	132	253	100	153	88	10	2	
California, northern	California State penitentiary.	San Quentin	John McComb	California, northern and southern; Alaska and Arizona.	16	16	32	5	27	3	1	1	
	State prison of California.	Folsom	Charles Aull	California, southern	3	1	4	1	3	1			
Connecticut	House of correction.	San Francisco	John Foley	California, northern		5	5	3	2	3			
Dakota	Connecticut State prison	Wethersfield	S. E. Chamberlain	Connecticut	5		5	2	3				
	United States penitentiary.	Sioux Falls	D. W. Maratta	Nebraska, Idaho, and Dakota.	17	13	30	15	15	10		5	
District of Columbia	Reform School	Washington	G. A. Shallenberger	District of Columbia.	16	9	25	2	23	2			
Idaho	United States penitentiary.	Boisé City		Idaho	3	8	11	9	2	7			2
Illinois, northern	Illinois State prison	Joliet	A. W. Berggren	Illinois, northern	12	13	25	8	17	5			
	Southern Illinois State prison	Menard	E. J. Murphy	Illinois, southern	101	14	115	65	50	60	1	3	1
Illinois, southern	House of correction	Chicago	C. E. Felton	Illinois, northern	1		1	1		1			
Indiana	Indiana State prison, north	Michigan City	J. Murdock	Indiana and Kansas	26	13	39	19	20	18	1		
	Indiana State prison, south	Jeffersonville	J. B. Patten	Indiana	1		1	1	1				
	Reform school for women and girls.	Indianapolis	Sarah F. Keely	do		2	2	1	1	1			
Iowa, northern	Iowa State prison	Anamosa	M. Barr	Iowa, northern and southern.	2	8	10	5	5	5			
Kansas	Kansas State prison	Lansing	G. H. Case	Kansas	20	28	48	17	31	11	4	1	1
Kentucky*	Industrial school of reform.	Louisville											
Maine	Maine State prison.	Thomaston	S. H. Allen	Maine	5	3	8	1	7	1			
	State reform school	Cape Elizabeth	J. R. Farrington	do	1	1	2		2				
Maryland	Maryland penitentiary	Baltimore	J. F. Weyer	Maryland	10	7	17	2	15	1			1
	House of reformation for colored boys	Cheltenham	E. A. Rhodes	Alabama, southern, and North Carolina, eastern.	8	2	10	3	7	2	1		
Massachusetts	Massachusetts State prison.	Charlestown	E. J. Russell	Massachusetts	10	2	12	4	8				
	Massachusetts reformatory	Concord	Gardner Tufts	do	2	2	4	2	2	2			
Michigan, eastern	House of correction	Detroit	Joseph Nicholson	Michigan, eastern and western.	78	30	108	42	66	33	3	5	1
Minnesota	Minnesota State prison	Stillwater	H. G. Stordock	Minnesota	4	1	5	3	2	2		1	
Missouri, western	Missouri State penitentiary	Jefferson City	J. L. Norrison	Missouri, eastern and western.	16	8	24	14	10	14			
Montana	United States penitentiary.	Deer Lodge	G. W. Irvin	Montana	12	1	13	10	3	8		1	1
Nevada	Nevada State prison	Carson City	T. J. McCullough	Nevada	7	1	8	4	4	4			
New Hampshire	New Hampshire State prison.	Concord	G. W. Colbath	New Hampshire		1	1		1				
New Jersey	New Jersey State prison.	Trenton	J. H. Patterson	New Jersey	20	7	27	10	17	10			
	Hudson County penitentiary.	Snake Hill	John Grimes	do		3	3	1	2	1			
	Essex County penitentiary	Caldwell	T. J. Speer	do	2		2	1	1	1			
New Mexico	New Mexico penitentiary.	Santa Fé	H. C. Burnett	New Mexico	9	5	14	6	8	5			1
New York, northern	Albany County penitentiary.	Albany	James McIntyre	District of Columbia; Virginia, eastern and western; New York, northern.	274	128	402	172	230	155	10	7	
	State prison	Auburn	C. F. Durston	New York	15		15	8	7	6		2	
	Erie County penitentiary	Buffalo	A. H. Neal	do	68	40	108	28	80	26		1	1
	New York State reformatory.	Elmira	Z. R. Brockway	New York; Tennessee, eastern and middle; Arkansas, western; and Georgia, southern.	22	31	53	10	43	9	1		

* No report.

EXHIBIT L.—Detailed statistics of the institutions where United States prisoners were confined during the year ending June 30, 1889—Continued.

District.	Prison.	Location.	Name of warden or superintendent.	Districts from which prisoners have been received during year.	In prison July 1, 1888.	Received from July 1, 1888, to June 30, 1889.	Total in prison during the year.	Discharged from July 1, 1888, to June 30, 1889.	Remaining in prison July 1, 1889.	Discharged.			
										By expiration of sentence.	Died.	Pardoned.	By habeas corpus. Transfer to insane asylum.
New York, northern.	Monroe County penitentiary.	Rochester	C. A. Webster	New York	1	1	2	2	2				
New York, eastern.	Kings County penitentiary	Brooklyn	Patrick Hayes	do	2	2	5	5	5				
Ohio, northern	Cleveland workhouse.	Cleveland	W. D. Patterson	Ohio, northern	65	110	175	4	126	3	6	1	9
Ohio, southern	Ohio penitentiary	Columbus	E. G. Coffin	Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Mississippi, New Mexico, North Carolina, Ohio, South Carolina, Tennessee, Texas.									
Ohio	Boys' industrial school	Lancaster	D. M. Barrett	Ohio, southern	1	2	3	3	3				
Oregon	Oregon state prison	Salem	G. S. Downing	Oregon	13	9	27	15	12	15			
Pennsylvania, eastern.	Eastern penitentiary	Philadelphia	M. J. Cassidy	Pennsylvania, eastern.	23	22	47	15	32	15			
Pennsylvania, western.	Western penitentiary	Pittsburgh	E. S. Wright	Pennsylvania, western.	32	28	60	19	41	18	1		
Rhode Island	Pennsylvania reform school	Morganza	Nelson Viall	Rhode Island	1	6	1	1	1				
South Carolina	Rhode Island State prison.	Howard	T. J. Lipscomb	South Carolina	5	4	9	5	4	2			
Utah	Utah penitentiary	Salt Lake City	E. H. Parsons	Utah	81	280	361	291	70	280	5	6	
Vermont	House of correction	Rutland	G. N. Karyes	Vermont	3	2	5	4	1	4			
West Virginia	West Virginia penitentiary	Moundsville	T. J. Johnson	West Virginia	5	12	19	4	15	4			
Wisconsin, eastern	Wisconsin State prison	Waupun	G. W. Carter	Wisconsin, western	3	11	14	3	4	1			
Wisconsin, eastern	House of correction	Milwaukee	M. J. McLaughlin	Wisconsin, eastern and western.	3	11	14	11	3	11			
Wyoming	United States penitentiary	Laramie City	T. J. Carr	Colorado	11	4	15	6	9	6			
Washington	United States penitentiary	McNeill's Island.	S. F. Coombs	Washington	49	48	97	53	44	51	2		
Total					1,224	1,083	2,307	1,055	1,252	944	38	49	19

Of those received during the year ending June 30, 1889.

District.	Prison.	Crimes or offenses.				Nativity.		Sex.		Habit of life.		Color.				Education.		
		Committed for viola- tion of revenue laws.	Committed for counter- feiting.	Committed for viola- tion of postal laws.	Committed for other offenses.	Born in United States.	Foreign born.	Males.	Females.	Claim to be temperate.	Admitted to be intem- perate.	White.	Black.	Indian.	Chinese.	Could read and write.	Could read only.	Could neither read nor write.
Arizona*	Arizona Territorial peniten- tiary.																	
Arkansas, eastern	Arkansas State penitentiary	21	1	2	108	129	3	131	1	51	81	78	26	28		65	11	56
California, northern	California State penitentiary	1	4	1	10	11	5	16		2	14	7	3	6		11		5
	State prison of California			1		1		1			1	1				1		
	House of correction				5	1	4	5		5		4			1	3		2
Connecticut	Connecticut State prison																	
Dakota	United States penitentiary	3		4	6	6	7	13		13		12	1			12		1
District of Columbia	Reform School				9	9		9		9			9			5	1	3
Idaho	United States penitentiary			1	7	4	4	8		6	2	8				7		1
Illinois, northern	Illinois State prison		6	3	4	12	1	13		11	2	12	1			13		1
Illinois, southern	Southern Illinois State prison.		6	3	5	14		14		2	12	14				11	2	1
Illinois, northern	House of correction																	
Indiana	Indiana State prison, north		7	6		12	1	13		6	7	11	2			13		
	Indiana State prison, south																	
	Reform school for women and girls.		1	1		1	1		2	2		2				2		
Iowa, northern	Iowa State prison		4	3	1	8		8		6	2	8				8		
Kansas	Kansas State prison	4			24	26	2	27	1	20	8	13	6	9		26		2
Kentucky*	Industrial school of reform.																	
Maine	Maine State prison.		1	1	1	1	2	3			3	3				3		
	State reform school.			1		1		1		1		1				1		
Maryland	Maryland penitentiary				7	5	2	7		3	4	5	2			6		1
	House of reformation for col- ored boys.			2		2		2		2		2	2				1	1
Massachusetts	Massachusetts State prison				2	2		2		2		2				2		
	Massachusetts reformatory				2	2		2		2		2				2		
Michigan, eastern	House of correction	1	11	5	13	22	8	29	1	13	17	23	2			30		
Minnesota, northern	Minnesota State prison		1			1		1			1	1				1		
Missouri, western	Missouri State penitentiary.		7	1		5	3	8		7	1	8				7		1
Montana	United States penitentiary.		1			1		1		1		1				1		
Nevada	Nevada State prison.				1	1		1		1				1		1		
New Hampshire	New Hampshire State prison.			1			1	1		1		1				1		
New Jersey	New Jersey State prison.		5		2	4	3	7		7		6	1			4		3
	Hudson County penitentiary		2		1	2	1	3		1	2	3				3		
	Essex County penitentiary																	
New Mexico	New Mexico penitentiary		1	2	2	5		5		4	1	4			1	3		2
New York, northern	Albany County penitentiary	1	5	2	120	118	10	121	7	51	77	27	100		1	79	3	46
	Erie County penitentiary	4	23	7	6	23	17	40		36	4	40				40		
	New York State reformatory		5	18	8	28	3	31		20	11	29	1	1		20	9	

* No report.

EXHIBIT L.—Detailed statistics of the institutions where United States prisoners were confined, etc.—Continued.

District.	Prison.	Of those received during the year ending June 30, 1889.								Of those in prison June 30, 1889.					
		Social relations.		Previous conviction.		Under 20 years of age.	Between 20 and 30 years of age.	Between 30 and 40 years of age.	Between 40 and 50 years of age.	Over 50 years of age.	Idle.	Disabled or sick.	Working.		
		Married.	Single.	In prison for first time.	Having heretofore served sentence.								On contract.	On piece price.	Total.
Pennsylvania, eastern.....	Eastern penitentiary.....	12	10	19	3		11	5	4	2	8	3		21	32
Pennsylvania, western.....	Western penitentiary.....	16	12	23	5	2	10	5	4	7	10	1		6	41
	Pennsylvania reform school.....								1		1			1	1
Rhode Island.....	Rhode Island State prison.....	6		6			5							8	9
South Carolina.....	South Carolina penitentiary.....	3	1	4			2							4	4
Utah.....	Utah penitentiary.....	274	6	272	8	2	9	40	79	150		2		68	70
Vermont.....	House of correction.....	2		2				1		1				1	1
West Virginia.....	West Virginia penitentiary.....	6	6	12		2	9	1					1	14	15
Wisconsin, eastern.....	Wisconsin State prison.....	1	1	2			1			1		2		2	4
Wisconsin.....	House of correction.....	5	6	9	2		2	5	2	2				3	3
Wyoming.....	United States penitentiary.....		4	4			4							7	9
Washington.....	United States penitentiary.....	2	46	40	8	3	17	15	7	6	8	2		34	44
	Total.....	547	404	859	92	118	275	185	157	216	220	34	150	82	1,252

Mr. BUCHANAN, of New Jersey. Mr. Chairman, in reply to what the gentleman from Tennessee has said, I desire to say that while his information seems to be considerable it is not always correct. He furnishes a list of forty odd places to which prisoners may be sentenced and confined, but the information before the committee was to the effect that a large number of such places had refused absolutely to receive them.

I will call the attention of the committee to one instance, one among many, that of my own State. The penitentiary at Trenton, N. J., is in that list which the gentleman holds in his hand. The fact is that for years we have not wanted the Federal prisoners to be sent there because our penitentiary is already so crowded—it is very small, you know [laughter]—that we have not room; and in confirmation of that I will read a dispatch in this morning's New York paper:

Governor Abbott's recommendation for the enlargement of the State prison is considered timely. For several years the prison has been crowded far in excess of its capacity. The law as to solitary confinement has been openly and necessarily violated because of the lack of cell facilities. There are only seven hundred cells to one thousand prisoners, and yet the law directs that each cell shall contain but one inmate.

And so, Mr. Chairman, I venture to assert that you may go through that list, and you will find that same condition of affairs prevailing all along the line. As has been said repeatedly by the chairman of the committee, as the result of information before the committee that is undeniable, this question is one whether we will have United States prisoners turned outdoors or not. These places will not take them. There is no profit apparently in caring for them, and a large number of places included in that list are so crowded that they have not room enough to take them.

Mr. ENLOE. Mr. Chairman, I desire now to offer an amendment as an additional section to the bill.

The CHAIRMAN. Will the gentleman yield to permit the Chair first to put the question on the pending amendment of the gentleman from Iowa?

Mr. ENLOE. Certainly.

Mr. WASHINGTON. Let the amendment be again reported.

The amendment of Mr. SWENEY was again read.

The question was taken; and on a division there were—ayes 77, noes 50.

So the amendment was adopted.

Mr. HILL. Mr. Chairman, I gave notice a short time ago that I desired to offer an amendment.

The CHAIRMAN. The Chair will recognize the gentleman for that purpose now, and afterwards the gentleman from Tennessee.

The Clerk read the amendment of Mr. HILL, as follows:

That the term of confinement of prisoners sentenced to confinement in the several prisons under this act shall take effect and begin to run, except in case of a commutative sentence, from the date of sentence, and in cases of commutative sentences such sentence shall take effect at the expiration of the first preceding sentence.

Mr. EZRA B. TAYLOR. Mr. Chairman, I raise the point of order against that amendment as not being germane to the bill. This is a bill providing for the erection of prisons, and not for the manner in which prisoners shall be kept or other questions connected with that.

The CHAIRMAN. The Chair is inclined to sustain the point of order that the amendment is not germane to the bill.

Mr. HILL. I would like to inquire whether the point of order is open to debate.

The CHAIRMAN. The question of order is debatable.

Mr. HILL. I would like to be heard briefly on the point of order. The object of this bill, Mr. Chairman, is not simply to provide for the erection or constructing of certain prisons in the United States. It contains other and further provisions which enlarge the scope of the title of the bill as, for instance, section 9 provides—

That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement.

Clearly, Mr. Chairman, that does not relate to the erection or construction of the prisons themselves. So the Chair will find, by an inspection of the several provisions of this bill, that it contains other provisions not directly connected with the construction or erection, or appropriation even for the construction or the erection of these prisons; and I take it, Mr. Chairman, that the additional section which I have here offered is as germane to the main object and purpose of the bill as section 9, which I have read, and as section 8, to which I call the attention of the Chairman, which provides—

That the said Attorney-General, in formulating rules and regulations for the conduct of said prisons, is hereby authorized to establish rules for commutation for good behavior of said convicts, etc.

