

By Mr. ROCKWELL: A bill (H. R. 11900) for the relief of Matilda Grippen—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER: Petition of 87 persons and 80 representative indorsements from the Sixth Congressional district of New York, asking for a national Sunday-rest law—to the Committee on Labor.

By Mr. BREWER: Papers relating to the claim of Mrs. Mary Buckland for relief—to the Committee on Invalid Pensions.

By Mr. BUCHANAN, of New Jersey: Petition of citizens of Burlington, N. J., for the passage of a national Sunday-rest law—to the Committee on Labor.

By Mr. COMSTOCK: Petition of 188 citizens of the Fifth Congressional district of Minnesota, in favor of a national Sunday-rest law—to the Committee on Labor.

By Mr. GEST: Petition of 59 citizens of Hancock County, Illinois, for a Sunday-rest law—to the Committee on Labor.

By Mr. HITT: Petition of 219 citizens of the Sixth Congressional district of Illinois, asking for a national Sunday-rest law—to the Committee on Labor.

By Mr. McDUFFIE: Petition of Willis Boston, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Andrew J. Ingle, for the same relief—to the Committee on War Claims.

Also, petition of F. C. Harris, for same relief—to the Committee on War Claims.

By Mr. MARTIN, of Indiana: Petition of Mrs. Amanda M. Carter, S. Carter, and 315 others, citizens of Grant County, Indiana, for a national Sunday-rest law—to the Committee on Labor.

By Mr. ROCKWELL: Petition of Matilda Grippen, for widow's pension—to the Committee on Invalid Pensions.

By Mr. TRACEY: Petition of U. S. Grant Post, 327, Grand Army of the Republic, opposing the removal of the remains of General Grant from their present resting-place—to the Committee on the Library.

portation of made-up wearing-apparel; which was ordered to lie on the table.

He also presented a petition with 172 individual signatures and 730 representative indorsements of citizens of Ohio, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented a petition of 320 citizens of Illinois, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. EVARTS presented a petition of 235 citizens of New York State, praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

#### REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 11773) granting an increase of pension to Mrs. Mary B. Cushing, reported it without amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10350) granting a pension to Elizabeth Patten;

A bill (H. R. 10635) for the relief of Olive M. Hechtman; and

A bill (S. 3196) granting an increase of pension to Michael McGarvey.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 4352) for the relief of Basil Moreland, asked that the committee be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (H. R. 11417) to increase the pension of Cecilia I. Woods, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 9212) to relieve John J. Murphy from the charge of desertion, asked that the committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 9630) granting a right of way through and a right to terminal grounds in the State of Washington to the Portland and Puget Sound Railroad Company, and for other purposes, reported it with amendments.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2174) to remove the charge of desertion from Ellery C. Folger, reported it without amendment, and submitted a report thereon.

#### REPORT OF COMMISSIONER OF EDUCATION.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably the House concurrent resolution for printing the Report of the Commissioner of Education for 1888 and 1889 with certain amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The amendments of the Committee on Printing will be stated.

The CHIEF CLERK. After the word "printed," in the fourth line, strike out "twenty" and insert "and bound sixteen;" strike out "ten" in the fifth line and insert "eight;" and strike out "eight" in the sixth line and insert "twenty;" so as to make the resolution read:

*Resolved by the House of Representatives (the Senate concurring), That of the Report of the Commissioner of Education for 1888 and 1889 there be printed and bound 16,000 copies for the use of the House, 8,000 for the use of the Senate, and 20,000 for the use of the Commissioner of Education.*

The amendments were agreed to.

The resolution as amended was agreed to.

Mr. MANDERSON. I move that the Senate request a conference with the House of Representatives on its amendments to the concurrent resolution.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. MANDERSON, Mr. HAWLEY, and Mr. GORMAN were appointed.

#### BILLS INTRODUCED.

Mr. FAULKNER introduced a bill (S. 4362) granting a pension to Catharine A. Sharp; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4363) for the relief of the trustees of the Methodist Episcopal Church of Flat Woods, Braxton County, West Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 4364) for the relief of H. H. Helper; which was read twice by its title, and referred to the Committee on Pensions.

#### REPORT OF AMERICAN HISTORICAL ASSOCIATION.

Mr. HAWLEY. I ask the Senate to take up the report made by the Printing Committee about two days ago in favor of printing the

## SENATE.

SATURDAY, August 30, 1890.

The Senate met at 10 o'clock a. m.

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

The Journal of yesterday's proceedings was read and approved.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of a communication of the 28th instant from the Commissioner of Indian Affairs, inclosing a draught of a joint resolution authorizing the transfer of certain appropriations for the Indian service on the books of the Treasury; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. EDMUNDS. I present a petition of the officers of the Woman's Christian Temperance Union, of Albuquerque, N. Mex., praying for the passage of the proposed law, or the substance of it, on the subject of the settlement of private land claims in that Territory, and representing the great injury to society and progress there, owing to the unsettled condition of land titles. I move that the petition lie on the table, as the bill has been reported.

The motion was agreed to.

Mr. MORGAN. I present a memorial in the nature of a protest from the colored people of Birmingham, Ala., and that vicinity, who met in mass meeting on the 15th of August, 1890, and who in their resolutions have preferred a request that I should present to the Senate this paper on behalf of the colored citizens of Birmingham, by Prince Robinson, chairman of the meeting, and the secretary.

I will call attention to one of the resolutions to show the purpose of the memorial, after various preambles and recitals in regard to this matter:

*Resolved*, That we, the colored people of Birmingham, Ala., in mass meeting assembled, do hereby enter our solemn protest against the passage of the said election bill.

I move that the memorial lie on the table and be printed.

The motion was agreed to.

Mr. HARRIS presented a petition of the National Woman's Christian Temperance Union, signed by 110 citizens of Tennessee, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. SHERMAN presented a petition of merchant tailors and clothing manufacturers, of Cincinnati, Ohio, praying for such amendment of sections 392 and 396 of the McKinley tariff bill, in regard to woolens and worsteds and ready-made clothing, as will prohibit the free im-

annual report of the American Historical Society, which was laid over for some reason.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed. The Calendar, under Rule VIII, being in order, the Senator from Connecticut moves that the Senate proceed to the consideration of Order of Business 1947, a concurrent resolution submitted by the Senator from Massachusetts [Mr. HOAR] authorizing the printing of 4,500 extra copies of the report of the American Historical Society for the year 1889. If there be no objection, it will be read at length.

Mr. DAWES. Will the Senator from Connecticut allow me to submit a report from the Committee on Indian Affairs?

Mr. HAWLEY. This is a matter of morning business. It will take but a moment. I do not see why these little things should be mixed up and made hash of. I shall be done in a moment.

The PRESIDENT *pro tempore*. The Senator is mistaken in supposing that this is morning business. It is on the Calendar like any other general order. The resolution will be read at length, if there be no objection.

The Chief Clerk read the concurrent resolution submitted by Mr. HOAR, June 18, 1890, as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed of the report of the American Historical Association for the year ending December 31, 1889, 4,500 extra copies, of which 1,000 copies shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,500 for the use of the Smithsonian Institution and the American Historical Association.*

Mr. EDMUNDS. I wish the Senator from Connecticut would explain (as I believe the fact to be, but I should like it to go in the RECORD) whether this association has now by law some official connection with the Smithsonian Institution, so that it will appear, if it be true, that this is not providing for printing the documents of a mere private society having no relations with the Government.

Mr. HAWLEY. The Congressional act of incorporation was approved January 4, 1889. The society had been in existence for four or five years before. Its object is declared to be:

For the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America. Said association is authorized to hold real and personal estate, etc.

That it is not necessary to read.

Said association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historical study in America. Said Secretary shall communicate to Congress the whole of such reports or such portions thereof as he shall see fit. The Regents of the Smithsonian Institution are authorized to permit said association to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

It will result in an exceedingly valuable collection of historical manuscripts, publications, etc., in the National Library. The association numbers hundreds of members, including every leading librarian or student of history in the United States, I think.

The concurrent resolution was agreed to.

#### 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 of the Senate:

- A bill (H. R. 1279) granting a pension to Mrs. M. E. Daniels;
- A bill (H. R. 2487) granting a pension to Micager Hancock;
- A bill (H. R. 4179) granting a pension to Nancy J. Dorlos;
- A bill (H. R. 4210) to increase the pension of John H. Grove;
- A bill (H. R. 4220) for the relief of Thomas H. Bruce;
- A bill (H. R. 4451) for the removal of the charge of desertion from the record of Daniel J. Mahoney;
- A bill (H. R. 4514) for the relief of Polly Gray;
- A bill (H. R. 4858) granting a pension to Abigail Hughes;
- A bill (H. R. 5079) for the relief of Eliza Pyle;
- A bill (H. R. 5121) to correct the military record of George McKinney, jr.;
- A bill (H. R. 5524) granting a pension to Anna Platt;
- A bill (H. R. 6257) granting a pension to Sarah Phillips;
- A bill (H. R. 6558) to remove the charge of desertion against Frank W. Morgan;
- A bill (H. R. 7523) granting a pension to Calvin Gunn;
- A bill (H. R. 7574) granting a pension to Mrs. Leonora Coon;
- A bill (H. R. 7739) granting a pension to Mary Cannon, daughter of James Cannon, late of Company D, One hundred and twenty-fifth Regiment New York Volunteers;
- A bill (H. R. 7897) to increase the pension of John Clark;
- A bill (H. R. 7910) granting a pension to John T. Ballard;
- A bill (H. R. 8028) for the relief of Alexander Callison;
- A bill (H. R. 8163) granting a pension to W. W. Seely;
- A bill (H. R. 8211) granting increase of pension to Mrs. Rebecca E. Simon;
- A bill (H. R. 8473) granting a pension to Thompson Riley;
- A bill (H. R. 8519) granting a pension to John Frohlin;
- A bill (H. R. 8557) granting a pension to John McGregor;
- A bill (H. R. 8640) granting a pension to Elizabeth Abell;
- A bill (H. R. 8713) granting a pension to Rhoda Buck;

A bill (H. R. 9072) increasing the pension of Alexander Evans;

A bill (H. R. 9236) granting a pension to Mrs. Margaret O'Conner, now Sullivan;

A bill (H. R. 9293) granting a pension to Joel Hendricks;

A bill (H. R. 9391) granting an increase of pension to John Moran;

A bill (H. R. 9425) granting a pension to William Dunn;

A bill (H. R. 9617) to relieve John Davis of the charge of desertion and to grant him an honorable discharge;

A bill (H. R. 9716) granting a pension to John Grace;

A bill (H. R. 9934) granting a pension to Conrad McClain;

A bill (H. R. 9935) granting a pension to William Stover;

A bill (H. R. 10355) granting a pension to Mrs. Louisa M. Gordon;

A bill (H. R. 10457) increasing the pension of Presly Hale;

A bill (H. R. 10458) granting a pension to Thomas J. Reed;

A bill (H. R. 10753) for the relief of Mary E. Hicks;

A bill (H. R. 10898) to increase the pension of Daniel P. Roberts, late a second lieutenant in Company F of the Third Regiment of Missouri Volunteers, in the war with Mexico;

A bill (H. R. 11040) to relieve Myron A. Eastman of the charge of desertion;

A bill (H. R. 11375) granting a pension to Mrs. A. W. Ackley;

A bill (H. R. 11456) for the relief of Mrs. Elizabeth P. Newhouse;

A bill (H. R. 11687) increasing the pension of Mrs. Clementine Fink;

A bill (H. R. 9602) to establish the customs district of Tennessee, and for other purposes;

A bill (H. R. 10267) for the relief of the owners and crews of the American whaling vessels Midas, Progress, Lagoda, Daniel Webster, and Europa;

A bill (H. R. 11654) to provide an American register for the steamer Neptune;

A bill (H. R. 1512) for the relief of the heirs of Thomas Black;

A bill (H. R. 1574) for the relief of William Jewell College, of Liberty, Clay County, Missouri;

A bill (H. R. 2917) for the relief of John N. Dorr, sr.;

A bill (H. R. 2950) for the relief of the estate of David B. Sanders, deceased;

A bill (H. R. 2990) for the relief of J. L. Cain, and others;

A bill (H. R. 4496) for the relief of the heir of Mark Davis, deceased; and

A bill (H. R. 7616) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the "Bowman act."

The message also announced that the House had passed the following bills, each with an amendment in which it requested the concurrence of the Senate:

A bill (S. 1840) granting a pension to Sallie Douglass Hartranft;

A bill (S. 2493) granting a pension to John Swearer; and

A bill (S. 2954) granting a pension to Charles A. Norton.

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

A bill (S. 437) granting a pension to Benjamin W. Botts;

A bill (S. 471) for the relief of the Norfolk County ferry committee;

A bill (S. 721) granting a pension to Jeanie Brent Davenport;

A bill (S. 735) for the relief of the heirs or legal representatives of Robert J. Baugnass;

A bill (S. 757) granting increase of pension to Hugh Brady;

A bill (S. 803) granting a pension to William P. Madden;

A bill (S. 805) granting a pension to William N. Cline;

A bill (S. 811) granting a pension to Zephaniah H. Bones;

A bill (S. 992) granting a pension to Phillippe Ray;

A bill (S. 998) to remove the charge of desertion from the record of William H. Fenton;

A bill (S. 1048) granting a pension to Lloyd H. Snell;

A bill (S. 1238) granting a pension to Daniel Donovan;

A bill (S. 1303) granting a pension to Mrs. Amanda L. Wisner;

A bill (S. 1356) granting increase of pension to Daniel H. Kent;

A bill (S. 1506) granting relief to Samuel D. Harper;

A bill (S. 1524) granting a pension to Lena Holmes;

A bill (S. 1554) granting a pension to Eveline A. Noyes;

A bill (S. 1702) granting a pension to Rozalia Junk;

A bill (S. 1703) granting a pension to Detsey Mansfield;

A bill (S. 1928) for the relief of Henrietta E. Boggs;

A bill (S. 2058) for the relief of Isabella Hance, administratrix of William Hance;

A bill (S. 2407) for the relief of Mary A. Doud;

A bill (S. 2610) granting a pension to N. L. Young;

A bill (S. 2766) granting a pension to John McLaren;

A bill (S. 2813) granting a pension to T. A. Morton;

A bill (S. 3174) constituting Cairo, Ill., a port of delivery in the customs collection district of New Orleans; and

A bill (S. 3214) granting a pension to Mary S. Miller.

#### THE REVENUE BILL.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

The motion was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from Kentucky [Mr. CARLISLE] to strike out—

LEAVES OF ABSENCE FOR POST-OFFICE EMPLOYEES.

Mr. McMILLAN. I ask the Senator from Rhode Island to yield to me to have a small bill passed.

Mr. ALDRICH. If it will lead to no discussion I will yield.

Mr. McMILLAN. It is a small bill and will take but a moment. I ask the Senate to proceed to the consideration of the bill (H. R. 10086) granting leaves of absence to clerks and employes in first and second class post-offices.

The PRESIDENT *pro tempore*. The Senator from Michigan asks unanimous consent that the unfinished business may be informally laid aside to enable him to obtain consideration of the bill indicated.

Mr. EDMUNDS. I should like to have that considerably explained before I shall be ready to vote for it. It may be right, but it is a pretty large subject and a very new one.

Mr. McMILLAN. The bill was passed by the other House and is recommended by the Department.

Mr. EDMUNDS. I see that it was passed by the other House because it is entitled a House bill, but I certainly—

Mr. McMILLAN. It provides that clerks in first and second class post-offices shall have a leave of absence of fifteen days.

Mr. EDMUNDS. And that starts in on the operation of procuring extra help in all these offices all over the country for that period of time. In some of the great cities undoubtedly in some way there should be some leave of absence fairly given, but to apply it everywhere, it appears to me, will cost a great deal. I think the post-office in the town where I live would fall in that class; I am quite sure of it. The gentlemen who are concerned in that office get quite as much leave and quite as much rest, and perhaps more than young gentlemen employed in other occupations in the same town—

Mr. ALDRICH. If this bill gives rise to any discussion I shall have to object to its consideration.

Mr. EDMUNDS. I am speaking just now.

Mr. REAGAN. I shall have something to say on the bill.

Mr. ALDRICH. Then I shall interpose an objection.

Mr. EDMUNDS. I wish to finish my sentence if I can. I believe the bill was taken up.

The PRESIDENT *pro tempore*. The Senator from Vermont is entitled to the floor.

Mr. EDMUNDS. I was about to conclude by saying that this matter deserves a good deal of consideration. There are some aspects of it that commend themselves to my sense of what is fair and just, and perhaps necessary for the health of the clerks in the great cities, unless the force is sufficiently large to enable them to have a day or a week off, as the clerks in stores and other occupations do.

But to return to my own city, where I know something about it, believing as I do that that post-office, which has a large income, falls within the clause (and for this purpose it does not make much difference whether it does or not), the clerks employed in that office have quite as easy a time and quite as much time to rest as the other young gentlemen and ladies employed in honorable and honest occupations about the town, and get a great deal more pay. Therefore it requires some consideration to see whether this thing as it stands ought to go.

Mr. McMILLAN. I suppose, then, the bill will go over.

The PRESIDENT *pro tempore*. Does the Chair understand that there is objection to the request of the Senator from Michigan that the unfinished business be informally laid aside and this bill be now considered?

Mr. ALDRICH. I object to its present consideration.

Mr. HARRIS. I desire to suggest to the Senator from Rhode Island that we had as well take the little time that it would require to consider this bill as to consume it in a call of the Senate.

Mr. EDMUNDS. We must have a call of the Senate if we proceed with this bill.

The PRESIDENT *pro tempore*. Objection being made, the Senate resumes consideration of the unfinished business.

Mr. ALDRICH. The Senator from Tennessee, I take it, will understand my reasons for interposing an objection. The Senator from Texas gave notice that the consideration of the bill would lead to discussion, and I felt obliged under the agreement or understanding we have to make an objection.

Mr. HARRIS. If we are to come to a vote at this time, I should think the Senate ought to be fuller. If any one is ready to take the floor, of course I have no suggestion to make and nothing to say.

Mr. EDMUNDS. Let us go ahead with the tariff bill, because we should have to divide on the other question.

PUBLIC BUILDING AT SHEBOYGAN, WIS.

Mr. SPOONER. I ask the Senator from Rhode Island to yield to me a moment to enable me to ask the Senate to take up the bill (S. 4158) for a public building at Sheboygan, Wis.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent that the unfinished business may be informally laid aside.

Mr. SPOONER. If the bill elicits debate, which I do not think it will, I shall not press it.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

J. G. FETHERSTONE.

Mr. BERRY. If the Senator from Rhode Island will yield to me, I ask unanimous consent to call up the bill (H. R. 5712) granting a pension to J. G. Fetherstone.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent that the unfinished business may be informally laid aside to enable him to ask the consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-rolls the name of Jesse G. Fetherstone, late a private in Fletcher's First Tennessee Volunteers.

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

LITTLE TENNESSEE RIVER BRIDGE.

Mr. HARRIS. I ask the unanimous consent of the Senate to consider at this time a little House bridge bill. It is Order of Business 1957, House bill 8523.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks unanimous consent that the unfinished business may be informally laid aside to enable him to ask for the consideration of the bill (H. R. 8523) to authorize the construction of a bridge across the Little Tennessee River at or near Niles' Ferry, Tennessee.

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

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

PRESIDENTIAL APPROVALS.

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 19th of August approved and signed the act (S. 3329) authorizing the city of Charleston to open Concord street through the grounds of the United States in that city.

The message also announced that the President had on the 28th of August approved and signed the following acts and joint resolutions:

An act (S. 276) providing for leave of absence for officers and employes in the customs service of the Government who receive per diem compensation;

An act (S. 3127) amending an act entitled "An act to constitute Lincoln, Nebr., a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled 'An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes,' to the said port of Lincoln;"

An act (S. 3163) to reorganize and establish the customs collection district of Puget Sound;

Joint resolution (S. R. 71) directing the Librarian of Congress, the librarian of the Senate, the librarian of the House of Representatives, and the librarian of the Department of Justice, respectively, to deliver extra or duplicate copies of law books to the law department of the Howard University; and

Joint resolution (S. R. 116) extending the privilege of the Library of Congress to the members and secretary of the Interstate Commerce Commission and the Chief of Engineers of the Corps of Engineers United States Army.

The message further announced that the President had, on the 29th of August, approved and signed the following acts:

An act (S. 388) to remove the charge of desertion now standing against the record of Noyes Barber on the rolls of the Navy Department;

An act (S. 4335) to change the time of the sessions of the circuit and district courts for the western district of Missouri;

An act (S. 2661) to amend an act entitled "An act to authorize foot and carriage or railroad bridges across the Mississippi River at St. Paul, in the State of Minnesota," approved July 5, 1884;

An act (S. 2979) to authorize the construction of a bridge across the Mississippi River at some accessible point between the mouth of the Illinois and the mouth of the Missouri Rivers;

An act (S. 3795) to authorize the construction of a bridge across the Columbia River by the Oregon Railway Extensions Company;

An act (S. 2780) for the relief of James Lansburgh and Julius Lansburgh;

An act (S. 973) granting an increase of pension to Virginia L. M. Ewing;

An act (S. 1740) granting a pension to Mary J. Welch, an army nurse in the late war;

An act (S. 510) granting a pension to John W. Reynolds;

An act (S. 775) granting a pension to Andrew J. Foust;

An act (S. 916) granting a pension to Mary E. Harney;

An act (S. 1203) granting a pension to Miss Margaret Stafford Worth;

An act (S. 1256) granting a pension to James A. Myers;

An act (S. 1732) granting a pension to Nancy A. Thornton;

An act (S. 2043) granting a pension to Edgar M. Cherry;  
 An act (S. 2366) granting a pension to Florida Kennerly;  
 An act (S. 2698) granting a pension to Johanna Loewinger;  
 An act (S. 3101) granting a pension to Anne Rodgers Macomb;  
 An act (S. 3177) granting a pension to Ursula Lucretia Haight;  
 An act (S. 3194) granting a pension to Joseph H. Scoopmire; and  
 An act (S. 3498) granting a pension to G. L. Pease.

The message also announced that the President had on this day approved and signed the following acts and joint resolution:

An act (S. 4312) to provide American registers for the steamers Stroma and Marco Aurelia;

An act (S. 2594) providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes;

An act (S. 3714) to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862;

An act (S. 848) granting a pension to Mary J. Eadie;

An act (S. 2976) granting a pension to Mary L. Bradley, formerly Mary L. Smith, who served as a nurse in the war of the rebellion;

An act (S. 314) for the relief Mary B. Le Roy;

An act (S. 2832) for the relief of Jesse H. Strickland;

An act (S. 2859) for the relief of Caroline Baker Stevens, relict of the late Col. Robert J. Stevens and daughter of the late Col. Edward D. Baker;

An act (S. 1502) granting a pension to Mary Ellen Fitzgerald;

An act (S. 2036) granting an increase of pension to Mrs. F. Selina Buchanan;

An act (S. 2066) placing the name of Elizabeth Domm on the pension-rolls;

An act (S. 3064) to establish a fog-signal at or near the Cuckold's Island, at the entrance to Booth Bay Harbor, otherwise known as Townsend Harbor, Maine; and

Joint resolution (S. R. 115) providing that nothing in the diplomatic and consular appropriation bill shall be construed to interrupt the publication of the reports of the International American Conference.

#### 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. 11120) providing for the adjustment of the accounts of laborers, workmen, and mechanics arising under the eight-hour law; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

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

A bill (H. R. 5712) granting a pension to J. G. Featherstone;

A bill (H. R. 8523) to authorize the construction of a bridge across the Little Tennessee River at or near Niles' Ferry, Tenn.;

A bill (H. R. 10060) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri; and

Joint resolution (S. R. 120) appropriating money to the Territory of Oklahoma to relieve destitution therein.

#### THE REVENUE BILL.

Mr. BLAIR. Mr. President, I desire to move that the Senate take a recess until 1 o'clock. I have important business at the Departments which has been lingering now for several weeks on account of the pressure of the tariff bill, and other Senators have the same, and I think it entirely too much to ask of us that we sacrifice our health and convenience and everything else in order that this puttering work may be done while hunting and waiting for a quorum to come in when we have got to get a quorum in the usual process; and unless the Senator in charge desires to proceed with the tariff bill now, I shall ask that the Senate take a recess so as to enable some of us to attend to other important accumulated work.

Mr. ALDRICH. I understand the remarks of the Senator from New Hampshire to be in the nature of an objection, although he has taken a peculiar way to express it. I will, therefore, ask that the regular order be proceeded with.

Mr. BLAIR. If it is desired to go on with that bill, of course that is more important.

The PRESIDENT *pro tempore*. The Senator from Rhode Island calls for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. ALDRICH. I will say that I hope that we may conclude the consideration of the pending schedule to-day with the purpose of taking up the sugar schedule on Monday; and I also give notice that on Monday I shall ask the consent of the Senate that a recess be taken from half past 5 until 8 o'clock for the three days remaining—

Mr. COCKRELL. I am fearful the Senator is not heard. I hear him, but I do not think others do.

Mr. ALDRICH. I was stating that on Monday I should ask that consent be given for the remaining three days to be devoted to general debate on this bill, namely, Monday, Tuesday, and Wednesday of next week; that a recess be taken from half past 5 to 8 o'clock each day, and that the evening sessions be devoted to debate exclusively.

The PRESIDENT *pro tempore*. The pending amendment offered by the Senator from Kentucky [Mr. CARLISLE] will be stated.

The CHIEF CLERK. On page 84, line 15, after the figures "357," strike out the remainder of page 84, page 85, page 86, page 87, and down to and including the word "prescribe," in line 5, on page 88, being paragraphs 357 to 369, inclusive.

The PRESIDENT *pro tempore*. The part proposed to be stricken out having been once read, the further reading will be waived, if there be no objection. Is the Senate ready for the question on the motion to strike out?

Mr. VANCE. I ask for the yeas and nays on that.

The yeas and nays were ordered.

Mr. MCPHERSON. The Senator from Kentucky [Mr. CARLISLE] who offered the amendment is not now present, and I think he had some further observations to make.

Mr. ALDRICH. He can make them further on in the schedule just as well.

Mr. MCPHERSON. Can not we proceed with the consideration of some other parts of the schedule until the Senator from Kentucky comes in?

Mr. ALDRICH. I have no objection to that course being taken if it is agreeable to Senators on the other side of the Chamber.

Mr. HARRIS. I think it is just as well to do that.

The PRESIDENT *pro tempore*. If there be no objection, the reading of the bill will proceed, beginning with paragraph 370, on page 88, and the amendment proposed by the Senator from Kentucky will be informally passed over without prejudice, the yeas and nays having been ordered upon it.

Mr. MCPHERSON. I have no objection, so far as I am concerned, to the vote being taken if it is desired by gentlemen on the other side of the Chamber, but I think it better that the Senator from Kentucky should be here.

Mr. DANIEL. The Senator from Kentucky is not here, and he probably desires to be here before this vote is taken.

Mr. HALE. If the clerks can be persuaded to read on with the bill we can make some progress.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment of the Senator from Kentucky [Mr. CARLISLE].

Mr. ALDRICH. The Senator from Kentucky is now in the Senate Chamber, and if he desires to be heard further he can proceed now.

The PRESIDING OFFICER. The Senator from Virginia [Mr. DANIEL] has been recognized as entitled to the floor.

Mr. DANIEL. If the Senator from Kentucky desires to make any remarks I will yield.

Mr. CARLISLE. I have no disposition to prolong the discussion, so far as I am concerned.

Mr. DANIEL. Mr. President, before the vote is taken I desire to submit some remarks upon the effect of the high tariff upon wool, and to show, as I think I can, that some gentlemen who have spoken on this subject have wrongfully attributed the decline of the price in wool and the decrease in the number of sheep to the tariff of 1883. If the facts and figures which we have submitted to us in the various reports, agricultural and manufacturing, upon the subject of wool prove anything, they seem to me to demonstrate that the high tariff upon wool and woolsens is a complete failure. If it was designed to stimulate the growth of American manufactures of woolen, it has failed. If it was designed to increase the number of American sheep and the cultivation of flocks, it has failed. If it was designed to increase the wool clip of the United States, it has failed. If it was designed to decrease the prices of wool, it has succeeded.

#### THE HIGH TARIFF OF 1867 DECREASED THE PRICE OF AMERICAN WOOL.

In 1883, when the tariff of that year was under discussion, I find in the RECORD of February 7, 1883, these remarks from the Senator from Ohio [Mr. SHERMAN]:

The State of Ohio produces 25,000,000 pounds of wool, far more than any other State in the Union. It is not by large flocks and herds, as in California and Texas, but almost every farmer has a flock of sheep averaging about one hundred in number, and from these they produce fine wools that are now most valuable to commerce, to the amount of 25,000,000 pounds. Under the operations of the existing law the price of wool has gradually gone down. Up to 1866 the wool-growers and the wool-manufacturers were in a state of perpetual war with each other, the wool-manufacturers insisting that there ought to be no duty on wool, and the wool-growers insisting that there ought to be a duty upon wool to correspond with that on manufactured goods. They finally reconciled their interests in 1866, and the Tariff Commission, in speaking of that important fact, say this:

"The law fixing these duties was passed in 1867, with the approbation of the entire body of producers, so far as any expression could be secured, and the wisdom which guided its promoters has found substantial vindication in the growth of sheep husbandry during the past fifteen years."

The Senator from Ohio continued:

In the table which I have now before me it is shown that in 1867 the price of wool was 51 cents a pound, in 1870 it was 46 cents a pound, in 1875 it was 43 cents a pound, in 1880, which was an abnormal year, 48 cents a pound, but to-day I am told these wools are sold in Ohio at from 36 to 40 cents a pound. So the re-

sult of the policy of protecting the wool-growers has been, as it is in all industries, to gradually reduce the price.

Here, Mr. President, attention may be well fixed to the two theories that the Republican party hold upon the subject of the tariff on wool. We find the Senator from Oregon and the Senator from Nevada and various other gentlemen who coincide with them in opinion most strenuously insisting that we shall place a higher tariff than that now existing upon the raw wool, while we find another school side by side with them insisting also that we shall place a high tariff there—the one for the purpose of protecting the wool-growers of the United States and increasing the price of their wool, the other declaring that in this case, as in all industries, the effect of the high tariff has been, and is now, operative to decrease the price of wool.

Mr. MITCHELL. What does the Senator from Virginia say the effect of it was?

Mr. DANIEL. In my opinion the effect of the high tariff has been to decrease the price of wool.

Mr. MITCHELL. Then, Mr. President, it has been the contention on the other side of this Chamber all the while that there should be no protective tariff upon wool because it increased the price of raw materials and therefore increased the price of clothing to the poor people and consumers of this country. According to the Senator's theory now, the effect of a high tariff is to reduce the price of the manufactured article by giving raw material cheap.

THE GREAT VARIETY OF WOOLS.

Mr. DANIEL. Not by any means. I will answer the suggestion of the Senator from Oregon, which I recognize to be entirely pertinent, and I think when the subject is discussed it will be shown that the tariff on wool and woollens is *sui generis*, it is altogether peculiar, and you can not conjecture from the effect of a tariff on a specific article that stands out by itself isolated from others what it will be when applied to a subject of such infinite variety and produced under such an infinite variety of circumstances as is the raw wool.

Mr. George William Bond, of Boston, who is an expert upon the subject of wool, was a few years ago employed by the Treasury Department to make samples for appraisers, and in making these samples he produced one hundred and thirty varieties of the raw wool, and all the manufacturers of wool informed Congress in all the various ways in which they can approach the subject that it is in the commixture of this large variety of wools and in the capacity of the manufacturer to as-

semble them together and select out of them the particular variety that may be needed for a particular purpose in which consists the superiority of position of foreign manufacturers of wool over the American.

THE COMMIXTURE OF WOOLS NECESSARY TO SUPPORT MANUFACTURES, AND MANUFACTURES NECESSARY TO SUPPORT THE MARKET.

Now I think, sir, that the Senator from Oregon will at least appreciate what is our conception of the subject, whether he may concur in it or not, when he remembers that the woolen manufacturers of England, the woolen manufacturers of Germany and of the continent of Europe, can assemble their materials of raw wool for any kind of article they wish to produce from all quarters of the globe absolutely free, and thus selecting the raw material which is to be embodied into the manufactured goods at bottom prices, they are enabled thereby to create a market for all manner of wool from the different countries, to produce activity in their manufacturing trade, and, with better prices for the raw material than we can afford to pay under this high tariff, to produce a cheaper net result in cheaper fabrics for the people to wear.

PRICES OF AMERICAN WOOL LOWER UNDER HIGH TARIFF THAN UNDER FREE TRADE.

Now, Mr. President, I shall develop the thought that I have on this subject by endeavoring to prove one fact after another. In the first place, then, I contend that the high tariff on wool and woollens has decreased the price of raw wool. I first give in evidence of that fact the concessions of Republican statesmen of high rank. I give also the opinion as expressed by the Superintendent of the Census, Mr. R. P. Porter, who is the proprietor of the New York Press, and who states in a recent issue of that journal that the price of wool is now cheaper than it was under free trade, and who, like the Senator from Ohio, deduces the conclusion that it is the effect of the high tariff to bring about that result.

THE DECLINE IN PRICE OF AMERICAN WOOL NOT CAUSED BY THE TARIFF OF 1833.

Then, Mr. President, I produce from the Statistical Abstract of 1889 the prices of fleece wool, fine, medium, and coarse, from the year 1824 to the year 1890, and here I would ask the attention of the Senator from Oregon and of the Senator from Massachusetts to the fact that the decline in the price of raw wool was not produced by the tariff of 1833, which was lower, but followed upon the tariff of 1866 and 1867, which, it is contended, stimulated the production of wool and woolen manufactures. I ask, Mr. President, to insert this entire table as it is an instructive one, and I will read a few figures from it:

No. 205.—Prices of fine, medium, and coarse washed fleece wool in the New York market for the months of January, April, July, and October of each year from 1824 to 1890, inclusive.

[From Mauger & Avery's Annual Wool Circular.]

Year.	January.			April.			July.			October.		
	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.
1824.....	68	53	40	70	46	31	55	40	30	60	40	30
1825.....	60	43	32	60	42	33	50	41	32	50	42	36
1826.....	55	43	38	52	46	41	37	30	26	43	37	32
1827.....	36	32	28	45	34	30	37	31	25	43	32	25
1828.....	42	30	25	44	36	28	48	38	33	48	40	32
1829.....	54	45	35	45	35	32	46	36	32	37	30	27
1830.....	40	35	30	50	38	32	60	50	40	70	60	48
1831.....	70	60	48	70	60	50	75	65	50	70	60	50
1832.....	65	55	44	60	52	42	50	42	30	50	40	30
1833.....	55	41	33	63	53	38	61	54	40	65	55	45
1834.....	70	60	48	67	56	44	60	50	40	62	50	40
1835.....	63	50	40	65	60	45	63	56	42	65	60	45
1836.....	65	60	45	68	62	47	70	60	50	70	60	50
1837.....	72	63	48	68	56	46	52	52	36	49	40	31
1838.....	50	42	35	50	42	35	46	36	30	56	48	37
1839.....	56	48	38	56	48	38	57	48	40	60	55	44
1840.....	50	45	38	49	43	36	45	39	33	46	38	33
1841.....	52	45	35	53	46	37	50	44	34	48	42	32
1842.....	48	42	35	46	40	32	43	37	30	38	31	25
1843.....	35	30	25	33	28	25	35	30	26	36	32	26
1844.....	37	30	26	43	36	30	45	37	32	50	40	33
1845.....	47	40	31	45	38	32	40	36	30	38	35	28
1846.....	40	35	30	38	33	28	38	32	27	36	30	22
1847.....	45	40	30	47	40	31	46	40	31	47	40	30
1848.....	45	38	30	43	37	30	38	32	28	33	30	24
1849.....	33	30	23	40	36	30	40	35	28	42	36	30
1850.....	47	40	33	45	37	30	45	37	30	46	40	35
1851.....	46	40	33	50	44	36	47	42	37	45	40	35
1852.....	42	38	34	42	36	33	45	38	33	50	42	37
1853.....	58	56	50	62	56	50	60	53	48	55	50	48
1854.....	53	47	42	57	46	45	57	46	37	50	42	36
1855.....	40	35	32	43	35	32	50	40	33	52	41	36
1856.....	50	38	35	57	45	38	55	42	36	60	55	45
1857.....	58	50	42	60	56	45	56	50	40	58	50	45
1858.....	40	33	27	42	35	30	43	37	40	38	30	25
1859.....	60	52	45	60	45	40	56	40	35	60	50	42
1860.....	60	50	42	52	45	40	55	50	40	50	45	40
1861.....	45	40	37	45	37	32	38	30	22	47	48	50
1862.....	48	50	50	46	45	43	48	47	45	60	60	63
1863.....	75	68	70	80	85	80	75	70	65	85	80	76
1864.....	80	78	76	78	77	72	100	100	90	102	95	100
1865.....	102	100	96	80	80	75	75	73	65	75	75	65
1866.....	70	65	50	65	60	48	70	67	60	63	60	56
1867.....	68	53	50	60	55	50	55	49	45	48	46	40
1868.....	48	43	38	50	48	45	46	45	43	48	48	45
1869.....	50	50	48	50	50	48	48	48	47	48	48	46
1870.....	48	46	44	48	47	46	46	45	43	48	48	44

No. 205.—Prices of fine, medium, and coarse washed fleece wool, etc.—Continued.

Year.	January.			April.			July.			October.		
	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.	Fine.	Medi-um.	Coarse.
1871.....	47	46	43	50	52	47	62	60	55	63	62	58
1872.....	70	72	66	80	80	76	72	70	65	66	60	57
1873.....	70	68	65	56	53	48	50	48	44	54	53	47
1874.....	58	54	47	55	56	47	53	53	46	54	54	47
1875.....	55	56	47	54	52	46	52	49	46	48	50	42
1876.....	48	52	42	46	49	40	38	35	31	45	40	33
1877.....	46	43	36	45	40	33	50	44	37	48	44	36
1878.....	44	45	38	40	43	35	36	36	32	35	37	32
1879.....	34	35	32	34	34	31	37	38	34	41	43	38
1880.....	50	55	48	55	60	52	46	48	42	46	48	42
1881.....	47	49	43	40	44	37	42	44	36	43	46	36
1882.....	44	46	47	42	45	34	42	45	34	42	45	34
1883.....	40	43	33	44	44	37	39	41	33	39	40	34
1884.....	40	40	34	38	38	34	35	34	30	35	34	30
1885.....	34	33	29	32	32	28	32	31	23	33	35	32
1886.....	35	36	32	33	34	30	33	33	29	35	38	34
1887.....	33	38	34	33	37	33	34	37	34	32	36	34
1888.....	31	35	33	31	34	33	29	33	31	31	34	31
1889.....	34	38	33	33	37	31	35	39	32	33	37	31
1890.....	33	37	29									

NOTE.—Wool, owing to its wide variety, difference in character and condition, liability to shrink in cleaning, is precluded from speculative operations which apply to products which may be dealt in as "futures." For these reasons the prices of wool are not liable to the same changes as cotton, wheat, etc.

Thus it will be seen the price of fine wool fell from 70 cents per pound in 1866 to 44 cents in 1882, medium wool from 65 to 46 cents in the same period, and coarse 50 to 47. In 1879, with the high tariff in full operation, fine wool had fallen to 34 cents, medium to 35, and coarse to 32.

This fall of fine wool from 70 to 34 cents a pound took place under that high tariff of 1867, which was eulogized yesterday afternoon by the Senator from Massachusetts as one that had produced such good results, and now in 1890 the price of the same order of wool is 33 cents a pound, maintaining just about the same position that it had under the tariff of 1866-'67.

Mr. President, you may follow this table through all its diversities and ramifications through various years and different seasons of the year, and it discloses and demonstrates the fact that under the high tariff of 1867, it is true, as was alleged by the Senator from Ohio in 1883, that the price of wool had gradually declined.

UNDER HIGH TARIFF THE NUMBER OF SHEEP DECREASED.

How is it respecting the number of sheep? The Senator from Massachusetts yesterday afternoon contended that under the tariff of 1867 from year to year the number of sheep had gradually increased for years, and he attributed the recent falling off in the number of sheep in the United States to the tariff of 1883. I do not so read the figures before me, Mr. President. From an extract from the report of the Agricultural Department I beg to present these figures:

Whole number of sheep in United States, in the years given below, as by Agricultural Reports: 1867, 39,355,386; 1877, 35,804,200; 1879, 33,123,900; 1880, 43,576,899; by census, 1880, 42,192,074; 1881, 45,016,224; 1883, 49,237,291; 1884, 50,626,626; 1885, 50,390,243; 1886, 48,322,331; 1887, 44,759,314; 1888, 42,599,079.

Mr. Warner says in the pamphlet from which I get these figures:

There are not one-third as many sheep kept in New England to-day as were kept there in 1840. The figures are 3,820,307 for 1840, and 1,237,085 for 1887. In the Middle States there has been a similar falling off, from 7,403,557 in 1840 to 2,968,032. In the Western and Southern States there has been a considerable increase in the period under consideration, but during the past half dozen years there has been a decrease even there, so that the total number of sheep in the country in 1887 was 44,759,314, as against 48,322,331 the previous year, and 50,626,626 in 1884.

Sheep-raising is an industry that is growing on the cheap lands of the South and West, and is decreasing on the more fruitful lands of the North. Nothing but a distorted imagination can make a sectional question out of this, and none but a political shepherd can object to the abolition of the duty on wool and a consequent cheapening of clothes.

It is true that in the course of a few years after 1883 the number of sheep did begin to decline, but the declination was not as continuous

nor as positive as it had been during the same number of years when the tariff of 1867 was in complete operation.

Mr. President, let us look at the operation of this high tariff of 1867 upon the sheep of various Commonwealths. We all know that in New England and in the Atlantic States sheep have so far declined that the cultivation of flocks is no longer regarded, at least in New England, as a considerable item of agriculture or commerce. But let us look at the state of affairs in some of the great Commonwealths of agriculture.

DECREASE OF SHEEP UNDER HIGH TARIFF IN OHIO, MICHIGAN, PENNSYLVANIA, NEW YORK, INDIANA, ILLINOIS, WISCONSIN, AND IOWA.

Take the State of Ohio, for instance. In 1866 there were 6,588,000 sheep; in 1867, 7,159,000; in 1869, 6,300,000; in 1877, ten years after this high tariff had been in effect, there were 3,900,000; in 1878, 3,700,000; in 1879, 4,040,000; in 1880, 4,243,000.

How can any logical mind reach the conclusion that this high tariff on wool and woollens has been productive of benefit either in the matter of price to the American wool-producer or in the increase of the number of sheep, when immediately under its operation you see both undergo a positive decline? If any deduction can be drawn from the fact as thus unfolded, must it not be the deduction that under the operation of these laws some element had been introduced into our country's affairs which produced injuries to the industries or to the enterprises which had suffered such injurious decline?

How was it in the great sheep-producing State of Michigan? In 1866 there were 3,473,000 sheep; in 1880 there were but 1,930,000. The high tariff, if a tariff is concluded to be a matter that is a factor in this business, has more than decimated the Michigan flocks. How was it in Pennsylvania? In 1866 there were 3,230,000 sheep; in 1880 there were 1,632,000; or more than half had passed away. In New York in 1866 there were 5,117,000; in 1880 there were 2,333,000. In Indiana in 1866 there were 2,783,000, and in 1880 1,029,000. In Illinois in 1866 there were 2,446,000; in 1880 there were 1,155,000. In Wisconsin there were 1,260,000 in 1866, and in 1880 there were 1,329,000. In Iowa there were 1,950,000 in 1866, and in 1880 there were 463,000, or two-thirds had disappeared.

So I might follow this out from year to year, and it tells its one tale. Under the high tariff of 1867 the number of sheep in the United States continually declined, and in the great wool-producing States it particularly declined.

I ask leave to present that table in full in my remarks. It is as follows:

Number of sheep in the several States named at the given dates, as stated in the United States Agricultural Reports.

States.	1866.	1867.	1869.	1877.	1878.	1879.	1880.
Ohio.....	6,568,052	7,159,177	6,300,000	3,900,000	3,783,000	4,040,000	4,243,616
Michigan.....	3,473,075	4,028,767	3,553,371	2,100,000	1,750,000	1,820,000	1,930,656
Pennsylvania.....	3,230,440	3,456,568	3,045,581	1,607,000	1,607,600	1,660,000	1,632,807
New York.....	5,117,148	5,378,005	4,247,359	1,897,700	1,518,100	2,121,000	2,338,148
Indiana.....	2,783,367	3,038,870	2,622,780	1,175,700	1,062,700	1,039,500	1,029,570
Illinois.....	2,446,081	2,764,072	2,380,694	1,258,500	1,278,500	1,089,000	1,155,232
Wisconsin.....	1,260,900	1,664,338	1,749,104	1,151,100	1,323,700	1,313,000	1,329,261
Iowa.....	1,950,732	2,399,425	2,332,241	1,680,500	560,000	445,000	463,488
Total.....	26,829,815	29,879,222	26,231,130	14,769,800	12,893,600	13,527,500	14,122,778
Texas.....		920,195	796,002	2,826,700	3,674,700	4,560,000	6,023,628
California.....			2,200,400	7,290,000	6,561,600	6,889,000	7,493,864
Total.....		940,195	2,996,402	10,116,700	10,236,300	11,449,000	13,517,492

Number of sheep in the several States named at the given dates, as stated in the United States Agricultural Reports—Continued.

States.	1882.	1883.	1884.	1885.	1886.	1887.	1888.
Ohio.....	4,951,511	5,050,541	5,000,036	4,900,035	4,753,034	4,562,913	4,065,556
Michigan.....	2,320,752	2,436,790	2,412,422	2,364,174	2,209,607	2,156,127	2,134,134
Pennsylvania.....	1,785,481	1,803,335	1,719,236	1,486,857	1,187,451	1,094,323	985,646
New York.....	1,732,832	1,732,332	1,732,332	1,697,685	1,695,825	1,579,856	1,548,426
Indiana.....	1,111,516	1,122,631	1,145,084	1,122,182	1,088,517	1,034,091	1,420,000
Illinois.....	1,026,702	1,149,906	1,126,908	1,063,101	1,005,053	925,201	773,468
Wisconsin.....	1,350,175	1,363,677	1,336,403	1,282,947	1,218,800	1,072,544	793,146
Iowa.....	472,681	497,161	497,161	472,303	467,580	425,498	540,700
Total.....	14,761,150	15,166,374	14,999,582	14,419,284	13,586,496	12,840,563	12,211,076
Texas.....	8,890,000	7,877,500	7,956,275	7,558,461	6,802,615	4,761,831	5,659,451
California.....	6,362,344	5,907,680	6,203,064	5,892,911	6,069,698	5,462,728	8,655,000
Total.....	13,302,344	13,784,180	14,159,339	13,450,372	12,872,313	10,224,559	8,615,451

DECREASE OF OUR WOOL CLIP.

I pass from the number of sheep to the wool clip of the United States, and I produce from a pamphlet written by Mr. John De Witt Warner the wool clip of the United States and the wool clip of the older States from 1866 to 1888. In this table it appears that there has been a continuous decline in the value of the wool clip of the United States and in the wool clip of the older sheep-producing States.

The wool clip of the United States, in pounds.

Years.	Clip of older States.	Total clip of United States.
1866.....	120,000,000	137,000,000
1867.....	140,000,000	160,000,000
1868.....	150,000,000	177,000,000
1869.....	185,000,000	162,250,000
1870.....	130,000,000	163,000,000
1871.....	110,000,000	146,000,000
1872.....	120,000,000	160,000,000
1873.....	125,000,000	174,000,000
1874.....	120,000,000	178,000,000
1875.....	125,000,000	193,000,000
1876.....	112,500,000	198,250,000
1877.....	120,000,000	208,250,000
1878.....	125,000,000	211,000,000
1879.....	133,000,000	232,500,000
1880.....	148,000,000	240,000,000
1881.....	164,000,000	272,000,000
1882.....	166,500,000	290,000,000
1883.....	177,500,000	300,000,000
1884.....	180,000,000	308,000,000
1885.....	165,000,000	302,000,000
1886.....	160,000,000	285,000,000
1887.....	162,500,000	269,000,000
1888.....	156,000,000	260,000,000

On examining these figures—

Says the commentator—

it will be seen that there was a notable increase in the wool clip both of the whole United States and of the older States in 1867 over 1866, and in 1868 over 1867; but after 1868—

At which time the high tariff of 1867 must have had time to get in full sway—

there was a falling off every year till 1871, and the product of 1868 was not again reached till 1874. That is to say, under the fostering care of the tariff the production of wool in the United States absolutely declined, or did not increase, for six years. The country grew and expanded in all other directions, but its wool industry stood still.

DECREASE OF MANUFACTURES UNDER HIGH TARIFF.

So, Mr. President, if you look at the number of cards which were employed in the manufacture of wool in the United States—and I produce here a table showing them in 1870 and 1880—you will see in the various States a steady decline.

We are going through—

As is remarked by this writer—

We are going through the same experience we had sixty-four years ago. By the tariff of 1824 there was imposed a tariff of 25 per cent. to 33 per cent. on woolsens, 20 per cent. on raw wool costing over 10 cents per pound, and 15 per cent. on raw wool costing under 10 cents per pound. The following is the result as told by George William Bond (the protectionist wool expert):

"Anticipating that, in spite of the duty upon the raw materials, this protection would make the woolen manufacture remunerative, the erection of woolen mills steadily increased; but protection thus gained, the erection by Great Britain expressly to retain the business of this country. \* \* \* Professedly for this purpose she soon after reduced the duty on raw wool from 6d. to 1d. and later to half-penny per pound, while in this country foreign wool was subjected to a duty of 20 per cent. \* \* \* The clip of the country (United States) was still insufficient. The importation of wool and woolsens continued under a tariff, which was only nominally protective. Sooner or later nearly all of them (manufacturers) failed, and their agents were obliged to take possession under the mortgagees—many of whom soon went through the same experience."

History is repeating itself. That the woolen industry was not prosperous after our tariff was raised in 1867 sufficiently appears from the following figures taken from the census.

Number and capacity of cards used in the manufacture of woolen goods in each State and Territory of the United States in 1870 and 1880.

States and Territories.	1870.		1880.	
	Sets.	Daily capacity.	Sets.	Daily capacity.
		Pounds.		Pounds.
Alabama.....	24	1,836	15	1,200
Arkansas.....	17	1,443	29	2,850
California.....	46	8,000	60	7,240
Connecticut.....	600	70,085	425	50,055
Delaware.....	30	2,475	13	1,700
District of Columbia.....				
Florida.....	1	50		
Georgia.....	72	5,454	42	3,713
Illinois.....	250	21,302	106	10,578
Indiana.....	346	32,467	160	18,445
Iowa.....	199	19,482	56	4,430
Kansas.....	24	1,270	9	802
Kentucky.....	208	17,768	154	14,737
Louisiana.....	12	800		
Maine.....	331	33,020	261	30,553
Maryland.....	60	4,158	30	2,870
Massachusetts.....	1,367	150,484	1,356	175,859
Michigan.....	116	11,430	51	4,680
Minnesota.....	19	2,105	21	2,236
Mississippi.....	17	1,405	15	1,635
Missouri.....	258	21,162	126	13,275
New Hampshire.....	351	44,550	293	37,304
New Jersey.....	81	10,700	136	27,063
New Mexico.....	1	100		
New York.....	845	84,470	483	50,735
North Carolina.....	78	5,658	57	5,320
Ohio.....	334	28,376	182	14,000
Oregon.....	21	3,955	21	2,225
Pennsylvania.....	1,317	140,362	938	172,468
Rhode Island.....	474	64,639	432	54,028
South Carolina.....	25	1,458	11	790
Tennessee.....	177	10,307	98	8,450
Texas.....	29	1,855	2	250
Utah.....	19	1,475	21	1,560
Vermont.....	175	18,070	145	16,798
Virginia.....	116	8,011	54	5,085
Washington.....			2	250
West Virginia.....	132	10,182	72	5,313
Wisconsin.....	134	11,013	75	6,390
Total.....	8,366	857,392	5,961	764,006

IMPORTATIONS OF WOOL.

Furthermore, Mr. President, this high tariff on wool has not checked the importations of foreign articles. The fact that this high tariff on wool has not checked the importations of foreign articles demonstrates most conclusively that a commixture of the foreign article is necessary to the utilization of our own wool. We produce in round numbers something like 250,000,000 pounds of wool per annum. We need and are obliged to get, in order to clothe our people, about 350,000,000 pounds more.

A few days ago, when discussing the question of the tariff on sugar, the Senator from Oregon [Mr. MITCHELL] called my attention to the fact that we could not produce enough sugar in the United States for the use of our own people; that the home product supplied but about 10 per cent.; and he concluded that it was wise and just to take the tariff off sugar and make it free, because this country did not produce and could not produce, as he concluded, enough for the use of our entire population. The same identical situation is presented in the case of wool.

Mr. MITCHELL. The Senator will allow me to suggest that in the case of sugar we only produce about 10 per cent. of the whole amount consumed in this country, and in the case of wool in 1883 we produced about 80 per cent. of the consumption in this country, and with the further belief that if the wool industry is properly encouraged we could produce the whole amount consumed in this country, about 600,000,000 pounds.

Mr. DANIEL. The same belief that is expressed by a few wool men is expressed by the sugar men in Kansas who want beet sugar, and of New Orleans and Louisiana, who want cane sugar, and of California and all other localities where they are clamoring for the same kind of protection.

Mr. MITCHELL. As a matter of fact, we never have produced 20 per cent. in any year of sugar, and, as a matter of fact, we have produced 80 per cent. of the amount of wool consumed.

PROTECTION HAS NOT PROTECTED IN THE CASE OF WOOL.

Mr. DANIEL. The application of a principle can not depend upon a percentage, and furthermore if there be any philosophy to be deduced from these figures, they show that under a protective tariff, such as the high tariff has been called, you have gotten away from your capacity to supply the American people just in proportion as you have applied your so-called protection. Your number of sheep has decreased; your wool clip has decreased, the price of wool has decreased, and if you are thus advancing backwards under your protective tariff and getting further away from the result every day, it will take a finer mathematician than the Senator from Oregon to calculate the time when we shall produce enough in the United States for all our inhabitants.

CUMULATIVE FOURFOLD TAXES TO PROTECT PROTECTION AGAINST PROTECTION.

A singular thing, Mr. President, has also happened. The gross value of our wool clip for the last year was about \$70,000,000, about a dollar a head of wool for the people of the United States, or a little more, and to enhance that one dollar per capita in the hands of about 1 in 65 of all the people, for the chance of enhancing the property of one million people, no less than four different forms of taxation are applied in this bill. A cumulative tax on everything connected with the subject-matter, to the total massacre of every interest concerned in it, is applied, and in this wise is this tax multiplied. In the first place, upon the idea of protecting the American woolen manufacturer and his laborers against the pauper labor of Europe, you put up one tax on the manufactured goods. The moment you do that the representative of the wool-producer comes in and says, "Here you are protecting the manufacturer, and why not protect me?" In order to appease and placate him, a tax is then put upon the raw material. Then, says the manufacturer, "Since you are now having protection in the second degree upon the raw material, and the infant industry idea is abandoned, you must give me a compensatory duty, because the English and the German manufacturer has no such tax on raw material to pay for," and so you put in the bill, in addition to an ad valorem tax, a specific tax to protect protection against protection; and having now a three-story tax—protection in the third degree—you are not then done. The American tailor and the manufacturer of ready-made goods comes in and says, "Here you have protected the manufacturer upon the production of this cloth, you have protected the wool-grower upon the production of the raw material, you have again given the manufacturer of the cloth a second protection in the way of a specific tax, and now I have got as an artisan to compete against the manufacturer of the finished fabrics in Europe in cutting cloths for customers, and I must have my protection." And so in this bill, upon an article of prime necessity, upon the clothing which must be worn by the rich and the poor, there is a cumulative fourfold tax to protect everybody except the people who are more interested than any others. They want cheap clothes.

Mr. MITCHELL. If the Senator will allow me I wish to correct a statement he made a moment ago.

Mr. DANIEL. I yield with pleasure.

Mr. MITCHELL. The Senator stated a moment ago that the increased tariff or tax, as he calls it, on wool had not had the effect of limiting the importation of foreign wool to this country. Now, the fact is that under the act of 1867, which was highly protective—at least much more so than the act of 1883—the importations in 1882 were but 47,208,175 pounds of wool. Then came the act of 1883, by which the duties were largely reduced, and what was the effect on the importations? From 1883 to 1887 the importations had increased to 81,504,477, partly scoured and equal to 114,000,000 pounds of our raw wool, and in the year 1888 to 126,487,729 pounds of raw wool, and during the past year, 1889-'90, the amount of our importations, not of course raw wool alone, but including raw wool and the woolen goods, amounted to about 378,000,000 pounds, some 98,000,000 pounds of which carpet wools, and great portions of which were scoured. The whole equal to 150,000,000 pounds of our raw wool; besides the importation of combing and clothing importations, amounting, the former, to over 8,000,000 pounds, and the latter or clothing wools over 25,000,000 pounds.

Mr. CARLISLE. If the Senator from Virginia will yield to me a moment, the Senator from Oregon, by the statistics which he has produced, shows that the importation of wool largely increased for the year 1883.

Mr. MITCHELL. That was a slip of the tongue. They had not increased largely in 1883.

Mr. CARLISLE. Will the Senator read the figures again before 1883 and the figures after?

Mr. MITCHELL. I will. The importations in the year 1882—that was prior to the passage of the act decreasing the tariff—were 47,208,175 pounds. The next that I have is for the year 1887.

Mr. CARLISLE. The Senator then skips 1883.

Mr. MITCHELL. I said 1883 before by a slip of the tongue. They had not increased in 1883 because the reduction in the tariff had not had its effect in 1883, but in 1887; four years after the act of 1883 had been in operation, the importations had increased from 47,208,175 in 1882 to 114,038,030 pounds, or what was equal to that in 1887, while in 1889 the importations had increased to 126,487,729 pounds, estimating the scoured as at raw, while in the last fiscal year, including woolens, the importations amounted to about 378,000,000 pounds.

Mr. CARLISLE. The rate of 1883, of which complaint is made on account of its slight reduction in the duty upon wool, took effect on the 1st day of July, 1883. Therefore no importations were made under the operation of that law until the fiscal year 1884.

Mr. MITCHELL. That is the fact. I have given no importations except by a slip of the tongue a moment ago between 1882 and 1887, but I did give the figures for those two years, showing the effect of the act of 1883 in largely increasing the importations of foreign wool.

Mr. ALLISON. Will the Senator allow me to make a suggestion? The PRESIDENT *pro tempore*. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. DANIEL. Certainly.

Mr. ALLISON. I can not refrain from making an observation respecting the reduction made by the tariff of 1883 in connection with the statistics just read by the Senator from Oregon.

The Senator from Oregon says that the tariff of 1883 largely reduced the duty on wool. It reduced the duty on carpet wools one-half cent a pound, which class has constituted the largest item of the importations between 1883 and now, so that whatever argument may be made as respects the tariff of 1883, it remains as a fact that the duty upon carpet wools, which constitute the largest importation, was only reduced one-half cent a pound.

Mr. MITCHELL. That was a considerable reduction as applied to wool of that grade.

Mr. CARLISLE. The value of wools imported in 1882 was \$48,457,570, and in the fiscal year 1883, which was still before the act took effect, the value was \$55,224,283, showing an increase of about \$7,000,000. In 1884, which was the first year the act took effect, it was \$53,542,292, or about \$5,000,000 more than it was before. So the increase was larger from 1882 to 1883, before the act took effect, than it was afterwards when the act had taken effect.

Mr. MITCHELL. But take it on an average of four or five years and the increase in the importations after the act of 1883 was more than double the average of the five years prior to that act.

Mr. DANIEL. I am fully prepared to answer the question and suggestion of the Senator from Oregon, and if he will look at the Agricultural Report for 1889, page 246, I think that from the statement there given, which I have collated anticipating just some such question as he has asked, he will find a complete and satisfactory answer. I present a collation from that report of the wools entered for consumption in the United States from 1867 to 1884, inclusive, stated by years, of each class, quantity, and value; but, without going through all the details of these figures, let me ask that Senator to observe the striking fact that under the tariff act of 1867 the imports arose in lines of fluctuation from 1,270,356 pounds of clothing wool to 26,785,172 in 1880.

Let me further observe that of combing wool the importations rose from 150,309 pounds to 13,266,858 pounds in 1880, and of carpet wools from 36,263,017 to 59,320,412 pounds. Then it will be perceived that over and beyond the tariff act of 1883, to which the Senator now attributes this increased importation, under the tariff act of 1867 there were these decisive increases in our importations both of combing wool and of clothing wool.

Here are the importations from 1867 to 1884. [See last table on next page.]

Then I present along with that a table giving the net importations of raw wool from 1822 to 1889, and ask leave to insert it in association with my remarks:

IMPORTS.

Net importation of raw wool, 1822 to 1889.

Periods.	Aggregate.	Annual average.	Average imports per capita.
	Pounds.	Pounds.	Pounds.
1822-1830.....	16,936,307	1,881,812	.2
1831-1840.....	62,865,275	6,286,528	.4
1841-1850.....	139,764,592	13,976,459	.7
1851-1860.....	230,106,287	23,010,629	.9
1861-1870.....	501,611,132	50,161,113	1.4
1871-1880.....	640,916,638	64,091,664	1.5
1881-1889.....	786,862,753	87,429,195	1.5

The average supply since 1840 from domestic and foreign fleece has been as follows:

Total wool resources by decades, average per annum.

Periods.	Product.	Imports.	Total supply.	Per capita supply.
	Pounds.	Pounds.	Pounds.	Pounds.
1841-1850.....	46,000,000	13,976,459	59,976,459	3.0
1851-1860.....	66,000,000	23,016,629	89,016,629	3.3
1861-1870.....	150,000,000	50,161,113	200,167,113	5.4
1871-1880.....	186,275,000	64,091,664	250,366,664	5.7
1881-1889.....	281,222,222	87,429,195	368,651,417	6.5

Then, further, I present the value of the importations of wool from 1865 to 1888, as taken from the pamphlet of Mr. Warner to which I have heretofore referred.

Value of wool imports, 1865 to 1888.\*

Year.	Raw wool.	Woolen waste, etc.	Manufactured articles.	Total.
1865.....	\$6,309,701	\$410,395	\$20,347,563	\$27,067,659
1866.....	9,479,043	589,490	57,115,899	67,184,432
1867.....	6,246,157	518,473	44,813,212	51,577,848
1868.....	4,030,245	49,649	32,371,329	36,451,223
1869.....	5,600,958	68,103	34,560,324	40,229,385
1870.....	6,743,350	55,609	34,435,059	41,234,018
1871.....	9,780,443	87,667	38,751,973	48,620,083
1872.....	27,206,073	232,211	52,176,710	79,614,994
1873.....	20,433,988	199,687	50,875,805	71,509,490
1874.....	8,250,306	151,156	46,732,032	55,133,494
1875.....	11,071,259	149,109	44,460,595	55,680,963
1876.....	8,247,617	45,322	33,164,486	41,457,425
1877.....	7,156,944	33,265	25,668,657	32,858,866
1878.....	8,363,015	19,071	25,211,083	33,593,169
1879.....	5,034,545	22,121	24,333,700	29,390,366
1880.....	23,727,650	297,196	33,613,897	57,638,743
1881.....	9,703,968	138,363	31,018,063	40,860,394
1882.....	11,096,050	358,266	37,003,134	48,457,570
1883.....	10,949,331	438,750	43,836,202	55,224,283
1884.....	12,384,709	564,694	40,592,889	53,542,292
1885.....	8,879,923	287,254	35,489,305	44,656,482
1886.....	16,746,081	1,036,869	40,384,450	58,157,400
1887.....	16,424,479	1,855,618	44,235,243	62,515,340
1888.....	15,887,217	1,719,154	46,000,236	63,606,610

\*These figures are given in the only shape in which they are obtainable for the purposes of this table. But it must be remembered that the prices both of wool or of its manufactures have fallen so of late years that the figures for the latter years represent proportionately a much greater quantity of wool or goods than do those for former years, the \$63,600,000 of 1888 representing more than would \$100,000,000 in 1872. The increase of importation has, therefore, been at an even greater rate than the figures above would indicate.

Wools entered for consumption in the United States from 1867 to 1884, inclusive, stated by years for each class, quantity, and value.

Years.	No. 1. Clothing wool.		No. 2. Combing wool.		No. 3. Carpet and similar wool.		Total pounds.
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	
1867.....	1,270,356	\$415,609	150,302	\$31,827	36,263,017	\$5,832,074	37,683,675
1868.....	4,681,679	918,588	1,804,272	1,804,272	18,096,600	2,704,768	24,582,551
1869.....	2,512,202	505,715	4,533,367	1,092,297	27,650,871	3,653,082	34,698,940
1870.....	6,530,493	1,249,152	2,752,569	765,147	29,251,006	3,416,024	38,694,068
1871.....	5,937,461	1,201,201	17,665,600	3,167,535	26,550,995	3,335,638	50,174,056
1872.....	16,871,332	4,183,960	41,155,460	8,952,131	36,289,141	6,435,468	94,315,933
1873.....	6,029,488	1,744,200	49,540,231	12,723,501	28,642,863	5,998,465	84,212,582
1874.....	2,308,210	815,307	27,087,438	6,193,150	27,308,090	4,603,410	56,793,738
1875.....	13,117,679	3,602,535	7,769,157	2,153,261	30,798,458	4,472,826	51,686,294
1876.....	8,643,366	2,187,713	3,167,307	1,153,504	25,465,005	4,546,398	40,275,678
1877.....	9,294,029	2,202,639	2,509,954	830,715	28,310,411	3,979,617	40,114,394
1878.....	9,916,012	2,431,043	3,028,869	969,683	25,858,280	3,594,640	39,801,161
1879.....	5,229,987	1,114,301	1,709,601	413,761	33,163,054	3,958,732	40,102,642
1880.....	26,785,172	6,412,273	13,296,856	3,801,730	59,320,412	7,699,663	99,572,440
1881.....	20,609,707	4,751,454	4,421,491	1,271,332	42,385,769	6,038,041	67,416,967
1882.....	13,489,923	3,042,407	2,318,671	648,232	47,208,175	6,642,699	63,016,769
1883.....	11,546,530	2,567,443	1,373,114	343,987	40,130,323	5,580,558	53,049,967

HOW OUR AMERICAN MARKET FOR DOMESTIC WOOL IS CURTAILED.

So, it will be seen that by the operation of this high restrictive tariff you are building up the manufacturers of England, Germany, and France, there being no American market in which the cheap wools of other countries can find a competitive purchaser; and by the inability of the manufacturer to introduce those very foreign wools into his factory he is cut off from the power of producing the goods which would compete with those of the foreign manufacturer, and our American wool producer is denied a market which would otherwise make activity in the woolen trade, and produce a better home market for him.

THE HIGH WOOL TARIFF PROTECTS FOREIGN MANUFACTURERS.

Mr. President, I call attention also to the fact that this high tariff upon wool and woollens is working in the same manner as the sale of agricultural implements at lower rates to other countries than to our own. It is developing the woolen industries of other nations, not our own. It is working in the exact opposite direction to that in which it was originally devised to work. This has been explained over and over again by the woolen manufacturers themselves. In the year 1878 many of the woolen manufacturers of the United States presented a petition to Congress in favor of tariff reform on this subject. They asked that—

The duties on all wools be largely reduced, if not wholly removed; that wools not produced in this country be put upon the free-list, and that the duties on woollens be fixed at a moderate rate corresponding with the scale adopted in other manufactures.

This petition was dated Boston, January 7, 1878, and was signed by over one hundred of the leading woolen manufacturers of the United States.

During Mr. Cleveland's Administration, Mr. Secretary Manning sent out circulars to the woolen manufacturers of the United States and received a reply from Mr. William Whitman, the president of the National Association of Woolen Manufacturers. I wish the time or the space permitted the inclusion of that entire reply in my remarks, but I extract from it just this much:

The high duty is not the only difficulty with which our manufacturers requiring foreign wools have to contend. It is held that complete protection to the most important branch of our wool-growing industry, the merino-sheep husbandry, requires that washed wools in class 1 should be subject to double the duty of unwashed wool, and the duty on scoured wool should be three times the amount upon the unwashed wools—an arrangement which compels the importation of class 1 wools to be in the greasy state, necessitating the transportation charges on from 2½ to 3 pounds of grease and dirt in the wool required for a pound of cloth. The effect of the compulsion to buy greasy wool and pay a heavy specific duty on its impurities, is that the American manufacturers are thereby obliged to give undue preference to light condition over fineness and the other valuable qualities of wools offering in foreign markets. Our manufacturers, moreover, are obliged by this restriction to concentrate their competition in foreign markets upon the always small proportion of the lightest unwashed wools, while our foreign competitors, having to pay duty neither upon wool nor on grease and dirt, can buy the heavy wools in the market to much better advantage.

Then he shows how the foreigners are protected:

To these considerations it should be added that the high specific duty on clothing wools—a duty irrespective of the cost—practically excludes the cheap and abundant clothing wools of South America, and by freeing them from our competition for their purchase, makes them much cheaper than they would otherwise be to the manufacturers of France, Belgium, and Germany, who work them up into cloths and stuffs by the cheapest labor in Europe.

It may be said that a remedy for these difficulties is to be found in the exclusive use of the domestic wools, which will be abundantly supplied under due protection. To this we reply that neither our own country nor any other in the world does or can produce to advantage wools of all kinds and grades. Experience under high protection of wool in this country for over thirty years has demonstrated that our domestic wool-growers find it to their advantage to produce only the staple wools required for the ordinary range of woolen fabrics; and as these fabrics will always be in demand, they build up their flocks—a work of time—for the production only of the fleeces which will be profitable for a long series of years.

PRESIDENT GRANT SAW IN 1874 WHAT THE DEMOCRACY CONTENT FOR.

The Senator from Nevada [Mr. STEWART] yesterday rather spoke of this subject as if it were a Democratic idea alone and as if it were one in which the Democratic theory would seriously interfere with the welfare of the people of the country. Mr. President, Republican opinions are as thick as dust in vacant chambers that this is the correct policy. You have it in the message of President Grant in 1874, in which he said:

The introduction free of duty of such wools as we do not produce would stimulate the manufacture of goods requiring the use of those we do produce, and therefore would be a benefit to home production.

The argument could not be more sententiously and clearly expressed

than that, and it came from the great head and leader of the Republican party. Again, in 1875, he said:

These duties [on raw material] not only come from the consumers at home, but act as a protection to foreign manufacturers of the same completed articles in our own and distant markets.

General Grant saw twelve or fifteen years ago, just as plainly as President Cleveland saw in 1888, that this tax on wool was a hollow pretense, that it was building up European manufactures to the prejudice of our own, that it was putting a burden upon American consumers which was useless, and that it was restricting the market for the wools of American producers and was producing a decline in prices.

#### THE HIGH WOOL TARIFF EXPOSED AS A FRAUD.

The distinguished Senator from Iowa [Mr. ALLISON] has expressed his views upon this subject, and to him, as well as to the Senator from Ohio [Mr. SHERMAN], I appeal to answer his colleagues who, as they find it a little more consistent with their present theory, endeavor to load the tariff act of 1883 with all the evil which has afflicted the manufacture and the production of wool. The Senator from Iowa, in his speech which was made before the tariff act of 1883 became a law in, commenting upon the tariff of 1867, said:

I will say with regard to the duty on wool and wools that I regard it not as an intentional fraud, but as operating as though it were a fraud, upon the great body of the people of the United States. I allude to the wool tariff, a law the effect of which has been to materially injure the sheep husbandry of this country. In a single county in the State of Iowa, between 1867 and 1869, the number of sheep was reduced from 22,000 to 18,000 in two years; and what is true of that county is true to a greater or less extent of other counties in Iowa; and during this time the price of wool has been constantly depreciated. As the law now is, the tariff upon fine wools of a character not produced in this country is 100 per cent. upon their cost. The tariff upon wools of the same class is only about 50 per cent., so that the finer woolen goods are imported, and the coarser fabrics. Before the tariff of 1867, our manufacturers of fine goods mixed foreign fine wools with our domestic product, and were thus able to compete successfully with the foreign manufacturer of similar wools.

Thus the Senator from Oregon and the Senator from Massachusetts will see that the great champion of Republicanism from Iowa analyzed the facts of our economic history and of our statutes just precisely as the Democratic party on this side of the House are analyzing them today, and if they do not vote according to that clear analysis and to that demonstrative proof it is because they have changed their position with regard to the facts, and not because the facts are not as plain now as they were then.

#### HOW OUR DOMESTIC MARKET IS INJURED EXPOSED.

Continuing, in the speech above quoted, the Senator from Iowa said:

But being prohibited from importing this class of wools, these fine goods can not now be produced in this country as cheaply as they can be imported. Consequently, mills that were formerly engaged in producing these goods have been compelled to abandon business or manufacture coarser fabrics. If they could afford to manufacture those fine goods, they would make a market which we do not now have, for our fine wools to be mixed with other fine wools of a different character from abroad. This want of a market, as I understand it, is the reason why our fine wools now command so low a price. There is no demand for them at home, and we can not export them in competition with fine wools grown in other countries.

I have before me now the extract which I referred to from the New York Press, edited by the Superintendent of the Census. Says that gentleman:

Wool is lower to-day than during the days of free wool. \* \* \* The meat supply of the country as well as its wool supply was enormously increased by what the Telegram calls the wool steal (the wool tariff).

Then, commenting upon this fact, he says:

Just what the Press claims. The protected product is cheapened to the consumer.

#### THE PRICE OF AMERICAN WOOL LOWERED, BUT THE PRICE OF FINISHED PRODUCTS INCREASED.

Now, Mr. President, it may be desirable to explain an apparent paradox. Gentlemen say if it has lowered the price of American wool, does it not also lower the price of the finished product to the consumer? By no means necessarily, because the American wool is not the sole staple which produces that product, because by lack of ability to get the necessary article of wool to mix with the American wools without paying exorbitant duties the American manufacturer is crippled in his business, and because he is crippled in his business he no longer makes a market for the varieties of wool which would build up the trade and produce activity, increase, and progress in all branches of enterprise connected with it.

