

By Mr. BROOKSHIRE: Petition of about 300 members of the Rush Creek Monthly Meeting of Friends, of Parke County, Indiana, requesting the rejection by Congress of the recommendations of the Naval Committee of the Senate providing for the expenditure of a large sum for so-called coast defenses and other warlike preparations—to the Committee on Naval Affairs.

By Mr. BYNUM: Petition of the Social Turnverein of Indianapolis, Ind., against any modification of the immigration laws—to the Committee on Immigration.

By Mr. CARTER: Memorial by the city council and Board of Trade of Butte City, Mont., relating to a public building in said city—to the Committee on Public Buildings and Grounds.

Also, protest of Montana Stock-Growers against House bill No. 304—to the Committee on Agriculture.

By Mr. COMSTOCK: Petition of letter-carriers of Minneapolis, Minn., for fixed salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. CONGER: Memorial of J. C. Ferguson Post, Grand Army of the Republic, Knoxville, Iowa, in favor of service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Farmers' Alliance, No. 1350, Dallas County, Iowa, in favor of House bill 5353, defining and punishing dealing in options, futures, etc.—to the Committee on Agriculture.

Also, memorial and joint resolution of the Legislature of Iowa, in favor of the construction of the Hennepin Canal—to the Committee on Rivers and Harbors.

Also, joint resolution of same body, favoring the repeal of the arrears limitation as to pensions in act of 1879—to the Committee on Invalid Pensions.

By Mr. CULBERSON, of Texas: Petition in favor of pure lard, supporting H. R. bill 11027, Fiftieth Congress—to the Committee on Agriculture.

By Mr. CUMMINGS: Resolution of the New York Board of Trade and Transportation, favoring the establishment of a limited post and telegraph service as a bureau or part of the Post-Office Department of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. DOLLIVER: Petition of Grand Army of the Republic post of Manning, Iowa, for service-pension law—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Petition of ex-officers and ex-soldiers of the Seventy-fifth Ohio Volunteer Infantry, for the relief of James W. Whaley—to the Committee on Military Affairs.

By Mr. HENDERSON, of Iowa: Resolutions passed by A. Waldron Post, No. 381, Grand Army of the Republic, Department of Iowa, Quasqueton, Buchanan County, Iowa, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. HERMANN: The petition of the heirs of John E. Ross and other Indian depredation claimants, under awards of the commissioners, George H. Ambrose, A. C. Gibbs, and L. F. Grover, against the Rogue River Indians in Oregon—to the Select Committee on Indian Depredation Claims.

By Mr. HITT: Resolutions of the Grand Army of the Republic, of Savanna, Ill., for law granting service pensions—to the Committee on Invalid Pensions.

Also, resolutions of the New York Board of Trade and Transportation, favoring Government postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. KELLEY: Petition of the Thirty-third Judicial Veteran Association, of the State of Kansas, asking for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Hills Lodge, No. 1255, with a membership of 75, of Coffey County, Kansas, for the abolition of national banks, for free and unlimited coinage of silver, in favor of electing United States Senators by a direct vote of the people, of United States judges by a vote of the people, for liberal pension legislation, and for abolition of trusts, and for reduction of taxes on articles of necessity—to the Committee on Agriculture.

Also, petition of James L. King and 79 others, citizens of Topeka, asking for the passage of House bill 3863, introduced by J. LOGAN CHIPMAN, and providing for an increase of pay of letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. KERR, of Iowa: Petitions of Wilson Post, Grand Army of the Republic, Iowa; Von Pelt Post, Grand Army of the Republic, Iowa; of George S. Comstock Post, Grand Army of the Republic, Iowa; Thompson Post, Reinbeck, Iowa, for service-pension law—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of New Sharon (Iowa) Farmers' Alliance, favoring the passage of the Butterworth bill prohibiting option deals in farm products—to the Committee on Agriculture.

By Mr. LAIDLAW: Petition of citizens of Chautauqua County, New York, praying for legislation to prevent the adulteration of lard—to the Committee on Agriculture.

By Mr. LANE: Eleven petitions, containing 320 names of members of Nebraska Farmers' Alliances, asking free coinage of silver, protesting against passage of Windom bill, etc.—to the Committee on Coinage, Weights, and Measures.

By Mr. LANHAM: Petition of citizens of Val Verde County, Texas, for the establishment of a four-company military post at Del Rio, Tex.—to the Committee on Military Affairs.

By Mr. MONTGOMERY: Petition for public building at Lebanon, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. NIEDRINGHAUS: Petition of Emilin Nurnberger, for pension—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Petition of 30 citizens of Jackson, Mich., asking the passage of the Blair bill—to the Committee on Education.

By Mr. O'NEILL, of Pennsylvania: Remonstrance of business men of Philadelphia, against an increase in the duty on oranges and lemons—to the Committee on Ways and Means.

By Mr. PARRETT: Petition of Scott Township Lodge, No. 1360, F. M. B. A., of Vanderburgh County, Indiana, against trusts and monopolies—to the Committee on Agriculture.

By Mr. PERKINS: Petition asking that a commission be appointed on the authority of Congress to confer with a like committee appointed by the State of Texas to decide the question of the ownership of Greer County, Indian Territory or Texas, and that, if the title to lands in said county be vested in the United States, the bona fide settlers of the county now located upon said lands be given preference—to the Committee on the Territories.

Also, petition of Rose Hill Monthly Meeting of Friends, of Butler County, Kansas, numbering 278 persons, asking Congress to reject the recommendation of Senate Naval Committee to appropriate money for improvement of the Navy—to the Committee on Naval Affairs.

Also, resolution of the old soldiers and seamen of Geary County, Kansas, asking for the passage of the Ingalls service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Mr. Boyer and 52 others, residents of Chautauqua County, Kansas, asking for the passage of a service-pension act—to the Committee on Invalid Pensions.

Also, resolutions of L. E. Houson and 32 others, ex-Union soldiers, of Mound Valley, Kans., for same purpose—to the Committee on Invalid Pensions.

Also, petition of W. S. Stanton and others, ex-Union soldiers, of Montgomery County, Kansas, asking for same relief—to the Committee on Invalid Pensions.

Also, petition of Isaac Wonderly and others, residents of Montgomery County, Kansas, asking for the passage of the same measure—to the Committee on Invalid Pensions.

By Mr. SNIDER: Petition of citizens and letter-carriers of Minneapolis, Minn., for increased compensation for letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. STIVERS: Petition of Stephen B. Rider and Hannah M. Isaac, clerks of the Monthly Meeting, of Cornwall, N. Y., comprising 125 persons, asking the House of Representatives to reject the recommendation of the Senate Naval Committee and other measures proposing a large expenditure for the Navy and coast defenses and other warlike preparations—to the Committee on Naval Affairs.

By Mr. STRUBLE: Petition from the Fairfield Farmers' Alliance, Buena Vista County, Iowa, urging the passage of House bill 5353—to the Committee on Agriculture.

By Mr. SWENEY: Petitions from five Grand Army of the Republic posts, Department of Iowa, for service-pension law—to the Committee on Invalid Pensions.

Also, remonstrance of Charles Reineke and 32 other members of the North American Turnerbund, protesting against the enactment of laws restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. TOWNSEND, of Colorado: Resolutions of board of county commissioners of Montrose County, Colorado, in favor of appropriations for deep harbor at Galveston, Tex.—to the Committee on Rivers and Harbors.

By Mr. TURNER, of Georgia: Memorial of J. R. Forrester, of Albany, Ga.; W. A. Watson, president Albany Suballiance; T. J. Pierson, president Pine Bluff Suballiance; J. H. Vurkey, president Wesley Chapel Suballiance, and P. B. Tuitty, president East Dougherty Suballiance, all of the State of Georgia, against the bill to tax cotton-seed oil when compounded with lard—to the Committee on Agriculture.

By Mr. WASHINGTON: Printed copy of findings of Court of Claims, to accompany House bill of Fifty-first Congress—to the Committee on War Claims.

SENATE.

WEDNESDAY, *March 19, 1890.*

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

The VICE-PRESIDENT resumed the chair.

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

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of December 19, 1889, the report and findings of a court of inquiry

appointed to ascertain whether formal organizations not expressly authorized by the Navy Department exist among naval officers; which, with the accompanying papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 6419) to amend section 2294 of the Revised Statutes of the United States, and for other purposes was read twice by its title, and referred to the Committee on Public Lands.

PETITIONS AND MEMORIALS.

Mr. WILSON, of Iowa, presented a joint resolution of the General Assembly of Iowa; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

[Joint resolution No. 3.]

Memorial and joint resolution relative to the construction of a canal from the Mississippi River to the Illinois River at Hennepin, in the State of Illinois.

Whereas the question of cheap transportation by an uninterrupted water route between the Mississippi River and the Atlantic seaboard, by way of the Great Lakes, has long been one of all-absorbing interest to the people of the food-producing States of the Northwest; and

Whereas the General Assembly of Iowa has repeatedly memorialized Congress for the construction of this water route and urged upon Congress the construction of the same; and

Whereas the construction of this canal has received more indorsement since 1844 than any other water way on the continent of America; and

Whereas a board of civil engineers has surveyed, located, and approved of the construction of this water way from Hennepin to the Mississippi River at the mouth of Rock River; and

Whereas at the water convention held September 3 and 4 in Cincinnati, Ohio, a resolution passed said convention, urging upon Congress to make an immediate appropriation therefor: Now, therefore,

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress are requested to vote for and use their active influence to effect such legislation by Congress as will secure an appropriation to commence the construction of said canal at an early day, and they are also requested to vote a liberal appropriation therefor, to the end that said canal may be completed and opened to the commerce of the country at the earliest possible date.

Resolved, That the secretary of state be, and he is hereby, instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in Congress.

A. F. MESERVEY,

President of the Senate pro tempore.

J. T. HAMILTON,

Speaker of the House of Representatives.

Approved March 11, 1890.

HORACE BOIES.

I hereby certify that this resolution originated in the Senate and is known as "Memorial and joint resolution No. 3."

W. R. COCHRANE, Secretary Senate.

Mr. WILSON, of Iowa, presented joint resolution of the General Assembly of Iowa; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas gross and unprincipled adulterations of lard are made by the mixture of cotton-seed oil and other inferior oils with pure lard; and

Whereas such a mixture is put up by the great syndicates of packers in the United States and sold as pure steam-refined lard to the consumers of this and foreign countries, which practice is seriously detrimental to Iowa farmers; and

Whereas such practice is unjust and ruinous to the hog-raisers of Iowa and the great West: Therefore,

Be it resolved by the senate (the house concurring), That our Senators and Representatives in Congress are earnestly requested and urged to introduce and vote for a law looking to the punishment of such fraudulent transactions, and compelling vendors of adulterated foods, and especially lard, to label it with the name, its constituent elements, and the quantity of each ingredient used in forming the compound.

The secretary of the senate is instructed to send a copy of these resolutions to our Senators and Representatives in Congress.

I hereby certify that the foregoing concurrent resolution passed both branches of the Twenty-third General Assembly on the 4th day of March, A. D. 1890.

W. R. COCHRANE, Secretary of Senate.

Mr. WILSON, of Iowa, presented a joint resolution of the General Assembly of Iowa; which was referred to the Committee on Pensions, and ordered to be printed in the RECORD, as follows:

[Joint resolution No. 4.]

To the Congress of the United States, in relation to the arrears of pensions:

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be, and they are hereby, earnestly requested to use their best efforts to secure the repeal of the limitation contained in the arrears act of 1879, so that all invalid soldiers shall share alike, and their pensions shall begin with the date of disability or discharge, and not with the date of their application.

That the secretary of state transmit a certified copy of this resolution to each of our Senators and Representatives in Congress.

A. F. MESERVEY,

President of the Senate pro tempore.

J. T. HAMILTON,

Speaker of the House of Representatives.

Approved March 11, 1890.

HORACE BOIES.

I hereby certify that this resolution originated in the senate and is known as "Joint resolution No. 4."

W. R. COCHRANE, Secretary Senate.

Mr. WILSON, of Iowa, presented resolutions of Farmers' Alliance No. 1168, of Hawthorne, Iowa, in favor of the passage of an act prohibiting speculation in raw and manufactured farm products; which were referred to the Committee on Agriculture and Forestry.

Mr. DAWES presented a petition of Union No. 2, Bricklayers and Masons' International Union of America, of Holyoke, Mass., and the petition of Union No. 11, Bricklayers and Masons' International Union

of America, of North Adams, Mass., praying for an amendment to the labor laws, etc.; which were referred to the Committee on Education and Labor.

He also presented a petition of Albert Pierce, president, George M. Bowker, secretary, and others, members, of the Fitchburg Letter-Carriers' Association of Fitchburg, Mass., praying that increased compensation be granted to letter-carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. VOORHEES presented a memorial of the Monthly Meeting of Friends, numbering 437 adult members, of Marion, Grant County, Indiana, remonstrating against the appropriation of large sums of money for the Navy and so-called coast defenses, and other warlike preparations; which was referred to the Committee on Naval Affairs.

Mr. VOORHEES. I present a memorial signed by a large number of citizens of Richmond, in the county of Wayne, State of Indiana, remonstrating against the enactment of any law in regard to the observance of the Sabbath or the Lord's Day or any other religious or ecclesiastical institution or rite, and against the adoption of any resolution for the amendment of the national Constitution that would in any way give preference to the principles of any one religion above another, or that would in any way sanction legislation upon the subject of religion, believing that the total separation between religion and the state, assured by our national Constitution as it now is, is for the best.

I move that the memorial be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. FAULKNER presented a petition of the Bricklayers and Masons' International Union, No. 2, of Wheeling, W. Va., signed by Magnus Long, president, and Henry Kirchner, recording secretary, petitioning Congress to enact such laws as will secure to skilled and unskilled laborers who are citizens of the United States preference over aliens in the erection and construction by the Government or by contract of public buildings, navy-yards, fortifications, and other structures and works; which was referred to the Committee on the Judiciary.

Mr. BERRY. I present a memorial of the Chickasaw Indians relating to lands of the Choctaw and Chickasaw Nations west of the ninety-eighth meridian of west longitude, with an accompanying statement. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. INGALLS presented a petition of 30 members of Liberty Union, Emporia, Kans., praying for the free coinage of silver; which was referred to the Committee on Finance.

He also presented a petition of Dr. Louis Mackall and other citizens of Washington, D. C., praying relief for injuries to real property caused by improvements and repairs of streets and avenues in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SQUIRE presented a memorial of the Legislature of the State of Washington; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

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

I, Allen Weir, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the attached instrument of writing, *i. e.*, senate joint memorial No. 22, asking for the appropriation of \$100,000 to improve Skagit River, with the original now on file in my office, and that the same is a correct transcript therefrom and of the whole of said original.

In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at Olympia, this 17th day of February, A. D. 1890.

[SEAL.]

ALLEN WEIR, Secretary of State.

Senate joint memorial No. 22.

To the honorable the Senate and House of Representatives
of the Congress of the United States:

Your memorialist, the Legislature of the State of Washington, do most earnestly and urgently request your honorable body to appropriate \$100,000 for improvement of the Skagit River.

The Skagit River, which empties into Utsalady Bay, one of the large sheets of water forming Puget Sound, is the largest river in Western Washington. Its drainage basin contains 2,800 square miles, including 300 square miles of fertile valley land, nearly level, and is covered with dense forests, principally of fir, cedar, spruce, and cottonwood.

The width of the river varies from 300 to 600 feet, and can, by the judicious expenditure of \$100,000, be made navigable for a distance of 90 miles for steamers drawing from 5 to 6 feet of water. This accomplished, Skagit Valley will become one of the most productive and richest valleys in the United States, and will give employment and support to a population of 50,000 persons. Its present population is about 5,000.

The iron ore already discovered and located in the mountains at whose base the river courses is estimated by experts as sufficient in quantity and quality to supply the wants of the United States for centuries. Contiguous to these iron mountains are vast deposits of limestone. The great coal fields of Skagit Valley are unsurpassed in quality. The veins now open and awaiting transportation facilities (there being no railroad in the valley) are the "Bennett," showing a 30-foot face, the "Cumberland," showing a 15-foot face, and the "Connor," showing a 12-foot face. These three mines would, inside of sixty days, if the necessary improvements prayed for are made, furnish to the markets of the world 1,500 tons of coal daily. The additional mines that would be opened would swell the output of coal in the valley to 55,000 tons daily. This coal can be floated down the river on barges to Utsalady Bay, and then loaded on ocean vessels ready for shipment to any port in the world. Iron, coal, and limestone, in contiguous mountains, insure the building of large iron works in this valley.

The Skagit River once made a navigable highway to the ocean will protect the producer against exorbitant freight rates in the future and accelerate the

opening up of its manifold resources now lying dormant. Besides its vast wealth in minerals there are floated down the Skagit River from forty to fifty million feet of logs yearly. Its soil is of the richest, producing in hay from 3 to 4 tons per acre, oats from 95 to 130 bushels per acre. Its fruits are equal to those of California. Sugar-beets, potatoes, and other roots are wondrously prolific in growth. A fine quality of tobacco is also raised.

The granting of the prayer of your memorialist will open up the vast resources of this valley, for which your memorialist will ever pray.

Passed the senate January 20, 1890.

CHAS. E. LAUGHTON, *President of the Senate.*

Passed the house January 21, 1890.

J. W. FEIGHAN, *Speaker of the House.*

Mr. MOODY presented a petition of citizens of South Dakota, praying for the enactment of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. ALLISON presented a joint resolution of the General Assembly of Iowa; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Joint resolution No. 3.

Memorial and joint resolution relative to the construction of a canal from the Mississippi River to the Illinois River at Hennepin, in the State of Illinois.

Whereas the question of cheap transportation by an uninterrupted water route between the Mississippi River and the Atlantic seaboard, by way of the Great Lakes, has long been one of all-absorbing interest to the people of the food-producing States of the Northwest; and

Whereas the General Assembly of Iowa has repeatedly memorialized Congress for the construction of this water route and urged upon Congress the construction of the same; and

Whereas the construction of this canal has received more indorsement since 1844 than any other water way on the continent of America; and

Whereas a board of civil engineers has surveyed, located, and approved of the construction of this water way from Hennepin to the Mississippi River at the mouth of Rock River; and

Whereas at the water convention held September 3 and 4 in Cincinnati, Ohio, a resolution passed said convention, urging upon Congress to make an immediate appropriation therefor: Now, therefore,

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress are requested to vote for and use their active influence to effect such legislation by Congress as will secure an appropriation to commence the construction of said canal at an early day, and they are also requested to vote a liberal appropriation therefor, to the end that said canal may be completed and opened to the commerce of the country at the earliest possible date.

Resolved, That the secretary of state be, and he is hereby, instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in Congress.

A. F. MESERVEY,

President of the Senate pro tempore.

J. T. HAMILTON,

Speaker of the House of Representatives.

Approved March 11, 1890.

HORACE BOIES.

I hereby certify that this resolution originated in the senate and is known as "Memorial and joint resolution No. 3."

W. R. COCHRANE, *Secretary Senate.*

Mr. ALLISON presented resolutions of the Federation of Labor of the District of Columbia, in favor of the passage of a law authorizing the Government to loan money to the people at a low rate of interest; which were referred to the Committee on Finance.

He also presented a petition of the governor and other State officers, members of the General Assembly of the State of Iowa, of the supreme court, and other citizens of the State of Iowa, praying for certain pension legislation; which was referred to the Committee on Pensions.

He also presented a petition of 44 citizens of Freeport, Iowa, and a petition of 36 citizens of Polk County, Iowa, praying for the free coinage of silver; which were referred to the Committee on Finance.

Mr. SPOONER presented resolutions adopted by Joseph Bailey Post, No. 138, Department of Wisconsin, Grand Army of the Republic, favoring the passage of the service-pension bill; which were referred to the Committee on Pensions.

Mr. PIERCE presented a petition of 41 farmers of New Jersey, praying for the passage of Senate bill 2607, creating a commission to investigate the cause of agricultural depression; which was referred to the Committee on Agriculture and Forestry.

Mr. BLAIR. I present a petition from the State Normal College, of Troy, Ala., praying for the passage of the educational bill. It is from the Normal College of that State, and the petition is signed by the faculty, Edwin R. Eldridge, president, Edward M. Shackelford, and various other professors of the institution, strongly setting forth their desire for the passage of the bill, and stating that those from the South who oppose it misrepresent the general wish of the educators and the people.

I also present a telegram addressed to myself, which is a petition from the State Camp of the Patriotic Order Sons of America of Ohio, in which they urge the adoption of the educational bill, believing it to be for the best interests of our educational system, the mainstay of American liberty and civilization. It is signed by the State secretary, E. J. Swerer. This is from Columbus, Ohio, the State organization. Last night I introduced and had printed in the RECORD a like petition from the organization in Cincinnati, Ohio.

I move that these petitions lie on the table.

The motion was agreed to.

Mr. BLAIR presented the petition of B. W. Annett, B. T. Tanner, bishops, and 7 presiding elders of the Florida Conference of the African Methodist Episcopal Church, and the petition of John R. Scott and 62 others, citizens of Florida, praying for the passage of the educational bill; which were ordered to lie on the table.

Mr. PADDOCK presented four memorials, signed by 250 citizens of Nebraska, remonstrating against any material alteration in the existing immigration and naturalization laws; which were referred to the Committee on Immigration.

Mr. BLODGETT presented a petition of the president and secretary of the Journeymen Bricklayers and Plasterers' Association of Trenton, N. J., praying that none but American citizens be employed in the construction of public buildings; which was referred to the Committee on the Judiciary.

Mr. HALE presented a petition of the subordinate Union, No. 2, of Portland, Me., of the Bricklayers and Masons' International Union of America, praying for legislation that shall limit the employment upon Government works to citizens of the United States; which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented a memorial of subordinate Union, No. 1, Bricklayers and Masons' International Union of America, of Cincinnati, Ohio, and a memorial of subordinate Union, No. 6, Bricklayers and Masons' International Union of America, of Canton, Ohio, remonstrating against the employment of aliens on Government works; which were referred to the Committee on the Judiciary.

He also presented a petition of Typographical Union, No. 3, of Cincinnati, Ohio, praying for the passage of an international copyright bill; which was ordered to lie on the table.

Mr. SHERMAN. I present the petition of Samuel Sly, of Wichita, Kans., praying for the establishment of a bank and fiscal agent of the United States, accompanied by the draught of a bill to incorporate, establish, and create a bank and fiscal agent of the United States of North America. Upon statements made to me by a Senator that the gentleman who prepared the bill is a man of ability and a good lawyer, I ask that the petition and bill be printed, simply as a document, not as a bill introduced. I do not introduce it as a bill.

The VICE-PRESIDENT. What reference does the Senator from Ohio desire?

Mr. SHERMAN. Let the papers be referred to the Committee on Finance and printed as a document.

The VICE-PRESIDENT. It will be so ordered, if there be no objection.

Mr. TELLER presented a memorial of the Legislature of Colorado, praying for the construction of a deep-water harbor on the Gulf coast of Texas; which was ordered to lie on the table.

Mr. HOAR presented a petition of citizens and residents of Holyoke, Mass., and a petition of citizens of North Adams, Mass., praying for such amendment of certain laws having reference to the erection of public buildings as that none but citizens of the United States be employed thereon; which were referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of subordinate Union of the Bricklayers and Masons' International Union, of Portland, Me., praying for an amendment of the law so that none but citizens of the United States shall be employed on Government works; which was referred to the Committee on the Judiciary.

Mr. EVARTS presented the memorial of the Yorktown Monthly Meeting of Friends, of Westchester County, New York, remonstrating against expenditures for the Navy, coast defenses, etc.; which was referred to the Committee on Naval Affairs.

He also presented a petition of 101 citizens of Homer, N. Y., praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. DANIEL presented a petition of 260 members of the Farmers' Alliance of Sussex County, Virginia; a petition of 46 citizens of Loudoun County, Virginia; a petition of 39 citizens of Loudoun County, Virginia; and a petition of 42 citizens of Loudoun County, Virginia, praying for the free coinage of silver; which were referred to the Committee on Finance.

Mr. PLATT. I present a petition of the Bricklayers and Masons' International Union of America, by one of its subordinate unions, at New Haven, Conn., relating to the passage of some law which shall secure to citizens of the United States the right to labor on Government works in preference to aliens.

I notice that petitions of a similar character have been this morning referred to the Committee on the Judiciary, but it seems to me that perhaps this petition should go to the Committee on Education and Labor. If there be no objection, I should like to have it take that reference.

The VICE-PRESIDENT. It will be so referred, if there be no objection.

REPORTS OF COMMITTEES.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1127) to pay Emma S. Cameron, widow of James Cameron, for property taken and used by the Army during the late war, reported it with an amendment, and submitted a report thereon.

Mr. ALLISON, from the Committee on Finance, to whom was referred the bill (H. R. 4970) to simplify the laws in relation to the collection of the revenues, reported it with amendments.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 371) for the relief of the Mobile Marine Dock Company, reported it without amendment, and submitted a report thereon.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (S. 2931) granting jurisdiction to the Court of Claims, notwithstanding any statutory bar, of the claims of J. F. Bailey & Co. and others, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 632) for the relief of P. B. Sinnott, late Indian agent at Grande Ronde agency, State of Oregon, reported it without amendment, and submitted a report thereon.

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

Mr. MITCHELL. That bill has heretofore passed the Senate three times. I ask unanimous consent, if it leads to no discussion, that the Senate allow it to be passed now.

Mr. VOORHEES. I shall have to object.

Mr. MITCHELL. I will not interfere with the Senator from Indiana, who desires to speak this morning.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 245) for the relief of Albert H. Emery, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 222) providing for the erection of a public building at the city of Norfolk, Nebr., reported it with an amendment, and submitted a report thereon.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 605) to increase the appropriation for the erection of a public building at Troy, N. Y., reported it without amendment.

Mr. MOODY. From the Committee on Pensions I report the bill (S. 1208) granting a pension to Sarah A. Blakely adversely, on the ground that her application is not completed in the Pension Bureau. I move that the bill be postponed indefinitely.

The motion was agreed to.

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

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

A bill (S. 2309) for the relief of Joseph O. Cotton, dependent father of Gregory H. Cotton.

Mr. WOLCOTT, from the Committee on Claims, to whom was referred the bill (S. 243) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased, reported it with an amendment, and submitted a report thereon.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 681) making an appropriation for the benefit of the estate of William Moss, deceased, reported it without amendment, and submitted a report thereon.

INTRODUCTION OF CONTAGIOUS DISEASES.

Mr. HARRIS. The Committee on Epidemic Diseases, to which were referred the amendments of the House of Representatives to the bill (S. 140) to prevent the introduction of contagious diseases from one State to another, and for the punishment of certain offenses, directs me to report them back and move that the Senate concur in the House amendments.

The VICE-PRESIDENT. The amendments of the House of Representatives will be stated.

The CHIEF CLERK. In lines 10 and 11, after the word "to," strike out the words "make an." In line 20, after the word "disease," insert "The said rules and regulations shall be prepared by the Supervising Surgeon-General of the Marine-Hospital Service under the direction of the Secretary of the Treasury."

The VICE-PRESIDENT. Is there objection to the present consideration of the amendments? The Chair hears none. The question is on concurring in the amendments made by the House of Representatives.

The amendments were concurred in.

ISAAC ENDALY.

Mr. TURPIE. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5751) to increase the pension of Isaac Endaly, to report it favorably. The claimant under this bill is ninety-eight years old and is utterly destitute of means except \$8 a month which he is drawing as a pensioner of the war of 1812. He is feeble in health, and time seems to be the essence of relief in his case. I ask for the immediate consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the pension of Isaac Endaly, a private in Captain Smith's company of Tennessee Militia, in the war of 1812 between the United States and Great Britain, to \$50 per month.

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

BILLS INTRODUCED.

Mr. INGALLS introduced a bill (S. 3178) for the improvement of Calcasieu River and Passes, Louisiana; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 3179) to grant additional bounty to the soldiers and sailors of the late war; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 3180) for the relief of John M. Robinson; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 3181) to constitute Port Washington, Wis., 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 Port Washington; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. COKE introduced a bill (S. 3182) for improving Aransas Pass; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HIGGINS introduced a bill (S. 3183) granting a pension to Amanda M. Smyth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FAULKNER introduced a bill (S. 3184) for the relief of Adam Kidwiler; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3185) for the relief of the trustees of the Presbyterian Church of Springfield, Hampshire County, West Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3186) for the relief of E. C. Trimble; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3187) for the relief of Robert Thompson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 3188) to increase the pension of Daniel Clark; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BARBOUR. I introduce a bill by request. I desire it noted that I am not committed to it.

The bill (S. 3189) to authorize the construction of the Potomac River Railroad in the District of Columbia, and to define the route of the same, was read twice by its title, and referred to the Committee on the District of Columbia.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. HARRIS, it was

Ordered, That the petition and papers of Asa B. Ayers be taken from the files of the Senate and referred to the Committee on Claims, there having been no adverse report thereon.

REPORT ON IMPORTED LIQUORS.

On motion of Mr. WILSON, of Iowa, it was

Ordered, That Senate report 610, Fiftieth Congress, first session, relating to imported liquors, be reprinted for the use of the Senate, including the views of the minority.

MARY B. LE ROY.

Mr. GORMAN. The Senate yesterday passed the bill (S. 314) for the relief of Mary B. Le Roy. There was a slight mistake in the bill, simply of a word. I ask that the votes by which the bill was ordered to a third reading and passed be reconsidered, so that the necessary correction may be made. It will only take a moment.

The VICE-PRESIDENT. The Senator from Maryland moves that the votes by which the bill indicated by him was ordered to a third reading and was passed be reconsidered.

The motion to reconsider was agreed to.

The VICE-PRESIDENT. The bill is before the Senate and open to amendment.

Mr. GORMAN. In line 7, before the words "to be," I move to strike out the word "same," and to insert the word "sum;" so as to read:

The sum of \$50 per month during her widowhood, that sum to be in lieu of her present pension.

The amendment was agreed to.

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

PUBLIC BUILDING AT TAUNTON, MASS.

Mr. HOAR. I desire to enter a motion to reconsider the vote by which the bill (S. 1548) for the erection of a public building at Taunton, Mass., was passed yesterday. I should like to inquire if that bill has been sent to the other House?

The VICE-PRESIDENT. It has not been.

Mr. HOAR. I wish the motion to reconsider to be entered simply, and the matter to lie over.

I desire to state that the motion to reconsider is made, not because of any doubt about the propriety of the bill, if it exists anywhere, but I understand there have been some little differences of policy between the draughtsmen of this class of bills in this body and in the other, and that it is possible there will be a conference before long on some other bill which will determine the policy of both Houses in regard to the matter. If that be true, this bill will be amended or not so as to con-

form to what the two Houses shall agree upon in reference to the other bill.

Several SENATORS. This is a Senate bill.

Mr. HOAR. It is a Senate bill, but if it goes down to the other House and has to be amended there, it will have to come back. If it goes to the other House in the shape which that body will probably pass it, it will not be delayed by a return.

The VICE-PRESIDENT. The question is on the motion to reconsider.

Mr. HOAR. I do not desire to have the motion put now. I desire simply to enter it, and leave it for the time being.

The VICE-PRESIDENT. The motion will be entered.

DEPRESSION OF AGRICULTURAL INTERESTS.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Chair lays before the Senate the resolution submitted on a previous day by the Senator from Indiana [Mr. VOORHEES]. The resolution will be read.

The resolution submitted by Mr. VOORHEES on the 17th instant was read, as follows:

Whereas the deep and widespread depression and decay of the agricultural interests of the American people, the enormous and appalling amount of mortgage indebtedness on agricultural lands, the total failure of home markets to furnish remunerative prices for farm products, the palpable scarcity and insufficiency of money in circulation in the hands of the people with which to transact the business of the country and effect exchanges of property and labor at fair rates, are circumstances of the most overwhelming importance to the safety and the well-being of the Government: Therefore,

Be it resolved, That it is the highest duty of Congress in the present crisis to lay aside all discussion and consideration of mere party issues and to give prompt and immediate attention to the preparation and adoption of such measures as are required for the relief of the farmers and other overtaxed and underpaid laborers of the United States.

Mr. VOORHEES. Mr. President, there is trouble at this time in the hearts and minds of the farmers of this country. There is a deep, strong current of discontent, anxiety, and alarm prevailing in all the farming regions of the United States, and that current is growing swifter, stronger, and more threatening every hour. The spirit of unrest, irritation, and reproach is abroad amongst the tillers of the soil to an extent never before known in American history. The millions who plow and sow and reap are being moved by a mighty and concerted impulse to inquire into the causes which have led to their present calamitous and oppressed condition.

I propose on this occasion to aid them to the extent of my ability in pushing this most natural and necessary inquiry and in securing an honest and truthful answer. The farmer is the progenitor of the human race, and was the first to stand in the presence of the Creator and to receive from Him the decree of the divine mind on the question of labor. From the farmer's loins has descended the human family, with all its widespread and far-reaching branches, and wherever his dignity, honor, and prosperity have been ignored or trampled under foot, there the worst forms of government and the darkest scenes of barbarism have been found. God created a farmer to begin with, and, in all the ages since, His blessings have been most abundant and His civilization most glorious in the history of the nations and peoples where the farmer has ranked highest and where his comfort and prosperity have been the greatest care and chief concern of government.

The foundations of all human progress are in the hands of the farmer, and are laid by him as he asserts dominion by his daily toil over the tremendous forces and illimitable resources of nature. Who fails to be fascinated by a contemplation of the commerce of the seas? The thought is a most inspiring one that at this moment the richly freighted ships of all the nations of the earth are moving through all the oceans, and swarming on all the coasts and into all the harbors known to civilized man; and yet all this mighty system of commerce, traffic, and exchange is as dependent upon the corn-fields and wheat-fields of the farmer as the fields themselves are upon the dews and rains and sunshine of heaven. How brilliant, wonderful, and awe-inspiring appear the great cities of the world to the casual glance of the unreflecting mind.

The ordinary traveler speeds on and on, thousands of miles through farm lands, gazing listlessly at farm houses and farm productions, thinking nothing of the vast fundamental lessons they teach, but looking eagerly forward to the problems, mysteries, and wealth contrivances of the crowded, speculating, stock-gambling city which he is rapidly approaching; and yet that city would wither and perish, shrivel back to a barren, naked beach; its wharfs would rot, and its swollen corporations and haughty millionaires would dwindle into poverty-stricken skeletons, no better fed than Pharaoh's lean kine, were it not that the fountains of all its wealth, support, and grandeur are kept open and running, day and night, by the cultivation of the soil in the great domain of agriculture.

Gilded palaces, baronial castles, marble halls, colossal estates outrivaling in value the richest dukedoms of the Old World, all draw their sustenance from the bosom of mother earth; their roots strike deep into the mold that is turned by the plow, and the farmer at last is made to pay for all. It is estimated that over twenty millions of the present population of the United States, counting all ages and both sexes, are engaged in the cultivation of the soil, and on their productive labor,

not only the Government itself leans for support, but also all other classes of citizens derive from the same source their prosperity, their wealth, and too often their profuse and criminal luxuries. Is it not well, therefore, in the present juncture of affairs, to turn away from less important questions and look carefully into the condition of the agricultural masses, who bear the burdens and constitute the strength and glory of the Republic?

Sir, it is now nearly thirty years since the crisis of a terrible war gave to unhallowed avarice an opportunity to prey upon the self-sacrificing patriotism of the country and to plunder the laboring people of their hard and honest earnings, such as was never before in the history of nations presented to the basest passion and most sordid and odious vice in the fallen nature of man. In all the financial counsels of the Government at that time, Mammon, the demon of riches for the favored few, seemed to preside and control.

Mammon, the least erected spirit that fell
From heaven; for e'en in heaven his looks and thoughts
Were always downward bent, admiring more
The riches of heaven's pavement, trodden gold,
Than aught divine or holy else enjoyed
In vision beatific.

Nor did this evil god of ill-gotten wealth, this fallen angel of greed and lust for gold, once a dweller in heaven, but now an inhabitant of hell, for a moment fall short of his delineation by Milton when, in his base, hard, grinding, and oppressive spirit, our present financial system, with its many and widespread branches and its far-reaching and destructive consequences, was organized and enacted during the war. No "vision beatific" of an unselfish patriotism, of mighty, mustering multitudes, comprising the flower of the land marching to the altar of self-sacrifice, and treading with high heroic step and mien the wine-press of the battle-field; no vision of a Union restored, a country united, and a flag floating in the sunlight of peace ever for an instant allured the thoughts or diverted the gaze of the American Mammon and his ignoble conclave when they were engaged in laying deep and strong the foundations of the plutocracy, the giant money power, which now governs and curses this country and its laboring people.

A system of finance has been fastened on the American people with more hands than the fabled Briareus, and each one with an itching palm to clutch the fruits of honest industry for the enrichment of those who toil not, and yet outvie in splendor many of the crowned heads of Europe. Of this oppressive system there are many parts and contrivances, all skillfully woven together like a great network and having all the time the same object in view, the taxation of one class of citizens for the enrichment of another class. It is sometimes said that certain old sins of the Government should not be recalled at this late day; that they have the sanction of time, wear a venerable aspect, and should be condoned.

When ministers of the christian religion cease to denounce the sins and crimes of the human race because they are old, "hoary and white with eld," then, and not till then, will the fraudulent manner in which our bonded debt was doubled on the tax-payer be forgotten; then, and not till then, will the demonization of silver be forgiven, and then, and not till then, will a high protective tariff, existing not for revenue, but as a machine with which to gorge, glut, and cram the privileged few at the expense of the many, cease to exasperate and inflame the indignation of the intelligent laborers of the world.

The tariff, with all its overwhelming prominence and its overwhelming oppression at this time, is but a part of the vast system devised more than a quarter of a century ago, whereby a moneyed aristocracy has been created, labor degraded and deprived of its earnings, and the Government itself revolutionized in spirit, and soon to be revolutionized in substance and in form. It is true that, while the tariff is only a part of the money-power system of Government, yet its place and agency in that system are of the most vital and commanding influence in its execution. To take toll from all the laboring men, women, and children of the United States on all their wants and necessities, not for Government revenue, but for the protection of the millionaire manufacturers, powerful corporations, trusts, and syndicates, is the base function of the tariff laws now on our statute-books.

Who has the hardihood to rise and say that such laws are now or ever have been or ever will be a blessing to the farmer? On the one hand behold the present condition of the farmer and on the other behold the towering peaks of the highest protective tariff ever known, with perhaps the exception of the Chinese wall. Will you dare go before the distressed farmers of the country in the approaching political canvass with the old, stale, worn-out falsehood that a high protective tariff is for them an event of joy, a rich benefaction, a season of prosperity, and of home markets at good prices? Such a lie in this year of 1890, like a murderer's prayer, will stick in the throat of him who tries to utter it. When you again push the tariff, with its enormous and unnecessary taxation on every article of farming life, into the farmer's weather-beaten and care-worn face as a wise policy for him, will he not exclaim in indignation at your fraudulent pretense—

Do men gather grapes of thorns, or figs of thistles?
Even so every good tree bringeth forth good fruit; but a corrupt tree bringeth forth evil fruit.

A good tree can not bring forth evil fruit, neither can a corrupt tree bring forth good fruit.

Every tree that bringeth not forth good fruit is hewn down, and cast into the fire. Wherefore by their fruits ye shall know them.

Are you willing to have your tariff tree, your protective policy, tried by this high and immortal standard? The able and distinguished Secretary of State under the present Administration, in a recent magazine article in reply to Mr. Gladstone, has pointed out certain periods in American affairs when, as he claims, there was general prosperity in connection with a protective tariff, and that therefore, by virtue of the unrepeatable laws of cause and effect, prosperity was begotten by protection, and the laboring people, the farmers especially, were blessed in their homes and at their firesides by being forced to buy what they needed in a high-priced market protected from competition and to sell their products, whatever they might be, according to the cheap prices prevailing in the London markets and in the other markets of the civilized world, where no protective policy is known and where the wheat and other great staples of the United States are brought face to face in competition for sale with the productions of the serf labor of Russia, the Sepoy servitude of the Indies, and the practical slavery of other portions of the globe.

I will not stop to controvert, as others have successfully done, the Secretary's accuracy in his statement of historical facts; I need not dwell on the past for the support of my contention that a protective tariff is a curse, and not a blessing. I am not dealing with a theory, but with a condition on which even a blind man, by brief, primary instruction, can look with unclouded vision and reach an unerring conclusion. What is the issue this day between the farmer and the restrictions, repressions, and extortions of a protective tariff? That is the question to consider; that is the question in which American farmers are now everywhere most vitally interested. Are they gathering figs, are they plucking good fruits from the policy of their Government? I challenge the advocates of the present system of protection to answer on this floor or anywhere else.

The farmers of the United States are this hour realizing, upon a general average, not more than 10 cents per bushel for corn, 50 cents per bushel for wheat, 2½ to 3 cents a pound for hogs, a cent and a half to 2 cents for fat cattle, and even this low and almost nominal rate of prices would be reduced to nothing at all, and the farmers would be brought in debt if the expenses of production as well as of transportation were taken into the account. The compensation to the farmer for the enormous and infernal tax he has to pay under the tariff on all he needs and all he uses has always been the loud, prolonged, and vehement promise of an eager, remunerative home market for all he raised and wanted to sell. Where is that home market? The farmer is hunting for it, and mourning because it is not to be found. Home market! What lies have been told in its name!

The ignorant charlatan and the designing knave have alike poured falsehoods into the ears of the people, assuring the unsuspecting, and those of easy faith in the direction especially of their party ties, that home markets are created and sustained by a protective tariff, until now, after all these years of deception and lucrative mendacity on the part of the money power and its advocates, thousands of farmers in different parts of the country, owning and tilling lands richer far than the Delta of the Nile, are pointing in derision and scorn of all tariff protection to their stoves and fire-places as their only home market for corn. The rich contents of their corn-cribs, the fruits of the year's toil, have become cheaper as fuel than wood or coal, and as they mournfully gaze on this great staple breadstuff turning to ashes for want of a market in this land of railroads, rivers, and lakes, it would seem as if all their hopes of relief at the hands of the party now in power would perish in the same way.

Experience is teaching a harsh and severe lesson to the American farmer, and the time will come, at no distant day, when he will look upon the proposition to tax him, his wife, and his children for the protection and benefit of other people besides himself and his own as he would look upon a law of Congress establishing the army worm, the weevil, and the midge in his wheat, legalizing locusts, lice, grasshoppers, and infecting his cattle with murrain and his hogs with cholera. It is not possible that the fraudulent and monstrous policy of taxing the farmer into poverty in order to make another class of people nabobs and millionaires can much longer delude and mislead any one fit to manage his own affairs and have the care of a family.