I also call attention to section 7 of the bill, which provides—

That this act shall not apply to minors who, in the judgment of the judges presiding over United States courts, should be committed to reformatory institutions.

Now, Mr. Chairman, I am not at all particular as to the time or place when this provision which I have offered as an amendment to this bill shall be incorporated in the general law. It was designed to make certain what otherwise would be uncertain; and if the Chairman of this committee will say that in some subsequent legislation now contemplated by the committee such a provision shall be even considered by the committee I will withdraw the proposed amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. HILL] withdraws his amendment. The question is now upon the amendment.

Mr. ENLOE. I desire now to have my amendment submitted.

The Clerk read as follows:

Add the following words as section 12:

"SEC. 12. That the Attorney-General of the United States shall provide for the payment of the expense out of the judiciary fund for the transportation to their homes of prisoners convicted and sentenced for a term less than one year, when such prisoners are confined in jails or penitentiaries outside of the counties where they reside."

Mr. EZRA B. TAYLOR. I raise the point of order that it is not germane.

Mr. ENLOE. I hope the gentleman will withhold his point of order for a few moments.

Mr. EZRA B. TAYLOR. I will withhold the point of order, but will reserve it.

Mr. ENLOE. I do not care to discuss the point of order—that is a matter that will come up later for consideration—but I want to refer to the discrimination that is made against the class of prisoners that are confined in the jails away from their homes. In the western portion of my State, when prisoners are convicted at Jackson under the internal-revenue laws and sentenced for a term of six months or less, they are frequently transported a distance of from 100 to 150 miles

from their homes, to be confined in the jail at Memphis, and when they are discharged from the jail they are often left without any money to pay the expense of their return home. Judge Hammond, who presides over that district, in discussing the question with me, requested me to see if Congress would not pass some law providing for the return of these prisoners to their homes.

When I came here I wrote a note to the Attorney-General calling attention to this discrimination, and I did not get any satisfactory reply, because the law does not make provision for paying the expense of returning prisoners who are confined in county jails. Now, in a bill of this character I think it proper to propose an amendment that these prisoners shall be treated in the same manner as other prisoners who are transported long distances from their homes and confined for a term of one year or more. There is neither reason nor justice in the discrimination under the law, and it should be amended in this particular. So far as the bill itself is concerned, I am opposed to its passage. I believe we have an equally efficient administration of the law and an equally efficient prison system as the law now exists.

Mr. EZRA B. TAYLOR. Will the gentleman state to me whether the authorities of Tennessee will receive prisoners of the United States?

Mr. ENLOE. I do not know whether they will or not; but I understand there are plenty of penitentiaries in other States that do receive and accommodate them.

Mr. EZRA B. TAYLOR. Some receive them, but a majority of them will not.

Mr. ENLOE. There are some that refuse, but I think the Attorney-General in his report shows that there are a good number that will receive them.

Mr. EZRA B. TAYLOR. Oh, no. They are becoming less and less all the time.

Mr. ENLOE. I want to state to the gentleman from Ohio that if this bill is passed it should have a new caption. It ought to be designated "A bill for the benefit of United States marshals," because, if this fifth section of the bill, which provides for the payment of the cost of transportation from the place of conviction to the prisons, is carried out as proposed, it will be a very profitable business to the marshals, paying them mileage and fees in each case, and the costs of transportation for themselves and guards over the railroads, including hotel bills and other expenses.

Mr. STEWART, of Georgia. Will the gentleman from Tennessee yield to a question?

Mr. ENLOE. Certainly.

Mr. STEWART, of Georgia. I simply desire to say that I have investigated that question, and the cost of transportation is the same as it is to-day.

Mr. ENLOE. The cost of transportation in my opinion is nothing like as much under the present system as it would be if you had to transport them to the three prisons in different parts of the United States. It would be much less expensive to the Government to transport its prisoners to thirty prisons in the different States than it would be to concentrate them into three prisons in different sections of the Union.

Mr. STEWART, of Georgia. The prisoners from Texas and New Mexico are brought from those places to Columbus, Ohio. If you had a prison at some place in Tennessee, say at Chattanooga, it would cost a very great deal less. Now, it cost \$191 a few days ago to carry three prisoners from Georgia to Columbus, Ohio.

Mr. ENLOE. I think the law vests the discretion in the Attorney-General to make arrangements, wherever it is possible to make them satisfactorily, for the confinement of these prisoners in State prisons, and it is in his power to avoid the expense of transporting them all to one or two points for confinement. If we were to establish but one prison and require all prisoners to be confined in it, the cost of transportation would be greatly increased, and, even if you establish three prisons, still the expense will be much greater than it is now. I hold that I am justified in the argument by the facts that it costs less to maintain the prisoners under the present law than it will under the proposed law and that the prisoners are equally well cared for.

Mr. CULBERSON, of Texas. Why does the judge who asks you [Mr. ENLOE] to interfere here in behalf of persons convicted and sentenced to jail send them 150 miles away from the place where they are convicted?

Mr. ENLOE. I think the Attorney-General makes arrangements or contracts with jailors for caring for United States prisoners, and I suppose he directs the marshal where they shall be confined. I have tried to get the Department to order their confinement at Jackson, where they are convicted, instead of sending them to Memphis at great inconvenience to the prisoners and unnecessary cost to the Government. They can be kept with equal security and be equally as cheaply and as well cared for at Jackson.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY was recognized, and yielded his time to Mr. ENLOE.

Mr. ENLOE. Now, Mr. Chairman, this bill on its face carries \$1,600,000, but that does not by any means cover the cost that will inevitably accrue if the bill shall be passed. When these prisons are established and when prison boards are appointed, and the wardens and all the various officials under them, the cost will be more than double

the amount indicated on the face of this bill. I want to say in reply to the gentleman from Ohio [Mr. EZRA B. TAYLOR] that I understand there are thirty prisons in the United States now that are willing to receive these prisoners.

Mr. EZRA B. TAYLOR. Yes, on terms; if we pay them enough.

Mr. ENLOE. Well, I understand from the report of the Attorney-General that the cost of confining these prisoners is comparatively slight in all the States that receive them at all, though none receives them free of cost.

Mr. BUCHANAN, of New Jersey. What do you know about it?

Mr. ENLOE. Nothing but what the official reports contain.

Mr. EZRA B. TAYLOR. The gentleman, I think, has not given due consideration to this matter of cost. On our side of the question we have the opinion of President Cleveland, of Attorney-General Garland, and of every Democrat and every Republican who has thought about the matter, that the system here proposed is cheaper and that it is an absolute necessity.

Mr. ENLOE. Well, I have very great respect for the opinion of President Cleveland and of the other prominent gentlemen who have expressed opinions on this subject, and I also have respect for the opinion of the gentleman from Ohio [Mr. EZRA B. TAYLOR]; but I think we are about as competent to determine for ourselves whether or not this scheme will result in increased expense to the Government as they are.

Mr. EZRA B. TAYLOR. But my point is that a man without special information on the subject can not possibly be in a position to form a correct opinion. The gentleman can not gather the information, we can not gather it here, and neither he nor I know much about it.

Mr. ENLOE. Well, that being the case, the gentleman is on no better footing to maintain his side of the question than I am to maintain mine, and if, as he says, we are both in the dark, I have as good a right to contend for my opinion as he has to offer his. [Laughter.]

Mr. EZRA B. TAYLOR. Precisely so; but my point is that neither of us has a right to have an adverse opinion in the presence of these authorities who have examined the matter and are familiar with the facts.

Mr. ENLOE. Well, I say that I have a right to have an opinion in the presence of any number of authorities, unless they present statistics and facts which show to the contrary; just as much right as you have to argue on your side or their side of the question. If it is such an easy matter to show that this bill is a wise and economic measure, why is it that it is not supported by facts and statistics in the possession of or in the reach of the Department of Justice?

I am opposed to the whole bill, but if it is to pass at all I think there ought not to be any discrimination against prisoners who are sentenced for six months and carried to distant points for confinement, and I hope the amendment I offer will be adopted.

Mr. OUTHWAITE. Mr. Chairman, I do not know just what the parliamentary situation of this bill is, but I wish to read an authority in favor of its passage, a very high authority, one that the gentlemen upon this side of the House are in the habit of quoting frequently upon the great issue that divides the two political parties to-day, and ought to receive some consideration from us while considering this measure now. I read:

The conduct of the Department of Justice for the last fiscal year is fully detailed in the report of the Attorney-General, and I invite the earnest attention of the Congress to the same, and due consideration of the recommendations therein contained.

In the report submitted by this officer to the last session of the Congress he strongly recommended the erection of a penitentiary for the confinement of prisoners convicted and sentenced in the United States courts; and he repeats the recommendation in his report for the last year.

This is a matter of very great importance and should at once receive Congressional action. United States prisoners are now confined in more than thirty different State prisons and penitentiaries scattered in every part of the country. They are subjected to nearly as many different modes of treatment and discipline, and are far too much removed from the control and regulation of the Government. So far as they are entitled to humane treatment and an opportunity for improvement and reformation, the Government is responsible to them and society that these things are forthcoming. But this duty can scarcely be discharged without more absolute control and direction than is possible under the present system.

Many of our good citizens have interested themselves, with the most beneficial results, in the question of prison reform. The General Government should be in a situation, since there must be United States prisoners, to furnish important aid in this movement, and should be able to illustrate what may be practically done in the direction of this reform, and to present an example in the treatment and improvement of its prisoners worthy of imitation.

With prisons under its own control, the Government could deal with the somewhat vexed question of convict labor, so far as its convicts were concerned, according to a plan of its own adoption and with due regard to the rights and interests of our laboring citizens, instead of sometimes aiding in the operation of a system which causes among them irritation and discontent.

Upon consideration of this subject it might be thought wise to erect more than one of these institutions, located in such places as would best subserve the purposes of convenience and economy in transportation. The considerable cost of maintaining these convicts as at present, in State institutions, would be saved by the adoption of the plan proposed; and by employing them in the manufacture of such articles as were needed for use by the Government quite a large pecuniary benefit would be realized in partial return for our outlay.

This is from the message of Grover Cleveland, as President of the United States, to the Congress of the United States, December 6, 1886. It is full of wisdom, it is full of humanity, it is full of suggestions of statesmanship; and gentlemen on this side of the House should hesitate

long before they vote against this bill in the face of recommendations such as these and the reasons offered in support of its passage. About four years ago I introduced a bill similar to this one, but providing for only two of these prisons. It came to me from one of the most earnest and intelligent members of the Prison-Reform Association, from a liberal, broad-minded, and humane citizen of Ohio, who had given this subject careful and continuous study for some years, a lawyer and citizen of high reputation. Upon his judgment I relied.

[Here the hammer fell.]

Mr. Chairman, I should like to be permitted to continue my remarks for a minute or two longer.

The CHAIRMAN. If there be no objection, the gentleman from Ohio [Mr. OUTHWAITE] will continue for five minutes more. The Chair hears no objection.

Mr. OUTHWAITE. Mr. Chairman, as to this question of the cost of transportation of prisoners, which is urged as an objection to the bill, an examination of the list presented here of the prisons in which Federal prisoners are confined will show that prisoners from Texas are taken to the far North and imprisoned in Detroit; that prisoners from Tennessee are taken and placed in prisons in New York or in Columbus; that prisoners from several of the different States are taken long distances to be imprisoned by the Federal Government.

Mr. BRECKINRIDGE, of Kentucky. If it does not interrupt the gentleman, I wish to ask whether that can not be prevented under the present law. Is not that a wholly unnecessary exercise of discretion on the part of the Attorney-General, entailing an unnecessary expense upon the Government?

Mr. OUTHWAITE. I do not think it possible to correct it under existing law. I do not think it possible to make such an arrangement as that suggested by the gentleman from Kentucky a little while ago; that is, to arrange with the States in which the prisoners reside. If it were possible I should be in favor of doing so. But the very thing that is most objectionable is the difference of treatment, the difference of regulation, the difference in every respect with regard to the management of these various prisons and their inmates. Convicted under the same law, there should be uniformity in their penal treatment.

Mr. McMILLIN. Will the gentleman permit me to call his attention to one fact? According to the message from which he just read there are now thirty different prisons in which these prisoners are confined, so that it would not appear to be necessary to transport prisoners such distances as suggested by the gentleman from Ohio.

Mr. OUTHWAITE. In 1886 there were thirty of these prisons; but since that time some have refused to receive United States prisoners; others are going in the direction of refusing. Our own State, the State of Ohio, has no desire to have these convicts brought there and put in our prisons. We have no wish to have the convicts of other States brought into Ohio and placed in a prison at our capital, to be turned out there as convicts without the means to return home, or without the disposition, if the means should be furnished by the Government. Some might return home. But the worst criminals would be likely to stay and infest our community to its injury. That is our experience with prisoners sent up to the penitentiary from different parts of the State. It is much the same when they come from distant States. Some States have insufficient prisons for their own convicts. And, sir, there are some States where I would be unwilling that a prisoner of the United States should be confined. In any State where they permit the prisoners to be let out to contractors to work in coal mines, I would be unwilling that any prisoner should be confined by the United States Government and be subjected to such treatment.

Mr. BRECKINRIDGE, of Kentucky. If it does not interrupt the gentleman, will he explain how this bill would remedy the evil that he has pointed out in regard to the transportation of prisoners so far from their homes; for, as I understand, there are but two penitentiaries proposed—

Mr. OUTHWAITE. Three.

Mr. BRECKINRIDGE, of Kentucky. Two penitentiaries east of the Rocky Mountains. Now, if these penitentiaries be placed in central locations north and south the transportation will be about as long from remote points as it is now.

Mr. OUTHWAITE. I can not agree with that assertion of the gentleman; I do not think it will be found accurate. I have not had time to examine and make a computation, but I can readily believe that if a prison were located, for instance, in Tennessee, and the prisoners of all the surrounding States were sent to that point, the transportation, in the aggregate, would be much less than now, when prisoners are sent to New York, Michigan, and Ohio from remote States. I can readily conceive that a computation might enable one to prove that the transportation would be very largely reduced in the aggregate by making the location of the prisons central, two points being east of the Mississippi River and one west of the Rocky Mountains.

Mr. Chairman, I think some in this House are too much in the habit of discussing the small details of petty expenses and of getting down to penny questions of economy when great public questions and great humanitarian questions, such as this, are being considered. We should not so much consider the question whether a dollar or a dollar and a half will be paid in a matter of this kind when the great question of the proper

care and reformation of the prisoner is before us, where the welfare of many a citizen of the United States who, upon his discharge, may become just as good a citizen as any other, is involved. Everything tending to secure the return of these thousands of prisoners to the body of the citizens as good men should be encouraged, even if the outlay of money should be a little more than we now expend. There is great force in that part of the message I read that says:

With prisons under its control the Government could deal with the vexed question of convict labor as to its own convicts in the true spirit and with due regard to the rights and interests of our laboring citizens.

It could do this without reducing the convicts to the despair of enforced idleness in confinement or selling them into slavery for a time, as competitors against the labors of their fellow-men.

The CHAIRMAN. Debate is exhausted.

Mr. ROGERS. Mr. Chairman, I move to amend by striking out the last word. I thank the gentleman from Ohio [Mr. OUTHWAITE] for reading in this presence the manly, statesmanlike, humane, and just utterances of President Cleveland on this subject.

Mr. BUCHANAN, of New Jersey. I insist on my point of order.

The CHAIRMAN. The gentleman from New Jersey has raised a point of order and he insists that it be decided.

Mr. BUCHANAN, of New Jersey. I wish to say a word with regard to the point of order. This bill has no reference whatever to convicts serving a sentence of less than one year; they are to be provided for under existing law and in no other manner. This bill does not undertake to legislate as to that question in any way whatever. Now, the amendment relates exclusively to that class of prisoners whose sentences are for less than one year.