#### NUMBER OF SHEEP IN OLD ENGLAND MAINTAINED WITH FREE TRADE.

There is another fact which I should like to have explained by gentlemen who insist on this high increase of the wool tariff. England has free trade in wool; we have high protection, and two facts of contrast stand out in bold relief—the English manufacturers are prosperous and the American manufacturers are not prosperous. Consequently the wool or the sheep husbandry is prospering in free-trade England more than it is prospering in the protected United States. In Great Britain where they have free wool and high-priced lands they had, in 1886, 28,950,000 head of sheep, and, in 1888, 28,936,000 head of sheep—but a slight decrease.

Mr. SPOONER. May I ask the Senator what he is reading from?

Mr. DANIEL. It makes no difference what I am reading from.

Mr. SPOONER. I thought it was some official document.

Mr. DANIEL. I am stating it on my own responsibility. I am not

reading from a document. I am reading from a paper which I rely upon, and I am stating it upon my own responsibility. I would be glad to tell the Senator—

Mr. SPOONER. I was not putting the question to the Senator with any purpose—

Mr. DANIEL. I understand that. I did not mean to reply otherwise. I am reading from a collation of facts on this subject which I have entire confidence in.

Mr. SPOONER. If the Senator reads from a paper the authorship of which he declines to give, I have no objection.

Mr. DANIEL. I have assumed the responsibility of it myself. That is enough for the Senator. If I am incorrect I should be very glad to be shown so, but I am satisfied to state it so. I do not have to give my authority for every statement that I make on my own responsibility, or I should be glad to furnish the Senator with the original source of it. I have not the British documents before me, and I am obliged to take the fact from some compilation.

Mr. SPOONER. The Senator indicates considerable feeling upon my question.

Mr. DANIEL. I have no feeling about it.

Mr. SPOONER. I ask the Senator to recollect that it is a question very often put in the Senate and never with any purpose to offend. The Senator was reading from a paper and I thought perhaps he had given when he commenced to read it the author of it. I did not hear it, and I desired to know what it is from. That is all.

Mr. DANIEL. I beg pardon of the Senator if my manner indicated the slightest notion of offense. I did not feel that he meant that, and it was a mere earnestness of mannerism and not any feeling whatever towards the Senator's question, which I recognize to be perfectly pertinent, and which I should be glad to reply to if I had the original document before me. But I have seen a similar statement in a variety of documents and I think it will be found in our statistical reports. I know I have met with it in many directions to some such purport as that here in the United States, with a boundless area of new lands which especially invite the cultivation of sheep, as contrasted with Old England, where the lands are dear, there has been a diminution in the number of sheep under protection, while there they have either increased or maintained a level of number under free trade.

#### WOOL MANUFACTURE IN THE UNITED STATES CRIPPLED.

Further, Mr. President, I simply call attention to one additional fact, that this tariff on wool has crippled the manufacturers of the United States. The number of failures of manufacturers of the United States in 1889, immediately after the Presidential election, comprehended hundreds of individuals and millions upon millions of money. The only reason that I can see why a political party will persist in a policy which has been so fatal to every interest connected with it is simply because the protected industries of the United States have formed a sort of trust and alliance by which the one is called upon to stick to the other.

The manufacturers of the United States were anxious altogether for free wool, but when they asked for what was reasonable protection, considered by the standards of nowadays upon the manufactured article, which was consistent with the early policy of this country, the representatives of the raw product of wool came in and insisted that they should have a high protection. Then the manufacturers stood by the producers of the raw wool and joined in their cry for fear that if they did not the farming population of the United States would rise against the manufacturers and take off all protection whatsoever; and then having induced the farmers to believe against plain disclosures of the facts of the record of our agricultural and manufacturing reports that they were benefited, they came in and demanded a second tax to protect them against the protection that they had given to the farmer, and put up the third story of this ruinous castle of so-called protection. This combination of interests, not allied otherwise than by the attempt to combine numbers to crush out interests—this combination of interests is that which, against the judgment of the Republican leaders of the United States, against the judgment of the wool experts of the United States, against the judgment of the manufacturers themselves, against the interests of the farmers, is foisted by a false policy upon the people of the United States and makes them pay millions and millions of dollars for cheaper and meaner cloths than could be bought without it.

#### THE MAIN BURDEN UPON THE POOR.

Mr. President, in this bill the main burdens have been made to fall, as they do in all such systems of taxation, upon the poor. By the analysis of its provisions made by the minority of the committee of the House of Representatives, you will find that in this bill the lowest rate of woolen yarn, worth about 30 cents, is taxed 112 per cent., while the most costly yarn is taxed 72 per cent.

Now, briefly here, in answer to the Senator from Nevada [Mr. STEWART], who says this is not a tax at all; that it is a mere charge upon the foreign manufacturers. If that be true, why has such skill and such design been disclosed in the scheme of taxation to charge the foreign manufacturer or producer a higher rate for bringing into our country those articles which will benefit the poor and the great mass of the people and a lower rate for bringing in those which will benefit the rich? If

it is not a tax, why do not the rich take it upon their shoulders and not put it upon the poor?

Furthermore, Mr. President, a coarse cheap blanket is taxed 106 per cent. and a fine blanket 72 per cent.; a coarse woolen hat 111 per cent. and a fine hat 66 per cent.; cheap dress goods for women and children 106 per cent., and the finer 73 per cent.; the lower grade of woolen cloth 125 per cent. and the highest grade 86 per cent.; the cheapest of underwear from 112 to 138 per cent., the finer 78 per cent.; coarse woolen shawls and goods 135 per cent. and the finest 9 per cent. What philosophy is there in a scheme of taxation which heaps the burdens of a government so unequally upon the great mass of the people who are toiling to produce these results and which is cheapening the luxuries of the rich who may go in purple and fine linen every day?

THE HOME-MARKET THEORY A FAILURE AS TO WOOL.

Mr. President, one other observation in general. It has been alleged that this system of high cumulative protection is building up a great American home market. It has not built up an American market for our wool or our sheep or for anything that is associated with this particular industry. The State of Connecticut, I believe, is about the third State in the manufacture of wool in the United States, Massachusetts and Pennsylvania probably ranking ahead of her. A few days ago the Senator from Connecticut [Mr. HAWLEY] told us about the high price of agricultural lands in that State as contrasted with some other States which were not so highly favored by the home market.

I suggested to the Senator then that perhaps he had better study the figures of the present census. We have some of those census reports now in advance, and from a recent paper, the National Democrat, of August 27, I beg leave to commend a few of the figures which it discloses to his consideration:

The State of Connecticut now contains—

Says this article—

twelve cities. In the appended table each of these cities is selected as the center of the group of farm towns nearest it, the farming character of each town being proved in almost every case by the description of it as "agricultural" in the Connecticut State Register of 1890.

Here is the grouping of these towns in this article:

Group.	Population 1880.	Population 1890.
New Haven.....	2,491	2,301
Hartford.....	6,010	5,432
Bridgeport.....	6,216	6,333
Waterbury.....	2,910	2,179
Meriden.....	3,767	3,307
New Britain.....	3,215	3,028
Norwalk.....	3,927	3,498
Danbury.....	5,956	5,195
Norwich.....	2,689	2,210
New London.....	2,972	2,603
Middletown.....	3,705	3,386
Rockville.....	4,457	42,040
Total.....	48,315	43,567

What is the matter with the home market in this specimen exemplar state of high protection, that in this great American Republic, where progress is so rapid and population and wealth are increasing in almost fabulous rate, they are shrinking and shriveling in their population and the home market is failing to produce or even to sustain the riches of the accumulated population of the towns?

We have been told sometimes that protection in this country is what is attracting to our shores the artisans and the population of free-trade England; and it was one of the Senators on the other side who remarked a few days ago, "You do not see Americans going to England, but you do see English capital and English artisans and English people coming here." How is it, let me ask the champions of these home-market towns, that you do not find the American from the unprotected regions of this country going to them, but you do find them going away from the very spots where the rays of protection bring warmth and light to a focus, and going out into the regions of the South and the West where protection has built up no such desirable home markets as these? Says this writer:

The decrease, subject to very slight revision in the final returns, during the ten years in these twelve groups is 4,748, or about 10 per cent. In the thirty-seven "farm towns nearest cities," which make up the whole twelve groups, two or three towns have been used twice over, in cases where they adjoin two cities—a point to which the ardent protectionist can not object, as in that case the farm town is supposed to receive "protective" benefits from both its urban neighbors. It will be observed also that in only a single group of towns has there been a gain of population during the ten years, and in that but the merest trifle. The figures, however, derive their chief value from the fact that they test and vitiate the "truck farm" and "proximate farm town" theory on the choicest protection ground—in a New England State, in towns close to bustling and prosperous cities, where the farmer may be supposed to encounter no problems of transportation, and where the competition—in "garden sass" at least—with other regions of the country is reduced to its lowest terms.

On a larger scale, indeed, the whole State of Connecticut may be taken as a visionary sample of this "local-market" dogma of protection. Its cities are well scattered over the State, all but two of the eight counties containing one or more of them—in this respect Connecticut being unlike Massachusetts, with most of her cities in her eastern counties; or New Hampshire, with her cities near her lower boundaries; or Rhode Island, with population centered near

Providence; or Vermont, with almost no cities at all. From four to ten railroad lines, or branches, traverse each Connecticut county, bringing almost all the country towns into pretty close connection with the urban centers. Yet, under these singularly favorable conditions for local markets the farm towns of Connecticut continue their steady decline.

In the rural county of Litchfield all but eight of the twenty-six towns score decreases by this year's census returns; the rural county of Tolland shows gains in but three of her towns; and of the State's total gain of, say, 118,000 in the ten years, about 95,000 is found in the twelve cities, which now contain about 50 per cent. of the whole population of the Commonwealth. Universally the farm towns lose under precisely the conditions that the high protectionist vaunts as most favorable. That concrete fact is established by the State census enumerators, and if the protectionist alleges outside causes to account for the decline, he must at least confess that his "home-market" theory in Connecticut makes mighty poor progress in resisting them.

REACTION WILL FOLLOW FALSE STIMULUS.

Mr. President, the Senator from Minnesota [Mr. DAVIS] the other day predicted that when this bill passed there would be unexampled prosperity in this country. I do not doubt, sir, that after the policy which is indicated in this bill has been embodied into a law there will be a great momentary stimulus to both commerce and manufactures. You already see that the importers of New York are rushing in their imports from different countries in order to get "inside the breast-works" before the wall that is to be built around that great commercial city is erected. And you will find that corporations will be formed, and that there will be a rush of capital into these highly protected industries; that new towns will dot the plains, and that for a season there will be what may be called flush times in new activities given to commerce and manufactures.

But, Mr. President, when a year or two have passed, when the sturdy self-independence of the American citizen, which has been wont to start out with its own right hand and inborn genius to build up local and personal industries has been absorbed in these corporations hastening to be rich—when everything is moved by trusts and combinations, and the momentary stimulus wears out, there will be a pay-day in the calendar, and it will come like a thief in the night, unannounced. I hope that it may be long averted. I hope, indeed, that my vaticinations may be incorrect, and that it may not come at all; but if there be anything in the teachings of history and of economic experience, it is just as certain as that the wheel of time shall turn around.

Mr. HAWLEY. Mr. President, the Senator has endeavored to make a frightful example of Connecticut in support of his doctrines. He should know, and does know, doubtless, that the tendency of people towards cities is common to nearly all cities and to all States and nations in modern times. He shows, what is undoubtedly true, that in Connecticut the population has tended towards certain centers, and that the population of farming towns in a number of instances is not as great as it was in the previous census or the census before that, and the reduction has been going on for some time. He thinks that we show the unfavorable influences of the protective doctrine. Now, if he will go to free-trade Great Britain, the ideal of the Democracy, he will find precisely the same tendency there, and I am not sure but in a greater degree. It is not to be charged to one doctrine more than to the other.

Mr. HOAR. London is the most rapidly growing city in the world. Mr. HAWLEY. Yes; the Senator from Massachusetts reminds me that London is the most rapidly growing city in the world. We think there is nothing like the growth of some of our Western cities, but London has run rapidly up to 4,000,000, and it is like Jonah's gourd, nobody knows what it is to-day. It is absorbing, like Chicago, the country around it; all the country roads are becoming continuous lines of buildings.

Now, in Connecticut, the Senator will find, if he will examine, that these concentrations of population take place upon the streams where there is valuable water-power, along which there sometimes arises a continuous village, and the farms not being as profitable in some respects as they used to be the people settle down into the villages and manufacturing cities. The value of the farms has not gone down on the whole; they are still cultivated. They would be worth next to nothing, I might say, if it were not for these manufacturing villages. There is a tendency toward aggregation that we can not prevent by any legislation, it is an economical and irresistible tendency, but its effect we can immensely modify by keeping up and extending manufacturing, for without that our people could not live at all. I think Connecticut would reduce in population if it were not for the manufacturing interest.

If the Senator will search the history of our business enterprises he will find cases in which individuals and corporations, working at a distance from a navigable river or the seacoast, being about to enlarge or modify their works, pull up its stakes there and go down to the river-side or to the banks of Long Island Sound, because there they can resort to water transportation any time, and hold a check upon railroad rates. These are among the reasons for our condensation in cities, and these reasons are somewhat the same in free-trade Great Britain. The social tendency and the attractions of crowded life assist.

But if the Senator will take the whole view of our State he will see that we have more landholders than formerly and that the average value of lands has increased. The population of the State has grown 118,000 in ten years. The moneys in the savings-banks, an excellent test of the prosperity of the common people, grow year by year. There

is no possible indication of the prosperity and progress of a people that we do not exhibit.

Mr. DANIEL. Mr. President, just one word in reply to the Senator from Connecticut. He seems to misapprehend my position. I only state these facts to rebut the argument that he and other gentlemen who concur with him have made, that the tendency of these cumulative taxes is to produce a home market to the farmer. I cite this Connecticut example to show that it is destroying the local home markets of the farmers and is building up the country in centers, just as he has indicated.

Furthermore, the Senator very much misapprehends me if he supposes that I am in any way opposed to manufactures, for I agree with him that judicious manufactures well placed and run on business principles are great benefactions to every State and every country and to every people. What I object to is the crippling of manufactures, against its protest, by a charge upon it for raw material, and then paying it a bonus in the form of a secondary tax to pay it an additional sum for the amount it has to pay for that raw material.

Mr. DAWES. Mr. President, I do not care to take more than a moment of time in reply to the remarks of the Senator from Virginia, and that is simply for the purpose of calling attention to his logical inconsistencies.

He says that the policy inaugurated in 1867 has had the effect to constantly depreciate the wool growth of this country both in value and in quantity; and yet there is not a wool-grower in the country who asks to have that policy abandoned. He proposes to substitute for it free trade in wool. There is not a wool-grower in the country, understanding his own interests and studying his own interests, but would consider the policy which the Senator suggests as a cure for a system which he says works constant reduction in the prices and value of the wool product, ruinous, and one necessarily compelling him to abandon the attempt to grow wool in this country.

Again, the Senator says that the policy of 1867 worked precisely the same effect upon the wool-manufacturer; that although under it the wool-manufacturer's raw material was growing cheaper and cheaper every year, yet it had that remarkable effect upon the wool-manufacturer that as his raw material grew cheaper and cheaper his results and profits were all the time diminished, and the wool-manufacturer, instead of clinging to the idea of what he calls a high tariff upon wool production as a means of cheapening his raw material, asks to have this tariff abandoned and the very opposite adopted as the means of reducing the value of his raw material. The wool-manufacturer says that free trade will cheapen his raw material. The Senator from Virginia says that the high tariff, as he calls it, of 1867 has reduced the raw material and will continue to reduce the raw material.

Mr. President, it is said that there is poetry in statistics. That is true, and I have seen people run crazy with statistics, frenzied like poets. But there is also jugglery in statistics. I do not use that word offensively to the Senator from Virginia. Nothing is so unsafe as a leader as assorted statistics. I have seen in my experience men adopt theories and then assort statistics to maintain them, and the assorted statistics are delivered over for us here.

The application of the Senator's theory by men of experience in the matters to which they pertain is worth more in the solution of the question than theories maintained by assorted statistics.

Take his reference to the towns in Connecticut to show that a home market in Connecticut, produced by means of manufactures there, has caused a decline in the value of the property of Connecticut. Assort the statistics and pick out the effect upon a locality in Connecticut and leave out the statistics of other localities and you can make the condition of Connecticut just what you please. Take the statistics of the prosperity of the manufacturers of Connecticut by themselves and they knock the pretense of the Senator from Virginia out of sight in a moment.

The whole of these statistics that tell the history of the industries and the prosperity and the growth and the wealth of Connecticut are the only lesson that can be learned from statistics as pertaining to Connecticut. Assort the statistics in reference to particular years of the production of wool in this country and then assort again the statistics and put the value of wool one year with the value of wool another year, picking out the highest and the lowest and leaving the average to take care of itself, out of sight, will lead us the Lord knows where.

But, sir, the real use and the safe and honest use of the statistics is to tell us what, as a whole, has been the result of this tariff. Has the business of production in this country, either of the raw material or of the manufactured article, as a whole, been on the increase? Has it wrought more of good than of evil as a whole? When the Senator is able to satisfy the people of this country that the effort to furnish more employment for her people, more investments for her capital, more market for the products of her soil, has on the whole worked an evil, then he will derive some useful lesson from the statistics.

Mr. DANIEL. May I interrupt the Senator to ask him a question?

Mr. DAWES. Certainly.

Mr. DANIEL. Why in the bill are not hides protected? Why do you not protect the shoe and leather manufacturers and the producers of hides by a tariff on them? What is the difference between hides and wool? Will the Senator explain that?

Mr. DAWES. I suggest to the Senator to answer my question, and I will repeat it. I have not heard him answer it. If the high duty, as he calls it, upon wool imposed in 1867 has had the effect to reduce the price of the raw material, what is the reason why the manufacturer wants it abandoned?

Mr. DANIEL. Will the Senator permit me to answer?

Mr. DAWES. Yes, that is what I want you to do.

Mr. DANIEL. Because it is only to reduce the price of one portion of his raw material, while it has so increased the price of all the other portions that when he gets it all together the sum is greater.

Mr. DAWES. I do not quite hear the answer, but I suppose it is a good answer, else the Senator would not have made it.

Mr. DANIEL. I wish the Senator would make as good an answer to the question I asked him.

Mr. DAWES. But the simple logic of the course pursued by the men who produce the wool and the men who produce the manufactured article out of it, I submitted to the Senator, and I persist, is a course more intelligent, more in accord with their real interests.

Mr. DANIEL. I am afraid the Senator did not hear my question.

Mr. DAWES. I suppose I did not, and therefore I hope the Senator will allow me—

Mr. DANIEL. I asked the question why it was that there was no tariff in this bill on hides—why they were not protected in the same way as wool?

Mr. DAWES. Mr. President, I am not to be diverted from this position by any such interrogatory as that. If the Senator thinks that that elucidates his logic as it relates to the producer of wool and the manufacturer of it, it only confirms my opinion that the Senator has been made mad with statistics.

Mr. President, I want an answer to the question how it is that the wool-grower wants to maintain a tariff, the effect of which is to reduce the price of his wool, and the wool-manufacturer wants the tariff abandoned, which has the effect to reduce the cost of his raw material. They are both fools, or the Senator from Virginia has been led astray by assorted statistics. Statistics, as a whole, honestly applied, do not bear out any such conclusion as that to which the Senator comes.

I know that they can be made to state anything. I knew a wonderful statistician in 1867 who went to work on statistics with a theory and he has come out a rank free-trader, turning over statistics, and whenever facts confront him he answers in substance, "the more the pity for the facts; the theory is sound, and there must be some mistake about the facts."

Mr. President, the idea that there can be any antagonism between the wool-grower and the wool-manufacturer, or the attempt to create it here in this way, is idle and is injurious to the interests of both. The wool-grower can not prosper when the wool-manufacturer is not prosperous, nor can the wool-manufacturer prosper unless the wool-grower also is prosperous.

Mr. VANCE rose.

Mr. ALDRICH. I appeal to Senators upon both sides of the Chamber to allow a vote to be taken upon the pending amendment. It must be apparent to the Senate that unless we make greater progress with the discussion and disposition of this bill the time fixed for taking the vote will be reached without some of the important questions involved in the bill having been discussed at all, and I again appeal to Senators upon both sides of the Chamber to allow a vote to be taken upon this question.

Mr. VANCE. Mr. President, yielding to the appeal of the Senator from Rhode Island, I shall refrain from the remarks I was going to make, and yield the floor.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Kentucky [Mr. CARLISLE] to strike out certain paragraphs that have already been read, upon which the yeas and nays have been ordered.

Mr. ALLISON rose.

The PRESIDENT *pro tempore*. Does the Senator from Iowa rise to speak to the pending motion.

Mr. ALLISON. I rise to ask a question and to call the attention of the Senator from Kentucky to the fact that, under the ruling of the Chair, if his motion fails no other intervening amendment will be in order.

Mr. CARLISLE. We understand that.

Mr. ALLISON. The Senator criticised very severely several separate provisions within the line of this motion to strike out. I suppose he does not wish to make any amendment respecting them.

Mr. CARLISLE. My motion is to strike them all out.

Mr. ALLISON. I know; and that failing—

Mr. CARLISLE. That failing, I understand that under the ruling made a few days ago no amendment can be entertained to the paragraphs already read while we are in Committee of the Whole.

The PRESIDENT *pro tempore*. Referring to that ruling, the Chair begs to state that several Senators have criticised the opinion of the Chair and referred to Rule XVIII, ignoring the fact that the motion was not one to strike out and insert, but one to strike out merely, to which that rule is in no sense whatever applicable.

The yeas and nays having been ordered on agreeing to the amendment, the roll will be called.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. CARLISLE (when his name was called). I am paired at present with the Senator from North Dakota [Mr. PIERCE]. If he were present I should vote "yea."

Mr. DAWES (when his name was called). The Senator from Georgia [Mr. COLQUITT] has been necessarily called home for several days, and I am paired with him for the time of his absence. I shall therefore consider myself paired on this and all subsequent votes, unless otherwise announced, with the Senator from Georgia. I should vote "yea" if he were present, and he would vote "yea."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Maryland [Mr. GORMAN].

Mr. BATE (when the name of Mr. HARRIS was called). My colleague [Mr. HARRIS] is paired with the Senator from Vermont [Mr. MORRILL]. If my colleague were present, he would vote "yea."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is detained from the Chamber by illness. If he were present, I should vote "nay."

Mr. MANDERSON (when Mr. PADDOCK'S name was called). My colleague [Mr. PADDOCK] has been called away from the Chamber on business in one of the Executive Departments. He is paired with the Senator from Louisiana [Mr. EUSTIS]. I do not know how my colleague would vote on this question.

Mr. TELLER (when his name was called). I am paired with the Senator from Arkansas [Mr. BERRY]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. SPOONER (after having voted in the negative). I am paired generally with the Senator from Mississippi [Mr. WALTHALL]. I voted inadvertently, not observing that he was absent from the Chamber. I ask leave to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Wisconsin withdraws his vote.

Mr. ALLEN. I wish to announce the pair of my colleague [Mr. SQUIRE] with the Senator from Virginia [Mr. DANIEL]. My colleague, if present, would vote "nay" on this question.

Mr. HAWLEY. My colleague [Mr. PLATT] has gone home to attend the funeral of a near neighbor, an old and prominent citizen. He is paired with the Senator from Virginia [Mr. BARBOUR].

Mr. SHERMAN. My colleague [Mr. PAYNE] desired, I know, to vote for retaining these woolen clauses in the bill, and he made some arrangement with the Senator from Maryland [Mr. GORMAN] to pair with him in that direction. I suppose it would make no difference in the result of the vote, and therefore I do nothing but leave his pair stand with the Senator from Illinois [Mr. FARWELL], unless some Senator should see proper to pair him with a Senator on the other side. My colleague, as he told me, would vote for retaining the wool-tariff clauses as they are in the bill, and therefore would vote "nay" on this proposition.

Mr. VEST. I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. CARLISLE. I am paired, as stated, with the Senator from North Dakota [Mr. PIERCE], but if there be no objection I will transfer that pair to the Senator from Texas [Mr. REAGAN], so that I can vote. I vote "yea."

Mr. BATE. The Senator from West Virginia [Mr. FAULKNER] is not in the Chamber, and I desire to state that he is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. TELLER. I suggest to the Senator from Missouri that the Senator from Arkansas [Mr. BERRY] be paired with the Senator from Kansas [Mr. PLUMB]. Then he and I can vote, if that is agreeable to him.

Mr. VEST. That is entirely agreeable. I vote "yea."

Mr. TELLER. I vote "nay."

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER], but if necessary to make a quorum I am at liberty to vote.

Mr. DANIEL. I beg leave to state that I have not voted because I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. SPOONER. I am paired with the Senator from Mississippi [Mr. WALTHALL]. The Senator from Virginia [Mr. DANIEL] is paired with the Senator from Washington [Mr. SQUIRE]. If agreeable to him, we can pair the Senator from Washington with the Senator from Mississippi, and the Senator from Virginia and I can vote. I vote "nay."

Mr. DANIEL. I vote "yea."

Mr. WASHBURN. I desire to state that my colleague [Mr. DAVIS] is paired with the Senator from Indiana [Mr. TURPIE].

The result was announced—yeas 17, nays 27; as follows:

YEAS—17.

Bate,	Gibson,	Morgan,	Vest,
Carlisle,	Gray,	Pasco,	Wilson of Md.
Cockrell,	Hampton,	Pugh,	
Coke,	Jones of Arkansas,	Ransom,	
Daniel,	McPherson,	Vance,	

NAYS—27.

Aldrich,	Dolph,	Hoar,	Spooner,
Allen,	Edmunds,	Ingalls,	Stewart,
Allison,	Ewarts,	Jones of Nevada,	Stockbridge,
Cameron,	Hale,	McMillan,	Teller,
Casey,	Hawley,	Mitchell,	Washburn,
Cullom,	Higgins,	Sawyer,	Wilson of Iowa.
Dixon,	Hiscock,	Sherman,	

ABSENT—40.

Barbour,	Davis,	Kenna,	Power,
Berry,	Dawes,	Manderson,	Quay,
Blackburn,	Eustis,	Moody,	Reagan,
Blair,	Farwell,	Morrill,	Sanders,
Blodgett,	Faulkner,	Paddock,	Squire,
Brown,	Frye,	Payne,	Stanford,
Butler,	George,	Pettigrew,	Turpie,
Call,	Gorman,	Pierce,	Voorhees,
Chandler,	Harris,	Platt,	Walthall,
Colquitt,	Hearst,	Plumb,	Wolcott.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the bill will be proceeded with.

The Chief Clerk resumed the reading of the bill, as follows:

370. On noils, shoddy, top waste, slubbing waste, roving waste, ring waste, yarn waste, garnetted waste, and all other wastes composed wholly or in part of wool, the duty shall be 30 cents per pound.

Mr. CARLISLE. I should like to ask the Senator from Rhode Island the reason why the duty upon shoddy is increased from 10 cents per pound to 30 cents per pound, an increase of 200 per cent. upon this article, which I suppose we do not want to encourage the production of.

Mr. ALDRICH. The Senator well knows that it is a substitute for wool, and with a view of giving protection to the lower grades of wool this duty has been increased from 10 cents to 30 cents a pound.

The reading of the bill was continued, as follows:

371. On woolen rags, mungo, and flocks, the duty shall be 10 cents per pound.  
372. Wools and hair of the camel, goat, alpaca, or other like animals, in the form of roping, roving, or tops, and all wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

The next amendment of the Committee on Finance was, on page 88, line 22, after the word "be," to strike out "twice" and insert "two and one-half times;" so as to make paragraph 373 read:

373. On woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto, 35 per cent. ad valorem; valued at more than 30 cents and not more than 40 cents per pound, the duty per pound shall be three times the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto 35 per cent. ad valorem; valued at more than 40 cents per pound, the duty per pound shall be three and one-half times the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto 40 per cent. ad valorem.

Mr. CARLISLE. Mr. President, I do not think the amendment proposed by the committee ought to be agreed to. In fact the rate of duty proposed by the bill as it came from the other House is a large increase over the present rate and is not justifiable in my opinion. The rate proposed by the House on "woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel" (which has heretofore been free, but is now classed in this bill with wool of the first class and made dutiable at 11 cents per pound), "goat, alpaca, or other animals, valued at not more than 30 cents per pound," is "twice the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto 35 per cent. ad valorem."

That is the provision in the bill as it came from the House, and it proposes to impose a duty of 22 cents per pound and 35 per cent. ad valorem upon all these yarns which are worth less than 30 cents per pound. The Finance Committee of the Senate proposes to increase the specific duty from 22 cents per pound, as proposed by the House, to 27½ cents per pound and 35 per cent. ad valorem upon an article which must be worth less than 30 cents a pound in order to come in under this clause.

The rate of duty under the present law upon this class of yarns valued at less than 30 cents per pound is 70.32 per cent. ad valorem. The House propose to raise it to 112.70 per cent. ad valorem, and the Senate committee amendment to over 132 per cent. ad valorem.

This is the material which is necessarily used by the manufacturers of woolen and worsted cloths, and I am unable to see any sufficient reason why even the rate of duty proposed by the House should be imposed upon it, and, much less, why we should impose a duty of over 132 per cent.

I hope the amendment proposed by the committee will not be adopted, and I think that the rate proposed by the House ought to be reduced.

Mr. ALDRICH. The Senator from Kentucky understands, of course, that the specific rates in this bill are intended to be compensatory for the rates upon wool or substitutes for wool. The rate upon scoured wool by this bill is 33 cents a pound. The rate fixed upon all substitutes for wool in paragraph 370, which we have just adopted, is 30 cents a pound. The Senator must understand that if we propose to make the duties on yarns compensatory this rate must not be less than the rate fixed upon scoured wool or upon all the substitutes of wool.

The rate proposed by the amendment of the Senate Finance Committee is only 27½ cents a pound as against 33 cents a pound upon scoured wool of the first class, or 36 cents a pound upon scoured wool of the second class, or 30 cents a pound upon the various substitutes.

Mr. CARLISLE. We have again presented to us the doctrine of compensatory duties by the Senator from Rhode Island. I should like to ask that Senator for what is this to compensate the manufacturers of these yarns. For an increased price of their wool on account of the imposition of the increased rate of duty or for a reduced price of their wool resulting from the increased rates of duty upon that article?

We have reached a point where it seems we ought to have a distinct and final understanding upon this subject; that is, upon the question whether the imposition of protective rates of duty upon an article which is produced in this country reduces its price or increases its price. This question has been answered both ways repeatedly during this discussion. The Senator from Ohio [Mr. SHERMAN] yesterday afternoon, in a brief statement made by him, admitted that the imposition of protective rates of duty upon wool by the act of 1867 had not increased its price, but had decreased it; but other Senators upon that side of the Chamber insist that the imposition of such a duty increases the price, and this bill is framed upon that theory. Consequently we find that wherever a new duty is imposed upon a material used in our manufactures or an increased duty is imposed upon such a material, there must be an increased duty upon the product made from it, in order, as the Senator from Rhode Island says, to compensate the manufacturer.

Now, in the first place, the fact that the wool from which these yarns are manufactured is not all imported must not be overlooked; in fact, very little of it is imported; and therefore this compensatory duty can not be justified upon the ground that it is to reimburse the manufacturer of the yarns an amount of money which he has actually paid out of his pocket at the custom-house upon the imported article. It must be placed solely upon the ground, therefore, that the imposition of the increased rate of duty upon wool from which these yarns are made increases their price; and yet the facts stated throughout this discussion and admitted upon the other side show that the price of wools has decreased since 1867, when this high rate of duty was imposed upon them.

I insist, therefore, that we have reached a point in the consideration of this bill where we should have a distinct and a final understanding upon this subject, because if we are to continue throughout the remaining provisions of this bill to impose what are called compensatory duties upon the finished product, it can be justified only upon the ground that the duties upon the materials increase their price, although those materials are produced here in our own country.

Mr. ALDRICH. Mr. President, the compensatory duties levied by the provisions of this bill are not imposed for either of the reasons suggested by the Senator from Kentucky. The reason for their imposition, as I think the Senator understands, is to equalize, if possible, the conditions, so far as the cost of wool is concerned, between the foreign and the domestic manufacture. If the domestic manufacturer imported the wools or substitutes, he would be obliged to pay the duty, and should be compensated for the amount paid. Otherwise, of course, he would be under an additional disadvantage on account of the wool duties as compared with his foreign competitor, who has free wool. If he does not import the materials, he is brought in competition with a foreign manufacturer who has the advantage of cheaper wool or cheaper substitutes for wool, it may be, to the full extent of the duty which we impose in the United States. Under these circumstances, it is absolutely necessary, if we propose to continue the manufacture of wool in this country, that through adequate compensatory duties foreign and domestic manufacturers should be placed upon a basis of equality.

Mr. CARLISLE. Will the Senator from Rhode Island insist that the imposition of an increased rate of duty upon the material which the American manufacturer has to use has a tendency to put him more nearly upon a footing of equality with the manufacturer who has free material? It is precisely the contrary. The foreign manufacturer has free materials for use in the production of his goods, and thereby, according to the Senator's argument, which is correct, has an advantage over the American manufacturer. Why has he the advantage? Simply because under the law which gives him free raw material he secures it at lower cost, and to compensate the American manufacturer on account of this disadvantage under which he labors from this cause, the Senator proposes still further to embarrass him by putting an increased rate of duty upon his material, and thus make it cost him more according to the theory of this bill.

Mr. President, this compensating duty, as it is called, can not be justified upon the ground that it aids the domestic manufacturer in the contest with his foreign competitor. It must rest upon the ground, if it can be justified at all, that the imposition of the increased duty upon the material used by the domestic manufacturer increases its cost to him, and that therefore he must have an increased duty upon his finished product.

The Senator says that it is justified upon the ground that its purpose is to equalize the conditions between the manufacturers here and the manufacturers abroad, which is simply another form of stating the argument to which I have just replied. It does not tend to equalize

the conditions, but, on the contrary, tends directly and inevitably to make them still more unequal than they are now by imposing upon the material used by our manufacturers an increased charge which the foreign manufacturer does not have to pay, and therefore—

Mr. ALDRICH. Mr. President—  
Mr. CARLISLE. Wait a moment. Therefore it excludes our domestic manufacturers of these goods not only from the other markets of the world, but raises their price here to such an extent as to encourage their importation from abroad, for it is a rule of trade as inflexible as any rule in mathematics that our importations increase when our prices rise and decrease when our prices fall. It is high prices in this country that bring goods here from other countries, and low prices in this country that exclude them.

Therefore, when you place in this bill a provision which increases the cost of production and thereby necessarily increases the price at which the articles sell in the market you offer to the foreign importer a premium to bring his products here and sell them in competition with ours. What we want, therefore, more than anything else in the adjustment of our tariff laws, if their purpose, or any part of their purpose, be to aid and encourage American industries, is to enable those industries to turn out their products at such prices as will exclude the foreign product from competition with them in the home markets, and if possible at such prices as will enable our producers to export them and sell them in the foreign market in competition with foreign producers. We can never reach that point, but will be constantly receding further and further from it, if we continue to incorporate into our legislation these provisions which increase the cost of production in our own country.

Mr. ALDRICH. Mr. President, the argument of the Senator from Kentucky should have been addressed to the Senate when the paragraphs relating to the duties upon wool were under consideration. He questions the wisdom of the policy of adopting these rates. Having once decided, as the Senate has so far as it can control this matter, to place these duties upon wool, it is indispensable, I repeat, to equalize the conditions between the domestic and foreign manufacturers.

Mr. CARLISLE. How equalize it?  
Mr. SHERMAN. Mr. President, I will say a few words in regard to this point, because this same question will arise in many other items in these schedules as they come up.

It seems to me that the Senator from Kentucky overlooks the main facts in regard to these duplicate and triplicate and quadruple rates upon woolen goods. He forgets—no, he does not forget it, because he is perfectly familiar with the fact—that it requires 2 pounds of ordinary wool as taken from the sheep's back to make a pound of what is called washed wool. It takes 3 pounds of unwashed wool to make a pound of scoured wool. It takes 4 pounds of unwashed wool to make a pound of cloth. That is a fact. If the Senator disputes it then we are all at sea; but that, I believe, is a conceded fact.

At any rate it is proved by every witness who came before the committee, and is shown by the importers and manufacturers and all wool-growers, that it is a general simple rule which may vary in degree according to the character of wool, the finer wool being better, that 2 pounds of unwashed wool are equivalent to 1 pound of washed wool; that 3 pounds of unwashed wool are equivalent to 1 pound of scoured wool, and that 4 pounds of unwashed wool are required to make 1 pound of cloth. That seems to be rather strange. One would wonder how this waste could occur, but it is so as a matter of fact. The grease in the unwashed wool is removed partially when it is washed, still more when it is scoured. It not only takes off all the dirt, but all the fiber of the wool. Still, in the next process of manufacture, when the wool is converted into cloth, there is a waste, so that all parties have agreed to the general rule that it requires 4 pounds of unwashed wool to make 1 pound of cloth.

That does not apply to all kinds of cloth. It only applies probably to the better wool. The general rule is that of good quality it may require 4 pounds of wool to produce a pound of cloth, but it does not apply to all, because in certain articles they use other substitutes for wool to the extent that they use cotton in satinetts and in some forms of goods. I am not a merchant or a manufacturer or anything of the kind, and I may confound these matters, but in many classes of goods made partly of wool there is cotton, and in many there are other articles. In all carpet wools there are great varieties of substitutes. Therefore, the rule does not apply to those, but in all cloths of every kind whatever it may be said that it requires 4 pounds of wool to make 1 pound of cloth.

That is the reason of this discrimination. In regard to these cheaper woollens that are provided for here at two and a half times the rate, they are mainly made of cheap wools which bear a low rate of duty comparatively. The carpet wools are sometimes used more or less for this class of goods, and the inferior wools are used for that purpose. Still, the endeavor was to equalize the number of pounds of wool that are required for a pound of cloth, because now we are dealing with cloth or woollens, the manufactured articles.

Mr. CARLISLE. Yarns.  
Mr. SHERMAN. Yarns; the same thing. Yarn, before it is prepared and called yarn, must go through the process of washing, scour-

ing, and the other process that is necessary, carding probably. I am not an expert in this matter, and I only know what I gather from the information furnished; but it goes through all the processes; so that yarn is a manufactured article of wool, but it is not so highly manufactured as cloth, because the wool even after it is woven into cloth loses somewhat by the processes of manufacture.

Therefore, in fixing the ratio the House fixed the ratio of 2 to 1. The Senate committee, however, proposed to increase the rate upon the statement made before it by men who are interested no doubt upon this matter, but certainly made without a division of opinion that that was not enough; that it required 2½ pounds of wool to make a pound of yarn. Whether that be so or not I do not know, but that was the best evidence we had; and unless the Senator from Kentucky can controvert that fact his argument fails.

So as you go along into higher grades and higher prices of woolen goods, where the waste is greater, the ratio increases. In some cases 3 pounds of wool are made the equivalent of 1 pound of cloth, in other cases of cloths of the higher grades it requires 4 pounds; and therefore the corresponding duty on the goods is made four times the amount of the duty on the unwashed wool.

If the duty upon wool had been levied on the washed or scoured wool, it would have been much higher, but as the wool enters into market mainly as unwashed wool, or wool washed on the sheep's back, as a matter of course the rate of duty is fixed upon the wool that is usually imported in that condition, generally in a very dirty state; and when you come to convert that into cloth, it takes, as I say, from 2 to 3 or 4 pounds of the wool to make a pound of cloth.

That is the reason for the difference between these various grades—that as the product advances in quality and value it takes more wool. Therefore, according to the testimony of every one connected with this whole business, and it has never been contradicted or denied by any one, 4 pounds of wool are required to make 1 pound of cloth. If that be true, it explains the whole of these progressive stages of two, three, and four.

Now, what is just and right is that the duty on the woolen goods should correspond substantially with the duty on wool, giving the manufacturer a reasonable protection for the conversion of that wool into cloth, and giving him a duty that will bear a just relation to the value of the foreign wool and the domestic wool.

In regard to the other rule that the Senator from Kentucky mentions, I have no doubt whatever that under the operations of this protective tariff the effect will be—not in a year, not in two years, but as soon as the law takes effect and is in full operation, and encouragement is then given to the manufacturers and producers of wool, and the inevitable effect of domestic competition at home will be to reduce the price of wool and woolens. In every speech I have ever made where I have alluded to the subject at all, or in any speech or remarks I have ever made in the Senate or in the House as a member where this subject was discussed, I have always said that what I desired to do was, not to make dear goods, not to compel the consumer to pay higher prices, but it was to induce the manufacture of goods in our own country.

Mr. President, if I had the power I would frame the law so that every article, of any name or nature whatever, that could be manufactured in this country of ours should be manufactured here; and then, if left open to the competition which always springs up if undisturbed by trusts or combinations, that competition will always reduce the price lower and lower, down to the absolute cost of manufacture or production, so that the cost of production would decide the value of the article in our own country, and the cost of manufacture, governed by the wages paid to our laboring men, higher than are paid abroad, should fix the prices in this country, and then we would get the benefit of any invention, any improvement, any increased competition, any increased effort made on the part of laboring men or inventors to lower or lessen the price of goods. That is my idea of a protective tariff, of a protective policy.

If I supposed or believed, as the gentlemen on the other side seem sincerely to believe, that these duties are added to the cost, piled up and accumulated upon the cost of the article, that the consumer must pay it, that there was no evasion of that universal rule, I would not favor a protective tariff at all. But I know that all human experience teaches, and the experience of our own country more than anywhere else teaches us, that if we have the facility of trade and the inducement to go into manufacture or production of any kind, we can by our own superior intelligence, by the character of our people, by free and fair competition, undisturbed by trusts or combinations, reduce the prices to as low a rate as they ought to be reduced with due regard to fair wages to American laborers.

Mr. President, we must not only consider the interest of the laborer in this matter, but we must induce, by our laws, capitalists to invest in the production and manufacture of these articles, because, unless we can do so, unless we can cause capitalists to invest in the necessary plant to manufacture, as a matter of course we can give no laborers employment, and therefore these protective laws must be made not only to induce capital to come in for the purpose of legitimate profit, but also with a view to give our people fair and reasonable wages

and fair and reasonable prices. Then, if on account of the higher prices paid for labor in this country and the higher rate of interest on capital, the domestic article costs a little more than the foreign article, I say it is better for the American people, better for the consumers, to pay that increased cost, rather than not have the article manufactured here.

Mr. President, so far as I am personally concerned, I can have no interest whatever in these tariff laws. I am unfortunately neither a producer nor a manufacturer nor an importer. I am a consumer to the extent that I have any connection with the articles named in this list. As a consumer I believe, in common with the great body of our people, that if we do protect, foster, encourage, and diversify our industries, although in the commencement it may advance the price to the consumer, yet in the end it will reduce the price and fix the price to be paid in our own country at about the fair rate for the men that are employed in manufactures and a fair rate to capital employed in manufactures, which is absolutely necessary; and when it is thus reduced to that price we ought to pay it cheerfully and fairly.

I believe that if these laws now could be framed upon the basis of this bill, with any sign that they would endure for a number of years, there would be no difficulty about prices; that we should be able to compete with other countries and soon be able to export certain classes of goods to foreign countries and compete with those countries in the markets of the world.

Such, Mr. President, are the ideas that I entertain in supporting a protective tariff bill—not for the purpose of building up manufacturers particularly, not for the purpose of enriching a few men and of giving them the advantage over laborers, but to induce industry, to secure employment, to diversify employments, in order that we may not only manufacture articles needed on the farms, in the workshops, and in the mines, but encourage every class of industry that will give honest labor fair employment and give capital a new inducement to enter and embark in all kinds of business.

Mr. CARLISLE. Mr. President, so far as I know, the Senator from Ohio has always been consistent in his advocacy of the theory that the imposition of protective duties upon goods the like of which are produced in this country has a tendency to reduce prices, and I shall therefore have no contention with him upon that subject. But what I have endeavored to show is that such a theory is wholly inconsistent with this theory upon which this bill is framed.

This bill is framed upon the theory that compensatory duties are necessary in order to reimburse the manufacturer, who uses the material, for the increased cost to him on account of the imposition of the duty upon the material. That is the theory which I endeavored to get the Senator from Rhode Island [Mr. ALDRICH] to announce, but which he does not announce in his remarks, although he does in his bill.

Now, Mr. President, the Senator from Ohio [Mr. SHERMAN] asserts that it requires 4 pounds of unwashed wool to make 1 pound of woolen cloth, and asserts that until this is controverted these compound duties, or this multiplication of duties, must be justified. I know that this is the estimate which has usually been made, and upon which our legislation on this subject, since 1867 at least, has been based. But I controvert the statement that, as a universal rule, or even as a general rule, it requires 4 pounds of unwashed wool to make 1 pound of cloth. If, however, that be conceded, I assert that in the waste, of which the Senator from Ohio speaks, there is valuable material which is utilized by the manufacturers.

The Senator from Ohio states that it requires 3 pounds of unwashed wool to make 1 pound of scoured wool, and 4 pounds of unwashed wool to make 1 pound of cloth. If this be true, there would be a loss of at least 25 per cent. in the manufacture of 1 pound of cloth from the scoured wool, which I deny. The waste will not exceed, in my opinion, 15 or 18 per cent., and that is not lost. It consists to a large extent of noils, roving waste, ring waste, etc., upon which this bill imposes a duty of 30 cents per pound. It must be worth something. It must be worth more than 30 cents a pound in order to justify this rate of specific duty. As a matter of fact, noils are worth—

Mr. SHERMAN. A large portion of these cheaper wools referred to under the duty of 30 cents a pound must be made out of cheaper kinds of wool, such as carpet wools, some kinds of which come from Germany.

Mr. CARLISLE. That is aside from the point I am discussing, Mr. President. Of course it is conceded that in some classes of wool it would require 4 pounds to make—

Mr. SHERMAN. The Senator is speaking about the duty of 10 cents a pound. The duty on carpet wool is 30 cents, and they use carpet wool to some extent in the manufacture of woolen goods.

Mr. CARLISLE. But, Mr. President, all this waste, whether it occurs in the manufacture of carpets or the manufacture of woolen cloth, is subject under this bill to a duty of 30 cents a pound. That is the point I was on.

Mr. SHERMAN. Noils and those things originally supposed to be waste wool are really worth more than any other kind of wool.

Mr. CARLISLE. The Senator from Ohio will understand that I am not complaining of the duty of 30 cents on waste in this bill. I am alluding to it only for the purpose of showing that those waste wools have value; that they are not in fact waste, as the Senator has stated,

and that although in the manufacture of certain kinds of woolen cloths they may actually manipulate 4 pounds of unwashed wool in making 1 pound of cloth, still the waste itself is valuable. Although it does not go into the pound of cloth it is on hand to put into some other pound of cloth, and is carried over from one process to another, so that the manufacturer has no right to claim that he shall have a compensatory duty upon the theory that it takes 4 pounds of wool to make 1 pound of cloth. That is the point I am making.

In the first place, I say that it is not a universal, or even a general, rule that 4 pounds of unwashed wool are manipulated in making 1 pound of cloth. In the second place, I say that even in those cases where 4 pounds are manipulated in making 1 pound of cloth, the 4 pounds of wool are not actually consumed in manufacturing the cloth. Yet the manufacturers have succeeded in getting the Committee of Ways and Means of the House of Representatives and the Committee on Finance of the Senate to give them in this bill four times the amount of duty upon a pound of unwashed wool and an ad valorem rate for their protection upon every pound of woolen cloth imported for sale here, if it is valued at over 40 cents per pound, and not only upon every pound of imported woolen cloth, but upon every pound of imported worsted cloth, a part of which is cotton, a free article, subject to no duty whatever, and notwithstanding the fact that the cotton put into these imported worsted goods was originally shipped abroad from this country, manufactured abroad, and shipped back here, which is of itself a large protection to our manufacturers of domestic worsted goods. All the charges of transportation both ways, commissions, insurance, etc., have to be paid by the foreign manufacturer upon the cotton before it ever reaches the markets of this country; and still 44 cents a pound and 50 per cent. ad valorem are put upon worsted cloths by this bill, under the last clause of the next section to be considered, if the value of the goods is over 40 cents per pound.

And, moreover, Mr. President, while I am upon this subject, this bill not only gives to the manufacturer a specific duty equivalent to the duty upon 4 pounds of unwashed wool, which, of course, compensates him entirely for the whole amount of wool he uses in the manufacture of a pound of cloth, even if he uses the imported wool, but it gives him a duty of 50 per cent. ad valorem besides upon the whole value of the cloth, including the value of this same wool, upon which he has had 44 cents a pound specific duty.

Now, when he has received his 44 cents a pound, specific duty, to compensate him for the duty upon the 4 pounds of unwashed wool, he is even with the foreign manufacturer. He is upon equal terms with the foreign manufacturer so far as the wool is concerned. What further right then has he to a duty upon wool for his own protection? He has none whatever, Mr. President, and yet this bill gives him 50 per cent. ad valorem in addition to this sum of 44 cents, and this is upon the whole price of the cloth, including the wool. Suppose the wool is worth 20 cents a pound abroad—and I showed by a letter yesterday that it ranged from 21 to 22 cents, but is sometimes even higher. The 4 pounds of wool used by the foreign manufacturer, therefore, costs him at least 20 cents a pound, which is 80 cents.

Now, the domestic manufacturer, to compensate himself for the duty on the wool, has a specific duty of 44 cents a pound on the cloth, and he has also a duty of 50 per cent. ad valorem upon 80 cents, the cost of the wool abroad to the manufacturer, which gives him 84 cents on account of the wool used in the imported cloth, to say nothing of the protection which he receives from the ad valorem rate on the remainder of the cost of the article. Thus he gets over 20 cents a pound on the 4 pounds of wool which he says he has to use, although the duty on the domestic wool is only 11 cents per pound.

All that the manufacturers have ever claimed was that they should have the ad valorem rate for their protection, conceding all the time that this specific rate was only for the purpose of compensating them for the additional cost of the wool by reason of the duty on that material. But they have under this bill at least 84 cents per pound upon all woolen and worsted cloths valued at more than 40 cents per pound, and upon all other manufactures of worsted weighing over 4 ounces to the yard, which is nearly twice as much as the duty upon 4 pounds of unwashed wool, and they have besides 50 per cent. ad valorem upon the remaining cost of the imported goods.

Mr. ALLISON. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. CARLISLE. Certainly.

Mr. ALLISON. The Senator from Kentucky is now upon a very important branch of this whole question.

Mr. CARLISLE. I think so.

Mr. ALLISON. If it be true, as stated by the Senator just now, as I understood him, that the compensating duty is excessive because of the mode of its levy, then it seems to me we ought to modify this bill.

Now, if I do not interrupt the Senator by lengthening my statement—

Mr. CARLISLE. I have no objection. I want to hear the Senator.

Mr. ALLISON. This bill does not fix a uniform limit on all wools.

Mr. CARLISLE. But on all woolen cloths and worsted cloths.

Mr. ALDRICH. Oh, no.

Mr. CARLISLE. On all weighing over 4 ounces to the yard.

Mr. ALLISON. On this very provision we have now before us it is two and a half, the latter part of the provision 3 pounds, etc. Now, the statement of the manufacturers is—and I want the Senator's views upon this point—that in order to compete with like manufactures in Germany, or England, or France, it is necessary for them to be placed upon an exact equality as respects the material which enters into the manufacture. The statement of the American manufacturers is that the manufacturer in Germany has his wool free, and therefore when he manufactures a yard of cloth, if that yard of cloth costs 80 cents in Germany, the cost of the wool enters into it as a part of it.

The manufacturer here claims that the cost of the wool in this country enters into the production of a similar article. If that cost be 20 cents a pound, multiply that by 4 and you have 80. Then, if you multiply the duty by 4, it will be 44 cents, in addition to the 80 cents, which is the cost to the German manufacturer, and that requires that there shall be a compensating duty for the material and cost of manufacture.

Now, the material here, costing so much more, enters into the cost of the manufacture as it does in Germany, and therefore this compensating duty is placed upon the raw material, and the manufacturer here is only upon an equality, and he should have an ad valorem rate, whatever it is, to compensate for the difference between the wages here and the wages in Germany.

Mr. CARLISLE. That is exactly what I said.

Mr. ALLISON. Now I want the Senator to explain why it is that that is not the correct theory, so that we can all understand.

Mr. CARLISLE. It is the correct theory upon the assumption that it requires 4 pounds of wool to make a pound of cloth, and upon the additional assumption that the duty upon the wool increases its price by 11 cents a pound to the American producer.

Mr. ALLISON. Very well.

Mr. CARLISLE. Now the Senator has stated that if the American manufacturer makes a pound of cloth, the wool in it costing 20 cents a pound, amounting to 80 cents, and therefore, there being 4 pounds of wool, he must have a compensatory duty of 44 cents on that pound of cloth in order to protect him against the foreign manufacturer who has free wool.

Now, let us stop there a moment and see if he is not made entirely equal at that very point with the foreign manufacturer, so far as the wool is concerned. That is the point I made a few moments ago.

But what else occurs in this bill? You have given him the 44 cents a pound upon the imported cloth in order to compensate him on account of the duty of 11 cents a pound on 4 pounds of unwashed wool, and you have thus made him even with the foreign manufacturer so far as the wool is concerned. But this bill goes further and gives him 50 per cent. ad valorem besides upon the whole price of the foreign cloth, including the 4 pounds of wool supposed to be in it.

Mr. ALDRICH. Will the Senator from Kentucky yield to me a moment upon that point?

The PRESIDING OFFICER (Mr. MANDERSON in the chair). Does the Senator from Kentucky yield?

Mr. CARLISLE. Certainly.

Mr. ALDRICH. Is not that true of manufactures of cotton, upon which material there is no duty on either side of the Atlantic? Is not that true of silk, upon which there is no duty?

Mr. CARLISLE. But the duty upon silk is altogether protective, although it yields a revenue. The object of the duty upon silk was protective. The object of the duty upon cotton goods is altogether protective, and what the manufacturer of woolen goods claims as necessary for his protection is the ad valorem rate of duty after he has been compensated for the increased price of his wool, and not the specific rate.

Mr. ALDRICH. And he is precisely—

Mr. CARLISLE. And more than compensated, as I claim.

Mr. ALDRICH. And he is simply placed upon equal terms with the manufacturer of cotton goods.

Mr. CARLISLE. Not at all. You have put 50 per cent. ad valorem duty here.

Mr. ALDRICH. As the manufacturer of wool has 50 per cent. ad valorem that protects him against lower cost of products, and the cost of material on the other side is included in both cases, as it goes into the general cost of the manufactured goods.

Mr. CARLISLE. It is true that raw silk is free, but it is also equally true that it is all imported, and that the manufacturer is subjected to the charge of transportation, at least, and the other charges incidental to transportation, handling, and sale in this country, increasing very considerably the cost, which is a charge upon him.

Mr. ALDRICH. In the case of cotton—

Mr. CARLISLE. In the case of cotton there is no such charge. But you do not propose to put a duty of 50 per cent. upon the cotton schedule and a specific duty besides. The specific duty would be unnecessary, upon the theory of the Senator from Rhode Island, as I said, because there is no duty upon the raw material, but the ad valorem rate of duty is protective, and to some extent a revenue duty.

Now, the point I was making is simply this: That, accepting the

statement made by the Senator from Ohio [Mr. SHERMAN] as being universally true concerning the amount of wool, the number of pounds of wool, used by the manufacturer of cloth, still this bill gives to the manufacturer a greater degree of protection than it ought to give; that is, it does not equalize him, so far as the wool contained in the foreign cloth is concerned, with the wool-grower.

Mr. ALLISON. Mr. President, I do not wish to occupy any time in this discussion, but I wish to make a few observations.

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. CARLISLE. Let me first correct a misstatement that I have made.

I believe I stated that the bill was framed upon the theory that there was to be a compensatory duty of 44 cents a pound on all the woolen and worsted cloths weighing over 4 ounces to the yard. That duty is imposed on all woolen and worsted cloths valued at over 40 cents per pound. Under the clause relating to worsted dress goods which are composed entirely of cotton warp or other vegetable fiber the 44 cents a pound and 50 per cent. ad valorem apply only to the classes weighing 4 ounces to the yard. In the hurry of the debate I may have confounded the two clauses.

Mr. ALLISON. Mr. President, it has always seemed to me (because this is not a new question) that the woolen manufacturer, in order to be successful in this country, must at least be placed upon an equality with the woolen manufacturer in other countries; otherwise, no matter what the amount of duty we place upon wool, the woolen goods would be imported from countries where wool was free. Therefore, in all these discussions I have taken it for granted that there must be to the manufacturer some compensating duty in order that woolen goods should be manufactured here. That principle is involved in the law of 1867 and has remained, so far as I have heard the debates, practically undisputed until now, that a compensating duty is necessary in order that manufactures may be conducted here.

I have heard this morning a good deal of debate about the law of 1883, and I heard a great deal about it yesterday, and that the depression of the wool-growing industry came from the mistake made in the act of 1883. Why, Mr. President, in my belief no greater mistake has ever been made than to attribute the reduction in the price of wool to the wool tariff of 1883. In 1880 we imported more pounds of wool than we have ever imported since, and I have before me the commercial statement of 1880, showing an importation of 123,000,000 pounds, and more, of wool in that year.

Mr. MCPHERSON. It came in under the tariff of 1867.

Mr. ALLISON. It came in before the law of 1883 was passed. Therefore, for one I am getting somewhat tired of the statement that all the evils which the wool-growers of the United States have been laboring under come from the legislation of 1883.

Mr. HOAR. Was that an exceptionally large amount in 1880? How does it compare with the amount for 1879 and the amount for 1881?

Mr. ALLISON. It is exceptionally large as compared with 1881, and it is much larger than the amount for 1879; but the point I make is that if the provisions of the wool tariff in 1883 were such as to retard the growth of wool in this country, that wool tariff should receive the condemnation that it has received upon this floor.

The great importations of wool now into this country are of carpet wools valued at less than 12 cents a pound, carpet wools that are not produced by our people, no matter what may be said.

Mr. HAWLEY. And let me add, ought not to be.

Mr. ALLISON. I agree with the Senator from Connecticut.

Mr. HAWLEY. We can do better.

Mr. ALLISON. I say that the American farmer and producer, whether upon the hills of Ohio, the undulating plains of my own State, or in the mountainous region, if he raises wool at all, ought to raise wool that has a value in the market without having to compete with these semi-barbarous wools that are gathered from the plains of Asia and South America.

Mr. President, what I want as respects this debate is, if I can, to draw it down to the practical and effective result of our tariff laws. For one, I desire to protect the American wool-growers to the fullest extent that they need protection. But I do not want the American wool-grower to have in his mind the idea that all the ills of life as respects wool come from the legislation of 1883. I want to warn him, and to put upon record the prediction that the legislation which we propose here will not be legislation which will materially advance the price of wool.

Mr. PLUMB. What about the price of woolen goods?

Mr. ALLISON. It will advance neither material, in my belief. The tendency in this respect is down and down, and the competition between this country and England and everywhere is sharp.

Why, Mr. President, it is said that because of the legislation of 1883 the price of wool has been depressed. It is 4 cents a pound less this year than it was last year. Has the tariff affected the price of wool this year as compared with the price of last year? The tariff is the same. There are many conditions and situations that affect the product of wool as well as woolen manufactures.

Look at South America; look at the Argentine Republic. We are

now engaged in a project having in view the enlargement of our trade and commerce with that country. She has but 4,000,000 population and 77,000,000 sheep to our 44,000,000. With a less duty than we have—I believe it is a duty of only 2 cents a pound upon wool imported there—

Mr. CARLISLE. Twenty-five per cent.

Mr. ALLISON. I thank you. It is 25 per cent. ad valorem in the Argentine Confederation. Yet she has produced 77,000,000 sheep as compared with our 44,000,000 of to-day. What is it that creates that condition in that South American Republic as compared with ours? It is because of the character of the air, soil, and country. The sheep there, and the raisers of sheep, are, as compared with our own people, nomadic.

The Senator from Virginia [Mr. DANIEL] did me the honor to read some observations which I made in 1870 as respects the wool and woolen tariff. The conditions of 1870, as compared with the conditions of 1890, are as varied and different as it is possible for them to be. The Australasian countries in 1870 had just begun the production of wool. I have not the figures before me, but I will venture the statement that they did not produce then to exceed 15,000,000 or 20,000,000 pounds. Now, Australasia and its colonies pour into the markets of the world 500,000,000 pounds of the finest wool grown on this globe, the most of it wool that enters into the finest productions of cloth. Has that had nothing to do with the reduction of the price of wool?

I appeal to those who are more familiar with the manufacture of wool than I am, and I have no doubt they will tell you that the wool used in the production of the finest cloths, whether in Germany, the United States, or in Great Britain, comes from the Australasian colonies.

Mr. President, I mention this for the purpose of bringing this debate, if I can, down to the question as to what we ought to do here, having in mind first to protect the American wool-grower as nearly as we can protect him in his products, because I agree with every Senator upon this side, and I believe almost every Senator on the other side, so far as they have spoken, that the woolen industry in our country is one that should be amply protected and cared for in order to make us as independent as we can be in this industry as well as in others.

I only make these observations for the purpose of showing, if they be true, that there are other elements which enter into all these matters besides the mere question of a cent a pound upon wool. The Senator from Ohio [Mr. SHERMAN] said truthfully that the increase in the bill was a small increase upon wool. So it is, if you take the direct increase. Take the importations of 1889. I have them here. The proposed bill would only impose upon clothing wools, wools of class No. 1, \$229,000. That is all the addition there is in this bill for the benefit of the farmers who produce clothing wool in this country, 1 cent a pound. When you take the wools of the second class, known as combing wools, the duties are increased to the extent of \$385,000, making in all less than \$600,000.

The increase, then, is simply upon wools of the third class, which are the carpet wools that are imported, and the increase is chiefly upon the class which now comes in at less than 12 cents a pound in value.

Mr. VANCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. ALLISON. I do.

Mr. VANCE. I understood the Senator to say that the effect of this bill would not be to materially increase either the price of wool or the price of the finished products.

Mr. ALLISON. I stated that awhile ago.

Mr. VANCE. I wish to say to the Senator that I know it to be a fact that a leading tailor in this city informed a Senator not three days ago that the price of woolen goods was already advanced 20 per cent. in anticipation of the passage of this bill, and is still advancing.

Mr. ALLISON. I merely entered that for the moment as a prediction. I have no doubt that that sort of thing is going the rounds.

The Senator from Delaware [Mr. GRAY], yesterday I believe it was, introduced here an advertisement respecting some hosiery in Philadelphia. Well, it may be that the price of hosiery will be increased. When I speak of increase I speak of the general increase and permanent increase. I do not mean to say that under the effect of this bill there will not be increases in particular things. I have no doubt there will be increases in the prices of certain articles. But that is aside. I will return to that question, because if I am mistaken about it I hope the Senator from North Carolina will put me right.

The increase of duty upon wool is a nominal increase in one sense. But the Senator from Ohio said truly that it was one of the provisions and definitions of this bill that gave trouble, and therefore it was that I put the question to the Senator from Kentucky as to whether he intended to confine his motions to amend this bill to moving to strike out the clause respecting the definitions contained in this bill. Here are shoddy and noils increased from 10 cents a pound to 30 cents a pound. That is an enormous increase. And there is an enormous increase on all these articles that are the refuse of scoured wools.

Now, Mr. President, I have no doubt that the farmer believes that he has been greatly injured in the past by means of what he calls the importation of high-priced woolen raw material. Let me turn to the

importations of last year, where I find only a little over 8,000,000 pounds imported of all this material which is now to pay 30 cents a pound duty.

Mr. McPHERSON. What material is that, may I ask?

Mr. ALLISON. I mean the material which is included—

Mr. McPHERSON. Shoddy?

Mr. ALLISON. Noils, shoddy, top waste, etc. The manufacturer took advantage of the duty of 10 cents a pound and imported these articles to that extent. But there are other things in this woolen schedule which, it is claimed by the manufacturers, compel them to pay additional duties, and one is the fact that there shall be no sorting of wools. There is a provision in this bill that there shall be no sorting of wools abroad, which is a common custom, and that if wools are sorted, they shall pay double duty. So, if a carpet wool is sorted, even as to color, and pays 32 per cent., it has to pay 64, the value being under 13 cents a pound. If it is over 13 cents a pound and is sorted, then on the value at the place of production it pays 100 per cent.

Mr. President, I make this statement in justification of at least my own conduct as respects this wool schedule. I have always believed, and I believe now, that in many respects this schedule is higher than it ought to be. But having been a participant in the making of the tariff of 1883 (whereof, I believe justly, the manufacturers had a right to complain because we so adjusted and arranged it as to induce large importations of manufactured goods which we ought to make here), I with my colleagues assented to the general provisions of the woolen schedule of this bill, and I did so, as was said by Senators upon the other side, because this question has become a party question to a certain extent.

When we went into the consideration of this bill in the Committee on Finance, as Senators on both sides know, and I think the public ought to know, we were told to make this bill to suit ourselves on the Republican side, and that the Democratic side would content itself with moving such amendments as it chose. Therefore it was that this bill has been made up according to the best knowledge of the majority of the Republican members of the Finance Committee. If I had made it myself I should have made many changes in it. So we find ourselves now confronted with this as a party question on this side of the Chamber and on that. So I repeat that although there are some provisions in this schedule, and a good many of them, that do not meet my approval, yet I can not but believe that the statement made by the manufacturers as respects the compensating duty is a just statement. We may not have reached in this bill the exact and proper proportion—

Mr. McPHERSON. Did I understand the Senator to say that "he can not believe," or "can not but believe?"

Mr. ALLISON. "I can not but believe." I will put the question to the Senator. If we put a duty upon wool, and then only the usual ad valorem duty upon the manufactures of wool, say 40 or 45 per cent., will woolen goods be manufactured most abroad or here?

Mr. CARLISLE. Fifty per cent.

Mr. ALLISON. Very well; that is on the higher priced article. It is 50 per cent. ad valorem upon pure luxuries, not upon ordinary woolen goods. If we do that then it is plain to me that the great body of woolen goods will be manufactured abroad and not here.

The Senator asks me why that is so. My answer is that we consume 600,000,000 pounds of wool in the United States; that we produce but 265,000,000 pounds according to the last statement, and that therefore there must come in 335,000,000 pounds either in the shape of importations of wool for our manufacturers or in the form of manufactured goods for consumption in this country. In that condition in which we are situated I can not but believe that the people who produce the 265,000,000 pounds should be enabled in some way to receive a fair price for their wool; and I come to that point now with a view of suggesting to the Senator from Kentucky an element which he has not yet considered.

The producers of wool in this country, producing less than half the consumption, with a duty of 11 or 12 cents, or whatever you please, per pound upon this wool, must in some way, until home competition shall rise to the point where production exceeds consumption, be able to add a large portion of this duty to the price of the wool which they sell. Therefore, so believing, I think there must be a compensating duty to the manufacturer in order to enable him to manufacture at all.

Now, Mr. President, when it comes to the question as to what that shall be, I confess myself not sufficiently an expert to know. In this very article it is proposed at two and a half, later on three, again three and a half, again four, and again four and one-fourth.

Mr. PLUMB. Will the Senator from Iowa yield to me a moment to ask a question?

Mr. ALLISON. With pleasure.

Mr. PLUMB. The duty on wool is increased a cent a pound. The Senator thinks a large portion of that increase will inure to the benefit of the wool-grower. Will he state what the large portion of the effect of the increase of 1 cent a pound will be?

Mr. ALLISON. I did not speak of the increase when I was speaking of that. I spoke of the same duties, whether the duty now or the duty which would be added. If the Senator wants to know what I be-

lieve as respects the adding of 1 cent a pound, I have already answered. I do not believe the effect will be to increase materially the price of wool. I think it may possibly increase it somewhat, as I have said. But I would like to have some gentleman on either side—and I ask the question for an answer—tell me whether any one here believes that the duty upon wool, whether it be 11 cents or 12 cents, adds to the price of the American product.

Mr. McPHERSON. No.

Mr. ALLISON. Is the price to the American wool-grower added to by reason of the duty? I ask the Senator from North Carolina.

Mr. VANCE. Mr. President, if it does not add—

Mr. ALDRICH. Mr. President, I understood the Senator from New Jersey to say "no" in answer to the question of the Senator from Iowa. I do not know whether I misunderstood him or not.

Mr. VANCE. If it does not add to the price of the native wool, then certainly there is no earthly excuse for increasing the duty in order to protect it and giving that as a reason.

Mr. ALLISON. Now that the Senator from North Carolina is on his feet, I hope he will give me his views on the question as to whether or not the duty of 11 cents a pound adds, and, if so, how much, to the price of American wool because of the imposition of that duty.

Mr. CARLISLE. Will the Senator from Iowa allow me to answer?

Mr. ALLISON. I will, with pleasure.

Mr. CARLISLE. I stated yesterday, Mr. President, and I will repeat now, as briefly as I can, that it was exceedingly difficult to say what the effect of the duty was upon the price of the American product. Some contend that by reason of the duty the demand for the American product is decreased by the exclusion of foreign wools, which are necessary in the manufacture of certain kinds of cloth, and that this decreases the price, while others claim that the price is increased.

Of course, we can all understand that when the American manufacturer is excluded from all the other markets of the world and compelled to rely upon the domestic products, and can make only those qualities which can be produced from American wool, there will not be such a demand for wool as would otherwise exist; in other words, it would not bring the full value which it would if the domestic manufacturer could get the foreign wools to mix with the domestic for the manufacture of the finished product.

Mr. ALLISON. I know there is a difference of opinion as respects the effect of mixing wools and sorting wools and all that; but what I want to get at is whether or not the duty of 11 cents a pound adds to the price of wool in the United States. That is the question.

It is true that we do not export one pound of wool to any place on this globe. I say one pound. We practically do not export at all. Therefore our market is the only market for the American producer.

Mr. McPHERSON. Will the Senator from Iowa let me answer the question in my way?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Jersey?

Mr. ALLISON. I will answer it in my way, and then it may help the Senator to answer it in his way.

Mr. McPHERSON. I have no doubt it will.

Mr. ALLISON. I shall yield to the Senator in a moment.

Mr. President, London is the market for wool. The price of wool in London is as fixed and permanent as the price of silver, and more so until the time we passed our silver bill. In other words, you may take the price of wool the world over and it is quoted with reference to the London price. I may be mistaken about that; and if I am I hope some Senator will correct me. Every manufacturer in the United States and in every other country buys his wool at the London price plus the cost of transportation from London, or, taking that into account, to the place of manufacture. Therefore the London price is the free-trade price. Is it not? Very well. It is the price there with duty added. Wool is gathered there from the four corners of the world, from Australia, from India, and so on. All wools meet there. Now, if the American manufacturer finds a deficit in the production of his own country he must go to London to buy and be governed by the London price. If that be true, when he does buy he must pay the duty, and therefore the duty is added to the price.

Mr. REAGAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. ALLISON. Yes, sir.

Mr. REAGAN. By the Senator's consent, I desire to state that I think his assertion is incorrect. What is the reason for the increased duty on wool if the Senator's theory is that it will not increase the price?

Mr. ALLISON. That is the theory on that side. I am trying to prove that it does increase the price; that is what I am trying to prove, and if I have not made myself understood by the Senator from Texas I certainly have been very unfortunate in the language I have employed.

Inasmuch as we produce 265,000,000 pounds of wool and consume 600,000,000 pounds of wool—I recognize, of course, the conditions suggested by the Senator from Kentucky—I undertake to say that the great body of the duty is added to the price of wool in this country,

and that if it were not for the duty the price of Ohio fleece wool in London and the price of the best Oregon wool in London would be a shade less than the price of wool from Australia, and it would be practically the price of Australian wool less the duty now imposed upon wool in this country.

The markets are perfectly open to everybody who will look at them. I invite Senators on that side of the Chamber to bring in their authorities on political economy, their European price-list or that blue book that my friend from Missouri [Mr. VEST] consults occasionally in regard to manufactured plows, and from them I think it will be seen that the price of wool in this country is substantially the London price plus the duty.

Now, I repeat, if that be true, then, when we are to have manufactures at all in this country, we must have them in some way compensated for the additional cost of wool to them as compared with the wool of people who manufacture woollen goods elsewhere.

It was partly in vindication of this idea that I have ventured to make any suggestion respecting this bill at this time, considering the haste as respects these schedules. But I feel sure that we must give the manufacturers a compensating duty, and if the Senator from Kentucky will show me anywhere that the compensating duty proposed is too high, then I shall go with him, and feel bound to aid in reducing it. But my own judgment is, with the best light I have, that while it is high, yet it may be necessary to enable us to successfully compete with those who are producing these articles abroad.

Now, Mr. President, before I sit down I want to say one word in response to the Senator from North Carolina. The Senator from North Carolina asked me if the effect of this bill, taking it by and large, will not be to increase the price of woollen goods. My answer to that is this: This bill has been under consideration in the two Houses for four months. I am not speaking of that consideration which it received in committee. It came here on May 21. There is a large increase, as is claimed, upon certain articles of woollen goods, as also upon wool. Now, the price of wool has gone down 4 cents a pound pending the consideration of this bill, as I understand. If I am mistaken I shall be happy to be corrected. As the price of wool has gone down, the price of the world's product of wool (not that of the United States alone) has gone down.

Mr. CARLISLE. Does not that show that our price is affected by it?

Mr. ALLISON. Undoubtedly affected by it. I agree to that. I undertook to show, as the Senator will remember, that the injection of 500,000,000 pounds of wool from Australia affected the price of the world's product of wool, and so from other countries. As the price of wool goes down the price of woollen manufactures goes down inevitably.

I have heard here a great deal said about trusts. I have yet to hear it stated on this floor or elsewhere that in the manufacture of woollen goods in this country, or in any other country, there is such a thing as a trust or a combination. Its manufacture is of such universality and is engaged in by so many people that there is no combination, so far as I have ever heard, respecting it.