From year to year the farmer has been assured, and in certain quarters he is now again being reminded, that protection is extended to the products of his labor against the competition of similar products imported from abroad for sale in our markets. The protectionist who advances this argument is either himself a fool or an audacious knave, who assumes that the farmers to whom it is addressed are fools. Do the home markets of the United States invite the great staples of agriculture from foreign lands? Does the price of wheat, of corn, of cotton, of pork, and of beef in our markets excite the cupidity of the grain-growers and stock-raisers of Europe, Canada, Mexico, or South America? What need is there of a tariff duty to keep the products of foreign farms away from our shores, when in point of fact prices in American markets for agricultural productions pay the American farmer but little more than neighborhood transportation and nothing at all for his labor?

The farmers of the United States sell abroad and feed the world. Every pretense of protection for their home markets is a fraud; every duty laid on such articles as wheat, corn, cattle, horses, eggs, poultry, and other like productions of farm life and farm labor is a cheat and a sham, and is so intended. Under cover of a deceptive and pretended protection, which affords no protection at all for anything he has to sell, the farmer has been for years, and is now, compelled to pay taxes on the necessities of life after the following average rates: On woolen goods, an average of 70 per cent.; knit cotton goods, 39 per cent.; cotton clothing, 35 per cent.; cotton bagging, 44 per cent.; cotton ties, 35 per cent.; tin-plate for roofing, milk pails, and kitchen utensils, 40 per cent.; earthen and stone ware, 58 per cent.; chains, 44 per cent.; window-glass, 73 per cent., and sugar, 70 per cent.

To convince the farmer that he is protected and benefited by such an abominable system as this would seem to a rational mind utterly impossible, and yet in some instances it has been done. I recall one instance at this time, and I will venture to describe it to Senators as I have once before done to a popular assemblage. During the campaign of 1888, in one of our beautiful Indiana towns and in a very fertile belt of country, I witnessed a Republican procession. It had in it many industrial exhibits, claiming to show the power and the glory of a tariff laid for protection. As I scanned the long line of moving vehicles I caught sight of one that riveted my gaze and gave me much food for reflection on the power to mislead and deceive which was abroad in the land. It was a wagon driven by a farmer and loaded with the productions of his fields. There were specimens of corn, wheat, rye, hay, and oats; of potatoes, pumpkins, watermelons, and cantaloupes; of cabbages, beans, onions, pie-plant, and tomatoes; of apples, peaches, pears, grapes, and cultivated blackberries, and on each side of the wagon, in big staring letters, I read the following: "These are the fruits of protection." My first thought was that such a man would certainly become the victim of a bunko-steerer or a confidence swindler before he got out of town, but in a moment I reflected that he had been listening to the eloquent advocates of the monopolists, and had been persuaded that tariff protection had done more for him than the sun, the dews, the rains, and a rich and bountiful soil, with all his own labor thrown in.

The stupendous extent of this unfortunate man's delusion can only be estimated when you turn away from a political parade and look at him while at work on his farm. You there behold the poor, blind dupe breaking up his grounds, preparing them for crops, and then planting and drilling in his corn, wheat, oats, and rye with plows, harrows, planters, and drills on which he has paid out of his own pocket from 75 to 100 per cent., nearly double their real value, as a tariff tax laid for the protection and enrichment of the manufacturer of such implements in this country. You behold this enslaved and deluded victim of the money power cutting his small grain and his hay with a reaper and a mower for which he has paid twice what they would cost him but for a protective tariff.

He uses a double-priced hoe in his cabbage patch and a double-priced pitchfork at his hay-mow and wheat-stack, in order to enable the manufacturers of hoes and pitchforks to avoid foreign competition and thus get rich. He then puts a set of harness on his horses, taxed from the bridle-bits to the breech-bands and every buckle, link, and chain, hitches them to a wagon taxed 85 per cent., at least, on every bolt, spike, and tire that holds it together, and then, with a suit of clothes on his back taxed at about the same rate and with his wife by his side, also covered with raiment at twofold-protected prices, he starts to town shouting for the Republican party, the sideboards of his wagon proclaiming that the productions of his farm are the fruits of protection.

The fruits of protection! They were planted, nurtured, and gathered in spite of protection, and at a double expense because of such a curse in the statute-books of the Government. It is a notorious and self-evident truth that the tariff, as it now stands, increases the farmer's expense account from 35 to over 100 per cent. on every implement of husbandry with which he toils from one year's end to another.

The Mills bill attempted to place all fibers, such as hemp, jute, flax goods, and manila, used in the manufacture of twine, on the free-list. That just and moderate bill was defeated by the monopolists; and now, with a tariff of \$20 a ton and 40 per cent. ad valorem on twine, and also a twine trust, creating a close monopoly in its manufacture, thousands of farmers during last summer's harvest were not able to pay the increased price of twine-binders. They have been forced back to the machinery of their naked hands, and with bloody fingers and thumbs they have reflected upon the price of binding-twine, enhanced to 18 cents a pound by tariff and by trust. It is true that party prejudices are stubborn and hard to remove, but surely it is not too much to suppose that between these same sore fingers and thumbs a Republican ticket will not be found this year.

The very house in which the farmer lives is a monument to unnecessary, unjust, vicious, wicked, and criminal taxation. His barn is the same. There is not an inch of lumber, or a single nail, or a pane of glass in either of them which has not cost the farmer an average tax of more than 50 per cent., paid, not to the Government, but as a naked subsidy to the manufacturers of lumber, iron, and glass. His table, spread with dishes and with his daily food, is an altar reared to taxation,

on which he sacrifices three times a day to the unholy god of mammon now controlling the councils of the nations and devouring the enorced offerings of unpaid labor. His bed is not a place of untroubled rest; it is lined and stitched and quilted with dishonest taxes, which he is compelled to pay before he can draw his blanket over his weary frame and sink down to sleep.

But in discussing the effects of a high protective tariff on the farmer and on his struggles for a prosperous home, there remains for consideration another page of startling statistics and agricultural disasters. In high-sounding phrase and with the swelling note of a bugle proclaiming victory in advance, the advocates, the orators, and the essayists of protection are constantly boasting of the growth and development of the country, and citing its wealth as an evidence that their policy is sound and just. But is it true that there have been a healthy development of the true interests of the American people and an honest, beneficial accumulation of wealth in this country under our present financial policy, and more especially by virtue of the present system of tariff taxation?

The prosperity of huge corporations, the accumulation of vast fortunes in the hands of the few, the swollen bank accounts of trusts, syndicates, and protected manufacturers, are no more evidences of a people's wholesome growth and greatness than were the riches of Dives when he refused a crumb of bread to Lazarus, nor than the ill-gotten possessions of the Scribes and Pharisees who devoured widows' houses and made long prayers in the days of our blessed Savior on earth. The only genu ne strength, progress, and glory of a nation must arise from the increasing value of its agricultural lands and in the yearly incomes and substantial gains of its laboring people, thereby as a consequence securing their contentment and their happiness.

Sir, our present system of protective-tariff taxes was enacted twenty-eight years ago, and I deny that the farmers of the United States have been prosperous under its operation; I deny that they have had fair profits on their labor; I deny that they have had reasonable yearly incomes, or, on an average, any income at all, after barely securing the absolute necessities of life. On the contrary, I assert that while farmers have been compelled to continue the payment of war taxes in a time of peace there has been not only no increase in the value of their lands during the last quarter of a century, but an absolute loss of not less than 33 per cent.

Reliable statistics warrant me in saying that the improved farm lands of the United States, if put to sale to-day under the most favorable circumstances now possible, would not upon a general average realize more than two-thirds their value twenty-five years ago. Take the lands of the State of Ohio as an illustration of this startling fact. Ohio is one of the most favored States by nature in the American Union, and yet three years ago Governor Foraker, in an official address, comparing the value of real estate in 1857 with what it was in 1880 in that great Commonwealth, said:

There has been a heavy decline. Farm property is from 25 to 50 per cent. cheaper than it then was.

But the rich and productive lands of Ohio have been not only rapidly diminishing in value, but their owners have also been forced to mortgage them to a most alarming extent. It is estimated from official statistics that the mortgaged indebtedness of the farmers of Ohio reaches the enormous sum of \$300,000,000.

In Illinois, that empire of natural resources and vast cultivation, the showing as to her farming lands and farming interests is still darker and more disastrous. A recent number of the Bankers' Magazine, commenting on the report of Mr. John S. Lord, chief of the Illinois bureau of statistics, points out the fact that the private debts secured by mortgages of record in that State exceed \$402,000,000.

It is also shown that of this mortgage indebtedness \$181,000,000 is outside of Cook County, the farm indebtedness, exclusive of mortgages on chattels and town lots, being \$142,000,000, with an annual interest of \$4,919,000. Taking the entire average of the State, 23 per cent. of its whole face is under mortgage. The Bankers' Magazine characterizes these figures as stupendous and alarming, and yet there are other States with even worse records of debt and financial distress than Illinois or Ohio. According to the last report of the Labor Bureau of Michigan, over 47 per cent. of all the farm lands within her borders are under mortgage. During the last Congress the able and accomplished Representative of the Harper's Ferry district of West Virginia made the following striking and uncontradicted statement on the floor of the House:

I do not wish to make any statement that is not sustained by the facts, and so I have obtained the last report of the labor bureau of the State of Michigan, which covers an investigation into the mortgages on Michigan farms and which presents some striking figures. I stand here to-day and say that I have not the slightest doubt that the Michigan farmer is as industrious, as hard-working, as intelligent as the farmer in any other section of the country, and yet this official volume shows that 47 per cent. of the farm lands of Michigan are covered by mortgages and that the mortgages are 46 per cent. of the assessed valuation of the farms mortgaged. Compare the condition of the unprotected Michigan farmer with the condition of the protected owner of the copper mines in Michigan, the latter piling up dividend upon dividend, million upon million, out of the privilege granted him by Congress to tax the people of this country, while the farmer is working early and delving late and piling up mortgage after mortgage upon his estate. The farmers have neither the time nor the money to come here and besiege Congress about these matters. They are chained to their plow, to their daily labor. They can not come here to look after their own interests; but the owners of the copper mines and the other industries that

are protected and subsidized are here at all times in your lobbies, urging measures for their own benefit.

In Indiana, Kentucky, Missouri, Kansas, Iowa, Nebraska, and indeed throughout the whole Northwest, from 20 to 50 per cent. of the improved farms are covered by mortgage liens at such rates of interest as farmers can never pay out of the proceeds of their crops, much less also the principal. They are thus brought face to face with the loss of their homes, with ruin, and hundreds of thousands of them are standing in that attitude this day and hour. If, however, it is retorted, as we constantly hear, that the deplorable condition of Western and Northwestern farmers is local, exceptional, peculiar to themselves, growing out of their lack of thrift and skill, and not due to the general policy of the Government, it will only be necessary to turn our inquiries in another direction in order to find that the decay of values in farm lands and in farm productions has been even greater and more ruinous in the older Eastern States than in the West.

Sir, New England is the home of high protection; the busy brains of her people have been engaged from the beginning of the Government in devising tariff duties for other people to pay to the manufacturing classes, and she has placed her privileged few at the head of the money of this country, if not of the world. But like the boomerang as a weapon of war, New England's high protective-tariff policy is at last returning against her own bosom, and carrying widespread destruction to her farmers in their homes, in their lands, and in everything they possess. We are informed by Bradstreet's reliable journal, in an article on statistics—

That depopulation in rural New England is something to create wonder. Recent investigations by the State authorities of Vermont, New Hampshire, and Massachusetts show that an alarming number of farms in fair condition and once owned by thrifty farmers are abandoned entirely and turned over to the bramble and the thistle, untenanted and unrented.

And, again, we find the following careful and amazing statement recently made public in the press of the country:

The movement to recolonize Vermont and New Hampshire with Scandinavian immigrants has brought out some significant facts with reference to these two New England States. From the State commissioner of agriculture and manufacturing interests it is learned that good farming land is passing out of occupation. In the town of Reading, Windsor County, Vermont, 4,000 acres of lands which are now or have been in former times good farms are offered for sale. One-half of these, says the commissioner, are lands which formerly comprised good farms, but with buildings now gone, and fast growing up with timber; some of this land is used for pasturage, and on other portions the fences are not kept up, leaving old cellar holes and miles of stone walls to testify to a former civilization.

Such lands can be purchased at from one to two dollars per acre. The commissioner tells of having heard of one farm of 200 acres, with fair buildings and good soil, in the township of Chelsea, Vermont, which can be bought for \$100. In the township of Vershire, Orange County, there are from thirty-five to forty farms, contiguous or nearly so, abandoned or unoccupied. Many of these farms have a fair set of buildings on them, and others could be made comfortable with a small outlay. A recent telegram in the papers reported that fifteen families of Swedish immigrants had been engaged to settle in Vermont.

A gentleman in Jamaica, Windham County, has compiled a list and description of farms in that town from which the State commissioner takes the following examples:

"A farm of 200 acres, fair buildings, good sugar orchard, plenty of wood and timber, has been one of the best in the town, listed at \$810.

"A farm of 135 acres, good buildings, sugar orchard, fruit orchard, and in good state of cultivation, listed at \$700.

"A farm of 90 acres, good buildings, vacant only one year, with timber enough on the place to pay for it.

"A farm of 22 acres, good buildings, vacant one year, listed at \$225.

"A farm of 97 acres, good buildings, sugar and fruit orchards, a good farm, listed at \$700.

"A farm of 90 acres, in a high state of cultivation, must be sold, listed at \$755.

"A farm of 155 acres, the finest location in the town; has got to be sold for what it will bring."

The Vermont commissioner then goes on to say that in Essex County there are six towns containing 89,491 acres of land, on which there are probably all told not more than fifteen or twenty families. These are described as good lands, lands that will make good productive farms, well watered, and with timber sufficient for home consumption, wanting nothing but the energy, the bone and muscle to clear them up.

"In Newark, Caledonia County, twenty-five farms, only 3 miles from railroad, can be bought for \$3 to \$4 per acre."

This is only a partial report on the unoccupied and abandoned farming lands in Vermont. It is known to the commissioner that there are 5,000 acres of such lands in the town of Wilmington.

These are startling facts, and what is affirmed of Vermont is also true of New Hampshire and other New England States. Extensive tracts of land, once dotted with farm-houses, are now covered with young forest trees and brambles.

The only explanation offered by the Vermont commissioner is that, of the people who once occupied these farms, some have died, others have gone West and to the cities, and none have come to fill their places.

In still another account of agricultural decay and desolation in New England I find the following melancholy facts and figures:

Vermont is bad off, and New Hampshire is no better. The last Legislature of New Hampshire appointed Mr. Bachelder to devise means by which the farming interests might be restored, if possible, and waste fields be cultivated. He sent out letters, and the replies are said to be startling. In the town of Jackson alone thirty farms have been deserted, while in Bath there are 75,000 deserted acres. And so in fifteen other towns there are from one to thirty deserted farms, while in fourteen others there are in all 21,000 vacant acres, with tumble-down buildings, and this is said to be only the beginning of the list, which promises, on the basis of what has already come in, to be a revelation. The Boston Globe says the condition of the other Northern New England States is similar.

From New York and Pennsylvania sad stories also come of the manufacturer eating up the farmer. In fact, the tiller of the soil is being ruined by a system which creates an order of plutocrats, fosters monopolies, and begets all-devouring trusts.

Sir, in the face of these appalling facts and cruel figures of ruin to

the farmers of New England, as well as to the farmers of the Middle States and of the Mississippi Valley, who will now confront the country and eulogize the workings and the results of a system of tariff protection which, after a continuous trial of twenty-eight years, has accomplished nothing save the concentration, the amassment of enormous wealth in a few protected and privileged hands, depriving the people of a sufficient amount of currency in circulation, impoverishing and enslaving wage laborers, and inflicting upon farmers such a condition of financial wretchedness as to fill their hearts with bitterness and resentment against the law-making power of the Government?

With a cry resounding through the land for Scandinavians and other half-civilized races of Northern Europe to come over and recolonize American States that were of the original and immortal thirteen, who is there, here or elsewhere, to maintain and defend an economic policy under which such shameful disasters have overtaken the most meritorious, the most useful, the most honorable, and the most absolutely essential class of American citizens? With the depopulation of the agricultural regions of New England and their abandonment to the bush and the bramble; with a home market for the farmers of the United States generally for nothing at active rates, except mortgages on their lands on terms as to interest, amount, and time which render payment impossible, and foreclosure, sale, and dispossession swift and inevitable, surely it is not difficult to discover the character of the highway we are traveling or the end we are approaching.

This highway is not new; other nations have trodden it before, and have reached the overthrow of popular government and personal liberty, as we will unless the people speedily rise and rescue themselves from the awful condition in which they are involved. The improved lands of the United States, the homes of farmers, are passing under mortgage foreclosures from occupant freeholders to loan associations, to non-resident money-lenders, and becoming tenant rookeries, paying rent to a landed aristocracy. The meaning of all this is obvious in the light of history.

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and *farins* decay.

In the strong language of a gifted writer on this subject—

When darkness settled over Egypt and she lost her place among the great nations of the earth, 3 per cent. of her population owned 97 per cent. of her wealth. When Babylon went down, 2 per cent. of her population owned all the wealth. When Persia bowed her head, 1 per cent. of her population owned all the land. When the sun of Rome set in black despair, eighteen hundred men owned and controlled all the then known world. For the past thirty years—more particularly since the close of the civil war—the United States has moved rapidly along the path followed by these old nations. In 1850 our capitalists owned 37½ per cent. of the nation's wealth. In 1870, only twenty years later, they owned 63 per cent., having almost doubled their accumulations. They have more than kept up this ratio since 1870, and probably now hold fully 80 per cent. of the total wealth of the country. What proportion of the population holds this large per cent. it is not easy to determine, but it does not probably exceed 10 per cent. of the 60,000,000 who inhabit this country, and this per cent., so small in numbers, but so omnipotent in wealth, is using its immense power in every department of business and of government in the development and prosecution of schemes for making the rich richer and the poor poorer.

Sir, the inquiry as to the cause, or causes, of this appalling condition is earnest and universal among the laboring classes, and especially among farmers, at this time. The main answer is easy and obvious; it is to be found on the very surface of our affairs. Living under a plutocracy, the farmer does not own his full time and labor; he owns a part, but not all. He needs all the six days of the week in which to work for himself, his wife, and his children, but under the iniquitous system by which the tariff taxes him upon every necessary of life he is compelled to devote the proceeds of at least two days out of the six to the protection and enrichment of the robber barons.

One-third of his time the American farmer is a toiling serf for the payment, not of revenue to his Government, but of naked tribute to those who are protected in charging him from 25 to 100 per cent. more than it is worth on every article his wants compel him to buy. For two days' work, we will say, a farmer can earn a pair of blankets worth \$3 to make, but which are increased in price by tariff protection to \$5. To whom does the additional labor on his part, necessary to enable him to buy them, belong? The same question may be asked in regard to all his agricultural implements, his household and kitchen utensils and furniture, and all the clothing on his back, purchased in markets viciously protected in the right to add war taxes to prices for the benefit of the manufacturing monopolist on every article there sold.

Sir, we are all familiar with the name applied to a system of government by virtue of which one class owns the labor of another class, and it is a moderate and reasonable statement to make that the American laborer, and more especially the farm laborer, is already one-third slave by law, with the clutch, greed, and power of his master, the plutocracy, increasing the degree and the degradation of his servitude every hour. The relations of the laboring classes to the feudal barons of Europe during the Middle Ages were exactly the same in principle as those now existing between the laboring classes of the United States and the favored few, for whom they are hewers of wood and drawers of water.

Cedric the Saxon had no surer hold on the services of Gurth the swineherd than the lords of the money power have at this time on the hard earnings of American industry. Are we to be blind to the lessons of history? There is always a point in the oppression and enslavement

of labor where safety ceases and danger begins. A tax known as *corvée* in France, requiring and enforcing gratuitous labor on the part of the inhabitants of a district for their lord of the manor, was one of the sore grievances which led to the French revolution. A French writer thus describes the workings of this tax:

It consisted of a number of days' work which the seigneur had the right to require annually gratis of the serf, originated with Charlemagne, only ended by the revolution. It might be required at any day, any hour, at the pleasure of the lord of the manor. He might require any sort of labor: plow the lands of the baron, train his hedges, make and clean his ditches, repair roof or walls of his castle, and even beat the water in the pond all night to keep the frogs still so that monseigneur's sleep should not be broken.

Well might Mirabeau denounce the *corvée* tax as "the most cruel of all servitudes," and yet the French peasantry of that period were no more required to render gratuitous services to the French aristocracy than are the grain-growers and stock-raisers of the United States to-day to render gratuitous millions and hundreds of millions annually to the coffers of those whom a high protective tariff has made their lords and masters. It remains to be seen whether the American laborer at the close of the nineteenth century will be any more patient of a *corvée* tax on his time and his industry than was the down-trodden French peasant of a hundred years ago.

Sir, the aristocracy of money is always cruel and coarse and unmindful of all else save its own gains and meretricious splendor. Its lavish and ostentatious displays of ill-gotten wealth often light up the whole argument on the relations between labor and capital, and point to the soundest conclusions ever found in history. Who is protected and enriched by a protective tariff? has been a question of debate prolonged through generations, but can be best determined now by pointing out as object lessons the condition of our agricultural communities on the one hand and certain arrogant, ambitious, and dazzling demonstrations of wealth which have recently taken place on the other.

There came to this country, not many years ago, a subject of Great Britain, with a keen capacity and hungry instinct for the amassment of great riches. He became a citizen of the State of Pennsylvania and engaged in manufacturing iron and steel. The productions of his mines and his mills have been and still are protected in the American markets from foreign competition by tariff duties ranging from 40 to over 100 per cent. on imported iron and steel of various kinds and in various conditions. These enormous percentages have been added to the price of all his sales, and have been paid at last by the farmer, whether the sales were for the equipment of railroads or the equipment of farms. What has been the effect of this policy on Mr. Carnegie and his fortunes? We know that his laborers have not grown rich, for only last July he gave them notice of a heavy reduction in their wages and persuaded them into submission by the presence of Pinkerton men and Springfield rifles.

Who is it, then, if not the working people, that protection has pampered into more than oriental magnificence in the iron and steel works of Pennsylvania? Three or four weeks ago there was a banquet spread in this city, a description of which the next morning was the joy and the glory of the newspapers and the sensation of the whole country. Accounts were head-lined as follows: "Like Lucullus of old—Gorgeous dinner that rivaled an ancient Roman feast—Mr. Carnegie's entertainment—Over two thousand tulips and crocuses and thousands of roses used—A menu which almost the whole world furnished—Delightful musical programme."

We are informed that this banquet was given to the President of the United States and his Cabinet, and also to the delegates and officers of the International Conference, and the brilliant reporter proceeds to say that—

All that money could provide and taste suggest to combine beauty of surroundings with the enjoyment of an epicurean repast had been brought into requisition to secure the desired end, and the result was a success far beyond that anticipated, but none the less gratifying. * * * Undoubtedly it was the most elegant affair ever given in this city, if not in the United States. The room resembled a conservatory supplied with plants and blossoms. The side halls were almost completely hid from view by plaques of palmetto leaves, intertwined with Southern smilax, deep green and glossy, and which grows wild in the Carolinas, whence this had been brought. The north hall, back of where President Harrison and Mr. Carnegie sat, was a gem from the florist's hands.

Mr. PLATT (in his seat). President Harrison was not there.

Mr. VOORHEES. He sent his regrets, I believe. I heard the remark of the Senator from Connecticut and I was waiting for some such catch as that. President Harrison sent his regrets, and if he was not there he regretted it, for he said so. Would the Senator from Connecticut have been ashamed to be found there himself? I think conscience is coming to the surface somewhat.

Then, after a vast deal more of the same sort about "maiden-hair ferns," "palms 16 feet high," "mammoth four-leaf clover," "mounds of Ulrich Bruner, Gabrielle Luizeti, and Magna Charta roses," the reporter told a gaping world what the modern Lucullus, sired by a protective tariff, gave his guests to eat. Among other things, the farmers and wage-workers of the country were informed that the fish, being a "sole," was secured from England, the mutton from Scotland, and the spring chickens from Louisiana. The celery, olives, and anchovies were served in the finest cut glass, and the salted almonds and radishes in dishes of solid silver. The forks and table-ware used throughout the dinner were also of solid silver, while the plates and service com-

prised Haviland china, with the exception of the fish course, which was served on plates of royal Worcester." It is also stated that the silver alone on the table cost \$3,000.

To the farmer now in trouble, with a mortgage on his homestead, the interest unpaid, foreclosure approaching, no demand for what he has to sell, and no money in the house—to him I commend this picture of the Carnegie banquet as the best explanation of a high protective tariff ever before known in American history. At one end of the tariff question the manufacturer, the protected monopolist, spreads an imperial banquet-board, loaded with epicurean dainties from every clime, and flowing with wines costlier than nectar, while at the other end of the question farm laborers, wage-workers, and all who live by the sweat of their faces are in deep apprehension, in sighs, in distress, and often in tears. When I reflect on the bitter trials which the farmers are undergoing at this time and the depression and suffering attendant upon other working classes, there is but one other occasion of the kind which can parallel, to my mind, the impious mockery of Carnegie's entertainment.

Belshazzar the king made a great feast to a thousand of his lords, and drank wine before the thousand.

They drank wine, and praised the gods of gold, and of silver, of brass, of iron, of wood, and of stone.

In the same hour came forth fingers of a man's hand, and wrote over against the candlestick upon the plaster of the wall of the king's palace: and the king saw the part of the hand that wrote.

Then the sacred historian says the king was filled with terror, his knees smote together, and he cried aloud, and for a time in vain, for an interpreter of the writing on the wall. An interpreter came into his presence at last and, after taxing him with the use of the sacred vessels taken from the Temple of Jerusalem, said:

And thou hast praised the gods of silver, and gold, of brass, iron, wood, and stone, which see not, nor hear, nor know: and the God in whose hand thy breath is, and whose are all thy ways, hast thou not glorified.

How swiftly your minds anticipate the remainder of the old and sublime story! "Mene, Mene, Tekel, Upharsin" signified the downfall of a kingdom upheld by injustice, impiety, and crime. My earnest prayer and belief is that a handwriting, beginning in the banquet halls of unrighteous monopolies and spreading over the walls of all the farm-houses and homes of labor in the United States, is now heralding the speedy overthrow of a system of extortion and robbery more wicked and criminal in the sight of God and man than all the sins of Babylon when her robes were most scarlet with iniquity.

And now, sir, having pointed out, to some extent at least, the condition of the farmers of the United States at the present time and the widespread and crushing evils which have befallen them through the criminal policy of their Government, it remains as a part of my duty to suggest such remedies as I would adopt had I the power to enact and enforce them.

First. Tariff reform should be so thorough, complete, and unsparring that, after providing sufficient revenue for the Government, not one dollar would be further required of the farmer as protection to high-priced goods, wares, and merchandise, because of their being manufactured and sold by American monopolists. The only protection connected with tariff taxation should be a mere incident to a tariff laid for nothing else but Government revenue, and even that, when it enhances the cost of the necessities of life, should be wholly eliminated if possible.

A tariff enacted for the sake of protection, designed as a law whereby one class of our citizens is protected against competition in the manufacture and sale of articles at increased prices over their real value, is not only a violation of the Constitution, but a legalized crime, more distinctly at war with principles of liberty and equality than the stamp tax which caused the American Revolution. Such is the system now in existence. Its reform and revision on the basis of a tariff for revenue only would relieve the farming class of the payment of not less than \$500,000,000 annually extorted from them for the protection, aggrandizement, and enrichment of manufacturing monopolies, trusts, and all the kindred brood of ugly moneyed monsters which now infest the land and prey upon the people.

By the tariff reform which I indicate it would become the farmer's turn to enjoy protection; protection against high-priced markets in which to buy and low-priced markets in which to sell; protection in the ownership of his own time and labor; protection against the condition of a slave for two days out of every six, with monopoly as his owner and overseer; protection against class robbery, spoliation, and plunder; protection in the secure possession and enjoyment of his own earnings without being compelled to divide with legalized looters or pay ransom to financial brigands. I am for this kind of protection, and it would afford immeasurable relief where relief is most needed and most deserved.

Second. A full supply of legal-tender money in the hands of the people, proportioned in amount to the population and business of the country, is as essential to the prosperity of the farmer as a sufficient quantity of blood is to human life. It is nowhere denied that there is at this time a meager and stunted volume of currency in circulation amongst the producing and business classes. This fact is owing largely to the absorption of money by the monopolies at the money centers and to a great extent also to the growth of population and the expan-

sion of business without any corresponding increase in the amount of our circulating medium.

The figures of the census and the statistics of finance show that, while our population has increased 25,000,000 in the last twenty-five years and the requirements of business for the use of money has increased in the same proportion, yet there is in fact less money in actual circulation in the hands of the people or attainable by them for daily use than there was a quarter of a century ago. It is the constitutional power and the constitutional duty of the Government to authorize and enact by its stamp, on either gold, silver, or paper, a sufficient amount of money, full legal tender in quality, to meet the sound and healthy demands of the people in their trade, their commerce, and their development of the physical resources of the country.

Thus the Supreme Court of the United States has decided, and thus, in despite of those interested in the scarcity of money, in low-priced property, and in cheap labor, the law stands settled. With the power in Congress to declare what shall be money and how much shall be issued what necessity can there be for the farmer to offer his lands to the Government as security for a small loan in his sore distress? He has a higher right than this to a much ampler and more enduring relief. I fully agree with the Senator from California [Mr. STANFORD] in his statement that "an abundance of money means universal activity, bringing in its train all the blessings that belong to a constantly employed, industrious, and intelligent people."

I do not, however, agree with him that the land-owners of the United States, the sovereign people who own and support the Government, should be left to become borrowers at the door of the Treasury on their mortgaged homes at one-half or one-quarter of their assessed value, or at any other appraisal. I do not agree with him that such a system would in the long run bring any relief at all. The owners of the soil stand on higher, safer, and more dignified ground. The Constitution of the United States confers the power on Congress to create and issue all the money needed for the relief of the people; and for the value, the integrity, the good faith, and the final redemption of this money all the lands between the two oceans, all the homes on the farms or in the cities, all the wealth of monopoly and of corporations, all the credit, resources, and honor of the Government itself stand pledged and will stand pledged forever.

Let Congress, on such a pledge, such a mortgage, furnish to the laboring masses and the active business interests of the country an amount of currency in proportion to population and trade, and every active industry will be stimulated, prices for agricultural produce will become remunerative, mortgages will be paid off, old debts will be wiped out, wages will increase to a fair exchange for work in the shops and in the coal mines, the wrinkled visage of hard times will be smoothed, and homes now dark with gloom and distress will smile with peace and plenty. The largest amount of legal-tender notes (greenbacks) known in our financial history since the war was \$432,757,604, and that at a time when our population was 25,000,000 less than it is now.

The present amount of the greenback circulation is \$346,681,016, being a contraction of the currency, for an enormously increased population, of \$86,076,588. Had I the power, I would, as a measure of justice, wise policy, and permanent relief to every worthy and industrious class of citizens, restore the greenback circulation to the highest point it ever reached in time of peace, and there maintain it. Let the \$86,076,588 be reissued, with debt-paying power, and the humiliating idea of mortgaging homesteads for small loans will disappear forever. No speculative disturbance in values would follow such an increase of our circulation, for it would even then be too small in its ratio to a population of 60,000,000 and to the giant developments yet to take place in this Union of forty-two States.

Third. The free coinage of silver also presents itself as a measure of relief to the American farmer and to the laborer for daily wages. Argument against the use of silver money to the full extent of all our silver resources is never heard in the channels of trade nor in the fields of active industry. Its enemies are not to be found in the ranks of labor, but in the sumptuous council chambers of the arrogant plutocracy, where the chief aim and end of government is to increase the power of money over lands and houses and over men and women by making it scarce and hard to obtain by the plain, unprotected people.

Those who affect an alarm at silver inflation are mostly those who are bent on the contraction of all kinds of currency in order to increase the purchasing power of the money which monopoly and privilege have already given them. The financial credit of no nation in the world stands higher than that of France, and the circulation of silver amongst the French people is \$14.67 per capita, while it is but \$2.72 per capita with us. With more silver products than all the world besides, the people of the United States are demanding fair play for silver money and the assistance and stimulus of its unlimited coinage and circulation. With all the discrimination that has been made against it, with all the sneers and calumnies that have been heaped upon it, gold can buy no more in the markets than silver and can carry its aristocratic head no higher than the dollar of the fathers. The adoption of the free coinage of silver will mark an era of prosperity to the American farmer and to all the industrial classes.

Fourth. Another measure of relief for the embarrassment and de-

pression of agricultural interests and the disturbance of their markets should be the prompt enactment of laws, either by Congress or by the States, or by both, punishing with State's prison imprisonment those who speculate on the great food products of the world and gamble on their future prices, without ever having owned a bushel of corn or wheat, or a pound of beef or pork, or of any other commodity which they assume to buy and sell. This is an interference with the honest, legitimate trade of the farmer which should be made a felony and punished as such.

Fifth. To the foregoing propositions in the interest of the farmer I would add a liberal policy of pensions and a full and generous recognition of those who served their country in the hour of its peril. Money paid in pensions to the soldier is not only a benefit and blessing to him and those who are dear to him, but also to the produce dealer, the merchant, and to all within the range of its circulation. But for the large sums which for years have been disbursed by the Pension Office and thus reached nearly every neighborhood in the United States and gone into general circulation the present financial crisis amongst the farmers and laborers would have come at an earlier day. As a beneficial measure, therefore, to all, as well as a duty of the most sacred character, the soldier should be paid by his Government as one who was willing to die for his Government. On that lofty basis his equities are without limit, and justice should at all times stand ready to enforce them.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which is the bill (S. 185) to aid in the establishment and temporary support of common schools.

Mr. HARRIS. Mr. President, I ask the unanimous consent of the Senate that the unfinished business may be informally laid aside until the Senator from Indiana shall have concluded his remarks.

Mr. VOORHEES. I shall conclude in five minutes.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and the Senator from Indiana will proceed.

Mr. VOORHEES. Mr. President, those who have sought to reform the enormous abuses growing out of consolidated wealth, legalized avarice, and educated rapacity have in all ages been met with the most vindictive, unsparring, and sanguinary hostility of which history makes any record in the affairs of men. Those who have invaded the seats of ancient wrong and disturbed the enjoyments of privileged oppression have in every era of human progress been assailed as enemies of law and order, seeking to break down the safeguards of society, as agitators, fire-brands, iconoclasts, and traitors to their government.

Evils which have grown venerable and hoary in plundering the toiling masses of mankind have always been upheld by caste and aristocracy, whether in council, debate, or by the steel-clad hand of war, or by the ghastly gibbet. It was the awful denunciation of the mighty Nazarene hurled against those who were "full of extortion and excess," rather than the preaching of a new dispensation, which inspired the accusations before Pontius Pilate; and those who followed Him with bitterest execrations and most insolent triumph to his death agony on the cross were the usurers, the money-changers, the accursed plutocracy of Judea. And from that great hour to this the resentment of chronic and corrupt riches, entrenched behind accumulated laws and constructions, has known no bounds at the intrusion of the reformer. It has been the most evenminded and merciless sentiment ever known to infest and pollute the human soul.

The ablest statesmen and the broadest philanthropists have not been spared when found, in any age or in any part of the globe, laboring to reform the abuses of concentrated wealth. John Bright led the column of reform for the repeal of the corn laws of England, laws imposing tariff duties on the importation of corn into Great Britain, thereby protecting the landed aristocracy in selling their corn at high prices to the laboring classes, who were compelled to have it or starve. He took the side of justice to the working people as against the proprietors of vast estates, and a recent writer says:

For many years Mr. Bright was assailed incessantly, and with extraordinary vehemence and rancor, and as an incendiary agitator who provoked the poor to regard the rich with envy, jealousy, and hatred; as a reckless demagogue who wished to destroy all those ancient institutions which had made England great; as the friend and ally of the worst enemies of his country; as a traitor who cared nothing for her safety and honor. Now that the stormiest of those times are sufficiently remote to be recalled without bitterness and passion, even those who were Mr. Bright's most loyal supporters may see that it was natural, perhaps inevitable, that he should have been regarded as a revolutionist. For during the greater part of his political life he was the strenuous assailant of laws and institutions which were protected by the interests, by the affections, by the convictions, and by the traditions of the wealthiest and most powerful classes in the state. He became known by the energy and vehemence with which he attacked the corn laws. He did not merely argue against them as economically indefensible; he denounced them as criminal.

Thomas Jefferson, more than a hundred years ago, laid the hand of reform on the laws of primogeniture, the laws of entail, and the union of church and state, and as a consequence was painted as a Jacobin and atheist, an enemy to God and man, by the orders of privileged society and by the same powerful classes which afterwards so fiercely sought the destruction of the great British statesman and reformer. No one need suppose that the same rule will not prevail now. The tariff reformers of the United States in the present crisis will encounter

a hostility filled with all the wickedness, corruption, and malevolence which more than \$500,000,000 a year as a clear robbery from the people and a clear bonus to protected monopoly can inspire.

All that money can do to subsidize the press and fill its columns with false arguments, false statements, and false accusations against tariff reform and tariff reformers will be done; all that corruption funds can do in carrying elections by venal blocks of five, and in thus defeating the advocates of honest and equal taxation, will be accomplished; and all the arts of intimidation on one hand and alluring seduction on the other, in the bestowal of office and the distribution of official patronage, will be resorted to, in order to retain the ascendancy of the money power over the possessions and liberties of the people. In the face of these things, however, and with a full knowledge of what is before us, we will gird up our loins like men and go forward to the fight.

The battle may be long and weary, and some of us may fall in the conflict or sleep in peace by the wayside before it is over; but after awhile, amidst the glad shouts of liberated millions, the sun will go down on a great and final victory of the eternal right over legalized wrong, of freedom and equality over caste and servitude. Hail mighty day of the swift-coming future!

Born of the seventh generation of farmers in an unbroken line on American soil, inured in my youth to their daily labors, and made familiar with their hardships and privations, it is my birth-right to speak for their deliverance from oppression and their restoration to prosperity, dignity, and honor. This I have here and now aimed to do on principles fully indorsed by the people of Indiana when they sent me to this body, and to that intelligent and just-minded people I hold myself responsible.

Mr. WILSON, of Iowa. Mr. President, I desire to occupy the attention of the Senate but a few minutes in order to give an Iowa farmer, not present, but whose expressions I will use, an opportunity to answer the remarkable speech we have just heard from the Senator from Indiana [Mr. VOORHEES].

Mr. BLAIR. What does the Senator desire? simply to read that piece of paper which he has before him?

Mr. WILSON, of Iowa. I shall not occupy, I think, more than five minutes.

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. BLAIR. I yield for that purpose, but give notice that I can yield for no other.

Mr. WILSON, of Iowa. In Des Moines County, Iowa, resides a farmer whose name is Charles M. Garman. He knows by practical experience more about the condition of farmers and the farming class than the Senator from Indiana has learned all his life through his reading and his theory. I desire now to read the case as presented by this Iowa farmer. He says:

In 1846, as my books show, we got only 10, 12, and 15 cents for corn, and wheat in proportion. I remember selling hogs in Schenck & Denise's pork-house in this city—

That is the city of Burlington—

for \$1.50 per hundred net. Sometimes I would have to stay in town, pay a hotel bill, take my turn while the hogs were weighed and slaughtered. Sales were made in this city to-day for \$3.50 gross. Every practical farmer knows the difference between \$1.50 net and \$3.50 gross. I remember seeing Joab Comstock hauling wheat into town with an ox team and selling it for 37 cents a bushel. That was in 1846. That year we got 10 cents for corn and 8 cents for oats.

Now, that would not have been so bad if we could have bought everything we wanted as cheap in proportion. But unfortunately for us, that was not the case. We had to pay \$3 a barrel for salt, which we can buy now for \$1.20 to \$1.30. A farm wagon cost \$140. We can buy now a much better wagon for \$60; and hardware we can buy cheaper. A dozen files, for instance, can be bought now for the price which we then paid for one. That was not an exceptional case by any means, but all along through those years prior to the adoption of the protective tariff, in 1861, there was not any great opportunity for farmers to make money. We had to pay \$50 to \$60 for a good overcoat which can now be bought for \$15 to \$20, and nobody ever imagined that a good suit of clothes could be bought for \$10.

With the development of our manufactures in this country and a diversity of industries an immense amount of farm products is now raised for which there was then no market. And the rates of interest are much lower now than then. I remember paying as high as 22 per cent. before the war, but money can now be had for from 6 to 8 per cent. We used to pay \$250 to \$300 for a harvester; now we can buy one with binder complete for \$100. So it was at every point where the interest of the farm is touched. We can get better prices for our products and we pay less for what we buy. Occasionally there is an article, like sugar, that is an exception to this. We sometimes bought sugar as cheap as now, but it was not as good a quality; mostly common brown sugar.

Then there is another thing to be considered. Farmers now buy a great many things that in those days were unthought of or would have been looked upon as luxuries and extravagance. Our houses now have carpets and furniture, and a great many conveniences that we could not have afforded in the days of low tariff. We dress better, we have better houses, they are better furnished. We have better farm implements. We have a great many comforts that were not enjoyed by the pioneer farmer. These things, of course, cost money. If we would live as plain now as in those days and do as little for schools and churches and the requirements of social life, we could probably put more money in the savings-banks than we do now. But the modern farmer is intelligent and progressive, and wants to keep abreast of the times. He is a reading man and takes a list of newspapers and magazines that in the days of low tariff would have appalled him by their expense. Every farm-house has its little library. The prosperous farmer keeps his family carriage, and in a multitude of ways he indulges in expenditures that he would not have thought of in the days of low tariff.

I commend these expressions of the Iowa farmer to the calm, deliberate consideration of the Senator from Indiana, and I think they will

enable him to make in the course of time a very different speech concerning the farmer and the tariff than the one to which we have listened to-day.

Mr. STEWART. I ask the Senator from New Hampshire who has charge of the educational bill to give me about five minutes to make a remark or two.

The PRESIDING OFFICER (Mr. SPOONER in the chair). Does the Senator from New Hampshire yield?

Mr. BLAIR. Mr. President, I do not know what to do about it.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. BLAIR. The Senator from Nevada spoke to me and said he wanted to occupy five minutes. The Senator from Iowa had before that desired to put in his farmer's communication. If the Senator from Nevada wants but five minutes and the Senator from New York will not object, I shall assent, but it must be understood that we are limited.

Mr. EVARTS. I shall not object, Mr. President, to five minutes more being taken on this side, but it must be understood, I think, that it can not be extended beyond that time nor in favor of any other speech.

Mr. VOORHEES. It does seem to me that the Senator from New York ought not to be asked to yield; certainly no further than that. I apologize to him myself for having trespassed upon so much of his time.

Mr. STEWART. I will take only five minutes.

The PRESIDING OFFICER. The Senator from Nevada will proceed.

Mr. STEWART. Mr. President, I listened attentively to the speech of the Senator from Indiana, and while I concur with him that there is great distress in the country, that prices are low, and that times are hard for the farmers, I differ with him most radically as to the principal cause. I concur with the Senator as to the last portion of his speech in which he contended that there is not a sufficient circulating medium. I maintain that a shrinking supply of money is the sole cause of the present depression in business and low price of farm products.