The CHAIRMAN. The bill in the sixth section undertakes to provide for the transportation of discharged prisoners and in some cases to furnish them with money and clothing. The amendment proposed relates to the same subject, and the Chair thinks it germane. The point of order is therefore overruled. The Chair recognizes the gentleman from Arkansas [Mr. ROGERS] upon the merits of the proposition.

Mr. ROGERS. Mr. Chairman, I am not ordinarily sentimental; I prefer to be practical, and to deal with questions when they arise and when we are called to deal with them. But the idea of prison reform is a living issue in this country. It has not come in too early. I do not know, for I have not investigated the subject, but venture the assertion now that there is not a penitentiary in the whole South that takes care of its own prisoners with justice, humanity, and decency that is prepared to take prisoners from any other quarter.

Sir, in some States scandals which have shocked the whole public conscience of the country have transpired by working prisoners in the coal mines and upon the farms. The question of prison reform is a living question, and it is to be hoped in every State in the American Union where a prisoner is incarcerated at all that his time should be spent inside the walls and these scandals on christian civilization shall cease in every quarter of this great country.

And so, Mr. Chairman, if we will first take from the farms and coal mines the prisoners of our own States and make proper, humane provision for them inside of the penitentiaries, we will have no room to care for United States prisoners. The question is asked whether under the present system the transportation will be more economical than under the system now proposed. The gentleman from Ohio [Mr. OUTHWAITE] has practically answered that question. Prisoners convicted in Arkansas for a long time have been sentenced to the local penitentiaries, but for the greater part of the last twenty years—I speak from memory and have not the official data—these prisoners have been sent to Detroit, Mich., to serve out their time. It could not be under the provisions of this act that prisoners convicted anywhere could be sent so far away to a distant point as Detroit, Mich. What is true of Arkansas is true in the main of the whole South in that regard.

Mr. CHIPMAN. I would like to ask the gentleman a question.

Mr. ROGERS. Certainly.

Mr. CHIPMAN. What effect does the gentleman think the amendment offered by the gentleman from Iowa [Mr. SWENY] and adopted by the House has upon this bill? Does it not restore the system he is animadverting upon?

Mr. ROGERS. I regard the amendment of the gentleman from Iowa as utterly worthless in any sense, because with a spirit of reform now existing, with public sentiment at that point where it has revolted, with the already existing prison system, with the Presidents of the United States and the Attorneys-General, one after another, recommending the establishment of these United States prisons, then so long as they have the power to send these men to these places under their control, under their own regulations, created for the purpose of humanity, justice, and to further and promote christian civilization in their administration, no one will be sent under contract to a State prison until the United States prisons are full.

The CHAIRMAN. The gentleman's time has expired.

Mr. ROGERS. I will ask a minute more.

Mr. STEWART, of Vermont. I will take the floor and yield my time to the gentleman.

Mr. ROGERS. Mr. Chairman, this effort on the part of the Federal Government, through its executive officers, to establish these Federal

prisons is being supplemented, upheld, and enforced by the public sentiment of our country. And nothing has accomplished more in that direction than the great labor organizations of the country which have made themselves felt on this floor in past legislation. In 1887, on February 23, the House of Representatives passed an act to prohibit the employment of United States prisoners on contract labor. What was the result of it? The present Attorney-General tells us that the result has been that many institutions throughout the country have been compelled to change their system of labor, and as a result all have not been self-supporting.

On the same subject the last Attorney-General said:

And the Department, recognizing this inability on their part, has entered into new contracts at prices ranging from 25 to 35 cents per day for each prisoner.

Mr. Chairman, it has been said that we have thirty institutions now in this country to which these Federal prisoners can be sent. Deducting the fifteen Southern States, you reduce the number perhaps nearly half. Ohio has taken action adverse to the present system. New York has taken action adverse to the present system, and so also has Tennessee. Michigan tells us she does not want these United States prisoners, and New Jersey proclaims that they are a nuisance. So it is that the prison reform moves forward irresistibly in its force, and we will soon be met face to face with legislation in every State of the Union refusing to receive the Federal prisoners and a demand from the country that suitable regulation and accommodations shall be provided for the protection, care, and custody of these prisoners.

Sir, we ought not to stop and huddle over a great question like this upon the expenditure of a few dollars. And we should not "stick in the bark" as to whether we will separate the Federal Government from the States. Why, what sort of a separation is it? A voluntary separation of the Federal Government from the States? Is it not rather a separation invited by the States themselves, demanding that the Federal Government shall withdraw its prisoners from their penitentiaries? But above and beyond all, infinitely beyond all, I think, is the great humane question, the hope, the fervent hope that the Congress of the United States shall provide in this great country an institution which in its regulations, its management, its control, and in its treatment of these prisoners shall assist in working out the great question of prison reform, and give to modern civilization a model reformatory or penal institution and just, right, and humane laws for its government and control.

Mr. DUNNELL. Mr. Chairman, I move to strike out the last word. I had not intended to occupy the time of the committee or ask its attention with any remarks that I might make upon this question. But one of the sentences which have been dropped in the course of the discussion of this question this afternoon I think I would like to refer to for a single moment. I am aware, sir, that all questions of general legislation must come here and be open to debate and action.

I am aware that a report of the Secretary does not necessarily control action here; but I do believe that the experience which any public officer has acquired in the discharge of his duties ought to have a great influence upon our action in the investigation of the subjects which they submit to us for our action.

On this question we have the opinion of President Cleveland; we have the opinion of the ex-Attorney-General, Mr. Garland, whom I have the pleasure of knowing. These men looked at this question deliberately and carefully, and we may be aided by their experience. On the close of the Administration of Mr. Cleveland, Mr. Garland, while his party was not out of power, in his last annual report, like a man worthy of the high place he filled, advised Congress to the adoption of a measure like this.

The present Attorney-General, with his experience, advises the same thing. I happened to be in Nashville last November, the first and only time I was ever in that city. I attended the convention of the National Association of Prison Reform, I think it is called. I attended a great meeting of this association, and if the gentleman who represents the Nashville district had been present he would have felt the force of the sentiments that prevailed in that convention touching this identical subject. The discussion led me to determine upon my own course when such a bill as this should present itself for action here.

The National Board of Charities have desired an opportunity to put into operation certain views which they have come to entertain as to the reformation of prisoners, and I think, as a gentleman has said upon the left, the time has now come. For one hundred years we have not been compelled to resort to this legislation, and at the end of one hundred years we should discuss the question upon a higher plane than that of mere party. I am sorry to hear a word of party in such a matter. It is a measure that has no relation to party. It is a great humane question.

I do not agree with Ingersoll's religion. He has no Christ in his religion, but he uttered some views on the reformation of criminals the other day that go beyond his declared belief. They are Christian, and I ask to have entered, as a part of my remarks, an extract which I send to the desk.

The Clerk read as follows:

I am satisfied that the discipline of the average prison hardens and degrades. It is for the most part a perpetual exhibition of arbitrary power. There is

really no appeal. The cries of the convicts are not heard beyond the walls. Every manly feeling, every effort toward real reformation, is trampled under foot, so that when the convict's time is out there is little left on which to build.

Every penitentiary should be a real reformatory. That should be the principal object for the establishment of the prison. The men in charge should be of the kindest and noblest. They should be filled with divine enthusiasm for humanity, and every means should be taken to convince the prisoner that his good is sought—that nothing is done for revenge—nothing for a display of power, and nothing for the gratification of malice.

All the penalties, all the punishments, are inflicted under a belief that man can do right under all circumstances; that his conduct is absolutely under his control, and that his will is a pilot that can, in spite of winds and tides, reach any port desired. All this is, in my judgment, a mistake. It is a denial of the integrity of nature.

We must take into consideration the nature of man, the facts of mind, the power of temptation, the limitations of the intellect, the force of habit, the result of heredity, the power of passion, the domination of want, the diseases of the brain, the tyranny of appetite, the cruelty of conditions, the results of association, the effects of poverty and wealth, of helplessness and power.

Until those subtle things are understood, until we know that man, in spite of all, can certainly pursue the highway of the right, society should not impoverish and degrade, should not chain and kill those who, after all, may be the helpless victims of unknown causes that are deaf and blind.

Mr. OWENS, of Ohio. Mr. Chairman, I do not quite get the idea of the argument upon the establishment of these Government prisons. I hear from a member from Ohio that we need them. I hear that these prisons are to be created for the benefit and care of men who are incarcerated therein. I want to say on behalf of Ohio, notwithstanding the opinions of other men, that I never knew a man from Ohio who desired to be transported outside of his own State, even if convicted of crime in the United States courts. If there is any man here who represents a people who desire to have such as may be convicted in United States courts sent out of their own States to a prison under the charge of the General Government I would like to have him say so.

My people ask nothing better than the Ohio penitentiary if they are compelled to go to prison, and to those who claim that these national prisons are to benefit those who may be incarcerated, I will say I never knew in the history of the world that a person sent amongst strangers and out of his own State was as kindly treated as among his own people.

And touching the matter of economy, there seems to be no man here that can give us any adequate idea or put in a practical estimate on that subject.

I have had my attention called to this statement of the present Attorney-General on this subject of treatment:

As has been the custom for a number of years, the usual examinations of the penitentiaries, prisons, and reformatories where United States prisoners are confined have been made, and every attention paid by the Department's agents to the care and treatment of the prisoners of the United States. The reports of the agents show the penitentiaries to be generally in good condition and the convicts humanely treated and well cared for.

I desire to say right here, because it is hard to get the attention of the House to this matter, that, in my opinion, this is an unnecessary expenditure of some of the Government money, and in that connection answer the suggestion of a member by saying that I am not of that number who preach public economy merely to gain public favor, nor of those who stand here to-day to defend this unnecessary expenditure, and who on other occasions are unwilling and not courageous enough to do what is right when they know it is right. It is not as a matter of economy that I object to this bill, but it is because we do not need these prisons and the people do not want them.

The CHAIRMAN. Debate on the pending amendment is exhausted.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYSON having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. PLATT, one of its clerks, announced the return of bill (S. 940) to authorize the construction and maintenance of a bridge across the Missouri River at a point to be selected in the county of Douglas, or in the county of Sarpy, in the State of Nebraska, and the county of Pottawattamie, in the State of Iowa, and to make the same a post-route, heretofore recalled by the Senate, and requested concurrence in the same.

UNITED STATES PRISONS.

The committee resumed its session.

Mr. ADAMS. In the absence of the chairman of the committee I move that the committee rise for the purpose of limiting debate upon the bill. I ask unanimous consent that debate on the bill be limited to thirty minutes.

Mr. BLOUNT (to Mr. ADAMS). Make it thirty minutes on each side.

The CHAIRMAN. The question is on the request of the gentleman from Illinois that debate be limited to thirty minutes.

Mr. SPINOLA. I object.

Mr. ADAMS. What is the order of the committee?

The CHAIRMAN. The gentleman from New York objects to the request.

Mr. ADAMS. I move that the committee rise.

Mr. BLAND. Why do you not make it thirty minutes on a side?

Mr. ADAMS. I have no objection to that, and I will make the request.

The CHAIRMAN. The gentleman from Illinois asks that all debate upon the pending bill and amendments be closed in one hour.

Mr. SPINOLA. Does that require unanimous consent?

The CHAIRMAN. Is there objection?

Mr. SPINOLA. I object. This is a new departure, and let us debate it out.

Mr. ADAMS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS reported that the Committee of the Whole had had under consideration the bill (H. R. 182) providing for the erection of United States prisons for the imprisonment of United States prisoners, and for other purposes, and had come to no resolution thereon.

Mr. EZRA B. TAYLOR. I move that the House resolve itself into Committee of the Whole for the further consideration of this bill, and, pending that motion, I move that all debate upon the pending paragraph, and all amendments, and the bill be limited to one hour—one-half hour on each side.

The SPEAKER proceeded to put the question.

Mr. BRECKINRIDGE, of Kentucky. I did not catch whether it was upon the pending paragraph and amendments or on the whole bill.

The SPEAKER. It was on the amendments and the whole bill.

Mr. BRECKINRIDGE, of Kentucky. Is this the last section of the bill?

Mr. EZRA B. TAYLOR. This is the last section.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole for the further consideration of the bill (H. R. 182) for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes, Mr. BURROWS in the chair.

The CHAIRMAN. The committee will be in order and resume consideration of the bill. By order of the House, all debate upon the bill and amendments thereto is limited to one hour.

Mr. EZRA B. TAYLOR. Mr. Chairman, I hope that some gentleman upon the other side will take the responsibility of disposing of the time that is to be controlled by the other side of the House.

Mr. DOCKERY. I will do that.

The CHAIRMAN. The gentleman from Missouri [Mr. DOCKERY] is recognized to control the time in opposition to the bill and the gentleman from Ohio [Mr. EZRA B. TAYLOR] in favor of it.

Mr. EZRA B. TAYLOR. Does the gentleman from Missouri desire to occupy the time now?

Mr. DOCKERY. I simply accept control of the time.

Mr. EZRA B. TAYLOR. Then I yield five minutes to the gentleman from Illinois [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, this legislation has become necessary by reason of a great change that has been going on for a few years and is likely to go on more and more rapidly in the future in the legislation of the several States in regard to prison contract labor. Formerly the contract-labor system was adopted almost universally in the prisons of the several States. It is now being rapidly abandoned. The effect of the change upon the prisoners convicted of offenses against the United States is marked and obvious.

The system by which the care of prisoners of the United States has been intrusted to State authority was a fair and convenient system so long as all or nearly all of the States consented to adopt it.

In the last few years many of the States—and I am glad to say my own State is among them—have abandoned the system of prison contract labor; and therefore the care of prisoners has become more expensive, as it ought to be, to the people of the several States.

Now, if there are, as President Cleveland said, thirty different prisons in which to lodge our prisoners under the Federal law, and if five of those States should discard that system, either from motives of humanity or in the interest of honest labor, then you have only twenty-five left; and if of those twenty-five five abandon the system, then you have twenty left; and if of those twenty ten abandon the system, as they inevitably must, then you have but ten left, and the inevitable result of refusing to pass a bill like this is to concentrate the care of Federal prisoners more and more rapidly in those particular States in which the cost of maintaining the prisoner is less and the profit made out of him is greater.

Therefore, the result will inevitably be that in five or ten years the control of all the prisoners under Federal law will be centered in those particular prisons of the United States in which the State can make the greatest profit out of the labor of the prisoner. To refuse to enact this legislation is, therefore, to subject prisoners of the United States more and more to the system of prison contract labor, which my State and a dozen other of the States have discarded as unsuitable to the spirit of the age. The effect of passing this will be, as my friend from Minnesota has stated, to establish a more humane system than the system heretofore prevailing.

Mr. McMILLIN. Will the gentleman permit me to ask him a question?

Mr. ADAMS. Certainly.

Mr. McMILLIN. Could not Congress provide by statute, or could it not be provided by regulation of the Department, that these prisoners should be put in those prisons that did not farm out convicts?

Mr. ADAMS. Yes; but where are those prisons; where will they be five years hence? Not in Illinois, not in New York, not in Ohio,

not in New Jersey. The question is, after all, as my friend from Tennessee will understand, not what we can do for these prisoners this year, but five or six years hence. Of course we must consider the inevitable result of forces that are now in active operation. We know that the system of prison contract labor is not only discarded by ten or twelve great States, but that it is certain to be discarded more and more rapidly in the future. The result will inevitably be that if you have five or ten States left in the Union in which the system of prison contract labor prevails the Federal prisoners will all be concentrated in those States.