It may be that under this bill there are a few items of woollen goods the price of which will be advanced; for instance, those that the Senator from North Carolina referred to when he undoubtedly went to some fashionable tailor in New York City or London, who would never think of clothing a man in this country with an American product. That tailor would undoubtedly say that "the price of these woollen goods having been advanced, I have got to advance on the cloth that I make up into your suit." I have no doubt there will be some of that effect upon the high-priced clothing of the United States.

But, as respects the low-priced clothing, the clothing that we are all in the habit of wearing here day by day, there is no material increase. Why? Because the American manufacturer has the market to-day, and he will hold that market, and the competition that comes in between the manufacturers of the United States will be sufficient to keep down the price to a reasonable sum. And I have no doubt, as the Senator from Rhode Island prompts me to say, that the effect of this bill upon our manufacturers will be to enable them somewhat to enlarge their manufacture of fine goods; that the competition will be still sharper in our own country, and that by this competition the prices will be kept down.

So that now I put myself again in the line of prophecy to say that, with the exception of a few high-priced goods, whether they be for men or women, this bill will not materially change existing conditions as respects the woollen trade in our country, whether it be in wool or woollen manufacture.

Mr. VANCE. Mr. President—

Mr. CARLISLE. If the Senator from North Carolina will permit me I would like to answer something stated by the Senator from Iowa.

The Senator from Iowa spoke in regard to what the price of American wool would be if we had free trade. The Senator has made a very able and a very practical speech, and I concur with him in many things he has said, but of course not in all. The Senator states that if there were free trade in wool the American producer of wool would receive in the London market just what the Australian wools brings—

Mr. ALLISON. That is, if he produced the same kind of wool.

Mr. CARLISLE. Free trade would give him, the Senator says, the price of Australian wool less the cost of transportation to London. But, Mr. President, the question is not what the producer of American wool would receive in London, but what he would receive here in his own country; and I submit to the Senator from Iowa that he would not export his wool under any circumstances likely to occur, but would sell it here in the home market, and then he would receive in the home market the price of Australian wool in the London market plus a sufficient amount to prevent him from exporting it; because the American consumer would be compelled to pay him that or he would ship his wool.

The price of Australian wool in the London market would rise, as the price of all other wools in that market and all other markets of the world would rise, because of the increased demand from this country for more than 300,000,000 pounds every year. This would bring up the price, and hence the American producer of wool would receive in Ohio and elsewhere this increased price of Australian wool in the London market plus a sufficient amount to prevent its shipment.

The Senator will not deny, I presume, the fact that the price of these wools all over the world would rise on account of our increased demand, and if so, upon his own theory that the price of our wool here is regulated and controlled to a large extent by the world's product of the same kind of wool, our wool-growers will receive the benefit from it.

Mr. ALLISON. Yes; but, Mr. President, I think the Senator and myself differ in this respect: The Senator from Kentucky seems to think that the universal product and the universal demand would allow fixing the price here as elsewhere. If I do not interrupt him by explaining my views, I will say that I agree with him that the very large increase in the production of wool in the last few years has affected the price; no doubt about that. I also agree with him that if there was to be a great diminution in the production of wool now that would affect the price.

But what I want him to tell me is whether or not our duty has the effect now—because I do not wish to go into the domain of speculation for the future as to what would be the best policy, not at this moment at any rate—what is the effect now of this duty? Is not the material effect, the controlling effect, to place the wool-grower of the United States upon a very much higher plane as respects price than the wool-growers in all the other countries of the world?

Mr. CARLISLE. Mr. President, when I see the prices of wool constantly fluctuating in this country, and when I see that they rise with the prices of wool in other countries and fall with the prices in other countries, I confess that I am unable to see exactly how the tariff increases the price. We do not fix the price of wool in this country. It is fixed, as the Senator from Iowa has admitted, to a certain extent, at least, by the supply and demand throughout the whole world. Our production is decreasing, and consequently if we fix the prices of wool they ought to be increasing, because the domestic demand is increasing, and yet we find that just exactly the contrary process is going on. The production of wool is decreasing in the United States, the demand for wool is increasing in the United States, and yet prices are falling, which shows beyond any doubt or cavil that we do not fix the price here, but that it is fixed by the world's supply and demand.

Now, while I think that the abolition of the duty on wool would not hurt the American wool-grower to any extent, it would certainly help the American manufacturer, because he could go into the foreign markets and buy the wool to mix with ours and produce his woollen goods cheaper and sell them cheaper at home, and, as I said this morning, perhaps sell in the foreign market besides.

But I will not discuss this question further now, because other Senators desire to be heard, but may discuss it hereafter.

Mr. ALDRICH. I should like to ask the Senator from Kentucky a question before he takes his seat. While it is undoubtedly true that the general level of prices all over the world is governed by supply and demand, and that prices here fluctuate with the prices in the general markets of the world, is it not also true that the relative price between the United States and Great Britain is always maintained? In other words, is not a higher price always maintained here by the operation of our tariff laws?

Mr. CARLISLE. That is a question which I could not answer without entering into perhaps a very laborious investigation and a very nice calculation, because, as I undertook to show yesterday, which I will not repeat to-day, we find that the prices prevailing in 1888 and 1889 on unwashed Australian wool corresponded substantially with the prices in this country for washed wool; that is to say, for what our washed wool would have sold for if unwashed.

Mr. ALDRICH. There is another question. The Senator said a few moments ago that if we should place wool upon the free-list the prices of foreign wools would increase with the increased demand. Now, where would that increased demand come from?

Mr. CARLISLE. The United States.

Mr. ALDRICH. Why? Would our people use more wool?

Mr. CARLISLE. I supposed I had made it sufficiently plain, Mr. President, that in my opinion if the manufacturers of the United States could have access to foreign markets for the purchase of wool they would

enter upon the manufacture of many grades and qualities of cloths which they do not now make, and increase the manufacturing establishments and increase the demand.

Mr. ALDRICH. Would they use any more wool than the Belgian, French, and English manufacturers are now using to supply the American market?

Mr. CARLISLE. The American market would not be supplied at all by foreign manufacturers. The demand for these goods would increase here enormously if we could make them as cheaply as they are made abroad, because we can only get them now by paying the foreign prices with an enormous duty added, ranging from 65 to 90 or 100 per cent.

Mr. ALDRICH. But the Senator is quite aside from what I am trying to impress upon him, which is that the American market is now supplied by somebody, either by the American manufacturer or the foreign manufacturer. If the American manufacturer supplies the whole market instead of it being divided with the foreign manufacturer, no more wool is required, whether it comes from Australia, or Ohio, or Michigan, or anywhere else. In other words, the aggregate demand for wool will not be increased simply by a change in the legislation of the United States. If the Senator means that other conditions may increase the demand, I can understand that; but there will be no increased demand growing out of putting wool on the free-list in the United States.

Mr. CARLISLE. The Senator has not understood me. My statement was, and I endeavored to make it clear and distinct, that if we had access to these foreign wools the demand of our domestic manufacturers for wool would be largely increased, and besides they could enter upon the manufacture of different qualities of cloth which they can not now make, and that the domestic demand here in the United States for woolen goods would be so largely increased over what it is now by the fact that they would be cheaper. We have now when we bring in the goods to supply our demand to pay the cost of their manufacture with the profit of all the dealers through whose hands they pass and from 60 to 100 per cent. duty besides.

Mr. ALDRICH. In other words, a man would wear two coats where he wears one now.

Mr. CARLISLE. Yes; there might be circumstances where he would wear two woolen coats where he now wears one.

Mr. GRAY. I will tell you one effect: he will wear a woolen coat where he wears shoddy now, and woolen mills here would be used in place of shoddy mills.

Mr. VANCE. Mr. President, I have listened, as I always do, with a great deal of pleasure to the Senator from Iowa [Mr. ALLISON], and I listened to his recent able speech with more than usual attention because I was anxious to find out where Senators on that side stood and what they were after in this woolen schedule; but I confess that I was not able to comprehend exactly the position that that Senator and his associates have assumed.

He says, in the first place, that there are many things in this bill which are very wrong, and yet he is going for it, and he has not given us any help to redress any of the wrongs which are in the bill.

In the next place, he said that neither this tariff nor the tariff of 1833 had made any material difference in the price of either the raw wool or of the manufactured product, and in the course of a few minutes he said that it would increase the price of the finished product in some particular articles, articles of pure luxury I believe he described them; that is, articles which were all wool and not shoddy.

On the whole, sir, I come out at the hole at which I went in. I did not understand, when he began to speak, how the bill could be of any service so as to relieve the wool-growers if it would increase the price of their product, nor how, if it was not to increase the price of wool in this country, it could be the foundation of almost double the price of all woolen manufactures. I could not understand that for my life, and I do not understand it now. I do not know what the position of Senators on that side is.

Many years ago there was an old darky who used to fish on a rock in the Mississippi River. He would get out upon his rock and take his seat and light his pipe and fish for cat-fish. One day he swung an unusually big cat, and in the struggle the cat pulled him off the rock and he was drowned, and the poet of the local newspaper had the following couplet describing the catastrophe:

The neighbors never could make out,  
By the aid of all their figuring,  
Whether the nigger went a-fishing  
Or the cat-fish went a-niggering.

[Laughter.]

I can not make out for the life of me what the Senator is after when he insists on increasing the duty on raw wool for the benefit of the producers of raw wool, alleging at the same time that it is not going to make any difference, but will rather make the wool cheaper, when he insists on basing upon that figure on the raw wool a very large increase in the manufactured product on the ground that it is going to make that cheaper also. That is a kind of mathematics that is peculiar to the school of protectionists. It is not found in the old arithmetics which were taught in the schools where I was educated, and which to some extent in benighted suburban regions are still taught to the youth of the land.

Now, either this bill will raise the price of wool or it will not. If it will not raise the price of wool, those of us who vote for it are humbugging the farmers. The bill will either raise the price of the woolen products which clothe the people or it will not. If it will not raise the price, then it is of no use to the manufacturer. If it does raise the price, then it is a burden to the consumer. And so the theory of the Senator is all wrong. He can take which horn of the dilemma he pleases. I always observe, though, that whenever there is a doubt about what the effect of a schedule will be, the manufacturer gets the benefit of the doubt, which is a very benevolent and beneficent feature in the common law in the treatment of criminals. [Laughter.]

[Mr. PLUMB addressed the Senate. See Appendix.]

Mr. HOAR. Mr. President, a very illustrious predecessor of mine, representing Massachusetts on this floor, Rufus Choate, declared in 1842 that it was impossible for human ingenuity to say anything new on the subject of a protective tariff; and while I have listened with a good deal of interest to the debates on the general principle of this bill, I think Mr. Choate would probably repeat that observation if he had heard the discussions this winter and summer.

I do not rise, therefore, to enter upon a discussion of this question, but I think I ought to allude to one observation which has been made by the honorable Senator from Kansas [Mr. PLUMB], made, certainly as he made it, with the most absolute kindness and good nature of expression and of feeling. He seemed to think that there was a disposition on the part of the manufacturers of the East, as it were, to lie down upon the protection and care of the Government in relation to their interests, and that the old energy, perseverance, and enterprise which would lead Americans ordinarily to push their adventure and investment into foreign countries were wanting in that class of our fellow-citizens; and the Senator commented with some severity upon the absence of the ordinary means of extending trade into foreign countries on the part of this class of people.

I wish to declare as a matter of opinion that nothing could be more unfounded than such a suggestion. These communities were driven into manufacture out of commerce by the protective policy established by the South under the lead largely of Mr. Calhoun in the period just following the war of 1812. Among the great arguments against the protective system is a speech in the House of Representatives by Mr. Webster and an article in the North American Review by Edward Everett. They voiced the interest and the opinion of the communities which they represented in that day. But, contrary to their protests, they were forced to take to this new occupation. They have built it up and made it what it is, not originally of their own volition.

Of course, the generations have changed, but the spirit and the temper have not changed, and I think there have been no greater instances in the history of modern life than the business risks and the enterprise which have been shown by these manufacturing communities in their struggle to extend their markets everywhere. They have built up the railroad systems in the West in order that those regions might be settled and in order that new customers might come to them. They are building the railroad systems of the South in Texas and elsewhere. They are building to-day the railroad systems of Mexico. They are sending their investments to Japan and the Sandwich Islands. Wherever they can get the edge of the sharpest knife into a foreign market, their energy and enterprise is taking the lead, and if they do not get hold of the South American, and African, and Asiatic markets in competition with England, with Germany, and France, it is because the policy of the legislation of this country denies them the instrumentalities which in every other manufacturing country legislation has given to the manufacturer.

England is circling the world with her military posts. The islands of the sea, the unsettled or the barbarous lands of the continents are but the stepping-stones by which England has coiled herself around the globe like a mighty snake. She spends enormous sums for her army; she spends enormous sums for her navy; she spends enormous sums in subsidizing her steam-ships and in paying for her mails, another form of subsidizing her steam-ship lines; and this whole expenditure, army, navy, commerce, settlement, political dominion, is but the expenditure which England is making in the interest of her manufactures.

Now, if you will give to the manufacturers of the East one of these many instrumentalities, if you will but establish for their use, with a reasonable assistance from the Government, the means of commerce that the carriers may take their manufactures abroad and bring the produce of foreign countries by direct American lines of transportation, we will take all the methods which human ingenuity and human enterprise can suggest to introduce the products of American manufacture into foreign markets.

It is not the absence of the spirit of adventure, it is not the absence of a willingness to take the responsibility or risk in the manufacturing communities of this country; it is the refusal by Congress, after their repeated application and supplication, to give them the means which the experience of mankind has suggested to every other manufacturing nation on the face of the globe.

Mr. ALLISON. Mr. President, in the few observations I made

earlier in the day respecting this bill generally and this schedule especially, I must have been wholly misunderstood by the Senator from Kansas [Mr. PLUMB], as well as by the Senator from North Carolina [Mr. VANCE].

What I meant to say and what I did say in respect to this bill was, that in its preparation it was a party bill, and endeavored to emphasize that fact by disclosing the method of its origin. We were met in the Finance Committee, at the threshold of the consideration of this bill, with a statement that it should be prepared by the Republican members of that committee. Why? It is perfectly well known that the two sides of this Chamber are divided in relation to the public policy which should be maintained in regard to a tariff.

The Senators on the other side of this Chamber are following party lines by saying that the protective policy which has been upon our statute-books for thirty years is a vicious policy, and that it should be overturned. Their President two years ago placed a banner of free trade, as distinguished from the protective policy of the Republican party, upon the outer wall and defied us to combat on that issue; and the Mills bill was prepared in the House of Representatives distinctly and avowedly and purposely upon those lines. Therefore it was that when we came into the committee-room for the consideration of this bill we were practically two opposite hostile forces as respects the policy which should prevail in its preparation.

Believing as I believe, that fair and reasonable protection to the industries of our country is a wise and just policy in order to prevent the inundation of the productions of foreign countries to the detriment and destruction not only of our manufacturing but our agricultural interests, I stood with my party in this contest for the preparation of the pending bill for the consideration of the Senate.

I stated, and I repeat what I said, that in the preparation of this bill many of its items were regarded by me as too high; but in a bill covering nearly two hundred pages and eight hundred items it must be found in the nature of things that there must be a composition of diverse views respecting details.

I will take for illustration the chemical schedule. In the chemical schedule, covering as it does many pages and extending over a large number of articles, I might pick out articles that I think are higher than they ought to be, but the reasonable and fair judgment of my associates overruled me in that respect. I do not hesitate to say that because in the general preparation of the details of the bill here and there and now and then I was overruled, as I overruled my associates in a good many articles in the bill, they conceding what I believed to be wise against perhaps their individual judgment, I am now to oppose the bill. Not at all.

We brought in here a general scheme of detail, and that was all I said. When the Senator from Kansas says that I admitted that I was a bond slave I desire to state that I am as free as he is upon this floor or anywhere else as respects this bill. But I am in favor of the general principle of protection to American industry and American interests as I understand them; and therefore it is that when we come to the minor details of the bill I stand upon the enlightened judgment of my associates as well as my own, and have agreed to the details of the bill, with some few exceptions, as reported by the committee. I shall be found before this debate closes upon some material points in antagonism with the majority of my Republican associates on the committee. I do not know how the Senator from Kansas and the other Senators upon that side of the Chamber may stand as respects some of these questions. That was all I meant to say when I stated that I thought the rates in some of these schedules were too high.

As to the schedule respecting woolen goods, it is not possible for me to know absolutely all the details, and I suppose I am disclosing no secret when I say that this schedule has been substantially made up by experts who are familiar with this trade, and by the agricultural interests which are interested in the growing of wool. Whether two and a half times the specific duty is exactly the amount, I do not know. I doubt whether the Senator from North Carolina or the Senator from Kentucky even has that expert knowledge which enables either of them to say whether this specific duty is a remunerative or compensatory duty with the duty on wool.

Mr. CARLISLE. The Senator refers to the duty in the paragraph now under consideration?

Mr. ALLISON. I refer to the pound duty.

Mr. CARLISLE. On the yarns, which is the paragraph under consideration?

Mr. ALLISON. On the yarns and on the different kinds of cloth. Certainly, the experts say that two pounds and a half of unwashed wool will make a pound of a particular cloth, while a pound of another particular cloth requires 4 pounds of unwashed wool. If Senators have had the time in the hurry of our work here to ascertain with absolute exactness what that is, then they have had more time than I have had in the preparation of this bill.

So in regard to amendments to this particular schedule, I do not wish to hazard my judgment as against the judgment of my associates upon the committee who have more expert knowledge, and who say that these rates, corresponding with the wool duties, are necessary in order to maintain the existence of the woolen-manufacturing industries in our

country. I can not resist the belief that some of the rates are too high, but they are too high upon the higher grades of manufacture, if at all.

The Senator from North Carolina [Mr. VANCE] has over and over again undertaken, and even the Senator from Delaware [Mr. GRAY] the other day by tables undertook, to show that these schedules were highest upon the low-priced goods. That may be true if you figure out the percentage of the schedules, but it is perfectly well known to every one here that we have the absolute market of the low-priced goods in woolens, and have held it for twenty years. Therefore, the home competition fixes the price, and under the existing law none of these low-priced goods are imported practically. That is all I care to say respecting this schedule.

I may as well remark now that I have never been satisfied with the carpet-wool schedule of this bill. I do not believe that it is wise for us to undertake to produce the low-priced carpet wools in our country. I have believed that for some years. Yet, the wool-growers of our country who are scattered all over the States believe it can be done. I am willing that they may test that, and if it can be done I shall be glad of it; but I do not believe it will be accomplished.

This schedule is made up on the idea of protecting our great farming industry engaged in the production of wool, and, although it does not meet fully my approval and judgment, I am willing that it may be tested and thoroughly tested in the interest of the great agricultural States of this Union, especially as those interests have been for some years in a depressed condition. They are not so now.

Mr. HAWLEY. Mr. President, I suggest to the Senator that whenever he or those who particularly represent the wool-growing interest manifest a readiness to reduce the duty on wool they will find themselves met by the manufacturers with an equal readiness to reduce protective duties on the manufactured articles.

Mr. ALLISON. I am only speaking now of the low-priced carpet wools. I am not prepared to suggest in any way that the great wool-producing interests of our country should not be protected as other interests are protected in the United States. When we are willing to turn ourselves into a free-trade country then I shall go with the Senator from Kentucky in his motion to put wool on the free-list, but until we have reached that point I am in favor of caring for the million of farmers, more or less, who are engaged in the industry of producing wool, as I am for caring for those who are engaged in other industries, no matter what they are.

I repeat that this bill has been prepared upon the line of protection to American industries, and while some of its details, at least, are in my own judgment unwise, and I have given an illustration, yet I am for standing by the protective principle and working it out as respects the agricultural interests of this country while it is being worked out in other interests and for other industries. That is all there is about it.

There are some other schedules in this bill which I do not quite agree to, but which I have assented to. I have thought that the tobacco schedule was too high, but the judgment of this side of the Chamber, with almost absolute unanimity, is in favor of that tobacco schedule. Tobacco is an absolute luxury. No man need use it. I refer to the tobacco provided for in this bill, because we are not providing here in the bill for the 225,000,000 or the 300,000,000 or 400,000,000 pounds of tobacco produced in our own country. We are only providing for the luxuries of tobacco, for that class and kind of tobacco which is used chiefly by the men who have either acquired a fortune or who are lavish in their expenditures upon salaries or wages. Therefore, although I believed that this duty was too high, it being a matter of luxury and furnishing a great revenue to our country, I gave it my assent, and am willing that that shall be tried as we have tried other high duties upon luxuries in this bill and in former bills.

Upon the motion of the Senator from Kansas yesterday the duties upon distilled spirits and wines were largely increased, and not for the reason, as I take it, that the Senator from Kansas desired to protect particularly the production of distilled spirits in this country, but because he believed that those articles were luxuries and could afford to pay a high tax.

Mr. PLUMB. And because I also believe we shall need the revenue.

Mr. ALLISON. Undoubtedly, and because, as the Senator says, we shall need the revenue. Upon that question I regret to say that I have not my papers here prepared to show what the needs of the revenue are, but when the sugar schedule comes up for consideration, which involves the largest amount of revenue in the bill, I think I shall be able to show conclusively that we can put sugar upon the free-list, and thus relieve the consumers of our country to the extent of 2 cents a pound on the sugar they consume.

Mr. SPOONER. Without any danger to the revenue?

Mr. ALLISON. Without any danger to the revenue. I am in favor of that provision; that is, I am in favor of admitting free of duty all sugar under No. 16 Dutch standard, as I am also in favor of giving what I understand and believe, under the circumstances and conditions, a sufficient and fair inducement to those who are engaged in refining sugar in our own country.

Therefore, Mr. President, when we are called upon to debate this bill in its details and in the interests involved in it, I am prepared to

show the faith that is in me as respects every provision of it in detail. But we are confronted here, as is well known, by two conflicting systems, one side proposing amendments in the interest of free trade and the other side proposing amendments in the general line of protection. So it is that I said what I did say in regard to the bill.

Now one word more in response to the Senator from Kansas as respects the duty on wool. I asked the Senator from North Carolina to tell me whether he believed that the existing duty of 10 cents a pound upon wool increased or diminished the price of wool. I received no answer from him upon that subject.

Mr. VANCE rose.

Mr. ALLISON. I will pause now for an answer. I want to know whether in the Senator's judgment the duty upon wool under existing law, or the duty as proposed here, increases the price of wool to the American producer of wool in the markets of the United States.

Mr. VANCE. The Senator must not think that I undertook to evade the question.

Mr. ALLISON. I did not.

Mr. VANCE. I rose and the Senator from Kentucky [Mr. CARLISLE] asked me to let him answer the question, and he answered it for me.

I say that this duty will decrease the price, in my opinion, of American wool, for the reason that the American wool and all other products, whether American or European, depend upon the general law of supply and demand, and that inasmuch as the American wool can only be used by admixture with certain foreign wools, a duty which prevents that free admixture and the free coming in of the foreign wool decreases the demand for the American product.

Mr. ALLISON. Very well. Then the Senator from North Carolina believes that a duty of 10 cents a pound upon wools imported into this country, where the supply confessedly is less than one-half of the consumption and absolutely necessary for our manufacturers, or if not for them for our consumers in the shape of clothing, diminishes the price of wool to the American farmer.

Mr. President, if that be true, I am sure we are at sea in this bill or any other bill. If that is a possibility, then I confess that I have no knowledge of the method of making up tariff bills, or tax bills even, if the Senator so chooses to term them, because it is just as well known that the price of wool in Boston is the price plus the duty as compared with the price in London as it is known that two and two make four. Undoubtedly the Senator in following out that line would make this increased duty upon woolen goods diminish the cost of woolen goods. That would be a most gratifying situation. Why? Because in the nature of things we can not produce and do not produce all the woolen goods that we consume in this country at this moment.

Mr. President, in the statement just made I was not able to say and I do not say with accuracy that 12 cents a pound on wool means absolutely 12 cents a pound added to the price in this country, and yet I venture the statement that in nine months out of twelve that is the exact truth, and it will be the truth until we produce practically the amount of wool necessary for our own consumption, and when we do then the competition of our producers will reduce the market price of wool. I am now quoting the exact language of the Senator from Kentucky.

Mr. CARLISLE. Mr. President, we have wandered somewhat away from the real question before the Senate.

Mr. PLUMB. Will the Senator yield to me until I offer some amendments, to have them printed?

Mr. CARLISLE. Certainly.

Mr. PLUMB. I present three amendments, which I ask may be read and printed, and lie on the table. I shall offer them at the proper time.

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

The Secretary read as follows:

In Schedule D, paragraph 211, line 8, after the words "bass-wood," insert the word "spruce."

Insert as an additional section:

"Sec.—. On the 1st day of May, 1891, and annually thereafter rectifiers of distilled spirits shall pay an annual special tax of \$500, and wholesale liquor-dealers shall pay a similar tax of \$250, both in lieu of the tax now imposed by section 3244 of the Revised Statutes."

Insert as an additional section:

"Sec.—. That from and after sixty days from the date of the passage of this act there shall be levied and collected on all distilled spirits thereafter produced in the United States a tax of \$1.25 on each proof gallon or wine gallon when below proof, to be paid by the distiller, owner, or person having possession thereof, before removal from the distillery bonded warehouse."

The PRESIDENT *pro tempore*. These proposed amendments will be printed and lie on the table.

Mr. CARLISLE. Mr. President, I was proceeding to say that in this discussion we have wandered away from the real question under consideration. The last paragraph read relates to the duty upon woolen and worsted yarns, and nothing else. The proposition of the Committee on Finance is to impose a specific duty of two and a half times the duty imposed upon a pound of unwashed wool of the first class, a specific duty of 27½ cents, and 35 per cent. ad valorem.

The Senator from Iowa says that he is not prepared to state whether this

is exactly the proper proportion or not, assuming that we are to give what is called compensatory duties; that it may be too much or it may be too little. Of course I have no personal or practical knowledge upon this subject, and must depend for my information upon the statements of others who have, or profess to have, such knowledge. I have here a letter from a gentleman who transmits with it two samples of goods which are here on my desk, and in this letter he says:

The piece represented by sample No. 1 was manufactured from 10½ pounds of raw wool, which was spun down to 7½ pounds of yarn, and this was used for the web or filling.

These are worsted goods.

The warp weighs 3½ pounds and is entirely composed of cotton, so that the total weight of the piece is 11 pounds, of which nearly three-eighths is cotton.

Now, if Senators will make the calculation they will find that when 10½ pounds of wool, unless I am mistaken, for I made the calculation somewhat hastily, is spun down to 7½ pounds of yarn, there is simply a loss of 22 per cent.

The piece represented by sample No. 2 was manufactured from 10½ pounds of wool.

Mr. ALLISON. If the Senator will allow me to interrupt him right there, although it does not say so, it must undoubtedly mean 10½ pounds of scoured wool. If it means unwashed wool, I shall be glad—

Mr. CARLISLE. The writer says:

The piece represented by sample No. 1 was manufactured from 10½ pounds of raw wool, which was spun down to 7½ pounds of yarn, and this was used for the web or filling.

Mr. ALLISON. I do not know the exact relation, but I should say 10 pounds of scoured wool would spin down with the loss of a pound at least in spinning.

Mr. CARLISLE. The duty upon 10 pounds of scoured wool would be \$3.30.

Mr. ALLISON. Very well; I only want the Senator to state what the facts are about it.

Mr. CARLISLE. In that case there would be no sort of compensation in this provision for the duty on wool.

Mr. ALLISON. If I do not interrupt the Senator, I will state further that 10 pounds of unwashed wool would be equivalent to 2½ or 3 pounds of scoured wool.

Mr. CARLISLE. The duty upon every pound of scoured wool is 33 cents under this bill. It takes more than a pound of wool to make a pound of yarn, and your compensating duty would be wholly insufficient.

Mr. ALLISON. Therefore in 10 pounds of unwashed wool there could not be 7½ pounds of yarn. That is the point I make.

Mr. CARLISLE. That is the statement, and I shall read further on the writer's statement, where he says if his figures are disputed he is prepared to prove them.

Mr. ALDRICH. Who is the writer?

Mr. CARLISLE. Mr. McKeever. He says:

The piece represented by sample No. 2 was manufactured from 10½ pounds of wool which was spun down to 6½ pounds of yarn, and the warp, composed entirely of cotton, weighs 6 pounds, so that the cotton in sample No. 2 is nearly 50 per cent. of the whole weight of the piece, and it is proposed to assess a duty of 44 cents a pound and 50 per cent. ad valorem, not alone on the 6½ pounds of manufactured wool, but on the 6 pounds of cotton, simply because the goods weigh over 4 ounces to the square yard.

In the case of this sample the loss was 25 per cent. This being so, it takes 2 pounds of wool to make 1½ pounds of yarn, and therefore a specific duty of 15 cents a pound, as I make it out, upon each pound of the yarn made will exactly compensate for the duty on the wool. The bill as it comes from the House proposes 22 cents, and the Senate Finance Committee proposes 27½ cents. Now, I submit these facts and the samples. This gentleman says at the close of the letter:

If the foregoing figures of mine should be disputed, I can give you all the facts to prove my statement.

The only difference between these two samples is that one of them weighs a little less than 4 ounces to the yard, whereas the other weighs a fraction over 4 ounces to the yard, and consequently sample No. 2, under the terms of this bill, must bear a duty of 44 cents per pound and 50 per cent. ad valorem.

Now, if these facts are not correct, I assume that Senators on the other side will be able to show it. I have, as I say, no information upon this subject except what I get from these statements.

Mr. ALDRICH. If the Senator will allow me, I of course do not pretend to be a manufacturing expert, but I do know enough about woolen manufactures to know that there are no 10 pounds of unwashed wool produced in the world that will make 7½ pounds of wool in the cloth.

Mr. CARLISLE. What sort of wool, then, does the Senator suppose this gentleman was talking about? Is it scoured wool?

Mr. ALDRICH. He must mean scoured wool, and he must mean that 10 pounds of scoured wool make 7½ pounds of that quality of yarn.

Mr. CARLISLE. Then, as I have said, if that be the case there should be a duty of 33 cents a pound for every pound of wool used in manufacturing these yarns, and the compensating duty which you propose would be wholly insufficient.

Mr. ALDRICH. But it is not all wool; it is only half wool.

Mr. CARLISLE. But the wool that is in it is just the same as the

wool in woolen cloths. These yarns are used in the manufacture of these goods, and in the manufacture of what are called woolen goods also. There is no difference in the yarns.

Mr. ALDRICH. Of course the yarns under consideration in this paragraph must be made of some substitute for wool in part. There can be no question about that. It is very easy for the Senator to see that yarns valued at 30 cents a pound or less could not be made of pure wools of the first or second class.

Mr. McPHERSON. Mr. President, we are at that stage now of this controversy when a little further testimony perhaps may be of use and benefit. Without discussing any other phase of the bill except to put in certain facts I have in my possession in support of the position taken by the Senator from Kentucky, I wish to say that having been for the past three or four weeks diligently employed in trying to obtain testimony from the manufacturers of woolen goods who could give information as to the number of pounds of unwashed wool it required to manufacture a yard of cloth, I failed to get it because of the fact that every manufacturer whom I applied to gave me to understand that he did not want to meddle with the matter. Yet from one of the manufacturers of my own State I obtained the information that the average number of pounds of unwashed wool needed for a yard of cloth did not exceed 3 pounds.

But, through the instrumentality of a friend, I succeeded in finding a gentleman who had been for twenty years employed in the woolen and worsted manufactories of Massachusetts and Rhode Island and elsewhere as a superintendent. He was commended to me by a gentleman whom I trusted. This gentleman reached Washington yesterday, and from his books, covering a period of time I can not pretend to say how long, but long enough certainly to convince any reasonable man that they were not made up for this occasion, he gives me test cases which show a certain number of pounds of cloth manufactured from a certain number of pounds of wool, going back to 1834 and coming down to the year 1890, in which the number of pounds of wool I take it—

Mr. ALDRICH. Will the Senator give the name?

Mr. McPHERSON. I will give it to the Senator privately, but I should like to ask the gentleman's consent before giving it in an open manner. I have no doubt at all but what he would be perfectly willing to have the Senator, or any Senator for that matter, know his name.

Mr. ALDRICH. Before the Senator proceeds, I will say to him that there is no contention here on the part of any one that it takes 4 pounds of Ohio wool, or of any wools produced in this country, to make a pound of finished cloth.

Mr. McPHERSON. Very well. Let me first read what the gentleman says as a context to his own statement:

This statement is prepared by me from actual working statistics taken from my books while superintendent of different worsted mills in Massachusetts and Rhode Island, covering an experience of twenty years, and states fairly and correctly the cost and percentages in the different stages of manufactures between wool and the manufactured product.

Now, we will take up the first case.

Mr. HISCOCK. Will the Senator allow me to ask him a single question? What does he understand by raw wool?

Mr. McPHERSON. I speak of the unwashed wool, and this gentleman speaks of the unwashed wool.

Mr. HISCOCK. Your understanding is that raw wool means unwashed wool.

Mr. McPHERSON. Unwashed wool.

Australian wool for making 2-40 yarns, or, in other words, 40 yards of yarn, single, to weigh 12½ grains.

A lot of 1,600 pounds of wool, unwashed, at 43 cents per pound, \$688.

RESULT.

	Pounds.	Per cent.
Tops.....	914	=57.12
Noils.....	82	=05.12
Waste.....	17	=01.16
Shrinkage.....	587	=36.70
Total.....	1,600	=100.00

Actual cost of tops, 75.27 cents per pound.

RESULT.

Tops, 914 pounds.

	Pounds.	Per cent.
Yarn.....	857	=93.76
Shrinkage.....	57	= 6.24
Total.....		100.00

Actual cost of yarn without labor 80.23 cents per pound.

Labor, 16 cents per pound, \$137.12.

Noils and waste, 156 pounds, at 40 cents, \$62.40.

Here is the actual cost of the yarn.

Mr. HOAR. May I interrupt the Senator?

Mr. McPHERSON. No, I can not yield for an interruption now. It would confuse my statement.

Mr. HOAR. I wanted to put a question to the Senator.

Mr. McPHERSON. I will proceed:

Actual cost of yarn:

914 pounds of tops at 75.27 cents per pound = \$688; or 857 pounds of yarn at 80.23 cents per pound = \$688.....	\$688.00
To labor.....	137.12
Total.....	825.12
Less for 156 pounds of waste, at 40 cents.....	62.40
Net total.....	762.72

We have now got down to the actual cost of the yarn. We have subtracted the noils and the waste, and have got in the cost of labor.

Cost of converting 1,600 pounds into 835½ yards of worsted cloth of 1 pound in weight to the square yard.

RESULT.

One thousand six hundred pounds of raw Australian wool, costing 43 cents per pound, after having been scoured, produced 914 pounds of tops. These tops were spun into 2-40's yarn, and produced 857 pounds of yarn at a cost of 80.23 cents per pound, equal to \$688.

RECAPITULATION.

One thousand six hundred pounds of raw wool at 43 cents per pound equals \$688, reduced by scouring to 914 pounds; hence actual cost of said 914 pounds of tops equals \$75.27 cents per pound. These 914 pounds of tops being turned into yarns produced a shrinkage of 57 pounds of hard and soft waste, and the 857 pounds of yarns cost 80.23 cents per pound, which are equal to \$688. Actual cost of 857 pounds of yarn, at 80.23 cents per pound, equals \$688. These 857 pounds of yarns in being made ready for the beams suffered a loss by shrinkage of 2½ per cent., and the 835½ pounds added that additional cost to it, and the pound of yarns became 82.35 cents per pound, equal to \$688.

PAY TO LABOR.

Labor for scouring, combing, spinning, and producing 857 pounds of yarn at 16 cents per pound.....	\$137.12
Labor for getting the reduced 857 pounds of yarn into 835½ pounds ready for the beams, at 2½ cents per pound.....	20.68
Labor for weaving the 835½ pounds, at 2½ cents per pound.....	20.68
Dyeing and finishing 835½ pounds, at 10 cents per pound.....	83.55
Total to labor.....	262.43

ANALYSIS.

Cost of 835½ pounds of yarn, at 82.35 cents per pound.....	\$688.00
Less for 156 pounds of hard and soft waste, which sold at 40 cents per pound.....	62.40
Net cost.....	625.60
Paid to labor.....	262.43
Total cost, labor included.....	888.03

The result from this investment of \$888.03 is the production of 835½ square yards of cloth weighing 16 ounces, or 1 pound, to the square yard, equal to \$1.003 per pound, or square yard.

These 835½ yards sold to the jobbers at \$1.50 per square yard, realizing \$1,253.25. Net profit, \$365.22, equal to 41 per cent. These were all worsted, with no backing or admixture of fiber of any kind.

The labor-cost in this particular manufacture corresponds nearly with the labor-cost as is given by Mr. Waldin, the commissioner of labor in the State of Massachusetts for the manufacture of this kind of goods. He gives it at 29.5 per cent. of the total cost of the product.

Labor, \$262.43 to cost of production of \$888.03, equal to 29.5 per cent. Net profit of \$365.22 on \$888.03 investment, equal to 41 per cent.

REMARKS.

Paragraph 374 gives the value of cloth imported at from 21.3 cents per square yard of 1 pound weight to 26½ cents per square yard of 1 pound weight. As there is no woolen or worsted cloth at any such low figure as 24.3 cents and 26½ cents per square yard of 1 pound weight, goods of this kind imported were composed of shoddy and cotton; more cotton than shoddy, and the duty of 33 cents per pound and 40 per cent. ad valorem is given in the comparative statement, page 89, as 146.99 per cent. and 175.65 per cent. provided it was wool. But as these goods contained more cotton than shoddy, and which was worth in Europe 16 cents per pound, hence the proposed duty of 33 cents per pound is over 200 per cent., and adding to it the 40 per cent. ad valorem makes it 240 per cent. ad valorem, and not either 146.99 per cent. or 175.65 per cent.

Then he gives another result of six months' working in first-class worsted factories. He gives here both foreign and domestic wool used. The total number of pounds is 1,474,536. He gives the result of that. He then takes the result again for six months following, of 1,807,040 pounds, and he brings it down to a result giving you the cost of the yarn. He does not carry this test beyond the yarn itself, but he gives the value of the wool, of the combed wool, of the noils, of the tops, of the card waste, of the burrs, the shrinkage, everything. He takes every single item of expense, and what is the result? He makes out that a pound of worsted cloth, of this fine cloth, does not require to manufacture more than 2 pounds of wool. This is a verification of the statement made by the Senator from Kentucky upon the authority of Mr. McKeever, as I understood him to say, from New York.

Result of six months' working in a first-class worsted factory, foreign and domestic wool mixed.

Total, 1,474,536 pounds.

	Pounds.	Per cent.
Tops.....	1,137,350	77.13
Noils.....	157,783	10.70
Shrinkage.....	179,403	12.17
Total.....	1,474,536	100.00

Result of the second six months' working.

Total, 1,807,040 pounds.

	Pounds.	Per cent.
Tops .....	1,306,670	72.31
Noils .....	195,830	10.84
Shrinkage .....	304,540	16.85
Total .....	1,807,040	100.00

Result of whole year working.

Total, 3,281,576 pounds.

RESULT.

	Pounds.	Per cent.
Tops .....	2,440,029	= 74.48
Noils .....	353,613	= 10.77
Shrinkage .....	488,943	= 14.75
Total .....	3,281,576	=100.00

Pennsylvania, Ohio, and Australian wools (2-45 yarns).

Wool, 25,050 pounds; tops, 12,985 pounds; noils, 2,787 pounds; card waste, 547 pounds; burrs, 131 pounds; shrinkage, 8,600 pounds.

RESULT.

	Pounds.	Per cent.
Tops .....	12,985	= 57.84
Noils .....	2,787	= 11.13
Card waste .....	547	= 02.18
Burrs .....	131	= 00.52
Shrinkage .....	8,600	= 34.32
Total .....	25,050	=100.00

\*Are worth 40 cents per pound.

†Are worth 4 cents per pound.

‡Is worth 15 cents per pound.

§ Total loss.

Labor to produce tops, 6 cents per pound, or \$779.10 for the lot. The wool originally cost 34 cents per pound; after paying for labor and scouring its cost was 79.3 cents per pound; adding 8 cents for spinning per pound and the 10 per cent. of shrinkage to make it into yarn, the net cost was 87.3 cents per pound. This yarn sold at \$1.05 per pound, leaving a net profit of 14.7 cents per pound, or 16.8 per cent.

Mr. HOAR. I wanted at some time convenient to the Senator—he was quite right in not having the reading of his table interrupted—to ask him a question.

Mr. MCPHERSON. Does the Senator now want to ask it?

The PRESIDENT *pro tempore*. Does the Senator from New Jersey yield to the Senator from Massachusetts?

Mr. MCPHERSON. Certainly. The Senator will pardon me, because I did not want to break my statement.

Mr. HOAR. The Senator was quite right in not having his statement interrupted. But I want to ask those Senators who have been upon the Committee on Finance or the Committee on Ways and Means in the House, respectively, and have been familiar with this discussion, of course, for a great many years, if they do not understand that this proportion of the weight of unwashed wool to the weight of the finished woolen cloth into which it is made is a matter which is substantially settled by English experience where there is no dispute about it; where it does not come in to affect the compensatory clauses of our tariff at all, but is a matter of the experience of English manufacturers laid down in their publications on that subject? The thing is settled by the experience of mankind. Their formula of course varies with the particular lot of wool or the particular manufacture; but I ask whether their general formula is not that 4 pounds of the unwashed wool make 1 pound of the cloth?

Mr. MCPHERSON. In answer to the Senator from Massachusetts I wish to state that, so far as I am concerned individually, I do not understand any such thing. I do not understand that anybody has ever, in England or elsewhere, argued as broadly as the Senator puts it. There are certain kinds of wool which of course shrink away very much more than others. As to the Australian wool, from which these samples were drawn and from which these goods in part were made, it certainly is a wool which wastes less from the unwashed condition until you get it into the product itself, into the cloth, than any other wool in the world.

Mr. HOAR. Less than Ohio wool?

Mr. MCPHERSON. I think it shrinks less than Ohio wool. It is lighter wool than Ohio wool. Therefore it can not be taken, of course, as a basis for all kinds of wool; but I do affirm that the compensatory duties which are provided here in this bill are far in excess of what they ought to be, and that the rate of compensation given in this bill ought to be 3 cents a pound or less.

Mr. HOAR. What I desire, if the Senator will pardon me, to get at is this one fact. I do not profess to be a learned person myself on this

subject, but is it not true that, taking the average of the wool upon which our customs duties are imposed and will be imposed in the future, the English or foreign manufacturers treat 4 to 1 as the general average formula?

Mr. MCPHERSON. No, I do not think that is so; and even if it be so, the importations of wool we require to mix with our clothing wools in this country are wools of a lighter character, like the Australian and other wools of finer character; and as far as the carpet wools are concerned, it is not a matter of so much consequence, because they are lower priced.

Mr. HOAR. Is the Senator speaking of carpet wool?

Mr. MCPHERSON. No; but of the high-priced wool, where the duty is 11 cents a pound.

Mr. ALDRICH. Does not the Senator know—I am sure he should—that the duties fixed in 1867 upon the basis that 4 pounds of wool were required for 1 pound of cloth, were fixed upon the theory which was then conceded by all, and which has been established and re-established a thousand times since, that it took at least 4 pounds of South American unwashed wool to make a pound of finished cloth? The Argentine Republic produces more wool than the United States, and the average shrinkage of her clip is as I have indicated. In order to give our manufacturers compensatory duties it is necessary to take as a basis the wools that shrink the most, and not those that shrink the least.

Mr. HOAR. Those that would come in competition?

Mr. ALDRICH. Those that would come in competition with our wools. We are prevented by our tariff from buying these South American heavy-shrinking wools. That puts down the price of these wools to the foreign manufacturer. The compensatory duty is placed upon that basis. I can bring the testimony of all the manufacturers of the United States, everyone who knows anything about it, to confirm the statement which I make, that this class of wools shrinks 75 per cent. In other words, it takes 4 pounds at least to make a pound of finished cloth.

Mr. PLUMB. I wish to say, in response to what the Senator from Rhode Island has said, that this is a matter that I do not know anything about, but a gentleman who is thoroughly reputable told me that he had furnished to the Committee on Finance samples of goods and was ready to establish by testimony which could not be disputed that it took less than 4 pounds of wool to make a pound of finished cloth, but he was not permitted to make the statement. He simply said the committee had declined to give him a hearing and made a promise to him.

Now, I only speak of this in order that the Senator from New Jersey may be re-enforced in his statement and know exactly what the facts are. I have a regular statement which I suppose other members of the body have received also, at least I know the Senator from Massachusetts [Mr. DAWES] has from one of his constituents, to the effect that this was an overstatement, that there was no such average and no such relation except that it might be incidental.

Mr. ALDRICH. There is no contention, as I said before the Senator from Kansas came in, on the part of the committee, or on the part of the manufacturers, or of anybody else, that it takes 4 pounds or anything like it of the light Australian wools to make a pound of finished cloth. A large class of wools, notably the South American wools and wools from the Cape, do shrink that amount, and those are the wools that the foreign manufacturers buy to compete with our manufacturers. I have several statements in my possession which show upon the very best of evidence that it takes of these wools 4 pounds, 4½, and 4¾ pounds in many instances to make a pound of finished cloth.

Mr. PLUMB. Were there not some statements made before the committee and samples furnished to show that it does not take so much?

Mr. ALDRICH. The importers have made such statements before the committee.

Mr. PLUMB. I am not speaking of importers.

Mr. ALDRICH. Evidence was given before the committee that it did not take 4 pounds of light Australian wool or of Ohio wool to make a pound of finished cloth. It does, however, take 4 pounds of a large class of wools that compete with the American.

Mr. PLUMB. What is the average?

Mr. ALDRICH. There can be no average about it. We have to take those that compete with us. We know that there is an average shrinkage of 75 per cent. in these wools and it requires 4 pounds—

Mr. PLUMB. Are not these other wools used that do not take so much?

Mr. ALDRICH. There are other wools used, but those are the wools we have to compete with.

Mr. MCPHERSON. The Senator from Rhode Island says that there is no contention upon this question. If I understand the state of the case at this moment, that is exactly what the contention is. The Senator from Iowa raised the point that it is time we began to determine whether the compensatory rate of duty as provided in this bill is correct, as I understood him. Then there are three or four things to be considered with respect to the rate of compensatory duty.

Mr. ALDRICH. The Senator does not want to misrepresent me. I said there was no contention over the fact that it did not take 4 pounds or anything like 4 pounds of the light shrinking Australian wool to make a pound of finished cloth.

Mr. McPHERSON. I understood the Senator to contend for directly the opposite, and therefore I suppose I did not hear him distinctly.

The Senator from Iowa asks another question. He asks whether the duty of 10 cents a pound on wool increases the price to the American producer of wool. For one I want to admit that to a certain extent it does increase the price to the American producer; but that it increases the price to the American producer to the extent of 10 cents a pound I do not believe, and for this reason: The American manufacturer is obliged to buy his wools all over the world to mix with the wools produced in this country, and the wools produced in this country are the easiest obtainable and the greatest in amount. The American manufacturer is compelled to go into a competitive market when competition is active and pay competitive rates for his foreign wools. This would have a tendency, of course, to reduce the price of domestic wool.

I think it can be safely said that with a duty of 10 cents a pound the American producer of wool does not receive in protection more than half of it, but that he does receive some protection I am willing to admit. We do not grow one-half the wool we need, hence a duty on foreign competitive wools would enhance the price of wools at home. I also think that if all nations manufacturing woolens should remove duties, a readjustment of values would thus be enforced that would tend to raise the price of such fine wools as we grow everywhere, and the market would be stable and permanent.

But every particle of the protection of 11 cents a pound which this bill proposes for the American producer of wools does not go to him. Under this bill the American manufacturer will get a big share of it, as will be noted in the dress-goods paragraph, if you please, where you find this condition of things, that you raise the duty on wool 1 cent per pound and the compensatory duty on cloths 33½ per cent.

The specific duty on women's dress goods under 4 ounces per square yard has been increased from 9 cents to 12 cents per yard, an increase of 33½ per cent. with only an increase of 1 cent per pound on wool; and not content with that you have increased the ad valorem rate of duty from 40 to 50 per cent., which is an increase of 25 per cent. I admit that the duty of 11 cents a pound on wool is a perfectly proportionate duty; and as this bill is constructed from one end to the other a duty of 11 cents a pound upon wool is no higher than other things upon the list. But I want to say that when you proceed one step beyond the wool duty, the duty of 11 cents a pound upon the finer grades of wool, and you reach the manufactures of wool, it then becomes flat burglary.

There never was such a bill made before in the history of the world. You propose here to give a compensatory duty of 44 cents a pound on cloths under the supposition that nobody will discover the fact that these very cloths which come in under a 44 per cent. compensatory duty may be half or three-fourths cotton, and in the majority of cases they are.

I have some samples of goods upon my desk which have been furnished me with a statement made concerning them that they come in under these different paragraphs 374, 375, and 376, and provision is made in this bill that the compensatory rate of duty shall be upon all-wool goods; that is, while they are not described in the paragraphs as all-wool goods the compensatory duty is levied as upon all-wool goods. Now here are two samples of goods [exhibiting]. One is all woolen and the other is half cotton, and both are subject to the same compensatory duty of 44 cents a pound, and who gets the benefit of it?

Mr. ALDRICH. One all cotton?

Mr. McPHERSON. No, one is part cotton and part wool, and so on.

There is another thing to be taken into consideration. If in the first place the manufacturer gets some part of the 11 cents a pound duty which you suppose you are giving to the farmer, and if in addition to that the manufacturer gets a larger percentage in a compensatory duty than he is entitled to receive because it does not take 4 pounds of wool to make a pound of cloth, there he is benefited again. In what other way is he benefited? He is benefited by a high ad valorem rate upon the woolen goods, and that you say is to protect the American manufacturer, to enable him to pay for labor employed in the manufacture of American products in competition with pauper labor.

Mr. ALDRICH. I should like to understand one statement before the Senator passes from it. Did I understand him to say that nearly the entire amount of the importations was three-quarters cotton?

Mr. McPHERSON. No; I was speaking of the sample goods I have before me; one-half, and even more, as I understand, of these goods is cotton.

Mr. ALDRICH. A large proportion of the importation?

Mr. McPHERSON. Some of the samples here are half cotton, some of them all wool, and some have to the extent of three-fourths cotton. But as wool would be the component material of chief value, as a matter of course they receive the compensatory duty for wool.

It is then stated that we must have an ad valorem rate of duty of 50 per cent. to protect the manufacturer against the pauper labor of Europe.

Now, I refer to a statement made by Consul Schoenhof, who I think every Senator upon that side of the Chamber will recognize in a moment as a gentleman of large experience and great ability as a statistician and an expert. He was selected to visit the different establishments in

Europe and America and to ascertain the labor-cost of different products manufactured both in America and England in competition one with the other. I have no statement as to the difference in cost between the manufacture of wool yarns in Europe and in America, but I have with regard to the difference in cost of the manufacture of cotton yarns, and the statement made by Mr. Schoenhof is that there is but very little difference between the two yarns in the cost of the manufacture.

Consul Schoenhof in his report to the State Department from Tunstall, August 28, 1886 (page 208), speaking of the comparative labor-cost in the manufacture of cotton goods between Old England and New England, writes as follows:

I set alongside the price-list for the Grinnell Wamsuttas Nos. 5 and 6 at Fall River, as in force in March of this year, and the prices actually paid in Lancashire for the same numbers of yarn. I take only such numbers out of the list as come here under review, comparative prices actually paid for spinning cotton yarn in Massachusetts and Lancashire.

Yarn.	Lancashire.	Massachusetts.
No. 18.....	\$0.52	\$0.40
No. 20.....	.50	.45
No. 28.....	.61	.64
No. 32.....	.73½	.72
No. 40.....	1.00	.98
No. 46.....	1.12	1.14
No. 50.....	1.35	1.29

What is true of spinning—

Says the same authority—

Is also true of weaving, and the fact is fairly well authenticated that, measured by the piece or pound price, our labor in cotton spinning and cotton manufacturing is fully as cheap as British labor, while its earnings are on an average 50 per cent. higher. Cheap production and high earnings go, therefore, pretty well in hand.

The duty upon cotton goods for the protection of American labor employed in that industry is from 35 to 60 per cent. Upon what hypothesis can it be shown that American labor working for a less price per piece or pound is permitted to share any part of the protection given to the cotton factory?

Mr. President, I do not know that I want to take up the time of the Senate to-night in presenting a list of these different samples of goods that I have here, showing the effect of this proposed legislation upon the cost of these goods; and perhaps, therefore, I may call attention, omitting that and one or two other things, with respect to the labor-cost in the manufacture of the goods upon which you propose to levy a duty of 50 per cent., as you say, to protect the home manufacturer after you have given him two or three slices out of the compensatory duty.

Mr. Wadlin, in his report for 1890, on page 81, giving the amount of the average labor-cost in the manufacture of woolen goods, gives it at 21.95 per cent., and the worsted goods at 21.04 per cent. He goes on to state, speaking of the industry, having written to a large number—some thousands of them—and they report to him:

In the following industries the percentage of wage-cost is above 20, but does not exceed 33.33 per cent. of the cost of the product.

In those we find cotton goods, worsted goods, and woolen goods. Now he refers us to page 30, speaking of cotton goods, in which the labor-cost in the amount of goods of 5,861,296 pounds manufactured into cotton sheeting was only 18.89 per cent. of the cost of manufacture.

The rate of duty proposed here is 35 per cent. upon this imported article, while Mr. Wadlin tells us the entire average labor-cost is only 21.4 per cent., and in this test case but 18.897 per cent.

Then there are other things in this bill. For instance, we have the worsted goods, we have the chevots, we have the carpetings and things of that kind, upon which Mr. Schoenhof gives us some information as well, and while I am upon my feet I think I will put it in the RECORD. I will take them up one by one.

We will take first the subject of worsted goods, in the manufacture of which England has taken an advanced position by reason of her ability to control in large measure the wools suitable for combing. Raw wools being admitted duty free into England, London became the store-house of the combing wools of the world. The factories in the United States were limited in the choice of these wools. It is one thing to make corded soft wool goods, and quite another to make combed wool goods when the imperfections all lie and show upon the smooth surface.

Notwithstanding all these disadvantages, the American worsted manufacturers have made great progress, and with free wool can now compete with England in any market, both as to cost and quality. In 1888 Mr. Schoenhof visited Philadelphia, where the highest wages paid in this country in the woolen industry are paid. He also visited Rhode Island, where, perhaps, the lowest wages are paid in the same industry—at least so Mr. Schoenhof reports; it is not my own opinion—and drew a comparison between American cost and English cost in a line of goods known to the trade as 16 ounces 6-4 black corkscrew worsted coatings, which sell in England for about \$1 per yard.

In his report he gives minutely every item of labor-cost and other expenses in the manufacture of these cloths. Omitting the cost of the wool the whole mill-cost compares as follows:

Philadelphia, 50.67; Rhode Island, 37.71; England, 46.04. The English total and the Rhode Island total show a higher cost in England.

Labor-cost based upon \$1 per yard in England: Philadelphia, 40.3; Rhode Island, 30.40; England, 24.97.

Labor, therefore, gets 15.3 cents more per yard in Philadelphia, and in Rhode Island 5.43 cents more than in England in the manufacture of a yard of worsted cloth costing in England \$1 per yard. The duty upon this cloth is 50 per cent. ad valorem.

The same authority gives the comparative cost of manufacturing chevots composed of shoddy and wool. Owing to the high tax upon wool, there is no country in the world where shoddy is so much used in the manufacture of cloths as in this country, and therefore no country where the people are so much cheated and defrauded. It being sufficient for my purpose to find the comparative labor-cost, the cost of material is therefore omitted from the computation.

The mill account of the total cost of manufacture of these cloths in the United States is 30.42 cents; in England, 30 cents.

The labor cost in the United States is 18.07 cents; in England, 12.75 cents. Labor here gets 5.22 cents per yard more than English labor. Duty, 50 per cent. ad valorem.

By the same authority kersey cloth is worth in England 88 cents per yard; the mill-cost in the United States, 36.2 cents; in England, 31.25 cents.

Labor-cost: United States, 22 cents; England, 13.62 cents.

Labor in the American mill receives over and above English labor 7.38 cents per yard. Duty, 50 per cent. ad valorem.

#### INGRAIN CARPET INDUSTRY.

I present herewith a statement by Mr. Schoenhof of the cost of manufacturing two-ply 4-4 ingrain carpet, superior quality, in America and England, omitting material as before:

Mill expense: United States, 12.32 cents per yard; England, 15.76 cents per yard.

Labor: United States, 7.92 cents per yard; England, 8.26 cents per yard.

American labor gets .34 cent per yard less than English labor. Duty, 40 per cent. ad valorem.

While American labor gets less than English labor, the duty is 40 per cent. ad valorem to protect American labor against the pauper labor of Europe!

Mr. HAWLEY. I sincerely wish the Senator would give me a little explanation of the statement he has been repeating over and over again. Let me make a preliminary explanation. If the American operative will produce a great deal faster than the other, I can understand what the Senator means; but does he mean that the operative in each case gets the same daily wages? If the American operative gets less per day, I do not understand his statement at all. I want to know whether he means that the daily payments to the operative are the same in each case, or whether he means that it is less in America.

Mr. MCPHERSON. I will explain to the Senator just as briefly as I can. You are comparing a yard or a pound of English carpet with a yard or a pound of American carpet, and in your tariff bill you levy a duty to protect the American laborer and the manufacturer of American carpet on that pound or yard.

Mr. Schoenhof shows that the labor-cost in producing a yard or a pound, as the case may be, of American cloth compared with English labor, and compared with English labor it is as I have stated. Therefore, the labor in this case is measured by the product of labor, and if labor in the United States costs no more to produce a yard of cloth than labor in England costs to produce the same yard of cloth, why do we impose from 40 to 50 cents per yard upon that cloth to protect the American laborer?

Mr. ALDRICH. What kind of goods does the Senator speak of?

Mr. MCPHERSON. All kinds of goods—ingrain carpets, cheviot goods, worsted goods.

Mr. ALDRICH. What particular kind of goods?

Mr. MCPHERSON. The one I am giving now is the ingrain-carpet industry.

Mr. ALDRICH. Does not the Senator know that that statement was denied and shown to be absolutely false by half a dozen carpet-manufacturers years ago, and that he is reading ancient history which has been shown to be false time and time again?

Mr. MCPHERSON. It has never been successfully contradicted in the world, and they defy contradiction, they defy anybody to present any facts to show to the contrary, because this labor-cost is taken from their own books, and therefore it can not be denied.

Mr. HAWLEY. The Senator has not at all approached an answer to my question. I want to know whether the operative in one case gets 75 cents a day and the other a dollar a day.

Mr. MCPHERSON. It does not matter whether he gets 75 cents or a dollar or a dollar and a half a day. I have always argued that American labor is as much better than foreign labor as the pay is better; that the product of American labor when the cost is measured by the product of American labor is cheaper than any labor in the world. That is my argument; and when you raise the duty 40, 50, or 60 per cent. ad valorem upon the products of foreign labor to protect American labor, you

first ought to show that American labor gets any part of that protection.

Mr. Schoenhof says:

I have taken the highest American weaving wages paid, not taking into account that with the improved looms weaving is done at from three-fourths to 1½ cents less per yard. Still, with all this, the general cost is much less than the English cost, and with wool at the English cost a yard of carpet could be produced in America for 41.07 cents which costs 44.51 cents in England.

It is getting late, Mr. President, and I will postpone further remarks until Monday.

Mr. GIBSON. I offer an amendment to the pending bill. I move to amend the bill in Schedule E, on page 52, by inserting in line 10, after the words "the United States," the following:

Or from sirup produced from sorghum, beets, or sugar-cane grown within the United States.

In line 22, after the word "States," where it first occurs, insert the words:

Or from sirup produced from sorghum, beets, or sugar-cane grown within the United States.

And on page 53, line 2, after "United States," insert:

Or from sirup produced from sorghum.

The PRESIDENT *pro tempore*. The suggested amendments will be received and printed.

HENRY L. MULVIN.

Mr. CAMERON. I ask unanimous consent that the vote by which Senate bill 3600 was indefinitely postponed may be reconsidered.

The PRESIDENT *pro tempore*. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 3600) for the relief of Henry L. Mulvin.

The PRESIDENT *pro tempore*. If there be no objection, the vote by which this bill was postponed will be reconsidered and the bill placed upon the Calendar.

Mr. BATE. That is all right, Mr. President.

The PRESIDENT *pro tempore*. Shall the bill be placed upon the Calendar or recommitted to the committee?

Mr. BATE. Probably it had better be recommitted.

Mr. CAMERON. I move that the bill be recommitted to the Committee on Military Affairs.

The motion was agreed to.

#### HOUSE BILLS REFERRED.

The bill (H. R. 4451) for the removal of the charge of desertion from the record of Daniel J. Mahoney was read twice by its title, and referred to the Committee on Naval Affairs.

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

A bill (H. R. 5121) to correct the military record of George McKinney, jr.;

A bill (H. R. 6558) to remove the charge of desertion against Frank W. Morgan;

A bill (H. R. 9617) to relieve John Davis of the charge of desertion, and to grant him an honorable discharge; and

A bill (H. R. 11040) to relieve Myron A. Eastman of the charge of desertion.

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

A bill (H. R. 9602) to establish the customs district of Tennessee, and for other purposes;

A bill (H. R. 10267) for the relief of the owners and the crews of the American whaling vessels Midas, Progress, Lagoda, Daniel Webster, and Europa; and

A bill (H. R. 11654) to provide an American register for the steamer Neptuno.

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

A bill (H. R. 1512) for the relief of the heirs of Thomas Black;

A bill (H. R. 1574) for the relief of William Jewell College, of Liberty, Clay County, Missouri;

A bill (H. R. 2917) for the relief of John N. Dorr, sr.;

A bill (H. R. 2950) for the relief of the estate of David B. Sanders, deceased;

A bill (H. R. 2990) for the relief of J. L. Cain and others;

A bill (H. R. 4496) for the relief of the heirs of Mark Davis, deceased; and

A bill (H. R. 7616) for the allowance of certain claims for stores and supplies taken and used by the United States Army as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the "Bowman act."

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

A bill (H. R. 1279) granting a pension to Mrs. M. E. Daniels;

A bill (H. R. 2487) granting a pension to Micager Hancock;

A bill (H. R. 4179) granting a pension to Nancy J. Dorlos;

A bill (H. R. 4210) to increase the pension of John H. Grove;

A bill (H. R. 4220) for the relief of Thomas H. Bruce;

A bill (H. R. 4514) for the relief of Polly Gray;

A bill (H. R. 4858) granting a pension to Abigail Hughes;  
 A bill (H. R. 5079) for the relief of Eliza Pyle;  
 A bill (H. R. 5524) granting a pension to Anna Platt;  
 A bill (H. R. 6287) granting a pension to Sarah Phillips;  
 A bill (H. R. 7523) granting a pension to Calvin Gunn;  
 A bill (H. R. 7574) granting a pension to Mrs. Leonora Coon;  
 A bill (H. R. 7739) granting a pension to Mary Cannon, daughter of James Cannon, late of Company D, One hundred and twenty-fifth Regiment New York Volunteers;  
 A bill (H. R. 7897) to increase the pension of John Clark;  
 A bill (H. R. 7910) granting a pension to John T. Ballard;  
 A bill (H. R. 8028) for the relief of Alexander Callison;  
 A bill (H. R. 8163) granting a pension to W. W. Seely;  
 A bill (H. R. 8211) granting increase of pension to Mrs. Rebecca E. Simon;  
 A bill (H. R. 8473) granting a pension to Thompson Riley;  
 A bill (H. R. 8519) granting a pension to John Frohlin;  
 A bill (H. R. 8557) granting a pension to John McGregor;  
 A bill (H. R. 8640) granting a pension to Elizabeth Abell;  
 A bill (H. R. 8713) granting a pension to Rhoda Buck;  
 A bill (H. R. 9072) increasing the pension of Alexander Evans;  
 A bill (H. R. 9236) granting a pension to Mrs. Margaret O'Conner, now Sullivan;  
 A bill (H. R. 9293) granting a pension to Joel Hendricks;  
 A bill (H. R. 9391) granting an increase of pension to John Moran;  
 A bill (H. R. 9425) granting a pension to William Dunn;  
 A bill (H. R. 9716) granting a pension to John Grace;  
 A bill (H. R. 9934) granting a pension to Conrad McClain;  
 A bill (H. R. 9935) granting a pension to William Stover;  
 A bill (H. R. 10355) granting a pension to Mrs. Louisa M. Gordon;  
 A bill (H. R. 10457) increasing the pension of Presley Hale;  
 A bill (H. R. 10458) granting a pension to Thomas J. Reed;  
 A bill (H. R. 10753) for the relief of Mary E. Hicks;  
 A bill (H. R. 10898) to increase the pension of Daniel P. Roberts, late a second lieutenant in Company F of the Third Regiment of Missouri Volunteers in the war with Mexico;  
 A bill (H. R. 11375) granting a pension to Mrs. A. W. Ackley;  
 A bill (H. R. 11456) for the relief of Mrs. Elizabeth P. Newhouse;  
 and  
 A bill (H. R. 11687) increasing the pension of Mrs. Clementine Fink.

#### ACCOUNTS UNDER EIGHT-HOUR LAW.

The bill (H. R. 11120) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law was read twice by its title.

Mr. BLAIR. That bill has been reported by the Senate committee and is on the Calendar.

The PRESIDENT *pro tempore*. Then it will lie on the table.

#### JOHN SWEARER.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 2493) granting a pension to John Swearer, which was, in line 4, after the word "act," to insert "in lieu of the pension he is now receiving."

Mr. SAWYER. I move that the Senate concur in the House amendment.

The motion was agreed to.

#### SALLIE DOUGLASS HARTRANFT.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1840) granting a pension to Sallie Douglass Hartranft, which was, in lines 5 and 6, to strike out "\$100" and insert "\$50."

Mr. SAWYER. I move that the Senate disagree to the amendment of the House of Representatives, and ask for a conference thereon.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. DAVIS, Mr. SAWYER, and Mr. FAULKNER were appointed.

#### THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

The PRESIDENT *pro tempore*. Is the Senate ready for the question upon the pending amendment?

Mr. ALDRICH. Mr. President, I promised the Senator from Nevada [Mr. STEWART] to yield for a motion for an executive session.

Mr. STEWART. I move that the Senate now proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, September 1, 1890, at 10 o'clock a. m.

#### NOMINATIONS.

Executive nominations received by the Senate the 30th day of August, 1890.

#### UNITED STATES DISTRICT JUDGE.

Thomas P. Hawley, of Nevada, to be district judge of the United States for the district of Nevada, *vice* George M. Sabin, deceased.

#### CONSULS.

John F. Healey, of Minnesota, to be consul of the United States at Funchal, *vice* Thomas C. Jones, recalled.

John B. Richardson, of Kansas, to be consul of the United States at Matamoros, to fill a vacancy.

James J. Peterson, of West Virginia, to be consul of the United States at Tegucigalpa, to fill a vacancy.

#### POSTMASTER.

William Judson, to be postmaster at Chelsea, in the county of Wash-taw and State of Michigan, in the place of Thomas McKone, whose commission expired August 2, 1890.

#### PROMOTIONS IN THE ARMY.

##### Fifteenth Regiment of Infantry.

Second Lieut. William F. Blauvelt, to be first lieutenant, August 26, 1890, *vice* Kinzie, deceased.

##### Twenty-first Regiment of Infantry.

Second Lieut. Willson Y. Stamper, to be first lieutenant, August 7, 1890, *vice* Sparrow, appointed regimental adjutant.

## HOUSE OF REPRESENTATIVES.

SATURDAY, August 30, 1890.

The House met at 11 o'clock a. m. Prayer by Rev. J. H. CUTHBERT, D. D.

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

#### ADJUSTMENT OF CLAIMS UNDER THE EIGHT-HOUR LAW.

Mr. BUCHANAN, of New Jersey. Mr. Speaker, the present hour was at the disposal of the gentleman from New York [Mr. TURNER]. He is not present, but by an arrangement with him I was to control the time; and at the time the morning hour expired, when this bill was last before the House, the gentleman from Kentucky [Mr. CARUTH] was proceeding in time which had been yielded to him.

The SPEAKER. The gentleman from Kentucky has seven minutes.

Mr. CARUTH. Mr. Speaker, in the district so ably represented by my friend and colleague [Mr. MONTGOMERY] there resided in the olden time a gentleman who kept a hotel, and was noted for his talkativeness. On one occasion a traveler came there and stopped at his hotel, and the old man talked to him until bed-time that night and talked him to sleep, and when he got up in the morning he continued the strain until the traveler got on his horse and rode away. In about a year thereafter the same traveler rode up to the tavern door, and as he was on the point of dismounting the landlord came up to him, shook him by the hand, and said, "My friend, as I was saying to you when you were last here"—and he took up the conversation where he left it off a year before. [Laughter.]

As I was saying to members of this House when last I addressed them upon this subject, I am in favor of paying the debts of the Government of the United States due to any person who has an honest claim; and I am in favor of throwing wide open the doors of the courts in order that they may go there for the purpose of testing their rights under the law. If I understand the purpose of this bill, it is to open the court-house door, to allow these persons to litigate with the United States as to the justice of their claims. I think that this is a very peculiar case. Although in 1863 the Congress of the United States placed upon its statute-book an act that regulated a day's labor, no attention was paid to it by the officials of the Government; and it became necessary to issue, not one, but two proclamations of the President of the United States in order to compel the subordinate officials of this Government to pay attention to a solemn law which the Congress of the United States had enacted.

So I say that when we are affording these people an opportunity to go into court for the purpose of testing the law that we have made we are simply asserting the dignity of our own act. I know there are a great many members of Congress and others who talk about "stale claims," about years having elapsed and these claims having become "stale." Whose fault is it that claims become "stale?" Congress after Congress, session after session, honest claimants against this Government come knocking at the doors of the legislative halls asking for their money, and session after session Congress adjourns without providing for their payment; and then, after years have elapsed, gentlemen get up here and talk against the claims because they are "stale!" These men try to make for themselves reputation as "watch-dogs of the Treasury."

My friend from Iowa [Mr. KERR]—I am sorry that he is not in his seat—is trying to make himself a watch-dog of the Treasury. [Laughter.] These are the gentlemen who believe in the doctrine that—

Little drops of water,  
Little grains of sand,  
Make the mighty ocean,  
And the beauteous land.

And their motto is that—

These little items,  
Minute though they be,  
Make the mighty millions  
Of the Treasury.

[Laughter.]

They come here and attempt to guard the Treasury against the payment of these small but honest claims. They are the watch-dogs of the Treasury. They set themselves up as guardians of "the people's money," and they try to guard it against everybody, provided the person who attempts to get it does not come from their own locality.

[Laughter.] Why, sir, the gentleman from Iowa told us the other day that the claimants in this case came mostly from the East. If they had come from the West, and especially if they had come from Iowa, the watch-dog might have remained in his kennel, and the approaching claimant could exclaim—

'Tis sweet to hear the watch-dog's honest bark  
Bay deep-mouthed welcome as we draw near home.

[Laughter.]

Here is a proposition embodied in this bill to allow these men who have performed labor for the Government beyond what should have been their day's labor under the law to receive just compensation for that extra work. It is not proposed to pay them this money now, but only to pay them after they have presented their case to the Court of Claims and that court has favorably adjudicated their demands. I say that if there is to be any sanctity in the statutes of the United States, if the laws that we put upon our statute-books are to amount to anything, then these men are entitled to the relief they seek.

In 1868, more than twenty-one years ago, you passed this law. By a resolution of the Congress of the United States at a subsequent date you said what the law meant. You said it meant that a man should be paid the same wages for eight hours as men in the locality where the labor was done were paid for a full day's work, and that is the rule that now prevails in the Departments. But, notwithstanding that declaration of Congress, a Secretary of the Navy, sworn to uphold the Constitution and enforce the laws—a Secretary of the Navy had the audacity, in face of the solemn enactment of Congress, to issue an order in which he set aside what Congress had said should be the law and fixed ten hours as a day's labor. And it is, as we understand from this report, to obtain pay for the extra labor thus enforced that these men now desire to appeal to the courts of justice. Are they entitled to this relief? Gentlemen say that to pay them may take three millions out of the Treasury of the United States. What difference does it make, if the debt is just, whether it takes three millions or thirty millions of money? The question is simply: Do we owe this money? If we do, we ought to pay it. If we do not, we ought not to pay it.

[Here the hammer fell.]

Mr. BUCHANAN, of New Jersey. I yield five minutes to the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. Mr. Speaker, it seems to me that this bill ought to pass. I can hardly understand how, under all the circumstances, we can refuse to these thousands of laborers, workmen, and mechanics who have been employed by the Government the right to go to the Court of Claims for the purpose of testing the justice of their claims against the Government.

The facts, as I understand them, are simply these: In 1868 the Congress of the United States passed what is known as the eight-hour law. The law simply provided that eight hours shall constitute a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government. These workmen claim that under this law they are entitled to a full day's pay for each eight hours' work which they performed; and they ask that they may be permitted to go to the Court of Claims in order to determine the justice and equity of their claims.

The debates in Congress when this law was enacted, the order which was issued by the Adjutant-General immediately after the passage of this act, the proclamation of the President a year later, and especially the act of Congress passed in 1872 directing the accounting officers to settle with laborers, workmen, and mechanics employed up to that time at the rate of a day's wages for each eight hours' labor performed, seem to carry clearly the conviction that it was the intention of Congress in enacting the law of 1868 to pay these laborers, workmen, and mechanics a full day's wages for each eight hours of labor, and not, as the act was construed by some of the officers in the Departments, to reduce their pay in consequence of the reduction of the hours of labor.

However that may be, this bill provides that this very question as to the intent of the eight-hour law of 1868 shall be determined by the court on the application of these workmen to have their cases reviewed; and I see nothing in the bill that in any way interferes with the proper decision of that question. Of course there is waived first of all the lapse of time; and it is appropriately waived, because the officers of

the Government and not the workmen themselves have been at fault. There is appropriately waived also the fact that these men received pay according to the construction given to the law by the officers, because these workmen had no other way to do than to accept the amount that was offered them and receipt for it. There is also excepted in the bill, and it seems to me appropriately, "any agreement exacted by any officer of the Government as a condition of employment or retention in the public service."