I challenge any one to name a time in the history of this country when high prices for farm products prevailed with a low tariff or to show any time since the formation of the Government when free trade was approached which was not followed by falling prices of farm products without a corresponding decline in manufactured articles. Free trade withdraws our money to pay for foreign productions and produces contraction at home. It also destroys our home market, which is 95 per cent. of our whole market.

I will undertake to show, whenever time will permit, that low prices and hard times are always coincident with low tariff and stringency in the money market. Contraction and low tariff are twin sisters. Their union is always disastrous. Either is sufficient to produce stagnation and distress. The two combined lead to bankruptcy and ruin.

When silver was demonetized the tariff was, and had been for more than twenty years, higher than it is now. The price of farm products and the wages of labor were during all that period more than 33 per cent. higher than at the present time. The tariff has been largely reduced since silver was rejected, and still prices have continued to go down. From 1850 to 1873 the annual supply of the precious metals from which money could be made was nearly two hundred millions.

The demonetization of silver cut off more than one-half of the supply of money metal. The production of gold has not been more than sufficient to keep good the stock of metallic money on hand. The growth of population and business has enormously increased the demand for money, while the supply has not increased. The result is money has gone up or become more valuable, or, what is the same thing, the average range of price of commodities has declined and will continue to decline so long as contraction of the circulating medium continues.

I make these suggestions at this time because I regard it of the first importance that the depression and hard times which now prevail should be attributed to the right cause, and that the right remedy be applied.

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 17th instant approved and signed the act (S. 1701) making an appropriation for the removal of a dangerous obstruction to the entrance of the harbor at Milwaukee, Wis.

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

An act (S. 308) to ascertain the amount due the Pottawatomie Indians of Michigan and Indiana;

An act (S. 306) for the erection of a public building in the city of Lansing, in the State of Michigan;

An act (S. 801) granting a pension to Miss Elizabeth A. Tuttle;

An act (S. 806) granting a pension to Cyrus Tuttle;

An act (S. 807) granting a pension to Mary E. Noll, widow of Philip Noll;

An act (S. 810) granting a pension to Eliza A. Talbott;

An act (S. 813) granting a pension to Stephen Schiedel;

An act (S. 2994) to authorize the construction of a bridge over the Arkansas River, in the Indian Territory;

An act (S. 296) vesting in the vestry of Christ Church, Washington Parish, District of Columbia, all of the right, title, and interest of the United States of America in and to square south of square 1092, in the city of Washington, District aforesaid; and

Joint resolution (S. R. 63) providing for taking the census of Alaska.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House insisted upon its amendments to the bill (S. 895) to provide a temporary government for the Territory of Oklahoma, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STRUBLE, Mr. PERKINS, and Mr. SPRINGER the managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 346) to amend "An act to grant the right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes;" and it was thereupon signed by the President *pro tempore*.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 185) to aid in the establishment and temporary support of common schools.

The PRESIDING OFFICER (Mr. SPOONER). The Senator from New York [Mr. EVARTS] is entitled to the floor.

Mr. EVARTS. The Senator from North Dakota [Mr. PIERCE] desires to address the Senate on this bill, and finds it more convenient to do so at this moment than at any other; and I yield the floor to him for a brief address which he proposes to make.

The PRESIDING OFFICER. The Senator from New York yields to the Senator from North Dakota.

Mr. PIERCE. Mr. President, I am indebted to the courtesy of the Senator from New York [Mr. EVARTS], who has been accorded the floor at this hour, as well as to the kindness of the Senator from New Hampshire [Mr. BLAIR], for the privilege of speaking for a few minutes on the pending bill. I shall not abuse their kindness. I hope, Mr. President, that I shall have an opportunity to vote on a motion to postpone this bill until the second Tuesday of December next. I should do this in the hope that it could and would be so amended as to divest it of its objectionable features and yet secure in a large degree what seems to me its most righteous objects; for I recognize, sir, the magnificent design of this measure. It is grand in its conception; its object is worthy of the care, the love, the labor, the devotion which its distinguished author has bestowed upon it.

But I fear it is too stupendous in its scope, too liberal in its grants, too royal in its benefactions to be supported without something more than a *belief* that its terms are wise and that the vast expenditure authorized by its terms will yield the harvest hoped for by its friends.

The sum appropriated by this bill is more than three times the amount required for the entire annual civil expenses of the Government. It is twelve times the amount required for our Indian service; it is four times the sum needed for naval expenses, and nearly equal to our entire annual expenditures for pensions. It would pay the interest on the public debt for two years. It would sustain our postal service for eleven years.

These facts do not argue against the wisdom of the measure, but they do admonish us that we should be well assured, not only of the justice of the bill, but of the faithful application of the money before we proceed to vote it away.

But, sir, I did not rise to debate this bill. That is unnecessary after six weeks of discussion, even if I had the ability to add any valuable suggestions to what has already been said. I desire simply to correct a misapprehension regarding the new States which seems to be entertained in this Chamber.

It has been said to me and to others, personally as well as in debate, that it is rather ungenerous for the new States, which have received such liberal grants for educational purposes, to vote against an appropriation for the benefit of States that have not received such grants. But I find, Mr. President, that every State admitted since 1802 has received donations for this or a like purpose, while appropriations of money for their benefit and for the benefit of the original States are counted by hundreds of millions of dollars. Aside from this, I desire to call attention to the fact that the public-school system of the new States, excellent as it is, owes nothing thus far to the bounty of the General Government.

Not one cent has been received for this purpose. The donations of land made a year ago will form a grand educational fund for the future, but they are not yet available. Our schools in Dakota have been maintained and our school buildings erected from the proceeds of direct taxation. It is a fact, Mr. President, that our people are poor. Agricultural communities are usually poor compared with the condition of commercial classes. Unfortunately, rich men are the exception among such communities in Vermont and New Hampshire as well as in North and South Dakota.

But, sir, poor as they are, they have not forgotten the lessons instilled in their minds, and in the minds of their fathers before them, long before they took up their homes in the West, a lesson which happily has been learned at last by every community North and South alike. The people of the new States are grounded in the conviction that education is the parent of progress, the hand-maiden of advancement, the bulwark of free institutions, and upon that line and in that faith they have labored.

In North Dakota alone we have to-day, with all our poverty, with all our shortcomings, 1,362 public schools, giving employment to 1,741 teachers.

In the last five years there has been paid by these "destitute," "suffering," "unfortunate" people, who, it is sometimes feared by our good brethren, "have been granted the boon of statehood too soon," more than \$3,000,000 for public education. A State institution of learning has been established which would be creditable to any Commonwealth, and at whose head sits one of the brightest educational lights of New England, while in the State are five denominational colleges and higher schools, all prospering and, I believe, in the future to prosper still more abundantly.

All these schools have been supported, are now being supported, not by the generosity of the National Government, but out of the precious savings of men and women who, recognizing the blessings of free schools, cheerfully contribute to their maintenance. In the whole State, out of a population of about 200,000, there were, according to the decennial census of 1885, taken by authority of the General Government, but 1,403 persons, all told, who could not read and write. I find by a recent report that in six towns of the State, out of an enumeration of 4,089 children of school age, 3,900 are pupils in the public or private schools.

These people have labored, have sacrificed, have submitted freely to taxation to place their system of education on this prosperous plane. Is it exactly fair or just to come forward now and require them to be taxed for the benefit of those who have not made such sacrifices?

This favorable exhibit of North Dakota might be carried into material, social, and religious conditions, but this is not the time to present them. The showing of South Dakota, and I doubt not Montana and Washington, would be equally favorable. Let me in one sentence assure the Senate and the country that States with such records to sustain them will be abundantly able to vindicate the wisdom of their admission and their right to representation upon this floor at the proper time and in the proper place.

But now we are called upon to vote \$79,000,000 toward dispelling the cloud of illiteracy which overhangs other parts of the country. I simply wish to call attention to the fact that North Dakota, poor as she is, undeserving perhaps as she is, does not require and does not ask, for herself, this bounty. The Senator from New Hampshire says that the two Dakotas would pay about \$500,000 and receive \$59,000 in return. But this estimate, bad as it is, is based upon the census of 1880, and does not show the full burdens that the bill would entail upon us. So far as I am able to judge the State of North Dakota alone would pay \$400,000 into this fund and receive practically nothing in return.

Mr. President, the people of the West are proverbially generous, but this is asking too much of them. It asks the people of my own State, compelled as they are to contend not only against unfavorable seasons, but against unjust, ungenerous, and arbitrary interpretations of law, to give of their scanty earnings money to educate the illiterate of States old enough, grand enough, big enough, and rich enough to care for themselves.

If there is any duty which the Government owes to the race it has emancipated, any assistance it should render to those kept so long in compulsory darkness, I for one should be glad to discharge that obligation. We may owe it to them as wards of the nation, we may owe it to the people among whom their lot has been cast, and who must necessarily have a hard struggle to dispel the mass of illiteracy in their midst. But the bill under consideration goes far beyond a duty of that character.

It undertakes a gigantic, a wholesale task of education; and in doing so it reverses the general rule of human action; it violates the practice of the very system it advocates, which gives to the deserving scholar the reward of merit, putting instead a premium on illiteracy and bestowing the grand prize on those who have done least to merit it.

And where shall the national generosity stop? Where can it stop if this be once begun? The bill makes provision for nine years. But what then? Can you cease the work when once it has been entered upon?

Mr. President, when you begin this national aid it will be like the spirit summoned by the magician's Fabulus, it can not be stopped or dispelled. Once accustom the States to a reliance upon Federal aid for the support of their schools, and their own pride will diminish and dependence will be the rule.

Do not cheapen education in the sense of making it obtainable without an effort. That which costs nothing, which is gained without labor or sacrifice, is, as a rule, without benefit to the recipient.

It is easy to make this appropriation now with an overflowing Treasury.

It may not be so easy when financial clouds are lowering and taxes are wrung from a burdened people.

Mr. President, there seems to be some doubt as to whether the Republican party has pledged itself to a measure of this character. It is affirmed and denied. But there are some things which it did pledge itself to favor and support, and in such language as to leave no doubt of its meaning. It declared itself in favor of both gold and silver as money, but we have acted upon no measure of this character because for weeks we have been engaged upon this educational bill. It pledged itself to a policy which would give employment to labor, activity to our various industries, promote trade, open new and direct markets for the produce of our farmers, and cheapen the cost of transportation. But we have done nothing, for our time has been occupied by this educational bill. It declared that the gratitude of the nation to the defenders of the Union "can not be measured by laws." It said "the legislation of Congress should conform to the pledges made by a loyal people and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform should become the inmate of an almshouse or dependent upon private charity." But the dependent-pension bill is waiting consideration in this Chamber to-day, crowded out by the educational bill.

Mr. President, I want to see those pledges fulfilled. I want them fulfilled first. They will be fulfilled, I have faith to believe, when this measure no longer bars their progress. Let us be just before we are generous. There will be time to shed the beneficent light of education on the comparatively few not now enjoying its advantages, when we have saved the farmers of the nation from ruin and the old soldiers from beggary. Men do not perish bodily for lack of intellectual nourishment. A few months, a year's delay of this measure, will not result in disaster; but, sir, a few months, a few weeks, even a few days may be vital in the cases of thousands of veteran soldiers who have waited and waited long for promised justice.

There has come under my notice alone, as a member of the Pensions Committee, at least a dozen cases of soldiers whose just applications are pending before Congress or the Pension Bureau and who have "spread their tents" on "Fame's eternal camping ground" in the past twelve months, dying with the bitter reflection that the Government had forgotten them. I do not expect, sir, to satisfy all who present claims against the Treasury. That is impossible. But let us redeem our pledges to these men, and redeem them without delay. I do not wish to be misunderstood regarding the author of this bill. There is no warmer friend of the soldier in this Chamber than the Senator from New Hampshire. But I sometimes fear that his zeal for his favorite measure blinds him somewhat to the emergency that is upon us, to the immediate necessity of legislation on undisputed measures of supreme importance: legislation for the relief of the veterans of the war; legislation for the relief of that alarming depression in our great agricultural industry which extends like a black pall from the Atlantic to the Pacific and from Maine to Florida.

The Senator from Indiana [Mr. VOORHEES] has just spoken on this subject in eloquent terms. The picture he has drawn of the condition of our farmers is a dark one, but, sir, it is scarcely magnified. I echo many of the warnings he has given; but I call attention to the fact that he offers no definite, and only a general, remedy. He suggests no digested measure of relief, only general propositions, and the trouble is that he, with the rest of us, has allowed the pending bill to stand in the door of progress for two months without protest.

Sir, these sweet words of ours "butter no parsnips;" they remind me of a declaration made by that eminent American philosopher, Josh Billings, who said that when a man was hard up he would rather have ten dollars in greenbacks than ten thousand in christian consolation. What the people want is action, not words, words flowing steadily and eternally in the vast quantity indicated by this huge RECORD which lies on the desk before me.

If the tariff is responsible for this depression, how does the Senator from Indiana propose to remedy it? Will a little reduction here and there, as proposed by the Mills bill, make the farmers prosperous and a system good which is, according to his view as expressed this morning, wholly iniquitous?

The farmer is not poor because he pays more for a reaper and mower here than is paid abroad, for as a matter of fact he does not do it. At least, I have a letter from that great manufacturing concern, the McCormick Manufacturing Company, which sells so many machines abroad, declaring that there is no place where their machines bring so small a price as in the United States.

Why, sir, we find this same complaint of hard times among the farmers of free-trade England. There is a wide divergence of views regarding the reasons of this depression. I have a letter from a New Jersey farmer this morning which declares that after twenty years of investigation he has become convinced that the whole trouble is occasioned by the maintenance of the tax on whisky and high wines. The cause must be determined by patient investigation and then the remedy applied, whatever it may be.

Let me remark before I leave the subject, Mr. President, that I regretted most sincerely to hear the language of the Senator from Indiana when referring to our Norwegian citizens. If I understood him

aright, he spoke of them as among the half-civilized immigrants from Northern Europe.*

Mr. President, the Senator mistakes the people to whom he refers. Among all the thousands of Norwegians and Swedes in my own State I do not believe there is 1 per cent. who can not read and write, while many of them are highly educated and possess a knowledge of public affairs that will compare favorably with any of the Senator's constituents. They are among our best citizens, law-abiding, industrious, and patriotic, and there are no people whom we more gladly welcome to our State than these same people from Northern Europe.

No one, sir, can respect the author of this bill more highly than myself. I admire his earnestness; I have faith in his sincerity. I believe the time may come when the principal and primary object of this measure, which is, I take it, to provide better opportunities of education for the colored people of the South, can be accomplished—accomplished, sir, by action which shall not bind or embarrass the National Government forever; by aid which shall be given, not in obedience to any obligation which we owe the States, but out of a generous desire on the part of the Government to aid people honestly struggling to better their intellectual condition; which shall not check or dwarf the sturdy growth of the excellent system of education now established and being established in the South, and which shall not endanger the work of relief and of patriotism which we have solemnly engaged to perform. When such a measure is proposed I shall cheerfully support it. When, under the light of the new census, the people who sent me here have the opportunity to speak upon this subject, I shall do their bidding, even to the support of the pending bill; but until that time, sir, I must decline to give it my vote.

Mr. EVARTS. Mr. President, this measure before the Senate and the country has in two successive Congresses, while I have been a member of the Senate, been fully considered and passed upon. When again it was brought to our attention, early in this session, I had not imagined that any condition of things should make it in my own judgment at all necessary that I should take part in the discussion. I had previously given attention to the topics that seemed to me most pressing when in 1886, and again in 1888, the bill had been under consideration. I had seen that bill passed by the Senate by large majorities, and it had not occurred to me that anything in the condition of this country, anything in the nature of this subject, anything in the attitude and feeling of the people of this country, anything in the sentiment or in the judgment of the public or of the Senators on this floor, would lead to any other disposition of it than a prompt vote and a large majority to be given in its favor.

I could not wish, if the debate were prolonged by others, that I should add to the delay in its passage by repeating what has been better said by others, nor indeed by repeating (for it is not my habit to do so) what, whether well or ill said, has been heretofore said by myself.

But I find now that a very grave subject is before this body and that its disposition toward it is quite changed from what it has been before.

I find that now the possession of the legislative and executive departments of this Government is in the party with which I act and the party with which the Senators who sit on this side of the alley in a body concur. I have seen this bill passed twice with great concurrence from this side and with a large assent upon the other side; and yet the situation of Congress and of the Executive was such that no reasonable expectation could be had that the bill would become a law. At all times, in my judgment, if the bill could have been submitted to a vote in the House of Representatives, although the majority was of the Democratic party, this bill would have passed with a good deal of enthusiasm and with a firm and thorough conviction of its great benefits. But the sages of the caucus and of the committee-rooms stifled the opportunity to ask the assent of that body to it. There was also a question whether the Executive, as then filled, would have approved the bill had it passed both Houses of Congress.

Now, however, all in that regard is changed. Whatever shall be the action of this Senate, if it approve this bill, it is to go to and be approved by the House of Representatives. If presented to the President, it is, as I suppose from his public action and public expressions, either in the Senate Chamber or from the Executive Mansion, sure to receive his approval. I must find some way to satisfy my constituency, some way to satisfy the great Northern people, some way to satisfy the great Republican party that this bill is in better shape now than has been presented, in my judgment, by any of the opponents of the bill.

It is said that this is not a Republican measure and that the Republican party is not committed to it. The great body of the Northern people have committed their power in both these Houses of Congress to the Republican party; other portions of the country, with almost unbroken front, have committed their power in the two Houses of Congress to the Democratic party, and this alley divides not only the Republican from the Democratic party, but it divides, in a general sense, the depositaries of the power and will of the great Northern people from the depositaries of the great power and will of other portions of

the country. I may hope that some time, not while I can be a member of this body, but some time, the alley that divides the political parties will not present a division of that nature or of that tendency.

But now it exists, and this measure, the most beneficent, as I think, that has been presented to the attention of Congress during the time I have had the privilege of a place upon this floor, is to be considered, not as a Republican measure, not as a matter of opposition by the Democratic party, but as a matter that is to be expressed and decided by the generous and noble feeling of the great body of the American people. If, then, I find that by the arrangements of our Government when this great power has been intrusted to the Republican party, when no measure can fail here that this party approves, I am at a loss to understand why this bill now here should be killed and not be charged as having lain at the responsibility of the Republican party.

It is said that the pledges of the convention platform may be waived out of sight as a courtesy and as a manner of speech. Mr. President, that form, that method of disposing of this question savors too much of imputing hypocrisy to the Republican party, and, as Mr. Burke said, hypocrisy can afford to be magnificent in its promises, for, never intending to go further, it costs nothing.

Mr. President, I feel myself obliged to take up rather more seriously, and yet I hope not at any very great length, the very merits, the very pith and marrow, the very motives, the very purposes and very results that are embedded in this bill. We can not disguise from ourselves that this nation looks at this measure in view of historical transactions of the last twenty-five years. Whatever may be said of the conformity of the motives, the desires in support of this bill and those who oppose it, it must be admitted, however prevalent they may have been heretofore, however much they may find this or that support in previous controversies for the last fifty years on the subjects that enter into this, we are now confronted with it, not as a general and speculative view of aid to education from the Federal Government, but, as the situation is, whether the Federal Government shall give the proposed aid under the circumstances and the condition of the people at both ends of this country and the relation of the great body of the people who enter into the considerations and interests that affect this bill.

Before I consider the special aspect that leads to this measure and to engage its immediate and its prompt support, what is the general proposition? It is this: This nation, opulent, prosperous, powerful, looks at the situation of ignorance in some portions greater, but in all portions considerable, that needs attention. Out of the full Treasury as it now stands and as it will be replenished from the wealth of this people, it is proposed that the Federal Government shall administratively, in the way of distribution, look at the condition of the several States and their populations, and apply a portion from the Treasury of the wealth raised from the people to the object of education.

Mr. President, education is the great portal of the national, the political, and the social life of this country, and the public schools are the means by which and through which is distributable and is distributed this sustenance of national, political, and social life. All other matters that may interest this people are but distant in their affections in their duties, and in their security. What are all the other forms of aggrandizement either in art or in science or in culture, what are they all, compared with this great matter of the people's life? What are they all but as the purple vintage of the golden fruitage as compared with the corn and the wheat and the springs that sustain the natural life of this people?

It may be thought, then, that it is not an unworthy, that it is not an unimportant, but that it is a great and most pressing, occasion for the wealth of this people to be expended, whenever the occasion and the needs shall attract attention to this necessity and shall ask for this succor. Now, this being the object in view, it is thought that the revenues of this Government might be well employed through a period of eight years, coming to an aggregate of \$77,000,000, and thus dividing itself between, not equally but substantially, eight and nine millions a year.

We find that no special burden is needed to be imposed, no extraordinary taxation to be levied for the exercise of this benefit, but that we have before us our methods of taxation, of which Mr. Jefferson, speaking upon this very subject of the application of the revenue in this way, spoke as the affluence that came from the collection of the Government without the people seeing the tax-gatherer at any man's door. The revenue of this Government comes from the customs and from the excise. Whatever of this modicum of expenditure should be assigned to foreign customs and what to domestic excise, the funds are not exacted in that name and for that purpose by an extraordinary stress upon the payer of taxes or the energy of the Government in exacting them.

People have their own ideas of how much of this ample revenue from customs is a burden upon our citizens. Some think that it comes out of the wealth of our people in fuller or lesser measure. In my own judgment this fortunate people is in the attitude towards the rest of this world of being a tax-gatherer from foreign nations. No doubt, duties in conditions of trade may be a burden upon consumption entirely; others, I have no doubt, may be a burden upon importation entirely; but as a general rule, speaking broadly and at large, the exactions through the customs are about one-half paid by foreign

*The exact language of Mr. VOORHEES was: "Scandinavians and other half civilized races of Northern Europe."

contributors to the wealth supporting our Government and its occasions.

If we turn then to the excise, that, as we know, comes from the body of our people; but in what shape is that exacted? For the most part it is in those forms of the use of tobacco and the use of spirituous liquors, and the participation that any of our citizens shall take in these modes of filling the coffers of the country is voluntary on their part. No one believes that this is an oppression that is felt by those who find their incentive to these at least unnecessary indulgences in their contribution to the public revenues.

We have, then, this great occasion and this abundant opportunity to meet it. We have here what any nation, that was master of all its powers and felt the pressure of all its duties, might well feel, that if there were in the situation of the country any provocative of its beneficent action, it should be taken for granted at once that it should be made. This bill is of that nature. It is to be taken from the collected wealth of the country by these forms by which it is drawn into the Treasury, and to the extent that I have named in amount is to be applied to the education of the people of this country.

But it is said that this Government, this people, are not the masters of this question as it is to be disposed of, as it is to be dealt with, as it is to be determined by the Congress; for in that happy arrangement, which no one can applaud more than I and no portion of this nation can more applaud than the great State which I in part represent on this floor, it is said that this General Government, with its great resources of wealth in the Treasury, is incapacitated from dealing with this general necessity of the education of the people. I state it thus broadly. I would state it even more strongly, that it could not be done if the direct necessity called for it and there was no opportunity to meet it except the wealth of this Government.

It will not do to confuse the question of constitutional power to meet an exigency of this kind by confounding it with the question whether it is urgent, whether it is important, whether it can pass in silence and unattended to. No, Mr. President, that is not the way to argue constitutional questions. So far as that point is involved in this debate, so far as it is involved in any consideration of the people of this country, the question is this: Supposing, in the event of the condition of the people of this country showing a dire necessity for their education, that the corruption of our institutions, that the vigor of our population, that our safety and our welfare turned upon this education, that there were no other resources than those which this Government had brought to its coffers by taking away the excise and the customs from any of the States, would the power of action exist here? Now, that is the question, so far as the constitutional point goes.

I find, however, no occasion to dwell much upon this subject. I have listened with interest to the arguments upon the other side of the alley on this topic. I find that they have trodden in the worn footsteps of the same path that for a hundred years has gone on from step to step of negation to this Government of its capacity for the exigencies which attended it. This people have not found themselves much impeded in the general progress, in the general enlargement, in the general exercise of the authorities of this Government, and I have noticed that the arguments of constitutional impediment are seldom put forward by debaters or theorists against the execution of any desired movements of this people. I find it used more as a stalking-horse, behind which to aim, according to the wishes and the interests of the people or of the country, as they are in their view. That marks the difference and makes out the resistance in a measure that is proposed.

But at any rate it must be conceded that the constitutional question has been very much attenuated. It is conceded that, if the public domain were now at our disposal for this very object, there could be carried out in every way every detail of this measure, and all the wealth of all the territory belonging to the United States would be at the disposal of this Government and could be freely used without either danger of violating the Constitution or of submitting to humiliation by taking the distribution in that form. I have never been able to give very great weight and dignity to the proposition that the land which is situated as a common property of the United States, for disposition under the phrase of common benefit and general welfare, could be treated as a trust imposed upon the land that would be satisfied by the application of the wealth in that form to this very object, but that under the trust power given to this Government for all the occasions during the whole future of the safety of this country over the stormy sea of human affairs, of human passions, of human interests, this clause of common defense and general welfare was not a trust power as wide as the trust that was designed.

No, Mr. President, we have got over that question on everything but education. In the close, restrictive method of early construction by the great men on one side or the other in the progress of this country, what is there left but this one great and universal interest that can not be exerted by the United States Government?

Let me ask, as I shall wish to comment upon them, that the words of Thomas Jefferson may be read from the desk. Mr. Jefferson, after speaking, in his inaugural address to Congress in 1805, of the happy condition, of the prosperity of our revenue, of our security in regard to our foreign debtors, of our peace and all the growing hopes of this coun-

try, and that all these revenues, as he expressed it, were collected by the foreign duties without a single tax-gatherer approaching the taxpayer, spoke these words, which I ask the Senate to ponder upon.

The Chief Clerk read as follows:

These contributions enable us to support the current expenses of the Government, to fulfill contracts with foreign nations, to extinguish the native right of soil within our limits, to extend those limits, and to apply such a surplus to our public debts as places at a short day their final redemption, and, that redemption once effected, the revenue thereby liberated may, by a just repartition among the States and a corresponding amendment of the Constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each State.

Mr. EVARTS. Mr. President, see how this great master of political thought and expression rises by one step to another till he brings out education at the head of the climax; but it rests in his mind, it rests in his political deliberations in precisely the same situation as all the other subjects there mentioned. He was then in favor of all these beneficent advantages coming from the General Government in all these forms of the exercise of its authority. He had the opinion that an amendment of the Constitution was necessary, and that it ought to be had, in order to arm this Government with greater opportunities to be useful with the resources of our revenues in these other and great topics that I have mentioned, rivers, canals, roads, arts, manufactures, education, and then the general great objects that are of importance within each State.

Now, no such amendment of the Constitution has been made. Perhaps the first instance in which this great statesman thought the Constitution should be amended was in the acquisition of Louisiana and again of West Florida; but those transactions needed from this people no corroboration. No money could be better spent, raised from this people at that time, in the way either of common defense or of general welfare, than in the acquisition of Louisiana, when the situation of belligerent and hostile cabinets in Europe put it in our power to acquire it.

And now at this hour, when this great leader in thought, this great lover of education, Thomas Jefferson, has thus spoken, shall we after this lapse of time look in the face of the American people, look in their face, in view of the action and the history and the methods and the results of this administrative authority by the General Government, that carried rivers, canals, roads, arts, manufactures, without an amendment of the Constitution, and tell them that this primal and universal interest of education was so deep buried in the clauses of the Constitution that this country could not unearth it, though it could do so for every other purpose and every other occasion?

Mr. HAWLEY. I beg permission of the Senator from New York to let me suggest a view on which I should be glad to hear his opinion more strictly and directly. I believe nobody has ever denied that the National Government might properly dedicate public lands to education, especially when it founded new States, and that it might give the proceeds of taxes in general or of the sales of public lands to certain great national purposes. But we are discussing something else here today. We are discussing the first measure that ever was in Congress that followed this dedication to the close details of State administration and attempted to control minor State officers.

Mr. EVARTS. I am obliged to the Senator. I know, I think, what I am discussing. I know what is before this Senate, and I confine myself literally to the very topic to which he invites my attention; but I can not allow that the arrangement of my argument should be disturbed to so preposterous a result that what is to follow should be made to precede.

Mr. President, if we stood upon this attitude, see how accurately the situation, as now unfolded, is portrayed in the situation that was before Mr. Jefferson. Who will doubt that he would have put education above everything else? It is always recorded among the manifold glories of his historic fame that education from beginning to end was what lay nearest to his heart, came oftenest to his lips, and was most sturdily and earnestly lifted up before this people.

Perhaps the Senator from Virginia, if I am wrong, may correct me, but I believe it is recorded of Mr. Jefferson in Virginia, and in public life there, that as early as 1778, while you were nearly under Revolutionary government and were all engaged in a Revolutionary war, Mr. Jefferson desired that the Congress and the General Government, such as it was then, should use money to educate the colored men, the slaves of this country.

He was one of those statesmen who could see the end from the beginning, and he knew that in human affairs there are two ways by which men are governed in social, in political, in national affairs. One is by power from without and the other by power from within. Force, and fraud, which is by the lawyers treated as equal to force, because the consent is extracted by the force of the fraud, and not by the assent (and this old, old topic of the human race and government by force or government by consent had come in the happy period of our happy Revolutionary independence), brought us to understand and this great statesman to express that by the consent of the governed, and not led by force, must a free Government be maintained.

What, then, is there left but that out of the traits and out of the interests and out of the passions there should be drawn out from the natural person the means by which consent was to be given and upon

which peace was to depend? Thus do we deduce from the internal powers of man the means of free and equal society and of free and equal and just government, and educating that is education. As the great Grecian political philosopher has said, "It is by education that I learn to do by choice what other men do by force."

Mr. President, I should hope, in the aspect in which this case thus lies, it was only necessary to determine whether there was a benefit in the sense of the welfare of this people and in the aspect that it should be regarded by this Government, and whether this great Government and this great people have now resources by which to meet that end.

But the long history of this Government in its relation to the States and to this subject of education needs no argument to prove that in reality and in the observation of Government it has always occupied a prominent place. I need not recite the endowments that have been given to States, whether new States were formed or whether this form of wealth was, to use Mr. Jefferson's phrase, to be as a repartition among the States for their occasion.

I now come to a consideration of the particular traits of this bill. Although this constitutional objection will never put an end to this bill, although the constitutional objection that there is not power to use money as well as land for the purposes of education is harbored on this side of the Chamber, let us see whether the other criticisms and the repugnancies which are exhibited—to which I will pay every degree of respect on either side of this Senate—let us see whether these difficulties are in the way of encouraging and sustaining this particular method which is now proposed for our adoption.

In the first place, this bill recognizes or assumes that there is a condition in the population whereby, either under motives growing out of recent events or by some general result which has been produced, there is greater need of education prompted and aided, supported and amplified, that is not within the resources or promptly at the hands of the States, and that there is not only this need, but that it is of such nature and of such condition as that it may be penetrated, that it may be permeated, that it may be enlivened, that it may be led into all the operations of generous mind and of submissive will to the good order of society and the maintenance of this Government.

Then the question is only this, further, whether this application, whether the mode and way, whether the amount, whether the adequacy or the exuberance ought to be regarded. These are the only qualities of this bill, and they are to be looked at. They are to be looked at as a transaction of a nation towards its citizens, of this Government towards the State government, and to be looked at not by aunts and ifs and buts, for no government was ever conducted by aunts and ifs and buts.

Let me then look at the recognition of illiteracy and its measure. It is before us. Its figures are given to us from the very highest altitude of education down to the lowest depths; I mean the lowest depths within our borders of ignorance and need of education. They are all displayed before us. They run from 2 or 3 per cent. to 50 and 52 and 54 in some portions of our community. Then it is said that the pressure is such that the adequacy to deal with it promptly for the occasions of the country is not at hand within the States, and that this supply will furnish the means by which the desired result can follow.

This being conceded then, as a matter of statistics, the bill proposes to take from the Treasury in eight successive years \$77,000,000, to be distributed, we will say, something like \$8,000,000 or \$9,000,000 in each year. I have heard on this floor such stupendous estimates of the greatness of these sums as, they say, should appall, if they do not strike with remorse, every supporter of this bill. It would seem as if this was going to break down our finances, to postpone all attention to the necessary and general burdens of Government, all the occasions that rest upon our Government or upon our duty in other directions.

Now, this immense mass that is always held up as if it was to be called in and paid out over night by the people, this \$77,000,000 in its mass is about a dollar and a quarter a head of the population of this people, and running through these eight years it is reduced to about 15 cents a head. If you take it upon the adult population, and as to the record shown by the right to vote, it would be about 75 cents on each voter in each year.

Sometimes we hear magnificent exaggerations. We are told in one day that this Senate is the greatest assembly of lawgivers in the world or that history has shown. Let me not disparage this grateful estimate of our importance. We are then told that our people at large are the richest people on the face of the earth; that in our accumulations, in our power of earning, in our energy, in our faculty, in our wits and our wisdom we are ahead of all the world, and I imagine, by a strict and logical relation, all this latter magnificence may be traced to education more than to anything else.

Now, we are asked to devote 15 cents a head of our population in a year, or 75 cents a head of the voters of this population, to stimulate, extend, conserve, animate, and revive the stimulus of all our wealth, our education, and our common schools. Well, away with this dizzy and dazzling imposition upon the strength and the authority of this people. Away with this imposition upon the intelligence of these Senators, these members of the greatest legislative body in the world. Whatever other reasons there be, this reason can not go down with the

people of this country. It can not go down with the historical aspect which will be given to it. It will not be an answer for us to make at the hustings or in the conscience of the Senators. Not there, then, is found the obstacle. Let us find something more obligatory and more important than that.

Then it is said that this bill, as the Senator from Connecticut [Mr. HAWLEY] would have us think, for the first time undertakes to distribute the wealth of this country (for I have got by the question of distinction between money and land and wealth and duty) in aid of strengthening a system of education in the States. I can not dwell upon the subject in full, but I point now the attention of the Senate to an act passed in 1862, one of those great and beneficent measures that the Senator from Vermont [Mr. MORRILL] who sits farthest from me, when in his seat, has given to this country. I mean the act that is known as the Morrill act, and I will ask the Secretary to read only the title of the act, that I may draw it to the attention of the Senate for some comment that I shall make upon it.

The SECRETARY. An act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862.

Mr. EVARTS. The method adopted by that act, to make it efficacious in its distributive and profitable employment to the end in view, was to allow each State to take a certain number of acres found within its own borders and this carried the fee directly of that land; but no State was allowed, not finding that land within its borders, itself to take in possession and title any land in another State. Such an *imperium in imperio* by one State in another State was discarded as inadmissible, but each State thus having to resort beyond its own limits was allowed to issue scrip, and its assignees were able to take it up at the rate of \$1.25 an acre wherever they could find the land. This seems to be but a flimsy distinction between carrying money or carrying land.

But what I ask the attention of the Senate to is the further explanation of the Morrill act, which I do not hesitate to declare and challenge the contradiction of, that every principle, every method of the procedure in the bill now under discussion is found in the Morrill act. This Government undertook to follow into each State the use and the application that each State should make. It required the Legislature to accept it under its obligations. It required the governor to report all transactions under it. That very measure, so recent in our recollections, stands as a model for this general bill, with nothing more recently to be added except what may be in the region of expediency or prudence or advantage. But no mind is to be shocked, no equilibrium is to be stirred by any novelty in the procedure of this bill, if the Morrill act was found a useful measure and plan, and if experience has approved it as a benefit and advantage—a noble and continuing advantage without one single suggestion of weakness or injury to the competency and the welfare and the dignity of any State.

Look at the reception and the brilliant exhibition, without any sense of humiliation on the part of any State, that this donation, as the title of the act calls it, received, and how it has been employed. Take the great and wealthy State of New York, able to support its educational system, able to endow its colleges, able to carry on with ample revenue from an opulent and vast population all the occasions of a great and generous scheme. Let me point at one instance within the borders of that State, sometimes called by its own people and sometimes called by those without its borders the Empire State. Let me point to Cornell University, founded, upheld, having its vital and its ample strength under this donation of the General Government to the great and opulent State of New York. True, this fund was wisely, prudently, fortunately managed. In some quarters it did not turn out so prosperously; but a great benefactor, Mr. Ezra Cornell, who had given a great endowment of his own fortune to this college, undertook to buy the scrip certificates that were to be turned into land and into money, agreeing that the outgrowth of the investment should every dollar of it go to the benefit of this college; and now it stands as one of the great colleges of the land, a college such as never before in so short a time grew out of nothing by influence of endowment of wealth into so great and beneficent a structure.

Let us hope that our distinguished Senator from California [Mr. STANFORD] may show another great example in the endowment he has made and is making for the benefit of education in that, his adopted State. But more than that, \$15,000 a year, as I am informed by my friend, the Senator from Iowa, on my left [Mr. ALLISON], is paid out of our Treasury to these colleges thus built up by the nation, which it is thought now it will be humiliating for some portion of this country to receive in the shape of aid to common schools.

Let me ask Senators, and especially the Senators representing the new States, not merely those who have lately been welcomed here so heartily, at least on this side of the Chamber, to look a little at the situation in the conduct of this Government on the subject of public lands. When the method of devoting the land, by reservation from public sale, to occupation for homesteads and in other forms, was adopted, this entire area of the wealth of this Government in the shape of its public lands was withdrawn from any opportunity of what Mr. Jefferson called "a repartition of its wealth among the States." Is it

imagined by that action, not certainly in its intention, all the States that may be in stress, all the States that may be in a convenient necessity for a proper application of the wealth of the country as derived through its other revenues, shall not receive it? Was it merely intended that those new States should thus substantially give to themselves the land within their borders? for it does not move an acre from them and it stocks it with occupants that alone give value to land. The lands granted are within their borders. This immense endowment is operating under a wise and beneficent arrangement, I agree, but is it to impoverish the ability of this country to use other forms of its wealth in aid of education by other means and in other portions of the country?

Now, Mr. President, let us look at the situation from which perhaps one would like to withdraw any reiteration of examination. I refer to the condition of illiteracy as growing out of circumstances with which the action of the Government for the common defense and for the general welfare has to do. I refer to the emancipation of the slaves. I confess that I do not much share the feeling that the emancipation of the slaves was too quickly followed by enfranchisement and endowment of suffrage. It was a prodigious transaction, just as the first step was a prodigious one. I would agree that no other community ever settled so great a change in its domestic situation without preparation, not by choice of its own deliberation, but by external authority.

The emancipation of the slaves in every honest aspect must have been at the cost of the community wherein slavery resided in its care and digestion of the situation thus produced, but it was for the benefit in the largest sense of this great country of ours, from the farthest corner of Maine to the farthest shore of California and down to the States themselves where emancipation was brought about for their good, more greatly perhaps than for any others, but only for their good in that situation of enjoying the benefits that accrued to this whole nation and all its vast prospects in the future. Now the question would arise, and it has been spoken somewhat, as I said, hastily on this side of the Chamber, that it was a mistake perhaps to carry full enfranchisement to the South.

A free community, as a wise Grecian has said, is subject, where they have participation in the government, to two opposite inconveniences. If only some portion of the citizens participate in the government, then it is an occasion of discontent that all do not participate, and if they all do participate then the discontent is that some have as much share as others. This wise observation of human political affairs can not be corrected and can not be suppressed. When we are looking at the question of whether you have within a State a proper franchise, with all the people having every civil right, having every equality before the law, every footing in the courts, every protection under the general and in the State governments, how are any of them to be deprived of suffrage? Can we not understand that that is a dreadful problem? And no community, in my judgment, can stand still on that line of demarcation between suffrage and its effacement in every other particular.

Whatever, then, may be the prodigious burdens, what the prodigious duties, what the prodigious dangers that may attend the treatment that this Government has given to this subject, let us at least remember that there is one footing on which we should all agree, that that is a burden which belongs to the great Government and the great people; and certain is one thing, at least, if no impediments are to be found in the organism of administration, of law making and execution, that the hearts and minds of all of us should sympathize with the grand transaction which will ever rest in history as an action incapable by any nation but the greatest that the world has ever seen. What country, what institutions, what glory, what martial power, what population assembled together under one Government, ever before was equal to the solution of so great a problem?

For myself, I would say, whenever I am brought to confront some treatment, some action, some conduct, some principle that will help to raise the whole transaction into that which rests upon the whole nation and appeals to the conscience and the heart and the will and the intellect of the whole, I will bear my part of it as a humble sharer in so great a sacrifice. I will not stop to talk about the sentiment and the conduct, the mistakes and the difficulties now. I will take and I think the great State of New York will take its share in this immense, ennobling transaction. If these great things were done without preparation, to be sure the human mind and the moral government of this world are not to be changed about that situation; it is the resources of our men, of our people, of ourselves that will go on with that conciliation of antagonistic and inconsistent conditions of society in any portion of this country that will take the place of the preparation that the inexorable laws of conduct by the nation render impossible.

Now, Mr. President, let us look into another view. You can not hide it from us, no one can hide it from himself, that whatever there may be of weakness in our society and in our institutions, in freedom, in equality, in justice, wherever the weak point in the whole area of the country, in the whole enumeration of its population, wherever that weak and dangerous point is, is the weak and the dangerous point of the whole country. There is no natural, no artificial, no social, no political body but where, if there be the weakness of disorder and disease, that spot is the master of all the rest. To the relief of that, all the resources

of a curative nature, all the resources of legislative and of social succor, are to rush to save the mischief, which is the mischief of the natural or the political body, and not of the limb or of the part immediately affected. Amputation, excision, may save in a dire necessity what is left of the whole and noble body that is thus mutilated; but it is, alas, a last and final subjection to a dire thing that is not to be met with patience or philosophy until every method to the contrary has been exhausted.

In that situation this matter of education is looked at and the distribution of this money is made precisely and by an accurate adjustment, so far as in such large transactions is possible, to the apportionment among the States to a reasonable estimate and calculation of the degree and pressure of illiteracy. Does any one doubt that every motive, every argument, every calculation in the frame of this adjustment has looked only to that consideration?

But then we come to a singular argument, that, although the money is distributed most largely to the States where this pressure is most felt and where this trouble arises from the presence of the emancipated slaves, a pressure traceable to that condition and the sources from which it came, yet, when you come to take the fund which the State has placed at its disposal, when the bill comes to apply it, it no longer applies it in proportion to the ignorance of the whites and the blacks as thus statistically ascertained.

Why, Mr. President, this is a provision for a State to do what it can do with its own resources in educating its children in the common schools. That is the institution; that is the only one we deal with; and is there any other mode of distributing the application of this fund, great or small, through these public schools, than that it shall be adjusted upon the number of scholars that are there? What methods would critics have of distributing in the way of applying to the direct education of boys and girls in the public schools but in the ratable proportion of scholars? And as this well-spring is opened in every corner of this land and this education shall bring out larger and larger access to the schools by the colored people, then this plastic, this open, this flexible mode will adjust itself to that.