Now, if we have regard for the necessities, not of this year or of next year, but of five or ten years hence, we shall see that we can not remedy the trouble by any such legislation as the gentleman from Tennessee proposes. The law might be passed, but it would have no effect whatever. The several States can not be compelled to take care of Federal prisoners. They will not take charge of them at a serious loss to themselves. Those States which have discarded the profitable but otherwise injurious system which formerly prevailed can not afford to take them and will not do so. Those States only which can profitably use them will consent to take them. The result will be therefore that all Federal prisoners will be concentrated in a few States which cling to the old system and can work their prisoners in mines or otherwise under contract.

Mr. DOCKERY was recognized, and yielded five minutes to Mr. ENLOE.

Mr. ENLOE. Mr. Chairman, I have felt very much gratified at the evidences exhibited by some of the gentlemen who are advocating this bill of the growing appreciation on their part of the value of suggestions coming from the late President Cleveland. [Laughter.] It is very much to be regretted, in view of the confidence with which they bring his name in here to give weight to this measure, that they have not been more inclined than they have heretofore shown themselves to be to listen to certain very valuable suggestions which President Cleveland offered to Congress and to the country in favor of relieving the people from the burdens of unnecessary taxation.

I would have been very glad if we could have had the aid of the gentleman from Ohio who invoked the power of Mr. Cleveland's name against me in this debate when we sought to lighten the burdens of the people by relieving them of unnecessary and unjust taxation. I would have admired his judgment more if he had shown the same disposition at that time that he has manifested to-day to be guided by Mr. Cleveland's recommendations. I would also welcome the gentleman from Wisconsin and be glad to have him agree that Mr. Cleveland's recommendation ought to be respected by this House when it comes to again consider the question of relieving the people of the burdens of taxation under which they are struggling.

Now, Mr. Chairman, I want to say a word in reference to this question of the transportation of prisoners and the question of cost involved in this bill. I think it is one of the most remarkable things that have occurred in this House since I have been a member of it, that a committee comes in here proposing a bill like this, to appropriate \$1,600,000, and to entail the expenditure of a much larger sum in the future, without giving us any definite information as to the expense which it will entail upon the Treasury. The gentleman from Ohio [Mr. EZRA B. TAYLOR] alluded to the fact that I was ignorant as to the details of this matter, but he at the same time had to confess that he also was ignorant as to details. I think that, if gentlemen at the heads of Departments expect their recommendations to have much weight with Congress and to influence its action upon questions of this character, they should send here definite information which would justify those who advocate these measures in voting money out of the Treasury and entailing these additional burdens upon the tax-payers.

I find that the United States marshal is allowed now "for transporting criminals convicted of crime in any district or Territory where there is no penitentiary available for the confinement of convicts of the United States to prisons in any other district or Territory designated by the Attorney-General, the reasonable actual expense of transportation of the criminal, the marshal, the guards, and the necessary subsistence," and I maintain that there will not be a single prison—

Mr. STEWART, of Georgia. The gentleman will see that the statute says "necessary expenses." Do you want the marshal to keep fast day while he is traveling with a prisoner?

Mr. ENLOE. It says "reasonable actual expense of the transportation of the criminal, the marshal, the guards, and the necessary subsistence." It does not say how many times a day the marshal shall eat. He may eat four times a day if he wishes and put it in his account; and if you pass this bill every marshal in this country will be loading up with his "guards" the cars that carry prisoners, and paying their expenses at first-class hotels, and charging it in his accounts against the Department.

Mr. OUTHWAITE. The law gives him the same now and he transports prisoners from Texas to Detroit.

Mr. ENLOE. I do not know that he has that to do; if the Attorney-General so desired, prisoners might be confined nearer home. I think this committee would have been much nearer to the line of true reform if they had provided in this bill that where a man is convicted and sen-

tenced for one year or less he shall be confined in the county jail, instead of being sent to a penitentiary in some distant State, at great expense to the Government.

Mr. STEWART, of Georgia. Suppose those States do like Georgia, whose Legislature says they shall not receive these prisoners?

Mr. ENLOE. That is all very well. I find that the Attorney-General is able to provide for the confinement of prisoners in jail in my State; he makes contracts with the jails at Memphis, Nashville, and other points for their confinement, and if he can make such a contract for six months he certainly could make a contract for twelve.

I insist that this measure is not in the line of true economy. It is not in the line of prison reform to take men away from their homes to distant points and imprison them when they are sentenced only for a period of one year.

I have listened to the arguments of gentlemen in the direction of prison reform. I do not understand that this is a bill coming from the Prison Reform Association, though it may have the approval of that association. I do not think that this bill will result in reforming prisoners any more than they are reformed under the present methods of discipline in the State penitentiaries. The measure can not be defended on the score of economy. It provides for the erection of prisons not necessary and for the creation of officers to manage them. It increases in a great degree the cost of transportation, by providing for only three places for the confinement of United States prisoners, where we have thirty prisons open to receive them now in as many different States. It can not be maintained that the United States prisoners are not well cared for and humanely treated under the present system.

The Attorney-General, in his report to the present session of Congress, says, on page 11 of his report:

As has been the custom for a number of years, the usual examinations of the penitentiaries, prisons, and reformatories where United States prisoners are confined have been made, and every attention paid by the Department's agents to the care and treatment of the prisoners of the United States. The reports of the agents show the penitentiaries to be generally in good condition and the convicts humanely treated and well cared for.

As far as I have been able to see, economy and prison reform cut no figure in the matter, and the advocates of the bill can not justify it either on business or sentimental grounds.

[Here the hammer fell.]

Mr. EZRA B. TAYLOR. I will yield now to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Does not some one on the other side desire to be heard?

Mr. EZRA B. TAYLOR. Oh, yes; but I supposed perhaps the gentleman from Missouri was ready to proceed.

Mr. DOCKERY. I yield five minutes to the gentleman from Illinois [Mr. LANE].

Mr. LANE. Mr. Chairman, this is an entirely new departure in the legislation of this country. I am opposed to the bill mainly for this reason: I favor home rule so far as it is possible, and I think the States are better able to control this matter than the United States.

Every person convicted in the United States courts is a resident of some State; and when you imprison him in another State you exile him; you take him away from his friends; you in a measure disgrace him a great deal more than if he were imprisoned by the State courts. If it is true that the United States Government is able to take better care of prisoners than are the States, then you ought to adopt this system universally.

Mr. Chairman, there is one important distinction between imprisonment by the States and imprisonment under the general laws of the country. A prisoner confined under State law is supported by direct taxes; the burden of his support falls to a great extent on the wealth of the country. But prisoners under United States law are supported by indirect taxation; and that taxation falls of necessity upon the labor of the country, upon the poor men, upon those who are least able to bear this burden.

Mr. Chairman, the wealth of the country ought to support the prisons of the country. Men are put in jail in pursuance of laws made for the protection of property. Examination will show that 95 per cent. of all the persons imprisoned to-day in the United States are imprisoned because of some depredation upon property; only 5 per cent. of the prisoners in the jails of this country, as the facts show, are there because of assaults on human life. The mass of prisoners being confined in pursuance of the laws for the protection of property, it is proper that the wealth of the United States should support them. But under the Federal system the burden falls on the laboring men, and this bill increases the burden of expense at least fourfold. It has been shown here that this measure will actually increase fourfold the expense of supporting the prisoners of the United States. The interest upon the investment in these buildings and the expense of their maintenance would pay the present current expenses of supporting United States prisoners.

Mr. STEWART, of Georgia. I would like to ask the gentleman a question. I suppose he will believe the report of the Department in which it is stated that the present law will require \$400,000 annually for the support of prisoners. Now, I would like to know what rate of interest that sum is on \$1,100,000.

Mr. LANE. I did not refer to the cost of the buildings alone, but

the expense of the whole machinery when it has been put in operation; and I challenge the gentleman to show that my statement is not true, that 6 per cent. interest upon the cost of the buildings and the support of the officers who will be in charge of them would more than pay the expense now incurred for the support of these prisoners, and will do so for twenty years to come.

No gentleman has stated on this floor at any time during this discussion that any prisoner of the United States has been refused a place of imprisonment. The Government of the United States has not yet failed to find a suitable place for the confinement of its prisoners. I understand that there are yet places where these persons may be imprisoned at less expense than this bill purposes to incur.

The bill proposes three prisons in this entire United States, with its growing population. Under this system prisoners will sometimes have to be transported thousands of miles, where now they would only be required perhaps to be carried across a State. In this additional cost of transportation a large amount of money will be expended.

Now, who will have charge of this affair in a humanitarian point of view? Under this system a prisoner will be carried away to a prison in some distant State without the chance of communication with his friends. If he were confined in his own State, his friends would have an interest in his welfare and improvement; they would be disposed to look into the abuses of prison discipline. There is an advantage in every way in having these prisons under local influences.

[Here the hammer fell.]

Mr. EZRA B. TAYLOR. Mr. Chairman, when this bill was considered in committee it was considered simply as a business matter, with no thought that it could provoke political discussion or divide the House in any way upon party lines. The committee unanimously decided to report the bill favorably, as it was reported in a previous House and under the previous Administration.

Upon the question of cost I repeat, what I said before, that no one can now determine (because the facts are not before us) whether this system will cost more or less than the arrangement now existing.

The opinion of those who have studied this question most carefully, and who are best informed in regard to it, is that the system proposed by this bill will cost less than the existing arrangement. I leave this matter there, because, as I say, we have not the means of determining the question positively at the present time. We know that at present prisoners from the far South are sent to prisons in the far North, and this involves the expense of transportation and of the fees and costs of the marshals. Probably the number of miles traveled is greater now than it would be under the new arrangement proposed, but whether that would be so or not I can not say.

I submit, however, to this Committee of the Whole, that there is something in this bill, there is something in the legislation of the Congress of the United States, that goes beyond the question of dollars and cents. I know how eagerly men range themselves here in reference to the cost of things. I know how easy it is on the one side to say there is a surplus in the Treasury and on the other to say that a measure will involve expense to the Government. Both of these propositions may be well considered; but not always are they the controlling propositions that should be submitted to the House. Is not a man worth as much as a dollar? When men think they can make personal or political capital by voting against an expenditure of money, do they forget that they may lose political capital by voting for the expenditure of human life? To-day prisoners from the extreme South are generally, and nearly always, confined in prisons of the extreme North; and the fact is (I speak of what I know) that under this system there is, in consequence of exposure to a more rigorous climate, greater mortality among Southern prisoners than among those from the North, those who are accustomed to the climate.

I know it will not have far-reaching influence, because you can not count the dollar, but I ask gentlemen who are opposing this bill whether in their constituency there may not be some who may think human life should be always considered.

There is another question, if it comes to political consideration, to which I ask the attention of the members of the committee. As it is now, as it has been, prisoners have been farmed out by the State of Georgia, for instance, at the rate of \$11 a year. They take the place of workmen in that State on the railroads and in the mines at \$11 a year. In the State of Tennessee, where the opposition to this bill seems concentrated to some extent, they have contracted in the past for this labor for \$19 a year, and now you refuse to receive these convicts. Now they can only get their convicts in Southern or Northern prisons where the prisoners are allowed to engage at mechanical employments. Every such labor comes into competition with honest labor unconvicted of crime.

Now, I ask gentlemen on the other side when they are computing the amount of political capital to be gained they will also take into their calculation this fact, that so far as I am concerned as a politician I ask the gentleman over there to give me no better advantage than a vote against this bill will give me on the stump. I say to the gentleman from New York [Mr. TURNER], who said the other day this measure was a good one and in the right direction, but who to-day says he is opposed to it—I say to him, so far as partisanship is concerned, that I could ask

no greater political advantage than his protest to-day against the passage of this bill.

Now, Mr. Chairman, I repeat that the employment in any State prison, in any prison North or South, of these convicts must have included heretofore, does include to-day, and will hereafter include the convicts of these prisons that work at some labor which might have been done by those who were not convicts.

This bill proposes in none of these prisons shall there be any manufacturing labor done by machinery. This bill proposes that there shall be no manufacturing done except goods done for the United States, limiting to the utmost extent the competition between convict labor and labor not convict.

Now, sirs, when you range yourselves on the idea you are making political capital, I give you notice you can give me no better advantage than that. But, Mr. Chairman, the committee did not regard it as either a personal or political matter; they looked upon it merely as a matter of business, in the first place, and as a humanitarian matter in the second place; the last was the one that struck my attention the most.

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

Mr. EZRA B. TAYLOR. Certainly.

Mr. ENLOE. I ask the gentleman why it is necessary for the Attorney-General to order prisoners from the extreme South to be confined in prisons in the extreme North, when Missouri, North Carolina, and West Virginia receive these prisoners.

Mr. EZRA B. TAYLOR. I do not know that all these receive prisoners now. I do not know what the necessity is, but I say the fact exists already that the Attorney-General continues to do so and doubtless will continue to do so.

Mr. ENLOE. I find that in the report of the Attorney-General for 1889.

Mr. EZRA B. TAYLOR. I have a profound respect for Attorney-General Garland, and without knowing the reasons I assume they were good ones.

But there is one idea that has not been elaborated in this discussion, and that is the question of prison reform. Having these prisoners under our own control, a system of discipline may be perfected which will give these men privileges which can not now be accorded to them, and advantages which will enable them to come out of the prisons with some chance of holding a position in the race for life. As it is now, a man convicted of crime in Texas is mingled with the men from Detroit. Men convicted in Georgia are mingled with the convicts from Ohio. Convicted of crime in the extreme South they are brought to private institutions, because they are practically the same now, being county prisons of New York State; while in other States, such as Tennessee and Georgia, they are worked on the railroads and go into the mines, and I think it was the case to some extent in Kentucky, and perhaps in Missouri. There has been, and can be, necessarily, no control over the future welfare and discipline of the prisoners assumed and carried on by the Government of the United States, but they are just thrown into the society there of convicts and gather the influences that surround them and are subject to such regulations as the State prison may be under.

I know I might appeal to gentlemen that this is a consideration of more importance than the saving of a few dollars; but I know that in most instances it will fall upon deaf ears, because that and that alone controls some men in their action in this House; but it ought not and I hope will not control the majority of the committee.

Mr. ENLOE. Will the gentleman allow a question? The gentleman is arguing on the humanitarian system—

Mr. EZRA B. TAYLOR. If the gentleman wishes to ask a plain question I will yield to him, but will not yield otherwise. The gentleman must talk in his own time.

Mr. ENLOE. I merely wish to call the attention of the gentleman to the report of the Attorney-General of the United States, in which he says that the reports of the agents show the penitentiaries to be generally in good condition and the convicts humanely treated and well cared for.

Mr. EZRA B. TAYLOR. I suppose that might possibly have been said without reference to some transactions. But is it true that, according to the history of Tennessee, it can be applied to that State? Is it true that it might be applied to the State of Georgia? Is it true? I ask the gentleman.

And, notwithstanding that the penitentiaries may be well regulated and without our control, they can not come under any system of reform that we may adopt here. They are improving, and as they improve they demand that the Government of the United States shall take care of its own prisoners. Humanity demands it; business common sense demands it; and I call upon the House to respond to that demand.

I reserve the remainder of my time.

Mr. DOCKERY. I yield five minutes to the gentleman from Virginia [Mr. LESTER].

Mr. LESTER, of Virginia. Mr. Chairman, it is true that in all ages of the world it has been necessary to provide prisons, and where it is absolutely necessary I am in favor of their establishment. But I must admit that I did not come here on the plea of prison reform. I came here on the plea of reformation of the law.

It is an old saying that "it is too late to pray after the devil has come," and reform is too late when it reaches the prison. What we want is, in the first instance, righteous laws; laws that recognize an honest man to be an honest man; laws that recognize the people of this country as being desirous of living in a manner that will reflect honor and credit on their country and bring glory upon their own heads.