I call attention to the fact that under the act of 1872 all such laborers who had worked between 1868 and 1872 over eight hours per day were paid the price of a day's work for each eight hours' labor, which is all that is claimed by the laborers who ask to go to the Court of Claims under this bill.

The suggestion has been made that the whole matter be referred to the accounting officers of the Treasury with directions to settle with each claimant. If the direction could be given to the accounting officers to pay each employé a full day's wages for each eight hours I should be glad to concur. But this is not what gentlemen who make the suggestion propose. They propose to refer the matter to the accounting officers who have already decided that these men are entitled to nothing, and such reference would simply defeat the claimants, who, as a last resort, ask to go to the courts to have their rights determined under the eight-hour law.

If there has been a voluntary agreement by any employé or laborer to work eight hours each day and to subject himself to a reduction of pay according to the hours of labor, then the decision in the Martin case would control. But if there has been no voluntary agreement—if everything that has been done is an exaction on the part of the officer, submitted to under protest by these men, then there certainly is no reason why the fact that they were told they should work this length of time and have a reduction of pay should affect the decision in this case.

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

Mr. DINGLEY. I have but a few minutes.

The SPEAKER *pro tempore*. The time of the gentleman from Maine [Mr. DINGLEY] has expired.

Mr. BUCHANAN, of New Jersey. I yield the gentleman two minutes additional.

Mr. DINGLEY. Now I will yield for the question of the gentleman from Michigan [Mr. BREWER].

Mr. BREWER. I take it from your argument that if a man should come to you seeking employment in your business and you should offer him certain wages per day, and he, while protesting against the rate of wages offered and saying he ought to have more and ought to have certain hours of work, does in fact consent, and does go to work upon your terms, he is accepting the employment "under protest."

Mr. DINGLEY. Now, does the gentleman think his way of stating the question is at all fair and just?

Mr. BREWER. It seems to me an exactly analogous case to the one now before us.

Mr. DINGLEY. Here was an officer of the Government directed by law to employ these men to labor eight hours as a day's work, and that officer violated the law—

Mr. BREWER. But there was nothing in the law that prevented these men from contracting to work ten hours a day.

Mr. DINGLEY. If it was done voluntarily—

Mr. BREWER. What does the gentleman mean by "voluntarily?"

Mr. DINGLEY. If the officer of the Government, in violation of law, imposed upon these laborers an agreement—

Mr. BREWER. If they went to work under those terms, was not their action voluntary so as to make it a legal contract?

Mr. DINGLEY. That is a question which the court will determine. But if the officers of the Government violated the law which existed at that time—and that is the first thing that the court must find in order that these claimants may recover—I am sure the gentleman's sense of fairness and honor would prompt him to say that these laborers or workmen who went to work under protest relying upon the faith of the Government and the laws of the country should not suffer in consequence. This case is not parallel at all with that of employment by an individual as put by the gentleman, and it seems to me that an honorable man looking at the law as he should, looking at the agreement that the nation made with these workmen, would say that they should be paid according to the intent of the law, and that the officers of the Government should not be permitted to step in and violate the law and then deprive these laborers of their pay.

Mr. BREWER. I would like to ask the gentleman another question.

[Here the hammer fell.]

Mr. BUCHANAN, of New Jersey. I now yield to the gentleman from New York [Mr. COVERT].

Mr. COVERT. Mr. Speaker, I sincerely hope that the pending measure may be enacted into law. It seems to me that its passage will be but an act of simple justice, long delayed, to those who have received gross injustice at the hands of the Federal authorities. Over twenty years ago the Congress of the United States, by a solemn enactment, ordained that

eight hours should constitute a day's work on the part of all mechanics, laborers, and workmen thereafter to be employed in the service of the General Government. There can be no misunderstanding, no misconception, it seems to me, as to the intent of this provision of law.

Prior to the passage of this enactment ten hours constituted a day's work to be performed by the employes of the Government referred to in the pending measure. But the official agents through whom this class of workmen were employed, in some instances seemingly placed their own construction upon the law thus solemnly enacted, and, as claimed by these employes, deprived them of all benefit arising from its passage. It is alleged that in other, and perhaps the great majority of cases, promises of added pay for work in excess of eight hours were made by departmental officers, and that these promises have never been fulfilled.

The claim of these workmen is simply that when they had labored eight hours each day they were entitled under the law to pay for a full day's work, whatever that pay might be. The pending measure simply makes provision that whoever, coming within the classes of employes mentioned, has been employed in the Government service under and since the act of 1868, and has not been paid the full price of a day's work for each eight hours he has been so employed, shall have the right to bring suit in the United States Court of Claims to recover such deficiency; and power is given to the court to take jurisdiction of all such cases without regard to the lapse of time, and if, in the opinion of the court, he was, under the act of 1868, or other existing laws, entitled to the full price of a day's work for eight hours' service, to adjudicate such claim upon the basis that eight hours constitute a day's work; and for that length of service the claimant shall be entitled to recover the full price of a day's work, whatever that may be, less the amount he has already received, and in that ratio for any fraction of a day, if in the opinion of the court such was the meaning of the act of 1868, or any other existing laws; and if anything is found to be due, judgment shall be given against the United States in favor of each claimant accordingly.

These are the substantial features of this bill. I have stated the material parts of it, without any attempt to reproduce the measure in its entirety. It will be seen that no question is involved here as to the propriety or impropriety of establishing the limit of time which shall constitute a day's work on the part of those engaged in these branches of the public service. The law-making power of the land settled that question by the enactment of over twenty years ago. This House, by an overwhelming vote, only the other day reaffirmed the provisions of the act of 1868, and extended those provisions to other classes of Government employes.

The simple question to be determined now is, shall the mechanics and workmen interested in the question brought about by the conditions presented be permitted an opportunity to test the validity of their claims? About a year after the passage of the original "eight-hour law" President Grant issued a formal proclamation directing that from and after that time no reduction should be made in the wages paid by the Government by the day to such mechanics or workmen on account of the reduction of the hours of labor.

Four years later the same Executive issued another proclamation again calling the attention of the officers engaged in the Executive Departments to the provisions of the act of 1868, and to his former proclamation upon the same subject. The appropriation act of the same year called attention to the first enactment on the subject and to the several proclamations of the President, and directed the proper accounting officers to pay for the services of this class of employes without any reduction on account of the decrease of the hours of labor.

This, briefly stated, is the record of legislative and executive action already had upon the matter now under consideration. I may add that repeated efforts have been unsuccessfully made from time to time in Congress to pass measures similar to the one now under discussion. The claimants here can scarcely be charged, therefore, with laches or with sleeping upon their reserved rights.

It occurs to me, Mr. Speaker, that any attempt now to discuss the meaning and object of this prior legislation would be entirely unnecessary. It seems to me that the legislation already had speaks for itself.

But with exceeding care, with a degree of attention for which full credit should be extended, the committee reporting this bill have examined fully into this question. They have reproduced in their report extracts from the discussion had in the Senate when the original measure was before that body, and these extracts establish conclusively, it seems to me, that the effect sought was not by any means to bring down the rate of wages because the time for labor was shortened.

From these premises I submit that the only fair and logical deduction that can be drawn is that if these employes of the Government since the passage of the enactment referred to have been coerced to perform ten hours' labor per day before they could receive pay for a full day's work, or if their wages have been reduced because they did only eight hours' work a day—if either of these conditions have prevailed, they are entitled in morals and in law to the remedy they now seek to enforce.

The gentleman from Iowa [Mr. KERR] in his argument against this

bill has quoted the case of *Martin vs. The United States* (4 Otto's Reports, 400), and has claimed that the decision in that case is absolute as against the right of these claimants to recover. But in the *Martin* case the claimant had acquiesced in the agreement that eight hours should not make a day's work. He had received his pay upon a basis of twelve hours constituting a day's labor, without the slightest protest. He gave a receipt in full for his pay upon this basis. The court could have rendered no other decision, it seems to me, but a decision adverse to the claimant under these circumstances.

But here, as I am instructed, the conditions are entirely dissimilar. Here there were protests; here there was no understanding or agreement between the parties such as existed in the *Martin* case. Here there was no waiver of the reserved right of the claimants.

It is of course understood that Congress by the enactment of this measure does not by its affirmative action settle or in any manner determine any legal proposition that may be involved here. We simply by the passage of this act say that these claimants shall have their "day in court." The Court of Claims will take under careful advisement all the facts in the case and all the principles of law which may be applicable to the facts presented.

The gentleman from Iowa [Mr. KERR] protests against the passage of this bill because, as he avers, he has reason to think that some of these claims have been assigned, and are now in the hands of speculators. I do not know how correct he may be in this assumption, but, even if it be true, it does not affect the principle involved here. If any such assignments have been made, the contracts were perfectly legal and legitimate. This Congress has already passed some measures the direct effect of which will be to interfere with, to restrain, and limit legitimate trade. We did that the other day when the majority passed the Conger bill.

We have another measure pending limiting dealings in "futures." But no law has yet found its place on our statute-book forbidding an assignment of a legitimate chose in action. If it be true that in isolated instances these assignments have been made, such action should not affect the principle involved here, nor can it affect the cases of those workmen who still hold in their own right these claims against the Government.

The gentleman from Iowa says, also:

If there is any class of men in this country who ought to pay particular attention to the law upon the subject of the employment of labor, it is the laborers themselves.

I submit, Mr. Speaker, that this is worse than begging the question. Does not the gentleman—himself an astute lawyer—know that as a rule the class of people affected by this bill are the very people who, by reason of the conditions which surround them, are incapable of drawing nice conclusions and of determining questions of law upon which even gentlemen on this floor seem, from this discussion, to entertain conflicting opinions?

The people affected by this bill are the class of people who rely upon promises made to them by their employers; they are men who regard definite statements made by those in authority as to how much they shall receive for certain stipulated hours of labor as binding and conclusive. "Their brows are wet with honest sweat." They have no time to read law digests, and no money to pay lawyers for elaborate opinions. They are to a greater extent perhaps than any other class of our citizens of that number who need all the protection that law and equity can throw about them.

One of the unquestioned edicts of the universal moral law is that "the laborer is worthy of his hire."

It would seem to me, sir, an act of the grossest injustice, in the face of the facts presented, to deny to these claimants the privilege of attempting at least to substantiate their claims. It would be an act of grossest wrong to close the doors of our courts in the faces of these men and to say to them that the strong arm of the law shall prevent them from seeking that justice which is equal and impartial. It would be a perversion of that justice which is for rich and poor alike—alike for the strongest Republic on earth and for the humblest servitor, who in his dual character of citizen and workman constitutes a part of the strength and integrity of the Republic.

[Here the hammer fell].

Mr. BUCHANAN, of New Jersey. I yield five minutes to the gentleman from Kansas [Mr. MORRILL].

Mr. MORRILL. Mr. Chairman, the time allotted to me is entirely too brief to allow me to enter into any general discussion of the question before the House. But I hold in my hand an appeal made by the workmen of Kansas to Congress in 1874. As this appeal contains a full but concise statement of the case on behalf of these men, I desire to have it read, together with a brief in relation to the law of the case, presented in 1876.

The Clerk read as follows:

EIGHT-HOUR LAW—AN APPEAL TO THE HONORABLE SENATORS AND REPRESENTATIVES IN CONGRESS, ASSEMBLED AT WASHINGTON, D. C.

GENTLEMEN: We respectfully make known to you that we were employed by the United States Government, under the direction and by authority of the commander of the Department of the Missouri, and that between June 25, 1868, and the 15th of August, 1872, we were required to work ten hours per day, in violation of the act of Congress known as the eight-hour law.

It having become known to the executive department of the Government that the law was evaded, and on the 19th of May, 1869, the President of the United States issued his proclamation, directing that there should be no reduction of wages on account of the reduction of the hours of labor, and that eight hours was a day's work, according to the act of Congress, approved June 25, 1868.

Now, we invite your attention to the fact that the President's proclamation gave no protection to the workmen in this, the Department of the Missouri, and we had to work ten hours each day up to the 15th of August, 1872, three months after the President's second proclamation, dated May 11, 1872, and again directing all officers of the Government having charge of the employment and payment of workmen to make no reduction in the wages on account of the reduction of the hours of labor.

As Government employes, we believe we had a right to the benefit of the eight-hour law, which brought the sunshine of happiness into the home of many a laboring man throughout the land, but we were deprived of its blessings for more than four years, by being compelled to work two hours per day more than the law of Congress required of us, or suffer a reduction of our wages or the loss of our situation.

Our claims are acknowledged to be just and reasonable, and the accounting officers of the Treasury Department have, under the provisions of an act of Congress approved May 18, 1872, settled and paid us for a portion of the time, namely, between June 25, 1868, and the 19th of May, 1869; and we now claim pay for the balance of the time. The honorable Secretary of War informs us that rolls of all employes hired in this Department, entitled to the benefits of the eight-hour law, with statements of the amount due them, were, in May last, forwarded to the Third Auditor of the Treasury for settlement. But the cause of non-payment by the Treasury of these claims for services since May 19, 1869, is owing to want of an appropriation for that purpose. And the honorable Secretary of War says that on the 10th of February, 1874, in a communication to the House of Representatives, he asked that the provisions of the act of May 18, 1872, be extended so as to cover the period from May 19, 1869, to the time when full wages were paid for eight hours' labor, and that Congress did not take final action in the matter.

From all the evidence we furnish, it will be seen that all who know the nature of our claims acknowledge them to be just and honorable; and it is for our honorable Senators and Representatives to say that the laborer is worthy of his hire, and for the National Government to prove that justice shall be done to the working classes of this country.

And it will be ever remembered that the man who votes against making an appropriation to pay our just claims, votes that an order of the commander of a military department of the United States can veto and set aside an act of Congress, especially when such an act is made for the benefit of the working classes.

To sum up our statement, it amounts to this:

First, Congress enacted that eight hours should be a day's work after June 25, 1868.

Second, We worked ten hours per day between June 25, 1868, and August 15, 1872.

Third, We received extra pay for the time between June 25, 1868, and May 19, 1869.

Fourth, Government owes us for the time between May 19, 1869, and August 15, 1872.

Fifth, Our claims are audited and allowed to be correct and just.

Sixth, We appeal to you for an appropriation to pay us our claims.

Our honorable Representatives from this State will attend to the matter for us, and we refer to them for further information.

Trusting that you will see that justice is done, we wish to say that we ask for no favors, but for payment for service rendered, and on behalf of the claimants we have the honor to be,

Very respectfully, your obedient servants,

PETER O'FARRELL,  
FRANK H. OSBORNE,  
JAMES WHITLOCK,

Corresponding Committee for the Workmen of Kansas.

LEAVENWORTH, KANS., November 10, 1874.

#### BRIEF.

Ex. No. 1, January 12, 1876, Mr. William A. Phillips introduced the following bill (H. R. 1005); which was read twice, referred to the Committee on Appropriations, and ordered to be printed:

"A bill to amend the act entitled 'An act making appropriations for the service of the Government for the fiscal year ending June 30, 1872, and for former years, and for other purposes,' approved May 18, 1872.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the act entitled 'An act making appropriations for the service of the Government for the fiscal year ending June 30, 1872, and for former years, and for other purposes,' approved May 18, 1872, be, and the same is hereby, amended so as to include, in the settlement therein provided for, all accounts for the services of laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, between the 19th day of May, 1869, and the date when full payments were commenced for eight hours' labor, without reduction on account of the reduction of the hours of labor by the act approved on the 18th day of May, 1868, and when it shall be made to appear that the reduction of the hours of labor was the sole cause of the reduction of wages; and a sufficient sum is hereby appropriated out of any money in the Treasury not otherwise appropriated."

March 9, 1876, Committee on Appropriations discharged, and referred to the Committee on Claims.

Mr. Thomas J. Cason, of Indiana, appointed a subcommittee to examine into the merits of the bill and report the same back to the committee.

#### EVIDENCE PRODUCED IN SUPPORT OF BILL.

Ex. No. 2, February 29, 1868, General Orders No. 6, issued from Headquarters Department of the Missouri, Fort Leavenworth, Kans., by Maj. Gen. A. J. Smith, commanding, establish the rate of pay, per diem and month, of all classes of employes in the Quartermaster's Department, at any station in the military Department of the Missouri.

Ex. No. 3, February 24, 1869, circular issued from the office of the depot quartermaster, Fort Leavenworth, Kans., by General Benjamin C. Card, depot quartermaster, as follows:

"On and after the 1st of March next, until further notice, the workshops and places of labor at this depot will be open daily, as follows:

"From 7 a. m. to 12 m., and from 12.45 p. m. to 5.45 p. m.

"Employes choosing to work these hours will receive the same rate of pay as now allowed. Those working only the hours comprising the legal day's labor will receive four-fifths of the day allowed in the other case."

Ex. No. 5, March 23, 1869, General Orders, No. 4, issued from the Headquarters Department of the Missouri, Fort Leavenworth, Kans., by Major-General Schofield, commanding, requires all workshops and places of labor in that department to be kept open ten hours each day, except Sunday, on and after April 1, 1869, and all civil employes who choose to work the ten hours will be paid for overwork at the same rate as for the legal day's work of eight hours.

Ex. No. 4, March 24, 1869, General Orders, No. 3, issued from the Headquarters Department of the Missouri, Fort Leavenworth, Kansas, by Major-General Schofield, commanding, establishes the rate per diem and month for all employes in that department, and reduces the pay one-fifth of the following classes of laborers, workmen, and mechanics: Master mechanics, blacksmiths, assistant blacksmiths, wheelwrights, carpenters, saddlers and harness-makers, painters, masons and plasterers, overseers of laborers, and laborers, but retains at full rates of wages the following, "whose time may be necessary at any and all hours": Clerks, storekeepers, watchmen, train-masters, depot train-masters, assistant train-masters, teamsters with trains, depot teamsters, depot ostlers, chief herders, herdsmen, and cooks.

Ex. No. 6, May 19, 1869, the President of the United States issued his proclamation as follows: "From and after this date no reduction shall be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of such reduction of the hours of labor."

(See volume 16, Statutes at Large, page 1127.)

Ex. No. 7, May 11, 1872, the President of the United States issued his second proclamation, and after reciting his proclamation of May 19, 1869, says: "And whereas it is now represented to me that the act of Congress and the proclamation aforesaid have not been strictly observed by all officers of the Government having charge of such laborers, workmen, and mechanics: Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby again call attention to the act of Congress aforesaid, and direct all officers of the executive department of the Government, having charge of the employment and payment of laborers, workmen, or mechanics, employed by or on behalf of the Government of the United States, to make no reduction in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor." (See volume 17, Statutes at Large, page 993.)

Mr. BUCHANAN, of New Jersey. I yield three minutes to the gentleman from New York [Mr. FLOWER].

Mr. FLOWER. Mr. Chairman, I have carefully read the report of the committee on this bill, and I assure you that I am heartily in favor of the measure. I believe that had members of Congress been interested in the payment of this money as they were in a question affecting their own pay which arose here a few months ago twenty-two years would not have elapsed and the claim still remain unpaid. I know that the claims of Representatives to their pay went through at this session very quickly; and I hope that the claims of these workmen will be adjudicated by the Court of Claims with the same celerity. I trust also that the committee will bring up the bill establishing an eight-hour law for the benefit of post-office clerks. I believe that the law ought to be applied to that branch of the public service, as those employes perform more arduous duties than any other class of employes under the Government of the United States.

Mr. BUCHANAN, of New Jersey. I yield five minutes to the gentleman from Missouri [Mr. WADE].

[Mr. WADE addressed the House. See Appendix.]

Mr. BUCHANAN, of New Jersey. I yield now to the gentleman from Pennsylvania [Mr. REILLY].

Mr. REILLY. Mr. Speaker, in the discussion of this bill those who oppose its passage seem to entirely ignore the fact that there is a statute of the United States which prescribes what shall constitute a "legal day's work;" and the question is discussed and treated by these gentlemen as though it were one arising upon a voluntary contract between individuals standing upon an equal footing and competent to contract. Of course we all understand that in such cases the agreement—the contract—of the parties constitutes in itself the law by which the contracting parties are to be governed, and all that the law of the land undertakes to do in such cases is to execute the contract between the parties as they made it.

But, Mr. Speaker, there is no such question here. By the exercise of its sovereign power the Government of the United States has enacted a law under which the rights of the parties are to be determined. We have made the law, and that is the contract now by which we are bound. We said by solemn act of Congress that eight hours shall constitute a day's work for all laborers and mechanics employed by or on behalf of the United States, the effect of which was to say to such employes that when they performed eight hours' work in a calendar day for the Government that the Government would then compensate them therefor by payment of a day's wages; for a legal day's work they were to receive a legal day's pay.

It is therefore, Mr. Speaker, the fact that such a law as this appears on the statute-books that gives rise to the very controversy now before us. Again, the argument proceeds upon the assumption by the opponents of the bill that the eight-hour law is not a wise nor an expedient law. It is not only useless, but foreign perhaps, to the question now before us to discuss either the wisdom or the propriety of that enactment. It ought to suffice to know that the law-making power of this land, in the exercise of its wisdom and sound discretion, did enact such a law, and like all other laws, is to be enforced; and if not intended so to be, ought without delay to be repealed. But since that question has been thrown into the discussion, and if necessary to discuss the merits of that law, abundant and conclusive argument is at hand to justify the passage of that act.

In the first place, Mr. Speaker, it has stood not only unrepealed, but without any attempt to repeal it for a period now of over twenty-two years. On the contrary, repeated efforts on the part of the Chief Executive and of Congress have been had to enforce and carry it into execution. And, as a matter of fact, the law is to-day strictly observed by the Government in all its Departments. The wisdom and sound public policy of such a law is not only demonstrated by act of Congress,

but was demanded and approved by the large mass of our working people throughout the country, and they constitute the great mass of our citizenship. And so late as the 1st day of May last the workmen, mechanics, and laborers throughout the length and breadth of the land made a united and determined effort to have inaugurated the same system of eight hours for a day's work throughout the country, and the movement met with a large measure of success, and in my humble opinion, Mr. Speaker, the time is not far distant when it will be universally adopted. As indicative of the sentiment of Congress in view of this past legislation I had the honor of presenting to the House the following resolution on the 1st day of May last, which was referred to the Committee on Labor, and which I hope to see favorably reported by that committee:

Whereas a law was enacted by Congress on the 25th day of June, 1868, providing "that eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed or who may hereafter be employed by or on behalf of the Government of the United States," thereby declaring this Government in favor of the system; and

Whereas the mechanics, workmen, and laborers, constituting as they do the great bulk of our patriotic citizens, are on this 1st day of May, A. D. 1890, agitating and demanding that henceforth eight hours shall constitute a legal day's work; Therefore

Resolved, That it is the sense of this House that the said demand is reasonable and just, and that it is our belief that the inauguration of said system of eight hours for a day's work would be conducive to the public weal and tend to promote the industrial, commercial, intellectual, and moral advancement of the people.

The arguments in favor of this system have found favor very generally among our people, and if time permitted and the occasion warranted I should be glad to enumerate some of them. It tends to the higher development of the citizen, renders him more capable of performing better service to his employer, and will enable him to continue it in vigor for a greater number of years. But, as I have said, it is foreign to the question now before us, and I ought not perhaps to trespass upon the indulgence of the House by digressing from the direct issue, especially in view of the action of this House only day before yesterday in passing the bill amendatory of the act of 1868, so as to render it more effectual, and thereby emphasizing our approval of the eight-hour system. I will therefore leave this branch of the question with a quotation on this theme from that eminent Christian statesman, Cardinal Manning, which contains a word of philosophy that must commend itself to all fair-minded people. It is:

But if the domestic life of the people be vital above all; if the peace, the purity of homes, the education of children, the duties of wives and mothers, the duties of husbands and of fathers, be written in the natural law of mankind, and if these things are sacred, far beyond anything that can be sold in the market, then I say, if the hours of labor resulting from the unregulated sale of a man's strength and skill shall lead to the destruction of domestic life, to the neglect of children, to turning wives and mothers into living machines, and of fathers and husbands into—what shall I say, creatures of burden?—I will not say any other word—who rise up before the sun, and come back when it is set, wearied and able only to take food and lie down to rest, the domestic life of men exists no longer, and we dare not go on in this path.

Let me therefore, as briefly as I can, present the question now before us. This bill does not ask the adjudication at the hands of Congress of the rights of the claimants, or of those who will be benefited by its passage. All they ask is that they may have an opportunity of having determined by the court, a court of the Government's own creation, the legal rights to which they claim they are entitled. On the 25th of June, 1868, Congress passed a law commonly known as the eight-hour law, which reads as follows:

Be it enacted, etc., That eight hours shall constitute a day's work for all laborers and mechanics now employed or who may hereafter be employed by or on behalf of the United States.

The intention of Congress in passing this act is plain and unmistakable. I do not know that it has ever been anywhere questioned, except by certain subordinate Government officials, as I shall hereafter refer to. The debates in both Houses of Congress when said bill was under consideration leaves no room for doubt that it was the clear, unequivocal intent of Congress in passing said law that eight hours should constitute a legal day's work and entitle the person rendering it to a legal day's pay. Some of the Government officials, however, sought at first to construe this law differently; but the same coming to the knowledge of President Grant, he issued a proclamation on the 19th of May, 1869, and a second one of the same tenor on the 11th of May, 1872, both of which I quote as showing the construction placed upon said act by the President of the United States:

Whereas the act of Congress approved June 25, 1868, constituted on and after that date eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, and repealed all acts and parts of acts inconsistent therewith:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby direct that from and after this date no reduction shall be made in the wages paid by the Government by the day to such workmen, laborers, and mechanics on account of the reduction of the hours of labor.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 19th day of May, in the year of our Lord 1869, and of the Independence of the United States the ninety-third.

By the President:

U. S. GRANT.

HAMILTON FISH,  
Secretary of State.

THE PRESIDENT'S SECOND PROCLAMATION.

Whereas the act of Congress approved June 25, 1868, constituted on and after that date eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States; and

Whereas on the 19th day of May, 1869, by Executive proclamation, it was directed that from and after that date no reduction should be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor; and

Whereas it is now represented to me that the act of Congress and the proclamation aforesaid have not been strictly observed by all officers of the Government having charge of such workmen, laborers, and mechanics:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby again call attention to the act of Congress aforesaid, and direct all officers of the Executive Departments of the Government having charge of the employment of laborers, workmen, and mechanics, employed by or on behalf of the Government of the United States, to make no reduction in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor. (U. S. Stats. at Large, volume 17, page 955.)

Dated May 11, 1872.

And later on, President Cleveland's attention having been called to alleged violations of this act, he used the following language in reference to the same:

I believe that the law is a sound one and a good one, and that it should be enforced to the letter. I have no information regarding instances of its violation or evasion, but if such instances are presented to me I will see that the abuse is remedied and the full spirit of the law is enforced, which I understand to be to pay workmen in the Government employ for eight hours' work daily what is paid outside of the Government employ for a full day's work. The Government can not afford to set the example of non-enforcement and non-observance of its own enactments.

This clearly demonstrates, better than any words which I could use, the construction placed upon this act by the Chief Executives of the United States. But, Mr. Speaker, if further argument were necessary to carry conviction to the minds of the members of this body, a conclusive answer is to be found in the act of Congress of May 18, 1872, which provided and appropriated money to pay all laborers, workmen, and mechanics employed by the Government who were made to work more than eight-hours for a day's work and received only a day's pay therefor. It was an act made necessary by the evasion, or, if you please, the construction which certain Government officials had placed upon the eight-hour law, and Congress, entertaining no doubts about the rights of these men, at once appropriated the necessary amount to pay them. As bearing upon the question, Mr. Speaker, I will quote this act of 1872:

[Act of May 18, 1872.]

SEC. 2. That the proper accounting officers be, and are hereby, authorized and required, in the settlement of all accounts for the services of workmen, laborers, and mechanics employed by or on behalf of the Government of the United States, between the 25th day of June, 1868, the date of the act constituting eight hours a day's work for all such laborers, workmen, and mechanics, and the 19th day of May, 1869, the date of the proclamation of the President concerning such pay, to settle and pay for the same without reduction on account of the reduction of the hours of labor by said act, when it shall be made to appear that such was the sole cause of the reduction of wages, and a sufficient sum for said purpose is hereby appropriated out of any money in the Treasury not otherwise appropriated. (See Statutes at Large, volume 17, page 134.)

Appropriation act, approved May 18, 1872.

Notwithstanding, however, all this, Mr. Speaker, it seems that in some Departments of the Government, particularly the Navy Department, full force and effect was not given to this law as construed by the President and by Congress, and the House of Representatives on the 9th of May, 1878, passed the following joint resolution with the view and for the purpose, as shown by the debates thereon, of giving a construction to the act of June 25, 1868, which should thereafter remove all doubt, question, or controversy as to its meaning, and the language of this joint resolution is in harmony with and clearly expresses the intent that Congress had in view when the eight-hour law was passed. The resolution was as follows:

[H. Res. 178, Forty-fifth Congress, second session.—Joint resolution to provide for the enforcement of the eight-hour law.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That according to the true intent and meaning of the act of Congress approved June 25, 1868, entitled "An act constituting eight hours a legal day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States," eight hours constitute a day's work for all such laborers, workmen, and mechanics; and while the act remains upon the statute-book no reduction shall be made in the wages paid by the Government, by the day, to such laborers, workmen, and mechanics on account of the reduction of the hours of labor; and that all the heads of Departments, officers, and agents of the Government are hereby directed to enforce said law as long as the same is un repealed.

Passed the House of Representatives May 9, 1878.

Attest:

GEO. M. ADAMS, Clerk.

So that we see, Mr. Speaker, there is no room left for contention as to the spirit and meaning of said act of Congress, and consequently no force can attach to the argument of those who oppose the passage of the present bill by the construction they seek to place upon that act, and I feel, therefore, that I need not consume further time in considering that feature of the case. The greatest complaint as to the evasion of this law arises from the course pursued in the Navy Department. The Secretary of the Navy undertook, by official orders issued in his Department, to fix the number of hours that should constitute a day's work, entirely regardless and without considering the said act of June 25, 1868. One of the orders, perhaps the first one, I will read, as showing

the manner in which the present controversy originated. It is as follows:

[General Order No. 227.—Extract.]

NAVY DEPARTMENT, Washington, June 30, 1877.

The Department has fixed the rate of labor for mechanics, foremen, leading men, and laborers on the basis of ten hours a day. All workmen electing to labor only eight hours per day will receive a proportionate reduction of their wages.

R. W. THOMPSON,  
Secretary of the Navy.

This order was subsequently modified in some respects by other orders, and by the issuing of certain form of agreements or contracts, which the men employed in the different navy-yards were obliged to sign under penalty of dismissal, and which, when signed by the workmen, as shown by evidence submitted to the committee, was done under protest. Now, I want to say, Mr. Speaker, in regard to these orders, hurriedly passing along, that in my opinion they are clearly illegal. The Secretary of the Navy had no power to make or issue any such orders; it was an act clearly *ultra vires*; he had no more power or right to ignore, evade, or violate an act of Congress by any order that he could make or issue not warranted by law than any other citizen, and from evidence submitted to the committee it appears to me that this whole proceeding was an attempt on the part of certain subordinate officials of the Government to evade a positive law which they should have been the first to have enforced and upheld.

So that in no aspect of the case, I submit, could there be any serious question as to the liability of the Government to pay its workmen for services rendered by them in excess of a legal day's work and for which they received only a legal day's pay. Reference has been made to the decision of the Supreme Court in the Martin case, reported in 4 Otto, United States Reports. That decision has been referred to and commented upon by the gentleman from New Jersey reporting this bill [Mr. BUCHANAN], and I am sure he has clearly and fairly presented it when he says that that decision, instead of being against these claimants, must be an authority in their favor. In that decision the Supreme Court say:

We regard the statute chiefly as in the nature of a direction from a principal to his agent that eight hours is deemed to be a proper length of time for a day's labor, and that his contract shall be based upon that theory.

And if any contract made by these claimants has been made upon that basis, that is, of eight hours for a day's work, of course there would be no question here; but that is not the case, and therein arises the whole controversy. The Government undertook in point of fact to compel them to work a greater number of hours than eight to constitute a day's work, and only paid them for a day's work. In addition it must be borne in mind that Martin had received an extra compensation for time over and above eight hours, made by the act of 1872 above referred to, and had received in full for all claims against the Government; so that the Martin case is not at all analogous and no authority in the questions here presented.

But, as I have said, Mr. Speaker, we are not called upon now and here to adjudicate these claims; the present bill simply authorizes these claimants to be heard in a court of justice and have their rights under the law adjudicated and determined. They can not bring suit against the Government owing to one of the relics in our institutions coming down to us from past ages, that the Government can not be sued. But in a country like ours I submit that where a citizen asserts a claim against the Government under and by virtue of one of its own laws imposing a liability on the Government, there is no good reason why such citizens should not be allowed to have such claim adjudicated by the courts. If the court decides that these men have no claim in law or equity against the Government, they have their labor for their pains; no undue advantage is asked or sought. The Government is to be represented by counsel, shall have a right to appear and be heard and submit evidence and in every way known to the judicial procedure protect the interest of the Government.

Why, then, Mr. Speaker, shall we refuse to pass this bill? Bills of a similar character have been passed by Congress, and only the other day a contractor who had done work for the Government and alleges he has a claim against the Government was authorized by a bill passed by this House to present his case to the Court of Claims. These claimants are poor men who have nothing but their daily toil to depend upon, and they come here through petitions and by representatives from their own ranks to ask for the passage of this fair measure. The Government expects of its citizens observance of the law, and we are all proud to realize a disposition on the part of our people to do so. The Government itself should be the last to seek to evade liability under its own laws, and if in the construction placed upon this law any citizen has been deprived of a just right to which he was entitled under the law we should hasten to remedy the wrong done him.

We have heard much, especially during the present session of Congress in the discussion of the tariff and other measures, of the dignity of American labor and elevating the American workingman, sentiments in which we all share and results which we all hope to see accomplished; but we can ill afford, as representing the Government, in a measure of this character to ignore or slight the demands of our working people upon such a case as is now before us. I trust, therefore,

Mr. Speaker, that this bill will pass, and that the cases when they go to the courts shall have a speedy adjudication.

Mr. CONNELL. Mr. Speaker, if I should make any objection to this bill, it would be that it does not go as far as it should and provide in express terms that all claims, under its provisions, for labor performed in excess of eight hours per day, should be referred to the Court of Claims, to be adjudicated upon the basis that eight hours constituted a day's work. A bill with an express provision of this nature was introduced by the gentleman from Illinois [Mr. GERT] during the early part of the session. The bill to which I refer is known as House bill 3829. For some reason, probably to overcome objections that might be made to such a provision, the original bill referred to has been toned down until it is somewhat doubtful if the claimants for whose benefit it was intended will obtain the substantial relief they desire.

However this may be, one thing is certain—the bill in its present modified form ought to be satisfactory to those who heretofore have considered it their duty to oppose it. In place of requiring the Court of Claims to ascertain and determine the amount due these claimants on the basis of eight hours constituting a day's work, as I believe it would be entirely proper to do, this bill (H. R. 1121) merely confers jurisdiction and provides that if in the opinion of the court the claimant, under the law, was entitled to the full price of a day's work for eight hours' labor, then it shall render judgment accordingly.

I would like to inquire, Mr. Speaker, how any person who approves of the eight-hour system and who believes that a party should have his "day in court" can object to this provision. This bill does not undertake, as did the one first introduced, to determine that these claimants, as a matter of right and law, should be paid for each eight hours he was employed, as for a full day's work. This question is left, by the provisions of this bill, entirely to the court. If the court shall decide that under the act of June 25, 1868, or other existing law, the claimants under this bill are not entitled to the full price of a day's work for eight hours labor, that ends the whole matter and there is nothing further left for the court to determine.

If, on the other hand, the court shall decide that under such law the claimants were entitled to pay which they never received, then, in such event, it will become the duty of the court to render judgment in favor of each claimant accordingly. Can any fair-minded person object to this being done? I submit, Mr. Speaker, that objections to this bill are technical in their nature and do not go to the merits of the case. If the Government of the United States is justly indebted to these claimants, it ought to make payment to them of any balance remaining due, regardless of technicalities. This is a self-evident proposition. This is all that is contemplated by this bill.

As already stated, I believe it should go one step beyond this, and declare that these claimants should be paid for each eight hours as for a day's work. I believe this to be a correct construction of the law. I believe it would be just and right. I believe it would be in harmony, not only with the express terms, but with the purpose and spirit of the act of June 25, 1868, which reads as follows:

*Be it enacted, etc.*, That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may hereafter be employed, by or on behalf of the Government of the United States. (U. S. Statutes at Large, vol. 15, page 77.)

Now, Mr. Speaker, is it possible that in the enactment of this law Congress intended to do the laboring man a positive injury? If the construction contended for by those who deny the right of these claimants to the pay of a day's work for eight hours' labor is correct, then it was so intended. I deny, however, that such was the purpose of the act referred to. It was intended as beneficial legislation. It was intended to give to laborers, workmen, and mechanics in the employ of the Government the price of ten hours' work for eight hours' labor. It was not intended to reduce their pay about one-fourth, as of necessity would follow if any other construction was given to the act.

This is clearly shown by the proclamation of President Grant to which reference has been made. It is also shown by all the proceedings of the representatives of the Government relative to the enforcement of the law.

The attempt of certain officials of the Government to overcome and render nugatory the provisions of the act referred to should not be allowed to succeed. These claimants should receive the full pay to which they are entitled under the law. At least they should be allowed to have their claims considered by the proper legal tribunal and their rights under the law judicially passed on.

Mr. BUCHANAN, of New Jersey. I now yield three minutes to the gentleman from Pennsylvania [Mr. OSBORNE].

Mr. OSBORNE. Mr. Speaker, I will say I am somewhat surprised that it should be necessary to consider this bill at all. If we look into the facts out of which the circumstances arose, which brought this case before Congress, we must say that there has certainly been a neglect of duty on the part of those who alleged at least that they represented the Government of the United States. There was an act of Congress that fixed the number of hours which each man in the employment of the Government should work, to constitute a day's work. It seems to me that that should settle the matter.

However some wiseacres in the Departments of the Government saw fit to sit as a court of appeal upon the acts of Congress, and the rules and regulations were established in the Departments that required the laboring men to work more than the hours fixed by law. They issued orders and in some cases required the men who were in the employ of the Government to sign contracts binding themselves to work ten or twelve hours a day. Then when they came to settle their accounts with the Government, these contracts made by the officials of the Department were pleaded against their rights to receive the excess in pay to which they were entitled. Out of that arose this controversy. The man's place depended upon this acquiescing in the wishes of the Department. Of course he must take what was given to him or he must lose his place. He remained, and time has run along now until the statute of limitations has run against his claim, and the same officials now stand up and defiantly say that they can not recognize his right.

Now, the force of this bill is simply to allow those people to go to the Court of Claims of the United States, and if they can show a state of facts that will entitle them to more than they received for their pay and their day's wages, that then they may come to Congress and ask for an appropriation. It is a long way around to get justice; it seems to me that there must be a desire upon the part of some officials and upon the part of Congress to insist that everybody who works for wages for the Government shall be required to work their day over again by going constantly to the courts before they are paid.

It seems to me, further, that if these people were not poor people, if they were not laboring men, then the proclamation of President Grant, if not the act of Congress, would have been listened to; but as they are poor men, who are bound to work day by day for their bread, therefore they can be turned off and compelled to establish in court that which they earned by the sweat of their brows. I do hope that this bill may be passed without a dissenting voice.

[Here the hammer fell.]

Mr. CHIPMAN addressed the Chair.

Mr. BUCHANAN, of New Jersey. I now yield for a minute to the gentleman from Iowa [Mr. LACEY].

The SPEAKER *pro tempore* (Mr. ALLEN, of Michigan, in the chair). The gentleman from Michigan [Mr. CHIPMAN] addressed the Chair, and desires to speak in opposition to the bill. The Chair understands that the time for debate on the bill was limited.

Mr. BUCHANAN, of New Jersey. But there will be debate in the morning hour on this bill.

The SPEAKER *pro tempore*. Does the Chair understand the gentleman from New Jersey to control the time up to a quarter past 12 in favor of the bill?

Mr. BUCHANAN, of New Jersey. I am occupying the time yielded to me by the gentleman from New York [Mr. TURNER] out of his hour.

Mr. LACEY. Perhaps the gentleman will be willing to hear this amendment read. I simply desire to offer the amendment and have it pending.

Mr. CHIPMAN. Let us hear what the amendment is.

The SPEAKER *pro tempore*. The amendment will be in order at the beginning of the morning hour.

Mr. BUCHANAN, of New Jersey. Let the amendment be read now.

The SPEAKER *pro tempore*. Then the gentleman from Michigan [Mr. CHIPMAN] will be recognized during the morning hour.

Mr. LACEY. I now offer the amendment which I send to the Clerk's desk. It was presented the other day, but there have been some additions and modifications.

The SPEAKER *pro tempore*. The amendment will be in order at the beginning of the morning hour. This hour is for discussion only. The morning hour begins at quarter past 12.

Mr. BUCHANAN, of New Jersey. I understood the gentleman from New York [Mr. TURNER] that the amendment was to be offered at this time.

Mr. DINGLEY. It may be read with the understanding that it is to be pending.

The Clerk read as follows:

Add, at end of section 2, the following words:

"And provided further, also, That upon the commencement of such suit any claimant in such class may petition to be admitted as a prosecuting claimant therein, and the Department of Justice shall prepare a form of petition for such purpose, and shall furnish the same in blank, with proper instructions for executing and filing the same, to any applying claimant, free of cost, and upon the filing with the clerk of the Court of Claims of such petition, properly executed and verified under oath, such clerk shall forthwith notify the Department of Justice of such filing, and if no reason appears to the contrary, such claimant shall be admitted as a party to such suit; and unless the Government shall traverse some material allegation in said petition, no attorney or agent shall be entitled to demand or receive any fee or compensation whatever for any services rendered or alleged to have been rendered to said applying claimant, in connection with the preparation or filing of said petition, or the presentation of said petitioner's claims.

"Provided, That it shall be unlawful for any attorney to demand or receive any fees for services in such suit or collecting of such claims, exceeding 5 per cent. of the amount of any such claims; and payment of such judgment shall only be made to the claimant in person or to the heirs or administrators or executors of such claimant if dead, and not to any agent, assignee, or attorney."

Mr. LACEY. Mr. Speaker, I do not desire to enter upon a discussion of this amendment. I do not know that it will meet with any op-

position from any source, but if it does I would like to be recognized to present my views upon it.

Mr. BLAND. Does the gentleman present that as an additional section, and where does it come in?

Mr. LACEY. It is a proviso.

Mr. BLAND. I desire to offer an additional section.

The SPEAKER *pro tempore*. At the proper time an amendment will be in order.

Mr. BLAND. I would like to have it read now.

Mr. DINGLEY. One amendment is already pending.

Mr. BLAND. I desire to have it read now for information, and will offer it at the proper time.

The SPEAKER *pro tempore*. The paper will be read for information.

The Clerk read as follows:

That a sum sufficient to carry out the purposes of this act, and to pay all claims as fast as they may be adjudicated, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The SPEAKER *pro tempore*. The gentleman from New Jersey having charge of the time will please give his attention. To whom does the gentleman from New Jersey now yield time?

Mr. BUCHANAN, of New Jersey. We have been proceeding under the order for debate for one hour until 12 o'clock. I suppose that at 12 o'clock the regular session will commence, and when the morning hour is reached again I desire to call up this bill.

The SPEAKER *pro tempore*. The Chair was informed that debate was for one hour this morning, which was entered upon at a quarter past eleven.

Mr. BUCHANAN, of New Jersey. The terms of the provision were that there should be a session of one hour from 11 o'clock for debate, to commence after the reading of the Journal, and the reading of the Journal took a part of the time.

Mr. REILLY. That was the understanding, and the reading of the Journal took a portion of the time.

Mr. CHEADLE. I would like to ask a question for information. Is there any tabulation of these claims by which the House can be informed as to the number of men who are claimants, where they protested against working the extra hours, and is there any list of those who voluntarily worked hours in excess of eight?

Mr. BUCHANAN, of New Jersey. There is no list. There is a data in possession of the Government as to certain places in which they did and in other places there is no such protest. For instance, at some of the arsenals they protested.

Mr. CHEADLE. It seems to me that if these men protested against working more than eight hours at the time they performed the labor and were compelled to do so, it would be cruel to send them to the court. We should appropriate the money to pay them.

Mr. BUCHANAN, of New Jersey. The gentleman will at once see that that is a matter that will take some time for somebody to sift out; and the court can do it better than we can.

The SPEAKER *pro tempore*. The morning hour begins at 12 o'clock and 5 minutes.

Mr. BUCHANAN, of New Jersey. I now call up the unfinished business, and yield ten minutes to the gentleman from Michigan [Mr. CHIPMAN].

Mr. MORGAN. Before he begins I would like to ask unanimous consent—

Mr. CHIPMAN. Mr. Speaker, this bill is very similar to, almost identical with, the bill which was introduced here and failed to pass at the last session of Congress. It is subject to the same criticisms that that bill was then, and I regret very much that I am obliged to criticize it, for I am in favor of the payment of these claims, believing as I do that they are valid claims and that the persons who own them were debarred from receiving them by a wrong construction put upon the law.

I do not know, Mr. Speaker, whether anything I will say or any suggestion I may make upon this subject will be of any use, for I observed the treatment of the eight-hour bill yesterday, when the House emasculated it in response to the cry of "personal liberty," which was raised by the gentleman from Ohio [Mr. BUTTERWORTH] and the gentleman from Michigan [Mr. CUTCHEON], a cry which was utterly unfounded, utterly inapplicable to that bill, because we were not enacting a law for the whole country, but we were determining what the relations of the Government should be towards its own employes and what law it should establish for doing its own business, and therefore I say that when that word "permit" was stricken out of the bill yesterday all its virile power was taken from it; the grand principle which we sought to assert was abandoned, and the bill was entirely and thoroughly emasculated and made helpless to achieve the results we hoped to achieve. I shall probably vote for this bill because it is the only measure I will have the opportunity to vote for but it is about as feeble a remedy as could possibly be proposed for the grievance we seek to redress.

The language, it seems to me, is very carefully drawn to prevent it from being efficient. We all know the attitude assumed by the Supreme Court upon this question, and while I think—I say it with all respect to that great tribunal—while I think they escaped the entire

meaning and intent of the eight-hour law, still their decision as it stands is the law, and I find nothing in this bill which will prevent the Court of Claims from being governed by it and from giving an adverse decision to these claims under it.

If that is so, then this bill is a mere makeshift, as the bill in the last Congress was a mere makeshift. It holds out a promise to the claimants under it which in the end will prove to be a mere delusion and a snare, and which will never result in any actual benefit to them. What rule of law will govern the Court of Claims in examining this question? The case which is put to the court by the bill is expressed in these words:

And if, in the opinion of the court, he was, under the act of June 25, 1868, or any other existing law, entitled to the full price of a day's work for eight hours' labor or service, adjudicate them upon the basis, etc.

We remit the whole question of the interpretation of the law to the Court of Claims. We leave it exactly where the Supreme Court has left it, and we leave the decision of that court (a hostile decision to the claimants) paramount over the judges of the Court of Claims, which they will be bound to follow in adjudicating these cases. Is that the intention of this House? Is that the way we are to relieve these claimants? Is that the way that we are to declare our honest conviction that the eight-hour law meant something, and that when a man was compelled to work ten hours under an eight-hour law he was entitled to pay for the two additional hours?

I wish I had time to enter more fully into this question, but I understand that an amendment has been offered by my friend from Missouri [Mr. BLAND] which grapples with the difficulty and provides a remedy for the very case itself. It does not remit these working people to the Court of Claims, but it calls upon this House to manfully instruct the Departments to pass upon their claims, and provides for the appropriation of a sum of money sufficient to pay them. That is the relief which should be given to these working people. That is the relief which it is in our power to give them. If we do not believe that the eight-hour law meant eight hours' work, then let us not pass this bill. If we do believe it, let us amend the bill; let us appropriate the money; let us stand by our convictions; let us give the workingmen a measure of relief which will actually relieve them. As I have said, Mr. Speaker, I shall probably vote for this bill, but, I repeat, it is a mere delusion. The men who claim under it may live and will live, perhaps, for years and years—

Mr. KERR, of Iowa. Will the gentleman permit a question?  
Mr. CHIPMAN. Please do not interrupt me. I say, Mr. Speaker, these men may live for a century and not one dollar will they receive under this bill. Look at the reports from the Court of Claims upon the Calendar of this House. Look at the claimants who come here and spend year in and year out, from youth to old age, upon the faith that some respect will be paid to the decisions of a court instituted by the Government itself, but who go away session after session disappointed. And this is the Barmecide feast to which we are inviting these workingmen! This is the balm which we offer for their wounds! This is the remedy which we provide for their grievance! I say, Mr. Speaker, this bill is a mere make-shift, "a good enough Morgan until after election." It means nothing; it will do nothing; and, in my judgment, it is meant to do nothing.

Mr. BREWER. Mr. Speaker, I desire to occupy the attention of the House for a short time in giving the reasons why I can not consistently vote for this bill. I agree with my honored colleague who has just taken his seat [Mr. CHIPMAN] that if the position which is assumed here by the friends of the bill is correct, the manly and honorable way for this House to act is not to refer these cases to the Court of Claims to adjudicate them, because, according to that view, there is nothing to adjudicate, but to pass a bill referring these claims to the several Departments to compute the amounts claimed to be due, and then to appropriate the money to pay the amounts so found.

But I do not take the position which is assumed here by the friends of this bill. In 1868 the Congress of the United States passed a law providing that eight hours should be a day's work, and there it stopped. Later, a gentleman by the name of Martin, who was employed by the Government at that time and continued in its employ at the same rate of wages that he had been receiving, brought a suit to recover pay for the difference between the time that he had worked and eight hours per day. The case went to the Supreme Court of the United States and was decided by that tribunal. That decision settled two questions conclusively. What were the two propositions that were thus settled by the Supreme Court? The first was that this eight-hour law in no way affected or referred to the question of wages.

The second was that it in no way interfered with the Departments, or the heads of Departments, or, in other words, the Government and those who desired to work for the Government, entering into contracts for as many hours' work per day as they saw fit, and for such pay as might be agreed upon. These two propositions, I say, were settled beyond controversy. Now, after this, or even before this—it has been referred to several times here—the President of the United States issued an order asking the Departments, or commanding them, if you please, to enforce the eight-hour law in their dealings with their employes.

This was before the decision of the Supreme Court in 1876, and the court in the decision which it rendered alludes to the order which was made by the President. I desire to call attention to what the court says. I will not refer to the volume of reports, but will simply read so much of the decision as is set forth in the report of the committee as submitted by my friend from Missouri [Mr. WADE]. The court, in construing that case (the eight-hour law), says:

This was a direction by Congress to the officers of the United States establishing the principle to be observed in the labor of those engaged in its service. It prescribed the length of time which should amount to a day's work when no special agreement was made upon the subject.

Again, referring to the proclamation of the President, the court says:

We regard the statute chiefly as in the nature of a direction from a principal to his agent, that eight hours is deemed to be a proper length of time for a day's labor, and that his contracts shall be based upon that theory.

The proclamation of the President and the act of 1872 are in harmony with this view of the statute.

Yet gentlemen take the floor here and argue as if the Supreme Court of the United States was not the appropriate constitutional tribunal to say what the law is and how the statutes should be construed, but as if this function belonged to the executive branch of the Government or to Congress; and upon this theory they seek to rest their case.

Now I have stated what the law is. I have stated the decision of the Supreme Court; and following out that line let us see where it leads us. The Secretary of the Navy in 1878, being familiar with this statute, being familiar with the decision of the court, says to the men at the head of the various bureaus of his Department that laborers shall be employed for certain hours and receive a certain rate of wages therefor. I call attention again to this order, which is set forth in the report itself:

NAVY DEPARTMENT, Washington, March 21, 1878.

The following is hereby substituted, to take effect from this date, for the circular of October 25, 1877, in relation to the working hours at the several navy-yards and shore stations:

The working hours will be, from March 21 to September 21, from 7 a. m. to 6 p. m.; from September 22 to March 20, from 7.40 a. m. to 4.30 p. m., with the usual intermission of one hour for dinner.

Now, here is the gist of this whole order:

The Department will contract for the labor of mechanics, foremen, leading men, and laborers on the basis of eight hours a day. All workmen electing to labor ten hours a day will receive a proportionate increase of their wages.

Mr. FARQUHAR. That is not Secretary Thompson's own order, I believe, if the gentleman reads it correctly. His order related to workmen electing to work eight hours.

Mr. BREWER. Well, Mr. Speaker, I hope the gentleman will not occupy my time. I am reading what the committee itself has set forth in the report. In this order the Secretary of the Navy prescribes that eight hours shall be considered a day's work; but he says to the men, "If you work ten hours you shall receive pay for ten hours."

Mr. WADE. Now, then, they did not receive it.

Mr. BREWER. My friend says they did not receive it, and there is where he is mistaken. My friend from New York [Mr. TURNER] made that statement the other day to gentlemen sitting here in their places; he declared that these men who contracted to work for ten hours per day did not receive their pay for ten hours.

Mr. TURNER, of New York. That is a fact.

Mr. BREWER. My friend from New Jersey [Mr. BUCHANAN], I am sure, will not say that.

Mr. BUCHANAN, of New Jersey. I do say that the terms of that order never were fulfilled by the Department.

Mr. BREWER. That is deceptive, just like your report.

Mr. TURNER, of New York. If they did get their pay for ten hours, they can not get any more when they go to court.

Mr. BREWER. I will offer an amendment to that effect; will the gentleman vote for it?

Mr. TURNER, of New York. I will see, first, what the amendment is.

Mr. BREWER. Now, what are the facts? I assert here that these men did get pay for working ten hours a day. Now, what is claimed on the part of these workmen? It is this—and this is a fair statement of their proposition, as it ought to be stated by the members of this committee, who should not undertake to cover it up—

Mr. TURNER, of New York. There is no attempt to cover up anything.

Mr. BREWER. It is claimed on the part of these workmen that they were compelled to work ten hours per day, and that they did so "under protest," as stated by my friend from Maine [Mr. DINGELY]. There is no pretense that they did not receive what the Government agreed to pay them, but they say: "Under the law of 1868 eight hours were made a legal day's work; and we were entitled to receive for eight hours' work what we in fact received for ten hours."

Mr. WADE. The gentleman from Michigan is misstating the proposition.

Mr. BREWER. That is what the facts are.

Mr. WADE. No, sir.

Mr. BREWER. Now, it is the most preposterous and ridiculous proposition ever asserted on the floor of Congress to say that thousands

of men were employed in the navy-yards under a contract with the Government to work ten hours a day for a certain sum, and yet they never have been to the Navy Department to ask that they shall be paid the difference between what the contract said they should receive and what they actually did receive—the difference between pay for ten hours' daily work and the pay for eight hours' daily work. Of course they never have presented any claim at the Department except upon the theory I have stated.

Mr. FARQUHAR. I would like to ask the gentleman from Michigan this question: Whether it was the duty of the employés themselves to execute the law or the officers of the Government?

Mr. BREWER. Oh, that is simply undertaking to befog the question I am discussing.

Mr. FARQUHAR. No, sir; it is not befogging the question. It is the plain question of fact that this case presents.

Mr. BREWER. Because the Departments enforced the law according to the decision of the Supreme Court.

Mr. FARQUHAR. Do you mean to say that Secretary Thompson, in issuing within thirty days one order revoking a preceding one and then issuing a third revoking both the others, was carrying out the law according to the decision of the Supreme Court?

Mr. BREWER. Mr. Speaker, the last suggestion made by my friend from New York, to the effect that because the Secretary of the Navy within the space of a few months' time issued three different and conflicting orders, he was not therefore carrying out the law on the statute-books, is not a strong legal question. Now, I have stated what the law was, and no man, in my judgment, except one who undertakes to say that the Supreme Court did not know what the law was and did not understand the law they were undertaking to construe, would controvert that suggestion.

But let us follow it up a little farther and see what it results in. I say in the first place that the law was so and so, and the Supreme Court of the United States say that it was so and so, and the Secretary of the Navy, carrying out that statute, issued an order and these men went to work under that order, upon an express, or at least an implied, understanding that they were to be paid ten hours a day for ten hours' work; and I assert here that the order was carried out to the extent of paying them in full, and I challenge contradiction of the statement, and there is not a single scintilla of evidence in the Department of the Secretary of the Navy to controvert the idea that they did not receive the sum which was agreed upon under their contract.

But now we go on a little farther, and what is the pending proposition? It is this: That notwithstanding the fact that these men have been paid—and nothing is shown to the contrary—for every single hour's work they performed, in accordance with the provisions of the contract made, it is now sought to repay them or allow them to be paid again, because, forsooth, as stated by my honored friend from Maine [Mr. DINGLEY], these men were compelled to do it; that is, compelled to enter into this contract and to undertake the labor for which this bill seeks to make this new or additional payment. What nonsense, Mr. Speaker!

Mr. BUCHANAN, of New Jersey. Why is it nonsense to ask only that to which they are entitled under the law?

Mr. BREWER. Well, it would be nonsense for any man to go to my friend, farmer as he is—and I use this as an illustration of the position—and ask if he wanted to employ a man on his farm. You respond, "Yes, sir; I want one. How much per day do you want for your labor?" "I want \$1.50." "Well, I can not pay that; I will give you \$1 per day and you can work for me ten hours." He replies, "I can not do that; I have a family to support, and I can not support them on that pay." You respond, "That is all I can afford to give you; it is all the labor is worth, and it is all I shall pay." But yet notwithstanding this the man goes to work under a protest, saying that the amount offered for the labor is not sufficient.

Do you think that he would thereafter have a claim against you for the difference in what he thought he should have and what you were willing to give? These men employed by the Government are presenting a claim that is based on a similar principle. They are now employed by the Government, or if not, they were at that time; they knew exactly what the proposition was that the executive officers of the Government held out to them, that they were to receive so much per day for ten hours' labor and so much per day for eight hours' labor; and who can gainsay the fact that the officers of the Government were not authorized to contract with the men under the statutes on these terms?

Mr. WADE. Will the gentleman allow a question there?

Mr. BREWER. Not now; I have not the time.

They knew what the proposition was; they knew what the pay was to be; they knew what they would be entitled to under the law for eight hours' work; but they claim, "We are entitled to the difference between eight hours and ten hours for all the time that we worked over eight hours."

Mr. TURNER, of New York. And that is the law.

Mr. BREWER. Well, that is just where my honored and eloquent friend from New York differs with the Supreme Court of the United States.

Mr. TURNER, of New York. Oh, no.

Mr. BREWER. And it is not strange that he should, because I have seen him often differ with some of the ablest men on this floor during the present session on plain propositions.

Now, Mr. Speaker, these men upon these terms went to work; and to say that because they went to work under a protest—in other words, because they did not get what they were entitled to, according to their belief—they ought to be paid again, in my judgment is too ridiculous an argument to be presented to an intelligent body of men.

This is the condition in which the matter rests. It is said that these men here who worked ten hours only received the amount they were entitled to for eight hours' work, and that they have a claim for the balance. I turn again to the decision of the Supreme Court, or a portion of it, recited in the report of the committee, and let us see if the Government did not make a clear distinction. I find in this case of Martin the court held:

In the case before us the claimant continued his work after understanding that eight hours would not be accepted as a day's labor—

And these men entered upon the work when they knew they would not receive ten hours' pay for eight hours' work—

but that he must work twelve hours, as he had done before. He received his pay of \$2.50 per day for the work of twelve hours a day as a calendar day's work during the period in question without protest or objection. At that time ordinary laborers under the same government received but \$1.75 per day at the same place; and those engaged in the same department with the claimant, in a private establishment, at the same place, received but \$2 for a day's work of twelve hours.

There was a distinction or a difference between the time which was employed by these men and a difference in the payments; and the same policy was continued under the order of Secretary Thompson in 1878.

Now, I want to call the attention of the House to this bill that is presented here. How specious is this argument made by gentlemen favoring this bill. Why, look at it for a moment. They say, "All we ask of the Government is to permit us to go into court, and if there is nothing our due, then of course we will abide the result."

Why, Mr. Speaker, here are a few thousand men interested in this bill; but they are not the only people in this country who are interested in legislation. It is in my judgment unfortunate for the Congress of the United States and unfortunate for this great country of ours that to-day, and day after day, week in and week out, during these latter years, we are sitting here, not legislating for the great masses of our citizens, but in the effort to pass bills for the special benefit of the few as against the many.

Too true is it, Mr. Speaker, that the great body of our people to-day have seemingly come to the conclusion that the Government of the United States in some way has a duty to perform in supporting the people, instead of the people supporting the Government. And it is true also that they seem to think that somewhere, covered up here in this city, the capital city of the nation, is a store of wealth in countless millions; that there is a fountain here that pours forth greenbacks, gold, and silver in untold quantities, and that it is the duty of the Congress of the United States to so legislate that this money shall be divided among the people from day to day. Hence we see these organizations, these professions and business interests of the country, coming here and demanding special legislation in their interest. I say that there are a few thousand people interested in the passage of this bill, a few thousand that will receive its benefits; but, Mr. Speaker, it is bad policy for this country, bad policy for this Government, bad policy for this Congress, to say that none but the beneficiaries shall be consulted in the passage of legislation. It is, in my judgment, our duty to consult the wishes and wants of all the people; and while we deal justly with the few, let us see to it that we do not thereby deal unjustly with the many.

Now, Mr. Speaker, let us look a little further. We owe the same duty to these individuals, standing here as the representatives of the Government, that I as an individual owe to the man whom I take into my employ. We owe no higher duty to them than we owe as individuals to the men we employ, and that is, to deal justly with them, to always feel assured that they shall have all that they earn, and that they should be paid not only in accordance with the letter of the contract, but the spirit of the contract as well. And let us see if that has not been done by the Government of the United States. They contracted with these men; they paid them according to contract. Why, let us see what would be the anomalous condition in which we would find ourselves. Some of the men in the employ of the Government said, "We will work but eight hours a day and take eight hours' pay." Others said, "We will work ten hours and receive ten hours' pay."

Mr. TURNER, of New York. And they all got the same pay.

Mr. BREWER. Now my friend states that which I must say there is not a particle of evidence in the Department to warrant his stating, and I hope he will not repeat it again so as to interfere with me. Now, Mr. Speaker, I say, supposing, as these men got paid for ten hours' work, that we should pay them now for two hours extra. We are not asked to pay the men who worked but eight hours and got but eight hours' pay anything more than they got. We do not pay them anything extra. Now, let us look at this bill. If it is not the most anomalous

production that ever was printed in the English language, then I do not understand that language. Let us see:

That whenever any laborer, workman, or mechanic has been employed by or on behalf of the Government of the United States since the 25th day of June, 1868—

Why, they told us they had settled these matters up to 1872, but of course they go back to 1868—

the date of the act constituting eight hours a day's work—

Now, let us see—

and has not been paid the full price of a day's work for each eight hours he has been so employed—

Here is where the milk is in the cocoanut. Eight hours being a day's work, as they claim, they were entitled to all that they were paid for ten hours. Now, that is the theory; and if my friend from New York [Mr. TURNER] knew as much about the views of these workingmen as I do he would know that was it, and not the theory that he is advancing here—shall have the right to bring suit in the United States Court of Claims to recover such deficiency; and the said court is hereby authorized to take jurisdiction of all such cases without regard to the lapse of time, and if, in the opinion of the court—

Now this is thrown in, and I call your attention to it, and then I will call your attention when we get along a little further to where they, as the boys would say, "knock the stuffing" entirely out of that sentence which they put in there, giving the court some power.

And if, in the opinion of the court, he was under the said act of June 25, 1868, or any other existing law—

It does not make any difference whether that law was passed years after they performed this work; if they are entitled to it under the present law, why of course the court must so adjudicate—

entitled to the full price of a day's work for eight hours' labor or service, adjudicate them upon the basis that eight hours constitute a day's work.

Now you see they are adjudicated, but upon the principle that eight hours constitute a day's work. Now, I can not read the whole bill for I have not the time.

Mr. TURNER, of Georgia. Go on; you are making a good speech.

Mr. BREWER. But I want to call your attention to another provision here, because they seem to have left in section 1 some little thing for the court to determine, but here it takes it all away. I want to call the attention of the House to section 2 of this bill—

That no payment heretofore made of a less sum per day than the full price of a day's work—

Now, as to the argument that they are to have a full price for a day's work. That is what they got. It does not matter whether a day was eight hours, or ten, or more. Section 2 reads:

That no payment heretofore made of a less sum per day than the full price of a day's work, as provided in the first section of this act, shall affect the right of recovery—

Do you not see it does not affect the right?—

nor shall any terms submitted to by any such laborer, workman, or mechanic, whether for piece-work, stint-work, task-work, or any other kind of work, affect such right: *Provided*, That the said court shall find that such terms, either in the number of hours required to be performed in a calendar day or in the rate established for such piece-work, stint-work, task-work, or any other kind of work, required the performance of more than eight hours' labor in each calendar day to earn the full price of a day's work—

Now, in all cases where they had to perform more than eight hours' work, what they received is not to be considered; but if they worked more than eight hours they are to receive pay, under the construction of this act, for the time they worked over eight hours that they were paid for.

Mr. MUTCHLER. Read on a little more, for the next provision is entirely inconsistent with what you have said.

Mr. BREWER. Well, I am going to read it—

as set forth in the first section of this act, and that such terms were made since the passage of the act of 25th of June, 1868, constituting eight hours a day's work, and are inconsistent with the first section of this act, and exacted by any officer of the Government as a condition of employment or retention in the public service.

Mr. MUTCHLER. You see, in the Martin case, the Supreme Court say it is not inconsistent with the act of 1868.

Mr. BREWER. I understand, Mr. Speaker, they say that, but our friends are trying to enact something to get around that decision.

Mr. MUTCHLER. They take it all back.

Mr. BREWER. Again:

*Provided*, That all suits under this act shall be commenced within two years from and after its passage, and any number of claimants may join in the same suit.

Now, let us see how liberal our friends are towards the Government. Of course, the Government ought to have some rights. If you give them the right to bring suit the Government ought to be permitted to go into the court upon equal terms. It provides that claimants having claims aggregating in amount \$5,000 may go to the Supreme Court if the decision of the Court of Claims is adverse to them; but they do not give the Government that privilege. The Government can not take an appeal, but this bill would give that right to the claimants.

Now, Mr. Speaker, I do not wish to take up further time in presenting reasons why I can not vote for this bill. It is claimed here, and you will remember very well, you gentlemen who are doing me the

honor to listen to me to-day, that in all the speeches made by our friends in favor of this bill, all they asked was the privilege of going into the court. Why do you not go into court? "Because," they say, "we expected that Congress would grant us relief, but we can not go into the courts now, because the statute of limitation prohibits us from entering the court."

Then, I say to you, my friends who are in favor of this bill, why not simply prepare a measure and present it here allowing these claimants to go into the court and present their claims and have them adjudicated, and that alone, and not seemingly attempt to tie the hands of the court and say how it shall render its verdict? If that is the only object you desire to accomplish, then I say why not in a bill of ten lines, or of five lines, authorize these claimants to go into the courts notwithstanding the statute of limitation? But, my friends, this law was framed here after consulting, not with the men who are interested, but with men who are "walking delegates," and are paid for it by these poor men who toil for \$1.50 or \$2 a day—delegates who get their bread by the sweat of other men's brows. They get their food and drink from those whom they are attempting to deceive by their supposed influence and work. I, Mr. Speaker, would be glad and I am perfectly willing to vote for the strongest kind of eight-hour law, and I am perfectly willing that the rate of wages should be fixed in such law. I am not here to condemn those who are engaged in honest toil.

Mr. LEHLBACH. Mr. Speaker, I rise to a point of order. I think gentlemen ought not to be engaged in conversation right near to a gentleman who is addressing the Chair.

The SPEAKER *pro tempore*. Gentlemen will cease conversation.

Mr. BREWER. It does not interfere with me, but it may with those who desire to hear me.

I say, Mr. Speaker, that I am not here to criticize or to take one farthing from those who have to earn it by honest toil. Far from it. We come here and talk about labor, and that this legislation is in the interest of the laboring men of the country. Why, Mr. Speaker, I represent a district where there are two hundred thousand working people or more. I know but very few who do not live by their toil. It is true they do not all live by the wages they earn by the day or month, but they are laboring people; and I may say in this connection that I know what it is to toil myself, and while these men are complaining because they do not get more wages than \$2.50 for ten hours' work, I can say to you that I myself have toiled on the farm day after day, instead of ten hours, fourteen hours, and instead of \$2.50 a day I received the meager pay of 50 cents a day.

Mr. WADE. It was not enough, was it?

Mr. BREWER. No, it was not enough. I get all I can, just as I advise all the people of this country to get all they can honorably; but I would not encourage them to repudiate any honest contract that they have entered into with the Government.

Now, Mr. Speaker, there are two amendments that I desire to propose to this bill, and if my friends who support the bill are correct in what they state, and are stating what they mean, they can not do otherwise than support these amendments. My friend from New York says that these men did not get what they contracted to receive. If they did get what they contracted to receive then they ought not to be paid again, but if they did not they ought to be paid whatever is due them. If they contracted to work ten hours per day and did not receive the pay which they agreed to take and the Government to pay for ten hours' work, the Government ought to pay them, and the Government would have paid them long ago if that was the case; but the statement is not true that they failed to get the amount agreed upon.

Now, in order to carry out that theory, I desire, if I can get an opportunity, to propose this amendment:

*Provided further*, That this act shall not be operative whenever the court shall find that such laborer, workman, or mechanic performed such labor or service under any contract, express or implied, and has been paid therefor the amount agreed upon.

Can anybody object to that? Can any man who has a claim against the Government object to the proposition that if he has not been paid what he contracted to receive he shall have a right to recover, but that if he has been paid he shall not have the right to recover?

Mr. WADE. Will the gentleman permit a question?

Mr. BREWER. Yes, if it will tend to elucidate this matter.

Mr. WADE. Suppose John Smith had been hired by the Navy Department and worked thirty days, and received, under protest, pay at the rate allowed by the Department, would not the fact that he continued to work the next month and accepted the same pay be an implied contract, and would not he be barred under your amendment?

Mr. HEARD. And ought he not to be?

Mr. WADE. No, sir.

Mr. HEARD. If he works the second month, after having received notice the first month, is not that a voluntary service, and ought he not to be bound by its terms?

Mr. WADE. No, sir.

Mr. BREWER. Mr. Speaker, it is wonderful what charity we have, and it is very wonderful how liberal we are when we come to pay money out of the Treasury and not out of our own pockets! I have another amendment which I desire to present. I can see no reason

why these claimants, if they do not get \$5,000 of their claims together, should not be permitted to appeal to the Supreme Court. Even if one man has a claim, and desires to have a test case made in the Supreme Court, I do not know why he should not be permitted to take his case there. The parties interested can contribute among them the money to pay the expenses, and, if they desire to have the law tested, they should be permitted to carry it to the Supreme Court. Therefore, I shall move to strike out the last proviso of the bill, which provides that they can not go to the Supreme Court without having an aggregate sum of these claims amounting to \$5,000, and I shall ask to have substituted for it the following:

And any such parties, as well as the United States, shall have the right of appeal to the Supreme Court of the United States.

Mr. BUCHANAN, of New Jersey. We will accept that.

Mr. BREWER. My friend from New Jersey suggests that this amendment will be accepted by the committee. If the first amendment to which I called the attention of the House, providing that if these men have not been paid they shall be paid, and that if they have been paid they shall not be paid again—if that amendment is adopted I shall vote for the bill, although I think it ought to have been simply a bill removing the bar of the statute of limitation and permitting these men to go into court and test the validity of their claims.

Mr. STEWART, of Vermont. I desire to ask my friend a question. If there was a contract in any case between the Government and the laborer that he should work for a specified sum, has Congress any power to pass an act impairing the obligation of that contract?

Mr. BREWER. Well, that is a constitutional question, and this bill, I imagine, is largely a matter of sentiment. [Laughter.]

Mr. BUCHANAN, of New Jersey. Mr. Speaker, I move the previous question upon the pending amendment and upon the engrossment, third reading, and passage of the bill.

Mr. BREWER. Before the previous question is ordered I desire to submit the two amendments which I have read.

Mr. BUCHANAN, of New Jersey. The latter amendment the committee are willing to accept.

Mr. BREWER. I desire to offer those two amendments and to have them pending.

Mr. KERR, of Iowa. Mr. Speaker, I wish to know whether it is the intention of the committee to compel us to vote on this bill without allowing any amendments except such as are proposed by the committee.

Mr. BUCHANAN, of New Jersey. It is the intention of the committee to get this bill out of the way in the morning hour. It has already occupied more time than is necessary, and I insist on my motion.

The SPEAKER *pro tempore*. There are two amendments pending. The gentleman from New Jersey moves the previous question—

Mr. BREWER. Mr. Speaker, I offered my amendments before I yielded the floor.

The SPEAKER *pro tempore*. There are two amendments now pending.

Mr. BREWER. Then I ask unanimous consent that the amendments I have read may be considered as pending under the previous question, if it be ordered.

The SPEAKER *pro tempore*. The Chair was misinformed. The motion of the gentleman from Michigan [Mr. BREWER] is in order.

Mr. HOLMAN. If my friend from New Jersey will pardon a suggestion, why not call the previous question on the pending amendments and let them be disposed of, so as to allow further amendments to the bill?

Mr. BUCHANAN, of New Jersey. I have made my motion, Mr. Speaker: I ask that it be put.

The SPEAKER *pro tempore*. The gentleman from New Jersey demands the previous question.

Mr. BREWER. I desire to ask a parliamentary question. Are the two amendments which I have sent up pending, so that I can have a vote upon them?

The SPEAKER *pro tempore*. One amendment, as the Chair understands, was assented to by the committee.

Mr. BREWER. The amendment striking out the second proviso and inserting what I propose has been accepted. I desire a vote on the other.

The SPEAKER *pro tempore*. The gentleman's amendment can not be accepted by the committee; it must be voted upon by the House.

Mr. BLAND. I rise to a parliamentary inquiry. I wish to know whether the amendment which I submitted, to make an appropriation, is pending.