I can not conceive anything in this criticism that deserves attention; but if I wanted a reason other than that which I have stated for large endowments to assist in removing the mass of ignorance, not only among those of educational age, but among the old, the aged, the middle-aged, the robust, I would like to hear these earnest Senators from the happy portions of our land with which they are familiar, who, with so light a tongue, talk of the task of education and of the school age in these New England communities and this great mass in portions of the South. We hear from the Senator from Connecticut [Mr. HAWLEY] the description of an interesting picture of the great importance of the education obtained outside of the school, and how to have the child at the mother's knee taught the prayers and the precepts of the gospel, and hear from the father the manly and interesting facts of life and preparation to tread the foot-steps of prosperous fathers, and from the pulpit that has to teach to the young and to the old together the continual need, day after day and week after week, in audiences of five hundred or a thousand hearers every Sunday in the year, the great doctrines that have been inculcated upon them from their cradle.

Who could bear this burden of the education of the black children outside of the schools that have been opened so nobly by the States themselves and which we intend to open? No, no, Mr. President, these idle, these, I must say, irresponsible comparisons of the condition of children who are taught from the mother's breast in this education of life until they go to the first school as little toddling children and then to the grammar school and then to the education for higher pursuits, is a picture, when you transfer it to the dark ground of these populations, that can not be recognized. Why, Mr. President, the only inlet into the hamlets or the cabins of the old, the aged blacks is to be through this little angel of light, sent from the public schools, and this superincumbent mass rests only upon this one gleam to be carried into that household by the instruction of the public schools.

We are told, forsooth, that education in the common schools is but a small part of the education of man. No, Mr. President, these older men, these older women, these men of motives, these women here in the same darkness, so far as education goes, with the little young that they wish to turn into the sunshine of education, these can not receive the direct benefits of instruction; but these grown girls, these grown boys, coming up into full enjoyment in their journey of life, are able to tell the fathers and the mothers and to read to them and talk to them about the forms of life and the means and methods by which people are elevated and civilized and made submissive to the law. Though this great mass can not shed on those below them in age any of this light and sustenance, yet these young girls, this growing race, may stand somewhat in the position of that noble Roman youthful matron who imparted to a blind and imprisoned aged father the sustenance that nature gave her for her own offspring.

It is said that there is an innovation upon, an interference with, an oppression of the freedom of the States. Why, Mr. President, this bill is as observant as it is possible to have one which reserves oversight by this Government to follow and secure the application of the endowment to the purposes intended. It is in this bill, as in the Morrill act

and as it is in various other forms of endowment, a mere reservation of sufficient authority to accomplish the result, and it is criticised on this side of the Chamber for the reason that it is so exacting, that it is so continuous in its operations as not to make it worth the giving of their acceptance to it.

Where are the lovers of education that want to help this bill? Where are the lovers of a benighted race that hasten to sustain this bill? Let them come with their offerings of frankincense and myrrh upon this altar of education. I suspect these arguments of impediment, when during the ten years, certainly during the three considerations of this bill in this body since I have been here, where were the improvements, where the better helps, where the worthier means, where the better agencies that were proposed? I did not hear them. Let us then take from those who feel the needs, take from those who wish to meet the needs, and let us have their counsel and their aid in helping to improve this measure.

But, Mr. President, it is said that the North and the South stand in attitudes of distrust on each side and of aversion each to the other. It is claimed that after the conclusion of the war this great wound in the body politic should have been cured at the first intention, and that the Northern people are responsible for that not having taken place. A wound as wide and as deep as that to be cured at the first intention, as if no ragged edge, as if no fever would set in, as if no nerves could be involved and liable under contact of so rude a touch as this war had inflicted!

Mr. President, although quite aside from this situation as it now exists that we are to apply our attention to, I must here differ from these calculations. I do not believe that at a remote or a much nearer date any great fact more interesting to humanity at large would appear than that this great people suffered immense change in its condition, both politically and socially, and survived it with a little of terror, as little of danger, as little of misconstruction, as little of fever as ever could attend such a vast, such a deep, such a permanent transaction. Was it not amazing that this great body of the American people could rally all its resources, that there should be no punishment and no proscriptions, and that in the halls of Congress all should again be collected on equal terms, and nothing left to darken the air but the mutual objurgations across this alley and that whenever we get up a benevolent discussion about education we should meet with these mere technical objections?

Mr. President, I do not take any share in any distrust on this side that the States of the South, as we call them, will not apply these sums if they accept them. I do not recognize as at all creditable to the other side of the Chamber that they should be disdainful of our succor or contentions of our sympathy. It is not our succor nor our sympathy that I plead for. It is the sympathy and succor of the United States of America. A no less noble benefactor than that stands forward for your acceptance, and for this side I will say that we ask no greater confidence from you in a detailed, in a limited, and what may be considered a narrow trust, when you have been given the great amnesty and the great pardon for all the trespasses that have been committed and that are brought now and then into view. I do not like, when every feature and every proportion in this transaction is on the grandest scale, that flaws and defects are to be pointed out on one side or the other of this transaction. No; now is the time it is to be done, now is the time it is to be refused, now is the time it is to be rejected, now is the time in the name of the country when it is to be proposed.

Let nobody flatter himself that this country will stand in this friendly relation, all parts of it in the same condition, if this bill is defeated, that it will be if this bill is passed. Let no men flatter themselves that the people of this country are inattentive to this very transaction that passes in this bill. Millions of noble men and women through all portions of this country are turning their intelligent eyes upon this transaction as it proceeds on this side of this Chamber; millions of eager and straining eyes of the healthy and the feeble and the ignorant from the other portion of the country are gazing with hopeful eyes upon this side of the Chamber, and of clear scrutiny upon its rejection, if it proceeds from the predominance of the feeling and the votes on that side.

Society is not to stand still, government is not to stand still, the moral government of the world is not to stand still. Great phrases are no help to a situation. Some say that you will endanger self-help if you extend this aid. Why, Mr. President, would it do for a benevolent bystander to refuse to cast a rope to a struggling and drowning man on the ground that it would enfeeble his self-help?

Instead of going into an idle analogy let us look at the great, the benevolent system of life-saving that is carried on by this Government for shipwrecked passengers and shipwrecked mariners; and are we to be told in the self-satisfied situation of the landsman, "Oh, no! Do not send your cars and boats, your ropes and your mortars, and your lights and rockets. Oh, no! All this method of helping the seamen will lessen their self-help. They have all been brought up, until in the last fifty years, on the plan of saving themselves, and what better education could they have for saving passengers than to learn how to save themselves?" No, let the seamen alone; let them learn to take care of themselves." To my apprehension the suggestion that I hear touching the application of this bill in this matter of enfeebling the people

has as little relation to the situation of necessity and the opportunity of self-help as this figure which I have presented to your attention.

But we have experience in the benevolent forecast of a great American merchant who took hold of this business at the expiring days of the rebellion. He took out of his large fortune a great portion of it. He loved his country. He knew that the war had demolished the prosperity and fortunes of the South, and he knew the immense and pressing necessity of the enfranchised slaves, who needed a method that would educe from that population by education the means of dealing with a tremendous situation. Selecting such men as he could place confidence in at the North and at the South, he put in their hands a sum that gave them, perhaps, \$100,000 a year, with no injunctions except in those portions of the country that needed it from the results of the war and with equal access to this benefit of both races. For twenty years these gentlemen have administered that trust. Do you wish to tell me now that if, instead of having \$100,000 in our hands, we had a million a year, two millions a year, five millions a year, there would not have been a more rapid, a more extensive, a more convincing and admirable exposition of the result?

But the result is one of the greatest that ever happened because of its being pointed where it was needed and when it was needed, and every State superintendent, and every State governor, and every board of instruction will tell you that this largess of George Peabody was the first light, the first encouragement, the first help to men to help themselves. The smallness of the sum would come to very little in the direct education of this boy or that girl over this vast area, but it was a stimulant to the weak, to those who could add their help, which with our help would become an amount that would produce results.

Search the record of these State agencies and superintendents, find out how much this little private endowment—little for a nation, but noble for a single benefactor—stimulated and worked out by other agencies, has accomplished. The contributors, out of their means to be added together with this aid, would do something important. Thus we find out now how wise the benefaction is, and all thank this great benefactor, and no particle of friction, irritation, interference, faulty or meddling disposition has been exhibited by any. Then ask me whether, when we have added to what has been secured by other benefactions and when all have brought about a larger education and a larger means of education—when we have opened the channels that were clogged and closed—we are to be told, forsooth, on this side of the Chamber that they have now so far advanced that help will do no good. Mr. President, the people who look at this matter outside of this Chamber in this way and the Senators who propose this criticism have not looked into the situation.

Mr. President, however large the area of general discussion, however more direct might be some need of our criticism, I feel that I can not trespass upon the attention of the Senate one moment more. But I wish it understood that when great and important arguments are presented here and we are told on one side what might have been done, and on this side what ought to have been done, those are only meditations of disappointed hopes. These are living hopes that are now here. The question is what ought to be done now and what can be done now?

We are told that all, or perhaps all, that is needed to permeate and render alive and beneficial the action between the two races, either in politics or in social affairs, is justice. Ah, Mr. President, when did the human race ever learn to do justice except by education? Who can say in these communities what is justice to the whites, who can say what is justice to the blacks, unless by the education of both? Who can learn what justice is, not in abstract or in rhetorical declamation, but in the intimate sense of giving what is due to every one—*suum cuique tribuito*—at every hearth-stone, in every court-room, in every pulpit, in every market-place? Who has welcomed from above the star of justice that could enlighten the human race except by following the methods that the great and beneficent Governor of the human race has made, that they shall follow the precepts step by step as far as they could in these great inculcations? Then, indeed, it may be that education in these regions of danger and difficulty and doubt and distrust may have brought out all actual and living enjoyments—justice, that is safe against all the vicissitudes of human affairs; justice that is safe against growing old even with time.

Cassibus hæc nullis, nullo delectabilis ævo.

Mr. CALL. Mr. President, I desire to submit a few observations upon this bill before the vote shall be taken upon it, in order that my own position may be understood upon the subject. I have upon former occasions when the bill has been before the Senate for consideration voted for it, and I propose to do so at this time, unless some change should be made in the condition under which the bill stands before the Senate.

I shall support the bill because it is a donation and only a donation, a gift from the people of the United States to the different States, a gift without condition for the purpose of education, containing within the bill no other conditions than those which have been applied to the agricultural college and the experimental stations. In these respects it differs in nothing from the previous bills which have been passed and are now the law.

Considered in the light of reason, the appropriation contained in this bill must be regarded only in reference to the respective merits of the different subjects of appropriation, as education, contrasted with the Army, the importance of education as contrasted with the Navy, or public buildings, or any of the objects of national policy and expenditure.

I am not disposed to exaggerate the importance of this appropriation. It will have its influence, and a good influence, and under the provisions of the bill it is apportioned with reference to the particular necessities of particular States. For instance, in the State of Florida the amount collected under the revenue laws of the country which will have to be appropriated in some form or other to pay the appropriation of this bill will be about \$400,000 approximately, more or less, while there will be paid to the State, if subsequent Congresses shall approve the appropriation and enact it into law, something like a million dollars. The State of Florida, therefore, will be benefited by receiving a larger sum for the purpose of education than will be paid by the people of that State.

I support the bill further because it is an appropriation out of money already in the Treasury, a surplus that has been accumulated there and which must be paid out for some purpose of appropriation. If it were a bill to impose additional taxes upon the people of the country I should vote against it, but it is a bill for temporary aid and making an appropriation out of money already in the Treasury. Whether that money shall be paid out to other purposes hereafter is another and a different question. It is in the Treasury now and subject to be appropriated for the purposes of this bill.

I do not conceive that there can be any defense made of a permanent system of appropriation by Congress for local education or common schools or education unless it be in the shape of a great national university situated here in the District of Columbia. Unquestionably local education must depend on local support as a system. Nor would there be any justification for the provisions of a bill which proposed to use the power of taxation in the National Government to collect from the people of any particular State or locality the money necessary for the support of their systems of education, having the effect to deprive the people who pay the tax of the power to direct and control the appropriation.

That has been objected to as comprehended in the policy and the effect of the pending bill, but it is not a reasonable conclusion and the bill does not justify that proposition. The bill is simply one for a donation or an appropriation of a specific amount of money for the temporary support of education. In that point of view I think that its effect will be beneficial. It will be in the direction of aiding local education in the portions of the country where assistance is needed, and I think the bill would have been better if it had been confined to those localities where the need of assisting the efforts of different communities or States is most important.

Mr. President, I speak of the Southern States and especially of the State of Florida. The State of Florida has been taxed by her own consent and the action of her own people to the utmost extent of the capacity of her people, and more than she has been able reasonably to bear, for the support of education. I find that since the war the State of Florida has paid in customs revenues to the Federal Government \$8,213,419 and from the internal revenue \$5,657,652.05. Now, in addition to this sum of money they have taxed themselves for the support of education, for the common schools in the State, a sum which may be reasonably estimated at between three and three and one-half million dollars. You will perceive that this is a large proportion of the taxation imposed for the support of the government, and when you consider the circumstances of the country you will see that it is equal to the utmost capacity of the people of that State.

That the surplus in the Treasury should be appropriated in temporary aid of education I can not see that there can be any reasonable objection upon any ground of public policy. If it be said that it is establishing a precedent, a precedent of what? A precedent of aiding education under extraordinary circumstances in the line of policy that the Government has already adopted. This fact prevents the effect of any precedent for evil, and if there should occur similar circumstances hereafter the precedent can have only a beneficial effect.

If it be assumed that the appropriation carries with it the power of control and asserts in the General Government the right to interfere in the affairs of the States, I deny it. If it did it should never receive my support.

If there was in it any interference whatever with the absolute power of the State to direct local education, to accept or reject it, to apply it through its own instrumentalities to the purpose specified in the bill of promoting common-school education, I should never consent to its passage. But, whatever may be the opinion, or the hopes, or the desire of those who favor the bill, there can be found in its provisions nothing that justifies this conclusion and nothing from which such an assumption of power may be reasonably inferred.

I do not consider that this appropriation nor the appropriation of a thousand millions of dollars, if it were practicable and if the capacity of this country and the disposition of the people of this country were adequate and willing to make an appropriation of that amount, would effect the objects which have been contended for and set forth here.

Education, it is true, is one of the most important objects of public policy—the common-school education, schools to be established everywhere, industrial schools, in my judgment, far more than the ordinary common-school education; but they can not change the established force of nature and the necessary economies of natural law.

We have been told here that one great object of this appropriation is the establishment of a homogeneity amongst men, a common standard of thought and judgment. I do not accept that as a controlling influence over my vote. The colored people of the South have been set forth as the special and particular object of this appropriation. I vote for it because they share in its benefits, but not because the appropriation of this money will have any great appreciable effect upon the condition of the colored people.

They have found amongst the people of the Southern States their best friends. They have found that that people have voluntarily imposed upon themselves taxes for their education equal to their utmost capacity to bear. They have found that the money has been equally and fairly divided between them and the people of the white race. In proportion to the taxable resources of the people, as heavy a burden of taxation has been imposed by the people of the different Southern States as by the people of any other States in the Union.

Mr. President, the condition of the colored men has been made a text in connection with this bill, and it has been urged that their relations to the people of the South furnish an especial reason for this appropriation. In so far as that touches the means of the people to establish a general system of common schools for both races it is proper and pertinent, and carries force with it. In so far as it furnishes any suggestions of a failure on the part of the people of those States to do everything that it has been possible to do, it is a mistake and has no proper place in the argument. If it relates in any respect whatever to placing the colored man in a condition other and different from that which he would occupy without this appropriation, then there is another error.

While I appreciate the generosity and the fair and just feeling which has characterized the Senator from New Hampshire who has introduced this bill and stood by it session after session, while I approve of it as a proper object of public policy to grant out of the surplus of money which has accumulated in the Treasury by virtue of excessive taxation and which must be distributed somehow and to some objects, while I maintain that this is a proper object and one of the best objects to which it could be devoted, as a pure and simple grant to the States, claiming no power whatever and conveying no power whatever to interfere in their local affairs, it has my cordial support and would have for the whole amount of the surplus in the Treasury. While I take this view of the subject and maintain these propositions, yet in so far as the relations of these two races are concerned, the colored people have received, as they will receive, every possible consideration which sound policy, which kindly feeling, which a proper consideration for their rights would demand; and they have received it in a larger extent than they have received from any other community, from any other States, or any other people in the history of the world.

Mr. President, we have had a great deal of consideration given to the condition of the Southern white people and to the Southern colored people, and the relations which exist between them, and it has been assumed and repeated here and throughout the country that there was a necessity of some repressing influences, of some severe legislation to be directed towards the Southern white people because of their want of consideration for the colored people who live among them and among whom they live. I should never vote for this bill if it contained such an idea, if it did not apply to them and to the white people equally, if it was not an aid to education without reference to these considerations and to this imputation upon the Southern people.

Mr. President, history shows no condition of the world, no period of time in which the colored race have ever received from any people the consideration which they have had from the white people of the Southern States. This is not mere assertion. When we consider the history of this country and the contributions which have been made to this Government from the relation which has been sustained between the white and the colored people of the Southern States and the civilization which has grown up out of that relation, it is a matter of astonishment that we should have here suggestions from persons outside of those influences impeaching and distrusting and reflecting upon the character and the sympathy and the kindness of feeling of the white people of the South for the colored people.

From what condition did George Washington come, and Thomas Jefferson, and the Lees, and the great patriots who formed this Government, who more than any other people contributed to its formation and shaped its institutions? Was it not from a condition of society in which the white people and these colored people lived together? Who was it but a Southern man and a slave-holder, a descendant of slave-holders, a man of elegant taste and accomplishments and ample fortune, with these circumstances and surroundings, brought up in the midst of these people, whose heart was fired with sympathy for these suffering and oppressed masses of mankind, who traveled on foot throughout France, and came back to this country and made war upon all distinctions of caste?

Who was the author of the Declaration of Independence, and who

did more to form the Constitution of the Union than any other, and to impress upon our institutions the idea of the equal rights of men in their respective conditions to life, liberty, and property? Was it not Thomas Jefferson, the outcome of this relation between the colored people, the slaves, and the white people, and who was the first advocate and the great advocate of freedom for those people?

Mr. President, the beginning of this Government was a constitutional union formed more largely under the influence of the people who had grown up out of this relation between the two races than any other. It was such people who gave the spirit of freedom, the spirit of equality to our Constitution. It was such people who gave shape and form to our institutions, and it is because of this sympathy with mankind this great, benevolent, and philanthropic Thomas Jefferson to-day stands first in the hearts of the people everywhere throughout the world as the great representative of popular government, of sympathy for the people, and of defense of their rights.

But let us follow for a little while the condition of these people. I have said before that the twenty-five years since the war exhibits a kindness, forbearance, and sympathy with the colored people which the history of the world does not show anywhere else. The colored man has with the white people of the Southern States more friends and warmer friends and warmer sympathies as a race, and a people more willing to advance him, to place him, where he is qualified for it, in proper positions than in any other part of the world; yet those people do not recognize him as being fit, nor is he fit in the mass, to control their institutions and to be a dominant political power in the affairs; nor if left to themselves do they desire to exercise political control over the white people of the Southern States.

Mr. President, a fair and just comparison will be to see what was the treatment of the colored man after his emancipation in the States of the South and what was his treatment after emancipation in the States of the North. Without any disparagement or reflection upon either or imputation upon any one, it is a just and fair process of argument to inquire, in respect to the feeling of these different people and the imputation of an interference with their rights and a want of sympathy for them, what was the condition in which the negro was left in the two respective portions of the country. I desire to put in the RECORD here a quotation from a book, *Notes on the History of Slavery in Massachusetts*, by George H. Moore. I will ask permission to print it without detaining the Senate to read it.

The extract referred to is as follows:

V. Be it further enacted by the authority aforesaid (the senate and house of representatives in General Court assembled), That no person being an African or negro, other than a subject of the Emperor of Morocco or a citizen of some one of the United States (to be evidenced by a certificate from the secretary of the State of which he shall be a citizen), shall tarry within this Commonwealth for a longer time than two months, and upon complaint made to any justice of the peace within this Commonwealth that any such person has been within the same more than two months the said justice shall order the said person to depart out of this Commonwealth, and in case that the said African or negro shall not depart as aforesaid any justice of the peace within this Commonwealth, upon complaint and proof made that such person has continued within this Commonwealth ten days after notice given him or her to depart as aforesaid, shall commit the said person to any house of correction within the county, there to be kept to hard labor, agreeable to the rules and orders of the said house, until the sessions of the peace next to be holden within and for the said county; and the master of the said house of correction is hereby required and directed to transmit an attested copy of the warrant of commitment to the said court on the first day of their said session, and if upon trial at the said court it shall be made to appear that the said person has thus continued within the Commonwealth, contrary to the tenor of this act, he or she shall be whipped not exceeding ten stripes, and ordered to depart out of this Commonwealth within ten days; and if he or she shall not so depart, the same process shall be had and punishment inflicted, and so toties quoties.

Passed March 26, 1788.

Mr. CALL. I read this to show the condition of the colored people in the two respective States. In the one they were banished and not allowed to remain, and the statute punishes them with whipping and with imprisonment. In the Southern States they have been educated. They have been educated at the expense of the white people, notwithstanding they have produced by their labor always since their emancipation far less than the white people. They have been educated upon equal terms with the white people. The school fund, the public fund derived from taxes, has been appropriated with strict impartiality between the different races in proportion to their numbers.

I wish to go a little beyond that. I desire that this proposition may be considered by the people of this country. Under whose care and whose treatment has this colored race prospered, multiplied, and progressed to their present condition? Banished from the Northern States when emancipated, banished by statute from most of the original thirteen States, how is it that in this period from the year 1788 and to the year 1868 and up to the year 1890 these people have continued to grow in numbers, to increase in prosperity, to accumulate property in the Southern States alone of all the countries in the world and in all the history of the race?

If you contrast the condition of these people to-day with those in Africa we may form some idea of the debt of gratitude and humanity due to the people in the Southern States and to the relations which existed between them and the Africans—the Africans, who, however they came amongst them, found a home there, not imported by those people or their ancestors, but driven amongst them by the hostile legislation

of other States, and finding friends, protection, and homes, and increasing until now they constitute an important portion of the producing population of the country, protected in all their rights and in all their real interests.

Is not that a fact which is to stand in the face of every species of invidious, of misrepresentation, or of accusation against the people of the South? Who is it that feels an interest in these people, strangers to them and bearing no part in this great work of kindness and protection for years, who stands up now to accuse the Southern people of a want of kindness? What part have their accusers borne in the great work of protecting and caring for these people, who nowhere else in the whole history of recorded time have found a place of progress or of protection or of even anything like civil rights of any description whatever?

We have heard a great deal about the treatment of the negroes by the Southern people and the hardship of the lot of the colored race and their ancestors. I wish to read from Stanley's *Adventures in Africa* a short paragraph:

I also busied myself—

Says this author—

I also busied myself in collecting a vocabulary of Kirna and in inquiring into the manners and customs of the people, and by this means became acquainted with the ceremonies observed at the burial of a chief of Urua, which are probably unequalled in their savagery.

The first proceeding is to divert the course of a stream and in its bed to dig an enormous pit, the bottom of which is then covered with living women. At one end a woman is placed on her hands and knees, and upon her back the dead chief, covered with his beads and other treasures, is seated, being supported on either side by one of his wives, while his second wife sits at his feet. The earth is then shoveled in on them and all the women are buried alive with the exception of the second wife. To her, custom is more merciful than to her companions, and grants her the privilege of being killed before the huge grave is filled in. This being completed, a number of male slaves—sometimes forty or fifty—are slaughtered and their blood poured over the grave, after which the river is allowed to resume its course.

Stories were rife that no fewer than one hundred women were buried alive with Bamané, Kasongo's father; but let us hope that this may be an exaggeration.

The same author shows how the slave trade is now conducted in Africa by the native Africans, as follows:

At Uganda the trade begins to assume a wholesale character, yet it wears here a rather business aspect; the slaves by this time become hardened to suffering, "they have no more tears to shed," the chords of sympathy have been severed and they seem stolid and indifferent. At Uji one sees a regular slave-market established. There are "slave-folds and pens," like the stock-yards of railroads for cattle, into which the naked wretches are driven by hundreds, to wallow on the ground and half starved on food not fit for hogs. By the time they reach here they are mere "ebony skeletons," attenuated, haggard, gaunt human frames. Their very voices have sunk to a mere hoarse whisper, which comes with an unearthly sound from out their parched, withered lips. Low moans, like those that escape from the dying, fill the air, and they reel and stagger when they attempt to stand upright, so wasted are they by the havoc of hunger. They look like a vast herd of black skeletons, and as one looks at them in their horrible sufferings he can not but exclaim, "How can an all-mighty Father permit such things?" No matter whether on the slow and famishing march or crowded like starved pigs in the overloaded canoes, it is the same unvarying scene of hunger and horror, on which the cruel slave-trader looks without remorse or pity. It may be asked how are these slaves obtained? The answer is, by a systematic war waged in the populous country of Marungu by banditti, supported by Arabs.

These pay guns and powder for the slaves the former capture, which enables them to keep up the war. These Arabs, who sell the slaves on the coast, furnish the only market for the native banditti of the interior. These latter are mostly natives of Unyamwege, who band together to capture all the inhabitants of villages too weak to resist them. Marungu is the great productive field of their satanic labors. Here almost every small village is independent, recognizing no ruler but its own petty chief.

These are often at variance with each other, and, instead of banding together to resist a common foe, look on quietly while one after another is swept by the raiders. In crossing a river, Stanley met two hundred of these wretches chained together, and, on inquiry, found they belonged to the governor of Unyamwege, a former chaperon of Speke and Burton, and had been captured by an officer of the prince of Zanzibar; this prince had made a treaty with England to put a stop to this horrible traffic, and yet here was one of his officers engaged in it, taking his captives to Zanzibar, and this was his third batch during the year.

Contrast that condition with that of these people now in the Southern States, and in all fairness ask the question how is it that not in New England, not in the North, benevolent as they are, progressive as they are, but in the Southern States and with these people whom you are accusing, they have grown up into this vast multitude of civilized beings, understanding something of the social life and social duties, and living in peace and friendship with the white people?

Mr. President, let us have some truth in this matter. Let this great monumental fact of the progress of these people from this condition in their native Africa give the credit where it is justly due, and award a proper tribute to the christian feeling, to the sympathy, to the affection that grew up in the relations sustained between these people. It has not gone yet, although it has been greatly diminished and changed by the efforts which have been used to make them an influential and even a controlling political factor.

Mr. President, I am a friend of the African race. Whatever can be done, not to crush them in the millstones of political agitation, but to educate them, to develop them, to lead them to the course which Providence and the natural economies will direct, I am willing to do.

You will not by a system of common schools change the course of Providence. You will not make the leopard change his spots nor the Ethiopian his skin. You will not divest the white race of their racial distinctions. You will not dispossess them of their disposition to pre-

serve the purity of their race. You will not by the expenditure of the money appropriated in this bill, nor a hundred times the amount, alter the course of nature and of Providence. The Senator from Massachusetts [Mr. HOAR] said here the other day that the fact of the existence of these people in the Southern States upon terms of kindness and of peace and of prosperity to some extent and the fact of the impossibility of their controlling those States where they were a numerical majority were two antagonistic propositions that could not be reconciled.

But the colored man is docile. He has his kindly qualities, and he lives in peace and happiness where there is a directing hand, where he feels that there is not an antagonism created between him and the white race. If left to himself, where he is educated, where he is qualified by a virtuous life, he will receive political promotion from the kindly feelings and sympathies which have in these hundred years made him grow up from a small number into a vast multitude of people, performing in some way and to some extent the duties of civilized life.

But if you undertake to create under any conditions whatever a control which is not exercised by them anywhere, which is not true anywhere in the North and will never be done, that a naked numerical majority, uninfluenced by social and personal considerations, shall be the absolute law; if you undertake to create that kind of antagonism, you interpose a barrier to his progress; you interrupt these kind feelings; you destroy the sympathies which have been the moving factor in his advancement from a condition of barbarism all along in prosperity, in an abundance of all the necessities of life, in the main with a greater degree of abundance of comfort than is to be found amongst any laboring people anywhere in the world, because, with a country comparatively new and a fertile soil and the colored man devoted to agriculture, the conditions were most favorable for his abundant supply of all the material wants of life, and the natural sympathies that religion and humanity create grow up and control in a spirit of kindness and affection the relations of the two races.

I protest against the idea that you can by the mere substitution of a common-school education supply that education which christianity furnishes, which sympathy creates, which the relation of the two races upon terms of decent friendship develops. It plays but an unimportant part by the side of that education which the natural affection and kindness of the white race gives to the colored people living in terms of peace and quiet and of mutual assistance with them.

That is the education that has made the colored man capable of a future, hopeful of attaining some condition where he will be upon the plane of civilization with other races; and it is to the white people of the Southern States alone that it is due and that it will be due. If assistance in the shape of a pure and absolute donation to the people who have proved their right to it by the fact that they alone have ever given to the colored man protection and, in their relation and their contact with him, the development which he possesses at this time, if a system of aid from the National Government in a proper way is left to them to use and dispose of, that alone is the condition which is possible for their improvement, their development, and their protection, if you do not intervene considerations of political power.

The Senator from Delaware [Mr. HIGGINS] said here the other day in a speech which he made that nothing showed the necessity more of this appropriation than the different views of the representatives upon both sides of this Chamber, which he was pleased to term were the best outcome and representatives of the morality and the intelligence of their respective constituencies, as to the assassination of a United States marshal. But, Mr. President, there was no foundation for that observation. The standards of morality are eternal. They are the everlasting yea and amen of Divine Providence, and they are in their application to all races the same.

In Delaware, in Vermont, in Florida, or in Mississippi the United States marshal or the United States judge who covers himself with the mantle of public authority that he may be an assassin and a perpetrator of outrage upon women is not representing the majesty of the law or the Government. In covering his shoulders with the mantle of religion and of law he is still the outcast. The judge who, sitting upon the bench, perjures himself, or the Senator who, in a spirit of harshness, will deal with the rights of others in a spirit of persecution, can not protect himself from the just scorn of an outraged public opinion by claiming the authority of the law.

In these respects they do not represent the law. Hence, my friend from Delaware was mistaken. The standards of morality are and ever have been the same in all sections. Who will say he surpasses Thomas Jefferson and George Washington and the patriots of their day in his appreciation of morals or his proper regard for public authority? They were the representatives, as these people of the South are to-day, of their people, their institutions, their relations, their contact with the colored people.

Then, again, what more? Who will stand up and say that there can be contact in terms of equality between an inferior race, constant contact, surrounded by them, unless they be separated—contact, I mean, upon terms of equality—without unfavorably affecting the progress of the higher race? If you want a man to be progressive you must surround him with the influences which are better than he is, or at least as good as he is. If you surround him only with those which are in-

ferior and his whole association is with them, you must limit him in his progress.

But such was not the relation which the colored people sustained with the white population of the South. They sustained a relation of dependence upon the one side and protection on the other. They sustained a relation of friendship upon one side and contribution and assistance and support upon the other. The relations were those of affection and charity and religion and kindness in the main, though there were then there, as here, monsters who perpetrated wrong.

But this was the general character of the relations, and the outcome of their morality was in George Washington and in Thomas Jefferson; and I challenge the Senators who asperse and make charges upon the Southern people to produce brighter specimens of humanity in all the history of the world than those which came from these people in their contact and relationship with the slave population of the South. I insist that the people of the Southern States still have the same high standards of religion and morality and charity, and their representative men are equal in these qualities to those of any other people.

Mr. President, I support this bill. I support it because education is a great public object—not the mere learning to read and write, but the education of the mind and the heart and the character. It contributes to it. The little pittance that is given here to each State will amount to but little, but it is better appropriated in that direction than to be appropriated to the Army or the Navy, or to public buildings. It is better because it will be an evidence, in my judgment, of a disposition on the part of the people of this country to render aid to the Southern people, now sorely taxed and laboring under a heavy burden.

All the propositions that maintain the propriety, the necessity of absolute local support of education and local control of education I acquiesce in. They are true. It would be absurd for the National Government to impose a tax upon the people of the different localities to be collected and then paid out by appropriations by Congress in support of local education. If that were the proposition, in my judgment it would not deserve support because it would be an attack upon the principle of local support, of local education. But it is not that. You have an excess in your Treasury, and the question is, To what will you apply it?

You will not reduce the taxes until another accumulation has been made. Shall it go to the bondholders to pay them their immense premiums? Shall it go to the Army or Navy? Shall it go entirely for the support and education of the Indians? Or will some part of it be given to these people who justly claim the merit of whatever advancement the colored race has made from the condition of barbarism to their present situation? Shall it be appropriated and given to them to dispose of, not for the blacks alone, but for the whole community of whites and blacks who, under their administration, are in the main living in happiness and in contentment and in prosperity?

Mr. BATE obtained the floor.

Mr. EDMUNDS. Will the Senator from Tennessee yield to a motion to adjourn?

Mr. BATE. Certainly, sir.

Mr. EDMUNDS. I move that the Senate adjourn, the Senator from Tennessee being entitled to the floor.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 20, 1890, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 19, 1890.

The House met at 12 o'clock m. Prayer by Rev. G. H. COREY, D. D. The Journal of the proceedings of yesterday was read and approved.

REPRINT OF A BILL.

Mr. TAYLOR, of Illinois. Mr. Speaker, I offer the following resolution for immediate consideration.

Mr. COOPER, of Ohio. Mr. Speaker, I rise to call up the contested-election case of Mudd vs. Compton.

The SPEAKER. The Chair understands that the proposition of the gentleman from Illinois is to reprint a bill.

Mr. TAYLOR, of Illinois. It is.

The resolution was read, as follows:

Resolved, That House bill 7846, Fifty-first Congress, first session, entitled "A bill to provide for the establishment of Government telegraphs," be reprinted.

The SPEAKER. Without objection, it will be so ordered. There was no objection, and it was so ordered.

MARYLAND CONTESTED-ELECTION CASE—MUDD VS. COMPTON.

The SPEAKER. The gentleman from Ohio [Mr. COOPER] calls up the contested-election case of Mudd vs. Compton.

Mr. COOPER, of Ohio. I offer the following resolutions.

The Clerk read as follows:

Resolved, That Barnes Compton was not elected as a Representative to the Fifty-first Congress from the Fifth district of Maryland, and is not entitled to the seat.

Resolved, That Sydney E. Mudd was duly elected as a Representative for the Fifth Congressional district of Maryland to the Fifty-first Congress, and is entitled to his seat as such.

Mr. MORROW. Mr. Speaker, when the House adjourned last evening the business pending was the pension appropriation bill. I understand that this resolution is claimed to be one of superior privilege.

The SPEAKER. That measure was pending in Committee of the Whole, and the question of the right of a member to his seat is of the highest privilege.

Mr. MORROW. If that appropriation bill is to give way for this contested-election case, I want it understood that when it is disposed of we will proceed with the pension appropriation bill.

Mr. COOPER, of Ohio. You can have the floor immediately after this has been disposed of; and I wish to announce that it is agreed that the debate on this case shall be limited to six hours, three hours on each side, and the previous question considered as ordered, after which the gentleman from Texas [Mr. MOORE] will offer what substitute he desires for the resolutions offered by the majority of the committee.

The SPEAKER. Is there objection to the agreement proposed? [After a pause.] The Chair hears none.

Mr. MORROW. I desire to give notice that I shall insist upon the consideration of the pension appropriation bill as soon as this case shall be disposed of.

The SPEAKER. It will be in order after this contested-election case has been disposed of. Does the gentleman from Ohio [Mr. COOPER] desire to take the floor now?

Mr. COOPER, of Ohio. No, sir; I desire to yield one hour to my colleague on the committee, the gentleman from Iowa [Mr. LACEY]. The understanding is that the debate is to be limited to three hours upon each side, after which the previous question is to be considered as ordered, with liberty to offer a substitute to the resolutions offered by the majority.

Mr. LACEY. Mr. Speaker, in opening this case in behalf of the Committee on Elections, I wish to say that the questions involved in it are largely, or perhaps mainly, questions of law. The majority report shows that the contestant was elected upon the face of the returns by from two to three majority. The minority report, upon the other hand, shows that the contestee is entitled to his seat by a majority of 37. So that we have an issue clean and clear of 154 majority upon the one hand and of 37 upon the other. It is not claimed, and will not be claimed by the minority on this floor, that the governor in giving the certificate of election in this case to the sitting member had all the returns of the Congressional district before him. But, upon the contrary, it will not be disputed that as to one county, Charles County, there were two precincts which were wholly unreported to the governor.

This fact being conceded by the minority report and also being conceded by the majority report, it seems to me it does away with the *prima facie* effect accorded to the governor's certificate in the case.

How did it occur that these two precincts were omitted from the returns from Charles County? No one specially was to blame about it. It was a mere accidental error committed by the judges of election. They have a very complete election law in the State of Maryland, and among those laws is a provision for a glass ballot-box; and there is also a provision by which one copy of the returns shall be sealed up in that ballot-box and returned to the county officials, and that the ballot-box shall not be opened again until ordered by the court or until proper process of law had for that purpose.

Now, as to some other precincts I will say, merely as a matter of history, that the same error occurred as to some of the boxes which gave the sitting member a majority, and the sealed returns were also erroneously locked up; in other words, both sides by mistake put all the returns in a sealed ballot-box in several instances. The sitting member being an old member and having that shrewdness which is accumulated by large experience in matters of that kind, got his friends together and they "saw through a glass darkly," and read the returns through the glass ballot-box and corrected the returns through which the majorities in his favor appear; but the contestant [Mr. Mudd], on the other hand, attempted to have the ballot-box opened by legal process. Now, notwithstanding the fact that these ballots and returns were locked up for the two precincts and were omitted and were not sent to the governor and in view of the proper proceedings pending to have the ballot-boxes opened and the original returns certified, the governor gave the certificate to the sitting member. The circumstances under which this certificate and others of like character were given by the governors of some of the Democratic States are quite fresh in the memory of this House.

The House was close; it was uncertain who would control it, and it was important that the governor should give to Mr. Compton, the sitting member, the certificate of election in time that he might help to organize the House. Something in the nature of an "urgency deficiency bill" was put in the form of a requisition upon the governors of West Virginia, Tennessee, and Maryland. The governor of West Virginia responded with an alacrity that promptly gave to two gentlemen certificates for seats to which they were not entitled on this floor. The governor of Maryland gave the certificate to the sitting member without warrant. Now, in the correction to which I have already called

your attention, both the majority and the minority of the Committee on Elections have agreed that the returns for these two precincts should be added, and when these returns are added and various corrections as alleged shall be made by the minority report have been made, it is claimed by the minority that Mr. Compton is entitled to a seat by a majority of 37. There is, Mr. Speaker, another item that was omitted from the returns—a mistake of 28 in the vote from Calvert County.

Under the theory of parliamentary law it is my duty to address my remarks to the Speaker, and I am supposed to be endeavoring to convince you, Mr. Speaker, that the majority report is right; but, in fact, I wish more particularly to address my remarks to my good friend from Texas [Mr. MOORE] who wrote the minority report. I am not trying "to call the righteous," but I am trying to call my friend from Texas "to repentance" in this case, and to see whether he will agree that upon the face of his own report laid before this House the sitting member is entitled to his seat.

In Calvert County there was a mistake made of 28 votes in the count. The Republican papers and the Democratic papers and the general public were informed as early as the 10th of November, 1888, that the vote for S. E. Mudd in Calvert County was 1,166 instead of 1,138.

In footing up the returns, however, and sending the general result to the governor, the various precincts were not set out separately and reported, but the general result only was certified. It appears from the evidence in the case, without any dispute, that the majority of the judges of election in the county were Republicans, that a Democratic deputy clerk did the footing, and that the Republicans read off the figures to him and he footed them up and made the result 1,138 when it ought to have been 1,166. The mistake was not then discovered, and the returns from each precinct not being sent to the governor, he had no opportunity to make the correction. I wish to call attention to the return as published in the Democratic newspaper, the Calvert Gazette, on the 10th day of November, which gives the vote as 1,166 for Mudd, 896 for Compton.

Mr. CUMMINGS. Will the gentleman state whether those were the official figures?

Mr. LACEY. These figures agree, as I will explain further on, with the official figures as they are now on file in the clerk's office of that county.

Mr. COOPER, of Ohio. And the deputy clerk himself discovered the mistake the very next day.

Mr. LACEY. Yes; the next day after the mistake was made this clerk forwarded a correct statement to the governor, calling attention to the mistake in the footing. There is no dispute about that. We have in the Sun Almanac—not the New York Sun, but an authority almost equal, possibly better, inasmuch as it comes nearer home—in the Baltimore Sun Almanac we have the figures given at 1,166 votes for Mudd instead of 1,138, and at the same time this almanac states that the official returns for Congress returned to the executive department at Annapolis are, for Mudd, 1,138.

Now, it is shown by the testimony in this case, fairly and clearly and beyond controversy, that 1,166 are the correct figures. That brings the minority of the committee face to face with 28 votes to come out of the 37 majority, as claimed by them, leaving only 9 of their claimed majority for the sitting member. That brings us uncomfortably close together, as my friend from Texas [Mr. MOORE] will find when he comes to argue upon the basis of his minority report. The Calvert County Journal, edited by the attorney for the sitting member, gives the official figures on the 10th day of November, and I offer this merely as corroborative of the statement that the returns now on file show the same thing. The Calvert County Journal gives the figures for Mudd at 1,166. The Democratic editor of that paper was a witness before the committee, and his testimony is in the record. In that testimony he swears that he carefully collated the returns immediately after the election, and that the returns as published by him, to which I have called the attention of the House, are correct. Consequently there is nothing to breathe any suspicion on the returns as they now appear on file in the office of the clerk of the county of Calvert. Those are the original returns.

The footings that were sent to the governor were nothing more than the general result. We go behind the returns to attack the returns with the returns in this particular case; but we go back to the original returns in Calvert County, and there is no controversy that they are correct and they are the original evidence.

In computing these returns, no matter which way you figure, whether you figure with the minority report backwards or with the majority report forwards, you find a majority in favor of the contestant if you correct the returns from Calvert County. So that that question is a vital one, and the clerk who made the addition himself swears that he made a mistake; and he was a Democrat. I do not say that as giving him greater credit or standing before the House, but merely for the purpose of calling attention to the fact that he is an interested witness adverse to the contestant. The deputy clerk, who made the footing himself, says that if it does not agree with these original returns it is wrong; that the original returns show the correct figures.

There was no controversy about it at the time, and the mistake of 28 votes in Calvert County should be corrected. Now, adding the 28

votes in Calvert County and the returns that had been locked up in Charles County, you have, taking the minority's figures for it, a plurality of only 9 for the sitting member. In order to make that plurality they count out 1 vote upon which there was a "sticker" for Mr. Mudd. Some Republican or Democrat, I don't know which, who voted for Mr. Mudd, was so anxious to vote for him that he got a "sticker" and stuck Mudd's name upon the ticket, so that it appeared there twice, and that vote was not counted for Mudd; the minority in their report threw that vote out. There can be nothing clearer than that the fact that the name of a candidate appears upon a ticket twice furnishes no reason why the vote should not be counted for him at least once. Nothing is better settled than that, and when you make this rectification it reduces by one the 9 majority claimed for the sitting member.