It is true that the large per cent. of these prisoners are violators of the internal-revenue laws. This I need not say is an unrighteous law, and righteously so regarded by them. I undertake to say that no small manufacturer of ardent spirits in this country can possibly exercise the rights of a citizen in the manufacture of his fruits and comply with the strict letter of the law. He can not do it. Then this unrighteous law either prohibits him from the free exercise of his sovereign citizenship or forces him, in the exercise of the franchise, to be a violator of the law. He must take an oath to support the law before he can exercise the right of franchise, and, having taken this, he comes in the face of a law that restricts him in the exercise of his privileges, and he must either violate the law or be denied the right of suffrage.

What my people want is reform of the law itself; and I, and no doubt every other man on this floor, have the honor of representing an honorable and law-abiding people; and if there is a man who represents a people not thus, let him rise in his seat and be counted. I thought the people had come here for the purpose of so revising the laws, repealing partially, if not wholly, the internal-revenue laws, and so revising and ameliorating the remainder that honest people could do an honest business and not be forced to violate the law. But it seems, as we have started out in prison reform, that we expect these laws to remain in force upon the statute books.

Had I told my people that I was coming to Congress to furnish pleasant homes for them in the United States prisons, they would have said, "We will furnish a place for you to stay at home." [Laughter.] And so, Mr. Chairman, it would have been, I doubt not, with many on this floor. Therefore we can not comply with our promises to the people and begin with prison reform. We must begin at the beginning of the reform and reform the law, and when we have enacted righteous laws the man who will violate the righteous law will only be prevented by summary punishment, perpetual imprisonment, or hanging.

[Here the hammer fell.]

Mr. TURNER, of New York. Mr. Chairman, I submit the following amendment to be added to section 11.

Mr. EZRA B. TAYLOR. Let it be read for information.

The Clerk read as follows:

Provided further, That no such contract shall be continued nor no new contract made for the employment of any such prisoner in the manufacture of any article of merchandise.

Mr. TURNER, of New York. When the gentleman from Iowa offered the amendment I opposed in Committee of the Whole this afternoon I stated—and I do not care to repeat the statement now—the objection which I had, and which I believed the people of my district and of the great city which I have the honor in part to represent, and the working people throughout the entire country had to the amendment as offered by the gentleman. But the committee in their wisdom decided to incorporate that amendment in the bill. Now, Mr. Chairman, I take this opportunity again to press upon the House—

Mr. EZRA B. TAYLOR. We can vote it out in the House.

Mr. BUCHANAN, of New Jersey. We can vote it out in the House.

Mr. EZRA B. TAYLOR. We can vote it down on a ye-and-nay vote. You can speak to that amendment now; and we will vote upon it hereafter.

Mr. TURNER, of New York. Will there be a ye-and-nay vote upon it?

Mr. EZRA B. TAYLOR. Yes; there can be a ye-and-nay vote upon it if demanded.

Mr. TURNER, of New York. I have no desire to take up the time of this committee; but I distinctly oppose this or any similar proposition. Mr. Chairman, with your permission and with all due courtesy to the gentleman, I desire to take this opportunity of pressing this amendment. The point at issue, Mr. Chairman, is important in the view of every workingman, whether by this bill we shall say to the people of this country that this House is unwilling to recognize any claim of the workingman when he asks that the product of the toil of his hands shall be kept from competition with the toil and the product of the toil of the prisoner; and I say to you that the working people of this country will rebel against any such iniquitous measure.

The effect of the eleventh section as offered by the gentleman from Iowa will be, as I have already said to this committee, that the prisons that will work these prisoners of the United States will be those which can do so most cheaply. That is indisputable, and the prisoners will go where they can be contracted for most cheaply, and there they will have the most damaging effect in competing with industry, as the prison that will bid for him and take him cheapest will consequently get him. This section is mandatory. If the prisoner remains a charge upon the State any person can come in and bid for such prisoner's services. The effect of the whole thing will be to allow those States which sell the product of their prison labor to obtain and to work these prisoners and get as much as possible out of them and with these products go into the market and undersell the product of honest labor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY. I yield five minutes to the gentleman from New York.

Mr. SPINOLA. The question under consideration, as presented by the distinguished gentleman who has charge of the bill, whereby he has thrown down the gauntlet, and whereby he has made a challenge to this House based upon political grounds, is one to which I cheerfully welcome him; and I not only welcome him here, but I welcome him to his constituents, that he has so glibly spoken of here, in the early part of November next. If he supposes for one moment that the sympathy or the tender-heartedness of the people of Ohio is going to flow out like a river in the way of sympathy with the criminals and murderers of this country, I am of the opinion that he will find himself mistaken when that hour is reached.

As to the political side of it, to which the gentleman has alluded, I did not know that there was anything political in this bill at all. Nobody has spoken of politics in this House. We have opposed certain sections of this bill, and opposed them honestly. I opposed the second section of the bill because my constituents are behind me. I shall vote against the bill on account of that section, independent of other considerations. One reason why I oppose this bill is because it is an injury to the laboring element of this country; but the gentleman from Ohio is "eager for the fray." He shall have it. [Laughter.]

Mr. EZRA B. TAYLOR. "Lay on, Macduff." [Laughter.]

Mr. SPINOLA. Yes; "And damned be him that first cries, 'Hold, enough!'" [Laughter.] And my friend will get enough of it in November when he gets home to his constituents.

Now, let me ask this question, and I ask it in all seriousness: A man enters a house at midnight to commit a felony. The owner awakes from his slumber, arises from his bed, and asks the question, what the intruder is doing there, and he answers him with a bullet of a pistol; in the presence of his wife and children, and he falls dead at their feet.

Mr. EZRA B. TAYLOR. He ought to be hanged.

Mr. SPINOLA. Oh, but you are expressing so much sympathy for him here. I did not suppose you wanted him hanged. I supposed you wanted to establish a prison with beds of down for such scoundrels to lie upon. I have no sympathy with a murderer and I have no sympathy with the thief or the burglar. I do not care how much sentiment there may be in the community in favor of them. I have always stood and will always stand against them and against any exhibition of sympathy for them. They are a class of people that should be punished by incarceration in the penal institutions of this country.

[Here the hammer fell.]

The CHAIRMAN. The gentleman from Missouri has five minutes remaining.

Mr. CLEMENTS. Mr. Chairman, I had not intended to say another word about this bill, nor would I now but for the remarks of the gentleman from Ohio [Mr. EZRA B. TAYLOR]. He presses this measure upon the ground of procuring humane treatment for the prisoners, and yet we have just heard read the report of the Attorney-General, which states that the agents of the Government who have examined into the management of the State prisons where Federal prisoners are confined report that it is proper and humane. It seems to me that that is a sufficient answer to the argument upon that ground, coming, as the report does, from the present Attorney-General.

The gentleman has asked a question as to the treatment of prisoners in Georgia and in other States. It will be sufficient for me to answer that question whenever he presents any statement of facts in derogation of the system in Georgia or in the other States. I will not take time to do it now, because I have not the time and because no charges are made.

One other point; it is claimed that this bill eliminates the convicts of the United States from competition with the honest labor of the country. Now, I ask in what way does it do that? Will the gentleman answer now how this bill does it?

Mr. EZRA B. TAYLOR. I did not say that it excluded them from competition, but I said that it reduced their competition to a minimum, by providing that there shall be no use of machinery in these prisons and that the only work done there shall be work for the use and benefit of the Government.

Mr. CLEMENTS. The gentleman has alluded to political considerations in connection with this bill. I will not question the gentleman's motives as to why he advocates this bill, nor has he any right to question our motives as Representatives upon this floor because we question the wisdom of the bill. Now, I ask him again, how does this bill eliminate this kind of labor and how does it abolish the conflict between the honest labor of the country and prison labor? You allow these prisoners to make shoes and to do all other kinds of hand-work that they can do. The articles which they make are to be used by the Government. You say they shall only be required to make such things as the Government can use for its own purposes. Well, if you did not require the convicts to make these articles for the Government would not the honest laborer outside have an opportunity of making them and selling them to the Government?

Therefore I say your bill in no way eliminates the competition between convict labor and what you call the honest labor of the country.

Mr. Chairman, we might as well meet this question now as at any other time. It is practically impossible to avoid that conflict so long as you require your convicts in State prisons or in Federal prisons to do any kind of work at all, unless it be to move stone about from one place to another and back again. That is the only way in which you can prevent the conflict. If you confine them in your prisons in idleness they will not compete with honest labor, but then you will put upon the honest labor of the country the burden of maintaining them in idleness.

The people North or South, Democrats or Republicans, the masses of the people of this country, can not be misled by any artifices upon that question. I repeat, it is impossible to avoid the conflict between convict labor and the labor outside the prisons unless you tax the public to support your prisoners in idleness. Are you prepared to do that openly and squarely?

We have heard a great deal said about prison reform. That is all very well. Let those humane influences that are spoken of be brought to bear upon the State prisons and upon the Federal prisons to reform and elevate the prisoners. But you have put into this bill a provision that these prisoners shall not work with machinery; that is to say, you prohibit them from being educated to productive labor; you provide that when they go out of prison they shall not be educated to work with machinery, so as to be able to compete with the world outside and make an honest living after they have been "reformed" in prison.

This is simply a practical question, as the gentleman from Ohio has well said, a question of business, a question of good government, and not a question of politics, and, so far as I know, he is the only gentleman that has made it a political question here.

Mr. EZRA B. TAYLOR. I protest that I have not done so.

Mr. CLEMENTS. Well, the gentleman alluded to it as such, but I do not wish to do him an injustice at all and I may have misunderstood him.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Ohio [Mr. EZRA B. TAYLOR] has seven minutes remaining.

Mr. EZRA B. TAYLOR. I think I have ten minutes left. I yield the balance of my time to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Chairman, as this seems to be a sort of a Georgia row, started by my two colleagues [Mr. STEWART and Mr. CLEMENTS], I thought it would not be amiss for me to get into it also. [Laughter.] Fortunately for us, sir, this is not a political question. Five several Presidents of the United States have, in succession, recommended the erection of penitentiaries for convicts sentenced by the Federal courts.

It therefore has had the careful consideration and the indorsement of Republican and Democratic Presidents, of Republican and Democratic Attorneys-General. The conclusions arrived at from these high sources being the same, it is well that we should suspend anything like wrangling, that we may do what is right in the premises.

A short time ago in my State a man in high esteem among his neighbors, my personal friend, was sentenced by the United States court for violation of the internal-revenue laws, and he was by virtue of that sentence transported to the Ohio penitentiary. At the time of his sentence he was having hemorrhages, as he is now. I felt that there was a manifest impropriety in transporting him, suffering from disease as he was, from the State of Georgia to the State of Ohio; and when I found in this bill a humane provision recognizing the propriety of sending convicts to climates to which they are accustomed, rather than adding to the necessary rigors of prison life a change to a more rigorous climate, my heart could but respond to the proposition.

Again, when I remember that that citizen of Georgia, confined in the Ohio penitentiary for an offense such as I have indicated, is associated with the worst class of criminals, I can but feel that so far as there is in the prison-reform movement a sentiment in the direction of doing away with such an evil my heart must respond to that also. I can not believe it proper that a man who is sentenced to imprisonment for violation, if you please, of the internal-revenue laws, or a seaman who is sentenced to confinement for resisting an officer, should, when imprisoned, be placed in association with the vilest criminals that ever disgraced humanity.

Sir, I take the liberty of reading an article from the New York World of to-day, which puts this matter quite strongly:

UNITED STATES PRISONS.

The proposition before Congress to build two high prisons for United States convicts, and which was under discussion last week in the House of Representatives, is one that ought to be speedily adopted.

The spirit of prison reform is abroad, and the General Government is one of the stumbling blocks in its way. The practice that obtains in most American prisons of confining criminals of all grades together is the essential and fundamental evil of our system. We are behind all nations of the civilized world in prison discipline, because we fail to recognize the possibility of reforming a very large percentage of convicts. Turkey and Spain are perhaps the only countries of Europe whose penal systems are as hopelessly bad as those of America. A gratifying advance has been made recently in public sentiment at all events, if not in actual practice, and we have reason to expect that the State of New York will soon greatly improve its method of caring for the criminal and unfortunate people who find their way inside of prison walls.

The first reform that is demanded is the separation of hardened criminals from first offenders. At present the United States prisoners who are confined in State penitentiaries are compelled to associate with burglars, thieves, murderers, and all the ruck of the criminal class. As a rule these Federal prisoners are violators of internal-revenue laws or sailors who have committed breaches of peace and assaults upon the high seas, crimes of passion and not of design.

When they go to a State institution they enter a primary school of vice which is only better than our ordinary county jails. Farmers who have been caught distilling spirits in their barns, and who know nothing of ordinary crime and criminals, sailors who may have struck an officer in a fit of rage aroused by tyranny, are compelled to serve out their terms in the society of wretched outcasts, many of whom ought to be always in jail. It is not to be wondered at that some of these unfortunates who might have been saved come out of prison to pursue a life of crime.

Their presence in our local prisons is an outrage upon them and a hindrance to carrying out necessary reforms by the State. By all means let the United States maintain its own prisons and classify and separate its own prisoners.

As a rule these Federal prisoners are either violators of the internal-revenue laws or sailors who have committed breaches of the peace or assaults upon the high seas, crimes arising from passion and not from premeditation.

When such persons are confined in a State institution they enter a primary school of vice, which is only better than our ordinary county jails. Farmers who have been caught distilling spirits in their barns—persons who know nothing of ordinary crime or criminals—are now subjected to the most debasing associations.

In reference to persons sentenced in my own State during years past under all administrations, I have noticed that they have been sent for imprisonment to the State of New York or the State of Ohio. I have recognized that the change of climate in such cases was too severe, and especially where the prisoners, as in the case of the young man I have mentioned, are afflicted with pulmonary disease.

But, Mr. Chairman, that is not all. I do believe that the Government of the United States ought to have its own prisons, ought to take control of them, ought to be responsible for their management. I do believe, in the language of President Cleveland, that a proper system of managing convicts under the control of the United States may be utilized for the purpose of advancing prison reform all over this country. This is no new question. Gentlemen may laugh at this as a matter of sentiment; but, sir, it has been advocated among the best men in the world from a period antedating the existence of this Government, and the agitation is increasing day by day; it is increasing the more rapidly because people are becoming more and more accustomed to writing and speaking and thinking and feeling upon this question.

Mr. Chairman, in the message of President Cleveland he said that on the economic idea we ought to have these prisons. The prisoners of the United States now transferred to the control of various State institutions are in general not engaged in any remunerative labor. Have your own prisons and you may provide labor for the prisoners; you may get profit from their labor which may be utilized and the expenditure on the part of the Government may be saved.

Gentlemen have laid great stress on the economic idea. In the light of facts presented here it may be uncertain which is the more economic system. But, sir, I think this is a larger question than one of dollars and cents. I believe that the separation of criminals with reference to the grade of their crime, that proper discipline and proper regard for humane feeling which has been manifested by most of the governments of the world, should be found here decorating and honoring the American name. It is stated, sir, that all the governments of Europe have undertaken the conduct of their prisons on the most advanced ideas, except Turkey and Spain. As an American citizen, I do not want the chronicler of events to put the United States in the category with those governments. [Applause.]

The CHAIRMAN. The time for debate on the bill and all amendments thereto has expired. The pending question is now upon the amendment proposed by the gentleman from Tennessee [Mr. ENLOE].

Mr. ENLOE. I ask that it be again read.

The Clerk read as follows:

Add the following to the bill as section 12:

"That the Attorney-General of the United States shall provide for the payment of the expense out of the judiciary fund of the transportation to their homes of prisoners convicted and sentenced for a term less than one year, when such prisoners are confined in jails or penitentiaries outside of the counties where they reside."