The SPEAKER *pro tempore*. The gentleman from New Jersey moves the previous question.

The previous question was ordered.

Mr. BLAND. I renew my parliamentary inquiry, whether the amendment which I offered is pending, the amendment proposing to make an appropriation of money?

The SPEAKER *pro tempore*. The amendment is not pending. It was not received as an amendment at the time the gentleman proposed it.

Mr. BLAND. Then I desire to offer the amendment now. I gave notice at the proper time that I should offer it.

The SPEAKER *pro tempore*. It can not be pending except by unanimous consent. The gentleman from Missouri [Mr. BLAND] asks unanimous consent to offer an amendment. Is there objection?

Mr. DINGLEY. I object.

The SPEAKER *pro tempore*. Objection is made.

Mr. BLAND. I am not in favor of this bill; but I ask gentlemen who claim that it is a good bill why they are not willing to appropriate money to carry it into effect. Why do you undertake to perpetrate a fraud upon these people?

The SPEAKER *pro tempore*. The question is upon the amendment of the gentleman from Iowa [Mr. LACEY], which the Clerk will read.

The Clerk read as follows:

Add at the end of section 2 the following:

"And provided further, also, That upon the commencement of such suit any claimant in such class may petition to be admitted as a prosecuting claimant therein; and the Department of Justice shall prepare a form of petition for such purpose and shall furnish the same in blank with proper instructions for executing and filing the same to any applying claimant free of cost. And upon the filing with the Clerk of the Court of Claims of such petition properly executed and verified under oath such clerk shall forthwith notify the Department of Justice of such filing; and if no reason appears to the contrary such claimant shall be admitted as a party to such suit. And unless the Government shall traverse any material allegation in such petition, no attorney or agent shall be entitled to demand or receive any fee or compensation whatever for any services rendered or alleged to have been rendered to such applying claimant in connection with the preparation or filing of said petition or the presentation of said petitioner's claim: Provided, That it shall be unlawful for any attorney to demand or receive any fees for services in such suits or collection of such claims exceeding 5 per cent. of the amount of any such claims; and payment of such judgments shall only be made to the claimant in person or to the heirs or administrators or executors of such claimant if dead, and not to any agent, assignee, or attorney."

The question being taken on agreeing to the amendment of Mr. LACEY, it was adopted.

The SPEAKER *pro tempore*. The Clerk will now read the amendments which were sent to the desk by the gentleman from Michigan [Mr. BREWER].

The Clerk read as follows:

Add as an additional proviso the following:

"Provided further, That this act shall not be operative whenever the court shall find that such laborer, workman, or mechanic performed such labor or service under a contract, express or implied, and has been paid therefor the amount agreed upon."

The SPEAKER *pro tempore*. Does the gentleman from Michigan offer this as a new section?

Mr. BREWER. The other amendment was accepted.

The SPEAKER *pro tempore*. It can not be accepted.

Mr. BREWER. I desire the other amendment to be taken up first.

Mr. HEARD. I ask the Chair to take the sense of the House by unanimous consent upon approving the amendment which the gentleman from New Jersey [Mr. BUCHANAN] is willing to accept.

Mr. BUCHANAN, of New Jersey. That, I understand, is just what the Chair was going to do.

Mr. BREWER. I want my other amendment taken up first—the one which the committee agreed to accept.

The Clerk read as follows:

Strike out all after "further," in line 21 of section 2, and insert, "and any such parties, as well as the United States, shall have the right of appeal to the Supreme Court of the United States."

The SPEAKER *pro tempore*. Is there objection to entertaining this amendment? The Chair hears none.

The question being taken, the amendment was agreed to.

Mr. BREWER. Now I ask that the question be taken on my other amendment.

Mr. DINGLEY. Let it be reported.

The SPEAKER *pro tempore*. The morning hour having expired, the House under the special order—

Mr. BUCHANAN, of New Jersey. Inasmuch as the remainder of this day belongs under the order of the House to the Committee on Labor, I ask unanimous consent that the pending bill be now disposed of.

Mr. CUTCHEON. I hope that may be done.

The SPEAKER *pro tempore*. The gentleman from New Jersey [Mr. BUCHANAN] asks unanimous consent that the special order be postponed until such time as the pending bill is disposed of. Is there objection? The Chair hears none. The question is on the amendment of the gentleman from Michigan.

Mr. BUCHANAN, of New Jersey. Let it be read.

The Clerk read as follows:

Add as an additional proviso the following:

"And provided further, That this act shall not be operative whenever the court shall find that such laborer, workman, or mechanic performed such labor or service under any contract, express or implied, and has been paid therefor the amount agreed upon."

The SPEAKER *pro tempore* (having put the question on agreeing to the amendment). The ayes appear to have it.

Mr. BUCHANAN, of New Jersey. I call for a division.

The question being again taken, the amendment was agreed to; there being—ayes 57, noes 53.

The SPEAKER *pro tempore*. The question is now upon ordering the bill as amended to be engrossed and read the third time.

Mr. STEWART, of Vermont. I understood my friend from New Jersey [Mr. BUCHANAN] to say that he would give me one minute before this matter was disposed of to make a suggestion.

The SPEAKER *pro tempore*. The previous question has been ordered.

Mr. STEWART, of Vermont. I ask unanimous consent—  
The SPEAKER *pro tempore*. The gentleman can proceed if there is unanimous consent.

Mr. BUCHANAN, of New Jersey. I did make the promise which the gentleman states, but I have had to yield to the exigencies which surrounded me.

Mr. STEWART, of Vermont. My object, Mr. Speaker, I will state, because objection may be made, and I do not wish the House to think that a trap has been prepared, is to offer an amendment which will be in effect a substitute for the bill. After describing the supposed claims of these laborers it provides that—

They shall have the right to present their claims to the accounting officers of the Treasury, who shall adjust the same without prejudice, and report such deficiency; and a sufficient sum of money is hereby appropriated to pay all deficiencies so ascertained, and the Treasurer is directed to pay the same.

Mr. DINGLEY. That leaves the law without having been construed.

Mr. STEWART, of Vermont. But the law has been already construed by the courts.

The SPEAKER *pro tempore*. Is there objection to the proposed amendment?

Mr. BUCHANAN, of New Jersey. I shall have to object, as it makes an appropriation long before the judgment is rendered.

The SPEAKER *pro tempore*. Objection is made.

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

Mr. BUCHANAN, of New Jersey, 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.

#### ALLEGED FRAUDS UPON THE POST-OFFICE DEPARTMENT.

Mr. MORGAN. Mr. Speaker, before proceeding with the regular order I ask unanimous consent to present a matter to be printed in the RECORD, a communication from the Postmaster-General, transmitting facts and papers in answer to House resolution of August 16, 1890.

The SPEAKER *pro tempore*. Is there objection?

There being no objection, the papers were ordered to be printed.

They are as follows:

[Letter from the Postmaster-General, transmitting facts and papers in answer to House resolution of August 16, 1890, reciting that frauds were charged to have been practiced upon the Post-Office Department by one Alexander J. Wedderburn.]

OFFICE OF THE POSTMASTER-GENERAL,  
Washington, D. C., August 28, 1890.

SIR: On the 16th instant a resolution was adopted in the House of Representatives reciting that it had been charged in the columns of responsible journals that gross frauds had been practiced on the Post-Office Department by one Alexander J. Wedderburn, in connection with the transmission through the mails of a large number of newspapers entitled *The National Farm and Fireside* at one-eighth of the rates established by law; that said newspapers, printed in Alexandria, Va., were mailed at a post-office called Grange Camp, established at the request of Wedderburn, one of whose employes was postmaster; that an investigation of these facts had been made by the Post-Office Department, with the result of discontinuing the said post-office; that it had been asserted that criminal proceedings were not instituted against Wedderburn, the Department of Agriculture having interposed in his behalf; and requesting the Postmaster-General to transmit to the House all the facts in possession of the Post-Office Department in this matter, including the reports of the post-office inspectors, together with any correspondence had with the Department of Agriculture.

A copy of this resolution, signed by the Clerk of the House, reached this Department on Monday the 18th instant. I had left the city for a few days on the preceding Friday, the 15th instant, and the Third Assistant Postmaster-General, who, in addition to myself, alone had full knowledge of all the facts in this case, was absent at the death-bed of his mother, having left Washington on the 9th instant. Immediately upon my return I caused the papers to be prepared, and have the honor to submit them to you herewith in answer to the call of the House of Representatives.

This Department has had no correspondence in this matter with the Department of Agriculture.

The facts in this case may be briefly summarized as follows: Grange Camp is not a city, town, or village, nor a place of resort, except that once a year an agricultural fair is held there for a period of about two weeks. It is a flag station on the railroad, distant in one direction a mile from the next post-office, and in another direction a mile and a half. There is no commercial or private business transacted by the post-office. There were but two families permanently accommodated by the post-office, in addition to the proprietor of a weekly paper, nominally issued there, but, in reality, published at Alexandria, Va., and one of these families receives part of its mail through a rented box at a neighboring post-office. The only person really benefited by the continuance of the office was Mr. A. J. Wedderburn, proprietor of *The National Farm and Fireside*, the editions of which, printed at Alexandria, he has been regularly sending by express to Grange Camp, to be mailed through that post-office.

The Department's investigation discloses that the post-office was originally established through the exertions of Mr. Wedderburn, April 22, 1887; that an order for its discontinuance was made April 16, 1888, which order was rescinded April 24, 1888, and that the person appointed to be postmaster, and who served as such until the office was discontinued, was not a resident of the place, performed none of the duties of the office, and was postmaster in name only. The business of the post-office was performed by one of Mr. Wedderburn's employes, who permitted Wedderburn to obtain his supplies of postage-stamps on credit and to mail issues of his paper without requiring advance payment of postage, both of these being acts in violation of plain provisions of the statutes, and is alleged to have received all the emoluments of the office.

Mr. Wedderburn, therefore, although not an employe of the postal service, was absolute director of the post-office at Grange Camp, mailed his papers there

in unlimited quantities, and brought or sent there other mail matter from Alexandria and from Washington, thus swelling the amount of his stamp cancellations, exercising all the power of the postmaster, realizing all its benefits, and being almost its sole patron. It thus resulted that while the receipts of the office during the time it was in existence amounted to \$1,495.81, \$1,215.02, or 81 per cent. of the whole, went to pay the commissions of the postmaster. The receipts from other business than that of Mr. Wedderburn averaged a little more than 2 cents a day. Because the salaries of the post-offices at Washington, D. C., and Alexandria, Va., are fixed by law, and the compensation of the respective postmasters is not a variable sum, dependent upon the cancellations of stamps, the whole, or nearly the whole, amount of these commissions, \$1,215.02, paid on cancellations of mail matter diverted from the two offices mentioned, was a complete loss to the Government.

Upon these facts, developed by post-office inspectors, the post-office at Grange Camp was discontinued.

The paper above mentioned has not yet been denied admission at second-class rates. That matter is still under consideration and the Department is awaiting further proofs.

The question as to the prosecution of Mr. Wedderburn has been submitted to the Attorney-General for his opinion.

For convenience, a list of inclosures is given below.

I have the honor to be, very respectfully, your obedient servant,  
JNO. WANAMAKER,  
Postmaster-General.

HON. THOMAS B. REED,  
Speaker of the House of Representatives.

#### LIST OF INCLOSURES.

- A.—CORRESPONDENCE IN OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL.
1. Third Assistant to chief inspector, May 22, 1890.
  2. Third Assistant to postmaster Grange Camp, June 17, 1890.
  3. Third Assistant to First Assistant, June 17, 1890.
  4. Third Assistant to postmaster Grange Camp, June 20, 1890.
  5. Third Assistant to chief inspector, June 20, 1890.
  6. Third Assistant to Mr. Wedderburn, June 27, 1890.
  7. Mr. Wedderburn to Postmaster-General, August 13, 1890.
  8. Memorandum as to compensation of postmaster at Grange Camp and amount of postage paid on *National Farm and Fireside*.
  9. Specimens of *National Farm and Fireside*.
- B.—PAPERS IN OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL.
1. Original jacket and inclosure in matter of first establishment of office at Grange Camp, April 22, 1887.
  2. Jacket and inclosures in regard to the discontinuance of office at Grange Camp, April 16, 1888, and the subsequent rescinding of that order, April 24, 1888.
  3. Jacket and inclosures in regard to discontinuance of post-office at Grange Camp, June 25, 1890.
  4. Jacket and inclosures (not acted upon) in regard to the re-establishment of the post-office at Grange Camp, July 8, 1890.
  5. Postmaster Dunn Loring to First Assistant Postmaster-General, reporting closing of Grange Camp office, June 25, 1890.
  6. Letters from Hon. E. H. CONGER, M. C.; Hon. E. H. FUNSTON, M. C.; Hon. E. P. ALLEN, M. C.; Hon. M. B. WRIGHT, M. C.; postmaster Alexandria, Va.; Mr. R. E. FARR, Fairfax C. H., Va.; Mr. Albert Peacock, Lewinsville, Va.; and reply of Third Assistant Postmaster-General, July 15, 1890.
  7. Report of Inspector Arrington, July 9, giving reasons why post-office at Grange Camp should not be re-established.
  8. Letter from Hon. A. S. PADDOCK, United States Senate, to Postmaster-General, July 16, 1890.
- C.—PAPERS IN OFFICE OF CHIEF POST-OFFICE INSPECTOR.
1. Report of Inspector Arrington, July 12, 1890.
  2. Report of Inspector Arrington, July 31, 1890.
  3. Statement of A. J. Wedderburn, June 20, 1890.
  4. Statement of A. J. Wedderburn, June 24, 1890.
  5. Statement of A. J. Wedderburn, to editor Star.
  6. Third Assistant Postmaster-General to Chief Inspector, June 20, 1890.
  7. Chief Inspector to Inspector King, July 8, 1890.
  8. Inspector Arrington to Inspector King, July 12, 1890.
  9. Application for admission of *Farm and Fireside* at second-class rates through Alexandria post-office.
  10. Chief Inspector to Inspector King, June 21, 1890.
  11. Chief Inspector to Inspector King, July 16, 1890.
  12. A. Freeman to Postmaster-General, July 15, 1890.
  13. Hon. A. S. PADDOCK, United States Senate, to Postmaster-General, July 7, 1890.
  14. Reply of Postmaster-General to Senator PADDOCK, July 15, 1890.
- D.—1. Copy of resolution of the House of Representatives, August 16, 1890.

#### A.—CORRESPONDENCE IN OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., May 22, 1890.

SIR: The *National Farm and Fireside* was accepted for entry and mailing as second-class matter at Grange Camp, Va., November 8, 1887.

It has recently been represented to this office—  
That it is printed at Alexandria, Va., and sent to Grange Camp by express, and there mailed at the pound rate of postage.

That much of the business of the publication is transacted through post-office box 33 (?), Washington, D. C.

That the legitimate circulation of the paper does not exceed from 300 to 500 copies.

That from 10,000 to 15,000 copies of each issue are being mailed and that the so-called sample copies are paid for at the rate of 3 cents apiece by John P. Squire & Co., of Boston, Mass., who are advertisers and are circulating it for the purpose of influencing legislation on a bill now pending before Congress.

That each issue contains a blank petition, which each reader is requested to sign and return.

That Mr. W. W. Kimball, of Boston, Mass., now in this city, is the agent of Squire & Co., and that sample copies are mailed under his direction.

That the publisher of *The National Farm and Fireside* mails his correspondence at Grange Camp, Va., having an arrangement with the postmaster by which he receives all the emoluments of the office in excess of an amount agreed upon, which is paid the daughter of the postmaster, who is assistant.

That the Department is being defrauded by the improper diversion to that place of business properly belonging to Washington and Alexandria.  
I will thank you to cause an early and thorough investigation of all the facts in the case.

Yours, very respectfully,  
A. D. HAZEN,  
Third Assistant Postmaster-General.

E. G. RATHBONE, Esq.,  
Chief Inspector, Post-Office Department.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 17, 1890.

SIR: The National Farm and Fireside, published at your place, has been decided by this office, after consideration of the application and papers submitted by the publishers, to be not entitled to admission into the mails at the second-class rate of postage, under the provisions of paragraph 4, section 328, Postal Laws and Regulations.

You are directed to inform the publishers of the action of the Department and to require postage at the third-class rate on all copies of the publication presented for mailing at your office.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

POSTMASTER, Grange Camp, Va.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 17, 1890.

DEAR SIR: I beg leave to submit herewith a copy of a report of Post-Office Inspector T. M. Arrington, in case of The National Farm and Fireside, a weekly newspaper that purports to be published at Grange Camp, Va. In accordance with the recommendation of the inspector the privileges of the second-class rates of postage have been withdrawn from the publication.

As this appears to be a case where the post-office has been run in the interest of the publisher of the paper, I respectfully recommend that the office be discontinued.

Very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

Hon. J. S. CLARSON,  
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 20, 1890.

SIR: The order sent you yesterday, withdrawing the privilege of entry as second-class matter at your office of The National Farm and Fireside is hereby modified so far (and no farther) as to permit the publisher to mail the edition of the paper for this week.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

POSTMASTER, Grange Camp, Va.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 20, 1890.

SIR: In compliance with your verbal request of yesterday I return herewith the report of Post-Office Inspector Arrington relative to the status of The National Farm and Fireside, published at Grange Camp, Va., and of the post-office at that place. I send you also copy of a report made on the 2d of March, 1888, by Post-Office Inspector W. S. Ridgely upon the affairs of the post-office at Grange Camp, which exhibits a state of things at that time somewhat similar to what is shown by the report of Inspector Arrington. It seems that shortly after the receipt by this office of Inspector Ridgely's report, namely, on March 20, 1888, a copy of it was transmitted to the First Assistant Postmaster-General with a recommendation for the discontinuance of the office, and that an order to discontinue was made on the 16th of April, 1888, but rescinded ten days afterwards.

I inclose also copies of two applications made by Alexander J. Wedderburn, publisher of The National Farm and Fireside, for the entry of that paper at Grange Camp, Va., and for the entry at Alexandria, Va., of what is called the Virginia edition of The National Farm and Fireside; and although this office is not aware of any fraud in connection with these applications it may be that upon special investigation fraud will be discovered. I should be glad to have you specially investigate the status of the Virginia edition of The National Farm and Fireside, with the view of discovery whether it is advisable to exclude it from the mails as second-class matter.

There is still another paper, it seems—The Progress—published at Alexandria, Va., by Mr. Wedderburn, the status of which it might be well to inquire into.

I send also paper showing sales, cancellations, and commissions of the postmaster at Grange Camp from the second quarter of 1887 to the fourth quarter of 1889, inclusive, and suggest that inquiry be made to ascertain whether the postmaster or his assistants or agents have been guilty of making false returns in order to increase the compensation of the office.

In transmitting to you the above-mentioned papers, I beg leave to call your attention to the fact that the present assistants of the postmaster at Grange Camp, a Mr. Swayze and his daughter, have, according to Inspector Arrington's report, been habitually violating the act of Congress of June 17, 1878, in selling stamps to the publisher of The National Farm and Fireside, Alexander J. Wedderburn, without requiring payment therefor in cash, an offense which is punishable by fine or imprisonment and which would seem to be in this case of sufficient gravity to warrant a criminal prosecution of the offenders.

After the investigation is completed, I should be glad to have you communicate the result to this office.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

E. G. RATHBONE, Esq.,  
Chief Post-Office Inspector, Washington, D. C.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 27, 1890.

SIR: Pending a further investigation, which has been directed, into the status of your paper (The National Farm and Fireside), heretofore entered and mailed as second-class matter, the order recently issued excluding it from the privileges of second-class matter has been suspended until further notice. Since, however,

the post-office at Grange Camp has been discontinued, your right to mail the paper at another post-office can be decided only through a new application.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

A. J. WEDDERBURN, Esq.,  
Alexandria, Va.

WASHINGTON, D. C., August 13, 1890.

DEAR SIR: The letter sent by General Hazen to various members of Congress and others who have recommended the re-establishment of the post-office at Grange Camp, Va., based doubtless upon the information received from the "intelligent inspector of the Department," to whom the case was intrusted, is so full of erroneous statements, and naturally so misleading in consequence, that I feel constrained to direct attention thereto.

Presuming from the prompt and just manner in which you acted in ordering the revocation of General Hazen's order to suppress my paper that you desire to act without prejudice and with entire justice, I shall ask your attention to the following facts:

The Latin motto *Falsus in uno, falsus in omnibus* would certainly easily discredit the report of your "intelligent inspector" were only one of his statements capable of contradiction; but of the fifteen reasons given for discontinuing the office it appears to me that only one is of sufficient importance to need consideration, except those which can readily be shown to be erroneous or misleading. Allow me to take up and dispose of them *seriatim*.

The causes given for the action of the Department are fifteen in number, and I shall take them up and reply thereto *seriatim*:

*Charge 1.* Grange Camp is neither a city nor town; is without commercial or manufacturing interests; and it is only used once a year for a fair.

*Reply 1.* While not a city, town, manufacturing or commercial center, Grange Camp is a pleasure-ground, used oftener than once a year.

*Charge 2.* It is a flag station on a Virginia railroad.

*Reply 2.* Neither can its being a flag station on a Virginia railroad affect this matter, as post-offices are frequently established outside of cities, towns, commercial and manufacturing centers, and they are also often established at flag stations even on Virginia railroads. If the truth must be told, the large majority of fourth-class offices are located at some lonely cross-road store in the backwoods, or, worse still, in the home of some country gentleman; therefore these reasons amount to nothing, in arguing the case, except to show that probably the writer had fully and carefully studied the art of "how not to do it" when it was desired that he should not. And the assertion that a truth half told leads to incorrect conclusions holds good in this case as in others.

*Charge 3.* It is situated within a mile of Dunn Loring and 1½ miles of Vienna, both post-office villages.

*Reply 3.* The distance is incorrectly stated. To Dunn Loring it is 1½ miles and to Vienna over 2½ miles by county road. What constitutes a post-office village in the eyes of the writer I am at a loss to understand. Let us compare Grange Camp with the "manufacturing and commercial" center of the post-office village of Dunn Loring, and mark the result. Dunn-Loring consists of one depot, one store and dwelling occupied, two other dwellings, one of which never has been occupied, and one other family a few hundred yards distant. When compared with the population of Grange Camp, as given below, any intelligent person can see where the advantage belongs.

*Charges 4 and 5.* That, besides myself, only two families were benefited by the mail facilities, etc.; that the mail from Grange Camp, besides my own, would not exceed 2 cents per day.

*Replies 4 and 5.* These statements are incorrect, and must have been known to the "intelligent inspector," as is easily proven. The Williams families, Mr. Johnston, Mr. Swayze, and my own, all white, live immediately upon the grounds or on the farms adjacent thereto. In Mr. Johnston's and my families are employed five colored persons, all of whom write and receive letters far above the ordinary average for colored persons. Mr. A. C. Williams, as secretary of the Grange Camp Association, paid in for that association last year on one voucher over \$24, which alone exceeds by over 300 per cent. the amount stated by your inspector. As secretary of the District Grange of Northern Virginia my mail has exceeded \$7.30 per year (which again disproves it).

The personal mail of Mr. Williams is not inconsiderable, and I am confident that, leaving out my individual and Grange mail, the cancellations of the office would compare favorably with those of a large majority of fourth-class offices, if it would not rank very high in the average scale. Your inspector seems to have ignored entirely the existence of Mr. Johnston's family, and also that of Mr. Swayze (the assistant postmaster), who, together with his family of five, have resided on the ground for over eighteen months. That the inspector knew of their existence can be easily shown. He not only conversed with Mr. Swayze, but was in his house, and certainly saw and conversed with Miss Swayze, his daughter, and the clerk in the post-office. Was it possible, under such circumstances, for him to have forgotten their existence in his enumeration of the population of Grange Camp? Or could it have been an intentional omission, made by a man sent to see only what he wanted?

*Charge 6.* That of the twenty-eight signers to the petition, six belonged to the two Williams families and five to mine, and "the remainder are said to be residing within the delivery of other post-offices."

*Reply 6.* It may be true that six of the signers to the petition belonged to the Williams families and five to mine, but if all of these persons write and receive letters is there any reason why they should be denied proper postal facilities under an administration which announces its avowed policy to be to accommodate the public and increase the postal facilities? Admit, for argument's sake, in passing, that some of your other charges are sufficient to warrant my punishment, is the entire community to be made to suffer for my misdeeds, real or supposed?

Having disposed of eleven of the twenty-eight signers to the petition thus summarily, the writer asserts, with his usual incorrectness, that the balance of the signers reside within the limits of other post-offices. The facts are that of the other seventeen seven reside on the grounds, as follows: M. Diggs, J. Wilson, A. Wilson, E. Hawkins, R. Pullen, R. L. Johnston, and U. M. Johnston. The remaining ten all live nearer to Grange Camp than to any other post-office, unless one or two may be nearer to the recently established post-office of Merrifield, namely: Messrs. Durant, Charles Taylor, T. Brent and wife, M. Brown, H. Nickens, H. Brown, and Jerry Smith. This leaves only one out of the twenty-eight not accounted for, all of whom reside within from one-quarter of a mile to 1 mile nearer Grange Camp than any other office.

Upon a cursory examination of the locality I find that there reside nearer to Grange Camp than to any other office twenty-two families, and had your inspector taken the pains he should have done, if he desired information, there would have been no trouble in his ascertaining the correctness of this statement. Of these families, ten are white and twelve are colored, not including the colored families on the grounds. That there may be no mistake as to this, I append their names, as follows: The white families are those of A. C. Williams, Frank Williams, Mr. Durant, Oscar Moore, Mr. Terrett, Mrs. Hunter, Mr. Pickett, Mr. Johnston, Mr. Swayze, A. J. Wedderburn, in all ten. The colored families are those of Mrs. Harney, Marlow Brown, H. Nickens, F. Williams, H. Brown, H. Bell, Jerry Smith, T. Bell, M. Bell, Dobbie, T. Brent, Chas. Taylor, in all twelve. The last-named person resides on the Dunn Loring farm. With few exceptions, all of these persons reside within the mile limit for special-delivery letters.

Charge 7. The only person benefited by this office was myself, as the editor of The National Farm and Fireside, which I regularly sent by express to mail from Grange Camp.

Reply 7. As to being the only person served by the office, and consequently benefited thereby, the preceding paragraphs show the incorrectness of this statement.

Regarding the National Farm and Fireside being sent from Alexandria to Grange Camp, I have to say:

First. I know no law to forbid the printing of a newspaper in one place and mailing it in another. So far as I know, the postal laws have been faithfully observed in its publication.

Second. For seventeen years the paper ran on in the even tenor of its way without hindrance (except on one occasion, when the Department thought I was advertising my fertilizer business too heavily; but they receded from that position on investigation), until I presumed to advocate the passage of the Conger lard bill; when suddenly the postal authorities pounced upon my paper without a word of warning, and issued an illegal and unwarranted order denying it the United States mails at newspaper rates.

When the office was established at Grange Camp and The National Farm and Fireside entered there as second-class matter—and for many months thereafter, however, it was printed there, as well as mailed from that place—owing to reasons perfectly legitimate, it was deemed best to remove the printing to Alexandria. The greater portion of the editorial work was and is still done at Grange Camp, as I reside there from April to November (which again disproves the inspector's statement that I reside most of the time in Alexandria). I would like to know as to the objections to printing a paper in one place and mailing it at another. And, further, has the Department ruled that a paper can not be printed in whole or in part in one place and mailed from another as second-class matter? If such rule exists, how does it coincide with the law, which says that agents and dealers can mail to subscribers at offices other than that of publication? If there is no such regulation, what has that to do with the matter?

Charge 8. The office was originally established upon my exertions, and the person appointed postmaster, and who continued as such until the office was discontinued, was not a resident of the place, etc.

Reply 8. It is an undisputed fact that the office was created at my request and for my benefit principally, as my written application and papers in the case will show, wherein are set forth the kind, quantity, and character of the mail to be sent therefrom; and this, after a protest from the nearest (Dunn-Loring) office and an investigation by the Department.

The idea intended to be conveyed regarding the postmaster, Mr. Luckett, is calculated to deceive if not so intended. Mr. Luckett, at the time of his appointment, was a resident of Grange Camp.

Charge 9. The duties of the office were performed by an employé of mine, who allowed me to get my stamps on credit.

Reply 9. There has been no attempt to deny that an employé of mine performed the duties of postmaster. If it was illegal to have sold me stamps on credit I was unaware of it, and presumed the Government only desired to get the amounts due at the end of each quarter, which the Treasurer's receipts will show have been paid.

Charge 10. That I received the emoluments of the office.

Reply 10. This appears to me to be of no concern except to the postmaster and myself, but as the office was suspended a few months after it was started on precisely the same ground (that I was its chief patron and chief beneficiary), and as the whole subject was then fully discussed, and the authorities decided that the question of the disposition of the profits of the office was one for the consideration of the postmaster, and not of the Post-Office Department, and the office was at once re-established, I am at a loss to see what blame attaches either to Mr. Luckett or myself.

Charge 11. I was the absolute director of the office, and mailed my paper in unlimited quantities, "without liability of being questioned as to its legitimacy."

Reply 11. For years I have mailed each year several large editions of The National Farm and Fireside, and intend to do so in the future, unless a general rule is made to the contrary, applicable to other papers as well as mine. I remember eight years ago sending into Pennsylvania an edition of twenty-five thousand, advocating the election of that friend of the farmer, Governor Pattison, as my contribution to his successful canvass, and its "legitimacy" was not even then questioned.

Charge 12. That I brought "other mail matter" from Alexandria and Washington so as to swell the cancellations at Grange Camp.

Reply 12. The insinuation that I secured mail from Washington and Alexandria other than my own and that on which I paid the postage is absolutely false.

Charge 13. The receipts of the office are shown to be large enough to pay the Government during its continuance \$280.79.

Reply 13. The strangest of all reasons given for the suppression of the office is the one that it was a paying fourth-class office.

The figures presented show that the Government received something every quarter. That, so far from being an expense, like 75 per cent. of all the fourth-class post-offices of the country, it actually paid 19 per cent. profit.

In the thirty-eight months of its existence it paid \$280.79 into the United States Treasury.

When millions have to be appropriated every year for the support of fourth-class offices, it seems remarkable that one of the few paying offices should be discontinued, while non-paying offices are allowed to continue and are constantly being established under the rule alluded to.

Charge 14. That the receipts from mail other than mine did not average 2 cents per day.

Reply 14. This charge has been disposed of above.

Charge 15. That the whole, or nearly the whole, of the commissions paid were a dead loss to the Government.

Reply 15. This charge I also deny, for two reasons:

First. Had the large majority of the mail not been sent from Grange Camp, it would have had to be mailed from some other fourth-class post-office in this neighborhood, in which event the Government would not have received any more than it did in this case.

Second. The commissions enabled me to circulate very much more mail (which mail, by the way, was in connection with my Grange work, and not for my individual benefit) than I otherwise could have done.

Taken together, I believe the Government is a gainer rather than a loser by the transaction, as the writer tries so hard to show.

These being the facts, it hardly seems that this injustice should be permitted, as there was no intention to discontinue the office (as shown by the request for a new bond dated June 14, 1890) until the attempt was made to stop The National Farm and Fireside. And if you examine the conversation between Inspector Rathbone and myself, on June 20, 1890, you can not but see that I have strong presumptive evidence for believing that that attempt to suppress my paper was due to its advocacy of the Conger lard bill and instigated by the opponents of that measure. The Department having found itself in the awkward position of having violated the constitutional right of the freedom of the press, in its attempt to shield itself descends to the small expedient of trying to suppress a fourth-class post-office, which not only inconveniences myself, but many others.

Yours, respectfully,

ALEX. J. WEDDERBURN.

Hon. JOHN WANAMAKER,  
Postmaster-General.

Compensation of the postmaster at Grange Camp, Va., and amount of postage paid on National Farm and Fireside, mailed at that office from May 14, 1887, to March 31, 1890, by quarters.

Quarter ending—	Sales.	Cancellations.	Compensation of postmaster.	Postage on National Farm and Fireside.
June 30, 1887 .....	\$62.96	\$65.83	\$59.50	\$9.68
Sept. 30, 1887 .....	74.25	82.38	69.43	10.49
Dec. 31, 1887 .....	170.98	165.43	117.71	16.15
Mar. 31, 1888 .....	163.02	217.68	143.84	17.98
June 30, 1888 .....	71.02	87.09	72.25	20.42
Sept. 30, 1888 .....	179.44	189.66	129.83	17.01
Dec. 31, 1888 .....	105.30	118.10	90.86	21.10
Mar. 31, 1889 .....	58.46	60.64	56.38	8.48
June 30, 1889 .....	63.12	63.28	57.97	8.09
Sept. 30, 1889 .....	56.12	58.56	55.14	9.79
Dec. 31, 1889 .....	95.90	97.98	78.79	3.33
Mar. 31, 1890 .....	77.91	82.24	69.34	11.13
Total .....	1,178.48	1,288.87	1,001.04	153.65

Mem.—Swayze, asst. p. m., says that paper has about 500 subscribers, which would make the average legitimate mailing a quarter about 400 lbs. or less. It would thus seem that the greatest part of the papers mailed nearly every quarter have been sent as sample copies.

(Here follow five copies of the National Farm and Fireside.)

B.—PAPERS IN OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL.

[No. 1012.]

POST-OFFICE DEPARTMENT,  
OFFICE OF THE FIRST ASSISTANT P. M. GENERAL,  
April 7, 1887.

New office in the State of Virginia, county of Fairfax, to be named Grange Camp.

For P. M., Ludwell H. Luckett.  
Applied for by 40 citizens.

Queries sent April 7, 1887, to Ludwell H. Luckett, care of the postmaster at Fairfax C. H.

Queries returned April 10, 1887, — and answered as follows:

It will be situated in the — quarter of section —, township —, range —, Route No. —, from Washington to Leesburgh, and will increase the distance —.

Between the offices of Dunn Loring, 1 mile east, and Vienna, 5 miles west.

Nearest office not on route, —.

Its distance is — miles in a — direction.

Population to be supplied, 20 families.

Number of inhabitants within village, summer resort.

Or not on any established route, but to receive special supply from — distant — miles, and supplied by — for —.

(Indorsed:) No. 1012, April 7, 1887, Grange Camp office, Fairfax County, Virginia State.

Papers to Fairfax C. H. \$500 bond.

Referred to contract office, April 12, 1887. Contract office returns case April 12, 1887, and reports can be supplied from R. R. route No. 11004, provided the mails are taken to and from the post-office without expense to the Department.—Sweeney.

Establish Grange Camp on Route 11004, and appoint Ludwell H. Luckett, P. M.—A. Leo Knott, Acting P. M. General.

April 22, 1887.  
Hon. W. H. F. LEE.

GRANGE CAMP, VA., April 4, 1887.

DEAR SIR: In asking for a post-office at Grange Camp it was suggested that such reasons should be given for its establishment as may seem to justify it, in view of the proximity to the offices at Vienna and Dunn Loring. I will therefore state:

First. The wagon-road to Dunn Loring is about 1½ miles; to Vienna between 2½ and 3 miles. That they are almost impassable at times, and I understand neither are public roads.

Second. There are to be published at Grange Camp, two papers; one weekly with nearly 2,500 regular circulation, and one monthly with about 500 circulation.

Third. Grange Camp Hotel will be opened on May 1, as a regular summer resort and excursion grounds, and in addition to the neighborhood mail there will be a large transit mail from the office.

Fourth. I find upon investigation, as shown by the petition annexed hereto, that over twenty families will be greatly inconvenienced by the office.

Fifth. The office shall not cost the Government one dollar more than the present offices would, and will add considerably to its revenue and aid in developing and improving this section.

Sixth. If it be found necessary to erect a crane or to go to any other expense for the purpose of establishing the office, it will be done at the expense of the management of Grange Camp.

Seventh. There is held by the association, annually, an exhibition lasting one week, at which time thousands of people gather on the grounds, and the office would be a source of great convenience to the members of the Grange Camp Association and their exhibitors and visitors.

Eighth. The District Grange of Northern Virginia have recently organized a Mutual Insurance Co. and are preparing to organize a life association. The headquarters of both of these concerns will be established at Grange Camp provided this office is established.

As the various enterprises hereinbefore mentioned will necessitate considerable outlay and will add greatly to material prosperity of the neighborhood, it is earnestly requested that the office be established at the earliest practicable moment.

Yours, respectfully,

ALEX. J. WEDDERBURN.

Secretary Grange Camp Association.

To the POSTMASTER-GENERAL,  
Washington, D. C.

RICHMOND AND DANVILLE RAILROAD COMPANY,  
DUNN LORING STATION, April 8, 1887.

DEAR SIR: I am informed that Mr. A. J. Wedderburn is trying to establish a post-office at the "Grange Camp." I therefore write you to not allow the office for that place, as the Dunn Loring office is but a little over three-fourths of a mile to the Grange Camp, and will answer all purposes for mail matter for the Grange Camp, and would not be of any benefit to any others.

I hope you will not establish any new post-offices inside of 2 miles to my office. I remain, yours respectfully,

F. BRENIZER,  
Postmaster, Dunn Loring.

FIRST ASSISTANT POSTMASTER-GENERAL.

[Local. (1010.) Grange Camp Office, Fairfax County, State of Virginia.]

POST-OFFICE DEPARTMENT,  
OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., April 12, 1887.

Respectfully referred to the Superintendent of the Railway Mail Service for his opinion as to the name proposed.

Respectfully,

Chief Clerk.

OFFICE OF THE GENERAL SUPERINTENDENT  
RAILWAY MAIL SERVICE,  
Washington, D. C., April 12, 1887.

Respectfully returned approved.

T. E. NASH,  
General Superintendent.

To the POSTMASTER-GENERAL,  
Washington, D. C.:

We, the undersigned, most respectfully solicit the opening of a post-office at Grange Camp, Fairfax County, Virginia, with Ludwell Henry Luckett as postmaster.

Alex. J. Wedderburn, Grange Camp Association of Northern Virginia; Liberty Publishing Company (monthly), Patrons Mutual Fire Insurance Association, National Farm and Fireside Publishing Company (weekly), Mrs. I. S. Wedderburn, Thos. B. Crittenden, Alex. J. Wedderburn, secretary District Grange of Northern Virginia; Jno. M. Fletcher, L. H. Luckett, Mrs. Dr. Wedderburn, Gus. Wedderburn, Franklin Williams, F. Williams, jr., Mrs. H. Williams, A. C. Williams, F. A. Williams, Mrs. M. F. Williams, William Durant, Chas. A. Denison, Mrs. C. A. Denison, Fannie Williams, T. A. King, Mary Haney, Lizy Bell, Harriet Bell, Reial Mabre, Margaret Harrison, Jos. Frey, Harriet Brown, Francis Williams, Andrew Williams, Frank Williams, George Brandt, John E. Carter, Oscar A. Hudson, Henry Hudson, Susin Jackson, Katie West, Mrs. Hannah Hudson, Miss Missouri Hudson, Henry Vickens, Maria Vickens, Austin Cramp, George Burley.

[No. 1015.]

7TH APRIL, 1888.

Grange Camp office, Fairfax County, Virginia State, Ludwell H. Luckett, P. M. appointed 22d April, 1887.

Reasons: P. O. inspector recommends office not needed. Referred to contract office, 7th April, 1888. Contract office returns case 12th Apr., 1888, and reports no objection. Route 11004, Hagerly. Discontinue, to take effect April 20, 1888.—A. E. S., First Assistant P. M. General.

Apr. 16, 1888, papers to Dunn Loring. The order of April 16, 1888, discontinuing the post-office at Grange Camp, Fairfax County, Virginia, to take effect April 20, 1888, is hereby rescinded.—A. E. Stevenson, First Assistant P. M. General.

Recommendations.—Inspector's report recommends discontinuance.

POST-OFFICE DEPARTMENT,  
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., March 20, 1888.

SIR: I have the honor to transmit herewith the report of Inspector Ridgely in the case against L. H. Luckett, postmaster at Grange Camp, Fairfax County, Virginia, from which it will be seen that large quantities of matter are being diverted from a Presidential office to Grange Camp for a consideration and in order to increase the postmaster's compensation.

I beg leave to state that the best interest of the postal revenue demands that the Department should take prompt and earnest steps to have the practice, referred to by Inspector Ridgely, discontinued.

Respectfully, etc.,

H. R. HARRIS,  
Third Assistant Postmaster-General.

HON. A. E. STEVENSON,  
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,  
Grange Camp, Va., March 2, 1888.

W. P. RYAN, Inspector in Charge:

I visited Grange Camp this date. I find the following condition of facts relating to this office: The postmaster, Ludwell H. Luckett, is only nominally postmaster. He does not reside at Grange Camp and rarely visits it. At the time of his appointment he was a traveling agent to sell phosphate for Alex. J. Wedderburn, and his name was used by Mr. Wedderburn for purpose of obtaining an office at Grange Camp, the benefits of which have chiefly inured to Mr. Wedderburn. The name of Luckett has been retained, but the office is conducted by a young man who, though nominally assistant to Luckett, is actually the general agent of Alex. J. Wedderburn. The latter gets all the cancellations and profits of the post-office. While not nominally postmaster the post-office is conducted in his interests and for his benefit. In this connection see paper filed herewith marked Exhibit B.

This being the case, the solicitation of matter within the delivery of Washington post-office (D. C.), as shown by a letter filed herewith (marked Exhibit No. A) of Rider & Addison, of Washington, D. C., and the statement marked fourth, in answer of Thomas B. Crittenden, in Exhibit B, was in violation of the spirit of postal laws, section 515. Mr. Wedderburn, while conducting this post-office at Grange Camp in the name of another person and getting sole benefit from its cancellations, has been soliciting mail-matter in Washington City to be deposited for mailing at Grange Camp and has actually received and deposited the same at Grange Camp post-office and reaped the benefit of all cancellations upon said mail-matter so solicited and obtained.

This fact, in connection with the further fact that the Grange Camp post-office appears to be merely a subterfuge by means of which Mr. Wedderburn gets his mail-matter through the mails at the expense of the United States and with little cost to himself, and this in large quantities, as shown by statement of the sales and cancellations marked "C," establishes a condition of af-

fairs which is discreditable. The pretense of using the name of Ludwell H. Luckett for A. J. Wedderburn's benefit is a fraud which ought not to be permitted.

It appears from this statement, "C," that Mr. Wedderburn's cancellations in 1887 amounted to \$246.64, and that the Post-Office Department carried mail-matter for him to that amount during three quarters of that year without cost to said Wedderburn. In addition to this amount of stamps actually furnished to Wedderburn without cost, the expense of keeping up a post-office at Grange Camp is incurred by the Department chiefly for the benefit of Alexander J. Wedderburn. An examination of the third answer of Thomas B. Crittenden's sworn statement (marked Exhibit B), shows that besides the mailing of Alexander J. Wedderburn's mail-matter the business of the office will not average more than two stamps per day, or about \$3.96 per quarter. This being the case, and the further fact that post-offices are located at convenient distances on either side of Grange Camp, one at Vienna and the other at Dunn Loring, I believe that the interests of the Post-Office Department will be subserved by the discontinuance of the post-office at Grange Camp, and therefore recommend that it be discontinued.

WM. S. RIDGELY,  
Post-Office Inspector.

WASHINGTON, D. C., March 1, 1888.

DEAR SIR: Answering your inquiry as to how some of our calendars addressed "City" came to be mailed from "Grange Camp, Va.," we desire to say that Mr. A. J. Wedderburn requested us to let him mail them and to give him credit for the stamps on his account.

The amount credited was \$5.25.

Yours respectfully,

Mr. RIDGELY.

RIDER & ADDISON.

(No. 1015.)

JUNE 20, 1890.

Grange Camp office, Fairfax County, Virginia State, Ludwell H. Luckett, P. M. Appointed April 22, 1887.

Reasons: P. O. inspector's report recom'ds. office not needed. Referred to contract office June 20, 1890. Contract office returns case June 20, 1890, and reports no objection to its discontinuance from R. R. route No. 11044—Wm. J. Pollock.

Discontinue to take effect June 25, 1890.—J. W., P. M. General.

June 23, 1890.

Papers to Dunn Loring.

POST-OFFICE DEPARTMENT,  
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 17, 1890.

DEAR SIR: I beg leave to submit herewith a copy of a report of P. O. Inspector T. M. Arrington, in case of The National Farm and Fireside, a weekly newspaper that purports to be published at Grange Camp, Va. In accordance with the recommendation of the inspector, the privileges of the second-class rates of postage have been withdrawn from the publication.

As this appears to be a case where the post-office has been run in the interest of the publisher of the paper, I respectfully recommend that the office be discontinued.

Very respectfully,

A. D. HAZEN,

Third Assistant Postmaster-General.

HON. J. S. CLARKSON,  
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
Washington, D. C., June 14, 1890.

DEAR SIR: This case was made up with a view of ascertaining the fact whether or not The National Farm and Fireside, a weekly newspaper entered at the post-office at Grange Camp, Va., as second-class matter should be continued as matter entitled to such rates. In the investigation of this case a state of facts are found to exist making it necessary to treat of the management of the post-office at Grange Camp, Va., in connection with the publication of the newspaper, as the two are so interwoven that it would seem hard to separate them.

The National Farm and Fireside is owned and published by Alexander J. Wedderburn, esq.; he rents box 33 in the Washington, D. C., post-office, and box 15 in the Alexandria, Va., post-office, and he receives mail at both places; he lives at Alexandria, Va., during the winter, and at Grange Camp, Va., during the summer. The National Farm and Fireside is printed at Alexandria, Va., and mailed at Grange Camp, Va., to which office it is sent in boxes by freight.

Grange Camp, Fairfax County, Virginia, is a small station on the Washington and Ohio Railroad, though it can hardly be called a station, as there is no station agent there and the trains do not stop unless signaled. There is a post-office, and Ludwell H. Luckett is postmaster. He lives at Unison, Loudoun County, Virginia, 51 miles from Grange Camp. He was appointed April 22, 1887. He has never lived at Grange Camp, never performed any of the duties as postmaster, and receives none of its revenues. Mr. Alex. J. Wedderburn virtually owns, controls, and runs the post-office in his interest, as his individual property, having agreed with Mr. Luckett that he would pay the expenses of the office and the revenues were to be his. Mr. Wedderburn has been paying Miss Minnie Swayze, a daughter of Mr. W. S. Swayze, \$10 per month to attend to the post-office. This he did up to the 1st of January, 1890; since then he has paid nothing, simply permitting Mr. Swayze to live in a house at Grange Camp free of rent. Both Miss Minnie and Mr. W. S. Swayze have been sworn in as assistant postmasters.

Mr. Wedderburn has stamps, etc., ordered when he desires, takes them away without paying for them, and in every way runs the office as his private property. He sends large quantities of papers, letters, and circulars from Alexandria to Grange Camp by freight, in boxes; there they are stamped and mailed.

To give you some idea of the business transacted at Grange Camp: From April 1 to and including June 5 (the date of my visit) the sales of stamps amounted to \$234.25 and the cancellations to \$244.53; and I will state that during this time not \$1 worth of stamps have been sold other than those taken by Mr. Wedderburn, and there have been no cancellations of stamps other than his. Besides Mr. Wedderburn, I learn there are only two regular patrons of the Grange Camp post-office; these are Mr. A. C. Williams and Mr. Frank Williams, two brothers. Dunn Loring post-office is only about three-quarters of a mile from Grange Camp and Vienna only 1½ miles, Grange Camp being between the two.

As to the mailing of The National Farm and Fireside: From April 1 to May 30, 1890 (nine issues), he mailed 2,994 pounds. I learned from Mr. Swayze, who helps his daughter to attend to the duties of the post-office and who seems to be very familiar with Mr. Wedderburn's mode of business, that it takes about 60 pounds per week to supply the regular subscribers, or for the nine weeks, 540 pounds; the others, 2,454 pounds, were sent out as sample copies. Mr. Swayze says these papers average eight to the pound, so that 4,320 were sent to regular subscribers and 19,632 as sample copies.

On June 7 Mr. Wedderburn, at my request, called to see me. He stated that it was true that he ran the office at Grange Camp; that he paid the expenses and took the revenue. He stated that The Farm and Fireside was run in the interest of agriculture. I called his attention to the fact that the last two issues, herewith inclosed, contained almost identically the same matter and that they advocated the passage of some land bill by Congress almost exclusively. He said, yes, when he put in what he considered good reading matter for the farmers he kept it in his paper for some time; and that he was advocating the passage of a bill in the interest of the Agricultural Department, and if it became a law he hoped to get a place, an appointment.

I asked him about the circulation of The National Farm and Fireside, and he stated that his regular weekly edition was 5,000; that sometimes he issued as many as 15,000 copies; that he has about 2,000 paying subscribers, the rest of the issues he sent out as sample copies; that he usually sent them in Congressional districts at the request of members of Congress; sometimes they paid him for them, and sometimes he got nothing.

Under all the circumstances, I deem it my duty to recommend, first, that the post-office at Grange Camp, Va., be discontinued and, second, that The National Farm and Fireside be not allowed the privileges of second-class rates of postage.

Very respectfully,

T. M. ARRINGTON,  
Post-Office Inspector.

J. D. KING, Esq.,  
Inspector in Charge, Washington, D. C.

(No. 1012.)

POST-OFFICE DEPARTMENT,  
OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL,  
July 8, 1890.

Re-est—in the State of Virginia, county of Fairfax, to be named Grange Camp.

For P. M., ———.  
Applied for by 25 citizens.  
Queries sent 8th July, 1890, to A. C. Williams, sec'y, etc., care of the postmaster at Dunn Loring.

Queries returned ———, 18—, ——— and answered as follows:  
It will be situated in the ——— quarter of section ———, township ———, range ———, Route No. ———, from ——— to ———, and will increase the distance ———.

Between the offices of ———, ——— miles ——— and ———, ——— miles ———.  
Nearest office not on route, ———.  
Its distance is ——— miles in a ——— direction.

Population to be supplied, ———.  
Number of inhabitants within village, ———.  
Or not on any established route, but to receive supplies from ———, distant ——— miles, and supplied by ——— for ———.

(Indorsed:) (No. 1012.) 8th July, 1890. Grange Camp office, Fairfax County, Virginia State.

Papers to Dunn Loring.  
Wrote Hon. Park Agnew July 31, 1890, for name of some one to serve as P. M. during session of Grange Camp Association.

WASHINGTON, D. C., July 1, 1890.

DEAR SIR: I write to most respectfully urge the re-establishment of the post-office at Grange Camp for the following reasons:

First. The office accommodates between twenty-five and thirty-five patrons; not two, as stated.

Second. It is of immense convenience to the many visitors who meet from various States during the annual exhibition.

Third. The Grange Camp Association has a mail of between \$30 and \$40 a year, which is about as much as ordinary cancellations at fourth-class offices.

Fourth. One patron (Mr. Williams) mails between \$20 and \$30 a year at the office.

Fifth. All of the subscribers to the accompanying petition (twenty-eight in number) mail more or less matter at the office.

Sixth. The office is a mile and a quarter from the nearest post-office by a road; in a bee-line over marshes, branches, and through bushes or down the railroad track, it is about nine-tenths of a mile.

Seventh. During the summer, spring, and fall months I reside at the camp and my mail is important and large, and I should be accorded the same privileges as any other patron of the post-office, especially as my mail, which is not of a personal but general character, consists of more than that of any ordinary fourth-class office in the State.

Eighth. The Grange Camp Association is a chartered organization for the benefit of promoting agriculture, and is in no sense speculative or profitable. To do away with the office will seriously inconvenience and injure the association and thereby damage the entire county.

Ninth. The summary discontinuance of the office, together with the semi-official publication connected therewith, which certainly casts undue reflection upon me, and seems to demand, if I am not guilty of the crimes charged, that the office should be re-established.

Hon. Park Agnew, of Alexandria, will recommend a suitable postmaster. I have no doubt, and I most sincerely hope you will kindly revoke the order for its disestablishment.

Yours, respectfully, ALEX. S. WEDDERBURN.

Hon. JOHN WANAMAKER,  
Postmaster-General.

COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES,  
Washington, D. C., June 23, 1890.

SIR: I beg to call your attention to the case of the post-office at Grange, Fairfax County, Virginia, and urge that no change in the location of that office shall be made.

Yours, very respectfully, TH. H. BAYLY BROWNE.

Hon. FIRST ASSISTANT POSTMASTER-GENERAL,  
Post-Office Department, City.

LEWESVILLE, FAIRFAX COUNTY, VIRGINIA, June 30, 1890.

RESPECTED SIR: Referring to the discontinuance of the post-office at Grange Camp, Va., allow me, as president of the Grange Camp Association, to say that the closing of said office will, in my belief, work a great injury to said association and through that to the people of the county.

The amount of regular business done at the office may be small, but when you consider that you have, in addition to that, that of the people attending the annual fair and picnic and the mail of Grange Camp Association, all taken together make up a business as large as is done by very many small fourth-class post-offices throughout the country.

It is hoped, therefore, that the matter of the re-establishment of said office may be looked upon with favor by you.

Very respectfully, WM. B. DODGE,

President Grange Camp Association.

Hon. JOHN WANAMAKER,  
Postmaster-General of the United States.

GRANGE CAMP, VA., June 23, 1890.

SIR: Understanding that the post-office at this place is to be discontinued upon the grounds that it is used only for the benefit of Mr. Wedderburn and two families, I desire to say that as the secretary of the Grange Camp Association, I receive considerable mail and mail a number of letters, circulars, and catalogues. The postage is considerable. During our annual exhibition, which continues a week every year, the office is of great convenience to the visitors, who come here from several States to exhibit their goods. To discontinue the office would be a serious inconvenience to the association.

Trusting that the matter may be reopened and the office continued, I remain  
Yours, respectfully,

A. C. WILLIAMS,  
Secretary Grange Camp Association.  
FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C.

GRANGE CAMP, June 30, 1890.

FIRST ASSISTANT POSTMASTER-GENERAL, Washington, D. C.:

We, the undersigned citizens of Grange Camp and vicinity, respectfully ask that the post-office at this place be re-established. It is a convenience to the neighborhood. Its discontinuance will be of great detriment to the Grange Camp Association.

A. C. Williams, Alex. J. Wedderburn, jr., Jerry Smith, F. Williams, Wm. Dorant, Oscar Morse, Henry Nickens, George Brent, Bell Brent, Frank Williams, jr., Charles Taylor, jr., Charles Henry Taylor, Gus Wedderburn, Alice Wilson, Welton Williams, Mrs. F. Williams, Mrs. F. Connor, M. F. S. Williams, R. Le Grand Johnston, Mary V. Johnston, Mrs. Millie Diggs, I. S. Wedderburn, Alex. J. Wedderburn, Richard Pullem, Jerry Wilson, Mrs. Emma Hawkins, Miss M. Addison, M. B. Wedderburn.

RICHMOND AND DANVILLE RAILROAD COMPANY, June 30, 1890.

DEAR SIR: As per your letter of June 23, in regard to closing the Grange Camp office, I have done as instructed. Office was closed June 25, 1890.

Respectfully,

F. L. BRENIZER,  
Postmaster Dunn Loring, Fairfax County, Virginia.

J. S. CLARKSON,  
First Assistant Postmaster-General, Washington, D. C.

ROOM OF COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., July 5, 1890.

SIR: I have known Mr. A. J. Wedderburn, of Virginia, for past three years, and have found him an upright, reliable gentleman. He is an enthusiast on the subject of agriculture and has been doing earnest and effective work in the interest of the farmers of the country.

Very respectfully,

E. H. CONGER.

Hon. JOHN WANAMAKER,  
Postmaster-General.

(Indorsed:) July 15, 1890.—Wrote Hon. E. H. CONGER, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

COMMITTEE ON AGRICULTURE,  
HOUSE OF REPRESENTATIVES, UNITED STATES,  
Washington, D. C., July 7, 1890.

DEAR SIR: I do not believe the post-office at Grange Camp, Va., should be discontinued. Please give the matter careful attention.

E. H. FUNSTON.

I concur.

A. L. BLISS.

I concur in the request of Hon. E. H. FUNSTON.

JNO. H. GEAR.

(Indorsed:) July 15, 1890.—Wrote Hon. E. H. FUNSTON, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

HOUSE OF REPRESENTATIVES, UNITED STATES,  
Washington, D. C., July 7, 1890.

SIR: I have been at some pains to ascertain the status of the Grange Camp post-office, Va., and while entirely out of my personal interests, yet I am satisfied the office is needed there and hope the way may be clear to re-establish it.

Very respectfully,

EDWARD P. ALLEN.

Hon. POSTMASTER-GENERAL.

We concur in the foregoing recommendation.

M. BROSIUS,  
JOHN H. WILSON,  
ROBERT M. LA FOLLETTE.

(Indorsed:) July 15, 1890.—Wrote Hon. E. P. ALLEN, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

HOUSE OF REPRESENTATIVES, Washington, July 1, 1890.

DEAR SIR: I respectfully request that a post-office be re-established at Grange Camp, Va. I care not who may be postmaster, but for benefit of my friends who want postal facilities at that point I desire very much that this office be re-established.

This request is personal.

Yours, truly,

M. B. WRIGHT, M. C.

Hon. JOHN WANAMAKER.

(Indorsed:) July 15, 1890.—Wrote Hon. M. B. WRIGHT, House of Representatives, giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

UNITED STATES POST-OFFICE,  
Alexandria County, Virginia, July 3, 1890.

DEAR SIR: The Republican county chairman (Hon. R. R. Farr) of Fairfax County agrees with me that the post-office at Grange Camp should be continued and that it serves about as many patrons as most offices of like character in this State.

Yours, truly, etc.,

PARK AGNEW.

Hon. JOHN WANAMAKER,  
Postmaster-General, Washington, D. C.

(Indorsed:) July 15, 1890.—Wrote postmaster at Alexandria, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

FAIRFAX COURT-HOUSE, VA., July 2, 1890.

DEAR SIR: I have heard with regret that the post-office at Grange Camp, Fairfax County, Va., has been discontinued.

I am a member of the association and feel a deep interest in the success of the camp. It is a farmers' enterprise, and we meet there once a year and remain ten days or two weeks for pleasure as well as profit, and you can readily see what a great convenience the office is to the general public as well as the neighborhood.

I respectfully ask that the action of the Department be reconsidered and that the post-office at Grange Camp be re-established.

Very respectfully, yours,

Hon. JOHN WANAMAKER,  
Postmaster-General.

R. R. FARR.

(Indorsed:) July 15, 1890.—Wrote Mr. R. R. Farr, Fairfax Court-House, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

LEWINSVILLE, VA., July 7, 1890.

THE POSTMASTER-GENERAL:

As a citizen of Fairfax County, a member of the Grange Camp Association, I heartily concur in the recommendations of Hons. R. R. Farr and Park Agnew that the office at Grange Camp be re-established.

I am cognizant of the fact that this office is of great value to the association and its visitors, and as such is valuable to all the farmers of this section.

ALBERT PEACOCK.

(Indorsed:) July 15, 1890.—Wrote Albert Peacock, Lewinsville, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, July 16, 1890.

Respectfully referred to the First Assistant Postmaster-General's Office.

A. D. HAZEN,  
Third Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., July 15, 1890.

SIR: I transmit herewith, for your information, copy of a letter this day sent from this bureau, by direction of the Postmaster-General, to Hon. E. H. CONGER, relative to the discontinuance of the post-office at Grange Camp, Va. A similar letter has been sent to each of the following-named gentlemen: Hon. E. H. FUNSTON, Hon. E. P. ALLEN, Hon. M. B. WRIGHT, Albert Peacock, Park Agnew, R. R. FARR.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,  
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., July 16, 1890.

SIR: By direction of the Postmaster-General I have the honor to acknowledge receipt of your letter of the 7th instant, asking the re-establishment of post-office at Grange Camp, Va., and, in reply, to give you the facts in connection with the recent discontinuance of that office, which are as follows:

The place known as Grange Camp is not a city, town, or village, nor a resort for pleasure, health, or any other purpose known to the Department, except that once a year an attempt is made to hold there an agricultural fair; it is merely a "flag station" on one of the Virginia railroads, distant but a mile in one direction from Dunn Loring and a mile and half in another from Vienna, both of which are post-office villages.

No commercial, manufacturing, or other private business is transacted at Grange Camp, and so inconsiderable is the population in the vicinity of the station that upon a recent thorough investigation of the matter it was ascertained by an intelligent inspector of the Department that, besides the proprietor of a weekly paper nominally issued there (but which in reality is published at Alexandria, Va., where the proprietor himself mostly resides), there were only two families permanently accommodated by the post-office, and these to quite a limited extent, one of them, in fact, getting part of its mail through a rented box at the post-office at Vienna. A petition, it is true, has been recently submitted to the Department, signed by twenty-eight persons, but it appears that six of the signers of this petition are members of the two families above alluded to, five are of the Wedderburn family, and the remainder are said to be residing within the delivery of other post-offices.

The only person who was really benefited by the establishment and the continuance of the post-office at Grange Camp is Mr. A. J. Wedderburn, proprietor of The National Farm and Fireside, the paper above referred to, edited and printed at Alexandria, Va., but the issues of which for years, it seems, Mr. Wedderburn has been regularly sending by express to Grange Camp, to be mailed from that post-office, the object of which will presently appear.

From the investigation made by the Department's inspector it was further ascertained that the post-office at Grange Camp was originally established through the exertions of Mr. Wedderburn, and that the person appointed to be postmaster, and who continued as such until the office was discontinued, is not a resident of the place, never rendered any returns or performed any of the other duties of the office, never even visited it, and indeed in nothing but the name was an officer of the Government.

The entire duties of the office were performed by one of Mr. Wedderburn's employes, who, with his daughter, was sworn in as assistant postmaster, and who, under an arrangement between them, allowed Wedderburn to get all his supplies of postage-stamps on credit, to mail all the issues of his paper without requiring cash payment of postage thereon, both of which acts were in violation of the plain letter of the law, and to receive all the emoluments of the office, one of the assistants being granted by Wedderburn a salary of \$10 a month, payable upon the private settlement of the post-office business every quarter.

In short, Mr. Wedderburn, although not an employe of the postal service, was the absolute director of the office at Grange Camp and of the assistant postmasters there, mailing his papers in unlimited quantities without the liability of any question being raised as to their legitimacy so long as his directorship continued, bringing or sending there other mail matter from Alexandria and Washington so as to swell the amount of stamp cancellations, exercising all the power of the postmaster, realizing all the benefits of the office, and being, as before intimated, almost its sole patron.

The following statement shows the receipts of the office and the commissions allowed by the Department on the cancellations of stamps upon matter mailed

at it from the time of its establishment, April 22, 1887, to the date of its discontinuance, June 25, 1890:

Date.	Receipts.	Commissions.
From April 22 to December 31, 1887 .....	\$308.17	\$246.64
Year ending December 31, 1888 .....	517.78	436.78
Year ending December 31, 1889 .....	273.60	248.30
January 1 to June 25, 1890 .....	396.26	283.30
Total .....	1,495.81	1,215.02

By this it will be seen that the total receipts of the office during the time it was in existence amounted to \$1,495.81, of which \$1,215.02, or 81 per cent., went to pay commissions to the postmaster. The receipts from other business than that of Mr. Wedderburn, according to the report of the post-office inspector, average a little more than 2 cents a day.

The post-offices at Washington and Alexandria, Va., from which the matter mailed at Grange Camp was diverted, are salaried offices, and the whole or nearly the whole amount of \$1,215.02 paid for compensation to the Grange Camp office was therefore a dead loss to the Government.

Upon the facts developed by the inspection the post-office was discontinued by the First Assistant Postmaster-General.

Yours, very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

Hon. E. H. CONGER,  
House of Representatives.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., July 15, 1890.

SIR: I have the honor to send you herewith copy of a report, dated the 9th inst., made by Post-Office Inspector T. M. Arrington, giving reasons why the post-office at Grange Camp, Va., should not be re-established.

Yours, very respectfully,

MADISON DAVIS,  
Acting Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,  
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,  
OFFICE OF POST-OFFICE INSPECTOR,  
Washington, D. C., July 9, 1890.

DEAR SIR: Upon a report made by me under date of June 14, 1890, the post-office at Grange Camp, Fairfax County, Virginia, was discontinued on June 20. I learn that an effort is being made to have this office re-established, and I deem it my duty to give to the Department more fully than I did in my first report the reasons why this office should have been discontinued and why it should not be again established.

On April 17, 1887, a petition with forty names was filed with the Department by Alexander J. Wedderburn, esq., asking that the office be established, and that Ludwell H. Luckett be appointed postmaster. April 22, 1887, the office was established and with Mr. Luckett appointed postmaster. March 2, 1888, Post-Office Inspector William S. Ridgely visited Grange Camp (case No. 98847 C), and under that date submitted a report, upon which an order was issued April 16, 1888, discontinuing the office; this order, however, was rescinded April 21, eight days later.

Grange Camp is situated on the Washington and Ohio R. R., between the post-offices at Dunn Loring and Vienna. The distance, as measured by the railroad from Dunn Loring to Grange Camp, is 1 mile; from Vienna it is 1.6 miles. At Grange Camp there is held once a year an agricultural fair, from which fact it derives its name. These fair grounds contain 40 acres. The trains do not stop except upon signals, and there is no railroad agent. Near Grange Camp live Mr. A. C. Williams and his brother, Mr. Frank Williams; they both live in the same yard. These two brothers and their families were and will be the only permanent patrons of the post-office. True, Mr. Swayze and his family are at present living on the grounds and Mr. Wedderburn and his family live near by, but they are not permanent. Mr. Wedderburn lives in Alexandria, Va., in the winter, and keeps a box in the Alexandria post-office and one in the Washington post-office, and Mr. Swayze is only there temporarily. These four families, and no more, would be the patrons of the office.

On July 2, at Grange Camp, I had an interview with Mr. A. C. Williams, who was one of the patrons of the Grange Camp office. I asked him how many patrons there would be provided the office was re-established; he could not say. I then asked him if he could tell me any others that would be besides the members of the four families I mentioned (the ones above), and he could not name one. He stated that he had been a patron of three offices, to wit, Dunn Loring, Grange Camp, and Vienna; that he had received mail matter from all three; that he had a box in the Vienna post-office that he had kept for the past fifteen years. I asked him why he had kept this box if he considered himself a patron of the Grange Camp office; he said he did so for the reason that he did not know whether the office at Grange Camp would be permanent, and, besides, he was a correspondent for several newspapers, and Vienna was known as his post-office, and he did not care to change it.

I told him his argument was about the strongest I had heard showing there was no necessity for the office. I then asked him, in the event the Department saw fit to re-establish the post-office, who was there that could be appointed postmaster. He replied that his name had been mentioned. I asked him if he would have the place; he said he would not, and could only answer by saying that Hon. Park Agnew would recommend some suitable person. Mr. Ludwell H. Luckett, when he was appointed postmaster, lived at Grange Camp, but left soon thereafter, and has not resided there since. I submitted to him the original petition upon which the office was established and he appointed postmaster, and he stated that he knew very few of them and did not know where they got their mail. In a statement filed by Mr. A. J. Wedderburn during this investigation he frankly states that "it was known by every one that the office was created, after careful investigation, for my benefit."

I am unable to say, but it seems entirely true that the office was used for his benefit. As to the receipts of the office, I will say that for the year 1887 the sales were \$308.17, the cancellations \$303.64, and the commissions were \$246.64; for the year 1888, sales \$517.78, cancellations \$608.53, and the commissions \$436.78; for 1889, sales \$273.60, cancellations \$280.46, and commissions \$248.30; for 1890, to June 25, sales \$396.26, cancellations \$442.20, and commissions \$283.30. So that it will be seen from the establishing of the office, April 22, 1887, to the date of its discontinuance, June 25, 1890, the commissions have amounted to \$1,215.02. All of this time Ludwell H. Luckett has been postmaster, and has never received one cent as such, all of the pay going to A. J. Wedderburn. The receipts of the office have been almost entirely from Mr. Wedderburn's mail, shipped there for mailing by him from Alexandria and some from Washington.

In the report made by Inspector Ridgely, above referred to, he submitted a sworn statement, made by Thomas B. Crittenden, who was at that time in

charge of the office and in the employ of Wedderburn, in which he stated that besides Wedderburn's mail the business of the office would not amount to more than two stamps per day. January 29, 1887, Mr. Wedderburn employed Miss Minnie Swayze to run the office for him, agreeing to pay her \$10 per month, with the understanding that all she received at the office other than his mail was to be in part of her salary; so that she kept an accurate account of the receipts, and from January 29 to December 31, 1889, the receipts were \$11.97; from January 1 to June 25, 1890, they were \$2.59. In my opinion the public interest does not demand an office at Grange Camp, and it should not be re-established.

Very respectfully,

J. D. KING,  
Post-Office Inspector in Charge, Washington, D. C.

T. M. ARRINGTON,  
Post-Office Inspector.

COMMITTEE ON AGRICULTURE AND FORESTRY,  
UNITED STATES SENATE,  
Washington, D. C., July 16, 1890.

SIR: I beg to acknowledge the receipt of your communication of the 15th instant relative to the discontinuance of the post-office at Grange Camp, Va., and to which matter I called your official attention on the 7th instant, specifically stating that on the basis of certain other letters presented by Mr. Wedderburn I trusted that you could see your way clear to continue that office.

I have no desire to receive further information of the investigation which you state is still in progress. The reasons furnished for the discontinuance of the office seem to me ample for your decision in the matter.

Very respectfully,

A. S. PADDOCK,  
United States Senate.

Hon. JOHN WANAMAKER,  
Postmaster-General, Washington, D. C.

C.—PAPERS IN OFFICE OF CHIEF POST-OFFICE INSPECTOR.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,  
Washington, D. C., July 12, 1890.

DEAR SIR: This case was made up for the purpose of investigating the status of The National Farm and Fireside, a paper claiming to have its publication office at Grange Camp, Fairfax County, Virginia, with a view of ascertaining the legitimate subscription list to said paper, and also to report upon the fact whether it should be mailed as second-class matter at the pound rates of postage. This investigation has developed a state of facts in connection with the Grange Camp post-office, the publication of The National Farm Fireside, and Alex. J. Wedderburn that seems to be without a parallel in the history of the Department.

On the 9th instant I reported upon the post-office at Grange Camp, and in this I shall, as closely as possible, confine myself to The National Farm and Fireside, and later I will submit a report upon Mr. Wedderburn.

The National Farm and Fireside, published by Alex. J. Wedderburn, is a weekly newspaper that has been printed and published at Alexandria, Va., entered as second-class matter, and mailed at Grange Camp, Va., and bearing the name of Washington, D. C., on the front page, seemingly for the purpose of creating the impression that it was a Washington paper. As to the subscribers to the paper, Mr. W. S. Swayze, who has been familiar with the mailing of the paper, having been attending to the post-office at Grange Camp weighing and mailing the papers, informed me on June 5 that about 60 pounds of each issue were sent to subscribers, or those supposed to be, and a much larger number mailed every week as "sample copies;" for illustration, from April 1, 1890, to May 30, 1890, there were sent out nine issues, aggregating 2,994 pounds; for the nine issues it would take 540 pounds for the subscribers, and the balance, or 2,454 pounds, were sent out as "sample copies."

I weighed some of these papers, and it takes about sixteen to make a pound, so that while 960 copies were sent to subscribers, 4,362 copies were mailed as "sample copies" each week. Mr. Wedderburn stated to Major Rathbone in an interview on June 20, to the question, "How many subscribers have you?" that "There are some 2,000 on the books; I will say over 500." Question: "How many sample copies do you send out per month?" Answer: "When Congress is not in session we send very few; when it is in session we send as many as we can dispose of;" and stated that of one issue he had sent out as many as 25,000 copies. He further stated that "it (the paper) belongs to John J. Nicholson & Sons, of Baltimore; I run it for them;" and that he had never printed less than 2,000 copies.

In a statement filed by Mr. Wedderburn in this office on July 7, 1890, he says his regular subscribers are 304; to exchanges, advertisers, complimentary, and to officers of the State Granges, 297; and to Congressmen and Senators, 404; making a total of 1,005. These 404 to members of Congress and Senators he states are all paid for, but when asked who paid for them he declined to say. So that from his own statement he sends out from 2,000 to 25,000 copies each issue, and his actual, bona fide subscribers, who themselves take his paper and pay for it, amount to just 304; now adding to these the 404 that are sent to members of Congress and Senators, we have 708, all that he claims are paid for. On June 25 the post-office at Grange Camp was discontinued, but upon the order issued June 23, 1890, signed by Hon. A. D. Hazen, Third Assistant Postmaster-General, Mr. Wedderburn has been permitted to mail his paper at Alexandria, Va. July 5, 1890, he mailed 70 pounds, purporting to be to the regular subscribers, and on July 8, 1890, he mailed 253 pounds as "sample copies," all addressed to parties living in the State of Louisiana.

The subscription price of this paper is \$1 per year, and the number sent to subscribers is so small as compared to the number sent as "sample copies" that it would seem that the paper is being published at nominal rates, and is therefore not entitled to the privileges of second-class rates under the rulings that have heretofore been governing the Department. Paragraph 4 of section 328, Postal Laws and Regulations, requires a paper to have a legitimate list of subscribers, and that it must not be "designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates." (Act of March 3, 1879, sec. 14, 20 Stats., 359.)

Following paragraph 4 of section 331, Postal Laws and Regulations, in defining the meaning of section 328, "The question whether a publication is primarily designed for advertising purposes is one of fact, to be determined in each case from the evidence" (16 Opins. Atty. Gen. 303), and in doubtful cases the Department will judge from the appearance and matter in the publication, the price and amount derived from subscription, "the number of subscribers in proportion to the issue, \* \* \* or if the circulation be principally gratuitous, and the list of subscribers so small as to appear only a nominal list, secured merely to bring the publication within the pound rates, \* \* \* it may reasonably be deemed to be designed primarily for advertising purposes" (Paragraph 4 of section 340, Postal Laws and Regulations). "After a publication has been admitted to second-class rates, the continuous mailing of sample copies in numbers exceeding the issue to regular subscribers \* \* \* will be deemed evidence that the publication is primarily designed for advertising or free circulation."