Mr. COMPTON. Where was that "sticker" stuck? Was it not upon the words "For Congress?"

Mr. LACEY. It is claimed that it was over the words "For Congress," and it is claimed by the sitting member, and by his counsel, and by the minority that, inasmuch as the "sticker" got over the words "For Congress," the ticket should not be counted.

But there are authorities holding that even if the words "For Congress" had been erased, if the name of the man running for Congress was written on the ticket or printed on the ticket, the omission of the words "For Congress" would not prevent the vote from being counted. It is said, however, that there is a law of the State of Maryland preventing such a vote from being counted. But this House is the "judge of the elections, returns, and qualifications of its own members" and has always held that where a man's name is upon the ticket, either in print or in writing, and is the name of the only man running for the office or the man who is understood to be the candidate for that particular office, it shall be counted.

Then there was a scratched ticket in Calvert County which was not counted for Mr. Mudd. That scratched ticket is testified to by Mr. Perran, the same Democratic editor to whose evidence I have already called attention. He says that the vote was not counted, yet it appears that Mr. Mudd's name was clearly upon the ticket.

Mr. Mudd also received three votes, one for S. N. Mudd, one for S. E. Mudd, and one for Mudd. Under the rule laid down in the case of Wallace vs. McKinley in this House these votes should be counted.

I wish to call the attention of the House to the recapitulation which I will incorporate in my remarks, not taking time to read it, showing the official returns as they actually appeared after correcting the returns of Charles County and Calvert County. I will also give in tabulated form the vote by counties, incorporating this statement in my remarks without reading it.

RECAPITULATION.

County or city.	Sydney E. Mudd.	S. N. Mudd.	S. E. Mudd.	Mudd.	Barnes Compton.
Anne Arundel County.....	3,015	1			2,776
Baltimore city.....	3,186				3,472
Baltimore County.....	743				1,020
Calvert County.....	1,166				896
Charles County.....	1,864				1,714
Howard County.....	1,550				1,764
Prince George's County.....	3,004				3,072
St. Mary's County.....	1,752		1	1	1,566
Total.....	16,280	1	1	1	16,280

Total vote for Mr. Mudd..... 16,283
 Total vote for Mr. Compton..... 16,280

Mr. Mudd's plurality..... 3

Mr. HILL. Will the gentleman summarize those statements so that we may understand their character?

Mr. LACEY. Yes, sir; I will give a summary of the statements if the gentleman desires to hear it. Here is the summary as given by the majority of the committee:

For Sydney E. Mudd.....	16,279
For S. N. Mudd.....	1
For S. E. Mudd.....	1
For Mudd.....	1
"One ticket upon which Sydney E. Mudd's name appeared twice and Mudd's name was not counted in the above returns".....	1
Total.....	16,283
For Barnes Compton.....	16,280

Plurality for Sydney E. Mudd..... 3

Then further along there is 1 vote for — Compton, which is also counted, giving to the contestant upon the face of the returns a majority of 2.

Mr. CRISP. That does not include the recount—

Mr. LACEY. No, sir.

Mr. CRISP. Which the gentleman admits was a gain of 19 or 20.

Mr. LACEY. Next comes the question of the recount to which my friend from Georgia calls my attention, and upon which I intended next to speak. It is a little remarkable that the recount in Maryland,

like the recount in West Virginia, seems always to result on the Democratic side, or substantially so. There was some gain on both sides; but the result is a gain of 19 or 20 votes in favor of the contestee. But the committee and the contestant waived that question and gave to the contestee the benefit of that recount, which, upon the face of the returns, after the recount is had, would again give the majority to the sitting member. There is no question, however, between the majority and the minority of the committee as to the fact that there are certain errors in the poll-lists which ought to be corrected; and when those errors are corrected the majority is transferred again to the other side.

Among the statutes of Maryland there is a strict registration law. After the registration is made at the county seat, the clerk or county officer sends copies of the poll-list to the various voting precincts, and those copies should and must agree with the original registration. It is conceded by the minority of the committee that where the poll-list fails to agree in some unimportant particular with the original registration the voter should have his vote counted, notwithstanding it is refused because of the failure to have an accurate transcript made.

Mr. COMPTON. Where it is identified.

Mr. LACEY. Yes, where it is identified. Now, I call the attention of my friend from Texas again to this question. He says in the report:

We have reached the conclusion that whenever a voter did tender his vote and his name was upon the list of voters furnished to the judges of election, although the middle name or initial might be wrongly entered, still his vote should be counted as it should have been received by the judges, the object of registration being for the purpose of identification of a voter, or if the name given by the voter was *idem sonans* with the name registered. By applying this rule a number of votes claimed by each side, as will be hereafter shown, must be rejected.

There are certain names which I will hand to the reporter to be incorporated in my remarks, not taking time to read them; and adopting this rule the minority have given a credit for 18 of those votes to the contestant; and after giving that credit of those 18 votes there is a majority of 37 votes against the contestant, according to the finding of the minority. But after correcting, as I have already stated, the computation of the minority by subtracting 28 votes from in Calvert County, there remain only 9. After we have made the correction by counting the 3 names, S. N. Mudd, S. E. Mudd, and Mudd, after correcting by allowing the ticket upon which Mr. Mudd's name appears twice; after correcting by admitting the vote in Calvert County upon which the scratch appears, it makes 6 to come from these 9, leaving us only 3 votes apart upon the minority report.

Now, Mr. Speaker, if we adopt the rule stated here that the votes should have been received, although the middle name or initial letter may have been wrongly entered, let us see how many additional names there are that ought to be counted for Mr. Mudd in this contest.

John Henry Thomas gave his name to the judges of election as "Henry Thomas," and because he called himself "Henry" instead of "John Henry" his vote was thrown out. Now, according to the spirit of this report of the minority, if not in accordance with its letter, the vote of John Henry Thomas ought to be counted. The vote of David R. Brooks is excluded because his name was on the books as David W. Brooks. Now, I will ask my friend from Texas, when he comes to address the House, to state upon what theory he excludes the name of David W. Brooks, after saying that where the middle letter is wrong the vote must still be counted. After laying down this position when the name of David W. Brooks appears, which ought to have been David R. Brooks, the gentleman refuses to count it.

So with Benjamin F. Gamble. His name was given as Benjamin Gamble. Why does the gentleman throw out that vote? Simply because the "F" standing, no doubt, for Franklin, was omitted from the name. That is a mere oversight, and I do not see how the gentleman can explain to the House any reason for throwing out the vote. It is in direct conflict with the rule laid down in his report.

In this manner we find 37 as the total majority figured for contestee by the gentleman representing the minority, but I am inclined to think he was a little too generous, and that he will be disposed to modify his minority report in the House, because, unless he does so, he must by his own logic count these 3 votes for the contestant. The vote of John Taylor was rejected because his name appeared as John E. Taylor, and he gives as another reason for throwing it out because he claims that John Taylor did not press his right to vote with sufficient earnestness or force.

Isaiah Chester was on the poll-list as Isaac Chester. In reading it off, no doubt, by the parties having charge of the registration, the error occurred because of the similarity of the words Isaac and Isaiah. The words, sounding alike, were mistaken for each other. The next is the case of Robert Reed, who is excluded, not because his name is wrong, but because the number of his house was incorrectly given. Taking the minority report, and on the logic of the argument these votes must also be counted for the contestant. Lev Cure was not counted because his name was written Lem. James W. Clements was not counted for the reason that his name appeared as John W. Clements. You must count the votes of Gamble, Taylor, Reed, Cure, and Brooks for the contestant, following out the strict letter of the minority report.

This, Mr. Speaker, brings us to the consideration of the question of repeaters, to which reference is made in the report.

There were certain gentlemen, or individuals, I might say, not gentlemen, that went to other precincts in this district and voted upon some other person's name than their own. When the true man came to vote he found his name checked off—that somebody else, some repeater had come in, taken possession of his name, and voted in his stead. Why should not these votes be counted? The reason given in the minority report is as follows:

If when these parties offered to vote the names they respectively gave were checked, and either they themselves or others had voted on their names, the judges of election could not receive their votes, for the reason that otherwise they would have allowed 2 ballots to be cast by one registered voter. We therefore reject these 6 votes.

Mr. OUTHWAITE. Will the gentleman yield for a question.

Mr. LACEY. Certainly.

Mr. OUTHWAITE. What evidence is there that the voters who voted on these names were repeaters, and not the persons who owned the names themselves?

Mr. COOPER, of Ohio. The registered voters themselves swear that they did not vote.

Mr. LACEY. The voters swear that they registered, that they saw their names registered, that they tendered their tickets, that they were refused the right to vote upon the alleged grounds that some one had previously voted upon their names.

Mr. OUTHWAITE. Still that does not answer the question. What evidence is there, I ask, that the other parties were not those who were entitled to cast the vote and have their votes counted?

Mr. LACEY. It is not disputed in physical laws that no two bodies can occupy the same space at the same time, and that, I think, is a sufficient answer to the question. It is true that we did see at the exhibition of Hermann in this city a few days ago two rabbits rubbed into one by a trick, but you can not make two votes out of one registration when the voter himself swears that he went and registered his name, saw it put on the record, that the same voter went to cast his vote and was refused; and all of this raises a conclusive presumption that the other man, who did not do it, who did not testify, and who used the name of the individual who did register, was a repeater, and the right man did not have the opportunity to cast his vote.

Mr. OUTHWAITE. But were there not two or more persons of the same name exactly claiming the same locality?

Mr. DALZELL. There is no evidence to identify them as the parties here referred to.

Mr. LACEY. There is no evidence as to the other man at all. But there is one conclusion which may be reached with perfect safety, or at least a presumption, and it is that they did not vote for Mr. Mudd; for a repeater, if a Democrat, at least, usually takes a Republican's name to vote on, and if there is such a thing as a Republican repeater—and certainly no testimony has been brought forward to show that there was any in this district—he would naturally take a Democrat's name to vote on so as to gain as much advantage for his party as practicable. And to say that one man has lost his vote because some one else has voted on the name of the true man, and therefore exclude him, is to attempt to make two wrongs do one right, and is as much of an injury to the man who has been deprived of his vote as if some other man had cast a fraudulent vote.

Now, it seems clear, Mr. Speaker, on a moment's reflection, that these six votes ought to be counted for the contestant. They were registered voters. That fact is not controverted; all of them were insisting on the right to vote, but were excluded from voting by the election officers.

Mr. CRISP. Will the gentleman permit me to ask him a question?

Mr. LACEY. Certainly.

Mr. CRISP. What would the gentleman do with the six repeaters?

Mr. LACEY. If they were identified, if they could be identified as the parties who cast the votes illegally and improperly, they should be punished—

Mr. CRISP. But that is not the point. I mean for whom should the votes be counted that were cast, or whom were these 6 votes cast for?

Mr. LACEY. There is no evidence showing for whom they were cast; but the presumption is that they were cast for the man who was opposite politically to the man that they pretended to represent. That, I think, is clear.

Suppose, for instance, that John Henry Thomas undertook to personate John Thomas Brown at an election and wanted to cast the vote of Brown. He finds out the politics of Brown first; because, if he attempted to do, in advance, what Brown himself would do if he had his own good time to do it in, he would simply be doing the party he himself pretended to represent an injury and advancing the interests of Brown's party, and it is a good deal to assume that a Democratic voter would vote upon a Democratic name if he could find a Republican name to use.

But in regard to these tickets it is not shown for whom they were cast, and therefore we can only imagine or presume that they were voted for Mr. Compton, and the presumption is strong. There is no evidence, as I have said, directly in point, but it certainly makes the wrong greater to prevent the true man from casting his vote because of the fact that a thief comes in to steal his vote and undertakes to cast it for somebody else.

Mr. HAUGEN. Did he not have the absolute right to vote if he registered?

Mr. LACEY. He had an absolute right to cast his vote because he registered; but when he went to the polls he found that "somebody had been there while he was gone."

Mr. COMPTON. Will the gentleman permit me to ask him a question there?

Mr. CRISP. My friend knows very well—though I do not recollect as to this particular precinct—that in some of them there were at least four, five, or six George Washingtons, and in some cases as many as eighteen or twenty colored men of the same name.

Mr. COMPTON. Would I interrupt the gentleman—

Mr. DALZELL. Not in this case. There is no evidence of that in this case.

Mr. CRISP. In cases that we have examined there have been a number of persons of the same name.

Mr. DALZELL. But not in this case.

Mr. LACEY. I will first answer the question of the gentleman from Georgia and then yield to a question from the contestee. There was no George Washington nor Andrew Jackson in the case. There was William Butler, John H. Smith, William Brown, Charles H. Green, Henry Brown, and Thomas Williams. Were these six gentlemen entitled to vote? Their votes were excluded, and there is no pretension anywhere in this record that these men were not legal voters. There is no pretense that they had cast their votes before. There is nothing upon which to base the gratuitous statement here in the minority report that these men had already cast a vote. They could not cast a vote "by others." They had not had an opportunity to cast a vote for themselves. That is a constitutional right guaranteed to them as legal voters.

Suppose my friend from Georgia was not so well known. He goes up to the polls and finds that his vote has been anticipated, that somebody has been mistaken for him, as he was mistaken the other day for Mr. GREENHALGE. I believe there was a Democratic lawyer in the committee-room came up and complimented the gentleman from Georgia [Mr. CRISP], supposing him to be Mr. GREENHALGE.

Mr. CRISP. I forgive him.

Mr. LACEY. Mr. GREENHALGE and the gentleman from Georgia [Mr. CRISP] went off immediately and formed a mutual admiration society. But suppose we have a mistake of that kind, would it be right that the gentleman from Georgia should thereby lose his vote, for them to say that some other Crisp had already voted under that name? Mr. CRISP would say: "I want to vote. I am a registered voter and have the right to vote."

Mr. CRISP might say, "You ought to know more of the history of the country than to have mistaken another man for me." But Mr. Butler is not so well known as the gentleman from Georgia [Mr. CRISP], and if the judges of election allow some other man to vote in his name he should at least be permitted to vote upon proof of the fact that he was entitled to vote, and he ought to be counted for the contestant in this case.

Mr. COMPTON. Now, if the gentleman will allow me I will answer his proposition that there were equally as many or more Republican repeaters, and I will give cases similar to the other cases that he has mentioned. I ask him to look at page 469 of this record.

Dr. Louis A. Griffith, being called, said:

1st. My name is Louis A. Griffith; I am a physician and judge of orphan's court; and reside in Marlboro; and am thirty-five years old.

2nd Int. Do you know Robert Green, colored? Did you see him on the day of the last Congressional election? Did he vote or try to vote; and, if so, what ticket?

A. I know Robert Green. He was present at the last election. I saw him ask to be allowed to vote, and the judges stated his name had been voted. He had the ticket in his hand and while standing there unfolded it, and said: "This is my ticket, and I want to vote it." It was a Democratic ticket.

Mr. LACEY. They did not follow that up with evidence that this man had not already voted. The minority report has not claimed that vote, and there is no evidence that that could be established.

Mr. COMPTON. The record shows it.

Mr. LACEY. The record in this case did not show a single Republican repeater in this district. There is evidence there, it may be granted, tending to establish that fact if it had been followed up. But the judges in this case simply found that this man had voted before. This man did not go on the stand and say he had not voted, but these six men I have spoken of before the House did go upon the witness-stand and swear that they had not voted, and there was no evidence to the contrary.

Now, Mr. Speaker, that brings us to another question; that is, the claim of the majority report as to the rights of the voters to cast their votes when they have done their duty in seeing themselves properly registered in the first place. The minority report—and I will ask my friend to take it all back when he gets the floor—says that the law is wrong as laid down by the majority of the committee, that all that a voter has to do is to see that he is properly registered and tenders his vote, and after that, if he tenders it and it is refused, it shall be counted. The act of 1870 expressly so provides; but the gentleman who wrote the minority report has made the statement that that section of the act of 1870 was declared unconstitutional in the case of the

United States *vs.* Reese, 92 United States Reports, page 214. Now, Mr. Speaker, that would have been a good point if there had been anything in it; but unfortunately for my friend, and unfortunately for the minority report, the act of 1870 has been repealed and re-enacted in the act of 1874, and re-enacted with the objectionable features left out of it, and re-enacted in a form to be absolutely and unquestionably constitutional.

My friend, if he had only looked a little further, if he had not simply shut his eyes and accepted the statement of the counsel before the committee as to the fact that the Supreme Court had passed on this question, would have discovered that section 2007 of the Revised Statutes of 1878 is constitutional. Part of the act 1870 being the unconstitutional feature as defined by the Supreme Court of the United States in the Reese case, had been left out altogether. After that the United States circuit court (Judges Hughes and Bond, of Virginia) has passed upon this exact question in the 16th Federal Reporter. My friend should by all means withdraw that statement, because he has made a slip of the pen or an inadvertency that is excusable, I think, under the circumstances of the case.

The minority report was hurriedly made; made, no doubt, without careful consideration, as is evident from the fact that it leaves out Brooks and these other names that I have called attention to that should have been counted, even under the express language of the minority report. Section 2007 Revised Statutes reads as follows:

SEC. 2007. Whenever under the authority of the constitution or laws of any State or the laws of any Territory, any act is required to be done by a citizen as a prerequisite to qualify or entitle him to vote, the offer of such citizen to perform the act required to be done shall, if it fail to be carried into execution by reason of the wrongful act or omission of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing to vote, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act.

That is copied from the Revised Statutes of 1878 and embodied in the majority report, and the minority report says that that provision was declared unconstitutional in 1874 by the Supreme Court of the United States, in the case of the United States *vs.* Reese. I call attention to the case of the United States *vs.* Mumford, in 16 Federal Reporter. I will not take time to read much of it, but I will read a part which especially calls attention to the change in this law.

Mr. CRISP. That is not a decision of the Supreme Court.

Mr. LACEY. This is a decision of the circuit court of the United States. The opinion is by Justice Bond and by Justice Hughes of that court. I will read now an extract from the opinion of Judge Hughes, which will be found on page 229:

I fully concur in the opinion just delivered by Judge Bond. I will add something on the constitutional question that has been argued so elaborately at bar. The information in this case is founded upon section 5506 of the Revised Statutes of the United States.

And I may here say, Mr. Speaker, that that section is another part of the act of 1870. In codifying the laws in 1874 the provision as to municipal votes, as to elections for State and county officers, was omitted, and this law, instead of having to stand now as it did at the time when the case of the United States *vs.* Reese was decided, upon the fifteenth amendment alone, stands upon other parts of the Constitution of the United States. I read further from this opinion:

I will remark that that section is not the same law as section 4 of the enforcement act of May 31, 1870. It is nearly the same in terms, but it contains no words connecting it with words in any other act, as section 4 did. It stands upon its own terms and language. It was not enacted in the same bill as section 4 of the act of 1870, or at the same time, or by the same Congress. It was enacted in 1874 and took effect as a law on the 1st day of December, 1874, two months after the case of the United States *vs.* Reese was argued before the Supreme Court of the United States and more than two years after the indictment was found which was passed upon in that case.

It became, Mr. Speaker, a part of the Revised Statutes of 1873, and those statutes did not take effect until 1874, and this particular law which gentlemen upon the other side now say is unconstitutional, basing that opinion upon the decision in the case of the United States *vs.* Reese, was not enacted in its present form to take effect until the 1st day of December, 1874.

Mr. CRISP. I will ask my friend if the "present form" of the law, as he calls it, is not exactly the same as it was in 1870.

Mr. LACEY. It is not.

Mr. CRISP. What is the distinction?

Mr. LACEY. The distinction is this: In the act of 1870 there is a previous provision connected with this section, placing the section under the fifteenth amendment and raising the questions of previous condition of servitude and of race and of color. That is all left out in the revision, and this law is limited and confined to Federal elections, to elections for Congress only.

Mr. DALZELL. Under Article IV of the Constitution.

Mr. LACEY. Under Article IV, section 1, of the Constitution of the United States.

Mr. CRISP. The gentleman thinks this is authorized under the "time, place, and manner" clause.

Mr. LACEY. Yes, sir; this comes under the "time, place, and manner" provision. My friend [Mr. CRISP] may smile, but I have the

advantage of having these two judges smiling upon my side of the question.

Mr. CRISP. And I suggest that I have the advantage of having a decision of the Supreme Court of the United States on my side, while the opinions to which the gentleman refers are merely the opinions of circuit judges whose decisions have not always stood, as the gentleman knows, if he bears in mind who they are.

Mr. DALZELL. Does the gentleman refer to the Reese case?

Mr. CRISP. I refer to the Reese case and to the Yarborough case.

Mr. DALZELL. The Reese case is the one you rely on?

Mr. CRISP. Yes; the Reese case and the Yarborough case.

Mr. LACEY. I will ask my friend from Georgia [Mr. CRISP], when he takes the floor, to explain to the House how it is that the case of the United States *vs.* Reese, arising under the act of 1870, where a man was arrested for a violation of that law as it related to a municipal election, and where the Supreme Court of the United States said that that law was not apt legislation to enforce the fifteenth amendment, controls this question arising under the present statute when that portion of it has been stricken out and the whole section made to apply entirely to Federal elections, and to the time, place, and manner of those elections. That identical question is discussed in this opinion. I read further:

We are dealing here with an offense charged to have been committed in a Federal election, in violation of this section 5506; and the defense asks us to base our ruling, in this case of a Federal election, upon the ruling of the Supreme Court in a case arising in a town election under the act of 1870, in which that court not only carefully confines itself to the case before it, but protested by iteration that it was not considering any law in its relation to Federal elections. Its opinion in Reese *et al.* was expressly confined to section 4 of the act of 1870, in its relations to State elections, and the court held that section not to be within the purview of the fifteenth amendment of the Constitution. But, even as to that section, the court did not, and took especial pains not to, decide that the section was beyond the purview of the first article of the Constitution.

The Supreme Court has never decided that section 4 of the act of 1870 was unauthorized by Article I. Much less has it ever decided that section 5506 of the Revised Statutes was unauthorized by Article I. This article and the fifteenth amendment are as follows; and it will be seen that the former refers only to Federal elections, while the latter refers to all elections, Federal, State, and municipal, but limits legislation under it to the prevention of discrimination between voters on account of race, color, and previous condition. The result is that Congress has general powers of legislation concerning Federal elections, but can legislate concerning State and municipal elections solely for the purpose of preventing discriminations on account of race.

And the case of The United States *vs.* Siebold, in 100 United States, qualifies and modifies the language in the case of The United States *vs.* Reese, and expressly holds that the fifteenth amendment was self-enacting so far as giving the right to vote is concerned.

Then, on page 232, Federal Reporter, the court proceeds to say:

Section 4 of the act of 1870 is now repealed. The Supreme Court never said that it was invalid under Article I of the Constitution, and it is now no longer on the statute-book. It is substituted by section 5506 as it stands in the Revised Statutes. This latter section applies only to offenses committed in relation to Federal elections. No one pretends, no one has ever pretended, that it relates to State or municipal elections; for it has never before now been under adjudication. It could not be made to refer to State or municipal elections except by authority of the fifteenth amendment, and it could not be brought within that authority except by interpolating in the section the words "on account of race, color, or previous condition of servitude."

Judge Bond in his decision discusses the questions and sustains the law as it now stands upon the original section. He says:

The fourth section of the first article of the Constitution of the United States provides "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, but the Congress may at any time by law make or alter such regulations except as to the places of choosing Senators."

If Congress can provide for the manner of election, it can certainly provide that it shall be in an honest manner; that there shall be no repression of voters and an honest count of the ballots. There is little regarding an election that is not included in the terms "time, place, and manner of holding it." Since the Reese case was argued Congress has enacted, as we said before, this section 5506.

Now my friend here makes, it seems to me, for the first time, the proposition as a lawyer that, when a law has been held unconstitutional by reason of some particular provision rendering it so, that law is still to be held unconstitutional after the unconstitutional feature has been stricken out, after the objectionable part has been eliminated. The fair way for our friends on the other side is to concede that they did not trace this question to the bottom, to concede their error, and let the case stand on some other question than one where they are confronted by the statutes of the United States and by the decision of the highest court that has yet been called to pass upon the question since the statute has been amended.

Now, taking this law as the law of the land, we have these additional nineteen men going to the polls and offering to vote. We have the fact that they had registered; the fact that their names had been left off the list sent to the judges of the election where the elections were held; that the voters did everything they could do to have their votes counted; and this being the case, under this section of the statute, it is the duty of the House to count such votes.

The next question involved in this case, Mr. Speaker, is the question of intimidation in Anne Arundel County. I am gratified to be able to say in behalf of the contestee, whom I regard as a gentleman of the highest character and for whom I entertain the profoundest respect, that the record only shows this intimidation in one place. It shows that a number of men went out from Baltimore, men whom I believe my friend from New York [Mr. SPINOLA] calls "Plug Uglies." It

appears that certain "Plug Uglies" went out from Baltimore to this particular precinct and interfered—

Mr. SPINOLA. The gentleman will permit me to make this remark, that the "Plug Uglies" were all Knownothings and Whigs and Republicans.

Mr. LACEY. Well, I was only borrowing a beautiful phrase which the gentleman threw at the gentleman from Maryland [Mr. McCOMAS] the other day; and I think a "plug-uglier" lot could not be picked out than these few men who went out to control the election at that precinct in Anne Arundel County.

It appears, Mr. Speaker, that one Tip Wells, who was soon afterward appointed to a position in the revenue service of the United States by the late lamented Mr. Cleveland, went out with a badge upon his person and, associated with sundry other persons of like evil-disposed nature, interfered with the election at this precinct.

Mr. COMPTON. That is not in the record.

Mr. LACEY. What is not in the record?

Mr. COMPTON. What you are saying: that Wells went out from Baltimore and had a badge on.

Mr. LACEY. The evidence shows that these men who presumed there to interfere with the election, and who intimidated the negro voters, had badges on and were claiming to be deputy United States marshals. They were strangers in that vicinity. The evidence shows that they struck old man Hall, an honorable old colored man who by honest industry has acquired property upon which he pays \$300 annual taxes; they drove him out of the line, tore his ticket from him, and told him that "no nigger should vote that day unless he voted for Cleveland."

The evidence shows that Rod Kess, another colored man, was knocked out of the line, beaten, struck down, and not permitted to vote. Then there was another man who was attacked, a man named Sampson; there were three of them; and this attack was followed up by a statement made by Mr. Pumphrey, a Democratic deputy marshal who had the badge of authority upon his bosom. He went to these various negro voters and told them they must go home; they must not vote; if they voted he would not answer for the consequences, with other persuasive remarks of like character, by which he led them to believe that their only safety depended upon their withholding their ballots. There were 175 of these men who went there to vote and did not vote.

It is contended by the minority in their report, and was argued before the committee, that these men ought not to be counted for the reason they did not show a sufficient amount of bravery. The law is stated by the minority in this language:

The law is well settled the poll can not be rejected unless the violence was such a display of force that ought to intimidate men of ordinary firmness.

Grant that that is the law. What is ordinary firmness? Must not you take into consideration that the man is colored, and his past habits of life and training? It would not intimidate my friend from Texas [Mr. MOORE], who is noted for his courage in the past. What would not intimidate him would prevent many colored men from coming out in this district to the polls. Long servitude has made these men timid.

During the war these colored men, properly trained and led, performed deeds of valor which are immortal, and for which they are entitled to the highest honor. But, sir, when they are scattered, when they are disorganized, their two hundred years of servitude, two hundred years of slavery on the part of their ancestors, all these things have made them more easily intimidated than white men. Herodotus tells when the Scythians were absent in their wars about twenty-eight years on their return they found their slaves drawn up in line of battle to meet them. What did these slaveholders then do? They threw down their arms, cut switches, and their slaves were at once disarmed and returned to servitude.

So in this day, men in whom timidity has been bred, who fear the white race, who have been in slavery year after year for centuries, are more easily intimidated than white men. We have the fact here proved that they were intimidated. We have the fact that they were threatened. Three were knocked out of the line and three were assaulted. After that they left the line and did not take their places again. You have only heard of the three who were assaulted, and after you have made the correction which has been called to the attention of the House the votes involved in this precinct will only increase the majority of Mr. Mudd, the contestant.

But all these men kept out of the line. They abandoned the polls, they understood there was danger, and I will call the attention of the House further to some of the testimony on this question. As it will be a convenience to members in finding the testimony and as I will not be able to read the whole of it, I hope, by unanimous consent, I will be allowed to print a part of it with my remarks.

The SPEAKER. The Chair hears no objection.

Mr. LACEY. The testimony in reference to the intimidation of these colored men is as follows:

E. J. Hines, one of the judges of the election:

Where were you standing when you say you saw a colored man pulled as you have described?

A. At the window.

Q. Inside the window?

A. Inside, sir.

Q. How far away from the window was the man standing that was pulled away?

A. About 6 feet; it might have been more and it might have been less.

Q. Was he in line to vote?

A. Yes, sir.

Q. Well, then, how many were ahead of him, between him and the window?

A. Well, there was, I suppose, maybe four or five.

Q. Colored people?

A. Yes, sir; and some white.

Q. They voted, didn't they, those that were ahead of him in the line?

A. Some of them did, very few, because it took time for the names to be run over, and they could not vote them fast.

Q. How many colored men did you see any one take hold of and pull away?

A. Two that I saw grabbed and slung off to one side of these fellows; first one and then another.

Q. You only saw two colored men pulled away?

A. Yes, sir.

Q. How many persons pulled them away?

A. This one man.

Q. Now, one man took first one colored man and then a second colored man to pull him out of the line; is that it?

A. As I stood here he threw him off to the side, to this here deputy, and told him to take him off, and then grabbed another one and slung him off.

Q. The deputy didn't take these two men, did he?

A. No, sir; because they didn't have no right to take him away, I suppose; just wanted to raise this spree there.

Q. The only spree that was raised was by pulling two men out of the line and telling the man who they said was a deputy marshal to take them away?

A. And told them they could not vote there, and to go home.

Q. Told whom they could not vote?

A. These colored men.

Q. Told these two colored men?

A. No; the whole crowd, that they could not vote and to go away.

George A. T. Jubb:

Q. You say you have been in the habit of voting the Democratic ticket?

A. Yes, sir.

Q. Did you vote for Barnes Compton at the last election?

A. No, sir.

Q. Whom did you vote for?

A. For Congressman; I scratched Compton off my ticket.

Q. Well, the county commissioners of Anne Arundel County last fall, at the time the judges of election were appointed, were Republicans, were they not?

A. I suppose not, sir; I have always voted the Democratic ticket up to last fall.

Q. How many colored people did you see taken away, as you have expressed it?

A. Well, I could not say exactly how many there were. There were quite a number at the window and quite a string behind them coming up.

Q. What did you see done yourself?

A. I saw the roughs pull them away from the window.

Q. How many colored men did you see pulled away?

A. I could not say how many there were they pulled out of the crowd, but they appeared to be determined to clear the window.

Q. How many roughs did you see there?

A. Seven or eight; I could not recognize them; they said they were roughs; I heard people say that.

Q. But you don't know that?

A. I do not know they are roughs; I know they are not residents of the county; not voters.

Q. And you are sure you saw seven or eight men that are not voters?

A. I am very positive in my mind.

Q. You can not tell how many colored people you saw taken hold of?

A. Oh, no; I couldn't tell, but there were several, and maybe more.

Q. Can you swear that there were more than two?

A. I am willing to swear there was more than two.

Q. Were there three?

A. I could not say the number, but there were more than two.

Q. Well, how many?

A. A hundred or more, probably; I can't tell.

Q. And they all went away only because these two or three men were pulled out of the line?

A. There might have been more than three; they were taking charge of the windows; the roughs were.

Q. How far from the window were these men that were taken away?

A. They were pressing them back; they would not allow them to come up and get their vote in.

Q. Were there any more people voting then?

A. No, sir; the voting had ceased.

Q. How far away from the window were the colored men that were pulled away?

A. The roughs appeared to be, when I looked up, near the window when the voting ceased, and I knew there was something going on; I looked up and the roughs had got possession between the colored people and the window.

A. Well, the darkies said as we passed, "There goes two white Republicans; now let's see if they vote." Well, we went down there and it was some time before we could get a ticket to vote; there wasn't any in the window, and none to be found around unless you got them from the darkies—Republican tickets. Mr. Goodin got several from a darky and gave me one and I went up and voted it. Before I got near to vote, when I was standing around there, this Roderick Kess he made a start to vote, and one of these roughs from Baltimore came over towards him and ran him about the length of this room and struck him; Kess got his head down this way [indicating] and the rough struck him right in the ear, ran him about the length of this room and struck him; that is about all I seen; I never seen a darky there to vote afterwards.

Q. Did you hear any white man tell the darkies not to vote?

A. I did.

Q. Who was it?

A. I heard Tip Wells tell several other Democrats; I was standing in a group and I heard Tip Wells tell several of those Democrats—and there was Ed. Pumphrey there, supposed to be a deputy sheriff, you know, and he told him to go out and tell the darkies that he was appointed deputy sheriff and there was fifty United States deputy marshals over here, and to tell these darkies that they had all better go home and not kick up any disturbance at all, because if any of them made any try to vote some of them would be hurt, and he did not want to see any trouble.

Q. You heard Tip Wells say that?

A. Yes, sir; and Ed. Pumphrey, too.

Q. You heard Ed. Pumphrey say that to the colored people?

A. I heard Tip Wells say that, and I heard twenty different darkies say—

Q. What are Tip Wells's politics?

A. Democratic.

Q. Do you know anything about his being appointed lately to an office?

A. He was appointed store-keeper in the internal-revenue office, I believe.
 Q. That is within the last two or three weeks?
 A. Yes, sir.
 Q. What are Ed. Pumphrey's politics?
 A. Democratic; but is little or nothing.

Owen Goodin:

Q. Did you go to the polling place on election day?
 A. Yes, sir.
 Q. Did you see any disturbance there?
 A. Yes, sir; this man Rod. Kess was jerked away from the window when he went to hand his ticket in, down at the house, close to the road.
 Q. Rod. Kess is a colored man, I believe?
 A. Yes, sir.
 Q. Do you know the man who struck him there?
 A. No, sir; I do not.
 Q. Was he a stranger in the neighborhood, or a resident?
 A. I never saw him before in my life, and I don't know who he was.
 Q. You haven't been in the neighborhood long, I believe?
 A. No, sir; about a year.
 Q. Where were the colored people when you came to the polls, or were there any of them about?
 A. They were about, away above; I asked one of them if he had any tickets; he said: "Yes, but they are no use, they won't let us vote."
 Q. Then, this man Kess came up to vote while you were there?
 A. Yes, sir.
 Q. Well, what happened; they grabbed him, you say?
 A. They grabbed him and jerked him away down to the other end of the house, near the edge of the road; he struck at him, but I do not know, could not tell, whether he hit him or not.

A. K. Young (white):

Q. Were you at the polling place of the first precinct of the third district on election day?
 A. I was, sir.
 Q. Did you see any disturbance there when you were there?
 A. I didn't exactly see no disturbance; they were driv away from the polls, but I didn't see any licks struck.
 Q. Who drove them away, and how did they drive them away?
 A. These parties from Baltimore did it.
 Q. Did you know any of them?
 A. I can't say that I did.
 Q. Was Wells among them, or do you know him?
 A. He was amongst them; I know Tip Wells.
 Q. How did they drive them away?
 A. The first man that come on the grounds they took hold of him and shoved him back, and he said he could not vote there, and the balance they pushed them away and told them they couldn't vote there.
 Q. These men that did this were strangers?
 A. Strangers to me; yes, sir.
 Q. You have been a resident of this precinct for some time?
 A. Six or seven years.
 Q. How did they come over, do you know?
 A. I don't know; I think they come in wagons.
 Q. Were they armed?
 A. Some of them had revolvers.
 Q. Were they exhibiting them?
 A. I saw some of them; yes, sir.
 Q. Had you any official capacity that day?
 A. I was appointed a marshal, but had nothing to show for it; deputy sheriff I mean.
 Q. Did you take any part in protecting these men?
 A. No, sir.
 Q. Why not?
 A. I had no authority.
 Q. Had you no commission?
 A. No, sir; I had no commission or badge.
 Q. How many of them were there?
 A. I could not say exactly; I did not count them.
 Q. Were they 2 or 20?
 A. Now, I suppose may be 10 or 12; something along there.
 Q. Did any colored people [vote] after the first pushing away from the polls?
 A. I think there were two that voted the Democratic ticket.
 Q. Were there any more that voted?
 A. I did not see them.

Q. That is all the disturbance you say you saw?
 A. That is all I seen; I didn't see ne'er a lick struck.
 Q. Now, you say you saw some one have a revolver or revolvers.
 A. I did, sir.
 Q. Where were they when they had them; where did you see them?
 A. There on the ground.
 Q. You did not see them point any revolvers towards the colored man that they pushed away, you say?
 A. I did not, sir.
 Q. How many colored people were there when you saw these pushed away after the polls were opened?
 A. I could not tell you, sir; a great many; I didn't count them.
 Q. Did any of them go up to vote after you saw them pushed away?
 A. Some of them did; yes, sir; but they didn't vote.
 Q. Did these men, these strangers that were there, did they have any badges on?
 A. Yes, sir.
 Q. Can you tell me what was on the badges, or did you see?
 A. United States marshal.
 Q. What was the color of the badges?
 A. Different colors; some blue and some red, as far as I remember.

Osmond S. Pumphrey:

Q. Did you see any disturbance there?
 A. I was the second man that voted, and left immediately after.
 Q. You didn't see anything there?
 A. No, sir; I saw nothing; there was several men that I did not know; strangers in the neighborhood; I was the second man that voted, and then left.
 Q. You left before there was any disturbance, if there was any?
 A. All the disturbance was he skipped this colored man Hall, and told him he had no right to vote; Hall said he thought he had; he said, "No, go away," and Hall turned, then, and left the window, and the colored men did not attempt to vote any more as they would not be allowed to vote, and they all left as far as I know.
 Q. Who was this man that told Mr. Hall this?
 A. That I could never tell you, sir; I never saw him before.
 Q. He was a stranger in the district?
 A. Yes, sir; an entire stranger.

Q. Had he a badge on that you noticed?
 A. Yes, sir; I think he had.
 Q. Do you know what was on it?
 A. I did not examine the badges.
 Q. What are your politics?
 A. I am a Democrat, sir; always was.

William H. Hall:

Q. What happened when you went up there?

A. I started away from home about quarter to 7 that morning and drove down there tolerably fast, and got down there about a quarter to 8 o'clock; I got up there about a quarter to 8; when I got up there I saw some white folks there, you know, and the polls had opened, and they commenced voting just before I got there; I was about the sixth person, I reckon, that got up to the window at about the time they commenced voting; I had my ticket in my hand, and folded my ticket up; at least I opened my ticket just that way [indicating], and held it in my hand; if I had a piece of paper to show you I could; this sketch will do; just this way [indicating]; I was walking up to the polls and was going to open my ballot and open it this way [indicating], and I was about the third person off the window, and I had my ticket in my hand ready to give it in; just at that very moment, just as I had my ticket in that position—I was about the third man from the window—there was some man come between; I stood right at Mr. Tip Wells's elbow, and the man come between me to crowd between me and Tip Wells, and tore the ticket in two; I held one part and he taken the other, and I asked a gentleman standing close there, Mr. Chairs, not further than that door [indicating], and I said, "Chairs, do you see this?" I said, "Mr. Chairs, see this," and nobody made any response; I carried my hand right around to the window and said, "Do you see this?" I said, and nobody made any response, and I said, "Don't you count out votes here to-day?" and a half dozen voices hollered out, "Not a damn one of you shall vote." I said, "If we can't vote we will go home," and I said, "Now, men, don't make no fuss," and we fell back, and I got in my buggy and went home.

Q. Who was it, so far as you could tell, that hollered, "Not a damned one of you shall vote?"

A. Well, I could not recognize any of the voices at all but Tip Wells's.

Q. You heard Wells holler that out?

A. Yes, sir.

Q. What are his politics?

A. A Democrat, I think, sir. I don't know what he votes, but I think he is a Democrat.

Q. Why was it, Mr. Hall, that you told the men to go home?

A. I apprehended danger. There was danger there from what I had heard before I got there. As I was going down the road I met a man by the name of Elias Brown when I was about a mile off the polling place, and he told me, "It ain't no use to go down there. Mr. So and So says you sha'n't vote, not a damn one of you." I said, "Is that so?" and he said, "Not a damn one of you shall vote," and he took me by the arm and shoved me up the road. He was a little cranky, anyhow, as I thought, and I said, "My son, we will go down and see what the trouble is, anyhow;" and when I got down there there was some men there, of course; so I hitched my horse, and I have told you what occurred.

Roderick Kess:

Q. How long have you lived in this district?

A. Well, sir, I have been living here all my life; I did live in the fifth; I was born in the third, and remained in the third until, I suppose, I was about thirteen or fourteen years old, and then I went into the fifth district and staid over there until I was about twenty-three years of age; then I went backwards and forwards, but I married in the third, and of course I remained there.

Q. You have been there all your life except a few years?

A. Yes, sir.

Q. Did you go up to vote on election day?

A. Well, I did, sir; I tried it.

Q. Tell us what happened.

A. I went down there in the morning and intended to vote and marched up to the polls as I generally always do; of course, in going to the polls there was a young man, I could not tell who it was, I did not know him, but knew he was a stranger, and know that he did not belong there; he struck me in the face, and threw me off, and pushed me off, and told me to go away; told me I didn't belong there, and knocked my hat off, and I turned around and said, "Dr. Williams, I am in my county!" I said, "What kind of carrying on is this here?" He said, "You will have to go and see the deputy sheriff." I didn't know he was, or whether he was a deputy or not, but afterwards I seen who it was, and that was a young man in the district called Mr. Ed. Pumphrey; of course he was acting as deputy sheriff and had a blue badge on, and it was said that there was the deputy sheriff.

Q. Was that the last of it?

A. I saw it was no use to try to vote, so I left.

J. B. Hall:

Q. Mr. Hall, how long have you lived in the first precinct of the third election district?

A. Ever since I was about one year old.

Q. Were you at the polling place on election day?

A. I was, sir.

Q. Did you see any disturbance there?

A. Well, a man snatched a ticket out of my father's hand, and he said, "Gentlemen, do you see this?" And I looked and the ticket had been snatched out of his hand. I didn't see it, but, from what he told me, it was torn in his hand; and he called out to Mr. Chairs: "Mr. Chairs, do you see this?" I had my arm on the window with my ticket in my left hand, ready to call my name, and nobody answered, and I said, "Gentlemen, can't we vote here to-day?" and this Tip Wells hollered out, "No; not a damn one of you shall vote here to-day;" and then we fell back from the window.