The amendment was rejected.

The CHAIRMAN. The gentleman from Iowa [Mr. SWENEY] asks unanimous consent to modify his amendment which was adopted as a proviso to section 11. The proposed modification will be read.

The Clerk read as follows:

Add to the amendment already adopted the words "but shall not be employed in labor in conflict with the provisions of this act."

Mr. HOLMAN. How will that read in connection with the amendment already adopted?

The CHAIRMAN. The amendment adopted will be read with the proposed modification.

The Clerk read as follows:

And provided further, That the Attorney-General shall be, and hereby is, authorized to make new or continue old contracts or arrangements with the authorities of the State for the confinement and keeping of prisoners in the penitentiaries of any State, when such arrangements shall be less expensive to the United States than to transport convicts a long distance to the prisons provided for in this act, but shall not be employed in labor in conflict with the provisions of this act.

The CHAIRMAN. Is there objection to returning to section 11 for the purpose of making this modification?

Mr. STEWART, of Vermont, and others objected.

The CHAIRMAN. Objection being made, the amendment is not be-

fore the committee. The pending question is on the motion of the gentleman from Ohio that the committee now rise and report the bill to the House favorably.

Mr. HOLMAN. I move the following substitute for that motion.

Mr. TURNER, of New York. I believe, Mr. Chairman, that I submitted an amendment to this bill which has not been voted on.

The CHAIRMAN. The Chair is informed that the amendment was read for information.

Mr. TURNER, of New York. It was my intention to press the amendment.

Mr. EZRA B. TAYLOR. It was understood to be offered for information.

Mr. TURNER, of New York. I desired to press the amendment; such was my intention when I offered it.

Mr. CANNON. There is said to be a place paved with good intentions. [Laughter.]

Mr. OUTHWAITE. It was not pressed at the time the section was under consideration. It could not have been offered as an amendment to be voted upon then, because the section was not under consideration.

The CHAIRMAN. The Chair understands that it is an amendment to section 11.

Mr. TURNER, of New York. It was.

The CHAIRMAN. If the gentleman offered it as an amendment to section 11 the Chair thinks it should be submitted to a vote.

Mr. TURNER, of New York. If it is not in order as an amendment to section 11, I ask its adoption as a new section.

The CHAIRMAN. The amendment will be again reported.

The amendment of Mr. TURNER, of New York, was again read.

The question was taken on the adoption of the amendment; and on a division there were—ayes 32, and noes 96.

So the amendment was rejected.

Mr. HOLMAN. I now ask that the amendment I have offered to the motion of the gentleman from Ohio be read.

The Clerk read as follows:

That the bill be reported to the House with the recommendation that the same be recommitted to the Committee on the Judiciary with instructions to inquire and report to the House what number of persons were convicted in the courts of the United States during the last year and sentenced to imprisonment for a less period than one year, and the cost of supporting prisoners convicted in the Federal courts and confined in each of the State prisons and other State institutions during the last year, and all other facts necessary to a full understanding of the measure.

The question was taken; and on a division there were—ayes 90, noes 109.

So the motion was rejected.

The motion of Mr. EZRA B. TAYLOR was then agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 182, had directed him to report the same back with sundry amendments, and to recommend that as so amended the bill do pass.

Mr. EZRA B. TAYLOR. I move the previous question upon all the amendments and on ordering the bill to be engrossed and read the third time.

Mr. ROGERS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. I desire a separate vote upon two of the amendments.

The SPEAKER. That can be done after the previous question is ordered.

Mr. SWENEY. I would like to have the attention of the gentleman from Ohio to ask if he will permit an amendment to be offered to a section which I offered to submit in Committee of the Whole—a modification of an amendment which was adopted by the committee.

Mr. EZRA B. TAYLOR. Mr. Speaker, I have no power to make any such arrangement. I ask a vote.

The previous question was ordered.

The SPEAKER. If there be no separate votes demanded on any other amendments, the Chair will submit the amendments in gross, excepting the two reserved by the gentleman from Arkansas, which he will indicate.

Mr. ROGERS. I ask a separate vote on the amendment of the gentleman from New York [Mr. RAINES], and also I believe the amendment of the gentleman from Ohio.

Mr. EZRA B. TAYLOR. They are the first and third amendments.

The SPEAKER. In the absence of objection, the vote will be taken upon the remaining amendments.

The remaining amendments were concurred in.

The SPEAKER. The Clerk will now report the first amendment, on which a separate vote is demanded.

The Clerk read as follows:

Amend by striking out section 2 of the bill as amended and inserting the following:

"SEC. 2. That the sum of \$100,000 be further appropriated, to be expended under the direction of the Attorney-General in the fitting up of workshops for the employment of the prisoners: *Provided, however,* That the convicts be employed exclusively in the manufacture of such supplies for the Government as can be manufactured without the use of machinery, and the prisoners shall not be worked outside of the prison inclosure."

The amendment was adopted.

The SPEAKER. The Clerk will now report the third amendment, on which a separate vote is demanded.

The Clerk read as follows:

And provided further, That the Attorney-General shall be, and hereby is, authorized to make new or continue old contracts or arrangements with the authorities of any State for the confinement and keeping of prisoners in the penitentiaries of any State when such arrangements shall be less expensive to the United States than to transport convicts long distances to the prisons provided for in this act."

The question was taken; and on a division there were—ayes 68, noes 97.

So the amendment was rejected.

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

Mr. PAYSON. Mr. Speaker, would it be in order at this time to ask unanimous consent to have the section of the bill in which the first amendment was agreed to again read for information, as there is a dispute amongst gentlemen around me about its meaning?

The SPEAKER. It can be read without objection.

There being no objection, section 2 of the bill was again reported as amended.

The question recurred upon the passage of the bill.

Mr. DOCKERY, Mr. CLEMENTS, and others demanded the yeas and nays.

The yeas and nays were ordered.

Mr. EZRA B. TAYLOR. I move that the House do now adjourn.

Several MEMBERS. Oh, no; let us have a vote.

Mr. SPINOLA. Let us have a vote.

Mr. EZRA B. TAYLOR. I withdraw the motion.

The SPEAKER. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. BRECKINRIDGE, of Kentucky. I renew the motion of the gentleman from Ohio.

The SPEAKER. But the roll-call has already begun.

Mr. BRECKINRIDGE, of Kentucky. I attempted to attract the attention of the Chair as soon as possible, with a view of renewing the motion.

The SPEAKER. But the Chair thinks that after the roll-call has begun it is not in order to interrupt it with such a motion.

Mr. BRECKINRIDGE, of Kentucky. I had attempted to make the motion, but could not attract the attention of the Chair.

The SPEAKER. The first name had been called, the Chair thinks, before the gentleman made the motion.

Mr. EZRA B. TAYLOR. I renew my motion to adjourn.

The SPEAKER. The Chair thinks it too late.

Mr. BRECKINRIDGE, of Kentucky. I had attempted to catch the ear of the Speaker before the vote was begun.

The SPEAKER. The Chair thinks it is too late after the first name has been called.

Mr. HOLMAN. The gentleman from Kentucky rose before the first name was called.

The SPEAKER. If the gentleman from Kentucky states that he addressed the Chair prior to the first name being called, the Chair will entertain his motion.

Mr. BRECKINRIDGE, of Kentucky. I could not say that, because I could not hear when the first name was called. I rose to do it, and I think I did address the Chair before the name was called, but the noise was so great that I do not know.

The SPEAKER. The Chair even thinks there is some question whether, when the yeas and nays have been ordered—

Mr. BRECKINRIDGE, of Kentucky. I could not hear the Clerk where I was.

The SPEAKER. The Chair has also some doubts as to whether the motion could be entertained after the House had ordered the yeas and nays.

Mr. McMILLIN addressed the Chair.

Mr. BAYNE. I ask unanimous consent that the motion be entertained.

Mr. McKINLEY. I ask unanimous consent that the motion to adjourn be entertained.

Mr. CLUNIE and others objected.

The question was taken; and it was decided in the affirmative—yeas 116, nays 104, not voting 108; as follows:

YEAS—116.

Adams,	Boutelle,	Compton,	Evans,
Alderson,	Brewer,	Comstock,	Farquhar,
Allen, Mich.	Buchanan, N. J.	Conger,	Frank,
Anderson, Kans.	Buchanan, Va.	Connell,	Gear,
Arnold,	Burrows,	Cooper, Ohio	Gifford,
Atkinson,	Burton,	Craig,	Greenhalge,
Banks,	Caldwell,	Culbertson, Tex.	Grout,
Bartine,	Candler, Ga.	Cutcheon,	Hall,
Beckwith,	Cheadle,	Dalzell,	Hansbrough,
Belden,	Chipman,	Darlington,	Haugen,
Belknap,	Clark, Wis.	De Haven,	Henderson, Ill.
Blount,	Clunie,	De Lano,	Henderson, Iowa
Boatner,	Cogswell,	Dolliver,	Hill,
Boothman,	Coleman,	Dunnell,	Hopkins,

Houk,
Kennedy,
Kerr, Iowa
Kinsey,
Laidlaw,
Lansing,
Lehlbach,
Lodge,
McComas,
McKenna,
McKinley,
Miles,
Milliken,
Moffitt,
Moore, N. H.

Morey,
Morrill,
Morse,
Niedringhaus,
Nute,
O'Neill, Mass.
Outhwaite,
Payne,
Pickler,
Post,
Price,
Pugsley,
Raines,
Randall, Mass.
Ray,

Reed, Iowa
Rogers,
Rowell,
Russell,
Sanford,
Simonds,
Smyser,
Snider,
Spoonner,
Stephenson,
Stewart, Ga.
Stewart, Vt.
Stivers,
Stockbridge,
Taylor, Tenn.

Taylor, E. B.
Taylor, J. D.
Thomas,
Tillman,
Townsend, Pa.
Tracey,
Turner, Kans.
Vandever,
Van Schaick,
Wallace, Mass.
Wallace, N. Y.
Wickham,
Wilkinson,
Wilson, W. Va.
Yardley.

NAYS—104.

Abbott,
Allen, Miss.
Andrew,
Barnes,
Barwig,
Bland,
Breckinridge, Ark.
Breckinridge, Ky.
Brickner,
Brookshire,
Bunn,
Bynum,
Cannon,
Carlton,
Caruth,
Clarke, Ala.
Clements,
Cooper, Ind.
Cothran,
Covert,
Cowles,
Crisp,
Culbertson, Pa.
Cummings,
Dibble,
Dockery,

Dunphy,
Elliott,
Ellis,
Enloe,
Fithian,
Flick,
Flower,
Fowler,
Geissenhainer,
Goodnight,
Hate,
Harmer,
Hayes,
Haynes,
Heard,
Holman,
Hooker,
Jackson,
Kerr, Pa.
Lacey,
Lane,
Lanham,
Lawler,
Lee,
Lester, Ga.
Lester, Va.

Lewis,
Maish,
Martin, Ind.
Martin, Tex.
McAdoo,
McClammy,
McClellan,
McCreary,
McMillin,
McRae,
Montgomery,
Moore, Tex.
Morgan,
Mutchler,
Norton,
Osborne,
Owens, Ohio
Parrett,
Paynter,
Payson,
Peel,
Pennington,
Perry,
Peters,
Pierce,
Richardson,

Rowland,
Sayers,
Scranton,
Seull,
Seney,
Spinola,
Stewart, Tex.
Stockdale,
Stone, Ky.
Stump,
Sweney,
Tarsney,
Turner, Ga.
Turner, N. Y.
Turpin,
Walker, Mass.
Walker, Mo.
Washington,
Wheeler, Ala.
Wike,
Willcox,
Williams, Ill.
Williams, Ohio
Wilson, Ky.
Wilson, Mo.
Wise.

NOT VOTING—108.

Anderson, Miss.
Baker,
Bankhead,
Bayne,
Bergen,
Biggs,
Bingham,
Blanchard,
Bliss,
Bowden,
Brosius,
Brower,
Browne, Va.
Browne, T. M.
Brown, J. B.
Bruner,
Buckalew,
Bullock,
Butterworth,
Campbell,
Candler, Mass.
Carlisle,
Carter,
Caswell,
Catchings,
Cate,
Cheatham,

Clancy,
Cobb,
Crain,
Dargan,
Davidson,
Dingley,
Dorsey,
Edmunds,
Bliss,
Finley,
Fitch,
Flood,
Forman,
Forney,
Funston,
Gest,
Gibson,
Grimes,
Grosvenor,
Hatch,
Hemphill,
Henderson, N. C.
Herbert,
Hermann,
Hitt,
Kelley,
Ketcham,

Robertson,
Rockwell,
Rusk,
Sawyer,
Sherman,
Shively,
Skinner,
Smith,
Springer,
Stahlnecker,
Stone, Mo.
Struble,
Taylor, Ill.
Thompson,
Townsend, Colo.
Tucker,
Venable,
Wade,
Watson,
Wheeler, Mich.
Whiting,
Whitthorne,
Wilber,
Wiley,
Wilson, Wash.
Wright,
Yoder.

So the bill was passed.

The following pairs were announced for this day:

Mr. WADE with Mr. CRAIN.

Mr. RIFE with Mr. BULLOCK.

Mr. LIND with Mr. GIBSON.

Mr. SMITH with Mr. FORMAN.

Mr. BLISS with Mr. WHITING.

Mr. McCORMICK with Mr. FITCH.

Mr. CATE with Mr. CARTER, on the pending bill for this day.

Mr. O'NEILL, of Pennsylvania, with Mr. DAVIDSON.

Mr. DINGLEY with Mr. MILLS.

Mr. TAYLOR, of Illinois, with Mr. HENDERSON, of North Carolina.

Mr. THOMPSON with Mr. REILLY.

Mr. GROSVENOR with Mr. VENABLE.

Mr. BAKER with Mr. MANSUR.

For the rest of this day:

Mr. CARLISLE with Mr. LA FOLLETTE.

Mr. TOWNSEND, of Colorado, with Mr. STONE, of Missouri.

Mr. KELLEY with Mr. GRIMES.

Mr. BINGHAM with Mr. BUCKALEW.

Mr. THOMAS M. BROWNE with Mr. OATES.

Mr. BINGHAM with Mr. STAHLNECKER.

Until further notice:

Mr. GIFFORD with Mr. FORNEY.

Mr. FINLEY with Mr. BIGGS.

Mr. ROCKWELL with Mr. HATCH.

Mr. WRIGHT with Mr. CLANCY.

Mr. KNAPP with Mr. JASON B. BROWN.

Mr. BERGEN with Mr. WHITTHORNE.

Mr. BANKHEAD with Mr. O'DONNELL.

Mr. EDMUNDS with Mr. BOWDEN.

Mr. WILBER with Mr. RANDALL, of Pennsylvania.

Mr. WATSON with Mr. TUCKER.
 Mr. CHEATHAM with Mr. BRUNNER, until Tuesday next.
 Mr. KETCHAM with Mr. COBB, until Wednesday next.
 Mr. BROWNE, of Virginia, with Mr. WILEY, until Wednesday next.
 Mr. ANDERSON, of Mississippi, with Mr. ROBERTSON, on this bill. If present Mr. ANDERSON would have voted for and Mr. ROBERTSON against the bill.

Mr. YODER with Mr. BLANCHARD, on this bill. If present Mr. YODER would have voted for and Mr. BLANCHARD against the bill.

Mr. STRUBLE with Mr. SPRINGER, on this vote.

Mr. BAYNE with Mr. HERBERT. If present Mr. BAYNE would have voted for the bill.

Mr. PENDLETON with Mr. SKINNER, on this vote. If present Mr. PENDLETON would have voted for and Mr. SKINNER against the bill.

Mr. McCORD with Mr. LAWS, upon this question. If present Mr. McCORD would have voted for and Mr. LAWS against the bill.