Mr. Wedderburn stated that the only interest John J. Nicholson & Sons had in his paper was that they were his financial backers. Still he has stated to me that he could not have published his paper had he not been allowed the privileges and revenues of the post-office at Grange Camp, Va. He also made a

similar statement to you in the presence of Colonel Helm. This would show that, while he claims Nicholson & Sons as his financial backers, the Post-Office Department, innocently, has been in reality furnishing him the means to run his paper. Surely it can not be the policy of the Department to establish post-offices for the sole benefit of one man, and thereby enable him to publish a newspaper in effect offering a subsidy for that purpose. Should this be so, there is no telling how far it may be abused, and it would be setting a precedent that would in all probability be taken advantage of by other publishers who are unable financially to run their papers.

Very respectfully,

J. D. KING, Esq.,  
Inspector in Charge, Washington, D. C.

T. M. ARRINGTON,  
Post-Office Inspector.

POST-OFFICE DEPARTMENT,  
OFFICE OF POST-OFFICE INSPECTOR,  
Washington, D. C., July 31, 1890.

DEAR SIR: Grange Camp post-office, Fairfax County, Virginia, was established April 22, 1887, upon a petition signed by forty names which is herewith inclosed. This petition was filed with the Department April 17, 1887, by Alex. J. Wedderburn. Ludwell H. Luckett, a man in the employ of the said Wedderburn, was appointed postmaster. Since this office was established to the date of its discontinuance, June 25, 1890, it has been in charge of the following persons: Ludwell H. Luckett, John M. Fletcher, Thomas B. Crittenden, Graham Hill, W. S. Swayze, and Miss Minnie Swayze, all in the employ of the said Wedderburn.

Ludwell H. Luckett, the postmaster, remained at Grange Camp about four months in the early part of 1887. He then moved to Union, Loudoun County, Virginia, where he has since resided, retaining all the time the position of postmaster at Grange Camp in name, permitting Mr. Wedderburn to suggest whom he wanted to act as assistant postmaster and to run the office. Of the above-named parties who have at different times had charge of the post-office, Ludwell H. Luckett, John M. Fletcher, Thomas C. Crittenden, and Graham Hill were regularly in the employ of the said Wedderburn, and attended to the post-office as a part of their regular duties, and receive no extra compensation for attending to the duties of the post-office or any of the revenues of the said office.

January 29, 1889, W. S. Swayze and his daughter, Miss Minnie Swayze, assumed charge of the office, and Wedderburn agreed to pay Miss Minnie Swayze the sum of \$10 per month to run the office. This sum he paid to October 23, 1889 (nine months); from this time to June 25, 1890, he paid nothing, except to allow Swayze and his family to live in a house on the Grange Camp fair grounds free of rent. From April 22, 1887, to June 25, 1890, Alex. J. Wedderburn has received the entire revenue of the office, amounting to the sum of \$1,215.02.

In the agreement between Mr. Wedderburn and Miss Swayze she was to keep an account of all matter mailed at the Grange Camp office other than that mailed by Mr. Wedderburn, and it was to be a part of her salary going towards making up the \$10 per month that he was to pay her. In her affidavit she swears the amount she received from January 29, 1889, to December 31, 1889, was \$11.97, and from January 1, 1890, to June 25, 1890, it was \$2.59, or for the seventeen months she was in charge \$14.56, about 86 cents per month. This would make the legitimate revenues of the office from the date of its establishment, April 22, 1887, to its discontinuance, June 25, 1890, over three years, about \$32.30. I feel sure from the surroundings and the patrons (which will be shown later) that this is a liberal estimate. Mr. Wedderburn received \$1,215.02; the legitimate receipts would have been \$32.30; showing that he has received the sum of \$1,182.72 illegitimately.

Grange Camp is situated on the Washington and Ohio Railroad, between Dunn Loring and Vienna. The distance from Grange Camp to Vienna post-office is 1.6 miles, from Dunn Loring post-office 1 mile, and from Maryfield post-office 2½ miles. (See Diagram, Exhibit A.) At Grange Camp there is held once a year an agricultural fair, from which it derives its name. These grounds contain 40 acres. Grange Camp can hardly be called a railroad station, for the reason that there is no agent and no train stop unless they are signaled. There is no business of any kind carried on except for one week in the year when the fair is being held. In about one-fourth of a mile live two brothers, A. C. Williams and Franklin Williams. They are farmers and live in the same yard.

The two Williams brothers and their families were the only regular patrons of the Grange Camp post-office. This is not only shown by a personal observation (for I walked over the ground from Dunn Loring to Vienna), but is sworn to by both W. S. Swayze and Miss Minnie Swayze. (Exhibits B and C.) This does not include Swayze and his family, as they are not permanent, or Wedderburn and his family, as they only reside at Grange Camp during the summer, their residence being in Alexandria, Va. Mr. A. C. Williams, who is mentioned as having been one of the patrons of the Grange Camp post-office, is in fact and has been all the time a regular patron of the Vienna office.

He informed me that he had a box in that office and had kept it for the past fifteen years. He had not changed it to Grange Camp for two reasons: the first was that he did not know that the office at Grange Camp would be permanent and the second was that both his wife and himself were correspondents for several newspapers, and Vienna was known as their office, and he did not care to change it. I told him his argument was very strong, showing that there was no necessity for the office at Grange Camp. (Special report under date of July 9, 1890.)

Of the forty names signed to the petition upon which the post-office was established only fourteen were ever patrons. These were members of the families of the two Williamses and Wedderburn and those employed by them. (Exhibit D.)

Ludwell H. Luckett, who was the only postmaster ever appointed at Grange Camp, swears that he never received one cent of the emoluments of the office, and that he took the appointment simply through the request of Mr. Wedderburn, who had been very kind to him. (See Exhibit E.) The post-office at Grange Camp has been controlled by and run almost exclusively in the interest of the said Alex. J. Wedderburn; in fact, in a statement filed by him, which is herewith inclosed, he states that "it was known by every one that the office was created after careful investigation for my benefit." Nearly all the matter mailed at Grange Camp has been carried or shipped there by the said Wedderburn; stamps have been put upon his mail without any payment therefor. He has published The National Farm and Fireside, a weekly newspaper, at Alexandria, Va., and shipped it there by freight, from which office it was sent as second-class matter at the pound rates.

He sent large quantities of letters and circulars there to be mailed. Upon all of these the postage would be put at Grange Camp, and he paid for none of the stamps, thereby causing (I think innocently) the officials who were acting for him and in charge of the office to violate the act of Congress of June 17, 1878 (sec. 174 P. L. and R.), and violating, himself, section 5451 of the Revised Statutes of the United States, in that he was paying a Government official (Miss Swayze) to commit a crime, or fraud, against the laws of the United States. Wedderburn would at the end of each quarter deposit a sum due the United States, as shown by the quarterly statement. This is all he ever paid. He has, in my opinion, also violated section 5475 of the Revised Statutes of the United States, in that he has used this post-office and the property of the Post-Office Department (stamps) for his convenience, and has appropriated the same to his own use to the detriment of the Government and of the public service.

Mr. Wedderburn has also solicited matter in the city of Washington to be mailed at Grange Camp, stating that he received 60 per cent. for so doing. (See statement made by Mrs. Charlotte Smith, Exhibit F.) This she stated to me, after reading it over to her several times, was absolutely correct, but refused to sign it and swear to it, saying she did not wish to get Mr. Wedderburn into any trouble. (Mrs. Charlotte Smith is the editor of a paper published in the city of Washington, known as The Working Woman.)

The National Farm and Fireside, the paper published by Mr. Wedderburn, to which reference has already been made, has been printed at Alexandria, Va., entered as second-class matter and mailed at Grange Camp, Va., and bearing the name of Washington, D. C., on the front page, seemingly for the purpose of creating the impression that it was a Washington paper.

As to the subscribers to The National Farm and Fireside in a statement filed by Mr. Wedderburn (Exhibit G), he says his regular subscribers are 304. He sends to exchanges, advertisers, complimentary, and to the officers of State Granges 297, and to Congressmen and Senators 404, making a total of 1,005. These 404 to the members and Senators he claims are all paid for, but refused to say who paid for them. It will therefore be seen from his own statement that he has just 394 actual, bona fide subscribers who take his paper and pay for it themselves. In an interview with Major Rathbone, Chief Inspector, on June 20, Mr. Wedderburn stated that he never printed less than 2,000 copies of his paper, and sometimes as many as 25,000 copies. All of the copies of The National Farm and Fireside over and above those sent to subscribers, and the ones men-

tioned above, are sent out as sample copies, and this is done every week, the sample copies always exceeding the subscription list.

Since the discontinuance of the Grange Camp post-office, the National Farm and Fireside has been mailed at Alexandria, Va., under an order dated June 23, 1890, signed by Hon. A. D. Hazen, Third Assistant Postmaster-General. On July 5 he mailed 70 pounds purporting to be to subscribers, and on July 8 he mailed 253 pounds as sample copies, all addressed to parties in the State of Louisiana, so it will be seen that of this issue he mailed three and a half times as many as sample copies as he did to his subscribers. In sending out his paper as he has, it would seem to me that Mr. Wedderburn has clearly violated paragraph 4 of section 328, P. L. and R., the clause following paragraph 4 of section 331 P. L. and R., and paragraph 4 of section 340 P. L. and R. (Special report under date of July 12, 1890.)

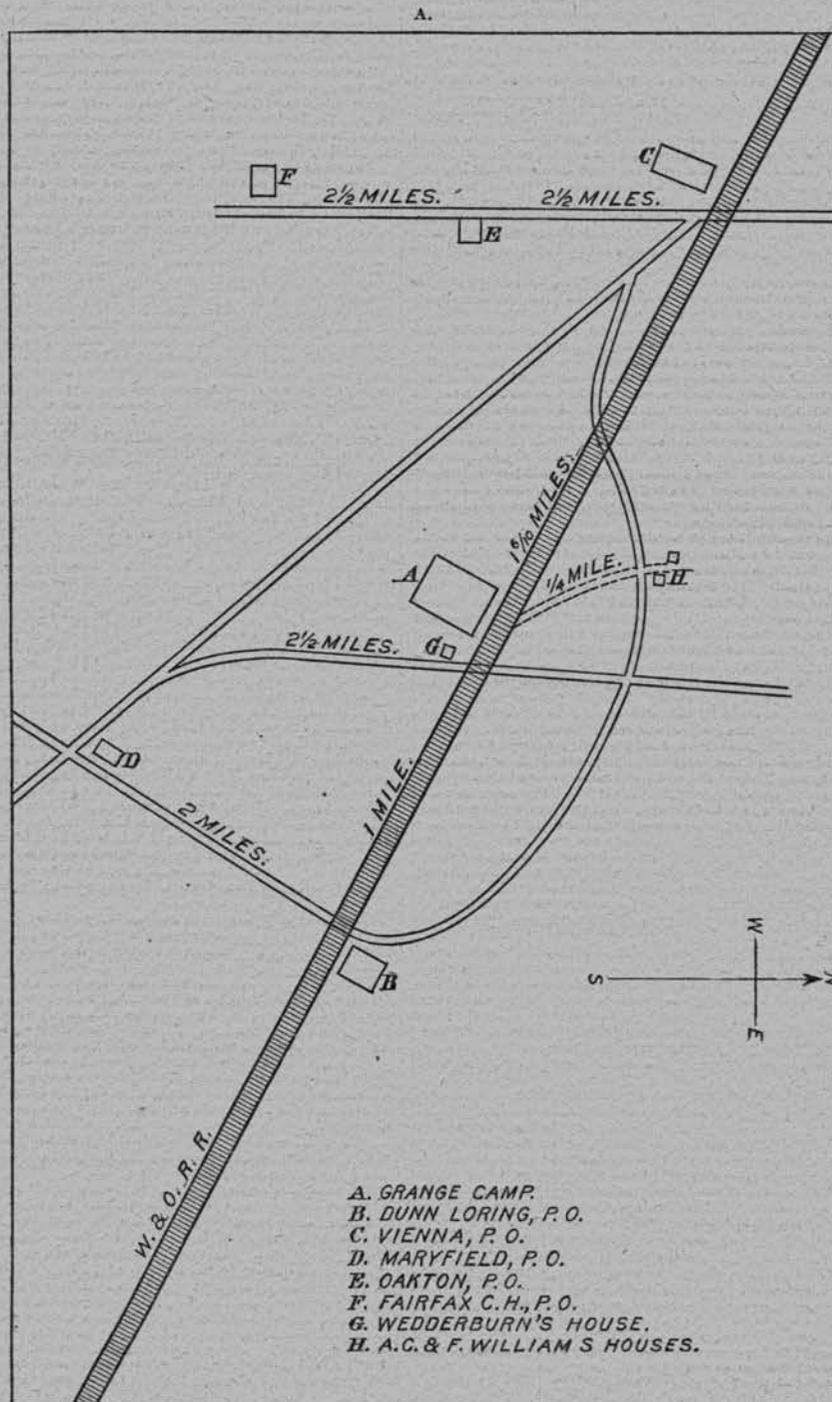
My conclusions are that Grange Camp post-office should not be re-established; The National Farm and Fireside should not be permitted to be sent through the mails at second-class rates, and that Alex. J. Wedderburn should be prosecuted for the violation of sections 5451 and 5475 of the Revised Statutes of the United States.

I am, very respectfully,

T. M. ARRINGTON,  
Post-Office Inspector.

J. D. KING, Esq.,  
Inspector in Charge, Washington, D. C.

EXHIBITS IN CASE No. 121527, C, GRANGE CAMP, VA.



B.

Statement made by Miss Minnie Swayze at Grange Camp, Fairfax County, Virginia, July 17, 1890.

That she came to Grange Camp, Va., with her father, W. S. Swayze, in December, 1888; that her father came at the suggestion and request of Mr. A. J. Wedderburn to take charge of the Grange Camp fair grounds; that on January 29, 1889, she was employed by Mr. Wedderburn to take charge of the post-office at a salary of \$10 per month, Mr. Wedderburn agreeing to pay her that sum; it was also understood that what money was taken in the post-office was to be a part of the \$10, and that Mr. Wedderburn was to pay the balance; that from January 29, 1889, to December 31, 1889, she took in cash in the post-office amounting to \$11.97; that Mr. Wedderburn paid the balance, making the \$10 per month to some time in October, 1889, since which time he has paid nothing.

From January 18, 1890, to June 25, 1890, she took in cash in the post-office \$2.59; that Mr. Wedderburn would send his mail matter, consisting of newspapers, letters, and circulars, to the post-office by freight and individuals coming from Alexandria, Va., weekly, to be mailed at Grange Camp; that she regarded herself as in the employ of Mr. Wedderburn and did what he directed her to do with the mail matter; that the postage was all put on at Grange Camp from stamps furnished by the Department; that Mr. Wedderburn never paid for any of them; that he had entire control of the post-office, and at the end of each quarter, when the quarterly statement was rendered the Department, he would usually deposit the balance due, and that was all he ever paid.

He never, in fact, paid for any of the stamps, either for his newspapers or for his letters or circulars; that soon after she took charge of the office she thought she ought not to let him have the stamps without his paying for them, and sent him word that he must pay for them, and he stated that it was all right; that the Department understood it; that an inspector had been to Grange Camp and they (meaning the Department) knew all about it; that since she took charge of the post-office, January 29, 1889, to June 25, 1890, the date it was discontinued, the only regular patrons of the Grange Camp post-office were Mr. Franklin Williams and Mr. A. C. Williams (two brothers living in the same yard) and their families, besides, of course, her father's family and Mr. Wedderburn.

MINNIE SWAYZE.

Witness:

A. M. SWAYZE.

Sworn to and subscribed before me, at Grange Camp, Va., July 17, 1890.

T. M. ARRINGTON,  
Post-Office Inspector.

C.

W. S. SWAYZE, being first duly sworn, makes the following statement, to wit: That he now resides at Grange Camp, Fairfax County, Virginia; that he moved there from Prince William County, Virginia, December 14, 1888, at the earnest solicitations of Mr. A. J. Wedderburn, to assume charge of the Grange Camp fair grounds; that when he first came to Grange Camp a young man in the employ of Mr. Wedderburn, by the name of Graham Hill, was in charge of the post-office; that on January 29, 1889, his daughter, Miss Minnie Swayze, and himself assumed charge of the post-office and were in charge of the same until the office was discontinued June 25, 1890; that Mr. Wedderburn agreed to pay Miss Minnie Swayze \$10 per month for her services in running the post-office; that the post-office was run under the direction of Mr. Wedderburn; that he had entire control of it; that he sent his mail matter to the post-office regularly to be mailed by freight from Alexandria, Va., sometimes by persons coming from Alexandria to Grange Camp; that this mail matter consisted of letters, circulars, and newspapers, sometimes in very large quantities; that the necessary postage was put on this mail matter at Grange Camp from stamps furnished by the Department; that his daughter objected to this unless the stamps were paid for, and Mr. Wedderburn stated to him that it was all right; that the Department understood all about it; that during this time Ludwell H. Luckett was postmaster, he resided at Unison, Loudoun County, Virginia, and gave no attention to the office, having nothing whatever to do with it; that his daughter and himself took charge of the office at the request of Mr. Wedderburn. That on October 29, 1889, a settlement was had with Mr. Wedderburn, and he paid \$90 for nine months' service for Miss Minnie in attending to the post-office. Since that date he has paid nothing. That Mr. Wedderburn never paid for any of the stamps, the postage on his mail; that at the end of each quarter he would deposit the amount due the United States, and that was all he ever paid; that upon one occasion Mr. Wedderburn remarked that we ought to have the Government owing us sometimes; that the post-office at Grange Camp was on the Washington and Ohio Railroad, about three-fourths of a mile from the post-office at Dunn Loring, and 1 1/2 miles from the post-office at Vienna, and about 2 miles from the post-office at Maryfield. That there is no station agent at Grange Camp and trains do not stop except upon being signaled; that the regular patrons of the Grange Camp post-office were A. C. Williams, Franklin Williams, A. J. Wedderburn, and himself and their families, and these would be all if the office was again established.

W. S. SWAYZE.

Witness:

Wm. J. MAXWELL.

Sworn to and subscribed before me in Washington, D. C., July 21, 1890.

T. M. ARRINGTON,  
Post-Office Inspector.

D.

Names to the petition filed in the Department April 17, 1887, upon which the post-office at Grange Camp was established.

Names.	Present post-office.	Remarks.
Alexander J. Wedderburn.....	Washington and Alexandria.	
Mrs. I. S. Wedderburn .....	do .....	Wife of A. J. Wedderburn.
Thomas B. Crittenden .....	West Point, Va. ....	Was printer for A. J. Wedderburn.
John M. Fletcher .....	Baltimore, Md. ....	Do.
L. H. Luckett .....	Unison, Va. ....	Was at Grange Camp four months in the employ of Wedderburn.
Mrs. Dr. Wedderburn .....	Alexandria, Va. ....	Mother of A. J. Wedderburn.
Gus Wedderburn .....	Washington and Alexandria.	Son of A. J. Wedderburn, 16 years old when he signed petition.
Franklin Williams .....	Vienna, Va. ....	Lives near Grange Camp.
F. Williams, jr. ....	do .....	Son of Franklin Williams.
Mrs. H. Williams .....	do .....	Wife of Franklin Williams.
A. C. Williams .....	do .....	Brother of Franklin Williams.

Names to the petition filed in the Department April 17, 1887, etc.—Continued.

Names.	Present post-office.	Remarks.
F. A. Williams .....	Vienna, Va. ....	Mother of Franklin Williams.
Mrs. M. F. Williams .....	do .....	Wife of A. C. Williams.
William Durant .....	do .....	Has been all the time.
Charles A. Denison .....	do .....	Do.
Mrs. Charles A. Denison .....	do .....	Do.
Fannie Williams .....	Washington, D. C. ....	Daughter of Franklin Williams.
T. A. King .....	do .....	Not known.
Mary Haney (col.) .....	Vienna, Va. ....	Has been all the time.
Lizzie Bell (col.) .....	do .....	Do.
Harriet Bell (col.) .....	do .....	Do.
Reial Marier (col.) .....	do .....	Dead; post-office was Vienna.
Margaret Harrison .....	Vienna, Va. ....	Has been all the time.
James Frey (col.) .....	do .....	Do.
Harriet Brown (col.) .....	do .....	Do.
Francis Williams (col.) .....	Dunn Loring, Va. ....	Do.
Andrew Williams (col.) .....	do .....	Do.
Frank Williams (col.) .....	do .....	Do.
George Brandt (col.) .....	Pittsburgh, Pa. ....	
John E. Carter (col.) .....	Vienna, Va. ....	Has been all the time.
Oscar A. Hudson (col.) .....	Not known.	
Henry Hudson (col.) .....	do .....	Dead; did live with A. C. Williams.
Susin Jackson (col.) .....	Vienna, Va. ....	Has been all the time.
Katie West (col.) .....	do .....	Do.
Mrs. Hannah Hudson (col.) .....	Dunn Loring, Va. ....	Do.
Miss Missouira Hudson (col.) .....	Some where in Massachusetts.	
Henry Nickens (col.) .....	Lewinsville, Va. ....	Has been all the time.
Maria Nickens (col.) .....	do .....	Do.
Austin Crump .....	do .....	Not known.
George Beverly (col.) .....	Some where in Pennsylvania.	Was at Grange Camp a short time.

The only signers to this petition that received their mail at the Grange Camp post-office were those of the two Williams families and Mr. Wedderburn and those in his employ, in all fourteen.

This information was obtained from F. L. Brenizer, postmaster at Dunn Loring, A. C. Staats, postmaster at Vienna, and Miss Minnie Swayze, assistant postmaster at Grange Camp.

Of the 40 petitioners, just one-half are colored people.

E.

In connection with the post-office at Grange Camp, Fairfax County, Virginia, Mr. Ludwell H. Luckett, the late postmaster, makes the following statement: That at the time of his appointment as postmaster he was living at Grange Camp. This was in the spring or early in the summer of 1887. That he continued to reside at Grange Camp for a few months thereafter. He then moved to Unison, Loudoun County, Virginia, where he has since resided. Unison is about 25 or 30 miles from Grange Camp. When he left Grange Camp in 1887 John M. Fletcher, an employe of Mr. A. J. Wedderburn, was in charge of the post-office.

After Mr. Fletcher left Grange Camp Mr. Graham Hill had charge of the office. Hill was also in the employ of Mr. A. J. Wedderburn. After Hill, Mr. W. S. Swayze and his daughter, Miss Minnie Swayze, have had charge of the post-office. That he has never had any direct benefit from the post-office; has never received any of its revenue; that he took the appointment at the request of Mr. A. J. Wedderburn, who had for several years been a friend of his, and he was glad to be of service to him; that it was understood between himself and Mr. Wedderburn that Mr. Wedderburn was to have charge of the post-office, pay the expenses, and have what the office paid; that Mr. Wedderburn always suggested whom he wanted to be in charge of the office and he had appointed them. That he has given the office no personal supervision since he left Grange Camp in 1887. That he knew Mr. Wedderburn was printing his paper in Alexandria and mailing it at Grange Camp, but he thought it was all right; in fact, had given it very little thought. That he does not know how many patrons the office has had.

After examining the petition upon which he was appointed postmaster Mr. Luckett states that he does not know very many of them and does not know where they get their mail. Not having attended to the post-office in person, he is unable to say just when they get their mail or how many of them that were patrons of the Grange Camp office. After Mr. Fletcher had charge of the office and before Mr. Hill took charge Mr. Thomas B. Crittenden had charge of the office for a short time; he was also in the employ of Mr. Wedderburn. That when he was appointed postmaster he was in the employ of Mr. Wedderburn. Q. Now, Mr. Luckett, I desire to ask you plainly whether or not you and Mr. Wedderburn ever entered into any agreement by which you were to take the appointment as postmaster and he was to look after the mailing of his matter and that of others, with a view of increasing the revenue for his benefit.

A. No, I never entered into any such agreement.

Q. Why did you take the appointment as postmaster?

A. I took it simply through the request of Mr. Wedderburn, who had been very kind to me, and I was glad to do anything I could for him in return.

Q. Do you know how much money Mr. Wedderburn has made out of the post-office?

A. I do not; have no idea.

Q. How long did you reside at Grange Camp?

A. About four months, I think in 1887.

Q. Did you and Mr. Wedderburn ever make any agreement by which he was to pay the expenses of running the office and he to have the revenue?

A. No, we made no such an agreement; but I supposed if there was any revenue he was receiving it. I never gave the matter a thought.

Q. Did you know that the office was being used by Mr. Wedderburn solely in his own interest, and that by bringing his mail from Alexandria to mail in the Grange Camp office he was defrauding the Government?

A. No, I did not have any knowledge of this, and if I had known of it I should have at once reported it. If I had known anything was wrong I should have at once let the Department know it.

Q. Did you know that Mr. Wedderburn was using the stamps from the post-office and not paying for them?

A. I did not.

L. H. LUCKETT.

Sworn and subscribed to before me, at Grange Camp, Va., July 2, 1890.

T. M. ARRINGTON,  
Post-Office Inspector.

F.

Mrs. Charlotte Smith states that some time in March, 1890, she appeared before the House Committee on Agriculture and submitted an argument in the interest of pure and unadulterated food, etc.; that soon thereafter Mr. A. J. Wedderburn came to her and requested that she have her address printed and distributed through the mails, saying at the time that he would pay all expenses; that she agreed to do and went to considerable expense in printing, etc.; that she bought about \$10 of postage-stamps and sent off one lot by mail; that when she presented the bill to Mr. Wedderburn he seemed to get mad and refused to pay the \$10 that she had paid for postage, giving as his reason that he desired to mail the letters himself at a post-office he had out from Alexandria, Va.; that he could have gotten 60 per cent. of the postage by mailing them there; that he did not want her to mail any more, but to give them to him; that after this she did give him one lot to mail and he took them away with him—about two hundred letters.

July 16 I called upon Mrs. Charlotte Smith, and she made the statement herewith attached, to me. I called again on July 19 and requested her to sign and swear to the same. I read it over very carefully to her and made one change, that of buying the stamps at the Senate post-office, at her suggestion, and then read it over again to her, and she stated that it was correct in every particular, but refused to sign it, saying that she did not want to get Mr. Wedderburn in any trouble; that Colonel Dudley was her friend, and she would talk to him about it. She stated that Wedderburn called upon her yesterday and paid her the balance he owed her. She was quite abusive in talking about the postal officials, from the Postmaster-General to the charwomen.

T. M. ARRINGTON.

JULY 19, 1890.

G.

WASHINGTON, D. C., July 7, 1890.

An accurate count of my mail-book shows as follows:

Regular subscribers.....	304
Exchanges.....	45
Advertisers.....	14
Complimentary.....	78
<b>Total.....</b>	<b>441</b>
Congressmen and Senators (all paid for).....	404
Officers of State granges.....	160
<b>Total.....</b>	<b>1,005</b>

ALEX. J. WEDDERBURN,  
 Publisher National Farm and Fireside.

Statement made by Alex. J. Wedderburn, June 20, 1890, in chief inspector's office.

Alex. J. Wedderburn, editor and publisher of The National Farm and Fireside, called at my office to-day and made the following statement:

Mr. WEDDERBURN. The trouble I had was this. There was no reason for investigation. I am perfectly willing to go into all that. I had at least one thousand or fifteen hundred subscribers on my book, and quite a number of subscribers all over the United States. It puts me in an awful fix.

Mr. RATHBONE. There is one thing I do not understand, and I would like to have you explain it to me, and I am glad that you have called.

The Post-Office Department appointed a postmaster down there some two or three years ago, who resides 51 miles away from Grange Camp; he has no control over the office whatever; and you employ some lady down there—a Miss Swayze, I believe—to take charge of the office. You pay her \$10 a month (or have been until January, since which time you have been giving her household in lieu of her services). This postmaster has no more control over that office than a man in China; and you seem to be controlling it and running it, and, as I understand, you get the profits. Am I right?

Mr. WEDDERBURN. Yes, sir. Let me tell you the whole thing: I came here to this Department about three years ago; I went to see Mr. Haynie, who was chief clerk. I was introduced to him; I made a statement to him. I saw the First Assistant Postmaster-General. I had letters of introduction to him, and told him very plainly that I was going out there in the country and wanted to run this post-office, and that I wanted Mr. L——, who was superintendent of the grounds and who was in my employ, to be appointed postmaster. He asked me to get recommendations, and I did so. He hesitated about making the appointment, and asked me to write a letter, and I sat down and wrote a letter and stated everything I stated to Mr. Haynie—everything. They then made the appointment, and he stated there about five or six months, and when he went away Mr. Thomas B. C—— was appointed postmaster. He ran the post-office as his assistant, and Mr. H—— as a clerk. I made arrangements with Mr. S—— to go and take charge of the grounds and run the hotel. I did not divide the profits. I guaranteed that out of the post-office he should get \$10 a month. I gave him up to the 1st of January.

Mr. RATHBONE. I understand, further, that there are but two patrons of that office outside of yourself—two brothers—and that on one side a post-office is only three-quarters of a mile from your office, and on the other side a mile and a quarter.

Mr. WEDDERBURN. That is a mistake.

Mr. RATHBONE. What is the nearest post-office?

Mr. WEDDERBURN. It is nine-tenths of a mile, Dunn Loring. It is about a mile and a quarter if you walk it, and by the railroad it is nine-tenths of a mile.

Mr. RATHBONE. What is the nearest post-office on the other side?

Mr. WEDDERBURN. Vienna; about 2 miles by going around the road.

Mr. RATHBONE. How many patrons are there of the Grange Camp post-office?

Mr. WEDDERBURN. I can not answer that, sir; I do not know, because I never had anything—. When I started that post-office I went right in the neighborhood, and you will find here an application for that post-office signed by over thirty (I started to say over forty, but I am positive it was over thirty people).

Mr. RATHBONE. Patrons of that office?

Mr. WEDDERBURN. I do not know how many of them got their mail there. The application was to have the post-office established there.

There is another point in connection with this: We have our Grange Camp Association fair, which runs for a week; and it is a very great advantage to people who come from all over the country to get their mail. In addition to that, as I stated in my letter, I had all this Grange Camp literature to send out, and I sent it out accordingly.

Personally I have not derived any benefit. This question arose under Mr. Haynie's supervision. They did exactly what you did; it is only a little different. You have taken up my paper and decided to abolish the office. I come here and I ask why? Would there be any objection to Mr. L—— getting the per cent.? They said, No, I don't see that there is.

Mr. RATHBONE. What is your arrangement with Mr. Luckett?

Mr. WEDDERBURN. I have not any objection to telling you, in the world. Mr. L—— and I have been the warmest personal friends. At the time he took charge of the post-office he was superintendent of the place and the grounds and was in charge of them. We did not propose to increase his salary. We ex-

pected to have a summer resort there if the association had not got into trouble and prevented us from doing it.

Mr. RATHBONE. What is your arrangement with Mr. Luckett?

Mr. WEDDERBURN. My arrangement was that I was to pay all the expenses and pay him his salary. I was to pay the salary of the assistant postmaster. If you take the thing right straight through, I have not made much.

Mr. RATHBONE. I do not understand this. Why should you control this post-office yourself, and you have a man appointed postmaster who lives 51 miles away?

Mr. WEDDERBURN. He was not 51 miles away when he was appointed.

Mr. RATHBONE. Why did you not take the post-office yourself? Why did you not apply for it?

Mr. WEDDERBURN. I am now perfectly willing to assume the postmastership unless Mr. W—— would take it. The reason we have not made any change, I will be perfectly frank in telling you, simply because we would have to go to work and make a change in postmaster and change the bond, and that would take some trouble, and I have been so busy that I have not been able to attend to it.

Mr. RATHBONE. You make all the requisitions for stamps, as I understand?

Mr. WEDDERBURN. I have never done anything of that kind. Mr. Swayze, the assistant postmaster, makes all that.

Mr. RATHBONE. You are the principal patron of that office?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. Don't you know as a fact that there are but two other people who get their mail at that office?

Mr. WEDDERBURN. Indeed I don't, sir. I think you are mistaken about that, sir, to the best of my knowledge and belief.

Mr. RATHBONE. How do you send out this publication, The National Farm and Fireside; do you send it at second-class rates?

Mr. WEDDERBURN. Yes, sir; certainly, sir.

Mr. RATHBONE. How many subscribers have you?

Mr. WEDDERBURN. There are some 2,000 on the books; I will say over 500.

Mr. RATHBONE. How many sample copies do you send out per month?

Mr. WEDDERBURN. When Congress is not in session we send very few; when it is in session we send as many as we can dispose of.

Mr. RATHBONE. How many do you think you have sent out in the past five or six months?

Mr. WEDDERBURN. I could give you that exactly, sir. One issue was 25,000, including our regular edition, as an extra edition.

Mr. RATHBONE. I understand that you publish this paper in Alexandria. You live in Alexandria?

Mr. WEDDERBURN. Yes, sir; I live in Alexandria about five months and in Grange Camp about seven months; and I have an office in Alexandria.

Mr. RATHBONE. Where do you print your paper; in Alexandria?

Mr. WEDDERBURN. I print my paper there.

Mr. RATHBONE. You have a lock-box in the post-office at Alexandria?

Mr. WEDDERBURN. I have a lock-box there.

Mr. RATHBONE. Also in Washington?

Mr. WEDDERBURN. Yes.

Mr. RATHBONE. Have you an office in Washington?

Mr. WEDDERBURN. I have no business office in Washington. The idea is to get an agricultural paper. We put the place on "Washington," and that was taken up by the Attorney-General here, and they decided that this is—

Mr. RATHBONE. Are all of the copies like this?

Mr. WEDDERBURN. They are all exactly alike, sir.

Mr. RATHBONE. The post-office has been abolished.

Mr. WEDDERBURN. I hoped that that could be changed, because we need a post-office there, and I do not think it would be a very hard matter to do that.

Mr. RATHBONE. My information is based on an inquiry, as that there are only two patrons of the office outside of yourself. If that is true, there is no occasion for a post-office there.

Mr. WEDDERBURN. Suppose, for instance, I have got mail there; I am sending it off there—

Mr. RATHBONE. You publish a paper in Alexandria; now why not mail it there? Why do you send them by express down to Grange Camp to mail them?

Mr. WEDDERBURN. For the simple reason—you want to know that—the last eighteen months we have had a litigation in Grange Camp. To print my paper there in the winter-time requires a building that I have not got. It requires a building with plaster. You can not run a press in cold weather without coal, and that was the only reason the printing office was moved to Alexandria, and as soon as this litigation has—

Mr. RATHBONE. Did you ever print this paper in Grange Camp?

Mr. WEDDERBURN. For six months, from March until the following February.

Mr. RATHBONE. You have to pay the same amount of postage at Grange Camp that you would in Alexandria?

Mr. WEDDERBURN. Certainly.

Mr. RATHBONE. The additional expense is the transportation of the paper from Alexandria to Grange Camp?

Mr. WEDDERBURN. I am not bothered about that, sir. I am willing to mail this paper in Alexandria.

Mr. RATHBONE. It looks to me that the maintenance of a post-office at Grange Camp is almost exclusively for the convenience of one patron—just the one patron.

Mr. WEDDERBURN. It is very largely. It may be so, sir; but it seems to me it has been for the benefit of our whole order in the United States.

Mr. RATHBONE. Would it not be cheaper for you to mail your publication at Vienna, which is only a mile away? Could you not haul it from Camp Grange to Vienna cheaper than from Alexandria?

Mr. WEDDERBURN. No, sir; because we can haul it from Alexandria for 8 cents a hundred if we had to get it, and from Vienna it would cost me more.

Mr. RATHBONE. An inspector of this Department examined these publications, and in his opinion they were unmailable at the rates you were sending them, and report was made to me; I in turn referred it to the Third Assistant Postmaster-General, and the Third Assistant holds that it is unmailable; the inspector recommended that this publication be excluded from the mails and that the post-office be abolished, and that recommendation was concurred in by the Third Assistant, who excluded this publication from the mails, and it was concurred in by the First Assistant, who abolished the office. That is the status of affairs.

Mr. WEDDERBURN. In regard to the office, I suppose that will have to be taken up with the First Assistant Postmaster-General; but in regard to the mailing of my paper, I do not think that has anything to do with the post-office. I submit a paper for consideration. There is a piece of work that has been published for seventeen years. The first day of May this year it has been published for seventeen years. I have subscribers for the whole of that time, and the Government steps in here and says—

Mr. RATHBONE. The Government has the right to determine what mail shall be conveyed in the mails and what shall not; or, in other words, the law provides that certain publications shall not be carried in the mails except at certain rates. And the law has decided that the publication in this case is prohibited by the law at the rates you have been paying.

Mr. WEDDERBURN. Is a paper publishing a bill before Congress against the law?

Mr. RATHBONE. I do not know what the particular point about this paper is. Mr. WEDDERBURN. This is a very serious thing. It is a question of thousands of dollars to me. I would not take \$5,000 for my paper to-day. I simply want to say that I will be very much obliged to you if you will let me send my paper. I can not stop matter of that character.

Mr. RATHBONE. The Third Assistant Postmaster-General had sample copies of your paper before him, and he decides that it should be excluded from the mails, and has done it. He is the man for you to labor with.

Mr. WEDDERBURN. I do not know what to do. I do not want to go up to the Capitol and get men to come here. I certainly will have to bring suit; I can not afford that. The Government has got no right—

Mr. RATHBONE. You are publishing a paper here that the Department has decided is unmarketable at the rates you have been sending.

Mr. WEDDERBURN. Refer to the law; I mean the clause on which you made that decision. Here I am, a citizen of the United States, doing nothing illegitimate.

Mr. RATHBONE. If you are doing an illegitimate business, you must expect to be—

Mr. WEDDERBURN. My dear sir, I am not doing an illegitimate business.

Mr. RATHBONE. That is a question to be determined.

Mr. WEDDERBURN. I have read that section (328) over very carefully, and I can not see— Our whole thing is information of a public character; certainly of the best character. We are publishing matter here that no other publication in the United States discusses, and if there is anything illegitimate in that I am absolutely unable to see what it is.

Mr. RATHBONE. This section provides that "Nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates."

Mr. WEDDERBURN. That paper is a dollar a year; you can get papers all over the country for a dollar a year.

Mr. RATHBONE. As to the question of excluding from the mails, you will have to see the Third Assistant Postmaster-General about that, as he has full charge of that. These copies I should be very glad to keep and look over.

Mr. WEDDERBURN. I would be very glad to have you keep them here where I can have them.

(Mr. Wedderburn left here; returned at 3 o'clock p. m. the same day, and made the following additional statement.)

Mr. WEDDERBURN. I wanted to be allowed to send the paper out this week. I can not see the decision in this case would affect the paper at all; I can not believe that. I would like very much to be allowed to mail them.

Mr. RATHBONE. I can not understand why you do not mail that paper in Alexandria.

Mr. WEDDERBURN. I asked the gentleman, and he told me that it would not be allowed to be mailed at any point.

Mr. RATHBONE. The paper is unmarketable, as you have been mailing it.

Mr. WEDDERBURN. How can you hold that?

Mr. RATHBONE. It is an advertising paper. Tell me something about your connection with this paper.

Mr. WEDDERBURN. It belongs to John J. Nicholson & Sons, of Baltimore. I run it for them.

Mr. RATHBONE. There was something said about your advancing the passage of this lard bill with the view of getting an appointment in the Agricultural Department. What was there about that?

Mr. WEDDERBURN. That is funny. Has a man got the right to advance a measure that he believes right or wrong; has he got the right to advance a measure which is before Congress?

Mr. RATHBONE. There is no doubt about that.

Mr. WEDDERBURN. I have had an appointment under the present Administration to write a book. The Committee on Agriculture unanimously adopted a report to increase the appropriation on account of the work that I did. I think Mr. Rusk will take my part in that.

Mr. RATHBONE. Are you not publishing this paper for the purpose of getting an appointment?

Mr. WEDDERBURN. No, sir.

Mr. RATHBONE. Do you not expect to get an appointment under the bill?

Mr. WEDDERBURN. No, sir; if the food bill ever passed I hope to get an appointment.

Mr. RATHBONE. That is the Paddock bill?

Mr. WEDDERBURN. Yes, sir; and you have not seen very much about that in my paper.

Mr. RATHBONE. On this point I am clear, that there should not be a post-office at Grange Camp, because I know from a personal investigation by one of my men that there are only two patrons of that office.

Mr. WEDDERBURN. I am going to find out about that, and will let you know.

Mr. RATHBONE. But I have already investigated it. There are only two patrons, named—

Mr. WEDDERBURN. Those are two brothers named Williams.

I do not want to raise that question at all. I am looking out for my paper—my property—now; I am not asking any questions about the Grange Camp post-office.

Mr. RATHBONE. There is one thing I would like to inquire into a little more specific, and that is your arrangement with Mr. Luckett, the postmaster. You had some arrangement with him by which he was to be postmaster in name and you postmaster in fact.

Mr. WEDDERBURN. Not at all; so far as the receipts of the office are concerned, yes. When Mr. Luckett was appointed, he was the clerk, just as there are at most of these small resorts. He received some—

Mr. RATHBONE. How long was that?

Mr. WEDDERBURN. Three years ago.

Mr. RATHBONE. And he has not been there for nearly three years?

Mr. WEDDERBURN. He left in about four months after that.

Mr. RATHBONE. Say about two years and eight months he has not been there.

Mr. WEDDERBURN. No, sir; he has been there occasionally.

Mr. RATHBONE. What part of the work of the office do you perform, if any?

Mr. WEDDERBURN. I have never looked at a single book, except at the end of the quarter I have asked him to show me their reports. I have never looked at the books to compare. They told me when he first went there that I could not even go into the post-office; that was one of the rules, that nobody except the postmaster, his assistant, and clerk could go into the post-office.

Mr. RATHBONE. How do you get your stamps from that office?

Mr. WEDDERBURN. We send the papers there, and they stamp them and cancel them. Very often I have sent 200 or 300 or 500 papers into the office already stamped; often I send papers into the office and they stamp them.

Mr. RATHBONE. You pay for the stamps afterwards?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. They render you bills for the stamps?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. How often?

Mr. WEDDERBURN. About once in three months.

Mr. RATHBONE. So you pay for your stamps that you have used previously—about once in three months.

Mr. WEDDERBURN. Yes, sir. Unless, in another way—sometimes I stamp them, and get them to—

Mr. RATHBONE. But as a rule you send your matter to the office, they stamp them, and, about three months later, you pay them for the stamps?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. The reason why I ask you so many questions is that it seems to be a very peculiar transaction. There is not a parallel with this case in the history of the Department.

Mr. WEDDERBURN. The same thing came up here under the Department before. They raised the question as to whether you had a right to give me the office, and I said, if you get your money it does not make any difference who gets the office—just so the Government gets its due.

Mr. RATHBONE. You have all the benefits and emoluments of the office under your arrangement with Mr. Luckett?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. Your arrangement with Mr. Luckett is—

Mr. WEDDERBURN. That I am to pay the expense—

Mr. RATHBONE. And your arrangement with Luckett is that the stamps are to be ordered from the Department in his name?

Mr. WEDDERBURN. For the post-office—

Mr. RATHBONE. You say he renders you a bill?

Mr. WEDDERBURN. Whenever he wants it he renders a bill. He usually renders it every three months, and I pay it.

Mr. RATHBONE. For instance, at the end of the quarter he sends you a bill for \$500, and you send him a check for that amount?

Mr. WEDDERBURN. There is no intention to do anything wrong in the world, and I do not think there has been; but I do not want the question of a post-office discussed at all.

Mr. RATHBONE. It seems very strange to me that you publish a paper in Alexandria and you box it up and ship it by freight, at a cost, to Grange Camp, and there you mail it. Why don't you mail it from Alexandria? There must be some inducements for you to go to that additional expense—

Mr. WEDDERBURN. That I get the revenues of the office.

Mr. RATHBONE. Then the inducement for you to ship your paper to Grange Camp is that you derive the revenues of the office?

Mr. WEDDERBURN. Certainly, sir; certainly, sir. There is no other thing. I have certain claims upon the place (Grange Camp), and intend ultimately to buy it. If I do buy it, I intend to put up an office and print my paper right on the ground.

Mr. RATHBONE. Grange Camp is a railway station?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. You have no station agent there?

Mr. WEDDERBURN. No, sir.

Mr. RATHBONE. Do the trains stop there?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. You have to signal every train that stops?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. How large a place is Grange Camp; how many acres?

Mr. WEDDERBURN. We have 40 acres in the camp proper; then I have my little house besides. There are about 43 acres; then we have, besides that, a piece of property. We have got a nice place and a place that will ultimately be considerable of a place.

Mr. RATHBONE. How far is Grange Camp from Alexandria?

Mr. WEDDERBURN. Thirteen miles. I can get an agent there if I want him, except for the fact that we haven't got a man that we can trust to do the work in proper shape. So I have not asked for one.

Mr. RATHBONE. There is nothing for an agent to do there?

Mr. WEDDERBURN. Oh, yes; during the fair.

The post-office being moved is going to hurt me.

So far as your saying there are only two people there, there are Chap Williams and his wife; Mr. Swayze, who gets a good deal of mail; my family gets a good deal of mail and sends off a good deal. We have got two or three servants, whose family lives in Baltimore, and they get a good deal of mail; then there is Mr. Johnson's family. Say there are five families.

Mr. RATHBONE. Do you suppose it would average a dozen letters a week?

Mr. WEDDERBURN. Yes, sir; more than that.

Mr. RATHBONE. The Post-Office Department can hardly afford to establish and maintain an office to accommodate two or even one-half dozen families.

Mr. WEDDERBURN. It seems to me you put the post-office where the most mail is. I certainly have more mail.

Mr. RATHBONE. Yes, but you mail it all from Alexandria. You told me this morning you have a lock-box in Washington, where you get nearly all your mail.

Mr. WEDDERBURN. Oh, yes, sir.

Mr. RATHBONE. I notice in one of your papers you speak of the contest between the attorneys of the Big Four, a man named Kimball, and yourself. Who is Kimball?

Mr. WEDDERBURN. He is the gentleman who represents the pure-lard people in this district.

Mr. RATHBONE. The matter of admitting your paper to the mails you will have to settle with the Third Assistant. In the opinion of our inspector it was not proper to be mailed.

Mr. WEDDERBURN. Let me tell you I do not want to get into a wrangle. All I ask, as a matter of equity, is that I be allowed to send off this issue of the paper, which is all prepared to mail. I do not think there ought to be any injustice in stopping that. That is a downright cost to me—so many dollars and cents. But I propose, of course, to deal with the case before the Postmaster-General, and I have no idea that they are going to stop my paper. I can not do that. It hurts my property.

Mr. RATHBONE. Did I understand you to say this morning that your bona fide subscription list is about 500?

Mr. WEDDERBURN. I said that it exceeded 500.

Mr. RATHBONE. About how much is it, do you think; 600?

Mr. WEDDERBURN. We never print less than 2,000 copies. You ask me a question that I can not answer without my books. I presume it is 1,200 or 1,500. We say it is over 500. But the regular circulation of the paper I know is 1,800—that is the regular edition of the paper.

Mr. RATHBONE. You often print as high as 15,000?

Mr. WEDDERBURN. No, sir; I do not know anything of the kind. I have printed 5,000 several times.

Mr. RATHBONE. Why do you print them—in advocacy of this bill?

Mr. WEDDERBURN. Yes, sir. To circulate my—

Mr. RATHBONE. What particular interest has your backer Nicholson?

Mr. WEDDERBURN. He just backs me financially. He has nothing to do with that. He is backing me as a financial enterprise. You do not seem to comprehend. The National Grange have indorsed certain things; those things I advocate in my paper. I do not advocate anything else that could get into my paper for any consideration.

Mr. RATHBONE. Is the National Grange financially back of this publication?

Mr. WEDDERBURN. No, sir.

Mr. RATHBONE. How do you expect to reap a benefit?

Mr. WEDDERBURN. I am getting a very nice sum from that. I get something from the paper. I hope to get an office under this. I got \$1,000 from Uncle Sam for writing a book last year. I get something from my advertisements. I sell quite a number of these papers. Members of Congress buy these papers by the hundreds. The National Democrat, the Gazette, and all those papers, when—

ever they have an article of any note, they send 500 and 1,000 copies at a time. Sometimes I publish a little article myself. I do not charge anything for that. I think Rusk will say that that paper has done more for him than all the other agricultural papers put together; and I think he will support me. It has simply been reported upon without any investigation.

Mr. AGNEW. Does that make any difference to the Department?

Mr. RATHBONE. Yes; in this case, as I understand, Wedderburn publishes his paper in Alexandria; he ships it down to Grange Camp, and there he mails it in the post-office which he controls and gets all the revenues from. He gets 100 per cent. of the earnings of that office up to \$200. He gets it all, \$200 a year. Mr. WEDDERBURN. Two hundred dollars a year.

Mr. RATHBONE. Therefore he sends his paper through the mail for almost nothing.

Mr. WEDDERBURN. Excuse me, I don't. Understand me. About the paper being shipped to Alexandria; I told the gentleman, the Third Assistant Postmaster-General's chief clerk—I told him that so far as the paper was concerned I was perfectly willing to mail it from Alexandria. But in regard to the mailing of the Fireside, I don't care whether it is mailed here or from Alexandria or from Grange Camp; that is immaterial. We won't discuss the question of the Fireside. It is only a question of Grange Camp. There are certain reasons (irrespective of any profit that may come to me) that I am very anxious to keep the post-office there.

Mr. RATHBONE. That reason is personal to you?

Mr. WEDDERBURN. No, sir; not at all. The first and foremost reason is that we have this Grange Camp Association there every year. People have been coming there from Pennsylvania, New York, and Ohio, now, for three or four years. That is the first reason on which the post-office is established.

Mr. RATHBONE. That meeting only lasts about a week.

Mr. WEDDERBURN. Another reason that I want the —. It helps to give me the revenue. We have been, as I told you the other day, in litigation. That will be settled in a month or six weeks.

Mr. RATHBONE. I can not see how any litigation with private parties will affect your paper.

Mr. WEDDERBURN. Well, you see we want to sell some lots there.

Mr. RATHBONE. The Post-Office Department can not lend itself to any plan of that kind to sell lots.

Mr. WEDDERBURN. I am mentioning that as the reason why it has not been built up sooner. Every farmer in Fairfax County is interested in that as well as myself.

Mr. AGNEW. Mr. Wedderburn has his own registered mail amounting to over \$25 a year.

Mr. WEDDERBURN. There are twenty-five people who get their mail there regularly, instead of two. I could not tell you the other day, because I did not know. I could not answer that. I never interfered with the details of the office in any shape or form.

Mr. RATHBONE. Let me tell you why I asked you those questions; because the inspector's report indicated that there were but two families who get their mail there. It struck me that you would know how many patrons there were in that office. You control the office.

Mr. WEDDERBURN. Don't you recollect that I told you, when the office was established there; Mr. Fletcher, who was then acting as postmaster, said nobody shall have anything to do with these books, except three people, the postmaster, the assistant postmaster, and his clerk; I told you, sir, with all due respect, although I am your clerk, that you can not have anything to do with the post-office or books, or anything of that kind. As to the individual benefit derived from it, I have my own mail, my "Fireside" mail, and the mail of the Grange Association; although I get no benefit of the Grange Camp Association. All of that you will find—

Mr. RATHBONE. You are controlling the office.

Mr. WEDDERBURN. I am perfectly willing to give that up.

Mr. RATHBONE. You get all the revenues of the office. That office is run in the interest of one man?

Mr. WEDDERBURN. So far as the money is concerned.

Mr. RATHBONE. It is an office to accommodate one man.

Mr. WEDDERBURN. That has been done all over the country.

Mr. AGNEW. I have noticed, since I have had anything to do with these things, that they are constantly establishing offices upon application of fifteen or twenty people. They don't appear to care much about distances. What I wanted to get at is, if there is any one there willing to take the position for what it may be worth in cancellation. Is there any objection on the part of the Post-Office Department to having an office there when it does not cost them anything?

Mr. WEDDERBURN. I am perfectly willing to—

Mr. AGNEW. Then don't you think they ought to abolish a good many offices?

Mr. RATHBONE. Undoubtedly.

Mr. WEDDERBURN. Vienna is a large office.

Mr. RATHBONE. Let me say this about the exclusion of your paper from the mails. That is a matter that the Third Assistant Postmaster-General controls exclusively. I have nothing to do with that. The inspector's report was referred to me, in which he concluded that this paper, giving his reasons, should be excluded from the mails. The Third Assistant Postmaster-General considered this question, and did exclude it three or four days ago. Yesterday he held that order in abeyance. You know that.

Mr. WEDDERBURN. When I was here, he said he would allow the last issue to go.

Mr. RATHBONE. Now, in the matter of the abolishment of the post-office, from my investigation of the matter, by conference with you, and from the inspector's report, I am clearly of the opinion that that office should be abolished.

Mr. AGNEW. Eliminating it from any connection with The Farm and Fireside, is there any objection to a post-office at that place?

Mr. RATHBONE. I do not think there ought to be one there. There are three post-offices within two miles and a half.

Mr. AGNEW. I think if you would follow it up you would abolish a great many.

Mr. RATHBONE. I think we ought to abolish them in like cases.

Mr. WEDDERBURN. Is it fair that this post-office, sending as much mail as it does, should be abolished? That is the plan so far as the paper is; that is all right. When I go back to Alexandria I will send it from the post-office there. I will apply for entry in the post-office at Alexandria. I come to Washington in the morning; I stay here; I get back to my place in the evening, and I write my letters there at night.

Mr. RATHBONE. Exclude from this class the amount of mail that you send out, what would be the amount of mail that is shipped from that office?

Mr. WEDDERBURN. Outside of my own mail there would be over \$100.

(NOTE.—An actual count shows receipts of office, outside of Wedderburn's mail, for the year 1889, to be \$11.50.)

Mr. RATHBONE. I doubt it.

Mr. WEDDERBURN. Mr. Williams had told me positively that he had personal mail amounting to over \$25.

Mr. RATHBONE. What business is he in?

Mr. WEDDERBURN. His wife is a correspondent of a newspaper. They send off manuscript very largely. The Grange Camp Association mail a quantity of about between \$60 and \$75.

Mr. RATHBONE. From the information I have it is clear that that office should be abolished.

Mr. AGNEW. Don't you think that order might be held up?

Mr. RATHBONE. Well, I don't know.

Mr. AGNEW. I don't doubt there are—

Mr. RATHBONE. I tell you plainly I am against the re-establishment of the post-office. What the Postmaster-General will do, I do not know.

Mr. AGNEW. Mr. Wedderburn is entering that paper with heading that was drawn in the Department.

Mr. WEDDERBURN. The whole question was raised and decided in my favor.

Mr. RATHBONE. You say that Swayze made a complaint here?

Mr. WEDDERBURN. No. As I told you the other day, I think those at the bottom of it are the Fairbanks and Armours. Those fellows are fighting me.

Mr. RATHBONE. You say that the lard fight is at the bottom of the whole thing?

Mr. WEDDERBURN. I know that.

Mr. RATHBONE. You are against Armour, evidently.

Mr. WEDDERBURN. I am against him, and I am worse against him now than I was before.

A. J. Wedderburn to the editor of the Star.

EDITOR STAR:

When I called yesterday and asked for your author as to the statement relating to Grange Camp post-office and the attempted suppression of the National Farm and Fireside you kindly requested a correct statement of the matter. I desired to make a plain and true statement, free from heat, which in this weather and under the circumstances I find hard to do.

To be charged with fraud in the matter of the Grange Camp post-office and the publication of the National Farm and Fireside by sensational writers, under information given out by the postal authorities, might be passed by with indifference and contempt were it not for the circumstances connected with the matter, which throw around it the astonishing facts that the postal authorities have been duped into lending themselves to one of the most glaring pieces of lobby work that were ever perpetrated in the United States, and thereby violated not only the Constitution, which guarantees a free press and free speech, but have attempted to rob me of my property without warrant of law and to cover up their blunder have gone so far as to try and rob me of my good name.

The facts in the case are as follows:

FIRST AS TO GRANGE CAMP POST-OFFICE.

Some three years ago I moved from Baltimore to Grange Camp, Va., on the Washington and Ohio Railroad, and requested that a post-office be opened at that place, as my mail was large enough to justify the establishment. A protest was entered by the nearest post-office and an investigation ordered, but as thirty or more citizens requested the office, and it was recommended by the Congressman from my district and several others, the request was granted, and Mr. L. H. Lockett, whom your informant is pleased to style a farm hand, but who in reality is a highly educated and an honorable gentleman and who at that time was superintendent of the camp grounds, was appointed postmaster. The fact of his being really in my employ was stated at the time, and it was known by every one that the office was created, after careful investigation, for my benefit, as many other offices are created for the benefit of others who have large mails. I may add that my mail consisted of my paper, my regular correspondence, my correspondence as the chief legislative officer of the State Grange of Virginia, and also as an officer of the Grange Camp Association; also the mail of the association and of its many visitors during exhibition week.

My mail was and is in a great measure not of a personal character, but for the benefit of the farmers of my own State, and also for those of the whole country.

Had not these facts been fully understood at first they were certainly so understood in a few months, because an inspector of the Post-Office Department came to the camp and made a report, upon the basis of which the post-office was abolished. I went to Washington and asked the cause, and was told that the order was issued because I was receiving the benefits of the office and that I was its chief patron.

To which I simply replied by reminding the officer, Mr. Haney, chief clerk of the First Assistant Postmaster-General (and a Republican), of my application on file in the Department and also asked him what it mattered to the Government if they were paid all that was due them who got the profits of the office provided the postmaster was satisfied. The office was immediately re-established and has continued until the present order.

There has been nothing illegal connected with it from beginning to end, unless it be the removal of Mr. Lockett, and that was known at the Department at the time of the first suspension.

As to the profits of the office they have not paid the expenses up to the present year, as the rental and clerk hire has cost more than the returns.

Such is the basis of this charge of fraud by me on the Government, and as stated above is made to cover up the attempted suppression of my paper in the interest of the gigantic lobby, headed by W. W. Dudley, which is trying to defeat the Conger lard bill.

The following are the facts connected therewith:

The Fireside has been a thorn in the side of the Fairbank-Armour-Dudley lobby for three years. It has fought them with unremitting ardor, and at every turn exposed their tricks and routed them. Two committees of Congress, in the Fifth and Fifty-first Congress, have reported favorably the lard bill presented by Mr. CONGER, thus sustaining and supporting my position.

The National Grange, P. of H., have indorsed the measure three times.

Numerous State, county, and local granges have indorsed the bill. Thousands and tens of thousands of petitioners have sent in, through me, their petitions in its favor.

This lobby has boasted that it would spend \$100,000 to defeat the Conger bill, and has tried to incite sectional and race prejudices to the same end, all of which I have exposed, and by constant hard work have met these men and defeated them at every turn up to the present time. Personally I claim no merit for this, for

"Thrice is he armed who hath his quarrel just,"

and the position I sustained and advocated was simply that every tub of lard in this great country should be properly branded, and that the Chicago millionaires be not allowed to defraud the public by selling under a false brand a mixture composed of God knows what.

But enough of this; now for facts.

May 28 a new bond was sent to Grange Camp to be signed by the postmaster, Mr. Lockett, to whom I wrote requesting him to come and attend to it.

June 5 I learned that the post-office inspector visited Grange Camp.

June 6 I received a letter from Post-Office Inspector F. M. Arrington requesting me to call on him, which I did on that day or the day after. Mr. Arrington asked me questions covering the above statements as to Grange Camp office, to all of which I replied truthfully and fully, and referred him to the papers on file. In regard to my paper he simply asked if I did not print it in Alexandria and mail it at Grange Camp, which I told him I did. It never occurred to me that any attempt was to be made to exclude my paper from the mails, and I paid little attention to the investigation regarding the office. Mr. Arrington requested me to call on him again the following week before he made his report, for what purpose he did not say. I did not, however, do so until after my paper had been denied the mails, and then he was out.

June 14 a blank requesting the new bond was sent out, but was not received for several days, owing to its having been directed to Pennsylvania instead of Virginia, thus showing up to that date no intention existed of stopping the office.

June 17 the following order was issued:

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 17, 1890.

"POSTMASTER,  
Grange Camp, Va.:

"The National Farm and Fireside published at your place has been decided by this office, after due consideration of the application and papers submitted by the publishers, to be not entitled to admission into the mails at the second-class rate of postage, under the provisions of paragraph 4, section 328, Postal Laws and Regulations.

"You are directed to inform the publishers of the action of the Department and to require postage at the third-class rate on all copies of the publication presented for mailing at your office.

"Yours, very respectfully,

"A. D. HAZEN,  
Third Assistant Postmaster-General."

I received these documents June 19, in the evening. June 20, I called on General Hazen; I told him I desired to see about my paper. He referred me to his chief clerk, who informed me that there were matters connected with the publication that warranted the exclusion of the paper from the mails. I demanded to know what they were and under what law and on what grounds the action had been taken. I at the same time submitted six different issues of my paper for inspection. He told me the reason was that the paper was published at nominal rate. I told him this was absurd, as the subscription price (\$1 a year) was the price of a large majority of all the papers published in the United States.

He then said that it had been so decided because of the large number of sample copies sent out. I asked what was the legitimate number. He replied, a reasonable number. I asked what a reasonable number was. He evaded the question. I then told him that he or no other officer would decide that question for the very good reason that the law was framed to enable publishers to increase their subscription list by sending out samples and for the further reason that politicians of all parties desired to mail matter at the second-class rate, as he must know was done by nearly every paper in the United States. He then said the matter could only be changed by the inspector, and sent me to Chief Post-Office Inspector Rathbone, with whom I had two very lengthy conversations,† in the course of which he asked me a series of remarkable questions as to the ownership of the paper, its circulation, etc. He asked what interest the owners had in the Conger lard bill, to which I replied, none. He asked why the paper was full of that bill. I replied because I choose to fill it with it and was determined to continue the fight until I won. He asked what interest W. W. Kimball had in the paper, and who he was. I told him Mr. Kimball had not the slightest interest in the paper; he had purchased papers when the articles suited him. He asked me what the National Grange paid me for my advocacy of the lard bill, and a number of similar questions, all of which I submitted to, for the simple reason that I desired to get to the bottom of the mystery, and I was gratified by Mr. Rathbone's saying the reason the paper was suspended is because it is an advertising sheet. I replied that is an absurdity. There are but few advertisements in it; all legitimate and none of my own business; it is in no sense an advertising sheet. Mr. Rathbone replied, it is an advertising sheet, used to advertise a bill before Congress, this Conger lard bill. To which I replied, in that sense it was an advertising sheet, that it advertised the bill and would continue to do so; it advertised the rascalities of Armour and Fairbank, and intended to keep it up; that I knew them pretty well for ways that were dark, but I hardly presumed that they would have attempted to use the United States Post-Office Department to wreak their vengeance on me through the influence of their attorney, W. W. Dudley.

A third reason was given a personal friend of mine who called on General Hazen later in the day, and it was that the paper was printed in Alexandria and published from Grange Camp.

I went from the inspector to the chief clerk and told him my paper was printed and ready to mail. I asked for an order to send out that issue so as to let the matter be reopened. He told me to tell my man to send out the paper.

I looked him squarely in the face and asked him if he thought a sworn official should disobey the directions of the Department on a verbal message. Further I said the assistant postmaster would not be guilty of any such dereliction of duty, and I would not be the one to advise him to do it.

He then went to General Hazen and, returning, said he had requested him to issue such an order, but he positively refused to allow the paper to go through the mails.

I asked if it could be mailed from Alexandria, and he replied that it could not, because it was entered at Grange Camp.

I left, doubtless in no pleasant mood, and did not hesitate to express myself pretty plainly at the outrage perpetrated upon me, as no property is more susceptible of an injury than a newspaper by even a week's suspension.

The attempt to interfere with the liberty of a paper that for seventeen years had been regularly published because it chose to discuss a matter of public interest in an outspoken and fearless manner, to gratify the whim of W. W. Dudley's clients, by the issuance of his order by the Third Assistant Postmaster-General to exclude it from the mail as second-class matter would appear so farcical as to be beyond belief were the facts not so palpable that even the inspector confessed to me in the presence of the Hon. Parke Agnew, on June 25, that "he had not caught on to the fact that the matter was instigated by the Chicago lard men until that morning in an interview with Secretary Rusk."

At the instance of a friend General Hazen on the 20th rescinded his order so far as to allow the issue of the 21st to go through the mail, but no further.

Finding their position absolutely untenable and fearing something of a rumpus, they make a shift, by issuing on the 23d an order to discontinue Grange Camp post-office, so as to stop the Fireside in that way if in no other, and then give out for publication statements intended to befog the case and cast discredit upon me.

As to the circulation of my paper and the sample copies the facts are, and can be proven by the record, if the Post-Office Department keeps a record of canceled newspaper stamps, that the circulation of the Fireside is about the same it has been for several years; that I have every year issued one or two, twenty to twenty-five thousand extra editions of the paper for the purpose of trying to increase its circulation for a number of years past.

That the paper has a legitimate list of subscribers is easily proved.

I have tried to keep cool under these most aggravating circumstances, because I had no desire to create a scandal at the expense of the Government, even if not agreeing with it politically.

\*These italics are mine (those below are the Department's). I have made them to emphasize the fact that the publishers had not submitted any paper or made any application to the Third Assistant Postmaster-General, for the very good reason that the only application necessary had been made over three years previous and the paper had been admitted to the mails and was running regularly as it had been since May 1, 1874, when the paper first started.

†See my stenographic report of conversation with this gentleman. It upsets his statement.—RATHBONE.

This statement has been forced from me by the recklessness of the author of the statement given out by the Post-Office Department, and not from any personal desire to gain a little cheap notoriety.

POST-OFFICE DEPARTMENT,  
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., June 20, 1890.

SIR: In compliance with your verbal request of yesterday I return herewith the report of Post-Office Inspector Arrington relative to the status of the National Farm and Fireside, published at Grange Camp, Va., and of the post-office at that place. I send you also copy of a report made on the 2d of March, 1888, by Post-Office Inspector W. S. Ridgely upon the affairs of the post-office at Grange Camp, which exhibits a state of things at that time somewhat similar to what is shown by the report of Inspector Arrington. It seems that shortly after the receipt by this office of Inspector Ridgely's report, namely, on March 20, 1888, a copy of it was transmitted to the First Assistant Postmaster-General, with a recommendation for the discontinuance of the office, and that an order to discontinue was made on the 16th of April, 1888, but rescinded ten days afterwards.

I inclose also copies of two applications made by Alex. J. Wedderburn, publisher of The National Farm and Fireside, for the entry of that paper at Grange Camp, Va., and for the entry at Alexandria, Va., of what is called the Virginia edition of the National Farm and Fireside; and, although this office is not aware of any fraud in connection with these applications, it may be that upon special investigation fraud will be discovered. I should be glad to have you specially investigate the status of the Virginia edition of The National Farm and Fireside, with the view of discovering whether it is advisable to exclude it from the mails as second-class matter.

There is still another paper it seems, The Progress, published at Alexandria, Va., by Mr. Wedderburn, the status of which it might be well to inquire into.

I send also paper showing sales, cancellations, and commissions of the postmaster at Grange Camp from the second quarter of 1887 to the fourth quarter of 1889, inclusive, and suggest that inquiry be made to ascertain whether the postmaster, or his assistants or agents, have been guilty of making false returns in order to increase the compensation of the office.

In transmitting to you the above-mentioned papers I beg leave to call your attention to the fact that the present assistants of the postmaster at Grange Camp—a Mr. Swatzy and his daughter—have, according to Inspector Arrington's report, been habitually violating the act of Congress of June 17, 1878, in selling stamps to the publisher of The National Farm and Fireside, Alex. J. Wedderburn, without requiring payment therefor in cash, an offense which is punishable by fine or imprisonment, and which would seem to be in this case of sufficient gravity to warrant a criminal prosecution of the offenders.

After the investigation is completed I should be glad to have you communicate the result to this office.

Yours very respectfully,

A. D. HAZEN,  
Third Assistant Postmaster-General.

E. J. RATHBONE, esq.,  
Chief Post-Office Inspector, Washington, D. C.

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the amended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

GRANGE CAMP, VA., November 5, 1887.  
Application is hereby made to have The National Farm and Fireside, a semi-monthly published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

NATIONAL FARM AND FIRESIDE PUBLISHING COMPANY,  
Publisher.

Per ALEX. J. WEDDERBURN, Editor.

- Magazine or newspaper?  
A. Newspaper.
- How often published?  
A. 1st and 15th of each month.
- Where is the paper printed?  
A. At Grange Camp, Va.
- Who are the proprietors of the paper or magazine?  
A. National Farm and Fireside Publishing Company.
- Are they in any way interested, pecuniarily, in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
A. No.
- Who are the editors of the publication and how is their compensation determined?  
A. Alexander J. Wedderburn.
- Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
A. Mr. Wedderburn advertises his business in the paper, and has done so since 1879; agent of Virginia Grange, etc.
- Is your publication regarded by the trade which it purports to represent as a general organ of the trade or is it considered as representing the business interest of a special house in that trade, whose prices current or advertisements appear therein?  
A. The paper is not a trade journal, but an agricultural one, circulated all over the United States.
- As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?  
A. No.
- Can any house in good standing advertise in your publication at the regular published rates?  
A. Yes; glad to get all legitimate ads.
- Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein respecting advertisements or subscriptions? And if so, what is that interest?  
A. None whatever.
- What is the greatest number of copies furnished to any person or firm who advertises in your publication?  
A. Whatever they desire; rarely in large lots.
- On what terms are these papers furnished?  
A. Advertisers and agents, a few copies free; others from 1 to 2 cents, according to number.
- What number of papers do you print of each issue?  
A. From 3,000 to 4,000.
- About what number of bona fide subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?

- A. About 1,800.  
 16. What is the subscription price of your publication per annum?  
 A. Fifty cents.  
 17. How many pounds weight will cover the papers furnished to regular subscribers?  
 A. We use fifty pounds paper to ream.  
 18. What average number of specimen copies, with each issue, do you desire to send through the mails at pound rates?  
 A. As many as we can get new names.  
 19. How are the names of the persons to whom you wish to send sample copies obtained by you?  
 A. From masters and secretaries of granges in all the States, and by advertising free sample copies.

ALEX. J. WEDDERBURN,  
 Editor National Farm and Fireside.  
 GEO. D. SCOTT, Notary Public.

Sworn to and subscribed before me this 8th day of November, 1887.  
 [SEAL.]

This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See sections 333 and 334 of the Postal Laws and Regulations.)

EXTRACTS FROM THE POSTAL LAWS AND REGULATIONS OF 1887.

SEC. 328. STATUTORY CHARACTERISTICS.—That the conditions upon which a publication shall be admitted to the second class are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers: *Provided, however*, That nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes or for free circulation or for circulation at nominal rates. (Act of March 3, 1879, section 14, 20 Stats., 359.)

SEC. 329. REGULARITY OF ISSUE.—The regular periods of issue must be shown by the publication itself and be within the statute. Annuals and semi-annuals are third-class matter. And it is only matter mailed at or about the time of its regular publication which is entitled to second-class rates. Old copies of newspapers or periodicals published at prior times must pay rate prescribed in section 351, except that back numbers may be sent to regular subscribers at the pound rate.

An admissible publication may change the periods of issue, as from monthly to weekly, weekly to daily, or *vice versa*, but on such change should receive a new certificate of entry accordingly. Educational publications and those of colleges and schools, otherwise within the rule, do not lose their right by suspension of issue during vacation.

SEC. 333. APPLICATION FOR ADMISSION TO THE POUND RATES.—When a new publication is offered for mailing at pound rates at any post-office, the postmaster will proceed as follows:

1. Require the publisher, or one of the publishers, to make and present to him, with two copies of the publication, sworn answers in writing to the following interrogatories: (See interrogatories above).

2. If satisfied by the affidavit, the publication itself, and further proofs offered, that the publication is admissible, he will issue a temporary permit, on a form to be furnished by the Department, admitting the publication at the pound rates pending the determination of the Department as to its admissibility.

3. If upon such evidence the admissibility appear to be doubtful, he shall require a deposit at third-class rates on the issue offered for mailing, and issue a permit admitting the publication conditionally, pending determination, the excess of the deposit over the pound rate to be refunded if the Department shall decide that the publisher is entitled to the pound rates.

4. If satisfied of non-admissibility, he will refuse to admit, except at third-class rates, advising the publisher to appeal to the Department.

5. In all cases he will forward to the Third Assistant Postmaster-General, in the same envelope, the application, affidavit, and other proofs presented by the publisher, with a copy of the publication, and a statement of any facts or reasons known to him for or against the admission sought, retaining one copy of the publication, to be kept in his office for such comparison with future issues as may be necessary.

SEC. 334. ENTRY OF SECOND-CLASS PUBLICATIONS.—The Third Assistant Postmaster-General finally decides upon the admissibility of publications to the pound rate in all cases. He will without delay examine all applications, and upon being satisfied that a publication is entitled to admission at such rate will authorize the postmaster at the proper office to issue a certificate of entry therefor. The postmaster will thereupon issue such certificate on form furnished by the Department, and the publisher is then privileged to print upon each copy of the publication so entered the words "Entered at the post-office at — as second-class matter." The printing of such words or their equivalent, without due entry having first been made, is unlawful. (See section 346.)

Postmasters should notify publishers of the requirements of this chapter, and that it is the desire of the Department that due entry be made of all second-class publications, both old and new, and that frequent examination and rigid scrutiny will be had of all publications not so formally entered.

Whenever it is made to appear by satisfactory evidence that a publication has been admitted to the pound rates upon false evidence or that after admission it has so changed its character as to be no longer entitled thereto, the entry thereof will be revoked and the postmaster at the proper office notified of the revocation.

SEC. 344. EXAMINATION OF SECOND-CLASS PUBLICATIONS.—Postmasters should often examine publications offered for mailing to ascertain that they do not violate the rules prescribed by law for their admission at the pound rate, and especially note:

1. Whether the same are issued at stated intervals as frequently as four times a year, and bear a date of issue, and are numbered consecutively.