William M. Hines:

Q. Did you see any strangers about the polls that day?

A. I did, sir.

Q. How many do you suppose there were?

A. About eight or ten, I think.

Q. Where did they come from, do you know?

A. I do not, sir.

Q. What did they come in, do you know that?

A. They came in two-horse vehicles.

Q. Strange vehicles?

A. Yes, sir.

Q. Did they have any arms, do you know?

A. I could not say; I saw no arms.

Q. How long did you stay at the polls, Mr. Hines?

A. From about the time I got there until after the polls were closed and the ballots were counted.

Q. Did any colored men come up to vote while you were there?

A. No, sir; one started to come up and they told him to go back.

Q. Who told him to go back?

A. The strange parties.

Elijah Henson:

Q. Did you vote?
A. No, sir.
Q. Why didn't you vote?
A. Well, when Mr. Hall went, I got my ticket from Mr. Hall; and I were coming up to the window for to vote, and some of them snatched him away, pulled him around, and tore his ticket in half as he had it in his hand; he said, "Ain't our tickets accepted?" and some one says "No;" I don't know who it was, but there was some one made the answer, "No; they was not accepted," and he said, "Well, it is best for us all to go home."
Q. Where were they when you saw them?
A. They were up there to the polls or right around them.
Q. Close to the polls?
A. Close, of course; yes, sir.
Q. Was it one of them or not that tore Mr. Hall's ticket out of his hands?
A. Yes, sir; that was one of the strange men; it was a stranger to me that tore Mr. Hall's ticket in his hand—that he had in his hand.

Elijah G. Howard:

Q. Did you go to vote last election?
A. Yes, sir.
Q. Did you get your vote in?
A. No, sir.
Q. Why not?
A. Well, when I went there I went, I guess, about 8 or 9 o'clock, when there was a good many of the men coming away, and I said, "Why didn't you vote?" and they said some of them were keeping them away, and when I got to the polls I didn't try to vote, and Mr. Ed. Pumphrey—I got word from Mr. Hall there. Mr. Hall said—the first thing I knew—it was just as well to go back home, that they were objecting to the votes. Mr. Ed. Pumphrey told us not to go to the window, and he was telling us that for our own good, and for us not to go to the window, as there would be great trouble, he said; and I didn't go to the window at all.
Q. Did you see any guns around there?
A. Yes, sir.
Q. Where?
A. In a wagon.
Q. Where was the wagon?
A. About the window.
Q. Was it a wagon from the neighborhood?
A. It was from Baltimore, I guess; I had not seen it before.
Q. Do you remember what horses were in it, or were there any in it?
A. I think it was gray horses in it, but some of the rest knew the horses better than I did; but I seen them in the wagon.
Q. What sort of guns were they; could you tell?
A. No, sir; I didn't stop long enough to look at them; I heard some of the rest of the men say there were guns in the wagon, and I walked off down the road; but I seen the guns in there and seen the locks and breeches.
Q. How many do you suppose there were there?
A. Five or six; some of the men said more, but I did not stop to see.
Q. How far was this wagon from the polling place?
A. It was not over 5 yards from the window, right at the corner of the house, most; it was right at the corner of the house, most.
Q. Were you afraid to vote there?
A. Yes, sir; I just got up there and nobody else would not go up and vote, and I wouldn't go up by myself; and if nobody voted, I wouldn't do it.

Noah Queen.

By the examiner:

Q. State your name, residence, occupation, and age.
A. Noah Queen; third district, Anne Arundel County; I am a carpenter; am forty-three years old, as near as I can come at it; I am not certain about that.

By Mr. ROSE:

How long have you lived in Anne Arundel County?
A. I moved in the third district of Anne Arundel County in 1839.
Q. Did you go up to vote on election day?
A. I did, sir.
Q. What happened?
A. I didn't vote; that's one thing I know didn't happen.
Q. Why not?
A. Well, sir, some of my friends objected to my going there, and said there had been some ahead of me that could not vote; that Mr. Hall was there with the men there and that he couldn't vote, when he went up to vote, and they objected to my going because I wanted to vote, and when I wanted to go and try they said Mr. Hall had been there to vote and several others wouldn't let them vote. I says, "Well, I am going to try to vote, anyhow; I don't care what Mr. Hall does." They said, "Don't you go, or somebody will get hurt." I said, "I don't care if I do; who is going to stop us?" Jerome Hall said, "Don't go," I said, "I'm going," with an oath to him, and I looked around suddenly, and a gentleman by the name of Ed. Pumphrey, he said he was deputized as a sheriff that day, and I said "Mr. Pumphrey," with an oath, "what is the result that we can't vote here to-day?" He said, "No, you can't vote, I don't think;" and he said, "If you go there and try to vote it will be the dearest day's work you ever did."
Q. What happened to you; why didn't you?
A. Well, when I got there they were all scattered about there, standing around there, and there was no colored persons at the polls voting, and I asked what was the matter; and they said the votes was objected to, and no colored man had voted there that day; and so I stood off and didn't try afterwards to go to the window, and along come Mr. Pumphrey.
Q. Which Mr. Pumphrey?
A. Ed. Pumphrey, and he talked with me, and he told me that we could vote, provided we would run the risk of our own lives. Well, I made the remark that I didn't feel disposed to run the risk of my own life, and I didn't feel I had done anything or done anybody any harm; so I staid there pretty well along in the evening, and then I went away to go home. I was in the neighborhood, and I was one of the last that left there. Nobody didn't bother me.
Q. Did you hear Mr. Chairs here say anything about it, about the colored people voting that day?
A. I didn't hear him say anything about the polls, only he was walking along talking.
Q. You did hear him say something?
A. Yes, sir; he went along talking about the case, and he said that it was made up with themselves, and that was all he said. He was not talking to me; he was talking to a friend, and I was alongside of the road as he went by.

George W. Howard.

Q. Did you vote?
A. No, sir; I didn't.
Q. Why not; what happened?
A. Well, when I got down there it appears that they were objecting to letting us vote,

Q. Who told you that?
A. Mr. Ed. Pumphrey.
Q. What did he tell you?
A. He told me it would be best; he told me the best thing I could do was not to try to vote, and he said the best thing we could do would be to leave, because we would not be allowed to vote.
Q. What did he say would be the trouble? Did he say you would get into trouble; and, if so, what sort of trouble?
A. He said some of us would get hurt if we undertook to vote, and advised us to leave.
Q. Did he say there were any arms down there, or anything about there?
A. He said there was about thirty roughs from Baltimore down there; he told us that.
Q. Did you hear Tip Wells say anything?
A. Well, then we left from opposite the window and went and sat upon an old log alongside of an old barn there; and he were walking up the road and he said, "Within ten years from now there won't be a damn nigger in Anne Arundel County that can vote;" I heard him say that.
Q. Did you go to vote last election?
A. Yes, sir; I went there, but I didn't vote.
Q. Why didn't you vote, and what happened when you went there?
A. When I went up to the polls to vote I followed Mr. Hall, and Mr. Hall went around where the white gentlemen were, and I followed the house side up, and when I got up to the window, I didn't go quite to the window, I touched the window with my cane, and I heard some of them say, "Go back," and that we could not vote there. As I was a cripple I could not go back far, and they like to knock me down; and Mr. Hall started back and said we could not vote; and a gentleman there said, "You shan't vote; go away; and we don't want none of your jaw;" and then we came back.
Q. You say you were nearly knocked down; who nearly knocked you down?
A. Some four or five colored people ahead of me; when I started away from the window I could not go away fast enough.
Q. Were they running?
A. They fell back on me.
Q. Crowded back?
A. Yes, sir; they fell back from the window and like to knocked me down, as I could not get away fast enough, and I fell back, and Mr. Hall told us we had better go away, and all hands went away.
Q. Did you hear Mr. Ed. Pumphrey say anything?
A. He didn't say—the only thing he said was that it wasn't no use to go up there for they had too many guns, and that we could not vote that day.

Jacob H. Owens:

Q. Did you know Andrew Sampson?
A. I did.
Q. How long has he lived down there?
A. These eight or nine years or more.
Q. They pulled him from the window?
A. Yes, sir.
Q. Did you see Tip Wells there that day?
A. I did, sir.
Q. Was he or not with those strangers?
A. These two young men that pulled Sampson away from the window, Tip Wells followed them, but he didn't attempt to put his hand on Sampson, but just followed behind them when they showed him out.
Q. Did you see any guns there that day?
A. I did.
Q. Who had them?
A. There were three men standing behind the house loading their guns, but I don't know who they were.
Q. Were they strangers there?
A. They were; they loaded the guns and stood behind the house like that [indicating]—behind the house; then I saw two other gentlemen coming up with guns; one of them I knew, and the other one I didn't.
Q. And these men were loading the guns right at the polling place?
A. Right behind the polling place.
Q. Did you hear Mr. Ed. Pumphrey say anything that day?
A. I asked himself what was his position, and he said he was sheriff; and I asked him if he was a constable, and he said no, he was a deputy sheriff there to arrest any one that [dis]obeyed the laws that day; "But," he said, "I am not worth a damn in this crowd of men that is here;" and he said, "I will advise you fellows all to go home, as you won't have any show of voting here to-day."
Q. Did you see Mr. Hall pulled from the window?
A. I did, sir.
Q. What occurred then?
A. The same two young men that pulled Sampson from the window pulled him away, too.
Q. Did you go up to vote last fall?
A. No, sir; I didn't; I didn't go there, sir.
Q. How near did you get to the polls?
A. Well, I got about half a mile off the polls.
Q. Why didn't you go any further?
A. Well, I heard there was a row kicked up and that it wasn't no use to go any further.

James Henry Baker:

Q. Did you vote?
A. No, sir; I didn't vote.
Q. What stopped you from voting?
A. These men from Baltimore, or wherever they were from; when we went up to the polls to vote they said we shouldn't vote, and Mr. Hall then said we couldn't vote; I didn't go up to the window at all.
Q. They were strange men, were they?
A. Stranger men.
Q. Did they take hold of anybody?
A. I seen them carrying Mr. Hall back, but which it was had him I don't know.
Q. What did these men say?
A. They said we should not vote; I heard them say that, but who it was said it I do not know.
Q. White men said it?
A. Yes, sir.
Q. Strangers to you?
A. Yes, sir.

By Mr. COMPTON.

Q. You say you didn't want to get killed?
A. No, sir.
Q. Why did you think you were going to be killed?
A. I heard they had guns.
Q. You saw nobody with guns, did you?
A. No, sir.
Q. Did you see anybody with pistols?
A. No, sir.

Q. Did you see or hear anybody threaten to kill anybody?
 A. No, sir; but I heard them say they had guns, and that somebody might get killed.

Q. Who said that?
 A. I don't know who; it was a stranger, but who it was I do not know, sir.

By Mr. ROSE:
 Q. What did he say?
 A. He said some niggers would be killed that day, but who it was said it I don't know.

Q. Did you go to the polls last election?
 A. I did, sir.

Q. How near did you get?
 A. I got right up to the polls.

Q. Did you vote?
 A. No, sir.

Q. Why didn't you? Tell us all about it.
 A. The reason why I didn't vote, they said it wasn't no use; there had been a little riot, but I got there, and they said it was no use for any of them to try to vote; I met some of them coming back, and I didn't vote.

Q. You went up to the window?
 A. No, sir; not to the window; I went up to the yard.

Q. Did you see any strange men there?
 A. No, sir; not particular; there was a good many strange men I didn't know, but I don't know of any particular strange men.

Q. Did you hear any white men say anything?
 A. No, sir.

Q. And the other colored men told you that there had been a riot and you couldn't vote?
 A. Yes, sir; that is, I met some coming away, though I kept on up there.

Q. Why didn't you try to vote?
 A. They said it was no use.

Q. Told you you would not be allowed to vote?
 A. Yes, sir.

Q. Did they tell you what had occurred there?
 A. Yes, sir; they did.

Q. How near did you get to them?
 A. Up to the polls on the ground.

Q. Did you vote?
 A. No, sir.

Q. Why not?
 A. My vote was rejected.

Q. Tell us all that happened?
 A. These men, you know, it was a lot of them, and there was a row before I got there, but I can't tell anything about it.

Q. You say your vote was rejected; how was it rejected?
 A. All I know the folks was there before I was, and they said the vote was objected, and I didn't try to put mine in.

Stephen Asbury Brown:

Q. You didn't vote?
 A. No, sir; I did not.

Q. Why not?
 A. Well, when I got there the folks told me that it was not worth while to go to the polls, because my life was in danger.

Q. Who told you that?
 A. Mr. Ed. Pumphrey told me that. He come down and told me that. He said it wasn't worth while for me to go; I could go, but I was liable to get hurt; and under them circumstances I didn't go to vote.

Q. And then, you say, Mr. Pumphrey told you—
 A. (Interposing.) Mr. Pumphrey said that there was no chance of voting, "But," he said, "you probably can vote if you persevere your way to the window; but you are liable to get hurt."

Josiah Cephas:

Q. The people you saw told you you could not vote; did you know them?
 A. I guess I knew some of them.

Q. Who were the men who told you that?
 A. Ed. Pumphrey was one of them.

Q. Who else; do you remember?
 A. I can't remember exactly; so many said you can't come there, and I was prohibited from going there.

Q. But you remember Ned Pumphrey telling you that?
 A. Yes, sir; he said you can't go there and vote.

Q. And Mr. Pumphrey said you were objected to?
 A. He said, "You can't go there to vote," and I didn't go.

Henry Green:

Q. You didn't vote?
 A. No, sir.

Q. Why not?
 A. I met the folks coming away from there, and they were kicking up a row and I thought I better not go, and Mr. Ed. Pumphrey came down in the crowd where we were sitting; he was some kind of a marshal, and he told us not to go to the polls, that we might get hurt.

Stanley Chester Green:

Q. What confusion did you see?
 A. I seen a gentleman taking Mr. Hall way from the window, and they said they rejected the votes there that day; the colored people couldn't vote.

Q. Who were the men that said that?
 A. I don't know them.

Q. Were they white men?
 A. Yes, sir.

Q. Had you ever seen them before?
 A. No, sir.

Q. They were strangers, then, in the neighborhood?
 A. Yes, sir.

Q. Why didn't you go closer?
 A. Well, I don't never go nowhere where there is an eruption made; I don't fight myself.

Q. You are not a fighting man, then?
 A. No, sir; I am not a fighting man, and I was raised that way, and always kept clear of anything like that that I could.

Jacob Hall:

Q. Were you there when Andrew Sampson attempted to vote?
 A. Yes, sir.

Q. What happened to him?
 A. Two gentlemen pulled him out and struck at him, and said he was in the wrong district.

Aaron Johnson:

Q. Did you vote?
 A. No, sir.

Q. Why not?
 A. Well, I see the scrimmage there; they pulled a man away from the window and struck at him, and soon after that Mr. Hall, they snatched him from the window, and they had a scrimmage, and that was enough; I was becoming intimidated until I was afeared to go up. I heard Mr. Hall say they had objected to the votes.

Q. And you went away?
 A. Yes, sir.

Stephen Johnson:

Q. Did you go up to vote last fall?
 A. I did.

Q. How near did you get to the polls?
 A. I went up in the yard, sir.

Q. Did you vote?
 A. No, sir; I did not.

Q. Why not?
 A. I didn't see nobody else a voting, and they said the votes were refused, and so I didn't think, I didn't know as I was more manly than anybody else, so I went home.

Q. What time of day was that?
 A. I guess it was 10 o'clock, sir, as close as I can come at it. It might have been later.

Q. Who told you the votes were refused?
 A. Thomas Johnson.

Q. He is a colored man, isn't he?
 A. Yes, sir.

John Wesley Jacobs:

Q. Did you vote?
 A. No, sir.

Q. Why not?
 A. Because I understood when I got there they would not let the colored ones vote, and of course I didn't insist at all; the crowd was broke up when I got there, and they was not allowed to vote, and of course I didn't resist.

Q. What time was it when you got there?
 A. As near as I can come at it, it was about 11 o'clock.

Q. You were told the colored people were not allowed to vote?
 A. I was, sir.

Q. Other colored people told you so?
 A. Yes, sir.

John W. Marsh:

Q. Did you vote?
 A. No, sir; I did not.

Q. Why not?
 A. Well, they said the vote was objected, and they wouldn't let the colored fellows vote.

Benjamin Richards:

Q. Did you vote?
 A. No, sir.

Q. Why not?
 A. I was objected to, my voting.

Q. Who objected to your voting?
 A. I don't know the man's name; I don't know the names now, about the Neck much; but the men objected to our vote, and our head captain said he thought it would be best for us not to vote.

Q. What time did you get there in the morning?
 A. I guess about 7 o'clock.

Q. Did you see Andrew Sampson when he went up to vote?
 A. I did, sir.

Q. What happened to him?
 A. Some man called him away, and said he couldn't vote in that district.

Q. Did you see Hall go up to vote?
 A. Yes, sir.

Q. What happened to him?
 A. Some of them pulled him away; I can't say his name.

Q. Did you see Mr. Hall there?
 A. Yes, sir.

Q. Did you see him go up to vote?
 A. I seen him go up to vote, but I don't know whether he voted or not; I seen him start up.

Q. You left when you saw Andrew Sampson pulled away?
 A. Yes, sir.

Q. What did you leave for?
 A. Mr. Hall said it wasn't no use for us to vote, and said the vote was objected, and to go away, and before that I heard some one in the crowd say there wasn't a damn colored man that could vote that day, but I can't tell who it was.

Q. Was it a white man?
 A. Yes, sir.

John Wesley Richards:

Q. Did you go up to vote last fall?
 A. Yes, sir.

Q. How near the polls did you get?
 A. I don't know, sir; no nearer than 40 yards to the house; that is as close as I got.

Q. Why didn't you go nearer?
 A. The reason I didn't go any nearer, because I met the gang, and they had been there and they couldn't vote; and it wasn't any use for me to go any nearer.

Howard Richards:

Q. How near did you get to the polls?
 A. About as close as from here across the street here [indicating].

Q. Why didn't you go closer?
 A. Well, I met the other parties coming away from the polls, and they said the vote was rejected; was the reason I didn't go any further.

Q. Did they tell you how it was rejected and who rejected it?
 A. They told me they had some roughs there from Baltimore, but didn't know who they were, and I didn't see them.

William Mason:

Q. What stopped you?
 A. They say they could not vote.

Q. What time did you get there?
 A. Between 9 and 10 o'clock, sir.

Q. They told you you could not vote?
 A. There was a good many of them said you couldn't, and I went on up further, and they said they couldn't vote, none of them; and that's what they said.

- Q. And then you turned around and went home?
 A. I staid down there awhile; I didn't see nobody voting.
 Q. Why didn't you go up and try?
 A. I was like many others.
 Q. You hadn't enough sand in you?
 A. The sand was in my heels.

Alexander Davis:

- Q. Did you vote?
 A. No, sir.
 Q. Why not?
 A. Because when I went there to vote they snatched one man off the polls and grabbed the tickets out of his hand; he had one-half of the ticket and the other man had the other half, and said he couldn't vote.
 Q. Who was the man?
 A. That said that?
 Q. No; that was snatched away?
 A. Hall, I think his name was; an old gentleman.
 Q. You saw them pull him away?
 A. Yes, sir; they snatched him off and grabbed the ticket, tore the ticket in half, and he held on to one half and the other man held on to the other part.
 Q. Did the white man say anything?
 A. Only said that he could not vote, and that is all they said.

Richard Edwards:

- Q. Did you go up to vote I mean?
 A. No, sir; I started on the road, but I heard they were not voting and I turned around and came back home.
 Q. Who told you they were not voting?
 A. I met some men coming back, and they said they had been down there and did not think it worth while for me to go vote.
 Q. Did they tell you why they were not voting?
 A. They said they couldn't vote; that is all they told me.

Charles H. Brooks:

- Q. How near did you get to them?
 A. I got about 3 yards from the window, sir.
 Q. Well, why didn't you vote?
 A. Because I started to the polls there and there was a kind of a scrimmage there and kicked up a rumpus and said nobody could vote and so I came away.

George A. Edwards:

- Q. Did you go to vote last fall?
 A. I tried to went there, but I didn't go very far, so I turned back.
 Q. How far did you go?
 A. I got as far as Ben Howard's.
 Q. How far is that from the polls?
 A. A good ways.
 Q. How many miles?
 A. I will never tell you.
 Q. Why didn't you go on the rest of the way?
 A. No, sir; it was too sweet down there for me.
 Q. What do you mean by too sweet?
 A. I thought I had an engagement to go down there, but I didn't go; no, indeed.
 Q. You were afraid to go down there; was that it?
 A. Certainly; and there was a lot more afraid besides me.
 Q. What did people tell you that was going on?
 A. Right smart told me.
 Q. What did they tell you?
 A. They told me I had better turn back, and I turned back as I was coming down, and went home.

Charles Fletcher:

- Q. How near did you get to the polls?
 A. Within about 5 yards of the window, as near as I can get at it.
 Q. Did you vote?
 A. No, sir.
 Q. Why not?
 A. Well, there was a couple of gentlemen coming up to me at the time I was near the window, and they got me by the shoulders and shoved me back and said there was no niggers should vote there that day.
 Q. Who were these men?
 A. I don't know, sir. They were strangers to me, and I never seen them before as I know of.

Resin Prout:

- Q. How near did you get to the polls?
 A. I got close enough to the polls to see the polls.
 Q. Why didn't you go closer?
 A. Because I met some fellows, and they told me I couldn't vote; some people coming down there.
 Q. Who told you?
 A. I heard people say there that you couldn't vote; you shouldn't vote. I don't know who they were.
 Q. Were they white men?
 A. Yes, sir; they was white men.
 Q. You didn't know them?
 A. No, sir.
 Q. You had never seen them before?
 A. Not as I know of, sir; I might have seen them, but I didn't know them.
 Q. They were strangers to you?
 A. Yes, sir.
 Q. Well, where did you go?
 A. I didn't stay there any longer after they told me I couldn't vote. I never done anything in my life, and I didn't want no trouble.
 Q. You heard these men say they couldn't vote there?
 A. Yes, sir; they said, "None of you niggers can't vote here."

Jacob Asbury Richards:

- Q. Well, go on; what occurred?
 A. I met the people. I went down there and Mr. Pumphrey told us that we better not vote. Mr. Pumphrey told them that they had better not vote there that day, because they might get hurt, or something or other; that a man had guns down there, and said that they were not going to let any of them vote; they had some few colored people voted down there that day. I never went to the polls; me and another fellow was together.

Thomas Stewart:

- Q. Do you know Mr. Edward Pumphrey?
 A. Yes, sir; I do.
 Q. Did you hear him say anything there that day?
 A. Yes, sir.

- Q. What did he say?
 A. He told us that it was best for us to get away as quick as we could; that there was going to be trouble; of course I didn't see anything at all myself like that; but he told us that there might be trouble if we staid around there.
 Q. What did he say was there?
 A. He said there was a couple of loaded guns there for us.

Henry Spriggs:

- Q. Did you vote?
 A. No, sir.
 Q. Why not?
 A. I understand that it was so said that they shouldn't none of the colored people vote.
 Q. What time did you get there?
 A. I got there between 8 and 9 o'clock in the morning, as near as I can get at it.
 Q. Who told you this?
 A. Several of the colored ones told me so, and I waited for that purpose for awhile. I thought after while I might get my ticket in, and there was a gentleman from town—a gentleman with a red badge on his breast—and he said he was there for to protect these polls, and I said to him "There is no protection here for a man," and he said "There is no use for you to go there and fight all these men for to try to get your ticket in, and if I had my own way about it, you should put that ticket in there, but I wouldn't advise you to go there and vote because you might get hurt;" and then I said, "I don't see any use putting a man here; you are here to protect these polls, and you can see that they are keeping us from voting; 'taint no use to put a man to protect them unless he can do it;" and then I walked up past the window and stood there. I didn't undertake to put my ticket in; I carried it home, and I have got it in my pocket now.

Jarrett Edward Stewart:

- Q. You say you didn't vote?
 A. No, sir.
 Q. Why not?
 A. Well, sir, they was saying that colored people shouldn't vote.
 Q. What time did you get there?
 A. About 8 o'clock.
 Q. About the time the polls were opened?
 A. Yes, sir.
 Q. Did you see Andrew Sampson there that day?
 A. I seen him there, but I didn't see nothing.
 Q. Did you see Mr. Hall there that day?
 A. Yes, sir.
 Q. Did you see him when he went up to vote?
 A. Yes, sir.
 Q. Did he vote?
 A. No, sir.
 Q. Why not?
 A. Because they took his ticket away from him.
 Q. Who were the men that took the ticket away from him?
 A. I didn't know the men that took his ticket away.
 Q. They were strangers?
 A. Yes, sir.

John Wesley Warren:

- Q. Did you vote?
 A. I did not.
 Q. Well, why didn't you vote?
 A. Because I got up to the fire there where the majority of the men were standing and I heard them say that there had been a riot up there, and I was afraid to go up there by myself, knowing that I wasn't a better man than anybody else.

Alexander Bruce:

- Q. Did you get near the polls; how near did you get to the polls?
 A. I was a half a mile off.
 Q. Why didn't you vote?
 A. Because the crowd was broke when I started, and they said I couldn't vote, and I didn't go down any further.

Richard Brady:

- Q. How near did you get to the polls?
 A. I got about three yards from the window.
 Q. Within three yards of the window?
 A. About three yards; yes, sir.
 Q. Did you vote?
 A. No, sir.
 Q. Why not?
 A. Well, sir, there was a little disturbance there, and I didn't try to vote afterwards.
 Q. What was the disturbance?
 A. Well, they said I shouldn't vote, and they shoved some of them away, and I guessed it was time to stop then; 'cause I didn't care about getting into any difficulties.
 Q. Who said you shouldn't vote?
 A. I didn't know the man.
 Q. Was he a white or a colored man?
 A. He was a white man, sir.

James Emery Cephas:

- Q. Did you vote?
 A. No, sir.
 Q. Why didn't you vote?
 A. Well, the objection was, I was right near the polls and had my ticket in my hand, and I seen that Mr. Hall was objected—Mr. William Hall that was—they said he could't vote there, and I stopped awhile then, and I thought to myself it's better for old Cephas to get away from there, but I didn't see no danger or anything, gentlemen; that's just natural feelings, and Will Hall said he didn't think the votes would be anything if we did vote; I walked up the road a considerable ways for to get out of the way of this excitement, for I thought maybe we could all vote in peace and quiet after while, but then I seen that it was advisable for me to go away, for a white man sees evil, and therefore he shuns it, and I thought I would get out of the way; I was an old man, you know, sir, and I thought I ought to get out of the way; I didn't see no threatenings and no guns or anything of that kind.
 Q. You say Mr. Hall said that you couldn't vote, and if you did vote your vote wouldn't amount to anything?
 A. After they taken Mr. Hall by the hand and said, "You can't vote here," and I was standing about that distance from here to you, and they said to him, "You can't vote here," I thought if Mr. Hall can't vote I can't vote there neither.

George Carter:

- Q. Did you vote?
 A. No, sir.

Q. Why not?

A. Well, sir, a gentleman met me and told me that I couldn't vote there that day.

Q. Who told you that?

A. I didn't know the gentleman's name; I didn't know him.

Q. Was he a white man?

A. Yes, sir.

Q. A white man told you?

A. After some of the colored people told me, I said I'm going to see, and a white man met me about as far as from here outside and said, "Look here, old man, you can't vote here this day; no nigger can vote here this day, and it is the best plan for you to go home," and I never made any more talk, I just turned around and went home.

William Henry Crowner:

Q. Did you vote?

A. No, sir; I didn't.

Q. Why not?

A. Because these men that was down there said that none of us colored men shouldn't vote there to-day; one of them had an oath to it; no colored men shouldn't vote there to-day.

Q. Who said that?

A. Some men that was there; they was strangers to me; I didn't know them.

Q. Were they white men?

A. Yes, sir.

James H. Cook:

Q. Did you go to vote last fall?

A. Yes, sir.

Q. How near did you get to polls?

A. I got within about 20 yards of the house.

Q. Why didn't you go nearer?

A. Well, sir, from what I learnt that we couldn't go any nearer.

Q. Who told you you couldn't go any nearer?

A. Well, I seen some of the boys that had been there before me, and I met some on the road, and they said their votes was rejected, and they couldn't get to the window; everybody seemed to be afraid to venture their lives there; afraid to go any further.

Q. You went away with the rest?

A. Yes, sir; I was afraid to venture up by myself; yes, sir.

Q. Did you see any strange people there?

A. Yes, sir.

Q. Were they white men or colored men?

A. They was white men, sir.

Frank Cager:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Because they was pulling and hauling as I went up to the polls and they all rushed back just as I was going up and I went back, too.

Q. Who were they pulling and hauling, did you see?

A. Mr. Hall.

Q. Did you hear the men that were pulling and hauling Mr. Hall say anything?

A. Yes, sir; I heard them say that he shouldn't vote there; that he didn't belong there.

Q. Did you see Mr. Osmond Pumphrey there that day?

A. Yes, sir; I saw him there.

Q. Did you have any talk with him?

A. No, sir.

Q. Did you see Mr. Edward Pumphrey there?

A. Yes, sir.

Q. Did he say anything?

A. Yes, sir; he came past us and says—some of the fellows said something to him, and he says that all of you better go home; that he didn't think we could vote that day.

Thomas G. Cook:

Q. Why not?

A. They told us our votes was objected and we couldn't vote; told me I couldn't vote.

Q. Who told you you couldn't vote?

A. Mr. Pumphrey; Mr. Ed. Pumphrey.

Q. What did he say to you?

A. I asked him how it was we couldn't vote, and he said we couldn't vote there to-day; he says: "You better not go there, you might get hurt."

Q. How near did you get to the polls?

A. I got about a half a mile from the polls; I met the—

Q. Why didn't you go nearer to the polls?

A. Well, sir, I met the boys coming back and they said that they would not let anybody vote, and so I came back.

Samuel Dorsey:

Q. How near to the polls did you get?

A. I reckon I got within 30 yards of the place?

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Because our votes was rejected.

Q. What time of day did you get there?

A. About 9 o'clock in the morning.

Q. Who told you your votes were rejected?

A. A man by the name of Banus Matthews. He was at the window at the present time; at the polls.

Q. What did he tell you, Dorsey?

A. He said our votes was rejected, and we couldn't vote.

Columbus Franklin:

Q. Did you see Rod Kees go up to vote?

A. I did so.

Q. Did he get his vote in?

A. Yes, sir.

Q. Well, what happened?

A. Well, some of them snatched him away from the window.

Q. Who were the men that snatched him away from the window?

A. I didn't know them, sir.

Q. You never saw them before?

A. No, sir; only Mr. Tip Wells.

Q. Did you hear any of the white men say anything?

A. Yes, sir; I heard Mr. Tip Wells say, "Not a damn nigger should vote."

Hezekiah Fisher:

Q. Did you vote?

A. I did not, sir.

Q. Why not?

A. Well, sir, there was several gentlemen there that appeared to be interested there, and they was pulling and hauling and raising a disturbance there, and of course that made the men stand back some time; and then I heard them say—I heard the fuss, and two or three said that they rejected to our voting.

Jacob Franklin:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Well, I understood they said you shouldn't vote, and I never went exactly right to the window, and then Mr. Pumphrey said, it was best to go home, and I took his advice; I staid around there for a little while, and then I went home.

Q. You took his advice and went home?

A. Yes, sir.

Thomas Fisher:

Q. Do you know whether he voted or not?

A. No, sir; I do not, sir.

Q. You heard that your vote was objected to; what did the men say?

A. When we went up to the window to vote, Mr. Tipp Wells, and some other gentlemen, I don't know who they were, they said that there was no voting, and no person should vote there to-day unless they voted for Mr. Cleveland; they couldn't vote our ticket. Some of them said our votes is objected to, and they said yes, they were, and that was the reason, unless they voted their ticket; and every person, and I and a great many others left the polls.

Q. Did you see Mr. Edward Pumphrey that day?

A. Yes, sir; I talked with him.

Q. Did he say anything?

A. Yes, sir.

Q. What did he say?

A. I asked him what was the reason that we couldn't vote there, and he said that we better go home; he said our tickets, our votes, was objected, and he said it was not safe for us to stay there, because a crowd of ruffians had come from Baltimore, and it was best for us to get away from there as soon as we could, and that is all I had to say to him.

Lloyd Faulkner:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Because I couldn't vote, sir.

Q. Why?

A. The men was there to keep us from voting, it appeared like, sir; standing there and shoving us away from there, and they took and pulled a man named Andy Sampson, and said he shouldn't vote there, and they snatched the tickets out of two or three men's hands and said that our votes was not rejected, and others came away from there, and I came away from there too.

Henry Franklin:

Q. Who said that?

A. Well, sir, a man named Edward Pumphrey told me that I better not go to the polls, and better take his advice, else I would get hurt, and I thought rather than get hurt that I would not vote.

Q. Did he meet you?

A. He came to me.

Q. He knew you?

A. Yes, sir.

Q. You were then going up to the polls?

A. Yes, sir; I went up about ten yards from the polls and stopped, and I suppose he saw that I was getting near the polls and he told me.

Q. Was it then that Mr. Pumphrey came to you?

A. Yes, sir.

Q. He came up to you and told you that if you didn't want to get hurt you had better get back and not vote?

A. He told me I better take his advice than to get hurt.

Samuel Gaither:

Q. You were going to vote?

A. Yes, sir.

Q. Did they take hold of you?

A. Yes, sir; they took hold of me and shoved me back; told me to stand back, I shouldn't vote.

William Howard:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Because they rejected to our votes.

Q. Who rejected your votes?

A. I didn't know, sir; I jest hearn it spoken in the crowd; I don't know who spoke it, that there was no niggers to vote there that day.

Q. Was it white men that said that?

A. Yes, sir; so I understood.

Benjamin Howard:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Well, there were some gentlemens there, and I didn't vote; there was a crowd of people there, strangers, that hadn't usually been there, and we were a little kind of shy of them.

Q. Did they say anything?

A. Yes, sir; they talked amongst themselves and said the colored people shouldn't vote.

Q. They said the colored people shouldn't vote?

A. Yes, sir.

Q. Did you see any scrimmage or any pulling and hauling?

A. Yes, sir; I saw them pushing.

Q. Who did you see them push?

A. They shoved a fellow down by the name of Sampson.

Q. You saw them shove him?

A. Yes, sir.

Charles Edward Henson:

Q. Did you go to vote last fall?

A. I started there, sir.

Q. How near did you get to the polls?

A. I got about half way there, sir.

Q. Why didn't you go further?

A. Well, I intended to go further, gentlemen but I heard such a bad report, and I had a sick mother at home, so I turned around and went back.

John Wesley Hayes:

Q. But you didn't vote?

A. No, sir.

Q. Why didn't you vote?

A. Well, after I started up there, and there was so many around there, and after the disorder was started up, why I didn't care about venturing myself to vote.

Q. You saw the disorder; what do you mean by that; what did you see?

A. Well, sir, I seen one man go up there and they grabbed him and snatched him away from the polls.

Q. Who was that that you saw grabbed and snatched away from the polls?

A. Andy Sampson; I seen two young men grab him and snatch him away, and they said he couldn't vote, and Mr. Hall walked up and he wanted know whether his vote was objected to, and they said that it was, and then we all started away.

Q. Did you see anything more at all after all that?

A. No, sir; I never stayed there very long after that.

Q. Were you there when Rod Kess came up to vote?

A. Yes, sir.

Q. Did you see him before he came up to vote?

A. Yes, sir.

Q. Did you see him as he went up to vote?

A. No, sir.

Q. Do you know Mr. Edward Pumphrey?

A. Yes, sir.

Q. Did he say anything in your presence that day?

A. Yes, sir; I heard him say it was not worth while for us to stand around there, that there was a great deal of ruffians around there, that we were not going to vote, and if a row occurred that he would not be any use toward protecting us, and he was there for peace; that it would be best for us to go home.

Jesse Hogan:

Q. Did you vote?

A. I did not, sir.

Q. Why didn't you vote?

A. I seen them pull away Andrew Sampson from the polls, from the door, and Mr. Hall, they pulled him away, too, and he asked the question, "Was the ticket rejected?" and they said at the polls, "Yes," and I came away from there, and went right straight on home, sir.

James Hammond:

Q. How near did you get to the polling place?

A. I got right near, but they came up a furse while I was standing, and I couldn't vote; they said they was rejecting votes, and I came away.

Q. What sort of fuss was it they got up?

A. Well, sir, there was a man going around there pulling and hauling some of the boys standing around there.

Q. Who did they pull and haul?

A. I couldn't say what identical person it was, but it was a man that I didn't know; I didn't know him exactly; they took hold of him and pulled him, and got him away from where I was standing; I saw Mr. Hall come up and they taken hold of him, and they taken his ticket and tore it up.

Eli Jackson:

Q. How near did you get to the polls?

A. I got right up to the polls.

Q. Did you vote?

A. No, sir; I didn't vote.

Q. Why not?

A. Well, sir, at the time I was there; I got down there between 7 and 8 o'clock, and when the polls opened I was right on the spot, and at the time I was there keeping up to the polls, the rest of the crowd found out that the tickets was objected and walks off; when I found out that they couldn't vote, I came away with the crowd; just as the crowd come away I came away too.

Q. Whose votes were they that were rejected?

A. Mr. Hall's vote was one.

Q. What did they do to Mr. Hall; did you see them do anything?

A. No, sir; I didn't know any more than they took his ticket out of his hand and tore it up, gentlemen; I don't know any more.

Q. You don't know the man that did that?

A. No, sir.

Q. Was it a white man?

A. Yes, sir; it was a white gentleman.

Q. Did you see Andrew Sampson that day?

A. Yes, sir; he was the second; he was the first, the second was Mr. Hall.

Q. What did they do to Andrew Sampson?

A. I don't know what they did, any more than they told him "you can't vote here; you don't vote here in this district."

Q. What did they say to Mr. Hall?

A. Well, sir, nothing more than told him that he didn't vote in this district; just the same as Mr. Sampson.

Q. Did they halloo out anything to the rest of you?

A. No, sir; I didn't hear anything.

Q. Where did you go when you left the immediate vicinity of the polls?

A. I just went a little ways from the polls and stood around there for awhile.

Q. Do you know Mr. Edward Pumphrey?

A. Oh yes, sir.

Q. Did you hear him say anything that day?

A. At the time I was standing off from the polls he came by us and went up to the election house, but I don't know whether he went in or not, but when he came back to the road he stopped amongst the men and told us we better not stop there, and better go home; he said we better go home. He said that he was deputized by the sheriff to be a deputy sheriff around there that day, and he said there might be trouble, and we all better go home.

Q. He said there might be trouble, and you better go home?

A. Yes, sir; and we better go on home.

Nathan Lowndes:

Q. How near did you get to it?

A. Well, sir, I got about 300 or 400 yards off from it.

Q. Why didn't you go closer to the voting place?

A. Well, sir, I heard as I was going up that all the colored men's votes was rejected, and they was fighting, and I said I wouldn't go no further; it wasn't necessary to go any further.

Thomas Henry Matthews:

Q. Do you know Mr. Edward Pumphrey?

A. Yes, sir.

Q. Did you hear him say anything that day?

A. Well, sir, I seen Mr. Ed. Pumphrey, and he said to me and another man—a man by the name of Frank Williams or Frank Cager—"Both you men better go home, because it will keep you out of trouble. I was deputized yesterday

to be deputy sheriff;" and he says, says he, "You men can't vote here to-day, and it will not be worth the time for you to stay here; there will be a hell of a time here to-day, and if I was you men I would go home, because you can't vote here to-day, you colored men;" then, after I heard him say that, I knew there was going to be trouble, and I didn't stay around there.

Richard McDonald:

Q. Who told you you couldn't vote; who stopped you?

A. I don't know who stopped me; but I know I couldn't vote.

Q. Was it some white man?

A. Yes, sir.

Q. What did you see there?

A. Well, sir, I seen a crowd of ruffians; I don't know who they were, but they was ruffians, and I couldn't vote there.

Q. Did you see them trouble anybody?

A. Oh, yes, sir; they stopped them from voting.

Q. Who did they stop?

A. I don't know exactly who they stopped, but they stopped them from voting; they stopped some men.

Q. You saw them stop some men, did you?

A. Yes, sir.

John Parran:

Q. Did you vote?

A. No, sir; I didn't.

Q. Why didn't you?

A. I couldn't go up there, sir; I was afraid to go.

Q. Afraid to go where?

A. I was afraid to go up there. At the time I got up there I met them coming away from there, and they could not vote, and I stopped as close as I could to the polls, and I was afraid to go any closer.

Q. What did you see?

A. Well, sir, I seen something there that I couldn't stand, and that was guns; I never can stand guns.

Q. Where did you see the guns?

A. I seen them on the wagon, and a gentleman had them; I didn't know who he was, but he had the gun in his arm.

Q. You saw them in the wagon?

A. He was on the wagon; yes, sir.

Q. With a gun in his arm?

A. Yes, sir; and he was out of the wagon, too, walking up there.

John Jackson:

DIRECT EXAMINATION.

By the examiner:

Q. State your name, age, residence, and occupation.

A. I don't know my age exactly, sir; I am about thirty-eight years old; I live in Marley Neck, in the third district, Anne Arundel County; I do general farm work.

Mr. ROSE:

Q. How long have you lived in Anne Arundel County?

A. Well, sir, I suppose about nine years; eight or nine years.

Q. Did you go up to vote last fall?

A. Yes, sir.

Q. Did you get your vote in?

A. Yes, sir.

Mr. ROSE. Then you are not the man; you have not been summoned?

WITNESS. Yes; I have, sir. I have my summons in my pocket. Here it is. [Produces summons.]

Mr. ROSE. Then it is a mistake. Mr. Stenographer, I wish to give notice that I decline to examine this witness any further, as it is manifestly a mistake.

CROSS-EXAMINATION.

By Mr. STANLEY:

Q. You say you voted, Jackson?

A. Yes, sir.

Q. About what time in the morning did you vote?

A. I suppose half past 9 or 9 o'clock.

Q. What time did you get there to the polls?

A. I suppose about 8 o'clock in the morning; betwixt 7 and 8 o'clock I got there.

Q. Did anybody else vote while you were there?

A. Yes, sir.

Q. Did you see anybody stopped from voting while you were there?

A. I didn't see no one 'hibited from voting; only one man, a fellow I didn't know in that district, and he ketches Hall and pull him away from the ranks. He went up to the polls and pulled him away, and the feller asked him "What do you mean?" or something like that, and I did not understand anything more than that, and I turned my back on the box at the time and I walked away from the place. When this fellow ketches hold of him and pulled him away from the ranks I turned my back around and walked away.

Q. Did anybody stop your vote?

A. No, sir.

Q. You were not afraid to vote, were you?

A. Well, no, sir; I did vote.

Q. Was there anything there to scare anybody from voting?

A. No, sir.

Mr. STANLEY. Well, I am glad to come across a man who did vote.

REDIRECT EXAMINATION.