Mr. PERKINS with Mr. KILGORE, on this bill. If present Mr. PERKINS would have voted for and Mr. KILGORE against the bill.

Mr. McCLAMMY. Mr. Speaker, I desire to state that my colleague, Mr. HENDERSON, is absent from the House by reason of sickness.

Mr. HOLMAN. Mr. Speaker, my colleagues, Mr. THOMAS M. BROWNE and Mr. JASON B. BROWN, are both detained at their homes by sickness.

GUN FACTORY AT INDIANAPOLIS.

Pending the announcement of the vote,

Mr. CHADLE, by unanimous consent, introduced a bill (H. R. 5989) providing for a gun factory for the finishing and assembling of field guns and other ordnance on the arsenal grounds in Indianapolis, Ind.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

The result of the yea-and-nay vote was then announced as above recorded.

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

Mr. HOLMAN. Mr. Speaker, before that motion is put I ask that the result of the vote be again announced. It was not distinctly heard here.

The SPEAKER. Upon the passage of this question the yeas are 117 and the nays 104.

Mr. HOLMAN. I hope the motion to lay the motion to reconsider on the table will not be put at this time, and I move that the House do now adjourn.

The SPEAKER. The gentleman from Georgia [Mr. STEWART] moves to reconsider the vote by which the bill was passed; and also moves that the motion to reconsider be laid on the table. Pending that, the gentleman from Indiana [Mr. HOLMAN] moves to adjourn, and the question is on the motion of the gentleman from Indiana.

The question was taken on the motion to adjourn, and the Speaker declared that the yeas seemed to have it.

Mr. HOLMAN. I ask for a division.

The House divided; and there were—ayes 24, noes 50.

The SPEAKER. The motion is lost.

Mr. HOLMAN. There is no quorum voting. It is evident that this vote—

The SPEAKER. The question is upon the motion of the gentleman from Georgia [Mr. STEWART] that the motion to reconsider the vote by which the bill was passed be laid on the table. Without objection—

Mr. HOLMAN. I ask for a vote.

The SPEAKER. The gentleman from Indiana objects. The question is on the motion to lay the motion to reconsider upon the table.

The question was taken; and the Speaker declared that the yeas seemed to have it.

Mr. HOLMAN. I ask for a division.

The House divided; and there were—ayes 48, noes 12.

Mr. HOLMAN. No quorum.

Mr. EZRA B. TAYLOR. I move that the House do now adjourn.

Mr. HOOKER. I ask the gentleman to withhold that motion for a moment, in order that I may present a bill for reference.

The SPEAKER. The Chair can not receive the bill. Upon this vote the yeas are 48 and the noes 12; so there is evidently no quorum present.

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

The motion was agreed to; and accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned.

PRIVATE BILLS, ETC.

Under the rule, private bills of the following titles were introduced and referred as follows:

By Mr. ADAMS: A bill (H. R. 5990) granting a pension to Augusta M. Zenopolsky—to the Committee on Invalid Pensions.

By Mr. ARNOLD: A bill (H. R. 5991) granting a pension to Mary F. Hopkins—to the Committee on Invalid Pensions.

By Mr. BARNES: A bill (H. R. 5992) to provide for the improvement of the navigation of the Savannah River—to the Committee on Rivers and Harbors.

By Mr. BAYNE: A bill (H. R. 5993) to remove the charge of desertion from the record of E. J. Kulb—to the Committee on Military Affairs.

By Mr. BECKWITH: A bill (H. R. 5994) authorizing the purchase of the original telegraphic instrument—to the Committee on the Library.

By Mr. BELDEN: A bill (H. R. 5995) granting a pension to Amasa Chase—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 5996) granting a pension to Mary Percy Linton and Anna Creig Linton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5997) restoring to the pension-roll the name of Florian Lischewsky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5998) granting a pension to the widow of Maj. Gen. W. B. Hazen—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 5999) to correct the military record of Erastus H. Leland, late first lieutenant and adjutant of the Thirty-eighth Regiment Ohio Volunteers—to the Committee on Military Affairs.

By Mr. BOWDEN: A bill (H. R. 6000) for the relief of Samuel Marsh—to the Committee on War Claims.

Also, a bill (H. R. 6001) granting an increase of pension to Elnathan Meade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6002) for the relief of the estate of Asa Biggs, deceased—to the Committee on the Judiciary.

Also, a bill (H. R. 6003) granting an increase of pension to Joseph Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6004) for the relief of the estate of John W. Brockenburgh, deceased—to the Committee on the Judiciary.

By Mr. BRECKINRIDGE, of Arkansas: A bill (H. R. 6005) to relieve certain soldiers of the late war of the charge of desertion—to the Committee on Military Affairs.

By Mr. BRECKINRIDGE, of Kentucky: A bill (H. R. 6006) for the benefit of A. W. Harper—to the Committee on War Claims.

By Mr. CARLISLE: A bill (H. R. 6007) for the relief of Ann H. Shaler, of Campbell County, Kentucky—to the Committee on War Claims.

By Mr. CLUNIE: A bill (H. R. 6008) releasing S. H. Brooks, assistant treasurer of the United States, and his sureties on his official bond—to the Committee on Claims.

By Mr. CONGER: A bill (H. R. 6009) for the relief of E. O. Burt—to the Committee on Military Affairs.

By Mr. COWLES: A bill (H. R. 6010) for the relief of Rufus Lowe and C. M. Loftin—to the Committee on the Judiciary.

By Mr. DINGLEY: A bill (H. R. 6011) for the relief of Deering, Donnell, and others—to the Committee on Claims.

By Mr. DORSEY: A bill (H. R. 6012) granting a pension to John J. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6013) granting a pension to John D. Mawe—to the Committee on Invalid Pensions.

By Mr. DUBOIS: A bill (H. R. 6014) to submit the location of the county seat of Shoshone County, Idaho Territory, to a vote of the people of the said county—to the Committee on the Territories.

By Mr. EVANS: A bill (H. R. 6014) for the relief of R. D. Beckley and Leon Howard—to the Committee on Claims.

Also, a bill (H. R. 6015) for the relief of Jacob Holzkecht—to the Committee on Military Affairs.

Also, a bill (H. R. 6016) for the relief of Louisey Suttin and Mahala Suttin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6017) to pension Louisey Suttin and Mahala Suttin, dependent sisters of Thomas Suttin and Charles Suttin, deceased, Company D, Tenth Tennessee Cavalry, war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6018) for the relief of Thomas B. McElwee—to the Committee on Claims.

Also, a bill (H. R. 6019) for the relief of Luther M. Blackman—to the Committee on War Claims.

By Mr. FITHIAN: A bill (H. R. 6020) increasing the pension of Andrew Reiber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6021) for the relief of Dr. James Madison—to the Committee on Claims.

Also, a bill (H. R. 6022) for the relief of Jacob Taylor—to the Committee on Invalid Pensions.

By Mr. GOODNIGHT: A bill (H. R. 6023) for the relief of J. W. Hackney—to the Committee on War Claims.

Also, a bill (H. R. 6024) for the relief of James G. Adams—to the Committee on War Claims.

By Mr. GEST: A bill (H. R. 6025) to increase the pension of Wesley Clowes—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 6026) to remove the charge of desertion against James Crothers—to the Committee on Military Affairs.

Also, a bill (H. R. 6027) granting a pension to the minor children of Gustav Bonstedt—to the Committee on Invalid Pensions.

By Mr. HATCH: A bill (H. R. 6028) granting a pension to John W. Elsen—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 6029) for the relief of Thomas S. Brooke & Co.—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6030) for the relief of Evans, Nichols & Co.—to the Select Committee on Indian Depredation Claims.

By Mr. HEMPHILL (by request): A bill (H. R. 6031) changing the name of The Columbia Title Insurance Company of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. HENDERSON, of Illinois: A bill (H. R. 6032) granting a pension to Mary Welsh—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 6033) for payment to M. Trieber for use of property during the late civil war by United States military authorities—to the Committee on War Claims.

Also, a bill (H. R. 6034) for the relief of Mary Alice White Ogden—to the Committee on the Public Lands.

Also, a bill (H. R. 6035) for the relief of John W. Miller—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6036) for the relief of Tunis Swick—to the Select Committee on Indian Depredation Claims.

By Mr. LAWS: A bill (H. R. 6037) granting a pension to William Sykes—to the Committee on Invalid Pensions.

By Mr. MCCREARY: A bill (H. R. 6038) for the relief of Estes & Warren—to the Committee on War Claims.

Also, a bill (H. R. 6039) for the relief of Katherine Harrison—to the Committee on War Claims.

Also, a bill (H. R. 6040) for the relief of Charles L. Carter—to the Committee on War Claims.

Also, a bill (H. R. 6041) for the relief of E. I. Baker—to the Committee on War Claims.

Also, a bill (H. R. 6042) to grant a pension to Lucinda Stamper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6043) for the relief of B. F. Chatham—to the Committee on War Claims.

Also, a bill (H. R. 6044) granting a pension to M. E. Doneghey—to the Committee on Pensions.

Also, a bill (H. R. 6045) to increase the pension of D. C. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6046) for the relief of the heirs of John C. Reed, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6047) for the relief of S. P. Martin—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 6048) granting a pension to Mary Robinson—to the Committee on Invalid Pensions.

By Mr. MORROW: A bill (H. R. 6049) granting a pension to Mrs. Anna M. Deitzler—to the Committee on Invalid Pensions.

By Mr. NUTE: A bill (H. R. 6050) to amend the military record of William Allen—to the Committee on Military Affairs.

By Mr. OATES: A bill (H. R. 6051) granting a pension to T. F. Knight—to the Committee on Invalid Pensions.

By Mr. PAYNTER: A bill (H. R. 6052) granting a pension to Martha A. Bowling—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 6053) to correct military record of George W. Glenn, private Company E, First Arkansas Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 6054) to correct the military record of W. H. Bohanan, late private Company D, First Arkansas Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 6055) for the relief of Elizabeth Phillips and child, as widow of Reuben Phillips—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 6056) to compensate Henry W. Smith, of Talmage, Kans., for distinguished and patriotic services during the war of the rebellion—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 6057) increasing the pension of Thomas Cameron—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 6058) for the relief of John F. Davis—to the Committee on War Claims.

By Mr. STRUBLE (by request): A bill (H. R. 6059) for the relief of Edward Stevens—to the Committee on Invalid Pensions.

By Mr. WALKER, of Massachusetts: A bill (H. R. 6060) for the relief of Patrick Brazill—to the Committee on Invalid Pensions.

By Mr. WALLACE, of New York: A bill (H. R. 6061) to refer the claim of Alice E. De Groot and Theodore R. B. De Groot, administrators of Mrs. William H. De Groot, deceased, to the United States Court of Claims—to the Committee on Claims.

By Mr. WILLCOX: A bill (H. R. 6062) for the relief of Andrew I. Calahan—to the Committee on Claims.

By Mr. WILKINSON: A bill (H. R. 6063) for the relief of the heirs of Pierre Sauv  —to the Committee on War Claims.

By Mr. WRIGHT: A bill (H. R. 6064) to remove the charge of desertion from George H. Gamble—to the Committee on Military Affairs.

By Mr. YODER: A bill (H. R. 6065) for the relief of Mary E. Hopkins—to the Committee on Naval Affairs.

PETITIONS, ETC.

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

By Mr. BAKER: Petitions of 22 citizens of Hamlin, 20 citizens of Parma, 11 citizens of Ogden, 37 citizens of Sweden, 43 citizens of Clarkston, and 54 citizens of Chili, Monroe County, New York, praying for a duty of 50 cents per bushel on beans, 25 cents per bushel on barley, 25 cents per bushel on potatoes, and 5 cents per dozen on eggs—to the Committee on Ways and Means.

By Mr. BAYNE: Petition of comrades of E. J. Kolb, of Allegheny County, Pennsylvania, for the removal of the charge of desertion from said Kolb—to the Committee on Military Affairs.

By Mr. BELDEN: Petition of W. A. Moore and others, in favor of per diem service-pension bill—to the Committee on Invalid Pensions.

By Mr. BLISS: Petition of Joseph Perves and 75 others, citizens of Michigan, against option dealing—to the Committee on Agriculture.

By Mr. BOOTHMAN: Petition of S. O. Jackson and other members of C. J. Stafford Camp, No. 305, Sons of Veterans, division of Ohio, in favor of the per diem rated service-pension bill—to the Committee on Invalid Pensions.

By Mr. BROOKSHIRE: Petitions of Noah Ring and 30 others, citizens of the Eighth Congressional district of Indiana, and of John Henneling and 10 others, citizens of Coal Creek, Fountain County, Indiana, asking further pension legislation—to the Committee on Invalid Pensions.

By Mr. BROWER: Petition of citizens of Durham, N. C., for a public building, to accompany H. R. 4402—to the Committee on Public Buildings and Grounds.

By Mr. BURROWS: Petition asking the passage of a law to prohibit the selling of promises to deliver any farm products or stock products by those who are not the owners of the same (option dealers)—to the Committee on Agriculture.

Also, petition asking the passage of a law forbidding Sunday work in the mail service (Sunday-rest law)—to the Committee on the Judiciary.

By Mr. CANNON: Petition of soldiers and sailors of the late war, asking that the consideration of pension legislation embodying the recommendations of the Grand Army of the Republic national pension committee be made the first business of the House and Senate after organization—to the Committee on Invalid Pensions.

By Mr. CARUTH: Petition of Henry Rickman, of Kentucky, for relief—to the Committee on War Claims.

Also, petition of citizens of Louisville, Ky., praying for an extension of the scope of the Eleventh Census (farm mortgages)—to the Select Committee on the Eleventh Census.

By Mr. COVERT: Petition of George E. Plitt and others, residents of the State of New York, relating to the duty on imported silk goods—to the Committee on Ways and Means.

By Mr. COWLES: Petition of members of Horse Shoe Bend Sub-Alliance, Gaston County, North Carolina, asking the passage of an act embodying the plan of the St. Louis convention of farmers known as the "subtreasury plan"—to the Committee on Banking and Currency.

By Mr. CRAIN: Petition of citizens of Matagorda County, Texas, for removal of raft in the Colorado River, Texas—to the Committee on Rivers and Harbors.

By Mr. DALZELL: Petition of American Association of Flint and Lime Glass Manufacturers, in favor of passage of Torrey bankruptcy bill—to the Committee on the Judiciary.

By Mr. DE LANO: Petition of Belden Post, Grand Army of the Republic, Richford, N. Y., for per diem service pension—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Petitions of 1,157 citizens of Hiram, Me., and of 37 citizens of Maine, asking for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. DOLLIVER: Petition of Dayton Post, No. 37, Grand Army of the Republic, department of Iowa, for liberal pension legislation—to the Committee on Invalid Pensions.

By Mr. FITHIAN: Memorials of Little Brick Lodge, No. 974; Home Lodge, Friendsville, Ill.; Literary Lodge, Wabash County, Illinois; Oster Lodge, No. 1011; Lodge No. 1107, Lodge No. 1009, Clay County, Illinois, and Lodge No. 1630, F. M. B. A., against monopolies and trusts—to the Committee on Agriculture.

By Mr. GEAR: Petition of 108 citizens of Iowa, asking for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. GOODNIGHT: Petition of Sarah A. Martin, for relief—to the Committee on Invalid Pensions.

By Mr. GREENHALGE: Petition of Huldah Clark, for a pension—to the Committee on Invalid Pensions.

Also, petition of Andrew Floyd, asking for honorable discharge—to the Committee on Military Affairs.

Also, petition of John T. Smith, for pension—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of Congregational Church, McIndoe's Falls, Vt., for passage of Sunday-rest law—to the Committee on the Judiciary.