2. Whether they are issued from a known office of publication.

3. That they are formed of printed paper sheets, without board, cloth, leather, or other substantial binding.

4. Whether they are designed primarily for advertising purposes or free circulation at nominal rates.

5. Whether they are mailed at the proper office, as prescribed in section 348.

6. Whether the name of the person, firm, or corporation publishing the same appears thereon.

7. Whether any other matter than legitimate supplements, as defined in section 337, is inclosed therewith.

8. Whether any writing, print, mark, or sign, other than authorized by section 356, appears thereon or therein.

9. Whether any advertisements not permanently attached are inclosed therewith. (See section 343.)

10. When a postmaster has reason to believe that a publication has, after admission to the pound rate, so changed its character as not to be legally entitled

thereto, he may require a sworn statement as to its list of subscribers to be furnished him, which, with any other facts of evidence within his knowledge, he will forward to the Third Assistant Postmaster-General.

SEC. 345. RECORD OF SECOND-CLASS MATTER.—Postmasters must keep a record of all publications of the second class mailed at their post-offices, and send a duplicate thereof to the Third Assistant Postmaster-General, and report to him on the first day of each month any change made therein.

SEC. 346. SUBMITTING FALSE EVIDENCE PUNISHABLE.—That any person who shall submit, or cause to be submitted, for transportation in the mails, any false evidence to the postmaster relative to the character of his publication, shall be deemed guilty of a misdemeanor, and, under conviction thereof in any court of competent jurisdiction, shall for every such offense be punished by a fine of not less than one hundred nor more than five hundred dollars. (Act of March 3, 1879, § 13, 20 Stats., 359.)

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the appended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

ALEXANDRIA, Va., January 19, 1889.

Application is hereby made to have the weekly edition of National Farm and Fireside, a weekly paper published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

ALEX. J. WEDDERBURN & CO.,  
 Publisher.

- Magazine or newspaper?  
 A. Newspaper.
- How often published?  
 A. Every Saturday.
- Where is the paper printed?  
 A. Three hundred and nine King street, Alexandria, Va.
- Who are the proprietors of the paper or magazine?  
 A. Alex. J. Wedderburn & Co.
- Are they in any way interested pecuniarily in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
 A. No.
- Who are the editors of the publication, and how is their compensation determined?  
 A. Alex. J. Wedderburn. By profit of the paper.
- Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
 A. No.
- Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price-currents or advertisements appear therein?  
 A. It is organ of Virginia State Grange. Don't represent interest of any business house.
- As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?  
 A. No.
- Can any house in good standing advertise in your publication at the regular published rates?  
 A. Yes.
- Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein representing advertisements or subscriptions? And, if so, what is that interest?  
 A. No.
- What is the greatest number of copies furnished to any person or firm who advertises in your publication?  
 A. All they will pay for.
- On what terms are these papers furnished?  
 A. One dollar per year per copy.
- What number of papers do you print of each issue?  
 A. Five hundred.
- About what number of bona fide subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?  
 A. Don't know; impossible to answer this question. We have some subscribers paid in advance and are receiving others. Few papers have a subscription list before starting. We have several thousand for our semi-monthly edition.
- What is the subscription price of your publication?  
 A. One dollar.
- How many pounds weight will cover the papers furnished to regular subscribers?  
 A. Twenty.
- What average number of specimen copies with each issue do you desire to send through the mails at pound rates?  
 A. Reasonable number.
- How are the names of the persons to whom you wish to send sample copies obtained by you?  
 A. Masters and secretaries of subordinate granges, clubs, alliances, etc.

ALEX. J. WEDDERBURN,  
 Editor.

Sworn to and subscribed before me this 23d day of January, 1889.

[SEAL.] JULIAN W. HOLT,  
 Notary Public.

This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See sections 333 and 334 of the Postal Laws and Regulations.)

Here follow extracts from Postal Laws and Regulations of 1887, same as those printed with preceding paper.

[Examining Division. No. 164.]

Report of sales and cancellations.

OFFICE OF THE AUDITOR OF THE TREASURY

FOR THE POST-OFFICE DEPARTMENT.

Washington, D. C., June 29, 1890.

SIR: I have the honor to submit the following transcript of sales, cancellations, and commissions from the accounts of L. H. Luckett, postmaster at

Grange Camp, State of Virginia. Please have the case investigated under section 259, Postal Laws and Regulations of 1887.  
Fairfax County.

THIRD ASSISTANT POSTMASTER-GENERAL.

T. B. COULTER, Auditor.

Period.	Sales.	Cancellations.	Commissions.
Second quarter, 1887	\$62.96	\$65.83	\$59.50
Third quarter, 1887	74.25	82.38	69.43
Fourth quarter, 1887	170.98	165.43	117.71
First quarter, 1888	163.02	217.68	143.84
Second quarter, 1888	71.02	87.09	72.25
Third quarter, 1888	179.44	189.66	129.83
Fourth quarter, 1888	103.30	118.10	90.86
First quarter, 1889	58.46	60.64	56.38
Second quarter, 1889	63.12	63.28	57.97
Third quarter, 1889	56.12	58.56	55.14
Fourth quarter, 1889	95.90	97.98	78.70

Estimated May 14 to June 30, 1887.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
Washington, D. C., July 8, 1890.

SIR: In the case of Grange Camp, Va., which Inspector Arrington is investigating, I desire to call the inspector's attention to sections 5450 and 5451, Revised Statutes of the United States. You will please direct his attention particularly to the latter part of section 5451, and have him consider it in connection with the evidence secured by him in the above-named case.

Respectfully,

E. G. RATHBONE, Chief Inspector.

J. D. KING, Esq., Inspector in charge, Washington.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
Washington, D. C., July 12, 1890.

DEAR SIR: In a letter under date of June 29, 1890, to Hon. E. G. Rathbone, chief inspector, in reference to the status of The National Farm and Fireside, a newspaper that had been entered as second-class matter at Grange Camp, Va., General Hazen, Third Assistant Postmaster-General, requested that a special investigation be made as to the Virginia edition of said paper entered for second-class rates at Alexandria, Va., January 17, 1889. I will state that this edition, it seems, was only published for a few months, and is not now mailed.

Very respectfully,

T. M. ARRINGTON,  
Post-Office Inspector.

J. D. KING, Esq., Inspector in charge, Washington, D. C.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
Washington, D. C., July 14, 1890.

Respectfully referred to the Third Assistant Postmaster-General, in connection with other papers relating to same subject referred this date.

JAMES MAYNARD,  
Acting Chief Inspector.

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the appended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

Application is hereby made to have The National Farm and Fireside, a Grange and agricultural paper published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

ALEX. J. WEDDERBURN, Publisher.

1. Magazine or newspaper?  
A. Grange and agricultural.
2. How often published?  
A. Weekly.
3. Where is the paper printed?  
A. Alexandria, Va.
4. Who are the proprietors of the paper or magazine?  
A. J. J. Nicholson & Sons.
5. Are they in any way interested pecuniarily in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
A. None whatever.
- \*6. Who are the editors of the publication and how is their compensation determined?  
A. Alex. J. Wedderburn; based on the profits.
7. Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?  
A. Not at the present time, and have not for some months.
8. Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price-currents or advertisements appear therein?  
A. Represents no trade; consequently the question is not applicable.
9. As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?  
A. The paper is published in the interest of no business or business house.
10. Can any house in good standing advertise in your publication at the regular published rates?  
A. Yes.
11. Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein respecting advertisements or subscriptions? And, if so, what is that interest?  
A. None.
12. What is the greatest number of copies furnished to any person or firm who advertise in your publication?  
A. Will sell any number asked for.

13. On what terms are these papers furnished?  
A. From 1 to 3 cents each, according to quantity.
14. What number of papers do you print of each issue?  
A. For some time past 2,000 copies (regular).
15. About what number of bona fide subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?  
A. About five hundred paid subscribers (a large number of papers are paid for by persons other than those subscribing personally) and are mailed regularly on such order.
16. What is the subscription price of your publication per annum?  
A. One dollar.
17. How many pounds weight will cover the papers furnished to regular subscribers?  
A. About 100 pounds.
18. What average number of specimen copies, with each issue, do you desire to send through the mails at pound rates?  
A. Average not over 2,000. Occasionally we issue large editions and sometimes no extra copies. Judging by the past a fair average will not exceed 2,000.
19. How are the names of the persons to whom you wish to send sample copies obtained by you?  
A. Sent in by Grangers, sent in on petitions to Congress, sent through me, and names furnished by Senators and Congressmen.

ALEX. J. WEDDERBURN.

Sworn to and subscribed before me this 7th day of July, 1890.

[SEAL.]

WM. A. MACNULTY, Notary Public.

This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See sections 333 and 334 of the Postal Laws and Regulations.)

EXTRACTS FROM THE POSTAL LAWS AND REGULATIONS OF 1887.

SEC. 328. STATUTORY CHARACTERISTICS.—That the conditions upon which a publication shall be admitted to the second class are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers: *Provided, however,* That nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates. (Act of March 3, 1879, section 14, 20 Statutes, 359.)

SEC. 329. REGULARITY OF ISSUE.—The regular periods of issue must be shown by the publication itself and be within the statute. Annuals and semi-annuals are third-class matter. And it is only matter mailed at or about the time of its regular publication which is entitled to second-class rates. Old copies of newspapers or periodicals published at prior times must pay rate prescribed in section 351, except that back numbers may be sent to regular subscribers at the pound rate.

An admissible publication may change the periods of issue, as from monthly to weekly, weekly to daily, or vice versa, but on such change should receive a new certificate of entry accordingly. Educational publications and those of colleges and schools, otherwise within the rule, do not lose their right by suspension of issue during vacation.

SEC. 333. APPLICATION FOR ADMISSION TO THE POUND RATES.—When a new publication is offered for mailing at pound rates at any post-office, the postmaster will proceed as follows:

1. Require the publisher, or one of the publishers, to make and present to him, with two copies of the publication, sworn answers in writing to the following interrogatories. (See interrogatories above.)

2. If satisfied by the affidavit, the publication itself, and further proofs offered, that the publication is admissible, he will issue a temporary permit, on a form to be furnished by the Department, admitting the publication at the pound rates pending the determination of the Department as to its admissibility.

3. If upon such evidence the admissibility appear to be doubtful, he shall require a deposit at third-class rates on the issue offered for mailing, and issue a permit admitting the publication conditionally, pending determination, the excess of the deposit over the pound rate to be refunded if the Department shall decide that the publisher is entitled to the pound rates.

4. If satisfied of non-admissibility, he will refuse to admit except at third-class rates, advising the publisher to appeal to the Department.

5. In all cases he will forward to the Third Assistant Postmaster-General, in the same envelope, the application, affidavit, and other proofs presented by the publisher, with a copy of the publication, and a statement of any facts or reasons known to him for or against the admission sought, retaining one copy of publication to be kept in his office for such comparison with future issues as may be necessary.

SEC. 334. ENTRY OF SECOND-CLASS PUBLICATIONS.—The Third Assistant Postmaster-General finally decides upon the admissibility of publications to the pound rate in all cases. He will without delay examine all applications, and upon being satisfied that a publication is entitled to admission at such rate will authorize the postmaster at the proper office to issue a certificate of entry therefor. The postmaster will thereupon issue such certificate on form furnished by the Department; and the publisher is then privileged to print upon each copy of the publication so entered the words "Entered at the post-office at — as second-class matter." The printing of such words, or their equivalent, without due entry having first been made, is unlawful. (See section 346.)

Postmasters should notify publishers of the requirements of this chapter, and that it is the desire of the Department that due entry be made of all second-class publications, both old and new, and that frequent examination and rigid scrutiny will be had of all publications not so formally entered.

Whenever it is made to appear by satisfactory evidence that a publication has been admitted to the pound rates upon false evidence or that after admission it has so changed its character as to be no longer entitled thereto, the entry thereof will be revoked and the postmaster at the proper office notified of the revocation.

SEC. 341. EXAMINATION OF SECOND-CLASS PUBLICATIONS.—Postmasters should often examine publications offered for mailing to ascertain that they do not violate the rules prescribed by law for their admission at the pound rate, and specially note:

1. Whether the same are issued at stated intervals as frequently as four times a year, and bear a date of issue, and are numbered consecutively.
2. Whether they are issued from a known office of publication.
3. That they are formed of printed paper sheets, without board, cloth, leather, or other substantial binding.
4. Whether they are designed primarily for advertising purposes or free circulation at nominal rates.

5. Whether they are mailed at the proper office, as prescribed in section 348.  
 6. Whether the name of the person, firm, or corporation publishing the same appears thereon.  
 7. Whether any other matter than legitimate supplements, as defined in section 337, is inclosed therewith.  
 8. Whether any writing, print, mark, or sign, other than authorized by section 356, appears thereon or therein.  
 9. Whether any advertisements not permanently attached are inclosed therewith. (See section 343.)  
 10. When a postmaster has reason to believe that a publication has, after admission to the pound rate, so changed its character as not to be legally entitled thereto, he may require a sworn statement as to its list of subscribers to be furnished him, which, with any other facts or evidence within his knowledge, he will forward to the Third Assistant Postmaster-General.

SEC. 345. RECORD OF SECOND-CLASS MATTER.—Postmasters must keep a record of all publications of the second class mailed at their post-offices and send a duplicate thereof to the Third Assistant Postmaster-General, and report to him on the first day of each month any change made therein.  
 SEC. 346. SUBMITTING FALSE EVIDENCE PUNISHABLE.—That any person who shall submit, or cause to be submitted, for transportation in the mails, any false evidence to the postmaster relative to the character of his publication, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall, for every such offense, be punished by a fine of not less than one hundred nor more than five hundred dollars. (Act of March 3, 1879, § 13, 20 Stats., 359.)

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
 Washington, D. C., June 21, 1890.

SIR: I hand you herewith papers in case No. 121527 C, which is a recent report of Inspector Arrington on the Grange Camp, Va., post-office.

I invite your attention to the statement of Alex. J. Wedderburn herewith, taken by me on the 20th instant, and call your attention particularly to that portion where he states that he sends his mail matter to the post-office at Grange Camp, and that the assistant postmaster affixes stamps, and forwards it, without prepayment for stamps; and that occasionally, or about every three months, Mr. Wedderburn pays the postmaster for the stamps, which is in violation of section 348, Postal Laws and Regulations of 1867.

As Mr. Arrington has had charge of this case and understands it pretty thoroughly, it is suggested that he continue to follow it up.

I desire to call your attention to the fact that, in the opinion of this office, a conspiracy was entered into between the postmaster (Lockett) and Wedderburn to defraud the Government. We have a statement which materially bears on that point from Mr. Wedderburn. I doubt not that the inspector will secure evidence of conspiracy, which, taken in connection with Mr. Wedderburn's statement, will establish a case.

Of course, the inspector will understand that, after the conspiracy has been established, the acts of one are the acts of both.

Attention is also invited to a copy of a report from William S. Ridgely, post-office inspector, to W. P. Ryan, inspector in charge, of March 2, 1888, in case 98847 C. Attention is also invited to the communication of Third Assistant Postmaster-General, of June 20, 1890, which the inspector will please consider in his investigation.

Very respectfully,

E. G. RATHBONE,  
 Chief Inspector.

J. D. KING, Esq.,  
 Inspector in charge, Washington, D. C.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,  
 Washington, D. C., July 16, 1890.

SIR: Referring to the matter of the discontinuance of the post-office at Grange Camp, Va., the Postmaster-General desires an inspector to visit that locality again, at the earliest practicable date, for the purpose of ascertaining the relative positions of the different post-offices surrounding Grange Camp. It would be well for the inspector to make a diagram or map, showing the position of the Grange Camp office and other contiguous offices. It is also desired that the inspector get the list of petitioners who petitioned the Department for the establishment of the office, go over it very carefully, and ascertain all about them, particularly as to whether or not they are within the delivery of the Grange Camp office and whether or not they are bona fide petitioners.

Very respectfully,

E. G. RATHBONE,  
 Chief Inspector.

J. D. KING, Esq.,  
 Inspector in charge, Washington, D. C.

VIENNA, VA., July 15, 1890.

DEAR SIR: Being personally acquainted with this section of Fairfax County, its people, and surroundings, I take pleasure in stating that I believe it to be the interests of the people of this section that the post office at Grange Camp be re-established.

The Grange Camp Association is an organization devoted to the welfare of agriculture and is intended to develop the agriculture of our county.

To discontinue the office at Grange Camp will certainly be an injury not only to the locality, but to the county and to this section of Virginia.

Yours, very respectfully,

A. FREEMAN.

HON. JOHN WANAMAKER,  
 Postmaster-General, Washington, D. C.

COMMITTEE ON AGRICULTURE AND FORESTRY, UNITED STATES SENATE,  
 Washington, D. C., July 7, 1890.

MY DEAR SIR: On the basis of the statements presented in the letters of the Hon. R. R. Fair, United States marshal of the eastern district of Virginia, and the Hon. Park Agnew, of Alexandria, with reference to the recent discontinuance of the post-office at Grange Camp, I shall be much pleased if you can see your way clear to continue the reception and distribution of mail at that point. I understand that the office is one of growing importance, that it is situated on the ground of the great agricultural fair of the Virginia State Grange, and that the post-office there has in no sense been run for the private advantage of any individual, but rather for the best interests of the various patrons.

Very respectfully yours,

A. S. PADDOCK.

HON. JOHN WANAMAKER,  
 Postmaster-General, Washington, D. C.

OFFICE OF THE POSTMASTER-GENERAL,  
 Washington, D. C., July 15, 1890.

SIR: I beg to acknowledge the receipt of your communication of 7th instant, concerning the matter of the discontinuance of the post-office at Grange Camp, Va., in which you state that you will be much pleased if I can see my way clear to continue the reception and distribution of mails at that point. In this connection I beg to state that the recent investigation of another matter at Grange Camp post-office developed the fact that the office was being used almost exclusively by a Mr. A. S. Wedderburn, who publishes a paper at Alexandria, Va., and sends it by freight to Grange Camp, where it is mailed. The inspector's report shows that there are but two families who get mail at Grange Camp aside from Mr. Wedderburn; that on one side, a distance of  $1\frac{1}{2}$  miles, is a post-office, and on the other, at a distance of about one-third or three-quarters of a mile, is another post-office.

It seems to be well established, in fact admitted by Mr. Wedderburn, that about three years ago he caused the appointment of a Mr. Lockett as postmaster at Grange Camp. Mr. Lockett was an employe of Mr. Wedderburn, and four months after his appointment removed to some point 51 miles away, and has not since that time performed the duties of postmaster. Mr. Swayze was appointed deputy postmaster at the instance of Mr. Wedderburn, and is under his control and influence, so, in fact, Mr. Wedderburn controls the office. It has been developed that the assistant postmaster, Mr. Swayze, would receive Mr. Wedderburn's mail from time to time, stamp it, and every three months render a bill to Mr. Wedderburn for the postage, which Mr. Wedderburn would pay by check. This is a clear violation of the postal laws.

The revenues of the office go to Mr. Wedderburn, and he orders supplies from the Department as they are needed, supervises the making of returns to the Department, etc.

The investigation is still in progress, the result of which I will be pleased to communicate to you, if you desire it.

As at present advised, I am not prepared to countermand the order discontinuing the post-office at Grange Camp, Va.

Very respectfully,

JNO. WANAMAKER,  
 Postmaster-General.

HON. A. S. PADDOCK,  
 United States Senate, Washington, D. C.

D.—COPY OF A RESOLUTION OF THE HOUSE OF REPRESENTATIVES,  
 AUGUST 16, 1890.

IN THE HOUSE OF REPRESENTATIVES, August 16, 1890.

Whereas it is charged in the columns of The New York Sun and other responsible journals that gross frauds have been practiced on the Post-Office Department by one Alex. J. Wedderburn, in connection with the transmission through the mails of a large number of circulars, in the form of a newspaper entitled The National Farm and Fireside, at one-eighth of the rates established by law; and

Whereas it is stated that said circulars—printed in Alexandria, Va.—were mailed at a post-office near that city, at a place called Grange Camp, where a post-office was established at the request of the said Wedderburn, one of his employes being appointed postmaster; and

Whereas it is stated that an investigation of these facts was made by the proper officers of the Post-Office Department, with the result of discontinuing said post-office after the Government had been defrauded out of a large sum of money by the said Wedderburn in the manner stated; and

Whereas it is asserted that criminal proceedings were not instituted against the said Wedderburn, as required by law, the Department of Agriculture having interposed in behalf of said Wedderburn: Therefore,

Resolved, That the Postmaster-General be, and he is, requested to transmit to the House at the earliest practicable moment all the facts in possession of the Post-Office Department in the matter, including the reports of the special agents or inspectors of said Department therein, together with any correspondence had with the Department of Agriculture in respect to said matter.

Attest:

EDW. MCPHERSON, Clerk.

ORDER OF BUSINESS.

Mr. STRUBLE. I ask unanimous consent, in accordance with the desire of the Committee on the Territories, to present for consideration a bill which will take but a short time.

Mr. BUCHANAN, of New Jersey. It is not fair to the Committee on Labor, which has a very limited time, to yield for any other purpose. We have but two or three hours to discuss a very important bill, and I object.

The SPEAKER *pro tempore*. The special order under the rule is the consideration of the bill H. R. 9632.

ALIEN CONTRACT LABOR.

Mr. BUCHANAN, of New Jersey. I demand the regular order.

The SPEAKER. The Clerk will report the pending bill.

The Clerk read as follows:

A bill (H. R. 9632) to amend "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia."

The bill was read, as follows:

Strike out all after the enacting clause and insert:

"That from and after the passage of this act it shall be unlawful for any person, persons, or corporation, in any manner or way whatsoever, to aid, assist, or encourage the importation or immigration of any alien into the United States under contract or agreement, parol or special, express or implied, made previous to such alien becoming a resident of the United States, to perform labor or service of any kind in the United States; any such contract shall be utterly void and of no effect; and it shall be unlawful for any alien to enter the United States under any such contract.

"Sec. 2. That any person, persons, or corporation entering into a contract prohibited by section 1 of this act with any alien, or who shall knowingly assist, encourage, or solicit the importation or immigration of any alien into the United States, to perform labor or service of any kind under contract or agreement, parol or special, express or implied, with such alien, made previous to his becoming a resident of the United States, shall be fined in a sum not exceeding \$1,000, or imprisoned for a period not exceeding six months, or both, at the discretion of the court. The proceeds of fines collected under this act shall be paid into the Treasury of the United States. And in addition to the above penalties, any person, including the alien party to said contract, may institute a suit in the proper circuit court of the United States, in the name of the United States, against the person, persons, or corporation entering into the prohibited contract, and shall have the right to recover the sum of \$1,000 for each alien im-

ported into the United States in pursuance of such contract. A separate suit may be brought for each alien included in such contract, and it shall be the duty of the district attorney of the proper district to appear and prosecute such suit at the expense of the United States. One-half of the judgment obtained, when collected, shall be paid to the party instituting the suit, and the other half shall be paid to the Secretary of the Treasury to be disposed of according to law.

"SEC. 3. That the master of any vessel who shall bring within the United States, on any vessel, or who shall land or permit to be landed from his vessel, from any foreign port or place, any alien laborer, mechanic, or artisan, who, previous to embarking on such vessel, had entered into contract or agreement, parol or special, express or implied, to perform labor or service in the United States, shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine of not more than \$500 for each and every such alien laborer, mechanic, or artisan so brought or landed as aforesaid, and may also be imprisoned for a term not exceeding six months, and shall return such alien to the port at which he embarked; and the above fine shall be a lien upon such vessel; and such vessel shall not have clearance from any port of the United States until such fine is paid.

"SEC. 4. That it shall not be lawful for any person, persons, or corporation to encourage any alien laborer, mechanic, or artisan to migrate from any foreign country to the United States, by promise of employment, through advertisement or otherwise, and any such alien who shall thus be encouraged to immigrate to the United States, or who shall be a party to a contract prohibited by section 1 of this act, shall not be permitted to remain, but shall be returned to the port from whence he sailed; and the expense incurred by the United States in the enforcement of this section may be collected from the person, persons, or corporation who has thus encouraged the immigration of the alien, by suit in the proper United States circuit court; and all such encouragement of immigration by promise of employment, through advertisement or otherwise, shall be construed as a violation of section 1 of this act, and shall subject any person, persons, or corporation so encouraging the immigration to the penalties provided in section 2 of this act.

"SEC. 5. That nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, in any private or official capacity, from engaging, under contract or otherwise, persons not residents of the United States to act as private secretary or household domestics for such foreigner temporarily residing in the United States as aforesaid; nor shall this act be so construed as to prevent any person, persons, or corporation from engaging, under contract or otherwise, skilled workmen in foreign countries to perform labor in the United States or upon any new industry not at present established in the United States: *Provided*, That skilled labor for that purpose can not be obtained in the United States; nor shall the provisions of this act apply to professional actors, artists, lecturers, regularly ordained ministers of the gospel, learned professors for colleges and seminaries, or professional singers; nor to persons employed strictly as household domestics or servants traveling in the United States with their employers: *Provided also*, That nothing in this act shall be so construed as to prohibit any individual from assisting, by donations of money, any member of his family, or any relative, to migrate from any foreign country to the United States for the purpose of securing citizenship in the United States.

"SEC. 6. That any person arriving in this country on any vessel may be interrogated under oath to ascertain whether he is embraced within any of the provisions of this act; and any officer appointed by the Secretary of the Treasury to aid in the enforcement of this act, or of the act referred to in the title of this act, or any act amendatory thereof, shall have the power to administer oaths and to examine on oath any person supposed to be engaged in a violation of this act, or any of the acts above referred to, or any witness produced; and any false statement willfully made by such person or witness in the course of his examination is hereby declared to be perjury, and shall subject the person guilty thereof to all the pains and penalties of perjury prescribed by law. The Secretary of the Treasury is hereby charged with the duty of executing the provisions of this act, and for that purpose he shall have the power to establish such rules and regulations and issue from time to time such instructions not inconsistent with law as he shall deem best calculated to enforce the provisions of this act, and shall have the power to withhold entry and clearance from any vessel used in violating the provisions of this act, or either of the acts in this section referred to, or the master of which refuses obedience to the provisions of said act; and when it shall be determined that any person arriving on any vessel within the jurisdiction of the United States in violation of the provisions of this act, and when a return of such person to the country from whence he came has been ordered, it shall be the duty of the master of the vessel on which such person was imported, at the demand of the Secretary of the Treasury, or other proper officer, to detain said person on board said vessel and transport said person to the country from whence he came at the expense of said vessel.

"SEC. 7. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed."

Mr. CHIPMAN. I desire to offer an amendment to the pending bill, and I wish to know when it will be in order to submit it.

The SPEAKER *pro tempore*. It can be offered now, as there is no amendment pending.

Mr. CHIPMAN. Then I will offer it now, before the debate commences.

Mr. WADE. Am I not entitled to the floor?

The SPEAKER *pro tempore*. The gentleman from Michigan sends an amendment to the Chair, which will be considered as pending, if there be no objection.

Mr. BUCHANAN, of New Jersey. But how does the gentleman get the floor? The custom, as I understand it, is to recognize the gentleman in charge of the bill.

The SPEAKER *pro tempore*. The Chair proposes to recognize the gentleman in charge of the bill, but the gentleman from Michigan sends an amendment to the desk, which will be read for the information of the House.

The Clerk read as follows:

Insert after section 6, to stand as sections 7 and 8, the following:

"SEC. 7. That no alien shall be the chief officer, president, superintendent, manager, or director of any corporation formed under the laws of the United States or any of the States thereof, nor be a conductor, engineer, brakeman, baggageman, switchman, or car-driver on any railroad, including street railroads, in the United States; nor contract to do any work for the United States or for any State, county, municipality, or municipal board in the United States; nor be an employé or laborer under any contractor to do such work; nor be a contractor, nor an employé or laborer under any contractor to do any work for any corporation in the United States; nor to be a master, engineer, mate, pilot, sailor, porter, or clerk on any water craft wholly engaged in navigating the waters of the United States.

"SEC. 8. The foregoing section shall not apply to any person who is a resident

and citizen of a State of the United States, nor to any person who has declared his intention to become a citizen of the United States: *Provided always*, That a person or a citizen of a State, or who has declared his intention to become a citizen of the United States, shall, as soon as he legally can, after becoming a citizen of a State, or so declaring his intention, become a fully naturalized citizen of the United States; and if he does not so become a fully naturalized citizen of the United States he shall be subject to the provisions of the first section of this act from the time when he may so become a fully naturalized citizen until the time when he is actually naturalized: *Provided further*, That the said section shall not apply to any person until after he has been engaged thirty days in any of the employments or avocations specified therein."

Mr. CHIPMAN. Mr. Speaker, there is a verbal amendment to be made. The first section is specified there, but it should be section 7.

Mr. BLAND. Let me ask first if that is intended to amend the Constitution of the United States?

Mr. CHIPMAN. If it is necessary to meet such an evil, it ought to be done.

The SPEAKER *pro tempore*. The gentleman from Missouri has the floor.

Mr. WADE. I yield to the gentleman from Pennsylvania to offer an amendment.

Mr. BLAND. I apprehend that no Congress can interfere with the rights of the citizen of a State.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania is recognized.

Mr. DALZELL. I desire to offer an amendment to come in on page 9, in lines 12 and 13.

The Clerk read as follows:

Strike out the words "provided that skilled labor for that purpose can not be obtained in the United States" and insert "and for the prosecution of which skilled workmen can not be obtained in the United States, or in or upon any industry recently established where skilled labor, to a sufficient extent, can not be obtained in the United States: *Provided*, That in either of such cases laborers may be imported only by and with the consent and approval of the Secretary of the Treasury and the Attorney-General of the United States, upon cause shown to their satisfaction, and upon such terms as to wages and otherwise as shall by them be prescribed."

The SPEAKER *pro tempore*. The Chair understands the gentleman from Missouri to yield to this amendment.

Mr. WADE. Yes.

The SPEAKER *pro tempore*. The amendment will be considered as pending.

Mr. STEWART, of Texas. I desire to amend by adding what I send to the desk.

The SPEAKER *pro tempore*. It can be read now for information, if there be no objection.

The Clerk read as follows:

Amend section 2 by adding the following after the word "law," in line 26, page 8:

"And it is further provided that no fine, penalty, or judgment recovered by the United States, or in the name of the United States, for the violation of this act shall be compromised by any officer or agent of the United States."

Mr. KERR, of Iowa. Has the bill been read the second time?

The SPEAKER *pro tempore*. Not the second time.

Mr. KERR, of Iowa. It seems to me it would be better to read it by sections and let the amendments be offered in their order.

The SPEAKER *pro tempore*. The amendments will be pending in their proper order.

Mr. WADE. I yield fifteen minutes to the gentleman from New Jersey [Mr. BUCHANAN].

Mr. BUCHANAN, of New Jersey. Mr. Speaker, it has been the policy of the Government of this country, from its organization, to open wide its doors to the people of all nations. But as time has gone on it has been found that the cupidity of man has abused this privilege, and forced immigration, contract immigration, purchased immigration has become an evil, and a crying evil, in the land. Not only have the Governments of other countries shipped to us their convicts and paupers, but men of greed within our own country have sent abroad and made contracts for the importation of laborers to come into this country, and under those contracts such laborers have come here and entered into competition with our own honest home labor.

This evil became such that in 1855 the Congress of the United States passed an act prohibiting the importation of contract labor into this country. A subsequent amendatory act was passed in 1857, and a still further amendment in 1858. The administration of these laws by the Department of the Treasury has developed instances in which, under the provisions of these laws, evasions were possible. Under the last administration which was charged with the enforcement of these laws, efforts were made to prevent the importation of contract labor, and to a large extent those efforts were successful. Under the present administration of the Treasury Department, the efforts to enforce these laws have been continued and with much success; but the Department finds that there are cases which the present laws do not in practice cover, and which makes necessary further legislation if the labor of this country is to be protected fully against contract labor brought in from abroad.

The Committee on Labor have reported this bill after a conference with gentlemen charged with the execution of these laws, and they believe that the provisions of the proposed bill, if enacted into law, will very materially aid the officers of this Government in preventing such

immigration. It is my purpose in the few minutes assigned to me to state wherein this law adds to or takes from the existing statutes.

In the first place, the exemptions under the present act are in one respect increased and in another diminished. The present law exempts from its operation professional actors, artists, lecturers, singers, and persons employed strictly as personal or domestic servants. Under the provisions of that act a minister of the gospel, coming to New York, under engagement to serve a church in that city, was held to come within the prohibition; and the proposed amendment to the original law adds to this exemption regularly ordained ministers of the gospel and learned professors of colleges or seminaries. Under the original act persons employed strictly as personal or domestic servants are exempt.

Your committee found that advantage was being taken of that exemption, and so in the substitute which they report they limit the exemption to household domestics or servants traveling in the United States with their employers. Difficulty has been found in enforcing the provisions of the present law in this respect: When a man was brought into this country under contract to labor in this country, there was no law by which the steam-ship company bringing him here in violation of the terms of that act could be compelled to return him to the country from which he had been brought. An incident of this kind occurred during the present summer in New York. At first the steam-ship company declined to return the man brought in in contravention of the act; but afterwards they saw fit to return him, denying, however, the right of the Secretary of the Treasury to insist under the law that they should return him.

The amendment to this act proposed by the committee provides that when a steam-ship company brings men into this country in violation of the provisions of the act such company shall return the men thus brought in at their own costs and charges. And to make this remedy more effective it puts it into the power of the Secretary of the Treasury to deny a clearance to the steam-ship until the terms of the act are complied with.

The bill also provides for a penalty upon the master of the steam-ship violating the provisions of this act. It also provides that the officials appointed by the Secretary of the Treasury for the purpose of assisting in the carrying out of the provisions of the law against the importation of contract labor shall have the right to examine under oath any immigrant brought into this country to ascertain whether or not such immigrant is being brought in in violation of the terms of the law. And that power is given to those officials to examine not only the proposed immigrant, but any other witness that may be produced.

The proposition first was, as the bill originally stood before the committee, to make any such person coming into this country under a contract to labor guilty of a misdemeanor, but your committee thought the effect of that would be to at once close the mouth of any such immigrant, because it is well understood that you can not compel any one to offer any testimony to criminate himself. And therefore they proposed this substitute, which takes away the criminal feature from the immigrant, but subjects him to an examination by the inspectors appointed under the law as it now stands.

It also, as I said, gives these inspectors the right to take testimony as to the facts in the case. This bill proposes to cure another evil. It is a fact to-day that all through European countries the steam-ship companies have their placards at every cross-roads, in every wine-shop, in every place of resort, advertising for immigrants to the United States of America. These companies secure the benefit of the passage-money. It makes no difference to them what becomes of the immigrant after he has landed upon our shores. He may, as often happens, at once become an object of charity at the hands of the municipality within the boundaries of which he has landed.

Mr. MORSE. Will the gentleman allow me to interrupt him a moment?

Mr. BUCHANAN, of New Jersey. I would rather not until I get this proposition finished.

Mr. MORSE. I wanted to supplement what you have said by a statement of the governor of Massachusetts.

Mr. BUCHANAN, of New Jersey. I will give the gentleman an opportunity in a moment.

We have no quarrel with the legitimate, honest immigrant; but we demand that the immigration into this country shall only be honest and legitimate. So we provide in this bill that if any person or corporation engages any alien labor, laborers, mechanics, or artisans to come from any foreign country to the United States under promise of employment through advertisement or otherwise, such action shall be unlawful, and the alien thus arriving shall not be allowed admittance to our ports.

Now I will yield to the gentleman from Massachusetts.

Mr. MORSE. I will say, in substantiation of what the gentleman from New Jersey has stated about pauper labor coming into this country and going directly to a penal or reformatory or charitable institution, that the governor of Massachusetts recently called the attention of the Legislature to the fact that certain paupers, landed at the port of Boston, came directly from a work-house in England and went right from the wharf to the almshouse at Tewkesbury, in the State of Massachusetts.

Mr. BUCHANAN, of New Jersey. Instance after instance of that kind by the thousands and tens of thousands have passed into the history of this country.

We provide not only against such forced immigration as that, but we provide that the parties encouraging such immigration shall not only not be allowed to land passengers thus obtained, but by such encouragement they become obnoxious to the terms of the law and are subjected to a penalty.

We provide, and it is for the purpose of covering cases where previous to the fact coming to the knowledge of the officials the actual landing has taken place, that in an instance where a person brought in under contract to labor in this country has by hook or crook effected his landing, it shall be the duty of the steam-ship company which brought him in here to return him at their own cost, and if they refuse to do so they shall not have a clearance for their vessels.

[Here the hammer fell.]

Mr. BUCHANAN, of New Jersey. Just one moment more. The gentleman yields to me.

I will say, sir, that this bill proceeds upon one line. I want to emphasize this especially in view of the amendment offered by the gentleman from Michigan. There are other phases of the labor question; there are other phases of the emigration question which might be dealt with by the law-making bodies of this country; but the committee have undertaken in this bill to deal with one phase of it, and with one that needs immediate legislation. We endeavor so far as statutes can do so to prevent the importation into this country of persons under a contract to labor here or under a promise of employment here. The committee have felt that if they undertook to deal with all the various phases of the question this most important part maybe might fail; and they thought it better to deal with this one of the evils in this one bill alone.

Whilst amendments may be proposed here which may be worthy in themselves, and which may be designed to accomplish worthy purposes, we ask every friend of honest labor in this country—and by "honest labor" I mean no cant phrase, but I mean labor that is employed in this country in earning its bread in the sweat of its face—every one who is interested in not having this labor in this country come into competition with labor bought abroad and brought here to work out its contracts; we ask all such to join with this committee in confining the bill to this one single purpose. Allow us to perfect it, if it needs perfection, in its details and then pass it by a unanimous vote. [Applause.]

Mr. WADE. I yield thirty minutes to the gentleman from New York [Mr. QUINN].

Mr. QUINN. Mr. Speaker, in rising to support this bill I do so believing that no act of this or any other Congress so completely meets the requirements of the American working man and woman as this act is intended to do. This bill, when passed into law, will, in my opinion, go far to right the wrongs which have been so long crushing down into the earth the toilers of our land, causing unceasing poverty and discontent everywhere.

Some men say that this measure is a delicate and dangerous one to handle. Mr. Speaker, I can not see it in that light, and if there was anything delicate or dangerous to our institutions or our honor in this bill, all that I could do, every effort of mine, would be put forth to defeat it.

No man on the floor of this House has given this subject more careful study than I have done as a member of the stone-cutting trade. I have seen year after year thousands of such mechanics come with the first dawn of spring from the poorly paid countries of Europe to compete with and undermine the American workman, both native and naturalized, who, with his home and family here, was sharing through the long and dreary winter, as he had done the whole year round, all the responsibilities, all the duties of a faithful American workman. Not so with those whom we aptly styled birds of passage. They came with the spring, and the first faint blast of winter found them crowding on board a foreign ship again, to take them back laden with the money which was nothing less than robbed from our American homes. This was repeated year after year by a class of men who would hardly spend a shilling on our shores, and who hated everything American except the gold they took from us.

The opponents of this bill, Mr. Speaker, may say that I, too, came as one of these. No, I never did; for long and long before my feet touched the sacred soil of this free land, a land thrice sacred to every man of my race, my every breath was mingled with a prayer that I too would some day come to share in its freedom. And when at last in the fullness of my manhood I raised my hand to take the oath of citizenship and to renounce forever all allegiance to every foreign prince or potentate, it was only to ratify before Heaven on this soil the oaths of citizenship I had taken before I had seen it.

To all who come as such, my heart and my arms are as open as those of my country to receive them. But to all who come as hirelings and as the creatures of the destroyer of our homes and the independence of our workmen, I would close every pathway to our country in their face. To my mind there is not much difference between them and the hireling Hessians who, during another dark period

of our country's history, were induced to accept the hospitality of gallant New Jersey, a State so ably represented by the gentleman having charge of this bill [Mr. BUCHANAN], and who settled down around Trenton and elsewhere. They may not have multiplied there, but let us hope that they replenished the earth.

What might be said relative to the injury done to the American stone-cutter might be safely said of every trade or calling in which our people are engaged. There are regularly established agencies all over Europe, in England, Ireland, Scotland, notoriously in Italy and other countries of continental Europe, for the purpose of gathering together and crowding on to our shores in many cases the worst elements of their various communities.

What can we not see daily on looking around us? Our working men and women ground down and compelled to work for a pittance scarcely sufficient to keep body and soul together, that the favored class may be enriched, and when at last they cry out in their despair and say, "We can not and will not stand this any longer," off goes on the wings of the lightning, from the soulless employer, messages saying, "We have a strike on hand; send on your paupers, your working men and women (a class of men and women who receive in many cases not more than from 12 to 50 cents per day); send them on and we will give them work and wages." The next fleet steamer lands hundreds of that class on the streets of our cities, and the thousands who were banded together in their cry for bread that their wives and children might be fed are soon reduced to a still lower condition, and all because of this accursed contract system.

The passage of this bill, Mr. Speaker, and its enforcement will put an end to this; and the great centers of labor, such as New York, Pennsylvania, Ohio, and all over the land, will cease to be cursed with communities of men who will not speak our language and who defy our laws.

Thousands of this class can be found to-day, particularly in the employment of the coal barons of Pennsylvania, who despise our laws and our institutions; who recognize nothing in common with us, and whose deeds and whose crimes are a foul blot upon our civilization, and a proof (if one were needed) that slavery in this country has only been transferred from one class of humanity to another.

Referring to the wages as paid to foreign workmen, let me quote to you from the American Economist of August 22:

#### IRISH WAGES.

There is a strike on the Waterford and Limerick Railway, at Limerick, where the engineers and fitters are receiving 33s., or \$8.05 per week, and machinists are getting 16s., or \$3.90 per week. They want 35s. and 24s., respectively, or \$8.78 and \$5.86, the same that men are getting in other parts of Ireland. The directors have decided that they can not afford to pay the advance, and probably they can not. How any railroad can live in a country as sparsely populated as Ireland is, when engineers work for \$8.05 per week and machinists for \$3.90, is more than we can comprehend.

In a visit to that country recently I traveled over this very railroad from its start to its finish, which is from the city of Limerick to the beautiful city of Lismore, in Waterford. As an American, I was naturally interested in everything I saw around me, particularly in a country wherein I was born, and which I had seen only twice in over forty years. I saw and conversed with the very class of employés mentioned here, and the statement just quoted seems to me even more favorable than the present condition of those employés really is.

It is not that they are less skillful; it is not that they are less careful or less daring than the same class of employés in this country or in that of any other on the face of the earth, for nowhere can men be found more daring or more skillful than they are.

It is not against the foreign-born citizens who come here with their own free will that I would legislate. No; for to this class of emigrants America owes her unsurpassed greatness. It is this class of emigrants, who, coming from beautiful, poetic, though oppressed Ireland, or from the fertile valleys of Germany, and from other lands beyond the sea, that have made this country the peerless nation which it is. Therefore, nothing should be done that might be construed to oppose their coming here. No; there is room within the shores of America for millions more like them, and the heart of America welcomes them to her bosom.

The class which she refuses to accept are those who might be brought by contract to take the places in the mines, the factory, or the workshop of her own citizens, and who come without any desire or intention to become citizens. We know also that the paupers, and many times criminals, of England have been given a premium to leave there and accept passage to this country. They bring their pauper, as well as their criminal, proclivities with them. They have been shipped at the expense of their own country to ours, and I can see no reason why we should want such a class.

Will not this class of men, all over Europe, at the first favorable opportunity, hire themselves to the agents of a Vanderbilt or a Gould, and in doing so become the unwitting agents, in the hands of such men, for the humiliation and degradation of our American workmen?

Quotations of this kind might be multiplied many times, as going to show a vastly worse and lower condition of things in other portions of Europe.

It is against the wholesale importation, by contract, of low-priced and low-paid laborers from all over the world that I for myself, and also in the name of the honest toilers of our land, protest.

You have recently by your acts declared that eight hours, and no more, shall constitute a day's work on all Government work. This I delight in, for the best portion of my life was given to establish such a rule or law among the various trades on this continent. A bill should also be passed preventing aliens from being employed as contractors or otherwise on our public works. And a bill should, and will, I hope, be passed which will shut out for all time a class of working men and women who have wrought such injury to our American citizen, to our American workman.

This will prevent thousands of birds of passage from coming here and spreading themselves all over the country every spring, and, as I have already stated, returning to their homes across the sea when the first signs of frost appear upon our fields in the early winter. Then it is that our American artisan and laborer will be given a chance to live in the land which he can truly call his own; then it is that once more prosperity and happiness will be found in every workman's home, as it once was; then it is that virtue and true manhood will bless the land, and become in themselves the strongest barriers against every vice, and the truest and grandest bulwarks for the preservation and protection of our glorious, our free, institutions will have been established. [Prolonged applause.]

Mr. CHIPMAN. Mr. Speaker, while I am in accord with the general purpose of this bill, I think that, like most of the labor legislation which has been passed this session, it fails to give a complete remedy for the evil which is sought to be redressed. The gentleman from New Jersey [Mr. BUCHANAN] in the course of his remarks said that the bill dealt with one phase of the evil. I must disagree with him entirely, if he means there is more than one. There is but one phase of the evil, and that is the evil itself in all of its force and in all of its enormity, and if the measure before us fails to grapple with it to that extent and to provide a remedy against it, it fails entirely of being a measure which ought to be passed by the House.

The great evil which we are seeking to overthrow is the competition of aliens with our own citizens in the industries of life. We wish to stop the process by which labor is imported into this country under contract, and we wish to do it effectually. We do this upon the ground that those who are sons of the country, whether by naturalization or by birth—and they both stand and ought to stand upon the same footing—are entitled to whatever benefits are to be gained here by honest industry and ought not to be subjected to the competition of those who owe no allegiance to our Government and who have no love for our country. This alien competition is the great evil which we are seeking to overthrow, and if we simply close the door to the importation of contract labor we but partially perform our duty in that respect, because we leave the other and the greater door open by which this competition may still be carried on.

I do not know what may be the experience of gentlemen from other sections of the country and I do not know what their sentiments may be as to the amendment which I have introduced, but I do know that on the frontier from which I come, and, as I am told, along the frontier from the Atlantic to the Pacific, our towns and cities, our fields and our forests, all our industries, are swarming with labor imported from Canada. Our pine woods are full of that labor; our railroad corporations are full of it; our street-railway corporations are full of it; our lake marine is full of it; our shops are full of it. In every branch of industry in my own city we find these people coming with their dinner-pails across the river and competing with and driving out, to the extent that they compete, the labor of our own citizens. They not only do this, but they live among us unnaturalized year in and year out. This is a great evil, one of which the workingmen on the northern frontier are continually complaining, and which, in my judgment, they rightfully complain of. These workingmen are children of the great mother, our country, and she should nurse them to prosperity and not take to her breast the stranger who cares not whether good fortune or ill fortune betide her, who has no interest in her good order or her good government, who reckons nothing for her prosperity, and who has no care here save to take what he can make and carry it back to the country whence he came.

The amendment which I have offered is very comprehensive. It includes not only the labor of individuals, but also of corporations. I propose to prohibit any foreigner from being the controlling officer of any corporation in this country. Corporations, as we all know, possess public franchises, and as the possessors of those franchises they are to a greater or less extent—to the sorrow of many people it may be said to a greater extent—a governing power in the country, and they ought to be controlled by men who are in full sympathy with our institutions and who have such a stake in the country as citizens that they will do no harm, because the harm they might do in the exercise of their corporate functions would be a harm to themselves and to their posterity after them.

Gentlemen, I know, look with some surprise and suspicion upon this amendment, but the country will come to it in time. It is not hostile to immigration. It is not hostile to the acquirement of citizenship by foreigners. It in no way precludes any man who comes here from abroad with the purpose of declaring his intention and becoming a citizen from doing so. It only insists that he shall do so;

that he shall not live among us an alien, in time of war to refuse to aid the Government that protects him, and in time of peace to be a drain upon our resources and an injury to our working people.

As to the power to do it, my friend from Missouri [Mr. BLAND] asked me awhile ago—and I was sorry that he asked the question without more reflection—if this was proposed as an amendment to the Constitution of the United States. My answer was that it ought to be, if such an amendment was necessary. But such an amendment is not necessary. This Government possesses the power of all civilized governments, the power to determine the status of every foreigner, of every alien, who comes to reside amongst us. The Chinese exclusion act, indeed this very bill, proceeds on the ground that we have that power. We are responsible to foreign nations for the treatment of their citizens among us. If we do them harm, the Federal Government may be called to account and looked to for reparation. All our foreign relations are controlled by the Federal Government. The naturalization power, the treaty-making power, the commerce power, all those powers which go to the relations of one nation to another and under which the status of an alien in any country is determined, all those powers are fully and exclusively placed in the hands of the Federal Government.

Now, if this Government has these great powers, are they not all the power any sovereignty can have over the subject, and is there any doubt, can there be any doubt, that Congress, as the legislative branch of the Government, may enact a law of the kind which I propose? Does any man who has studied the Constitution, does any man who has looked into the matter at all, doubt it for a single moment? Is there any authority upon international law which does not lay down the doctrine plainly that this is a power inherent in the Government, or in the branch of the Government which may control the relations of a country with other countries? Aliens enter countries foreign to them at the pleasure of the governments of those countries. They may be excluded entirely, which we have done in the Chinese acts, and have tried to do in the contract-labor law, or they may stay among us on the conditions prescribed by law. This is the universal law of civilization. It is necessary to the dignity and the safety of republics, as well as of monarchies. It grows out of the right of self-defense, and the authority to exercise it is not, in our case, with the States, but with the Federal Government.

There is nothing narrow in the legislation which I propose. It is broad; it is generous. It invites and gives an impulse, an impetus, so to speak, to the naturalization of the foreigners who come to the country. It gives them time after they have obtained employment, if they desire so to do, to declare their intention; it gives them ample time. I have heard gentlemen say on this floor that men should have time to think and reflect before they declare their intention to become citizens. That is not the theory of the law. We give them five years to reflect before they take the final oath and become citizens of the United States; but the declaration of intention does not bind them in any way; it holds them to no duty; it does not cut them off from the choice of being or not being citizens. It is during this time between the declaration of intention and the final oath of citizenship that the man is supposed to study our institutions and to reflect as to whether his final choice shall be to become a citizen.

Mr. Speaker, I for one do not desire great crowds of people to come into the country who do not intend to become citizens. I desire that those who come shall be decent men, of reputable lives, of proper intelligence, free from crime; men, in a word, who can display the qualifications required by our naturalization laws. And when they come here with a purpose of living and working here I desire and demand, and Congress should demand, that they at least make up their minds to declare their intention to become citizens, and so far at least qualify themselves for citizenship.

Mr. BLAND. If the gentleman will yield to me for a moment, I would like to ask him a question. What does he do with that great principle of the Declaration of Independence which declares that all men have the right to "life, liberty, and the pursuit of happiness?" Why does he propose to deprive any man of the right of liberty the moment he arrives on republican soil—to make a slave of him simply because he is on American soil? I thought that slavery had been abolished by the Constitution.

Mr. CHIPMAN. Mr. Speaker, my answer to the gentleman is, with all the great respect I hold him in, that I do not propose to do anything with that Declaration. The gentleman and myself have for years and years stood up and denounced the gentlemen on the other side for abandoning the Constitution of the United States and planting themselves upon the Declaration of Independence. The Declaration of Independence is not the Constitution of the United States. I do not propose to go into the field of sentiment on this subject. My position is a practical one; it is one in behalf of the independence and the real freedom of the workingmen of this country. Charity begins at home. I would take care of our work-people first, those who belong to us now.

Sir, we have been indulging in platitudes on this subject day in and day out. We have been doing with this question as we did with the trust bill; we have been making a pretense of action, and yet not one bill has been passed so far at this session of Congress which in any way

relieves labor from any of the evils against which this measure is aimed; not one. Let us give a sensible and practical relief to labor. We pretend in this bill that our intention is to prevent men from swarming in here from foreign soil whenever a crisis in labor affairs occurs and taking the place of our American laboring men. That at least is the only justification of it. Yet the law to which this bill is amendatory, strong as it has been supposed to be, long as it has been on the statute-book, has been evaded with perfect ease. And I can tell gentlemen that the bill now before us when enacted into a law will be evaded with similar ease.

Why, sir, not long ago when a strike occurred in the city of Detroit, labor coming from Canada was clear beyond the demand; it swarmed in there. There was no contract-labor law violated; there was no contract made; but word was passed from mouth to mouth that there were vacancies there; that there was a strike; that carpenters and men of that kind could come to Detroit and find employment. And they came. They literally took the bread and butter out of the mouths of our own people. And this bill which you now propose to pass would not prevent that.

As a member of the committee on the labor troubles in Pennsylvania, I found that, notwithstanding the law now on the statute-book, whenever a strike occurred among the miners, immediately, almost miraculously, almost as if by magic, not only in tens and twenties, but in fifties and hundreds, men came into the country and took the places of our discharged citizens.

Now, these are the facts, and these are the evils against which the contract-labor law was meant to provide. These are the evils which this bill is meant to redress. But how do you redress them if by indirection the very thing may be done against which your bill is aimed? What redress can there be if swarms of laboring men come in at their pleasure and take the place of your workingmen, and may do it legally, provided they have not entered into a contract in some foreign country?

Mr. CATCHINGS. Will I interrupt the gentleman if I ask him a question?

Mr. CHIPMAN. No, sir.

Mr. CATCHINGS. How would the gentleman suggest that we remedy the evil to which he is now addressing himself?

Mr. CHIPMAN. I propose to remedy it by forbidding these men to work except on certain conditions. My amendment proposes to provide that within a certain time after they go to work here they shall declare their intention to become citizens, and that at the end of the time prescribed by law they shall perfect their citizenship. That would be a complete remedy, and it would involve no hardship. It would give an immigrant a chance to look around for work; it would give him, after he had secured work, reasonable time within which to take this legal step and declare his intention. It would not debar him from labor if he declared his intention in a reasonable time after going to work.

I go further, however, than that. My amendment strikes at the foundation of this question. I say to the gentleman from Mississippi and to the House that I do not wish any considerable number of men to come to this country to be of us, to work with us, to compete with our working people, unless they come with the intention of being citizens. They should come with that intention; and under my amendment I give them ample time.

The gentleman from Missouri made a remark about the rights of the States. In my amendment I provide for that. I recognize the citizenship of the States. I recognize to the fullest extent the doctrine to which the gentleman alluded at the time I introduced the amendment. What I contend for is a measure of real relief to our workingmen—not a prior-election relief—not this evasion which promises what it does not perform. I wish an honest, a fair, and a constitutional solution of this question.

A great many gentlemen have an idea that the demands of labor in this country are of very little importance. A question of this kind is buffeted around this House as if it were a matter to be discussed just before elections and then to be dropped, something upon which we are to tickle the ears and mislead the understandings of the laboring people. I can tell gentlemen that there never was a greater mistake. The labor question is the great question of the age. It underlies and it overlies every other question. From one end of the world to the other it is among statesmen and public men the one grand subject of discussion. In this advanced age the laboring men can not and will not be made the mere "mudsills" of society, to be used for the purposes of capital and for the purposes of politicians.

There must be something real, something earnest done in a country like this, where the elective franchise is based upon manhood, and where the man who wields the plow or follows the plow by his vote determines the destinies of a great people. There can be no real intelligence, there can be no real safety in this country, Mr. Speaker, unless the laboring men are kept upon a high plane, not only of knowledge and liberty, but upon a high plane of comfort and social decency. It is not the mere cry of demagogism, but it is the cry of the statesmen of this country and of all countries. When an Emperor like William, in the nearly despotic Government of Germany, deems it of the highest consideration to his people and all others, it is a question necessarily of paramount importance everywhere.

And, Mr. Speaker, as we deal with it we will deal with and determine the safety and perpetuity of our Government. To bandy it about, shuffle with it, raise our extreme doctrine of State rights against it, resort to any and every subterfuge and method to overthrow and keep it out of sight, is simply playing with a volcano, with a terrible force, which, as it has broken out in other places, will as surely break out in this country if we do not deal honestly with the questions presented by labor.

Sir, bills of this kind, which deal half-heartedly with the question, are the food upon which communism and anarchism feed. They plant the seed from which French revolutions spring. They sow Russia with the dragons' teeth of sedition. They spread discontent amongst the people; they cause the laboring man to believe that after all he is not of the importance which his manhood gives to him, and sooner or later—and the signs of the times of this country are ripe for it—sooner or later, if we are not wise on the subject, I predict to you, Mr. Speaker, that there will be trouble. Farmers are aroused, the workmen are aroused upon all hands, and there is no disguising the fact that they are in practical alliance from one end of the country to the other. They are acting hand in hand. It is not merely the fate of the manufacturer or the farmer, but the fate of labor itself, which they have in charge and which they purpose to keep in charge until some favorable result is attained in the legislation of the country.

Mr. Speaker, it is a great question, an important question. You will find it in the cotton fields of the South; it is in the wheat fields of the North; it is being discussed in all its forms in every place where industry is pursued; it is being discussed in every home where man lives by the sweat of his brow, and I repeat now what I said before, and I beg gentlemen to believe me, it is the paramount question of the day and the hour. It is not bounded by continents; it is not bounded by oceans, but east, west, north, south, from further Australia to the confines of our western domain, there is but one voice, and that is that the day of labor has come; and when we refuse to listen to that voice we simply, Mr. Speaker, declare that the laborer is not worthy, but that the product of his hands, which the few have accumulated and hold is the worthier thing and the only thing we ought to protect.

I protest against that sentiment. I protest against the spirit which has been rampant in this House, which is as rampant upon the part of some of the professed friends of labor as upon the part of those who openly and boldly oppose some of the bills in behalf of labor. I protest against the spirit which has consented to certain amendments, emasculating, as I had occasion to say this morning, bills meant to relieve labor. I demand honest legislation for the workers of the land. I demand a fair and patriotic solicitude for the condition of the great masses of our people, for labor constitutes the great mass of the people. Here is a field for statesmanship.

Here is a field not only embracing the present comfort, but the future welfare of the great body of the people; and in offering this amendment, Mr. Speaker, I care not how it may be characterized, I know in the great court of the people themselves it will be held as honest and a step in the right direction, and in offering it I simply propose a greater Americanism, a truer Americanism, not that bastard kind which lit its way by the convent fires of the days of know-nothingism, not that proscriptive kind which seeks to drive immigration from the country, but a better, more enlightened, patriotic kind, which will welcome all who choose to come and are fit to come, but which simply asks them when they do come to become one of our household, one of our bone, flesh of our flesh, our friends, our brothers, our very fellow-citizens. That is what I desire; that is all I ask.

Mr. TARSNEY. Will the gentleman permit a question?

Mr. CHIPMAN. Yes.

Mr. TARSNEY. I wish to ask the gentleman if he knows of any growing evil in this country arising from the reluctance on the part of those who come here to become citizens of the country. Is not the fact just the reverse?

Mr. CHIPMAN. Well, I would like to answer the gentleman from Missouri seriously, and I wish to answer him respectfully and kindly. I do know all through the Northern frontier hundreds upon hundreds; I know it is a growing evil, or else I would not have said so.

Mr. TARSNEY. That those who come here do not avail themselves of our laws in regard to becoming citizens?

Mr. CHIPMAN. Yes; hundreds on the frontier, men who work in corporations there day in and day out, especially Canadians; men who work in factories year in and year out—an evil so great that the laboring men have protested against it, and continue to protest against it; so great an evil that they have invited me to introduce this or some like measure here.

Mr. TARSNEY. Then will the gentleman permit me to ask if compulsory citizenship will make good citizens out of these people?

Mr. CHIPMAN. My dear sir, I will answer that question patiently. I will not say what I think of the question. Perhaps I might burst out and show how utterly from the point it is. Compulsory citizenship! What does the gentleman mean by that? How does my amendment compel a man to become a citizen? Can anybody explain in what way? All there is of it is that we have the power and we have the moral right to say what the status of an alien shall be. We

may say he shall not come into the country at all, and of course to say what he may do when he does come. But we offer him this great boon of citizenship, and under my amendment I propose that he shall not be compelled to take it upon him until he has had an opportunity to get work.

Mr. TARSNEY. Is not the true remedy for the situation the restriction of that undesirable immigration, and does not this bill go to that extent?

Mr. CHIPMAN. Now, Mr. Speaker, the men who come into the shops in my city are not undesirable save as they are un-American. The men who come from Canada are desirable. Some of them at least I would like to have become citizens of this Republic. They would make good citizens if they would give up their prejudices. They are industrious, they are honest, they are and would be hailed as citizens with open arms by the very men who protest against the present condition of affairs. My objection to them is not that they are all undesirable, but that they are working in our midst, giving no support to the Government, paying no taxes, performing no public duty, and taking the rewards of their labor away into a foreign country, draining us of our resources. That is my answer to that.

Mr. TARSNEY. But this bill provides a remedy for that.

Mr. CHIPMAN. My amendment prescribes a better remedy, a certain remedy. It provides that if within thirty days after they have got to work they do not take out their first papers, then they shall not be allowed to work in the country until they do.

Mr. TARSNEY. Now, would the gentlemen consider it advisable or wise to have a law requiring the class of immigrants that he complains of to declare their intention to become citizens of this country within thirty days after they land here, before they learn our language, know anything of our institutions or our system of government? Does the gentleman believe in that premature naturalization?

Mr. CHIPMAN. I have already addressed myself to that very question. If I have not made myself understood, if it is because I myself have failed, then that is my fault. If the gentleman has failed to understand me, then it is his fault. I dwelt at considerable length upon that phase of the question. I explained this fully, as I thought, and if the gentleman will do me the honor to read my remarks to-morrow morning I think he will discover that.

Mr. TARSNEY. But your amendment provides that any person coming into this country shall be deprived of obtaining labor for more than thirty days—

Mr. CHIPMAN. It does not do anything of the kind.

Mr. TARSNEY (continuing). Unless at the expiration of that time he declares his intention to become a citizen of the country, when perhaps he can not speak a word of our language and has never heard of our Constitution and knows nothing whatever of our system of government.

Mr. CHIPMAN. Mr. Speaker, I have already, as I have said, addressed myself to that subject. I will reiterate what I said, because it may be possible that it is my fault and not the fault of the gentleman that he does not understand me. In the first place, I have explained what is the true theory of our naturalization laws, to wit, that the time given from the declaration of intention to the time of taking out the last papers is the time accorded by the law in which the person may study our institutions and make up his mind.

Mr. TARSNEY. But you want to force him to declare his intentions before he knows what his intentions are—within thirty days.

Mr. CHIPMAN. I want every man who comes to this country to live to have the intention to be a citizen of it. [Applause.] That is what I proclaim and declare.

Mr. TARSNEY. Before he comes?

Mr. CHIPMAN. I want no ignorant men to come here. I want no men to come here to make a mere experiment of us. I wish every man to be an honest man, a sound man, and to come here with the firm desire to take upon himself the obligations of citizenship. No other class of immigrants are desirable. It is to prevent any other class of immigrants that we are endeavoring to impose restrictions upon immigration. The man who comes here to live ought to know, and he does know before he comes here, what his intentions are, that they are to make a home here, and I will welcome every decent man who comes with that intention. And if he comes with that intention to live among us, then as an honest man he ought to take upon himself the obligations of citizenship, and the first step toward that, the first process of his education, is not the formation of the intention, but it is the declaration of the intention which he formed before he came to this country at all. Besides, I do not by my amendment require him to declare his intention before, but *after*, he gets work. His going to work shows that he intends to make a living here. That is a declaration of an intention to compete with our laborers, and I would have him compete on fair terms.

Mr. MUTCHLER. Do you not think he ought to have a chance to look about him and see if he likes it or not?

Mr. CHIPMAN. How long a chance would the gentleman give him?

Mr. MUTCHLER. Well, this is a great country. He could not see much of it in thirty days.

Mr. CHIPMAN. The gentleman will please bear in mind that there

is no such provision in the amendment. You might make the time longer if you wish; but the provision is that thirty days after he goes to work—not thirty days after he gets here—he shall declare his intention to become a citizen. I keep telling gentlemen that. I have said it half a dozen times, and say so now again for the seventh time, that there is no such provision in the amendment.

Mr. TARSNEY. Is it not to be presumed that every man goes to work as soon as he can?

Mr. CHIPMAN. Mr. Speaker, the amendment is reasonable; it gives every opportunity for a man to protect himself.

Now, as I said, I do not know what the intentions of other gentlemen are in this matter of legislation for labor. I am in earnest. As I said, I believe it is a great and imminent question and I am in earnest in regard to it. I propose by this amendment to extend a relief which will be effectual in a manner which I think it will be effectual, as all other laws which we have enacted on this subject have been evaded. The law before us now will be evaded from one end of this country to the other. So far as I am informed, and I think gentlemen who will inquire into it will learn that I am rightly informed, there is a demand for just this kind of legislation. It is not inimical to aliens; it is not inimical to naturalization; it is not inimical to immigration, but simply provides for a sufficient protection against an evil so great that for session after session and year after year since the first contract-labor law was passed, it has agitated Congress and has held the attention of the American people.

Mr. O'NEIL, of Massachusetts. I would like to say one thing to the gentleman before he takes his seat. I know he did not do it intentionally, but he said that in the city I come from a convent was burned. There was never a convent burned in Boston, nor by the citizens of Boston. What happens outside of Boston should not be laid to the charge of the people of that city.

Mr. CHIPMAN. It was near Boston. I will apologize to the member representing Boston most cordially. I know there was some wicked work of that kind done, a work which is a reproach to the American people; and I thank God that such work is impossible now in these days of better knowledge and greater toleration, and I will withdraw the remark and apologize for all reference to Boston.

Mr. PAYSON. I rise to a parliamentary inquiry.

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

Mr. PAYSON. I was not present when the consideration of this bill began, nor until its consideration had been proceeded with to some extent. I desire to inquire how many amendments are now pending.

The SPEAKER *pro tempore*. Two amendments to the bill are pending.

Mr. PAYSON. By whom were they offered?

The SPEAKER *pro tempore*. The committee has reported an amendment to the bill, and the gentleman from Pennsylvania [Mr. DALZELL] offers an amendment by the consent of the committee.

Mr. PAYSON. I desire, Mr. Speaker, to propose two amendments to the bill at a little later stage in the discussion. I would suggest to the gentleman in charge of the bill that the amendments pending may now be voted upon and disposed of one way or the other, so that under the rules of the House other amendments may be in order, because (if I can have the attention of the gentleman from Missouri) I would state that under the rules of the House only two amendments can be pending at one time. The previous question, if I recollect correctly, is to be considered as ordered at 4 o'clock upon the bill, and therefore it seems to me to be wise that these amendments which are now pending shall be disposed of, so that members desiring to offer further amendments may not be precluded by the operation of the previous question.

Mr. WADE. I heard the statement of the gentleman from Illinois, and I will state that I have agreed to yield fifteen minutes to my colleague [Mr. NIEDRINGHAUS], and after that we will dispose of the amendment offered by the gentleman from Pennsylvania [Mr. DALZELL].

Mr. PAYSON. If there is no objection, I will ask unanimous consent for leave to propose two amendments to the bill, so that they may be considered as pending, and then I am content so far as I am concerned.

The SPEAKER *pro tempore*. The amendment offered by the committee is a substitute for the entire bill, and an amendment to that is offered by the gentleman from Pennsylvania [Mr. DALZELL]. The course outlined by the gentleman from Illinois can be pursued after the amendment of the gentleman from Pennsylvania shall have been disposed of, when other amendments will be order.

Mr. PAYSON. I ask unanimous consent, while I am upon my feet, to offer the following amendment: To insert in section 3, line 1, after the word "shall," the word "knowingly." That is the first amendment; and secondly, to strike out all of section 2, beginning at the word "one-half" in line 23. I should be glad to have unanimous consent that these two amendments be considered as pending, so that they will come in and not be cut off under the operation of the previous question, if they shall not be reached prior to that time.

The SPEAKER *pro tempore*. If there be no objection—

Mr. WADE. There are amendments now pending before the House.

The SPEAKER *pro tempore*. If there be no objection, the amendments offered by the gentleman from Illinois will be considered as pending. Is there objection?

Mr. WADE. I object.

Mr. PAYSON. Why does the gentleman object?

Mr. WADE. They can be offered.

Mr. PAYSON. I simply offer them that they may be pending and that when the previous question is ordered at 4 o'clock I would not be precluded from offering them and having a vote upon them. There can be no objection to that course.

The SPEAKER *pro tempore*. Is there objection?

Mr. WADE. I object.

The SPEAKER *pro tempore*. Objection is made. The gentleman from Missouri [Mr. WADE] has thirty minutes of his hour remaining. Mr. WADE. I yield fifteen minutes of that to my colleague [Mr. NIEDRINGHAUS].

[Mr. NIEDRINGHAUS withholds his remarks for revision. See Appendix.]

Mr. LACEY. Mr. Speaker, the Committee on Labor have substantially exhausted not only the subject of this bill, but the time allotted to its discussion. But I desire to add a few words of commendation to the object of the bill and to the bill itself.

This country has been the haven of the oppressed and liberty-loving immigrants from the days of the pilgrim fathers down to the present time. The intelligent and industrious settler is, and has always been, welcome to our shores.

Every honest man who lands in this country to cast his lot with us who has come of his own volition and at his own expense should be received with hospitality. He may still feel a yearning for the hills of his fatherland, for a love of the place of one's birth is one of the natural emotions of the human heart. But love of liberty and a desire to better his condition have led him to cast his lot with us, and his children and his children's children will be Americans.

From immigrants of this class the country is in no danger. But when in searching for lower priced labor the byways of the Old World are ransacked, and aliens, not only by birth but in feeling, are imported by contract like cattle, a new peril is added to those already environing our Commonwealth.

The barbarians who overthrew Rome marched on foot through the dark forests and across the mountain barriers with arms in their hands. But in our day a single vessel can carry in ease and comfort a small army of these contracted laborers.

A law of natural selection brings by voluntary immigration the best of foreign population to our shores, but a system of contract labor aims at quantity alone and brings to us men who will agree to work cheap regardless of all their other qualifications. The laws on this subject have been severe, but have not proved fully adequate to the evil.

The bill proposed will, it is believed, supply the defects of the former law and render it impossible for scheming contractors to break down and destroy the prices commanded by American labor. Flesh and blood must never be made cheap in America.

We have fought against the proposed destruction of our protective system, because free trade means to put American labor upon the plane of other less favored lands.

American labor is the best paid of any in the world. To maintain this position for the laboring man of America it is necessary to maintain our protective system and keep American markets for American labor. To allow laborers to be imported like beasts of burden by contract will reduce the price of labor in America and destroy the benefits of the protective system of Clay and Webster, which has been for thirty years the fixed policy of this Government.

To protect the interests of American workmen it is necessary to maintain the protective-tariff system, which preserves the American markets, and also to effectually prevent the importation by contract of that class of aliens who, without having the spirit to come to America of their own volition, yet may be landed by contract in swarms to demoralize alike the labor market and moral atmosphere of our happy country.

I trust this bill, making additional and most stringent provisions against contract-labor importation, may be passed, and that it may most effectually be enforced.

The SPEAKER *pro tempore*. The gentleman from Missouri has seventeen minutes of his time remaining.

Mr. CARUTH. I hope the gentleman from Missouri will allow me a question before he takes his seat.

The SPEAKER *pro tempore*. The gentleman has already taken his seat and yielded the floor.

Mr. PAYSON. Mr. Chairman, I again desire, if the gentleman from Missouri in charge of this bill is present—

Mr. WADE. I am here.

Mr. PAYSON. I desire again to renew the request for unanimous consent in my own time to have the amendments I have indicated read, with a modification I desire to make, and to have them considered as pending before the previous question is ordered, so as to enable me to secure a vote upon them. Otherwise, Mr. Speaker, I will be driven to

take another parliamentary course in order that they shall go in, because I am particularly desirous of securing a vote upon them. Does the gentleman still insist on his objection?

The SPEAKER *pro tempore*. Does the gentleman from Missouri withdraw his objection?

Mr. PAYSON. If the gentleman does not, then I offer as a substitute for the pending bill the amendment I send to the desk and ask to have read. I intend to have a vote on this proposition and it will consume a good deal of time, necessarily, to drive me to this course, which I hope will not be done.

The Clerk proceeded to read the proposed amendment.

Mr. PAYSON (interrupting the reading). The gentleman from Missouri withdraws his objection to the pendency of the amendments, and if there is no further objection, I will not take up the time of the House in reading them now. But I desire to address myself to the amendments briefly.

The SPEAKER *pro tempore*. The gentleman asks unanimous consent that the amendments he has suggested be considered as pending. Is there objection?

There was no objection.

Mr. PAYSON. The first amendment I offer to the bill is to strike out from section 2 the following words:

One-half of the judgment obtained, when collected, shall be paid to the party instituting the suit, and the other half shall be paid to the Secretary of the Treasury, to be disposed of according to law.

I propose, sir, to strike that from the bill. I think it is one of the things agreed upon by the common judgment of lawmakers, of jurists, of practical lawyers the world over, who have had little or much to do in the prosecution of quasi-criminal cases where a portion of the fine is paid to an informer, that the legislation is vicious in and of itself; and so far as I know in modern days the practice of incorporating this kind of a provision in the criminal or quasi-criminal legislation has been abandoned everywhere.

Now this bill relates to a class of men that are not criminal in and of themselves. Lawyers about me understand the distinction between the two classes of crime covered by criminal statutes, namely, those crimes that are *malum in se*—that is, those that are criminal in themselves, crimes against the person or property of a citizen—and those which are *malum prohibitum*, criminal simply because prohibited by law; and the class of offenses against which this bill runs comes in the latter category. In and of itself there is nothing wrong or criminal in engaging men across the water and making a contract in advance with them by which they are to labor here; but in the interest of public policy, in which I agree heartily, and in accord with the sentiment of the country, the provisions of this bill are supposed to be so framed as to prohibit the employment under contract of laborers in foreign countries and bringing them to our own shores.

Now what is the provision of this section?

SEC. 2. That any person, persons, or corporation entering into a contract prohibited by section 1 of this act with any alien, or who shall knowingly assist, encourage, or solicit the importation or immigration of any alien into the United States, to perform labor or service of any kind under contract or agreement, parol or special, express or implied, with such alien, made previous to his becoming a resident of the United States, shall be fined in a sum not exceeding \$1,000, or imprisoned for a period not exceeding six months, or both, at the discretion of the court. The proceeds of fines collected under this act shall be paid into the Treasury of the United States. And in addition to the above penalties—

In addition to a fine of \$1,000 and a long imprisonment, one or both, in addition—

any person, including the alien party to said contract, may institute a suit in the proper circuit court of the United States, in the name of the United States, against the person, persons, or corporation entering into the prohibited contract, and shall have the right to recover the sum of \$1,000 for each alien imported into the United States in pursuance of such contract. A separate suit may be brought for each alien included in such contract; and it shall be the duty of the district attorney of the proper district to appear and prosecute such suit at the expense of the United States.