By Mr. ROSE:

Q. John, who did you vote for that day?

A. I voted for Mr. Cleveland, sir.

Q. I thought so; who gave you your ticket?

A. A gentleman that came out there gave me the ticket, and I had it in my hand at the time.

Charles Howard:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Because I didn't vote in the time I was going up to the window; it seemed that several of them was going to kick up a disturbance, and our votes was objected to, and everybody else went away from the window, and I went away too.

Q. Why did you go away?

A. I didn't care to stay there; I thought perhaps if I stayed there I might get hurt, or something of that kind, so rather than do that I thought it was best to get away, and so I came away.

Joseph Miller:

Q. How near did you get to the polls?

A. I couldn't tell you exactly; I guess about a couple of hundred yards maybe.

Q. And you met some colored people, and they told you that it was no use to go up there?

A. They told me that they couldn't vote; it was no use for me to go up, and I took them at their word and went back; I went home.

Thomas Miller:

Q. Did you go to vote last fall?

A. I started down there, but I didn't get quite down there; I didn't get quite there; I heard it was not worth while for to go down there, so I came home.

Q. Why wasn't it worth while to go down there?

A. Well, I met some of my friends and they told me it was not worth while to go down; they said it was some men down there and they were rejecting us of our votes, and that I couldn't vote if I went down there.

William Brown:

Q. Did you vote?

A. No, sir.

Q. Why not?

A. Well, I got started to go up there and a parcel of them were coming back and they said that there was a riot going on up there, and I thought that I was an old man, but I was safe and sound and I thought I would go home and keep out of harm's way.

Henston R. Hall:

Q. How did you learn it?

A. Well, sir, there was two or three men about there, two or three young roughs that I didn't know; they were pulling and hauling one man from the window, and said they would arrest us, the very first thing that occurred; so I thought best for me to get away. I seen them pull one man, and the next man they pulled away was William Hall; they snatched his ticket out of his hand and tore it up, and shoved him off; and I don't think more than three or four men voted at the time, and so I was behind the congregation, and I seen that I couldn't vote, and I thought I wouldn't risk any further; I wouldn't take any further risk, so I thought I wouldn't go up any closer, and I came away.

Q. What risk was there, did you think?

A. It happened that there was some difficulty there; they snatched Andy Sampson away; they first took hold of Andy Sampson and they said they would arrest us, and I seen one of these men raise his hand and put it behind him, and started to draw a revolver; he didn't draw it out, but I seen it.

Q. You saw the pistol?

A. Yes, sir; I seen it, but whether he was going to use it or not I couldn't tell; only I seen it. There appeared to be some difficulty there, and I didn't want to get in it, and I got away; I thought it was better for me to go away.

Isaiah Spencer:

Q. Did you vote?

A. No, sir; I did not.

Q. Why not?

A. They said they objected to the votes, and then they all came away and so I thought I ought to come away, too, because I was alone and I couldn't do anything by myself if I stayed there.

Elijah Brown:

Q. Did you vote?

A. No, sir; I did not.

Q. Why not?

A. Well, they said there had been a kind of confusion there, sir, and I was going up to vote, and I seen the crowd coming back; the crowd was kind of split up, and they said the votes was objected to, or something of the kind, and we couldn't vote.

Q. What kind of confusion did they state had been there?

A. They said something about—they said that there had been some kind of roughs or ruffians, or some men of that kind; that's what they said, and that they objected to our votes; I didn't see anybody myself; I didn't see no one.

Q. And you turned around and left when they told you what they did?

A. Yes, sir; I left. After they stated that we couldn't vote, then I left.

Garrison Spencer:

Q. Who told you that?

A. I heard some of the boys, I don't remember the names now, but it was the boys in the neighborhood, say that we couldn't vote there; and then I heard a man say that no nigger should vote here to-day.

Q. Was he a white man?

A. Yes, sir.

James A. Brown:

Q. Did you get your vote in?

A. No, sir.

Q. Why not, James?

A. Well, they objected to us voting, I believe, sir.

Q. How near to the polls did you get?

A. I got right to the window, near about.

Q. What hour of the day was that?

A. That was about 10 o'clock in the morning, I think it was, sir.

Q. Did you come down from Baltimore that morning?

A. No, sir; I didn't come down in the morning, I came down from Baltimore the night before.

Q. Well, who told you that they objected to your voting?

A. I didn't know who they was that said so, sir.

Q. You don't know who said so?

A. I don't know who they was, sir.

Q. Were they white men?

A. Yes, sir.

Q. Did you see any confusion while you were there?

A. Yes, sir; I seen one man; while I was there I seen them knock one man down.

Q. Did you know him?

A. Yes, sir.

Q. Who was it?

A. It was Rod. Kess, sir.

The SPEAKER. The gentleman's time has expired.

Mr. LACEY. I ask the gentleman from Ohio to give me five minutes more.

Mr. COOPER, of Ohio. I will yield to the gentleman for five minutes longer.

Mr. LACEY. Now, Mr. Speaker, I will simply call attention of the House to this fact. In Smalls against Elliott, my friend from Georgia [Mr. CRISP] made the report and reported inasmuch as some colored women appeared at the polls with clubs that not only should that fact be regarded as intimidation, but the entire poll should be thrown out,

although the intimidation was not effective and the colored Democratic club cast their votes. They voted, and yet this Democratic House, because a number of colored women appeared at the polls, threw that vote out.

Mr. CRISP. That did not stand alone.

Mr. LACEY. Of course it did not stand alone. It stood with other things. But a few colored women appearing at the scene of election was held to be sufficient intimidation to throw out the poll, although the colored Democratic men voted. That certainly should be authority to throw out the poll when white men appear on the scene, armed with guns and pistols, and deprive colored men of their votes.

In the one case the intimidation was entirely ineffectual. The colored men voted. They were not afraid of their colored sisters. They knew their bark was worse than their bite and made it up with the colored ladies further on. But these parties, intimidating colored voters in this case, were white men, were strangers to the black men; they were men who were armed with pistols and guns and were making threats and assailing the colored men, and making such demonstrations as to prevent them from exercising the right of suffrage to which they were entitled.

Now, Mr. Speaker, one thing is clear, either these excluded votes should be counted or the precinct should be thrown out. But by throwing out the precinct less injury is inflicted upon the sitting member than by counting the intimidated voters' ballots. One hundred and seventy-five votes were lost to Mudd as effectually as though no election were held in that precinct at all. One hundred and thirty-six majority was returned for the sitting member in a strong Republican precinct, and it was the fruit of this intimidation which achieved that result. We say, therefore, that the precinct ought to be thrown out and not counted, which if done increases the contestant's majority to 154. The contestant is clearly elected and should have his seat.

Mr. COOPER, of Ohio. How much time has been consumed by the gentleman from Iowa?

The SPEAKER *pro tempore* (Mr. ALLEN, of Michigan). The gentleman from Iowa has occupied one hour and four minutes.

Mr. COOPER, of Ohio. The gentleman from Texas controls the time on the other side.

Mr. MOORE, of Texas. Mr. Speaker, I desire, before beginning the particulars of this discussion, as it may relate to the contest of Mudd vs. Compton, to call the attention of the House, and in that I shall be very brief, to some matters to which neither the attention of the House nor the country has been attracted and which neither can well afford to shut its eyes upon. At the outset of my remarks, permit me to state that I have not been at all well for some days past, and trust there will be order in the House during the time I shall occupy the floor, as my strength will not permit any great exercise.

It is a remarkable fact, Mr. Speaker, never before exhibited in the history of this country, I believe, that there are pending or have been pending seventeen election cases before this committee. In looking at these contests this phenomenal exhibit is made: The seventeen cases pending before the Committee on Elections are all Republicans against Democrats. In four other cases notice had been served of similar nature, but they were withdrawn, making an aggregate of twenty-one cases in all. We might ask very properly? What does this mean? If it means and points out that the Democratic party of this country is so corrupt that, as relates to elections, their conduct is of that character as to invite exclusively against them contests, indeed it would be alarming; for, Mr. Speaker, however much we may be in the habit of charging corruption upon the one political organization or the other, this danger is always present: That political party never existed in the country, never can exist, itself corrupt, without possibly, not in the same degree, but certainly in a very great degree, imposing corruption upon the other political party.

If we learn anything from history, that great pregnant fact is absolutely emphasized and established. There is some other reason for it, and it is not creditable to the majority of this House, and I do not aver you deserve it, but there sprang up all over the country immediately upon notice that a meager majority existed on the part of the Republicans in this body an unusually marked desire to contest seats on this floor, and I am informed that within the last few days one of the contestants who early abandoned his contest, after observing the course of this committee, together with the action of the House upon its reports, came at once and deliberately proposed, in the last few days, the commencement of his contest, hoping that he might receive such consideration and arrive at the same results as those who had preceded him.

Whenever we reach that point, Mr. Speaker, when the elections shall not exist in districts of the several States, but that Congress is looked to to re-enforce the political strength of any party and establish representation for the people on this floor, we will be confronted with a danger that our Republic has not so far met.

It may not be remiss, Mr. Speaker, to review for a moment the extreme jealousy of our forefathers as to the power they created and lodged in this Government. Careful as they were to establish this Government of co-ordinate powers, its executive, its legislative and judicial, the most remarkable fact existed—and from it we ought to derive

information—that the very first Congress of the United States prepared and presented to the American people for their ratification eleven amendments, nine of which were restrictive upon the powers that they feared they had already granted or at least acknowledged, and enlarged and protected the right of the individual as well as of the States.

I say that was a remarkable fact. I will not stop to read the various amendments, but the States were not satisfied until they had reached and incorporated an express provision that the powers not expressly delegated by the Constitution to the United States nor inhibited by it to the States were reserved to the States or to the people. That is the language of the tenth amendment of the Constitution, and that was incorporated as one of its provisions. What does it mean? What is the import of the language? Why are we unwilling to look back to that date and learn from our forefathers the effect and intent of the language they incorporated and its meaning to the people of this country?

But it means this, what it means now and what it has always meant. Power is aggressive in its conceptions, always gathering to itself. They then understood that nowhere in the world was there a Congress with limited powers except in a monarchy. England recognized this principle long ago, and in her unwritten constitution declared Parliament supreme. This great contest is forever waging. No power has ever been lodged in any department of government but it has availed itself of all opportunities to increase its power by political accretion. The most dangerous, because it is the most inviting, is the power of Congress. Every Department would perish to-morrow if it did not clothe and feed them. I am not astonished, therefore, at the doctrine announced in this case.

I am not astonished, therefore, at the doctrine announced in this report; and with me it is not so much a question whether this contestant shall be seated or Mr. Compton remain as what are the limitations and what ought to be the limitations placed upon Congress in executing that trust reposed by the Constitution on it to judge of the election and qualifications of its members. If they are unlimited, as intimated by the gentleman from Iowa [Mr. LACEY] when, referring to the law of Maryland, he said: "Whatever might be that law, the precedents in Congress establish the right of Congress to judge of these elections," is there such a law? Is there such a precedent? Who made it? When was it made? When did this Congress—and I ask those gentlemen to refer me to the precedent where any member of Congress or any committee or any report has announced that the statute laws of the States do not control the elections absolutely; that the only duty of Congress is to undertake to discover the result of the election as understood and interpreted by the laws of the State.

I desire, therefore, to devote some moments to this question. The gentleman says that I clearly in haste overlooked the act of 1870 and the acts of 1874 and 1878. Why, Mr. Speaker, the majority quote the act of 1870, and I desire to read from their report. In giving their defense of permitting people to vote when, under the law of Maryland they can not, they use this language:

The class of cases about which we have been speaking, together with another class represented by a vote on each side in which the voter was improperly refused registration, are the very sort of cases to provide clearly for which the third section of the act of Congress of May 31, 1870, was enacted, which section read as follows:

"That whenever, by or under the authority of the constitution or laws of any State or the laws of any Territory, any act is, or shall be, required to be done by any citizen as a prerequisite to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission of the person or officer charged with the duty of receiving or permitting such performance or offer to perform or acting thereon, be deemed and held as a performance in law of such act, and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had performed such act."

Now, Mr. Speaker, it is not I who have changed my front. It is that majority who, not willing to stand on the act of 1870 that they cite, now fall back on the act of 1879 and say that act was unconstitutional and the act of 1878 is not. There has been no review of the act of 1874 or 1878 by our supreme court. But in that review that they gave of this act no room for doubt is left for construction as to what is the meaning and effect and unconstitutionality of this act. And the act of 1878 is exactly the language, the very language, quoted in the act of 1870. The court decided in the Reese case much more than has been referred to by the gentleman from Iowa. It is true in that case as in the cases he read, based upon the act of 1878—a criminal offense proceeding against by the Government—but it became necessary to look into these acts called the enabling acts of the fifteenth amendment to the Constitution. The whole court, while two did dissent on some propositions, confronted as a court this proposition and announced it in the opinion of 1874, and that is:

Congress has no power, never had, and none can be discovered with reference to the qualifications of the voter.

I will read a mere line from that opinion:

The statute contemplates a most important change in the election laws. Previous to its adoption the States, as a general rule, regulated in their own way all the details of all elections. They prescribed the qualifications of voters and the manner in which those offering to vote at an election should make known their qualifications to the officers in charge. This act interferes with this practice, and it prescribes rules not provided by the laws of the States. It substi-

tutes, under certain circumstances, performance wrongfully prevented for performance itself. If the elector makes and presents his affidavit in the form and to the effect prescribed, the inspectors are to treat this as the equivalent of the specified requirement of the State law. This is a radical change in the practice, and the statute which creates it should be explicit in its terms. Nothing should be left to construction if it can be avoided.

Then referring to the act—

We are not able to reject a part which is unconstitutional and retain the remainder, because it is not possible to separate that which is unconstitutional, if there be any such, from that which is not. The proposed effect is not to be attained by striking out or disregarding words that are in the section, but by inserting those that are not now there. Each of the sections must stand as a whole or fall together. The language is plain. There is no room for construction, unless it be as to the effect of the constitution. The question, then, to be determined is, whether we can introduce words of limitation into a penal statute so as to make it specific, when, as expressed, it is general only.

The court say, and in that they are unanimous, that the acts of Congress undertaking to control the State in so far as the States undertake legislation based upon the color and previous condition of the voter—the act of Congress would stand.

It is remarkable in looking at the Constitution of the United States—and the court themselves in this decision say so, and properly—that the fourteenth amendment itself provided in its own womb for States to disfranchise anybody, whether for color or what not, as it might relate to voting, and it was not until the fifteenth amendment, which expressly provided that the States should not disfranchise any citizen on account of his color, that that power was inhibited in the States. Who charges now that the statute of Maryland in any way infringes the fifteenth amendment? Who charges that these unregistered voters were unregistered because they were black men? For such is not the fact. What power will any man assert for Congress to indicate to the State of Maryland who are its suffragans and who are its electors? The Constitution in its first line answers that question in providing for the organization of Congress. It says that the qualifications of the electors for members of Congress shall be such qualifications as those electors have for voting for the most popular branch of their State government.

There is the qualification of the elector; there is the citizen, the voter, the suffragan. Who in Maryland can vote for a member of the lower house of the Legislature? They, and they only, can vote for members of Congress. How do you ascertain how they vote for their Legislature? You go to their organic law and to their State acts. What says the law of Maryland? In this it is peculiar. I will read from the constitution of that State; and if a like provision exists in the constitution of any other State in the Union I am not aware of it. The peculiarity is that the constitution of Maryland not only provides for a registration of voters, but makes registration a necessary qualification of a voter, and inhibits anybody from voting or any judges of election from receiving the vote of any one who is not a registered voter:

The General Assembly shall provide by law for uniform registration of the names of all the voters of the State who possess the qualifications described in this article; which registration shall be conclusive evidence to the judges of election of the right of every person thus registered to vote at any election thereafter held in this State. But no person shall vote at any election, Federal or State, hereafter to be held in this State, or at any municipal election in the city of Baltimore, unless his name appears in the list of registered voters.

Then comes the act of the Legislature, which absolutely requires the judges of election to take an oath, first, that every man who is upon this registration list may vote and, second, that no man shall vote whose name is not upon the registration list. Now, therefore, in looking at this contest it is important that this House shall determine, not merely as it relates to Mr. Compton or to Mr. Mudd, but upon principle, so that it will stand for all time to come to regulate the political parties of this country, how they are to proceed in an election in that State. The language of the majority is remarkable. They absolutely say in their report that although the judges of election could not receive these unregistered votes Congress can. The reason they give is that you have reduced the power of these election judges to a minimum, and that you must extend this power sufficiently so that Congress can do what the judges of election in Maryland can not do. What law! What authority! What reasoning! Yet that is exactly what this majority report says, and must say, in order to reach the conclusion that it does reach.

These remarks are made now, Mr. Speaker, as the foundation, the touchstone, rather, to test the class of voters that I shall presently investigate. The majority, in their report, by a strange and wonderful arithmetic have absolutely figured out, on the face of the returns, Mr. Mudd elected by a plurality of 2. How do they do it? I ought not to give much attention to that matter, because I do not think it is a matter of any importance; but I wish to give the House the exact figures as they appear from these returns. The only mode the majority of the committee could possibly pursue to reach the conclusion that *prima facie*, on the returns, Mudd has a plurality of 2, is by confounding ballots with returns. Where it suits them they examine ballots; where it suits them they examine returns; and by confounding and adding the two they finally reach their conclusions, as I shall show.

The party, as returned to the governor, for Compton was 16,000. Both votes concede that there should be added to that two precincts from Charles County, the fifth and the ninth, which were omitted, not sent forward. For Compton there were 191 votes in the fifth precinct

and 89 in the ninth, making Compton's entire vote 16,280. Mudd's returned vote was 15,819. Add to that the votes from the fifth and the ninth precincts of Charles County, and you have for Mudd 16,251 votes. Deduct 1 vote counted through mistake in one of the returns, and you have 16,250 votes for Mudd. Deduct that from the 16,280 for Compton, and you have a plurality of 30 in favor of Compton on the face of the returns.

But the majority of the committee take the returns as subsequently modified in Calvert County, where they say there was an error of 28 votes, and subtracting that from the plurality of 30 leaves Compton a net majority of 2. Then they take individual votes for Mudd, not counted, but which both sides of the committee subsequently agree to count, and by that system of adding votes to returns they finally figure out a plurality of 2 in favor of Mudd. There was a recount had in some of the precincts in the city of Baltimore and in Baltimore County and at one place in Charles County, but I will not stop now to give the numbers. The majority admit the votes, but they engage in quite a discussion about it. They admit a change by which Mudd loses 20 votes.

Mr. DALZELL. A net loss of 19 for Mudd.

Mr. MOORE, of Texas. Well, a net loss of 19 is admitted. Now, as to this recount, if you look at the reports, both of the majority and the minority, you will discover that nothing could be fairer or more conclusive. The change is to be accounted for by the fact that portions of the district in which Mr. STOCKBRIDGE was a candidate adjoined these precincts, and persons voting for STOCKBRIDGE innocently voted in the district in which Compton and Mudd were running, and the tickets not being scratched the attention of the judges of election was not called to it. The ticket was a plain, straight ticket, either Republican or Democratic. In that way Mudd got 19 or 20 more votes than he should have had, as the majority of the committee admit. Now, in completing the returns, these 19 votes should be deducted from Mr. Mudd, which the committee admit, and this would leave Compton elected by 22 votes upon the face of the returns.

Are they not returned? They are returned as much as these others. So that taking from the 28 votes these 20 there would be but 8 votes gained by Mudd; then subtracting from the 30 you would have, not a plurality of 2 for Mudd by any means, but you would have 22 plurality for Compton; and it is unavoidable.

I wish to look now for a moment at the Calvert County returns. There may be doubt about this matter; but what the House is to do if you proceed upon a legal principle ought not to be a question for a moment. These officers in that county were all Republicans; the entire county was under Republican administration. These judges of election made their returns in due form to the governor; three months afterward they testified that a certain poll-book, now before them, was the poll-book then before them; and by that poll it appeared that Mr. Mudd had 28 more votes than had been counted.

Now, under the law of Maryland, these poll-books are duplicate; there can not be less than two. Each clerk is required to have one. That requirement applies to every voting precinct in the State. The clerk has not certified these poll-books; and all that is presented to this House is what purports to be a copy of one of them. And when you examine that copy you find that it is not certified by any clerk, and this is required by the statute of Maryland. It fails to conform to the law in that the number of votes is expressed in figures only, when the statute of Maryland requires that it should be given in full in writing.

There is another circumstance that is rather remarkable. Referring to the record containing this exhibit I call your attention to the fact that there is no writing about it; but these numbers are all figures. Take the vote for Presidential electors; take the entire Republican vote; take the Democratic vote; and you will find that the Democratic electors received 174 votes—in figures; the Republican electors received 391 votes in figures. Take the vote for Congressman and you will find that the vote of Compton is 153 and that of Mudd 407. It will be seen that Mr. Mudd's vote was 47 greater than that received by any other Republican candidate at that particular polling-place.

I say that this poll-list comes to you under grave suspicion. It is not certified by any clerk. Its verification rests solely upon the memory of the judges of election who made three months before an official return; and they undertake to contradict the official returns by this unofficial, irregular, unlawful paper—if it is a poll-book at all. The law uniformly is that where any fact requires to be established by evidence in two parts, a portion only of that evidence is insufficient.

I will, however, pass from this branch of the case with this remark: If the House should conclude to accept this additional and new return of these judges, Compton is still elected by 22 plurality, so far as we have proceeded.

I now come to an investigation of these individual voters whose votes were rejected. It is charged by the other side that the minority have dealt so fairly with this class of voters that absolutely we have admitted voters who under our rules ought not to be admitted and have rejected voters who under our rules ought not to have been rejected. Two instances are cited—David R. Brooks and John Henry Thomas. Now, as to David R. Brooks, the discrepancy of the middle name is not what determines us in disallowing this vote. Let us see what Brooks him-

self says about this matter. My attention has only been called to it this morning; but I will refer you to what Mr. Brooks himself says, because I want to be accurate and just. I say he ought not to have voted, and upon fair and proper principle. I read from his evidence on page 267:

Int. 7. What were you doing in Washington and how long had you been there?

A. I had just been up there to work some little in the summer.

Int. 8. Did you go there with the intention of returning and living here in the county?

A. I did.

Int. 9. When you applied to be registered did the registration officer tell you that he would register you?

A. He told me he would put my name on the book, but not as a voter. The next question was, he asked me the post-office to send to to get my transfer; he said he would send the next day; I told him my post-office was Eadsville, Kent County, Maryland.

Int. 10. Had you been voting in Kent County, Maryland?

A. Never in my life.

Int. 11. Then what did you want with a transfer?

A. He told me that I could not vote here except with a transfer.

That is the reason Mr. Brooks was not allowed to vote, not because the middle letter of his name was different from that in the registration list. Now turn to the case of John Henry Thomas. The minority of the committee in their report follow the law of Maryland, which requires that the given name, the first Christian name, at least—such is the language of the law—shall be given in full, as well as the surname. Now, when William Thomas undertook to vote, a name is found on the registration list as James Thomas. How could he have voted? Suppose he was not properly registered, does he not make the mistake himself? It is before the registration officer that the law requires the first name to be given, and it is this name that was upon the registration list as "James." Therefore, the minority of the committee hold that he could not vote.

Only in these two cases, and in the case of a man named Reed—in no other case—do we reject any voter where there was *idem sonans*, without reference to the spelling and without reference to middle names. Mr. Reed had registered, if at all, the fall before. The age he now gives differs by four years from that given at the time of the registration and the place of residence is entirely different as to the street. The judges of election held that he was not the man; that there was a want of identity; and they held correctly.

Now, when we come to look at the matter of those 37 other voters, what do we find? Without undertaking to make an examination as to each name, I will give a very brief statement on this question.

Take, for instance, as a mere sample of those who were not registered, John Vitz. There was a man who appeared as Burts, which is a distinct name. Then there was the name Aquila Fishbaugh, while the registered name is Aquila Fisher, a distinct name. The judges rejected him as not being registered. We found the greater proportion were Democratic rather than Republican.

As to those six names claimed by contestant as improperly rejected, the judges found persons by those names had voted; voted in the same name. What did the judges do? What ought they to have done? There was nothing to indicate they did not vote rightfully. The majority say, because these men wanted to vote, and vote the Republican ticket, although men had properly voted in these names, they hold they should also vote.

But suppose the other fellows voted the Republican ticket. There is some doubt of it. The majority did not think they did. There is no one who knows about it. What is the result? It is a defect in the law. Who is going to remedy it? Is this House to say because those six men have voted we shall now permit six other men to vote on the same names?

So the House will with care go through the list, and they ought to do it, and the majority can not seat Mr. Mudd without deducting from the list as they prepared it. It is not possible for the House otherwise to reach the conclusion that Mr. Compton was not elected.

What has the law of Maryland to do with this matter? If it stands in the way of the law of Congress, we are told, then let the law of Maryland get out of the way, as Congress is above that law and can better attend to it than the people of Maryland. That is the politics, that is the law we are to have in this House. To my mind it is fearful. To my mind the assertion of such power is little less than the destruction of the sovereignty of the State. To my mind the dearest thing is local government. The great love I have for my Government consists in the fact I am a unit in society; that my neighborhood, that my county, that my State can manage these things confided to them by the Constitution and the laws better than Congress can.

Sir, if I have to make my election between the people at home attending to their own business and the virtue and wisdom of Congress attending to it I will take the virtue and wisdom of the people at home.

Jefferson, in that manner peculiar to him, boldly avows his philosophy which shines out because of its simplicity. He said when Virginia looked to Washington to know when to sow and when to reap Virginia would be without bread.

It is true. It applies not only to its physical effects, but as it relates to local government in the State of Virginia.

Sir, there is something behind this more than this election. It is to

tutor the people to prepare for Federal election laws. It is to prepare the people to set aside their own local management and submit to Congress. We are rapidly coming to it.

Mr. Speaker, without spending more time upon these particulars, I will look now briefly to the most important feature of this case, and that is the suppression of the vote of a precinct—an entire precinct—in Anne Arundel County, as recommended by the majority of committee. This Committee on Elections changes its policy and its opinions of law according to the particular emergency presented by the case they are called upon to consider and decide. The chameleon never took its coloring more perfectly from its object than does this committee from the object of its political purposes and the needs of its party on this floor.

In the Cate case they did not throw out a whole precinct for like purposes, but they counted, to meet an emergency, all those they said ought to be counted, because they told who they would have voted for if they had been permitted to vote at all, but did not permit Cate to have a single vote. In this case they say, "We just won't let anybody vote at all, neither the whites nor the blacks; but will throw out the whole precinct!"

I will read briefly on that point a clear and succinct statement of law, upon which I am willing to stand and by which I will abide. I read from McCrary on Elections. The House doubtless is familiar with the principle, and I ask your attention to the language:

§ 488. The question under what circumstances the entire poll of an election division may be rejected has been much discussed, and conflicting views have been expressed by the courts. The power to reject an entire poll is certainly a dangerous power, and though it belongs to whatever tribunal has jurisdiction to pass upon the merits of a contested-election case, it should be exercised only in an extreme case; that is to say, a case where it is impossible to ascertain with reasonable certainty the true vote.

1. Ex parte Murphy, 7 Cowan, 153.
2. The People ex rel., etc., vs. Vail, 20 Wend., 12.
3. Power to throw out the vote of an entire precinct should be exercised only under circumstances which demonstrate beyond reasonable doubt that there has been such disregard of law or such fraud that it is impossible to distinguish what votes were lawful and what were unlawful, or to arrive at any certain result whatever, or where the great body of voters have been prevented from exercising their rights by violence or intimidation. (Daily vs. Petroff, 10 Phila., 389; Re School Directors, 12 Id., 605.)

It must appear that the conduct of the election officers has been such as to destroy the integrity of their returns and to avoid the *prima facie* character which they ought to bear as evidence before they can be set aside and other proof demanded of the true state of the vote.

Now, Mr. Speaker, the report of the majority of the committee comes to you with a great flourish. You would think from reading that report that an advancing army—imaginary, it is true—but an army with banners and bayonets and guns, with all the display of obstructive force, was formed around the polls to deprive men of their right of suffrage. They tell you of guns and pistols and threats and violence at the polls, and when I say to you that not one word or tittle in this whole testimony, except such as I shall presently show and give the House in full, tends to establish this, you will find that I am not going beyond the fairest statement of fact derived from the fullest investigation of the evidence. But if they can in any of these Southern cases get "the nigger in the wood-pile," if they can turn loose this machinery and all these charges of intimidation, why that is the end of the contest—that settles the case.

Now, what are the facts? Two years before that time a white man had been brained at that poll. These negroes at 8 o'clock in the morning of the election fired a gun, assembled by the signal, formed in company, and marched to the polls, where there were but fifteen white men present. Was that intimidation? And yet that is a fact undisputed; it is in the record. They marched under a man, a colored man, named Hall—Captain Hall.

They call him captain, and the proof here shows that Captain Hall is a man of some wealth. He pays in taxes some two or three hundred dollars. Mr. Hall himself testifies. He says he had got up to the front of this crowd, had a ticket in his hand, and some one not a citizen there, a man, a stranger to him (who he was the record does not show), jerked the ticket out of his hand and pushed him aside, saying, "You don't vote here." He says the same man jerked another man out of the ranks, not striking him or knocking him down, but pushed him out of the ranks. That was all.

There are two witnesses who testify on this point. One hundred and sixty-one of these people were examined as witnesses, but not a man of all of them, except the two I have referred to, saw anything of the kind. They did not see any weapons; not a man of them heard a pistol or gun fired but one, and he was a man named Jubb—an apostate Democrat—and you all know something of them in this House. He says he heard a pistol fired. Fifty colored people testify that there was firing by them and by white people at a mark down at the mill, a hundred yards off. That is the firing they heard. That is the testimony. No gun was seen about the polls except such as I will explain presently. What were they?

The testimony shows that a hunting party of gentlemen with guns in their wagon, and with their dogs, stopped there; that it was a neighborhood fond of hunting, and that white and colored people were

out hunting at that time. Here are the guns, here is the parade, here are the banners, and here is the army. That is all of it.

Numbers of these colored people have testified that, as it related to them, they never saw a particle of trouble. But their leader said they must vote. Captain Hill said they must not vote, and then they will throw out the returns. Captain Hill said "We will take them to the Government of the United States"—meaning Congress.

Here is the place and the power where this dirty linen can be washed as white as snow.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. MOORE, of Texas. Mr. Speaker, I will occupy some time longer.

Mr. COOPER, of Ohio. The gentleman controls the time himself.

Mr. MOORE, of Texas. If you will examine the testimony you will find that Mr. Hines presided as judge of the election. Another, Mr. Jubb, who did not vote for Mr. Compton, and got on there as a Democrat, and Mr. Williams. These were the judges. Mr. Williams testifies it was a perfectly correct election. Mr. Hines, two days after this election, announced to as honorable a gentleman as exists that it was a perfectly fair and free election. It was not yet time for him to find otherwise.

This contest was not then known to be close. The margins of this House had not yet been figured out. He further testifies that he never presided at an election before as an excuse for not making arrests; and one of his neighbors gets up and testifies that he had served with him as judge of election twice; and that upon one occasion Mr. Hines had refused to sign the certificate because he did not think the election was fair. There was no trouble about it then, two days afterwards as he declared at Annapolis, as shown by a witness in this record, and I have no time to read all his testimony.

Now, when you examine the characters of Jubb, Hines, and Mr. Williams, one of the witnesses says, "As between Mr. Williams and Jubb and Hines when it comes to a conflict, I would believe Williams much quicker than I would believe either Jubb or Hines."

Mr. COMPTON. And that is their witness.

Mr. MOORE, of Texas. And that is their witness. That is the character of evidence to begin with. Now, as I said before, these 161 people who have testified; and a very great number of them testified that so far as they were concerned nobody said a word to them. Nobody ordered them away. They never heard of any threats; some did, but many did not. But that it was on order of Hall—some called him Brother Hall and some called him Captain Hall—that the colored people would not vote; and the testimony I am discussing is the testimony of the contestant exclusively.

When you come to the testimony and the array of men that were there, they say, with the exception of some incident that occurred about half past 8 o'clock in the morning, that there never was any further trouble whatever, and it was a perfectly peaceable and quiet election, and that the negroes came there an hour after this—some in the afternoon—fourteen of them. They came there and could have voted, but they turned back, and when there they said they would not vote because this negro leader had instructed them not to vote, and one of them said: "Captain Hall said he would take them up to the United States and throw out this election," and by this he meant "the big Congress." I will add that for him, for that is what he meant.

You take, therefore, the great mass of testimony of citizens that live there, of the men who pay their taxes, who live there, of the honor and virtue of that district, and not a man of them but testifies that it was an orderly and peaceable election. There was a little drinking.

So that, Mr. Speaker, as ready as some are to accept charges against their neighbor, however ready they may be to accept such testimony as this, I think this House ought to call a halt. We have done enough; we have elected enough members of Congress. Let the people have a chance.

Sir, I turn from this record and face the American Congress and say to them, if you turn Mr. Compton out and put in Mr. Mudd, you will write upon the brow of Maryland, in lines that all men can see, a dishonor and outrage put upon that sister Commonwealth. Why do we want to do it? Is this not majority enough? Are we not moving in haste quite fast? What more do you ask of us? Look at the other end of this street. A few months ago there was a Treasury that stood as a pyramid inverted, top-heavy; wasting, wasting, until it is the profound judgment of the best men of this House on both sides that if Congress is not called upon to supply a deficiency we may feel ourselves as fortunate.

What does the country expect and what does it demand? Instead of a continuation of these election cases and of fliriting and coquetting with these gentlemen who are contesting elections from the various districts we would better be giving attention to that which presses the people of the country. The taxes are becoming enormous. Relief is being demanded.

Why, I ask, is it necessary to build up these majorities to aid in this great matter of reform, as they call it in the country? Why, your Government is rich. By the system of public spoliation and public plunder you have built a Government unquestionably the richest in the world and the richest that ever existed. More taxes are taken from this peo-

ple than are taken from its people by any government on the face of the earth—I mean the Federal, State, county, and municipal taxes—and the statistics show it—without standing armies, without a navy, without fortifications, profoundly at peace and in quiet. What does it mean?

We are asked to turn from these facts and look into this record to see whether or not 175 colored people were bulldozed and intimidated by three or four men in Anne Arundel County.

The highest testimony does not put the number above 5. None of the citizens had anything to do with it. There were some strangers there. And yet you gentlemen of the majority ask that this entire precinct shall be set aside! Mark you, there had been several Republican votes polled at that precinct that day. There were 32 polled altogether. A number of those negroes had already voted there without any trouble, yet you throw out the whole poll in order to seat a Republican and add one more to your majority. Now if this precinct is thrown out, I say absolutely that Mr. Compton should not hold the seat. This is the battle-ground. Here is the point of contention. These others are mere little videttes thrown out by the majority to divert the attention of the House from the main issue.

Before I conclude my remarks I must do the gentleman from Ohio [Mr. COOPER] the justice of saying that I am sure he was selected to draw this remarkable majority report on account of his great reputation as a good lawyer and a fair gentleman, and my honorable friend from Iowa [Mr. LACEY], with his pleasing address, was chosen to use the lancet. It is remarkable, Mr. Speaker, to see how courteously they are. They discuss a proposition and come to a conclusion in a most obliging manner. For instance, with reference to these 19 votes lost by Mudd on recount, they say that they are very doubtful about the legal precedent, but they will waive all the doubts in favor of the Democrats. Again, when they come down to a vote which was scratched, they say, "Well, we will let that in." Then they come to another one claimed by Mr. Compton and they say, "We will let that in, too." They make so many concessions all the way through their report!

Mr. Speaker, Maryland is not here to ask favors. Maryland is here to demand justice. If Compton is not here by virtue of the authority of the law of Maryland, let the law of Maryland put him out and put her Representative in his place. I am reminded, by the course of the majority, of the story in *Aesop* about the wolf and the lamb. The wolf complained that the lamb was muddying the stream. The lamb suggested that that could not possibly be true, because he had drank from the stream below the point where the wolf was. "Well," says the wolf, "I will just devour you, anyhow." The fact is these concessions and this gracious manner of disposing of these side issues have been adopted to prepare the minds of the House for the great issue which is presented when they ask you to throw out 175 votes or more in Anne Arundel County. That is the real issue in this case. If Congress is willing to establish this precedent, if that is the sense of Congress, then I have naught to say.

The gentleman from Iowa speaks of a single vote which we claimed should be thrown out, and says that we asked to have it thrown out because the name of the candidate appeared twice on the ticket. He says the voter was so anxious to vote for Mr. Mudd that he put his name on the ticket twice, and that for that reason we asked to have it thrown out. Sir, that is not the position of any man who has any sense. If there is any man in the minority of this committee who takes that view, it certainly does not appear in the report. What we say is that that vote can not be counted under the law of Maryland, because the name of the office is obliterated.

Under the law of Maryland the office to be voted for must appear on the ticket, and I think the same requirement is found in the statutes of most of the States. My friend asks if an act of Maryland which is merely declaratory is to control Congress? Declaratory! Why, sir, I presume that you can find no precedent for the position taken by the majority of the committee. I know of none. My information is very limited in relation to contested-election cases as well as to other matters, but I know of no such precedent, while I know of many to the contrary. Indeed, I think the decisions are uniform that wherever the name of the office is obliterated the ballot, as it relates to that office, is to be rejected.

Now, Mr. Speaker, I have already occupied the attention of the House longer than my allotted time, and I feel that I must apologize for having pursued this investigation to such length. In conclusion, let me say that I think we have about reached a point when the reflecting men of this House should themselves look into these contested-election cases, and not let the vacant seats of our Republican friends decide these contests.

Mr. DALZELL rose.

Mr. COOPER, of Ohio. Mr. Speaker, I yield thirty minutes to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. Mr. Speaker, a decent respect for the evidence in this case and even a qualified regard for the rules of law applicable thereto can result only in sustaining the case of the contestant. There is not a single doubtful question of fact that may not be solved in favor of the contestee, not a single debatable question of law that may not be adjudicated in his favor, and still he can reap from this record nothing but defeat. There are not involved in this case any grave ques-

tions of constitutional law or questions affecting the rights of States, nor questions of any kind but questions of figures; and I am prepared to yield all doubtful things to the contestee and yet to demonstrate to any gentleman who will impartially follow me, as a simple arithmetical proposition, that by no possibility can the contestee be counted into this contested seat.

In this Fifth Congressional district of Maryland there are eight election precincts. The returns to the governor, upon which the certificate was issued, gave to the contestee 16,000 votes, and one "for Compton," making 16,001 for the contestee, and gave to the contestant 15,820. As a consequence, according to those returns, the contestee appears to have been elected by a plurality of 181 votes. It is conceded, however, upon both sides that the governor's count is incorrect. With respect to four counties, to wit, Charles County, Calvert County, St. Mary's County, and Prince George's County, the contestant disputes the governor's figures; and with respect to certain districts in the city of Baltimore and one in the county of Charles the contestee disputes those figures. So that we start with the concession upon both sides that the governor's figures are wrong, and we are charged here now with the ascertainment of what the proper figures are.

Now, as to some matters materially bearing upon those figures both parties are agreed; as, for example, it is conceded that in Charles County, at two election precincts out of the nine no returns were made to the governor for the reason that the ballots were locked up in a ballot-box, were not accessible to the election judges, and consequently the returns to the governor upon which he based his certificate did not include these two election precincts. Both sides agree that the returns subsequently ascertained shall be counted, and both sides agree as to what they are, and this is the starting point from which I now ask you to follow me.

We must add for these omitted precincts 280 votes to the vote of the contestee and 432 votes to the vote of the contestant. Commencing thus with the contestee's plurality and making the addition about which we are agreed, the vote will then stand, 181 + 280, or 461, for contestee and 432 votes for contestant.

In another district of Charles County it appeared from the certificate of the return judges and upon the face of that certificate that one ticket had the name of Sydney E. Mudd twice and that this vote was not included in the return. I say (and I do not stop to discuss the question, because in a subsequent portion of my remarks I throw this out) that under the recognized rules of law, both in text-books and in the reports of this House, that vote should be counted; and the vote would then be 433 for the contestant, 461 for the contestee.

In Calvert County the governor's count was, for contestant, 1,138 votes; for contestee, 899 votes. Subsequently it appeared that this count of the governor's did not correspond with the original precinct returns. Under the laws of Maryland the three election judges who conduct an election at a precinct make their returns and deliver them into the custody of the president judge. Upon a subsequent day the president judges of all the election districts in a county meet and cast up the returns; that is to say, they do a simple sum in addition; they add together the various returns of the various precincts. The aggregate constitutes the county return, and that is sent to the governor.

Now, I need hardly say to any lawyer, or indeed to any layman, that the primary evidence in a case of that kind must be the precinct returns. They are the returns from which the certificate to the governor is made, and if the figures of the governor's certificate differ from the aggregate of the precinct returns it is not only law, but it is the commonest kind of common sense that the certificate of the governor shall be corrected by the original precinct returns. And to talk about counting ballots and to refer to ballots as the best evidence in any given case in this connection is simply to confound the listener with something that has here no application.

This is not a question of an error in the counting of ballots; it is not a question of an error in the process of an election; it is simply a question as to whether the clerical act of the clerk of the court in adding together the precinct returns has resulted in a mathematical truth.

Can we, then, correct the returns of the governor by these precinct returns? That depends on whether they are accessible and whether they are in the condition they were in when the original return was made. We have in this record the certified transcript of the clerk of the circuit court of the various precincts of this county, giving the exact figures. We have the testimony of the deputy clerk who added them up, that the result sent to the governor, when it differed from the result on the poll-books, as it did, was incorrect. We have the testimony of the clerk himself that immediately after the certificate had been sent to the governor he discovered the defect and wrote to the governor, asking if the election returns could not be corrected. The governor replied that they could not.

But outside of all that, independent of all that, we have the evidence of the editor of a Democratic newspaper, who says that he voted for Mr. Compton, that he copied the returns from the clerk's office on the night of election day, when they had just been made, and published them in his newspaper, and that the returns so published are the returns as we now claim them and have now proven them to be.

The result of this correction—and upon what ground the correction

can be denied I am at a loss to understand—the result of this correction is to add 28 votes to the contestant and to leave the contestee's figures as before. We have, then, for the contestant 461 votes and for the contestee 433 votes plus 28, or 461 votes also; in other words, they are exactly even.

In St. Mary's County there were two votes cast, one for S. E. Mudd and one for Mudd. Neither of them, as will be observed, is in the correct name—Sydney E. Mudd—and it is conceded by the minority of the committee, following well recognized rules of law, that these votes are to be counted. I need not, therefore, stop to make any argument upon that subject. Compton's vote, then, is 461 and Mudd's vote 463, or a plurality of two votes for the contestant upon the face of the returns as corrected.

The governor's count, upon which he based his certificate, included one vote for "Compton." There is no such vote to be found in the precinct returns. No person knows where that vote came from or how the governor got it. True, a clerk puts in evidence his certificate that upon a certain tally-sheet such a vote appears; but I need not argue that a clerk's certificate, not of the record, but of something in a public record, is the very commonest kind of hearsay testimony, and that the precinct returns and the returns of the governor of the Commonwealth can not be corrected or verified by any such evidence. Taking that vote, now, as improperly given to contestee, we deduct one from his vote and we have Compton 460 votes and Mudd 463.