By Mr. HANSBROUGH: Petition of residents of Pembina County,

North Dakota, requesting appropriation for locks and dams on the Red River of the North—to the Committee on Rivers and Harbors.

By Mr. HARMER: Papers relating to bill granting pension to the minor children of Gustav Bonstedt—to the Committee on Invalid Pensions.

Also, petition of William Watson, for increase of pension—to the Committee on Invalid Pensions.

By Mr. HENDERSON, of Illinois: Petition of A. M. Rappall, first lieutenant, United States Army (retired), asking for promotion to the office of captain and to be retired as such—to the Committee on Military Affairs.

By Mr. HENDERSON, of Iowa: Petition of citizens of Belmond, Wright County, Iowa, asking for more stringent laws prohibiting the manufacture of imitation butter—to the Committee on Agriculture.

Also, memorial of Janesville Post, No. 172, Grand Army of the Republic, department of Iowa, favoring an equitable service-pension law for all surviving Union soldiers of the late war—to the Committee on Invalid Pensions.

By Mr. HOUK: Petition of Jack Frank, for the reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. KENNEDY: Petition of citizens of Ashland County, Ohio, for passage of Sunday-rest law—to the Committee on the Judiciary.

Also, petition of C. H. Myers and others, citizens of Clark County, Ohio, relating to pensions—to the Committee on Invalid Pensions.

By Mr. LANSING: Petition for the improvement of Big Sandy Creek, Jefferson County, New York—to the Committee on Rivers and Harbors.

Also, petition of farmers of Jefferson County, New York, for additional duties on agricultural products—to the Committee on Ways and Means.

By Mr. LAWLER: Petition of Burley & Tyrrell, and others, protesting against the reimposing of the duty on crockery, china, and glassware packages—to the Committee on Ways and Means.

By Mr. LEE: Petition of James H. Clark, for relief—to the Committee on War Claims.

Also, papers in the case of Benjamin Hunter, of Virginia, for relief—to the Committee on Military Affairs.

By Mr. McCLAMMY: Petition of W. W. Main and others, asking for the improvement of New River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. MCCORD: Petition of A. C. Stewart and 29 others, for a law prohibiting option dealing—to the Committee on Agriculture.

Also, memorial of Ashland Typographical Union, No. 147, indorsing Senate bill No. 232, relating to copyrights—to the Committee on the Judiciary.

Also, memorial of the Wisconsin State Cranberry-growers' Association, asking for the repeal of the duty on sugar—to the Committee on Ways and Means.

Also, memorial of the Business Men's Association of Ashland, Wis., that the full amount of money asked for by the Government engineer in charge of improvement on the Ste. Marie Falls Canal, etc., be appropriated—to the Committee on Rivers and Harbors.

By Mr. McCREARY: Petition of K. Hamm, widow of E. Hamm, for pension, and papers in case of James Singleton, for pension—to the Committee on Pensions.

Also, papers in support of bill for relief of James S. Beatty—to the Committee on Claims.

Also, petition of Catharine Wickersham and others, that the act granting pensions to soldiers of the Mexican war, or their widows, be amended so as to give them \$12 per month—to the Committee on Pensions.

Also, petition of Capt. John Wilson, for pension—to the Committee on Invalid Pensions.

Also, papers in case of Carter Anderson and in case of Martin V. Mason, for pensions—to the Committee on Invalid Pensions.

Also, papers in the claims of W. G. Anderson, E. J. Baker, William R. Ballard, J. H. Gobbard, J. S. McCarty, B. F. Robinson, and E. J. Shackelford—to the Committee on War Claims.

By Mr. McCREA: Petition of D. B. Hoffman and others, asking for an increase of the fees of witnesses and jurors in the United States courts—to the Committee on the Judiciary.

By Mr. MILLIKEN: Petitions of Boston and Bangor and Rockland and Ellsworth Steam-boat Companies; also, George Gregory and 47 others, of Rockland, and H. B. Mason and 47 others, of Ellsworth, Me., for the improvement of Union River—to the Committee on Rivers and Harbors.

Also, a petition for the improvement of the harbor at Lincolnville, Waldo County, Maine—to the Committee on Rivers and Harbors.

Also, petition of George E. Burleigh and others, asking for improvement of the Kennebec River, in Maine; also, statement of some of the business done on the Kennebec River—to the Committee on Rivers and Harbors.

Also, memoranda in the claim of the owners of the brig Abby Ellen—to the Committee on Rivers and Harbors.

By Mr. MOREY: Petition of 3,063 citizens of Ohio, for passage of Sunday-rest law—to the Committee on the Judiciary.

By Mr. MORRILL: Petition of 139 citizens of Kansas, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. MORROW: Memorial of Lincoln Post, No. 1, Grand Army of the Republic, department of California, in relation to pension legislation, and indorsing the recommendations of the President in his message to Congress—to the Committee on Invalid Pensions.

Also, memorial of the Pacific Coast Board of Commerce, in favor of the Torrey bankruptcy bill—to the Committee on the Judiciary.

Also, memorial of the Pacific Coast Board of Commerce, in favor of the passage of the sweet-wine bill—to the Committee on Ways and Means.

Also, petition of Anna M. Deitzler, widow of General George W. Deitzler, for a pension—to the Committee on Invalid Pensions.

By Mr. PARRETT: Petitions of Stephensport Lodge, No. 1055, Lodge No. 961, and 70 members, F. M. B. A., against monopolies and trusts—to the Committee on Agriculture.

By Mr. PERKINS: Petition and papers in support of the claim of Henry W. Smith, of Talmage, Kans., for services rendered during the war of the rebellion—to the Committee on War Claims.

Also, petitions of James R. Barnett, Eliza Ann Roberts, and Violet Ferchew, for pensions—to the Committee on Invalid Pensions.

Also, evidence and papers in support of the private claim of J. K. Ozburn, for compensation as a teacher of Indian schools—to the Committee on Indian Affairs.

By Mr. PETERS: Petitions of ex-soldiers of Clark and Hamilton Counties, Kansas, for service pension—to the Committee on Invalid Pensions.

Also, affidavit in support of bill (H. R. 4448) for relief of Charles A. Morris—to the Committee on Claims.

By Mr. QUACKENBUSH: Memorial of Knights of Labor of West Troy, N. Y., relative to the collection of statistics in connection with the Eleventh Census, showing proportion of people owning their homes and farms, proportion mortgaged, etc.—to the Select Committee on the Eleventh Census.

By Mr. RUSSELL: Petition of 59 silk workers of Willimantic, Conn., for duty on silk—to the Committee on Ways and Means.

By Mr. SAYERS: Memorial of Llano County (Texas) Alliance, asking an appropriation to enable the Superintendent of the Census to take the indebtedness of the farmers and also farm mortgages—to the Select Committee on the Eleventh Census.

By Mr. SIMONDS: Petition of Methodist Episcopal Church, Plainville, Conn., in favor of Sunday-rest law—to the Committee on the Judiciary.

By Mr. SPRINGER: Petition of Lyon, Hall & Co., Baltimore, Md., for a reduction of duties on oil-cloths and linoleum—to the Committee on Ways and Means.

By Mr. STEWART, of Vermont: Petition of J. C. Williams and 106 others, citizens of Coventry, Vt., for passage of Sunday-rest law—to the Committee on the Judiciary.

By Mr. STOCKBRIDGE (by request): Petition of Memorial Church, Evangelical Association, Baltimore, Md., for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. STONE, of Kentucky: Memorial of citizens of McCracken County, Kentucky, praying amendment of Mexican pension-law so as to include teamsters—to the Committee on Pensions.

By Mr. STONE, of Missouri: Petition of William M. Cox, that his claim be referred to Court of Claims—to the Committee on War Claims.

By Mr. STRUBLE: Memorial of Matthew Gray Post, Grand Army of the Republic, Ida Grove, Iowa, for further pension legislation—to the Committee on Invalid Pensions.

Also, memorial of Cottrell Post, Grand Army of the Republic, Hull, Sioux County, Iowa, for further pension legislation—to the Committee on Invalid Pensions.

By Mr. TAYLOR, of Illinois (by request): Petition of citizens of Chicago, in relation to the duties on crockery, china, and glassware packages, etc.—to the Committee on Ways and Means.

Also, memorial of 765 citizens of Illinois, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. TURNER, of Kansas: Petition of Antietam Post, No. 64, Grand Army of the Republic, department of Kansas, that Congress cede to the State of Kansas the Fort Hays military reservation for the establishment of a State soldiers' home—to the Committee on Military Affairs.

By Mr. VANDEVER: Memorial of the Chamber of Commerce, San Diego, Cal., for amendment of the immediate-transportation act of June 10, 1880—to the Committee on Commerce.

Also, memorial of Chamber of Commerce of San Diego, Cal., for the establishment of a ten-company military post at or near San Diego—to the Committee on Military Affairs.

By Mr. WADE: Petitions of J. C. Black, William T. Bettis, G. W. Claypool, Felix G. Duvall, heirs of Mary Harpool; John M. Layton, John Leak, Warren M. Dunday, Margaret G. Reid, and Thaddeus Snider, that their claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WALLACE, of New York: Petition of 2,978 citizens of New

York, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. WHEELER, of Michigan: Petition of John C. Francis and 52 others, citizens of Michigan, protesting against option dealing—to the Committee on Agriculture.

By Mr. WILLCOX: Petition of Hannah Lyons, for removal of the charge of desertion from John Lyons—to the Committee on Military Affairs.

By Mr. WILLIAMS, of Illinois: Paper in case of Nancy A. Neff, for pension, to accompany H. R. 3224—to the Committee on Invalid Pensions.

By Mr. WILLIAMS, of Ohio: Petition of citizens of Columbiana County, Ohio, for the passage of a Sunday-rest law—to the Committee on the Judiciary.

By Mr. WILSON, of Washington: Petition relative to indemnity lands within the 50-mile limit of the Northern Pacific Railway Company—to the Committee on the Public Lands.

SENATE.

TUESDAY, January 28, 1890.

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

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

FOX AND WISCONSIN RIVER DAMS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 21st instant, the accounts of the commissioners appointed to examine and report on the damages against the Government occasioned by the erection of dams on the Fox and Wisconsin Rivers in the State of Wisconsin, not heretofore reported to Congress; which was referred to the Committee on Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition from B. F. Clayton, secretary of the National Farmers' Congress of the United States, transmitting resolutions passed by that body at its ninth annual meeting, convened at Montgomery, Ala., November 13-15, 1889, relative to agricultural legislation, protection of the wool and mutton industry, trade with South America and Australia, improvement of water-ways, regarding silver, etc.; which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a petition of citizens of Philadelphia, Pa., praying for the passage of the bill (S. 696) incorporating the American Security and Trust Company of the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of citizens of Pittsburgh and other places in Pennsylvania, remonstrating against the passage of the so-called Sunday-rest bill; which was referred to the Committee on Education and Labor.

Mr. SQUIRE presented a petition of the Legislature of the State of Washington, praying for the improvement of the Nooksack River; which was referred to the Committee on Commerce.

He also presented a petition of the Legislature of the State of Washington, praying for the passage of certain legislation relative to the selection of lands granted to the State of Washington; which was referred to the Committee on Public Lands, and ordered to be printed.

He also presented the petition of the Legislature of the State of Washington, praying that an appropriation of \$100,000 be made for dredging Swinomish Channel; which was referred to the Committee on Commerce, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying for certain legislation relative to a military wagon-road along the Straits of San Juan de Fuca; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented a memorial of the Legislature of the State of Washington, favoring the construction of a railway through the Puyallup Indian reservation; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying that an appropriation for clearing Palouse River be made; which was referred to the Committee on Commerce, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying for the removal of a bar in the Columbia River; which was referred to the Committee on Commerce, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying for legislation in regard to the claim of William Packwood to a vein of anthracite coal in the Cascade Mountains; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. FRYE presented resolutions adopted by the Augusta Board of Trade, State of Maine, in favor of the location of the world's fair in New York City; which were referred to the Select Committee on the Quadro-Centennial.

Mr. ALLEN presented a petition of the Legislature of the State of Washington, praying that an appropriation of \$50,000 be made for the improvement of the Nasel, Willapa, and North Rivers, in the State of Washington; which was referred to the Committee on Commerce, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying that certain lands of the United States withheld from sale by reason of the withdrawal of the Secretary of the Interior for the benefit of the Northern Pacific Railroad Company be distinguished from the lands of that company and granted to the State of Washington; which was referred to the Committee on Public Lands, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying that Gray's River, Deep River, Crooked Creek, and Skamokawa River, in the State of Washington, be placed upon the list of streams to be examined and surveyed, to the end that an appropriation be made for their improvement; which was referred to the Committee on Commerce, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying that Congress donate to that State, for the purpose of establishing a fish hatchery, sections 11, 14, and 15, in township 36, range 37 east of the Willamette meridian, lying west of Columbia River; which was referred to the Committee on Fisheries, and ordered to be printed.

He also presented a petition of the Legislature of the State of Washington, praying that an appropriation of \$50,000 be made for the purpose of testing the practicability of sinking artesian wells in certain arid regions in the State of Washington; which was referred to the Select Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

Mr. ALLEN. I present a petition of the Legislature of the State of Washington, praying for the appointment of a commission to investigate certain losses sustained by the settlers of Washington Territory during the years 1855 and 1856 by reason of Indian hostilities, and the making of an appropriation by Congress to pay the amount of such losses. I move the reference of this petition to the Committee on Indian Affairs.

Mr. DOLPH. I suggest to the Senator from Washington that a bill for that purpose is already pending in the Committee on Military Affairs.

Mr. ALLEN. Then I move that the petition be referred to that committee and printed.

The motion was agreed to.

Mr. ALLEN presented a petition of the Legislature of the State of Washington, praying that Maj. Gen. R. H. Milroy, in recognition of his gallant and patriotic and faithful services as a volunteer officer, be placed upon the retired-list of the United States Army; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. McMILLAN presented the petition of S. E. Rich and 33 other citizens of Michigan, the petition of Frank W. Hill and 49 other citizens of Michigan, the petition of C. A. Lindlay, J. W. Shauer, and 31 others, farmers of Michigan, and the petition of Safford Chapman, Justus Colburn, and 63 other farmers of Michigan, praying for the enactment of legislation to prevent the sale of options on farm produce; which were referred to the Committee on Agriculture and Forestry.

Mr. DAWES presented a petition of the Board of Trade of the town of Pittsfield, Mass., praying for the passage of what is known as the Torrey bankrupt law; which was referred to the Committee on the Judiciary.

Mr. CHANDLER. I present the petition of R. W. Flournoy and 152 others, of Mississippi, praying Congress to establish a republican form of government in that State. They represent that for the last fourteen years a republican form of government has not existed in Mississippi, but the majority are oppressed and their will suppressed and the minority govern contrary to liberty, the Constitution, and free government. I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. PAYNE presented a petition of 321 citizens of Ohio, unanimously indorsed by the United Presbyterian congregation of New Lisbon, Ohio, praying for the passage of the Sunday-rest bill; which was referred to the Committee on Education and Labor.

Mr. COKE presented petitions of citizens of Medina, San Saba, Leona Mill, and Red River Station, in the State of Texas, praying for the payment of Indian depredation claims; which were referred to the Select Committee on Indian Depredations.

Mr. MITCHELL presented a petition of the Chamber of Commerce of Astoria, Oregon, praying for an immediate appropriation for the continuance of work on the jetties at the mouth of the Columbia River, in the State of Oregon; which was referred to the Committee on Commerce.

Mr. HIGGINS presented a petition of citizens of Sussex County, Delaware, praying that an appropriation be made for the commencement of the northern or Delaware Bay end of the inland water-way from Lewes River to Chincoteague; which was referred to the Committee on Commerce.