And then follows the provision which I propose to strike out of this bill. If there is not an industry opened up that will be worked to its fullest extent I would like to see one. Here litigation is proposed in the name of the General Government, and all the power of the national arm is put into the hand of the informer, he is obliged to employ no counsel, the Department of Justice is compelled to prosecute the suit and at the expense of the General Government, and—

one-half of the judgment obtained, when collected, shall be paid to the party instituting the suit, and the other half shall be paid to the Secretary of the Treasury to be disposed of according to law.

It is proposed to pay one-half to him, when perhaps the evidence of the alien alone is all that may be necessary to secure the rendering of that judgment.

Mr. TURNER, of New York. Will my friend yield for a question?

Mr. PAYSON. Certainly.

Mr. TURNER, of New York. Is it not a fact that this moiety clause, which the gentleman objected to, is in the present alien-contract law?

Mr. PAYSON. Oh, I do not know, and I do not care. If it is, it ought to be stricken out. I am addressing myself to the present circumstances. I have not had experience in prosecutions nor defenses under this law, and if it is in the present law, it never ought to have

been put in it and it ought to be repealed. I am talking upon a principle, and I will say that it is proposed here, if this provision is enacted into law, to give a power that is broader than I ever knew to be given in any legislation to which my attention has ever been called.

Mr. TARSNEY. That provision has been abused in some of the statutes.

Mr. PAYSON. Yes, everybody knows that; and so, Mr. Speaker, because this class of legislation is vicious in any law, and because in the class of legislation provided for in this bill it is so easy of accomplishment in the hands of a designing informer, the seal of condemnation ought to be put upon it, and I can not imagine how it ever found lodgment in this bill. That is all I care to say with reference to that clause. [Applause.]

The next amendment that I offer is this: Section 3 of this bill provides as follows:

SEC. 3. That the master of any vessel who shall bring within the United States, on any vessel, or who shall land or permit to be landed from his vessel, from any foreign port or place, any alien laborer, mechanic, or artisan, who, previous to embarking on such vessel, had entered into contract or agreement, parol or special, express or implied, to perform labor or service in the United States, shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine of not more than \$500 for each and every such alien laborer, mechanic, or artisan so brought or landed as aforesaid, and may also be imprisoned for a term not exceeding six months, and shall return such alien to the port at which he embarked; and the above fine shall be a lien upon such vessel; and such vessel shall not have clearance from any port of the United States until such fine is paid.

Here is a crime of grave character fixed upon a man who is utterly ignorant, so far as the terms of the bill are concerned, of the fact that he is charged with doing that which constitutes a crime. The amendment which I offer will insert the word "knowingly" after "shall," so that it will read:

That the master of any vessel who shall knowingly bring within the United States, etc.

I follow that with another clause providing, at the end of the section, that the landing of such alien laborer shall be deemed *prima facie* evidence of malice on the part of the master of the vessel.

Mr. FARQUHAR. Will the gentleman permit an observation there?

Mr. PAYSON. Certainly, with pleasure.

Mr. FARQUHAR. I believe that the committee were satisfied of the fact that none of the masters, or owners, or pursers, or clerks of any of these vessels "knowingly" allow any of these contract laborers on their boats. And when the committee went over this matter very thoroughly with the Solicitor of the Treasury it was thought best that, as we could not convict with the word "knowingly" in the old law, we would try it without the word "knowingly" in the law.

Mr. PAYSON. Does the gentleman think that is good legislation, to create a crime without any intent?

Mr. FARQUHAR. I have asked several lawyers on this floor, one or two ex-judges, and they think it is just as well to leave it in this form without the word "knowingly" being inserted. I want to say that the importunities of the foreign vessels' agents toward me as a member of this committee rather prejudiced my mind to them that the word "knowingly" ought not to go into this bill.

Mr. PAYSON. Mr. Speaker, this proposition overturns the foundation of the entire criminal law of the civilized world. There is no man who has ever read the elementary principles of criminal jurisprudence but knows that the recognized definition of a crime is a joint union of act and intent. There never was a time in the history of civilization—and I make this statement as broad as language can make it—when a crime could be imputed to a citizen unless a *scienter* was averred as against the defendant.

Mr. CATCHINGS. I will call the attention of my friend to the fact that in the internal-revenue laws pertaining to the collection of revenue on whisky the intent, expressly, by the statute itself, cuts no part whatever in the crime.

Mr. PAYSON. Well, that is an act which has reference to a matter under the jurisdiction of the Treasury Department; but I am discussing the general principle of the application of criminal law.

Mr. CATCHINGS. That was upon a discovery of a violation of the law; and our statute with reference to the violation of this law was expressly drawn so as to do away with any construction as to criminal intent.

Mr. PAYSON. Then let me ask my friend from Mississippi this question: Does he think it desirable on the part of the national Congress to include in a measure to regulate the immigration between this country and another such a sweeping charge as is contained in this bill, to make them all criminals simply because he finds it extremely difficult to convict after the fact?

Mr. CATCHINGS. I will answer that by saying that when this question came up before the committee I made the same objection the gentleman does now.

Mr. PAYSON. I regret that the gentleman did not adhere to it.

Mr. CATCHINGS. But when Judge Hepburn, the solicitor of the Treasury, a very learned lawyer and a very accomplished gentleman, came before the committee, and a man, too, who has had much experience in the enforcement of the present law, he satisfied me that

unless we should strike out the word "knowingly" it would be useless to endeavor to secure a conviction.

Mr. PAYSON. While this matter is under discussion will you let me ask you a question? If the word "knowingly" was inserted and the provision was added to the section "that the landing of a contract laborer should be *prima facie* evidence," would not that be sufficient to enable them to secure a conviction?

Mr. CATCHINGS. We did discuss that indirectly, but we found that at last it was but *prima facie* evidence, and that all that would be necessary for the master of a vessel to discharge himself of the crime would be to take the stand and say that he was innocent, and that would settle the whole question.

Mr. PAYSON. But behind that comes the twelve honest men who are sitting in the jury-box.

Mr. CATCHINGS. Of course they would believe him unless testimony could be adduced showing that he was not truthful, and that would result in throwing the burden of proof on the United States to show that he had violated the law with knowledge.

Mr. PAYSON. But this bill throws no burden upon the United States at all, except that a foreigner under contract for labor was upon a vessel and landed upon these shores; and if that is shown it brings him within the terms of the bill.

Mr. CATCHINGS. To be sure, and my friend misunderstands me.

Mr. PAYSON. I have never heard in the little experience I have had in the administration of criminal law a proposition that was so startling to me as this is.

Mr. CATCHINGS. If my friend will permit me, I will state that Colonel Hepburn, the Solicitor of the Treasury, stated to us expressly that there would be, in his judgment, no practical difference about the matter, because he said, and truly, I have no doubt, that the law officers of the United States had looked into the matter, and that all that would be necessary would be for the captain or owner of a vessel to say that he was innocent, and as a matter of fact that would be an end of the prosecution.

Mr. PAYSON. But that is a discretion that should never be vested in a prosecuting officer, that by the terms of law an act admittedly innocent of itself should be made a crime, and the defendant liable to information and indictment, and that that should be left entirely to the discretion of a prosecuting officer, who would be bound in nine out of ten cases to act in an *ex parte* way, to say whether or not, on an indictment which had been found by the grand jury on an information which he himself had presented under the authority of the terms of the law, the party should be released from further liability.

This Congress ought not, in my judgment, go to that extent. That is all I care to say in reference to these two propositions. I think that both should be adopted.

Mr. BUCHANAN, of New Jersey. I will suggest to the gentleman to cover the matter entirely by adding as a provision, "and such bringing or landing."

Mr. PAYSON. I have no objection, and will modify the amendment which I have proposed so that it will read as follows.

The fact of such bringing or landing shall be *prima facie* evidence of such knowledge.

That is all I care to say.

The SPEAKER *pro tempore*. Without objection these two amendments will be considered as pending.

Mr. CATCHINGS. Mr. Speaker, I hope I shall be recognized next. Mr. STEWART, of Texas, rose.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. STEWART] desires to offer an amendment so that it will not be cut off.

Mr. CATCHINGS. I yield so that he may offer the amendment.

The SPEAKER *pro tempore*. The amendment proposed by the gentleman from Texas will be read, after which the Chair will ask whether there be objection.

The Clerk read as follows:

Amend by adding to section 2, after the words "United States," in line 23, the following:

"And it is further provided that no fine, penalty, or judgment recovered by the United States under the provisions of the act to which this act is an amendment, or which may hereafter be recovered by the United States under this act or the act to which this act is amendatory, shall, by any officer or agent of the United States, be compromised for any sum of money less than the amount of money claimed or recovered for the violation thereof."

Mr. STEWART, of Texas. I just want to say in connection with that amendment that I offer it because I think experience has shown that the law has been rendered in a great measure nugatory because of the compromises that have been made by the officers of the Government after judgments had been obtained, and to prevent that is the object of this amendment.

The SPEAKER *pro tempore*. Is there objection that the amendment be considered as pending? The Chair hears none.

Mr. CATCHINGS. I wish to say, Mr. Speaker, that the Committee on Labor went seriously to work to devise some measure by which the defects in the law as it now stands should be remedied and the evils which prevail in consequence of them should be suppressed, and, not satisfied with our own judgment in this matter, we invited before us the Solicitor of the Treasury, Judge Hepburn, who is a very accom-

plished lawyer and thoroughly familiar with the legislation upon this subject and the difficulties of enforcing it. After we had discussed the matter with him fully, going over it line by line and section by section and agreeing upon certain amendments, we referred the whole bill to him to be rewritten, and what we present for the consideration of the House is the bill framed and fashioned as I now state; and it is my own opinion, Mr. Speaker, that it is, to all intents and purposes, about as near perfect to effect the object for which it is designed as a law can be made.

The gentleman from Michigan, my friend, Judge CHIPMAN, was disposed to be somewhat rough in criticising the bill. He denounced it as practically an absurdity and stated that it would utterly fail to accomplish anything that we had in view, and he has proposed as a panacea an amendment which has been read and to which I will now make some reference. And I will say in the first place, Mr. Speaker, that if there be one thing more certain than another it is that his amendment, if adopted, would not only be unconstitutional, but would be utterly futile to effect the purpose which its framer designed. It is expressly declared by this proposed amendment that—

No alien shall be the chief officer, president, superintendent, manager, or director of any corporation formed under the laws of the United States, or any of the States thereof.

You see it is not confined to corporations created by the laws of the United States, but applies as well to corporations chartered under the laws of the several States. I would like my friend to tell us wherein we have the power to control the action of the States of this Union in that respect. The amendment also provides that—

No alien shall be a conductor, engineer, brakeman, baggageman, switchman, or car driver, on any railroad, including street railroads, in the United States.

I would like my friend to indicate to this House where the power comes from which enables this Government to regulate matters of that sort. The amendment prohibits the States from making a contract with any alien to do any work. It prohibits any town or city from making a contract with any alien to do any sort of work. That is an attempt to exercise a power which the wildest visionary never dreamed of before to-day. It even goes into greater minutiae than that, and provides that a private citizen can not make a contract with an alien to do work.

The second section provides that every person shall be subject to the provisions of this act until he has become naturalized or has filed his declaration.

Now, even if it were true that we could enact the legislation suggested by my friend from Michigan, he has overlooked the fact that there is not a word or a line in his amendment which provides any means whereby such legislation could be enforced. It does not provide a penalty. It does not provide any remedy for the violation of its provisions. So that, I repeat, even if we had the power and should enact such a law, it would practically be so much waste paper for want of a penalty by which it could be enforced.

Mr. CHIPMAN. Will the gentleman permit a suggestion?

Mr. CATCHINGS. Yes, sir.

Mr. CHIPMAN. Under that law any contract made in violation of it would be nugatory. No pay could be recovered under such a contract. I thought it best not to provide a penalty, but to leave it in that shape.

Mr. CATCHINGS. I think it is very well that my friend did not undertake to put people in the penitentiary for doing the acts which he enumerates in his amendment. I do not think it is necessary for me to make any further allusion to that proposition.

Now, some suggestions have been made by my friend from Illinois [Mr. PAYSON] which are worthy of consideration. He proposes that we shall strike out from section 2 so much of it as gives to the party who institutes suit one-half the penalty proposed to be recovered. I admit that ordinarily legislation of that sort is offensive and objectionable. I admit that it ought not to be resorted to if it can be avoided. But what we had in mind was to provide a law which would have the effect which we all desired. And we thought we were justified in resorting to the most drastic measures for the purpose of effecting that end; and so we believed that if we suffered that provision to remain—I believe it is in the law as it now stands—we would have the benefit of the co-operation of labor societies and those who are interested in preventing the fraudulent importation of the class of labor which we designed to keep out.

Mr. KERR, of Iowa. I think the gentleman is mistaken in saying that the provision is in the law now.

Mr. CATCHINGS. I do not assert that it is; that suggestion was made to me by the gentleman from New York [Mr. TURNER]; perhaps I am wrong about that. But if it is not in the existing law, then we have taken a step which will be a decided improvement upon the law as it stands. I do not see how any evil can result from the provision, because if the law is not violated, then, as a matter of course, a suit instituted against the owners of a vessel could not be maintained, and if it is violated we ought to stimulate persons to aid us in detecting the violation. That is the purpose of this provision.

This is by no means unusual legislation. I undertake to say there is not a State of this Union which has not upon its statute-books laws

containing similar provisions; that is to say, laws providing that the informer against persons who commit certain offenses shall derive some pecuniary benefit if he succeeds in bringing about a conviction.

As to the use of the word "knowingly," to which allusion has been made, I do not know that it is necessary for me to add anything to what I have already said during the colloquy on that subject between the gentleman from Illinois [Mr. PAYSON] and myself. But lest some gentleman may not have heard what I then said, I will now state that when we had this bill up for consideration in the Committee on Labor, I myself suggested, as gentlemen of the committee will remember, that perhaps the omission of the word "knowingly" might make the measure too severe, since there might be cases where the owners of vessels would, with entire innocence, import labor into this country in violation of this law, and that it would be a hardship to treat them as if they were intentional violators of the law.

But the Solicitor of the Treasury, Judge Hepburn, suggested that experience under the law as it now stands had made it perfectly demonstrable that unless the word "knowingly" should be stricken out it would be utterly impossible to obtain a conviction in any case. And gentlemen can see the reason of this. How would it be possible for the United States in a proceeding against the owner or captain of a Liverpool vessel to prove that when he took upon his ship in Liverpool aliens to be brought to this country he knew at the time that they had made a contract to labor when they reached here?

The effect of retaining this word would be to put upon the United States the necessity of proving that which in the very nature of the case it would be utterly impossible for the Government to establish. Hence the Solicitor of the Treasury assured us that unless this word were stricken out we might as well not pass the law at all. After a great deal of conference on the subject, and much hesitation on my part, I finally reached the conclusion that he was right and that this word must be stricken out or serious harm would result.

Mr. LEHLBACH. Could an alien coming to this country, under contract to labor here, institute a suit of this kind against the owner of the vessel that brought him and collect the penalty of \$500?

Mr. CATCHINGS. It is possible he could.

Mr. LEHLBACH. I would suggest that perhaps improper advantage might be taken of such a provision by many people.

Mr. FARQUHAR. The provision tends to secure us what we want—information in regard to these contracts; we want to pay a premium for such information.

Mr. CATCHINGS. The bill expressly provides that the alien himself may institute such a suit. The language is:

And in addition to the above penalties, any person, including the alien party to said contract, may institute a suit in the proper circuit court of the United States, etc.

This provision was put in for the very reason that we thought we might thus obtain the benefit of the assistance of the alien in securing the conviction of the guilty party.

Mr. LEHLBACH. An alien who has made a contract of this kind may take passage in a vessel for this country, but the owners of the vessel may have absolutely no means of finding out that the alien is thus under contract; and he may come here merely for the purpose of making this \$500. Would the gentleman consider it just under such circumstances that the steam-ship company should be convicted?

Mr. CATCHINGS. Well, I was about to allude to a case of that sort.

Mr. LEHLBACH. It occurs to me that to prevent injustice in a case of that kind the word "knowingly" would be very proper.

Mr. CATCHINGS. I was about to make a suggestion which I think would meet the case put by the gentleman as well as others. The Solicitor of the Treasury assures us that if the captain or owner of a vessel was in fact innocent, if he had not intentionally violated this law, there would be no danger that punishment would be inflicted upon him. He said that in the first place the prosecution of cases of this kind is largely discretionary with the officers of the Government, and if it should come to the knowledge of the Government that the party was innocent in fact, although guilty under the letter of the law, no prosecution would be begun, or if the prosecution should have gone on to conviction the Secretary of the Treasury or the Department of Justice would have abundant power to waive the penalty. So that no harm would result.

My friend from Illinois [Mr. PAYSON] was disposed rather to pooch-pooch this suggestion; but if he will go to the Department of Justice he will find the record not of one, but of ten thousand cases under the revenue laws (which dispenses with the necessity on the part of the Government of proving intentional guilt) where parties who have innocently violated the law have had the penalties and even the costs of the proceeding remitted. The object of the Government is simply to lay its strong hand on the guilty; and whenever it is brought to the knowledge of the Department of Justice that a party proceeded against has not intentionally violated the law, it has always responded promptly to the dictates of justice and equity; and I do not believe that any man who was not intentionally guilty of a violation of the revenue laws has ever been punished for such violation.

I know that I have myself defended many persons charged with violating the revenue laws (under which, as I have said, it is not nec-

essary to establish intent as a ground of conviction because of the great difficulty of establishing it) and after their conviction and sometimes before upon obtaining the indorsement of the judge of the court and the district attorney, I have never had the slightest difficulty, upon application to the Department of Justice, in obtaining a remission of the fines and penalties. Hence, while it does seem hard that a man should be even subject to prosecution unless he is an intentional violator of the law, I do not think any practical hardship will result from the provision in the form in which the committee report it.

My friend from New York [Mr. FARQUHAR] suggests to me that the records of the Department show almost numberless compromises and discontinuances of prosecutions by the Government; and every lawyer knows that such is the fact. I think, Mr. Speaker, we had better pass this bill as it has been reported. It is quite possible, of course, that the bill is not perfect. It would not be a human work if it had not some imperfection; but it represents the best labor of an earnest committee and of the officers of the Department. Our object has been to secure an effectual law for the prohibition of the importation of alien labor under contract.

I believe the bill as we have reported it will come as near the accomplishment of that purpose as any law which can be devised; and while some of the amendments which have been suggested might not perhaps prove harmful, I think it would be wise for the House to take the bill as reported and pass it.

Mr. SHIVELY. This is a drastic measure intended to reach and smash the whole business of contract pauper-labor importation.

Mr. PAYSON. If the gentleman from Mississippi will allow me, I desire to call his attention to a provision in section 4, and to ask him whether he does not think there ought to be an amendment made there. The section provides:

That it shall not be lawful for any person, persons, or corporation to encourage any alien laborer, mechanic, or artisan to migrate from any foreign country to the United States, by promise of employment, through advertisement or otherwise, and any such alien who shall thus be encouraged to immigrate to the United States, or who shall be a party to a contract prohibited by section 1 of this act, shall not be permitted to remain, but shall be returned to the port from whence he sailed.

Ought not some limitation of time to be specified? Otherwise, a man's right to remain here might be attacked by somebody after he had been here for twenty years.

Mr. CATCHINGS. In answer to my friend from Illinois I call his attention to the fact that the amendatory act of October 19, 1888, is not repealed by the provisions of this bill. We have been careful to provide that only laws or parts of laws in conflict with the provisions of the bill shall be repealed; and under the act of October 19, 1888, there is a limitation of one year provided.

Mr. PAYSON. It occurred to me there ought to be some limitation. I am not familiar with the legislation on this subject.

Mr. CATCHINGS. The suggestion of the gentleman is a very proper one.

Mr. SWENEY. Will the gentleman from Mississippi permit me to ask him a question?

Mr. CATCHINGS. Certainly.

Mr. SWENEY. It is provided at the end of section 5 that—

Nothing in this act shall be so construed as to prohibit any individual from assisting, by donations of money, any member of his family, or any relative, to migrate from any foreign country to the United States for the purpose of securing citizenship in the United States.

Now, I wish to inquire what effect this provision would have in the case of female immigrants who, as we know, do not obtain naturalization here?

Mr. CATCHINGS. I do not think it would have any effect in such cases at all.

Mr. FARQUHAR. There are no female contract laborers at any rate.

Mr. SWENEY. I desire to suggest an amendment striking out the words "for the purpose of securing citizenship in the United States." This would leave no question as to the right of female immigrants.

Mr. CATCHINGS. I do not think the provision would operate to prohibit the immigration of females. The word "citizenship" is used in the broad sense as implying permanent residence.

Mr. SWENEY. A man coming to this country is not a citizen until he obtains his naturalization papers, which we know is not done by females coming here from abroad.

Mr. CATCHINGS. I do not recognize the objection of the gentleman as sound, but I think perhaps there would be no objection to adopting an amendment in that part of the bill.

Mr. FARQUHAR. Let me say to the gentleman from Iowa that the existing law, of which this is amendatory, contains the phrase, "for the purpose of settlement in the United States." This bill uses the words, "for the purpose of securing citizenship in the United States."

In the case of Hungarians, Italians, and others, many of them have come to this country without ever intending to become citizens at all, though they did come here for the purpose of settlement. The language of this bill was made specific so as to require these people, if they come here, to take steps for becoming citizens. By this proviso we undertake to shut out the shifting hordes of contract labor.

Mr. SWENEY. But you permit the assistance of relatives in the case of those who come here for the purpose of securing citizenship.

Mr. FARQUHAR. Certainly. We do not wish to prevent servant girls here from using their wages to bring over their parents or other relatives.

Mr. SWENEY. This provision would permit them to assist in bringing over their fathers or brothers, if they came with the intention of becoming citizens, but would it not put a difficulty in the way of their giving such assistance to female relatives?

Mr. CATCHINGS. I suggest to the gentleman that the word "citizenship" in this bill is used in the same sense as the word "settlement" is used in the present law. But the bill has been rewritten since it was originally prepared, and I think the word "citizenship" was intended by the committee to be synonymous with the word "settlement." What we mean by the term there is, of course, permanent residence.

Mr. SWENEY. I understood the gentleman to say that the words "permanent settlement" had been stricken out and the words "securing citizenship" inserted. But the case would arise, as I have suggested, when a person might come for purposes of permanent settlement without intending to become a citizen.

Mr. CATCHINGS. I think the suggestion is a very good one.

Mr. FARQUHAR. Certainly it is not intended that this should exclude those who desire to become permanent residents.

Mr. SWENEY. But the gentleman referred a little while ago to the Italians and Hungarians who did not intend to become permanent citizens.

Now, I would suggest that we might strike out the word "citizenship" and put in the words "permanent residence" there, so as to make it read "securing permanent residence in the United States." That, I think, would cover the point.

Mr. CATCHINGS. If the committee has no objection, I think it would improve the bill to make that modification.

Mr. PAYSON. But if the gentleman will permit me, the expression of the bill, "securing citizenship in the United States," would embrace women as well as men. They can be naturalized, and are being naturalized, just as well as men every day.

Mr. CATCHINGS. Undoubtedly, but I think that the amendment suggested would be rather an improvement than otherwise to the bill, and for my part I have no objection to it whatever.

Mr. DALZELL. Mr. Speaker, I desire to call the attention of the House to the provision of section 5 of this bill as reported from the committee, which it seems to me may be amended so as to very much strengthen and improve the bill. This section recognizes that there are cases where it is proper to introduce into the United States the skilled labor secured by contract in other countries. It reads as follows:

Sec. 5. That nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, in any private or official capacity, from engaging, under contract or otherwise, persons not residents of the United States to act as private secretary or household domestics for such foreigner temporarily residing in the United States as aforesaid; nor shall this act be so construed as to prevent any person, persons, or corporation from engaging, under contract or otherwise, skilled workmen in foreign countries to perform labor in the United States in or upon any new industry not at present established in the United States: *Provided*, That skilled labor for that purpose can not be obtained in the United States; nor shall the provisions of this act apply to professional actors, artists, lecturers, regularly ordained ministers of the gospel, learned professors for colleges and seminaries, or professional singers; nor to persons employed strictly as household domestics or servants traveling in the United States with their employers: *Provided also*, That nothing in this act shall be so construed as to prohibit any individual from assisting, by donations of money, any member of his family, or any relative, to migrate from any foreign country to the United States for the purpose of securing citizenship in the United States.

Mr. BUCHANAN, of New Jersey. Permit me to say that these are the exact words of the present law.

Mr. DALZELL. I understand that they are the exact words of the present law, and they recognize that where an industry exists in the United States and can only be successfully prosecuted by skilled labor, and there is no skilled labor in the United States whereby to prosecute it, it is proper that the labor should be introduced under contract.

Now, I know of no reason why an industry here, whether it be a new industry or an old one, should be allowed to go to ruin by reason of the lack of skilled labor because that labor is not to be found in the United States, and because it is illegal to import it.

Wherever skilled labor is necessary and the importation of skilled labor will not interfere with the American workingman it ought to be lawful to introduce the skilled labor into the United States, and I propose to offer to this section an amendment by adding—

Or in or upon any industry recently established, where skilled labor to a sufficient extent can not be obtained in the United States.

I found among the records of the Treasury Department on yesterday evidence of this state of facts: The plate-glass industry is not a new industry in this country by any means, but it is a recent industry. It has grown to be one of the most important industries of Pennsylvania, and of the West. I find that the plate-glass manufacturers complain that they are unable to extend, or even to properly carry on, the present business by reason of the lack of skilled labor in the United States, but because their industry is not a new one the present law prevents the im-

portation of that class of skilled labor which is necessary, and the American consumer suffers, while the American laborer would not be hurt if the American consumer could be served. If the clause I have introduced as an amendment be made a part of the bill, that difficulty will be avoided.

Furthermore, it is said that notwithstanding the provisions of the law as it now exists it is daily, hourly, and weekly in process of violation. It seems to me that one reason why it is being violated is because under the provisions of the existing law the man who seeks to import skilled labor is himself made the judge of the necessity of the importation. The man who desires to import skilled labor under contract is the man who passes on the question as to whether the industry he has in view is a new one; and he also passes on the other question, whether or not the skilled labor for that purpose can be obtained in the United States.

I submit that it is plainly a bad proposition to embody in any legislation a provision that a man shall be made the judge in his own case. The regulations for the enforcement of this law are to be under the control of the Secretary of the Treasury. He is the party who under the existing law deals with the facts of each particular case. The enforcement of the law is in the hands of the Attorney-General. Why not, then, constitute the Secretary of the Treasury and the Attorney-General a court to pass upon the questions involved in each case? Why not add to the bill a provision so that it will read:

*Provided*, That in either of such cases—

That is, in the case of the importation of skilled labor for a new industry, or for an industry recently established where skilled labor can not be obtained in the United States—

*Provided*, That in either of such cases laborers may be imported only by and with the consent and approval of the Secretary of the Treasury and the Attorney-General upon cause shown to their satisfaction, and upon such terms as to wages and otherwise as shall be by them prescribed.

Mr. FARQUHAR. Are there two amendments?

Mr. DALZELL. No, one amendment.

Mr. FARQUHAR. One amendment in two forms?

Mr. DALZELL. No, I have been explaining that it accomplishes two things in my judgment. I will read my amendment in connection with the bill. I read from the bill:

Nor shall this act be so construed as to prevent any person, persons, or corporation from engaging, under contract or otherwise, skilled workmen in foreign countries to perform labor in the United States in or upon any new industry not at present established in the United States.

And I would add:

And for the prosecution of which skilled workmen can not be obtained in the United States, or in or upon any industry recently established where skilled labor to a sufficient extent can not be obtained in the United States: *Provided*, That in either of such cases laborers may be imported only by and with the consent and approval of the Secretary of the Treasury and the Attorney-General of the United States, upon cause shown to their satisfaction, and upon such terms as to wages and otherwise as shall be by them prescribed.

Now, to test the execution of the law in this shape, suppose, for instance, an application were made to the Secretary of the Treasury for leave to import skilled labor under contract in either one of these two cases. The Secretary of the Treasury would hear the applicant, take his evidence, and then he would send for the other parties interested in the enforcement and execution of this law, to wit, the parties representing labor in the district, and then, upon the whole case thus made up, the Attorney-General would deliver his judgment as to whether or not the case fell within the provisions of the law. And it seems to me that by the adoption of a process of this kind, which takes away from the party seeking to import the power to be himself, in the first instance, the judge of the necessity for the importation, we would secure a rigid and honest enforcement of the law.

Mr. DOLLIVER. Will the gentleman permit a question?

Mr. DALZELL. Certainly.

Mr. DOLLIVER. Has there been any fight in the glass regions of Pennsylvania about the importation of contract labor for the glass-works?

Mr. DALZELL. There was a suit instituted against certain manufacturers for the importation of foreign laborers.

Mr. DOLLIVER. Upon what ground did the labor organizations of Pennsylvania base their complaint against this importation of contract labor?

Mr. DALZELL. Upon the ground that there was no necessity for it, and that they were taking the places of laboring men in this country; in other words, that the importation did not fall within the provisions of the law, which only permitted the importation of skilled labor when skilled labor could not be found in this country.

Mr. DOLLIVER. Why is it that the glass business in Pennsylvania ought not to be left to attract the immigration of men skilled in that business, the same as other employments, without previous contracts?

Mr. DALZELL. I will answer the gentleman that it is a long way between Western Pennsylvania and Belgium, and that it is not to be presumed that the men would come simply upon a bare chance of getting employment.

Mr. WADE. I yield five minutes to the gentleman from Michigan [Mr. BLISS].

Mr. BLISS. Mr. Speaker, I believe this bill is a step in the right direction. Living, as I do, in a State which is near the borders of Canada, I have had some occasion to see the necessity for the enforcement of this law. A great many men who come from Canada are employed to work in the woods of Michigan, and it is commonly reported that agents are often sent into Canada who make contracts with men and bring them into the forests of Michigan. I can not say that that is positively true, but I believe it has been done. I know I have seen in Canadian papers advertisements quoting rates of wages that were said to be paid in the woods, which were far in excess of the rates of wages in Canada.

The effect of those advertisements would be to induce men to come over to seek employment at the larger rate of wages offered. In some cases when they got into the woods they would find that the rate of wages advertised was not being paid. But being there, being a long way from home, they would hire out at what they could get, and by so doing they would crowd out the men who live there and have their homes and families there. The effect of this evil has been felt in many parts of the State.

So, I say, this bill is a step in the right direction. I believe it will be a remedy for a state of things that is encouraged by some corporations, not only in Michigan, but all along the border from the Atlantic to the Pacific, in the mines, in the woods, and on the railroads. I believe we should do everything we can to elevate and advance the interests of labor. The intention of our tariff laws is to increase the wages of labor and to protect our own citizens against the competition of foreigners. In some instances our tariff laws have not been efficient in that direction, but I think this bill will mitigate many of the evils which come from the competition of cheap labor.

It has been said in reference to the amendments to this bill that the committee were unanimous as to all the sections of the bill.

I wish to say that two or three of us were not present when one of the sections of the bill was considered. I was not present when the provision was incorporated in the bill that half of the fees should go to the informer. I was present when the rest of the bill was under consideration.

Mr. Speaker, this bill and the act it amends deserve of Congress its closest analysis and consideration. The Committee on Labor have bestowed upon this subject much time and attention, and from the great mass of measures presented upon this subject have evolved the measure under consideration, which in the main is thought to represent the best and most practical methods for a solution of this much-vexed, but important, subject.

Mr. Speaker, I apprehend that those who oppose this bill will claim to see in it an abridgment of the liberal and inviting policy towards all nations to come to our shores. But upon the subject, as well as all others, American statesmanship must keep abreast with the demands of the hour. With the march of time have come changes in our national conditions, and in no respect is there a greater demand for halt being called than upon the policy of indiscriminate immigration to our lands.

We have merited the opprobrium of being termed the dumping ground for the refuse of all nations, and dearly have we paid for it. We have been deluged with the world's criminals and paupers, until to-day we are in danger of settling upon a policy which may be found in the other extreme. To a proper solution of this question Congress must wisely and patriotically direct its attention.

Two motives prompt men to come to our land. One is a laudable desire to better life's condition and to become a part of the citizenship of this Republic. The other is to seek new fields in which to practice the criminal arts and inhabit almshouses and too frequently insane asylums. To encourage and foster the former and discourage and suppress the latter should be the supreme effort of this Congress. One of the former class landing at Castle Garden, young or in middle life, with all his goods in a cotton handkerchief, is worth \$1,000 to the Republic. Every child born to such a parent on American soil is an American. It imbibes the spirit of liberty and has no attachment for the land of its fathers. From such as these come many of our best citizens. And while this class is valuable in all that goes to make us greater and better, so is every one of the latter class the moment he touches our shores an incumbrance of \$1,000 upon the property of our people. He enters upon a career of crime, and with court, prison, almshouse, and asylum expenses incident to his existence, only impoverishes and poisons our national life. Mr. Speaker, is proof demanded to support this proposition? My answer is found in the statistics of my country. They teem with frightful data fully supporting my assertion. Leaving out of the question all moral and religious considerations, which outweigh all others, from a purely financial and commercial standpoint our duty lies in the course indicated by the bill.

Our tree of liberty should no longer shelter the pauper criminal element from the Old World. Our gates should not be shut against any one with professed intentions of citizenship. While we no longer have any frontier, while our Territories are nearly all changed into thickly populated States; while we are nearly 65,000,000 population, we still have room for the well disposed, but none for the pauper criminal.

Mr. Speaker, while this measure is the culmination of the doctrine of protection and meets a demand in the Republican platform of 1888,

yet it is also so eminently patriotic that no member of this House will, I trust, seriously oppose it. Who will say that were it possible to eliminate from the laboring classes the pauper criminal class from Europe that American labor would not at once rise 50 per cent. in the scale of mental and moral development?

Who will say that America needs the alien element that is to-day crowding the well-inclined citizen laborer from the mine, the forge, the mill, and the shop? Who will say that the tendency of this measure is not for the protection of the better class we now have, and which may come?

This bill is presented as an improvement upon the present laws, and intended to correct some of the abuses under those laws. Our tariff laws are designed primarily for the protection of labor in this country against the cheaper labor of foreign countries, but those laws have been directly evaded and their effect lost by the practice of certain employers of importing labor under contract to work for stipulated wages based upon the price of labor in the country from which they are exported.

This practice rendered the tariff laws valueless as affording any protection to labor, and Congress very wisely undertook to remedy this abuse. The administration of these laws has developed certain weaknesses which this bill undertakes to remedy, and makes it very dangerous for any person to engage in the business of importing contract labor. The Government should not allow the standard of wages maintained in the United States to be lowered by the competition of foreign cheap labor brought within our borders. We gladly welcome all labor that will enter into honest competition, but shut our doors stoutly against the intruder who would lower our standard of living.

Mr. Speaker, I can not close without reminding the House that, in my judgment, this bill is the enemy of anarchists and so-called socialists; that the legitimate fruit of this and kindred legislation is the greatest possible prevention of those acts of bloodshed which during the last decade have blackened our annals.

Mr. Speaker, even-handed justice, from a social, moral, and financial standpoint, asks the passage of this bill. The enemies of free institutions will scoff and sneer, but the honest and well disposed will applaud. There can be no doubt in which direction our duty lies.

Mr. CARUTH. I ask unanimous consent to address the House for five minutes.

Mr. WADE. I yield to the gentleman three minutes.

Mr. KERR, of Iowa. I desire to know if there is any rule of the House giving the chairman of the committee entire control of the time.

The SPEAKER *pro tempore*. The chairman of the committee has time yet remaining in his own right which he has not consumed, and the Chair, of course, recognizes him.

Mr. CARUTH. Mr. Speaker, the gentleman from Missouri [Mr. WADE] has yielded to me three minutes, and I "wade" in.

I do not desire, Mr. Speaker, to make any remarks about this bill, but I do desire to say that if the gentleman from Missouri [Mr. NIEDRINGHAUS] construed my remarks made here upon the 17th of May, which he seems apparently to have just discovered, as an attack upon the German race he is very much mistaken. They have no more devoted, no more ardent admirer for their thrift, their progress, and their industry than I.

When I made the speech upon the 17th of May it was in order to defend that race from a wanton attack made upon it by the gentleman from Missouri. He laid down a proposition that we were paying too much for foreign labor, and I agree with him only to the extent that we are paying \$5,000 to the gentleman from Missouri. [Laughter.] Now, he says he wanted to prove how true that was, because he says he can not tell to what race I belong. If his eyes and his senses are so defective that he can not tell "white" from "black," then he has no business to occupy a seat in the American Congress.

Mr. NIEDRINGHAUS. But this is following out the same principle, you know.

Mr. CARUTH. Now, I wanted to make a speech on that day in respect to a discussion which was going on about putting a tax upon granite, and this gentleman advertises before all the world that he is engaged in the manufacture of imitation granite.

Mr. NIEDRINGHAUS. That is a misstatement.

Mr. CARUTH. Now, I want to advertise my protest against the gentleman advertising his wares before the American Congress. I have here this document, which the gentleman says he prepared himself. It is his autobiography, and in it he states the business in which he is engaged, and he tells the American people furthermore that he was the only Representative of sufficient popularity in the city of St. Louis to win an election. Now, this is not—

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. CARUTH. Oh, give me two minutes more. I ask unanimous consent to proceed two minutes.

Mr. WADE. I now yield to the gentleman from New York [Mr. TURNER].

Mr. CARUTH. I desire to have two minutes more.

Mr. TURNER, of New York. I simply desire to say a few words—

Mr. CARUTH. I asked unanimous consent to proceed for two minutes.

The SPEAKER *pro tempore*. The Chair will put the question. The gentleman from Kentucky asks unanimous consent to proceed for two minutes. Is there objection?

Mr. WADE. Would that come out of the time?

The SPEAKER *pro tempore*. It would.

Mr. WADE. Then I object.

Mr. TURNER, of New York. Mr. Speaker, I desire to say but a few words in opposition to the proposition of the distinguished gentleman from Illinois [Mr. PAYSON], for whom I have the profoundest respect, and who asks to strike out the so-called moiety clause in this matter of the fine. I would suggest to him that there has never been an abuse of the moiety clause complained of, and I believe no informant has obtained one single dollar of it. The object is simply this: Here are a number of foreign workmen brought to an establishment, and it is believed that they are under contract.

Now, the only persons in interest to any inquiry of that kind would naturally be the competing workmen, and they might fail to prosecute or give information as to such a violation of the law unless prompted by the possible collection of something for themselves as a result of such successful prosecution. I am informed that the amount provided in the last Congress for investigation into and prosecutions for violation of this law stands upon the books, and the thirty or fifty thousand dollars has not been paid out.

Mr. PAYSON. The gentleman is in error as to the moiety proposition being in the law of 1885. I stated that on the floor before, but I sent for the law since then, have examined it, and the gentleman is misinformed.

Mr. TURNER, of New York. That was my information.

Mr. PAYSON. I am not doubting the sincerity of the gentleman, but his statement is erroneous.

Mr. TURNER, of New York. If it was not in that law that is probably the reason why it has proved nugatory and of no effect. Why, in this way you make every man who is employed by a corporation, or any other institution using and employing labor where recently landed immigrants might make their appearance, a detective to see to it that this law shall not be violated, and you thus throw around every other employer a cordon of detectives who shall look into and investigate this matter and prevent a violation of this law.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. PAYSON. Does the gentleman think that is a good policy?

Mr. TURNER, of New York. I do.

Mr. PAYSON. To create a detective force in every working establishment?

Mr. WADE. Mr. Speaker, we have been told by the gentleman from Michigan that this law, as it now exists, has not been enforced. It was for the purpose of enforcing the law and for the purpose of preventing the importation of contract labor that this bill was introduced and perfected. I want to say to the members of the House that the Solicitor of the Treasury drew this bill. He drew it on thorough knowledge of the conditions surrounding the Treasury Department in the enforcement of the law, and has asked this House to pass this bill to enable him to carry out the provisions of existing law.

Mr. MCKINLEY. With the experience he has obtained in the enforcement of the law.

Mr. WADE. And he appeared before the committee and gave it the benefit of his experience as to the enforcement of the old law, as suggested by the gentleman from Ohio. It seems to me the worst policy possible on the part of members of the House to ingraft on this bill amendments that the Solicitor of the Treasury has asked us not to put in the bill. Now, the gentleman from Illinois [Mr. PAYSON] has put in an amendment that the master of the ship shall not "knowingly" bring these people here. That very provision is the one that the Solicitor of the Treasury asked to have eliminated from the old bill.

A MEMBER. Why?

Mr. WADE. Because the law could not be enforced with it in. Now do members of this House, in obedience to the sentiments of the people of this country, want this contract labor prevented from coming into the country? If they do, they ought to give the officers of this Government just such a law as we have proposed, and any amendments that may be ingrafted upon this bill will be ingrafted upon it in opposition to the desire of the Solicitor of the Treasury. I hope, therefore, the House will vote down every amendment that has been proposed to the bill, and will take it just as it has been written by the Solicitor of the Treasury and carefully considered by the Committee on Labor.

Mr. STEWART, of Texas. Will the gentleman permit one question?

Mr. WADE. Yes, sir.

Mr. STEWART, of Texas. Do you want the bill to remain in such a condition that the Government officers can compromise and "adjust" these fines after they have been recovered, as has been done in the past?

The SPEAKER *pro tempore*. The hour of 4 o'clock having arrived, the previous question is ordered; and the question is upon the amendment of the gentleman from Pennsylvania [Mr. DALZELL].

Mr. QUINN. Mr. Speaker, the gentleman having charge of the bill yields to me for the purpose of offering an amendment, which he agrees to accept.

The SPEAKER *pro tempore*. The gentleman can not do that. The rule of the House has fixed a time when the previous question shall be ordered, and that time has arrived.

Mr. QUINN. I ask unanimous consent to present an amendment which the chairman of the committee having the bill in charge consents to accept. I ask to present my amendment and have it considered as pending.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York?

Several MEMBERS. What is the amendment?

Mr. QUINN. I will read it. I propose to amend by striking out the word "imported," in line 28, section 6, and inserting these words: "or in the event of such master of the vessel not being within the jurisdiction of the Government of the United States, then the company owning, or the agent acting as such on behalf of said owners, shall," etc. Also strike out the word "to," in line 30, of the same section.

The SPEAKER *pro tempore*. If there be no objection, the amendment will be considered as pending.

There was no objection.

Mr. SWENEY. I ask unanimous consent to submit the amendment that I proposed a few moments ago, which was, to strike out the words "securing citizenship," in line 23 of section 5, and to insert in lieu thereof the words "permanent residence."

Mr. WADE. I object.

The SPEAKER *pro tempore*. The question is now on the amendment of the gentleman from Pennsylvania [Mr. DALZELL].

The amendment offered by Mr. DALZELL was again read.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I ask unanimous consent to amend by inserting the words "process, or," in line 11 of section 5, so that where it now reads "in or upon any new industry" it shall read "process or industry."

Mr. WADE. I object. Reserve that until the pending amendment is disposed of.

Mr. SWENEY. Mr. Speaker, I understand that the gentleman from Missouri [Mr. WADE] withdraws his objection to my amendment.

The SPEAKER *pro tempore*. Then it may be considered as pending.

The amendment of Mr. DALZELL was rejected.

The SPEAKER *pro tempore*. The question now is on the amendment offered by the gentleman from Illinois [Mr. PAYSON], which will be read.

The Clerk read as follows:

Line 23, section 2, strike out the following words: "One-half of the judgment obtained, when collected, shall be paid to the party instituting the suit, and the other half shall be paid to the Secretary of the Treasury, to be disposed of according to law."

The question was taken on the amendment; and there were—ayes 50, noes 51.

Mr. PAYSON. I demand tellers.

Tellers were ordered; and the Speaker *pro tempore* appointed Mr. PAYSON and Mr. WADE.

The House again divided; and the tellers reported—ayes 64, noes 40. So the amendment was agreed to.

The SPEAKER *pro tempore*. The question is upon the second amendment offered by the gentleman from Illinois [Mr. PAYSON], which will be read.

The Clerk read as follows:

Line 1, of section 3, after the word "shall" insert the word "knowingly," and add at the end of the section, "and the fact of such bringing or landing shall be *prima facie* evidence of such knowledge."

The question was taken; and there were—ayes 53, noes 35.

Mr. WADE. I demand tellers.

Tellers were refused.

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

The yeas and nays were refused, only seven members voting in favor thereof.

The amendment was agreed to.

The SPEAKER *pro tempore*. The question is on the amendment offered by the gentleman from Texas [Mr. STEWART], which will be read.

The Clerk read the amendment.

The amendment was agreed to.

The SPEAKER *pro tempore*. The Clerk will now read the next amendment, which was offered by the gentleman from New York [Mr. QUINN].

The Clerk read as follows:

After the word "imported," in line 28, of section 6, insert the words "or in the event of such master of the vessel not being within the jurisdiction of the Government of the United States, then the company owning, or the agents acting as such on behalf of said owners."

Mr. DINGLEY. Let that portion of the bill be read as it will stand with the amendment.

The Clerk read as follows:

It shall be the duty of the master of the vessel on which such person was imported, or in the event of such master of the vessel not being within the jurisdiction of the Government of the United States, then the company owning or the agents acting as such on behalf of said owners, at the demand of the Secretary of the Treasury or other proper officer, to detain said person on board said vessel and transport said person to the country from whence he came at the expense of said vessel.

Mr. BUCHANAN, of New Jersey. Whatever may be the merit of the gentleman's proposition, I suggest that in its present form it does not harmonize with the language of the section as reported, and therefore should not be adopted.

The SPEAKER *pro tempore*. The amendment is not subject to debate.

The amendment was rejected.

The SPEAKER *pro tempore*. The next question is upon the amendment offered by the gentleman from Iowa [Mr. SWENEY], which will be read.

The Clerk read as follows:

Strike out in the last line of section 5 the words "securing citizenship" and insert in lieu thereof the words "permanent residence;" so as to read: "to migrate from any foreign country to the United States for the purpose of permanent residence in the United States."

The amendment was agreed to.

The SPEAKER *pro tempore*. The Chair would like the attention of the gentleman from Michigan [Mr. CHIPMAN]. The Chair understood him to offer his amendment merely for information, not for the purpose of being considered.

Mr. CHIPMAN. Well, I would be very glad to have it voted upon. It is true I may be almost "solitary and alone" in my advocacy of the proposition.

The SPEAKER *pro tempore*. The gentleman asks unanimous consent that the amendment which he proposed, and which was read, may be considered. Is there objection?

Mr. TURNER, of New York. I object.

The SPEAKER *pro tempore*. The question is now on ordering the bill as amended to be engrossed and read a third time.

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

Mr. WADE 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.

#### CONVICT LABOR ON GOVERNMENT WORKS.

Mr. WADE. On behalf of the Committee on Labor, I call up the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 3228) to prevent the employment of convict labor upon the construction or repair of any building, house, or other structure belonging to the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person who has been convicted of crime and sentenced to imprisonment in any prison, penitentiary, jail, or other penal or reformatory institution, shall be employed or permitted to work or labor upon any building, house, or other structure that belongs to or is being constructed or repaired by the Government of the United States; and any officer or agent of the United States, or any contractor with the Government of the United States, or any subcontractor under such contractor who may employ such convict labor upon any building, house, or other structure that belongs to or is being constructed or repaired by the Government of the United States shall be deemed guilty of a high misdemeanor, and upon conviction thereof may be fined in a sum not exceeding \$5,000, or imprisoned in the penitentiary for not more than two years, or such person upon conviction may be both fined and imprisoned, in the discretion of the court before whom the party may be tried.

Mr. WADE. I call for a vote on the question of ordering the bill to be engrossed and read a third time.

Mr. CRISP. I would like to hear some explanation of the bill.

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

The report (by Mr. WADE) was read, as follows:

The Committee on Labor, to whom was referred the bill (H. R. 3228) to prevent the employment of convict labor upon the construction or repair of any building, house, or other structure belonging to the United States, submit the following report:

Your committee believe that all work done on Government buildings should be done by the honest labor of the country. We recommend the passage of the bill with an amendment, inserting in line 6, after the word "labor," the words "during his term of service."

Mr. BUCKALEW. Mr. Speaker, I understand this bill is open to debate.

The SPEAKER *pro tempore*. It is.

Mr. BUCKALEW. It occurs to me this is a very extraordinary bill. It goes beyond any former legislation in reference to the employment of convict labor. Is it proposed, where a man has been convicted of an offense and afterward his innocence is ascertained and he is pardoned, that he shall be outlawed during the remainder of his life so far as concerns employment by the Government in any business by which he might earn a livelihood? That is one illustration of what I understand to be the scope and effect of the bill. How will it be with the thousands of persons who, after committing some offense and being placed in prison, have under religious instruction and prison discipline reformed, leading afterward honest lives? Are they to be outlawed by the Government of the United States from public employment so long as they live?

Mr. CONNELL. Has the gentleman read the bill?

Mr. BUCKALEW. I heard it read.

Mr. CONNELL. Is the gentleman aware that its provisions are

limited so as to apply only during the term of service of persons convicted of crime?

Mr. BUCKALEW. During their term of service they are shut up in prison, and they could not be employed at any rate.

A MEMBER. That is not so in all the States.

Mr. BUCKALEW. From the reading of the bill I understood it to prohibit the employment of convicts after their release from prison.

Mr. CONNELL. No, sir; it does not apply in that way. It relates entirely to the labor of convicts during their term of imprisonment.

Mr. OUTHWAITE. I would be glad if the gentleman would point out any such limitation. The bill does not read in that way.

Mr. BUCKALEW. The bill as read from the Clerk's desk did not contain any such limitation.

The SPEAKER *pro tempore*. The Clerk will read an amendment which has been reported by the committee.

The Clerk read as follows:

After the word "labor," in line 6, insert "during his term of service;" so as to read:

"That no person who has been convicted of crime and sentenced to imprisonment in any prison, penitentiary, jail, or other penal or reformatory institution, shall be employed or permitted to work or labor during his term of service upon any building, house, or other structure that belongs to or is being constructed or repaired by the Government of the United States."

Mr. BUCKALEW. That amendment was not read.

The SPEAKER *pro tempore*. That is the amendment reported by the committee.

Mr. BUCKALEW. Of course I was speaking of the bill in the form in which it was read.

Mr. CONNELL. That, however, is an amendment reported by the committee, and appears in the printed bill.

Mr. HAYES. Why are the words "term of service" used instead of "term of imprisonment?"

Mr. BUCKALEW. I have but one further remark, Mr. Speaker, to make. By this amendment the whole character of the bill is changed. I understand if the bill is amended as the committee now propose, it will apply only to the term of actual service. Now, it must appear to most men, I think, when they come to scan the provisions of the bill, that it will be almost ridiculous to send it out, being so limited, in fact, that it will have but little effect throughout the country.

Mr. CUTCHEON. I would suggest, if the gentleman will permit me, that the word "service" be changed to "imprisonment."

Mr. BUCKALEW. Undoubtedly that would be a better word. The bill is so insignificant in its results that it is scarcely worth while to spend time considering it. [Cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore*. The Clerk will report the amendment proposed by the gentleman from Michigan.

The Clerk read as follows:

Strike out the word "service" and insert "imprisonment."

The amendment was adopted.

The amendment recommended by the committee was adopted.

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

Mr. WADE 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.

#### PRODUCTS OF CONVICT LABOR.

Mr. WADE. I now call up on behalf of the committee the bill (H. R. 3286) to prevent the product of convict labor from being furnished to or for the use of any Department of the Government, and to prevent the product of convict labor from being used upon public buildings or other public works.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act it shall be unlawful for any agent or officer of the United States Government to purchase, or, if under his control, to permit the purchase of supplies of every description to be furnished to or for the use of the Army or Navy of the United States or other Government Department, or for use among any of the Indian tribes, or any of the Departments, or materials to be used in the erection, construction, or completion of public buildings or other public works, when said supplies or materials are, in whole or in part, the product of convict labor: *Provided*, That in all advertisements for the purchase of supplies to be furnished to or for the use of any of the Departments, or for the erection, construction, or completion of public buildings or public works, and in all contracts made under or in pursuance of such advertisements there shall be inserted a condition that no convict or prison labor whatsoever, or the product thereof, shall be used by or furnished to any Department of the Government, or employed or used upon any public building or work, or in the preparation or manufacture of any of the articles, materials, or supplies contracted to be furnished therefor.

Sec. 2. That any willful breach of any of said conditions by any contractor shall authorize and work a forfeiture of the contract, and shall constitute a complete defense in bar against any claim or action against the United States for the recovery of any sum or sums under said contract; and it shall be the duty of the officer letting any such contract, upon being advised that any contractor has knowingly violated the terms of such contract, to declare the same forfeited.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

Mr. DOCKERY. Let us have the report read.

The Clerk proceeded to read the report.

Mr. DOCKERY. Why, that is the report we heard read on the other bill.

Mr. STRUBLE. Was not this report read a few moments ago?

Mr. EVANS. It is the same report exactly. [Laughter.]

The SPEAKER *pro tempore*. The Clerk informs the Chair that he is reading the correct report, and will continue the reading.

The report (by Mr. WADE) was read, as follows:

The Committee on Labor, to whom was referred the bill (H. R. 3286) to prevent the product of convict labor from being furnished to or for the use of any Department of the Government, and to prevent the product of convict labor from being used upon public buildings or other works, submit the following report:

We do not believe that this Government can afford to save a few dollars in the cost of its supplies by forcing competition between its free and honest citizens and the inmates of the prisons of the country. The mechanics and laboring men of the country pay their full proportion of the expenses of the Government, and their labor is as much entitled to the protection of the Government against the prison labor of this country as against the cheaper labor of foreign countries, and therefore recommend that the bill pass.

During the reading of the report—

Mr. DOCKERY. Do we have the same report on both bills?

Mr. BUCHANAN, of New Jersey. The same report was read by mistake on the other bill.

Mr. DOCKERY. I thought it sounded familiar.

Mr. McCREARY. If this is the correct report on this bill—

Mr. CRISP. I would suggest that the report on the other bill be read on this one. [Laughter.]

The SPEAKER *pro tempore*. The Chair regrets that gentlemen were not so observant when the other report was read. [Laughter.]

Mr. CUTCHEON. As we have had this report read once, if we have the other report read on this bill, we can understand both.

The SPEAKER *pro tempore*. The Clerk will continue the reading of the report.

The Clerk resumed and concluded the reading of the report as above. The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WADE 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.

The SPEAKER *pro tempore*. Has the gentleman from Missouri any other bills from the Committee on Labor?

Mr. WADE. That concludes the reports from the Committee on Labor at present.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed with amendments a concurrent resolution of the House to print the report of the Commissioner of Education for 1888 and 1889, asked a conference with the House thereon, and had appointed Mr. MANDESON, Mr. HAWLEY, and Mr. GORMAN conferees on the part of the Senate.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the joint resolution (S. R. 120) appropriating money to the Territory of Oklahoma to relieve destitution therein.

The message further announced that the Senate had passed the following resolution; in which concurrence was requested:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed of the report of the American Historical Association for the year ending December 31, 1889, 4,500 extra copies, of which 1,000 copies shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,500 for the use of the Smithsonian Institution and the American Historical Association.

The message further announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 5712) granting a pension to J. G. Fetherstone; and

A bill (H. R. 8523) to authorize the construction of a bridge across the Little Tennessee River at or near Niles' Ferry, Tennessee.

The message further announced that the Senate had passed a bill (S. 4158) for a public building at Sheboygan, Wis.; in which the concurrence of the House was requested.

#### PREVENTION OF COLLISIONS AT SEA.

Mr. DINGLEY. I rise to submit a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3918) in regard to collisions at sea, having met, after a full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House to the second section of said bill, and agree to the same with the following amendment thereto, namely, amend section 2 to read as follows:

"Sec. 2. That every master or person in charge of a United States vessel who falls, without reasonable cause, to render such assistance, or give such information as aforesaid, shall be deemed guilty of a misdemeanor and shall be liable to a penalty of \$1,000, or imprisonment for a term not exceeding two years; and for the above sum the vessel shall be liable and may be seized and proceeded against by process in any district court in the United States by any person, one-half of said sum to be payable to the informer and the other half to the United States."

And with the following additional section:

"Sec. 3. That this act will take effect at a time to be fixed by the President by proclamation issued for that purpose." And the House agree to the same.

N. DINGLEY, JR.,  
JOHN M. FARQUHAR,  
WM. M. SPRINGER,  
*Managers on the part of the House.*  
WM. P. FRYE,  
W. D. WASHBURN,  
A. P. GORMAN,  
*Managers on the part of the Senate.*

Mr. HOLMAN. Let the statement accompanying this report be read.

The SPEAKER *pro tempore*. The statement will be read.

The statement was read, as follows:

Statement of the House managers in the conference on bill (S. 3918) in regard to collisions at sea:

The House agrees to section 2 of the bill relating to penalties as it passed the Senate, with an amendment providing that the act shall take effect at a time to be fixed by the President by proclamation for that purpose.

Mr. HOLMAN. I hope the House will not agree to that report. The House has just expressed itself again against the system of informers, and has decided against the renewal in our legislation of the old system of *qui tam* actions. We abandoned that twenty years ago with great unanimity. It is a system that ought not to be tolerated in a Government like this, and I hope the report will be rejected.

Mr. DINGLEY. I desire simply to say, in response to the gentleman from Indiana, that while in ordinary cases within the limits of this country where evidence can be reached it might seem entirely appropriate that that should be the case, yet it should be borne in mind that the only evidence in case of a collision at sea—when the master of a vessel runs away and leaves the vessel with which he came in collision with the crew and passengers to perish—the only evidence of his criminality in such case must be obtained from some person on board the vessel, some member of the crew. And when a member of the crew would be liable to lose his place if he gave any evidence relating to the case, it seemed to all the conferees desirable that in this particular instance a part of this \$1,000 penalty—and it can not exceed \$500 in any case—should go to the man who comes forward and gives the evidence of such serious criminality as this.

The crew alone can possibly know the facts; the man who furnishes information is liable to discharge, and will probably be discharged and lose his wages, and so be left helpless unless he shall have this part of the penalty. Therefore all the members of the conference, both on the part of the House and the Senate, were unanimous, after a discussion of the matter, in the view that this was a peculiar case in which the principle of allowing half of the penalty to go to the informer should be inserted in the law.

Mr. HOLMAN. Mr. Speaker, but a single word. My friend is perfectly aware of the fact that the same argument is the one which built up this system originally in this country. The same argument would apply in favor of the proposition contained in the bill which we just disposed of, in regard to the importation of foreigners.

Mr. DINGLEY. No; because the evidence would be obtainable in other ways. The crew of the vessel would not be the only witnesses.

Mr. HOLMAN. But the facts displayed to the House over twenty years ago in regard to the system showed that this class of *qui tam* actions had created a class of informers who were making money by their own dishonor and shame, and the fact adduced at that time induced the House and the Senate to unite in abolishing the entire system, and until very recently no attempt has been made to revive it for any purpose. And while the argument of my friend from Maine [Mr. DINGLEY] is a plausible argument, such as has always been presented in favor of informers and of *qui tam* actions, yet it is not a sound one, according to our experience; because if we again restore this system of giving half to the informer, it will gradually creep back into our legislation in regard to our internal-revenue laws and our tariff taxation.

Mr. DINGLEY. But a single suggestion and I will submit the matter to the House. It was the unanimous opinion of the conferees that an offense like this, committed upon the sea, where no person could be a witness except the members of the crew, who were liable to be discharged if they gave any information; the enormity of the offense was such, in view of the fact that a thousand lives might be imperiled by such an act as this, that it was a case which absolutely demanded that half of the penalty should go to the informer. The amount is not large, only \$500 in any event, and it seems to be necessary, in order to give assurance to the seaman who comes forward and furnishes the evidence to convict of this serious offense, that if he loses his place he will still be whole. Therefore, it was the unanimous opinion of the conferees that the seaman would not run the risk of losing his employment by furnishing the evidence necessary to convict of an offense of this serious character, which is an offense against mankind, and not simply against our own people.

Mr. HOLMAN. I hope the report will not be adopted in its present form, as it will be establishing a precedent in favor of a system which was abandoned nearly a quarter of a century ago. I would like to make a further suggestion to my friend from Maine. He says that the conferees on the part of the House and of the Senate both concurred in restoring that provision to the bill after it had been stricken out in the House. I admit that the vote was not a very formal one.

It was rather *pro forma*, yet it is a fact that the provision was stricken out in the House.

Mr. DINGLEY. But the gentleman from Indiana will remember that the action was *pro forma*, with the consent of the committee, in order that the matter might be thoroughly investigated, and was without any discussion at all. No judgment was pronounced by the House upon the matter.

Mr. HOLMAN. I hope there will be a further opportunity given to consider this subject and that this report will not be adopted.

Mr. DINGLEY. I am sure that if the gentleman from Indiana will investigate the matter as it has been investigated by the conferees he will see the absolute necessity, in this peculiar case, of doing just what is proposed in this bill.

I ask for a vote.

The question was taken on the adoption of the conference report; and the Speaker announced that the ayes seemed to have it.

Mr. HOLMAN. Division.

The House divided; and there were—ayes 58, noes 37.

So the conference report was adopted.

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

The latter motion was agreed to.

#### STATE AGRICULTURAL COLLEGE, NORTH DAKOTA.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (S. 3031) giving the consent of the United States to the State of North Dakota to appropriate for the use of the State Agricultural College, as a site for that institution, section 36, township 140, range 49 west, situate in the county of Cass, in said State.

*Be it enacted, etc.*, That the consent of the United States is hereby given to the State of North Dakota to appropriate for the use of the State Agricultural College, as a site for that institution, section 36, township 140, range 49 west, situate in the county of Cass, in said State, being a portion of the lands granted to said State for the purposes of common schools.

The committee recommend to add to the section the words:

But no indemnity shall be allowed for this section.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. HOLMAN. I believe that bill comes from the Public Land Committee.

Mr. HANSBROUGH. It comes from the Public Land Committee with a unanimous report.

Mr. KERR, of Iowa. As I understand the purpose of this bill it is to grant for the site of an agricultural college certain lands that would be used for school lands.

Mr. PAYSON. That is all there is of it.

The amendment recommended by the committee was agreed to.

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

Mr. HANSBROUGH 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.

Mr. HOLMAN. I move that the House adjourn. [After a pause.] I withhold the motion until the gentleman from Missouri presents his request for unanimous consent.

Mr. STRUBLE. I ask you to hold it for some time. I have a bill here that I desire to have passed.

The SPEAKER. Does the gentleman withdraw the motion to adjourn?

Mr. HOLMAN. I do.

#### ST. CHARLES COLLEGE, ST. CHARLES, MO.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that the bill (H. R. 5501) for the relief of St. Charles College, St. Charles, Mo., reported by the Committee on Claims, may be recommitted to that committee.

The motion to recommit was agreed to.

#### CAPT. CHARLES B. STIVERS.

Mr. WILLIAMS, of Ohio. I ask unanimous consent to take up for immediate consideration the joint resolution (H. Res. 39) declaring the retirement of Capt. Charles B. Stivers, of the United States Army, valid, and that he is entitled as such officer to his pay.

The resolution was read at length.

The SPEAKER. Is there objection?

Mr. BLOUNT. I would like to have some explanation of the resolution.

Mr. WILLIAMS, of Ohio. The resolution was reported by the Committee on Military Affairs, and its passage is desired by the War Department. The gentleman from Pennsylvania [Mr. OSBORNE] who made the report is more familiar with the facts than I am.

Mr. OSBORNE. Mr. Speaker, this officer is now on the retired-list. He served during the war, and in 1864 was put upon the retired-list;

but before that time he was summarily dismissed by order of the Secretary of War—

Mr. MONTGOMERY. Mr. Speaker, I call for the regular order.

#### ORDER OF BUSINESS.

Mr. HOLMAN. I move that the House do now adjourn.

Mr. WILLIAMS, of Ohio. I hope the gentleman will withdraw that until I get this resolution through.

The SPEAKER. All these proceedings are by unanimous consent, and when any gentleman says he demands the regular order that finishes proceedings which are going on by suffrance. The gentleman from Indiana moves that the House do now adjourn.

Mr. TURNER, of New York. If the gentleman from Indiana will withhold that motion I will move that when the House adjourn today it be to meet on Tuesday next, in order that we may thus honor Labor Day.

Mr. CANNON. Let us have legislative day.

Mr. TURNER, of New York. The gentleman from Indiana withdraws his motion for that purpose.

The SPEAKER. The gentleman from Indiana can not withdraw his motion in favor of another gentleman. If he withdraws his motion then it is for the Chair to determine who shall be recognized.

Mr. HOLMAN. I would withdraw the motion if the gentleman's motion could be put.

The SPEAKER. Pending the motion to adjourn, the Chair desires to lay before the House a report from the Committee on Enrolled Bills.

#### ENROLLED BILLS SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 5712) granting a pension to J. G. Fetherstone;

A bill (H. R. 8523) to authorize the construction of a bridge across the Little Tennessee River, at or near Niles' Ferry, Tennessee;

A bill (H. R. 10060) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri; and

Joint resolution (S. R. 120) appropriating money to the Territory of Oklahoma to relieve destitution therein.

#### LEAVE OF ABSENCE.

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

To Mr. TAYLOR, of Tennessee, indefinitely, on account of the death of his brother.

To Mr. BOWDEN, indefinitely, on account of sickness in his family.

To Mr. ROBERTSON, indefinitely, on account of important business.

The motion of Mr. HOLMAN was then agreed to.

And accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until Monday, September 1, at 12 o'clock m.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, a Senate bill of the following title was taken from the Speaker's table and referred as follows:

A bill (S. 4158) for a public building at Sheboygan, Wis.—to the Committee on Public Buildings and Grounds.

#### SENATE RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate resolution was taken from the Speaker's table and referred as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed of the report of the American Historical Association for the year ending December 31, 1889, 4,500 extra copies, of which 1,000 copies shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,500 for the use of the Smithsonian Institution and the American Historical Association; to the Committee on Printing.

#### RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was introduced and referred as follows:

By Mr. EZRA B. TAYLOR:

*Resolved*, That on Wednesday, the 4th day of September, immediately after the morning hour has expired, H. R. 5958 be taken up for consideration, and that the previous question shall be considered as ordered in one hour and a half after its consideration is begun, and that no other business shall be in order until said bill is disposed of: *Provided, however*, That the consideration of this bill is not to interfere with conference reports or appropriation bills; to the Committee on Rules.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and disposed of as follows:

Mr. BROWNE, of Virginia, from the Committee on Commerce, reported favorably the bill of the Senate (S. 3843) to provide for the establishment of a port of delivery at Rock Island, Ill., accompanied by a report (No. 3031)—to the Committee of the Whole House on the state of the Union.

Mr. STONE, of Kentucky, from the Committee on War Claims, re-

ported favorably the following bills of the House; which were severally referred to the Committee of the Whole House:

A bill (H. R. 2749) for the relief of John F. Alsup. (Report No. 3032.)

A bill (H. R. 2743) for the relief of John Sullivan. (Report No. 3033.)

Mr. PEEL, from the Committee on Indian Affairs, to which was referred the joint resolution of the House (H. Res. 206) regulating leases of coal lands in the Choctaw Nation, Indian Territory, reported, as a substitute therefor, a joint resolution (H. Res. 219) regulating leases of coal lands in the Choctaw Nation, Indian Territory; which was read twice, and, accompanied by a report (No. 3034), referred to the House Calendar.

Mr. DALZELL, from the Committee on the Pacific Railroads, to which was referred the bill of the House (H. R. 10756) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of the railroads, and to secure to the United States payment of all indebtedness of certain of the companies therein mentioned, in behalf of the minority of said committee, submitted their views in writing thereon; which were ordered to be printed as Part 2 of Report No. 2329—to the House Calendar.

Mr. THOMAS, from the Committee on War Claims, reported favorably the bill of the House (H. R. 10507) for the relief of the Portland Company, accompanied by a report (No. 3036)—to the Committee of the Whole House.

#### ADVERSE REPORT.

Under clause 2 of Rule XIII, an adverse report was delivered to the Clerk and laid on the table, as follows:

Mr. BAKER, from the Committee on Commerce, on the bill (H. R. 11802) to repeal the law entitled "An act to incorporate the Maritime Canal Company, of Nicaragua," approved February 20, 1889.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BAYNE: A bill (H. R. 11902) granting an increase of pension to William W. Ivory—to the Committee on Invalid Pensions.

By Mr. BLOUNT: A bill (H. R. 11903) granting a pension to Jonathan Davis—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 11904) to correct the military record of William Myers, and pay him \$376.36—to the Committee on Military Affairs.

By Mr. GRIMES: A bill (H. R. 11905) for the relief of Arthur Hutcheson, administrator of the estate of John Carleton, deceased—to the Committee on War Claims.

By Mr. McRAE: A bill (H. R. 11906) for the relief of Jacob P. Stroope—to the Committee on War Claims.

Also, a bill (H. R. 11907) for the relief of Asa Townsend—to the Committee on Claims.

By Mr. ROBERTSON: A bill (H. R. 11908) for the relief of the estate of Rigobert Donato, deceased, late of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 11909) for the relief of Victor Lastrapes, of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 11910) for the relief of the estate of Charles Lemelle, deceased, late of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 11911) for the relief of Léon Lemelle, of St. Landry Parish, Louisiana—to the Committee on War Claims.

By Mr. WHEELER, of Alabama: A bill (H. R. 11912) for removal of charge of desertion from Anderson Malone—to the Committee on Military Affairs.

By Mr. SPOONER: A bill (H. R. 11913) granting a pension to Anna A. Tallman—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAYNE: Petition for a bill granting an increase of pension to William W. Ivory—to the Committee on Invalid Pensions.

By Mr. GRIMES: Petition of Arthur Hutcheson, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. PAYNTER: Petition of Isaac Pack, asking for a pension—to the Committee on Invalid Pensions.

By Mr. QUINN: Resolutions of Grant Post, Grand Army of the Republic, relative to the removal of the remains of General Grant—to the Committee on the Library.

## SENATE.

MONDAY, September 1, 1890.

The Senate met at 10 o'clock a. m.

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

Mr. EDMUNDS. Mr. President, I do not feel at liberty to go on with business with only eight Senators present, and I suggest that there is no quorum. Eight are too few.

The PRESIDENT *pro tempore*. The Senator from Vermont suggesting the absence of a quorum, the roll of the Senate will be called by the Secretary.

The Secretary called the roll; and the following Senators answered to their names:

Aldrich,	Dawes,	Hoar,	Stockbridge,
Allen,	Dixon,	Ingalls,	Vance,
Berry,	Edmunds,	Mitchell,	Walthall.
Casey,	Hale,	Ransom,	
Cockrell,	Hampton,	Reagan,	
Cullom,	Harris,	Sawyer,	

The PRESIDENT *pro tempore*. Twenty-one Senators have responded.

Mr. ALDRICH. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The PRESIDENT *pro tempore*. The Senator from Rhode Island moves that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Sergeant-at-Arms, being furnished with a list of absent Senators, will execute the order of the Senate.

Mr. BATE, Mr. BLAIR, Mr. CARLISLE, Mr. COKE, Mr. DOLPH, Mr. EVARTS, Mr. FRYE, Mr. GIBSON, Mr. MANDERSON, Mr. McMILLAN, Mr. MCPHERSON, Mr. MOODY, Mr. MORGAN, Mr. PLATT, Mr. PLUMB, Mr. TELLER, Mr. VEST, and Mr. VOORHEES entered the Chamber and answered to their names.

Mr. BLAIR (at 10 o'clock and 27 minutes a. m.). Would a motion to adjourn be in order?

The PRESIDENT *pro tempore*. It would be in order.

Mr. BLAIR. This is Labor Day, universally observed as a holiday throughout the country, and in behalf of those who are expected to work only from eight to ten hours, when we work from sixteen to twenty, I think it is due from the Senate of the United States that it do honor to this occasion by adjourning. So I move that the Senate do now adjourn.

Mr. HOAR. Let us honor our Labor Day by legislation for the benefit of labor. I hope the Senator from New Hampshire will withdraw the motion.

Mr. BLAIR. If the Senate will take up the labor bills that have been sent us by the House of Representatives, I shall be glad to acquiesce in the Senator's suggestion.

Mr. HARRIS. I rise to a parliamentary inquiry.

Mr. HOAR. I desire to spend the day in legislation which will raise the wages of every laborer in this country.

Mr. HARRIS. Is the motion debatable?

Mr. PADDOCK and Mr. STEWART entered the Chamber, and answered to their names.

Mr. BLAIR. I will give the Senator in charge of the tariff bill notice that as soon as a quorum is present I shall ask unanimous consent that the Senate proceed to the consideration of the labor bills which have been sent to us by the House of Representatives. This is Labor Day, and there is a universal desire to do something for labor.

Mr. ALDRICH. Is debate in order?

The PRESIDENT *pro tempore*. It is by unanimous consent. The Chair understands the Senator from New Hampshire to withdraw the motion to adjourn.

Mr. ALDRICH. I object to any further buncombe speeches this morning.

Mr. BLAIR. I do not understand the Senator.

The PRESIDENT *pro tempore*. The Senator from Rhode Island objects to debate while the call of the Senate is pending.

Mr. BLAIR. I suppose it is to be understood perhaps that the representatives of monopoly might object—

Mr. ALDRICH. I object to debate.

Mr. BLAIR. But I shall hope that the Senator would certainly agree that we proceed to consider the labor bills.

Mr. ALDRICH. I ask the President of the Senate to enforce the rules of the Senate.

The PRESIDENT *pro tempore*. The Chair will request the Senator from New Hampshire to observe the rules of the Senate and abstain from debate.

Mr. BLACKBURN and Mr. SHERMAN entered the Chamber, and answered to their names.

The PRESIDENT *pro tempore* (at 10 o'clock and 37 minutes a. m.). Forty-three Senators have answered to their names. A quorum being present, if there be no objection, further proceeding under the call