Now it is admitted—and when I say admitted I mean it not denied—that there were 6 qualified registered voters in this election district who tendered their votes at the polls and whose votes were refused because the election officers said that somebody had already voted on their names. I ask my friends on the other side—I appeal to them as lawyers—do you stand upon the proposition that I may be disfranchised if the election officers mistakenly or fraudulently allow another man to vote in my name?

If these men were qualified voters, and the proof is they were; if these men were registered voters, and the proof is they were; if the names of these men as registered were on the poll-books, and the proof is they were, in the name, not of law or of equity, but of common sense and common honesty, tell me upon what principle either the election officers or a committee of this House, or this House itself, shall strip those six American citizens of the right guaranteed to them by the Constitution and the laws?

If, then, you add these 6 votes, you have 469 for the contestant and 460 for the contestee.

Now, the contestant contended that there were 40 qualified voters whose names did not appear, through fraud or negligence or for any reason you may see fit to assign, on the poll-books; that they tendered their votes; that those votes were refused, and that they are now entitled to be counted.

I beg you to mark that the minority of the committee concede that of these 40 voters 19 are entitled to be counted, and I demand to know upon what basis you admit 19 and exclude 21? Because I affirm, and I affirm it after careful personal examination of this record, that with the exception of 2 voters—Gamble and Brooks—the testimony of the 21 is precisely of the same character and to the same effect as is the testimony in respect to the 19 you have admitted.

But I go a step further and say if this were not so it is a proven fact that these men registered; that they did everything under the sun that they could do to qualify themselves to vote at their respective election precincts on that day. And such being the case, the act of Congress, which is but an enactment of the common law on the subject, says that their attempt to do what the law required them to do, even though unsuccessful, puts them in the same situation as if they had been successful. And without stopping to discuss it, let me only restate the legal proposition, to which I invite the attention of our friends on the other side for an answer, with respect to the claim that the case of Reese against The United States (in 90 United States Reports) has declared the act of May 31, 1870, unconstitutional.

The act of May 31, 1870, was passed under the provisions of the fifteenth amendment of the Constitution. The fifteenth amendment of the Constitution relates only so far as voters are concerned to color, race, and previous condition of servitude. The question involved in Reese against The United States was a question arising out of a municipal election and the Supreme Court of the United States held that it was not competent for Congress under the provisions of the fifteenth amendment to make regulations with respect to municipal elections on any subject except that which related to race, color, or previous condition of servitude. And thereupon Congress repassed the act of 1870 under the provisions of Article IV, section 1, of the Constitution, which gives to this House authority to legislate with respect to Federal elections as to times, places, and manner of holding the same. And, as my friend who preceded me in opening this case showed, so high an authority as the circuit court of the eastern district of Virginia has held that there is nothing in the case of Reese that contravenes the right of Congress to legislate with respect to Federal elections, as it has done, by a substantial re-enactment in 1874 of the act of 1870, confining the provisions of the act to Federal elections.

I say, then, count the 19 votes conceded by the other side and you

have Compton 460 votes and Mudd 488, or a majority of 28. And if now, pursuant to what seems to me the true law on the subject, you add the additional 19 votes (for I exclude 2, those of Gamble and Brooks), you then have for contestant 507 votes, and for the contestee 460, or a majority of 47.

There were four voters, Thomas Bell, Samuel H. Booth, Gustavus Elzear Cooper, and William Chapman Weems, whose votes were refused because their names could not be found on the voters' list. As to 3 of these the minority concede they should be counted. But, as I said in respect to the votes I have just left, the testimony relating to the rejected vote now in question is precisely of the same character, to the same effect and purpose, as that relating to the 3 admitted votes, and the whole 4 then should be added, so that you have 511 for the contestant and 460 for the contestee.

The proof is clear that there was counted for the contestee in Calvert County a torn and scratched vote, and I take this away, and the figures are 459 for the contestee and 511 for the contestant, or a majority for the contestee of 52 votes.

Now, Mr. Speaker, as I stated at the outset, this is a case in which every doubtful question of fact may be resolved in favor of the contestee. Every vote claimed by him and many of those not allowed him by the minority of the committee as illegally rejected votes may be given to him, and still by no process of calculation can you arrive at a majority for him. Suppose now that, the contestant having a majority, as I have shown, of 52, we should give to the contestee the 19 votes that accrued to him from what I claim to be the illegal recount in the Baltimore precincts; suppose that we give to him the torn and scratched vote that ought to have been thrown out; suppose that we give to him the vote that was not returned, but was counted by the governor; suppose we take from the contestant the vote where his name appears twice on the ticket; and suppose that we give to the contestee first the ten votes allowed him by the minority of the committee, and then on top of that the 13 votes he claims and that the minority of the committee refuse to give him, in all 45 votes; the net result of all of these concessions so made—and what other concessions may be demanded I have yet to hear—puts up a vote of 466 for contestant and 459 for the contestee, or a clear majority in any event of 7 votes in his favor. And so, beyond possible question, the contestant was elected.

Now, Mr. Speaker, if personal associations are to weigh in this case, if regard for the character of the gentleman who has so long occupied a seat on the other side of the House is to have any weight, if the desire of his friends, their personal affection for him, is to guide their consciences in the decision of this case, then I concede that he may have some claim to a seat on this floor. But if the decisive reason for coming to a conclusion in this case is to be a regard for the rights and the voice of the voters of the Fifth Congressional district of the State of Maryland, there is no justifiable mental process, there is no known arithmetical rule, there is no legal method by which the contestant can be refused his place on this floor.

OKLAHOMA.

Mr. STRUBLE. Mr. Speaker, I ask the gentleman from Ohio to yield to me for a moment to make a request of the House.

Mr. COOPER, of Ohio. How long does the gentleman want?

Mr. STRUBLE. Only a moment.

I want to ask, Mr. Speaker, that the Senate bill No. 985, on the Speaker's table, be laid before the House; and I move that the House insist on its amendments disagreed to by the Senate and agree to the committee of conference asked on the said bill.

The SPEAKER. The gentleman refers to what is commonly known as the Oklahoma bill?

Mr. STRUBLE. Yes, sir.

The SPEAKER. That has been presented to the House, the Senate disagreeing to the House amendments and asking a committee of conference.

Mr. STRUBLE. I move to insist on the amendments and agree to the conference.

The SPEAKER. This can only be done by unanimous consent at this time.

Mr. STRUBLE. I ask unanimous consent.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The question is, Shall the House insist on its amendments and agree to the conference asked by the Senate?

The motion was agreed to.

The SPEAKER announced the following conferees on the part of the House: Mr. STRUBLE, Mr. PERKINS, and Mr. SPRINGER.

CONTESTED ELECTION—MUDD VS. COMPTON.

Mr. MOORE, of Texas. I now yield to the gentleman from Maryland [Mr. GIBSON] thirty minutes of the time allotted to this side in the debate.

Mr. GIBSON. Mr. Speaker, referring to the language of the gentleman from Iowa [Mr. LACEY] who first addressed this House in behalf of the contestant, that the report of the minority in this case was hurriedly and loosely drawn, I am reminded that if such be true—and it is un-

important whether it is or not—the report of the majority of this committee was not hurriedly drawn, but was carefully drawn, skillfully drawn, and erroneously drawn—I will not say carefully—erroneously. If the majority of this committee, headed as it is by a gentleman who deserves the distinction which has been accorded to him, could have had in view the language of the lamented Judge Black when, addressing the Supreme Court of the United States, he said to that court that the highest “prerogative of a lawyer was to advise the court in any argument which he might make to the court”—if he had in view that suggestion of the great jurist, he has skillfully failed to measure up to that suggestion, but has departed from that great requisite and duty of a lawyer in presenting this case to this court, in that, instead of advising the House, he has mystified and misled the House in his report. This House as now constituted, with reference to the inquiry before it, is a court, and the highest court which can pronounce upon such questions as are now presented.

When with uplifted hand this House and the learned gentleman who is chairman of that committee in common with us all—when every member present took upon himself the solemn obligation that he would support and defend the Constitution of the United States against all enemies, foreign and domestic, that he would bear true allegiance to the same, and that he would well and faithfully discharge the obligations of the high office upon which he was about to enter, he took upon himself in the latter clause of this obligation the further obligation—one with which he is now confronted, no less solemn and important because implied rather than expressed—that under such circumstances as now surround us he would well and truly try the issues joined between the House of Representatives and the contestee, and a true verdict render according to the evidence, so help him God.

As jurors is the character of the duties which we are now entering upon, Mr. Speaker. It is not legislation in which we are now engaged, but higher and greater duties engage us. Upward and outward and beyond a question of legislation is our prerogative now, the highest prerogative which sworn members of this House can exercise, and these our functions and prerogatives are judicial, not legislative. We are judges of the law and triers of the facts. The principles of law which should control us are fixed and immutable; the facts in such cases are as varied as the cases may be out of which the facts arise. The law is fixed; it is our duty to ascertain whether the facts measure up to the law, not that the law shall descend to measure the facts.

So much for these prefatory but important observations, Mr. Speaker. I pass now to another view of the case.

When this contestant, Mr. Mudd, came to this House it was with a gratified majority of 3, which he felt was all the votes which the broadest latitude of his claim could furnish him, and on which he felt he was entitled to ask to be seated in this House; and yet it is said by this committee: “Sir, you have not begun to count; you do not understand and appreciate the full measure of what you are entitled to. Three majority doesn’t begin to measure it.” And from Mr. Mudd’s majority of 3 to commence with, this committee has jumped to 154, as they report.

I can not, however, successfully—other gentlemen might—in the short time permitted me, discuss many of the features important in this case, and I must as rapidly as possible proceed. I can not with patience or with any degree of complacency consider the matter of the wholesale outrage upon the contestee and the dignity and honor of my State, with reference to fraud and violence in Anne Arundel County, sufficient, as this committee claims, to warrant the throwing out of the precinct referred to.

The 28 votes in Calvert claimed as due Mudd and the 50 votes elsewhere not counted in Maryland, because not before the judges of election, determine this case in my judgment. Give to contestant, if you please the 3 votes claimed by him as voted for S. N. Mudd, S. E. Mudd, and — Mudd; he is not entitled to them on any principle of sound reasoning in law, but give them to him; but do not give him the 28 votes in the second precinct of the first election district of Calvert County, nor the 50 votes elsewhere referred to. He is not entitled to any of these under the law of Maryland, and it is under the law of Maryland your judgment is to be directed and governed in this investigation. These 28 votes in Calvert County and these 50 rejected votes would not elect contestant, if counted for him. This House of course, under the Constitution, is the sole judge of the election and qualifications of its members, but the individuals who on the day of election, in the several districts of a State, do the voting, must be qualified to so vote under the constitution and laws of the particular State where they reside or rather are citizens.

Maryland has a registry law and has had for years, which registration of voters under the constitution of Maryland is presented as a prerequisite, with other qualifications, for voting. Our laws in my State provide that every male citizen of the age of twenty-one years, etc., not white male citizens, as before the fifteenth amendment, shall vote, etc., but not unless his name appears on the list of voters; which means, of course, on the list of voters which the judges are required to have on the day of election. The registrar is required by law to register the exact name of any person qualifying before him. He requires the applicant to be thus precise; but as registered by name he must vote by

name. Here is where this difficulty has arisen in this case with reference to these rejected 50 votes. But there is no “difficulty” really about it. Those rejected votes were those of individuals who were not on the registry list even, many of them, and those who were registered offered to vote under some other name than appeared on the poll-book, etc.

But it is of the 28 votes in Calvert County I wish now to speak; but preliminary to which let us inquire how did this contestee get here anyhow? By what right is he here? Why, by the only right recognized in Maryland, and that is by this right [holding up the certificate of the governor]. Here is the certificate of Elihu E. Jackson, the governor of Maryland:

THE STATE OF MARYLAND, EXECUTIVE DEPARTMENT.

I, Elihu E. Jackson, governor of Maryland, do hereby certify that it appears from the official returns, now on file in this department, of an election held in this State on Tuesday, the 6th day of November instant, for six Representatives from the State of Maryland in the Fifty-first Congress of the United States, that the honorable Barnes Compton was regularly and duly elected, in accordance with the laws of this State, a Representative from the Fifth Congressional district of the State of Maryland in the Fifty-first Congress of the United States.

Given under my hand and the great seal of Maryland, at the city of Annapolis, on the 28th day of November, A. D. 1888.

[SEAL.]

By the governor:

ELIHU E. JACKSON,

E. W. LE COMPTE, *Secretary of State.*

This is a certificate made, not by a fraudulent governor, as you have insisted in the case of West Virginia, two of whose legally elected Representatives you made to walk the plank because the title of their governor’s seat was uncertain, but it is a certificate from the governor of Maryland, who holds his title by the same tenure as governors of Maryland have who have been elected ever since the Democrats could vote in Maryland, by twenty to forty thousand majority; and that is the certificate of the governor of that State. Upon what warrant and authority is this certificate issued by the governor of Maryland?

The distinguished gentleman from Pennsylvania [Mr. DALZELL] has suggested that the figures that went into the hands of the governor are not the correct figures; that the governor’s figures are not correct. The governor’s figures, Mr. Speaker, are not wrong so far as pertains to this case. As considered for the present purpose they only required correction in the case of those two precincts in Charles County which had been inadvertently sealed up in the ballot box, and were not before him. The correction of the official returns to the extent of embracing these Charles County returns has been conceded, and there is now no controversy upon that point. The governor of the State of Maryland, from the returns as made to him as required by the laws of Maryland, has issued his certificate to the contestee. Upon what authority and under what sanction does he issue such certificate as to Calvert County? Mark well, gentlemen, in this connection:

We, the subscribers and judges at the close of an election held on the 6th day of November, 1888, in the election districts of Calvert County, distinguished by numbers 1, 2, and 3, for the purpose of choosing a Representative for the Fifth district of this State to serve in the Congress of the United States, have this day assembled at the usual places of sitting, the circuit court of said county, with the books of the polls, which are indorsed and certified agreeably to law, and having cast up the whole number of votes given in the said district, according to the respective certificates made out by the judges on the day of the election, do return that Barnes Compton had 986 votes and that Sydney E. Mudd had 1,138 votes.

Given under our hands this 8th day of November, 1888.

J. G. MARSH,

Return Judge, First Precinct, First District,

JAMES BROOME,

Return Judge, Second Precinct, First District,

T. W. SPARKLIN,

Return Judge, Second District,

H. F. LANE,

Return Judge, Third District,

Return Judges of Calvert County.

Thus we have, Mr. Speaker, the deliberate, careful, and presumably accurate “casting up” by the return judges of Calvert County of the full vote in the county, which they ascertain to be 1,138 votes for Mudd. Here is where the alleged “mistake” occurs. It is at this point the controversy is made. This action of these judges doing just what the law required of them is the basis of Governor Jackson’s certificate to Barnes Compton. The governor made no “mistake,” the secretary of state made no “mistake” in his certifying, and the sworn officers of the law, the judges of the election, two days after the election going over again and carefully reviewing what each one of these very same judges in their respective precincts had on the night of the election passed upon, certify that they made no “mistake.” They certify that they had the “poll-books” for the whole county before them, “on which are indorsed the several certificates agreeably to law, and having cast up the whole number of votes given in the said districts according to the respective certificates made out by the judges on the day of election,” do return, etc.

60. The said judges so assembled shall cast up the whole vote of all the districts or precincts, and shall make out two plain, fair, and distinct statements and certificates of the number of votes which shall have been given for each candidate, for each of the officers voted for at said election, one of which certificates shall be delivered to the clerk of the court to which they are directed to make their returns, and the other, except in elections for governor and State’s attorneys, shall be transmitted by mail to the governor.

Can anything be stronger than this? Could the governor make any “mistake” in issuing his certificate to Barnes Compton on such an

"official return" as that? Here are the returns from the three districts in Calvert County—for there were only three—one district being divided into two precincts, thus requiring that there should be a very short column and a very simple combination of figures to aggregate 1,138. The first district, Calvert County, as shown by the precinct returns, as insisted upon by the contestant, shows the following:

First precinct, first district.....	144
Second precinct, first district.....	407
Second district.....	330
Third district.....	285
	1,166

This is the combination giving the result Mudd relied upon; but, unfortunately for him, nobody ever saw it until after the official returns had long been made and when the judges of the election in each precinct, attested by the two clerks in each precinct, had certified to another combination of figures in these several districts, giving another result, 1,138, as the vote of the county.

We discover that this combination, leading to this result of 1,138, corresponds exactly with the other statement, save in one precinct, the second precinct of the first district:

First precinct, first district, 144, as before.
Second precinct, first district, 379.
Second district, 330, as before.
Third district, 285, as before.

Making just what the judges on election night, and return judges two days afterwards, found to be 1,138.

And now for the startling circumstantial evidence in this case! A difference of 28 votes is claimed to exist between the "official returns" and the contestant's demand. Twenty-eight is the difference between "1,138 official" and 1,166 claimed. Whence comes it?

Upon this certificate, Mr. Speaker, hinges absolutely, or hangs rather, the question in issue before this House as between Barnes Compton and the House of Representatives. The poll-books have been relegated, in the face of this certificate, to the rear; they are nothing and of no effect. Now, this certificate is the cream of the poll-books, if I may so express it, and is the monument of the title by which the holder of the governor's certificate is entitled to his place on this floor. These 28 votes in Calvert County and the 54 rejected votes elsewhere are the only two points which I will have time to discuss. I shall not read from the record except to quote a few of the inconsistencies in the report of the committee.

What your committee calls the face of the returns, as presented by the contestant, are not the "returns" at all in this case, but are simply a tabulated statement prepared by the contestant, including 28 votes he claims to have received in Calvert County, as against the official return made to the governor from that county, in which he is excluded from these 28 votes.

Mr. Speaker, fraud, intimidation, and violence at elections within her borders have been charged by this committee upon that great sovereign State of Maryland. Look well to it, gentlemen, that you take the beam out of your eye in order that you may see clearly to take the mote out of your brother's eye. The fraud which you have charged lies not at our door, but at yours. I proclaim that the record in this case discloses no "mistake" in Calvert County, but a bold, glaring, naked fraud upon the ballot-box, and the return from that county a fraud, a forgery of the returns in the second precinct, perpetrated by this contestant's adherents in that county, and I will proceed to demonstrate it.

The gentleman from Pennsylvania [Mr. DALZELL] has referred to the primary evidence as established by the precinct returns. I thank him for that word "primary" evidence. As a lawyer he has appealed to this House. I repeat his invocation and the appeal which he has made. Does he not know, does not the distinguished chairman of this committee know that evidence and proof are not synonymous? Evidence is not proof. And does he not know that the best evidence is always required; that the first rules of evidence require the best evidence of which a case is in its nature susceptible to be offered? This rule was adopted for the prevention of fraud. For when it is apparent that better evidence is withheld, it is fair to presume a sinister motive in not presenting it.

Meet that suggestion. Meet the legal proposition, my learned friend from Ohio, in the light of what I shall now suggest. Eight or nine different men have scrutinized and passed upon the certificate which I hold in my hand giving 1,138, and not 1,166, as belonging to the contestant in this case. I make the specific charge against you of a forgery of the returns from the second precinct of the first district of Calvert County, a forgery perpetrated after the returns had been made to the governor, made after the return judges had made their return, and so certified. Who made it, when and where, it is not necessary to inquire. It was certainly not made by us. There was no reason for us to do it. Can you say as much?

Why have we three judges of election rather than two; why two clerks instead of one? The reason is obvious. Because, in the stringent and carefully guarded election laws of Maryland, a majority of the judges must determine questions before them, and, more important still, the number of votes cast; two clerks rather than one, in order that

both of the tally-sheets may be in accord. What says the law of Maryland right here? Mark well, gentlemen of the committee:

64. When the poll shall be closed the box wherein the ballots are deposited shall immediately thereafter be opened by the judges of election; and the said judges, in the presence of one selected representative of each and every political party whose candidates are voted for at such election, to be designated in writing by said candidates, shall publicly take out the said ballots and read distinctly and aloud the name or names written or printed thereon respectively; and the clerks of said election shall carefully enter and keep an account of the same on the books of the polls, so that the number of votes for each candidate tallied thereon may be readily cast up and known; when all the ballots have been canvassed the poll clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers one of them shall announce, in a loud voice, to the judges and those present, the number of votes received by each candidate. In the several counties the sheriff, or such person as the judges shall name in the absence of the sheriff, or one of his deputies, and in Baltimore City the board of police commissioners, shall have power, and it shall be their duty, to preserve order during the counting of the votes and see that the duly accredited representative of each party shall be admitted into the polling-rooms to witness the count.

Can anything be more carefully guarded? In a loud voice the clerks are to announce the result to the judges. In a loud voice, therefore, did Messrs. W. S. Peterson and I. S. Thomas announce to the judges and all those assembled that on the 6th of November in the second precinct of the first district of Calvert County, Sydney E. Mudd had received 379 votes. Here is where we get the evidence of the 379. If this is not so, where are these gentlemen to contradict it?

Nine men have sworn that they carefully added up the figures. I say "sworn," because they are sworn officers and act under their oath. Nine men have sworn that the combination of 379, the only figures possible, with 144, 330, and 285, foot up 1,138, and not 1,166! Nine men have sworn to these facts; and yet when you talk of primary evidence the only primary evidence which has been offered to rebut, not this presumption, but this startling fact, is the evidence of one man that what the other eight have said is not the truth and the "primary" evidence of the precinct returns. Why, Mr. Speaker, the precinct returns are out of the case; they are not primary, but secondary. Return judges' certificate is the primary evidence now. Meet that proposition if you can. I defy you gentlemen on the other side to show me in the record where there is one scintilla of evidence to show the contrary of what these nine men have sworn to.

Mr. ROWELL. Would it interrupt the gentleman to answer a question?

Mr. GIBSON. No, sir,

Mr. ROWELL. Suppose you had the column of figures before you, with the footing, and you ran up the figures yourself and found that there was in the result a mistake of 28?

Mr. GIBSON. I will answer the gentleman's question. He has come to a point that I wanted to bring him to. I will not call him a galled jade wincing when his withers are wrong, but I will show in this very column which he speaks of that if you take 28 votes from 407 in the first election district of Calvert County, the only precinct where a forgery was possible, you get 379, which is one element in the combination of figures which nine men added up and which gave 1,138 as the total vote for Mr. Mudd. Where did you get the 407? Tell us, Mr. Contestant. Show this House, in your own behalf, familiar as you are with all the surroundings of this case, how you came to get 407, when nine men have said that you got but 379 votes there.

The laws of Maryland require that the return of the judges of election shall not be written in figures, but shall be written in words at length. If the number is 379, you are not to put the figures out in that column as you have done there, but you are to write "three hundred and seventy-nine." Twenty-six characters are required to write "three hundred and seventy-nine" in that way, when it takes only three characters to put down the figures 379; easier to alter two figures only and substitute two than to alter twenty-six letters and substitute twenty-six others, don't you see?

Mr. McCOMAS. Will my colleague permit an interruption?

Mr. GIBSON. Yes, sir.

Mr. McCOMAS. If my colleague will take to-night the total of all the returns signed by all of the judges in every precinct and every district of that county and add them up and if he does not find that they foot up 1,166, I will yield to-morrow in my time for him to make the correction.

Mr. GIBSON. Why, of course they will.

Mr. McCOMAS. Of course they will!

Mr. GIBSON. But do you not understand that the precinct judges are thus certifying each for his own precinct, and not for any other?

Mr. McCOMAS. Then Mudd had the votes.

Mr. GIBSON. I will answer my friend. Of course "407" in the third precinct of Calvert County added to the other combinations of figures will make 1,166, but the judges, return judges, could not have had 407 before them, for they added up 1,138. Ah, my friend [addressing Mr. HOUK], be laughs best who laughs last. The gentleman from Tennessee finds material, it seems, in this case, as in the Arkansas case, where he characterized the unseating of Mr. Cate as "turning the horse out to grass," for "incredulous glee."

This is not a case for laughing. This is not a case in which members of the House of Representatives, under the solemn sanctity of their oath which links them to the foot-stool of their Creator, are to regard

their duties as gleeful. When we are talking, not about legislating, but about exercising the highest prerogative which belongs to us as select men from sixty-five millions of the American people—this is no place and no occasion to talk about "turning a horse out to grass" when you are referring to a member of Congress being denied his seat. Ah, no; it is not a case of "turning a horse out to grass!" It is not a laughing matter. As jurors, as judges of the law and the facts, you should have honor, dignity, justice, and fair dealing as the rule and the guide of your faith and your action!

Mr. HOUK. Will the gentleman permit me a word?

Mr. GIBSON, of Maryland. Yes, sir; I will.

Mr. HOUK. I am a good-natured individual, and I wish to ask the gentleman's pardon if a smile frightened him, as his remarks seem to indicate. My smile had no reference to the gentleman. However much he may have so regarded it, I assure him I was not laughing at him.

Mr. GIBSON. Very well.

Mr. Speaker, the "407" which my colleague [Mr. Mccomas] refers to, with the other combinations of figures, does add up 1,166. The combinations of figures are 144, 407, 330, and 285. That is what Mr. Mudd calls the "returns." He interpolates 407 as a part of these "returns," and then the figures foot up 1,166; but the judges of election the night of the 6th of November found the figures in the second precinct of Calvert County to be, not "407," but 379, and they swore that that was correct, and eight men besides have sworn to the same array of figures. That array of figures can not be obtained in any other way than by taking 28 from "407," which leaves exactly 379.

Listen, gentlemen on the other side; listen, my colleague from Maryland, who inspired this suggestion. Clerks W. S. Peterson and John S. Thomas, on election night in that precinct where the election was held, swear that the figures were 379. Broome, Ross, and Ludwick, the judges of the election on that night of the election, swear that those figures were 379. And two days after that when the great telegraphic arteries of the State were pulsating throughout the length and breadth of Maryland with the news of the election, when dismay was carried to the hearts of some Democrats and when gratulation and pride were borne to the gratified appreciation of others, we find that in Calvert County, with full opportunity to canvass these returns, two days after that, four other men, J. T. Marsh, James Broome, T. W. Sparklin, and H. F. Lane, the return judges of the election, swore that in the second precinct of the first district of Calvert County those figures were 379, because no other figures could they have had before them to make 1,138.

Mr. ROWELL. Will the gentleman tell me where that is in the record?

Mr. GIBSON. Yes, I will make this matter so plain that he who runs may read.

Mr. Mccomas. Give the page.

Mr. GIBSON. If I have only the time, every word I say I will verify.

Mr. ROWELL. I wish you would.

Mr. GIBSON. I will do it, every word of it, if you will only give me time.

Mr. Mccomas. At page 747 you will find the return of the judges you have just named.

Mr. GIBSON. Yes, I have it.

Here is every precinct of Calvert County. Calvert County, precinct No. 1, signed by the judges of the election, and certified subsequently by the return judges, "correct." The return in the first district of Calvert County was "correct." Those judges have complied with the law; they have written out the returns in words at length.

STATE OF MARYLAND, Calvert County, to wit:

We, the undersigned, duly appointed by the county commissioners of said county, in due form of law, judges of election, in this first precinct, district No. 1, do hereby certify and return that we did attend, on the 6th day of November, 1888, at precinct No. 1, the place appointed by law for holding the election within said district, and did then and there appoint M. M. Davis and Thomas P. Evans clerks of the election, who severally qualified as directed by law.

We further certify that we did then and there, before a justice of the peace of said county (or before each other), qualify as judges of election as by law directed, and did then and there, at the hour of 8 o'clock in the morning, open the polls for an election for President and Vice-President, one person to represent the Fifth Congressional district in the Fifty-first Congress of the United States, and one road commissioner for the first district for Calvert County; that we continued the polls open until 6 o'clock in the evening of the same day, when they were closed, the ballot-box opened, and the ballots publicly counted, when it appeared that Clinton B. Fisk, President for the United States, and John A. Brooks, for the Vice-President of the United States, each of the said electors had forty-one (41) votes, and William H. Hellen, for Congress for the Fifth Congressional district of Maryland, had forty-seven (47); Grover Cleveland, for President, Allen G. Thurman, for Vice-President of the United States, and their electors, had each ninety-four (94) votes; Barnes Compton, for Congress, had ninety (90) votes; and A. T. Leathering, for road commissioner, had one hundred and six (106) votes; Benjamin Harrison, for President, Levi P. Morton, for Vice-President, and their electors, had each one hundred and forty-seven (147) votes; Sidney E. Mudd, for Congress, had one hundred and forty-four (144) votes; and William T. Lusby, for road commissioner, had one hundred and sixty (160) votes; Thomas W. McCready, for road commissioner, had five (5) votes.

Given under our hands at the place of said election this 6th day of November 1888.

J. T. MARSH, Judge.
J. G. IRELAND, Judge.
JOHN J. SAUNDERS, Judge.

Attested by—
M. M. DAVIS, Clerk.
THOS. P. EVANS, Clerk.

STATE OF MARYLAND, Calvert County, to wit:

I hereby certify that the foregoing is a true copy taken from the certificate and statement made out by the judges of election on the books of the polls of the 1st precinct of 1st district of said county, which book of the polls is now deposited among the records of the office of the clerk of the circuit court of Calvert County.

In testimony whereof I hereto set my hand and affix the seal of the circuit court for Calvert County this 7th of February, A. D. 1889.

[SEAL.]

JOHN SEDWICK, Clerk.

Here is the second district of Calvert County, where the same thing is the case. District No. 2—here it is; it is correct. The returns of the judges of the election have been written out as the law requires in words at length.

STATE OF MARYLAND, Calvert County, to wit:

I hereby certify that the foregoing is a true copy, taken from the certificate and statement made out by the judges of election on the book of the polls of the second precinct, first district of said county, which book of the polls is now deposited among the records of the office of the clerk of the circuit court for Calvert County.

In testimony whereof I hereto set my hand and affix the seal of the circuit court of Calvert County this 7th day of February, A. D. 1889.

[SEAL.]

JOHN SEDWICK, Clerk.

STATE OF MARYLAND, Calvert County, to wit:

We, the undersigned, duly appointed by the county commissioners of said county, in due form of law, judges of election in this —, district No. 2, do hereby certify and return that we did attend on the 6th day of November, 1888, at Prince Frederick, the place appointed by law for holding the election within said district, and did then and there appoint R. A. Buckmaster and Thomas H. Harrison clerks of said election, who severally qualified as directed by law.

We further certify that we did then and there, before a justice of the peace of said county (before each other), qualify as judges of election as by law directed, and did then and there, at the hour of 8 o'clock in the morning, open the polls for an election for electors for President and Vice-President of the United States; a Representative in Congress from the Fifth Congressional district, and a road commissioner for the second election district of Calvert County; that we continued the polls open until 6 o'clock in the evening of the same day, when they were closed, the ballot-box opened, and the ballots publicly counted, when it appeared that James Hodges had three hundred and thirty-nine votes for Presidential elector; that Henry Page had three hundred and thirty-nine votes for Presidential elector; that William Scott Roberts had three hundred and thirty-nine votes for Presidential elector; that James G. Berret had three hundred and thirty-nine votes for Presidential elector; that Willoughby N. Smith had three hundred and thirty-nine votes for Presidential elector; that Isaac Gorham Moale had three hundred and thirty-nine votes for Presidential elector; that Robert C. Combs had three hundred and thirty-nine votes for Presidential elector; that Hattersly W. Talbot had three hundred and thirty-nine votes for Presidential elector; that Francis S. Hill had three hundred and forty-five votes for Presidential elector; that John R. Bond had three hundred and forty-five votes for Presidential elector; that James W. Waddell had three hundred and forty-five votes for Presidential elector; that Samuel Roop had three hundred and forty-five votes for Presidential elector; that William Coath had three hundred and forty-five votes for Presidential elector; that Joseph M. Cushing had three hundred and forty-five votes for Presidential elector; that Thos. Farran, jr., had three hundred and forty-five votes for Presidential elector; that Daniel Chisholm had three hundred and forty-five votes for Presidential elector; that Eugene Levering had no votes for Presidential elector; that Charles W. Jefferson had no votes for Presidential elector; that Esaw L. D. Inley had no votes for Presidential elector; that Phineas F. Ball had no votes for Presidential elector; that Richard M. J. Harker had no votes for Presidential elector; that Frank V. Rhodes had no votes for Presidential elector; that De Witt C. Ingle had no votes for Presidential elector; that Francis B. Sappington had no votes for Presidential elector; that Barnes Compton had three hundred and forty-one votes for Representative in Congress from the Fifth Congressional district; that Sydney E. Mudd had three hundred and thirty votes for Representative in Congress from the Fifth Congressional district; that William H. Hellen had four votes for Representative in Congress from the Fifth Congressional district; that John W. Shennell had three hundred and forty-eight votes for road commissioner for the second election district of Calvert County; that Benjamin Rawlins had three hundred and twenty-five votes for road commissioner for the second election district of Calvert County.

Given under our hands at the place of said election, this 6th day of November, 1888.

Q. W. SPARKLIN, Return Judge.
ED. H. WELAND, Judge.
E. S. HUMPHREYS, Judge.

Attested by—

R. A. BUCKMASTER, Clerk.
THOS. H. HARRISON, Clerk.

Here is district No. 3 of Calvert County. The returns have been written out as the law requires, in words at length:

STATE OF MARYLAND, Calvert County, to wit:

I hereby certify that the foregoing is a true copy taken from the certificate and statement made out by the judges of election on the book of the polls of the second district of said county, which book of the polls is now deposited among the records of the office of the clerk of circuit court for Calvert County.

In testimony whereof I hereto set my hand and affix the seal of the circuit court for Calvert County this 7 day of February, A. D. 1889.

[SEAL.]

JOHN SEDWICK, Clerk.

STATE OF MARYLAND, Calvert County, to wit:

We, the undersigned, duly appointed by the county commissioners of said county, in due form of law, judges of election in this —, district No. 3, do hereby certify and return that we did attend on the sixth day of November, eighteen hundred and eight-eight, at Lower Marlborough, the place appointed by law for holding the election within said district, and did then and there appoint Benja. A. Sunderland and Joseph R. Griffin clerks of the election, who severally qualified as directed by law.

We further certify that we did then and there, before a justice of the peace of said county (or before each other), qualify as judges of election as by law directed, and did then and there, at the hour of 8 o'clock in the morning, open the polls for an election for President and Vice-President of the United States, for Representative in the Fifty-first Congress of United States, and for road commissioner in the third election district of said county; that we continued the polls open until 6 o'clock in the evening of the same day, when they were closed, the ballot-box opened, and the ballots publicly counted, when it appeared that Grover Cleveland and Allen G. Thurman, and the following electors, James Hodges, Henry Page, William Roberts, James G. Herbert, Willoughby N. Smith, Isaac G. Moale, Robert C. Combs, and Hattersly W. Talbot, had three hundred and twenty-six votes for their respective offices. Barnes Compton had three hundred and eleven votes for Representative in the aforesaid Congress, and

Isaac S. Watson had three hundred and seventeen votes for road commissioner in the aforesaid district. Benjamin Harrison, Levi P. Morton, and the following-named electors, Francis S. Hill, John R. Bond, James W. Waddell, Samuel Roop, William Couth, Joseph M. Cushing, Thomas Parran, jr., and Daniel Christholm, had two hundred and eighty for their respective offices, except Thomas Parran, jr., who had two hundred and seventy-nine votes. Sydney E. Mudd had two hundred and eighty-five votes for Representative in the aforesaid Congress, and Richard S. Ward had two hundred and ninety votes for road commissioner in the third district of said county.

Given under our hands at the place of said election this sixth day of November, eighteen hundred and eighty-eight.

Attested by—
JOSEPH R. GRIFFIN, Clerk.
B. A. SUNDERLAND.

HENRY F. LANE.
J. F. IRELAND.
P. H. JONES.

STATE OF MARYLAND, Calvert County, *scilicet* :

I hereby certify that the foregoing is a true copy taken from the certificate and statement made out by the judges of election on the books of the polls of the third district of said county, which book of the polls is now deposited among the records of the office of the clerk of circuit court for Calvert County.

In testimony whereof I hereto set my hand and affix the seal of the circuit court for Calvert County, this 7 day of February, A. D. 1889.

[SEAL.]

JOHN SEDWICK, *Clerk*.

And here is district number 2, first precinct, of Calvert County, the only precinct and the only district in Calvert County where the law has not been complied with, where the result has not been written out in words at length; but the figures have been put down, and instead of writing 379, or 407, as the case may be, three characters have been employed to represent what the law says it shall take twenty-six to represent, and not attested by the clerks, as in each of the other districts:

STATE OF MARYLAND, Calvert County, *in vultu* :

We, the undersigned, duly appointed by the county commissioners of Calvert County judges of election for the second precinct of the first election district of said county, do hereby certify and return that we did meet at St. Leonard's, the usual place of holding elections, and after qualifying by taking the following oath as prescribed by law:

Judges' oath.

"We and each of us do swear that we will permit all persons to vote who shall offer to vote at the election now to be held for Calvert County whose names shall be found on the registry list of qualified voters furnished to us according to law as qualified voters under the constitution and laws of the State, and that we will not permit any person to vote at the same election whose name shall not appear on said registry of qualified voters, and we will in all things execute the office of judges of election according to the best of our knowledge, without favor or partiality, so help us God;"

and after appointing W. S. Peterson and J. S. Thomas as clerks, who were duly qualified by taking the following oath: "We do swear that we will well and faithfully, without favor or affection or partiality, execute the office of clerks of election now to be held, according to the best of our knowledge, so help us God," did then and there proceed to open the polls, and continued them open from 8 o'clock a. m. until 6 o'clock p. m. of the same day, when the polls were closed, ballot-box opened, and ballots publicly counted, when it appeared that—

Grover Cleveland, for President of the United States, had received 174.

Allen G. Thurman had received 174.

For electors for President and Vice-President:

James Hodges, 174.
Henry Page, 174.
William Scott Roberts, 174.
James G. Berrett, 174.
Willoughby M. Smith, 174.
Isaac Gorham Mould, 174.
Robert C. Combs, 174.
Hathersby W. Talbot, 174.

For Congress:

Barnes Compton, 153.

For road commissioner:

A. S. Leathering, 151.

For President:

Benjamin Harrison, 391.

For Vice-President:

Levi P. Morton, 391.

For electors:

Francis S. Hill, 391.
John R. Bond, 391.
James W. Waddell, 391.
Samuel Roop, 391.
William Couth, 391.
James M. Cushing, 391.
Thomas Parran, jr., 391.
Daniel Christholm, 391.

For Congress:

Sidney E. Mudd, 407.

For road commissioner:

William T. Lusby, 393.

For President:

Clinton B. Fisk, 2.

For Vice-President:

John A. Brooks, 2.

Electors at large:

Eugene Lovering, 2.
Charles W. Jefferson, 2.
Esom S. D. Insley, 2.
Pheneas F. Ball, 2.
Richard M. J. Harper, 2.
Frank V. Rhodes, 2.
DeWitt C. Ingle, 2.
Francis B. Sappington, 2.

For Congress:

W. N. Hillen, 2.

For Congress:

Benjamin J. Bowen, 2.

For road commissioner:

Thomas W. McCready, 7.

As witness thereof we have hereunto set our hands and affix our seals this 6th day of November, 1888.

JAMES BROOME, R. J. [SEAL.]
JAS. T. ROSS, [SEAL.]
J. A. LUDWICK, JR. [SEAL.]

Mr. ROWELL. Is that what you call the record of what you were saying about the 379 votes?

Mr. GIBSON. Yes, sir.

Mr. COOPER, of Ohio. On what page of the record does it appear that those judges on the night of the election swore that there were 379, instead of 407?

Mr. GIBSON. There are certain things which, with all due respect to my learned friend from Ohio, it is not necessary to prove by evidence, because the law takes notice of them. It is not necessary in a court of justice to prove by a witness that the sun shines, that the grass is green, that water runs. It is not necessary to prove things which have happened according to the ordinary course of nature; it is not necessary to prove the course of time. The law takes judicial notice of these things, and the law takes judicial notice of the fact, while not expressed in the record as I have put it, that it is only by the combination of the figures 379, and not 407, that nine men are enabled to swear to the governor of a State that the return is 1,138, and not 1,166.

Mr. ROWELL. Will the gentleman permit me a question?

Mr. GIBSON. I will.

Mr. ROWELL. Then I understand that what you mean when you speak of this matter being in the record is that taking the returns as they went to the governor and footing up all the precinct returns, and deducting 28, it would prove that in one precinct they announced 28 less than appeared on the returns.

Mr. GIBSON. I do not say that. I have not taken the 28 votes from the 1,166, making 1,138, but I have taken the 28 votes from 407 votes in the second precinct of the first district, the only precinct in Calvert County where a fraud was possible, and it makes 379.

Mr. LACEY. Is it not true that there is not one word of evidence anywhere to indicate that the return you speak of has been altered in any way? Is it not true that no testimony was taken to show that those figures have been altered?

Mr. GIBSON. Why should there have been testimony taken on that point when all the muniments of our title on which we relied were what the law contemplates? Why should we seek to prove a negative? Nine men have testified to our title. Every man of them, except three in Calvert County, has sworn on the night of the election that those figures were correct, and two days afterward they have sworn it, and you have brought but one man here to testify to the contrary.

Now, I want to make good my word with reference to the remarkable report of the gentleman from Ohio, to which I have referred. Mr. Mudd, he says, called the return judges of every precinct in the county and proved by them that the returns on file in the clerk's office were the very returns which they made, and were in no way altered. Is that the fact as disclosed by the record, gentlemen of the committee? On the contrary, it is apparent from this record that but one of these return judges has certified where you say four have certified, and that one return judge is Broome, in the second precinct of the first election district, when he says that the figures are correct because he sees them before him, without reference to what the figures were when he certified to them three months before, while the return judges in the other three districts only certify that the return in their districts is correct, making no certificates as to the returns in the district known as precinct No. 1.

There is the answer to that proposition. I now come to the further one in regard to what the gentleman from Ohio has said in his report with reference to the clerk of the court. He "proves by the clerk of the court," he says. Proves what? That immediately upon seeing it stated in the newspapers that the return of the governor gave the contestant only 1,138 votes he wrote to the governor stating that a mistake had been made and asking permission to correct it. Is that so? What newspaper? Where published?

[Here the hammer fell.]

Mr. GIBSON. I ask but a few moments more.

Mr. MOORE, of Texas. I yield ten minutes additional to the gentleman from Maryland.

Mr. GIBSON. I am very much obliged to the gentleman, though I do not know that I can get through in that time. Are you gentlemen of the House, sworn to do even-handed justice between the contestant and the contestee, going to permit the Committee on Elections to be the keeper of your consciences? If you do, require of that committee the strictest accountability in presenting the facts as they exist.

This committee has conceded as part of the proof before that committee that the clerk of the county court of Calvert has certified that he saw it stated in the newspaper, proving by the clerk that the returns gave the contestant 1,116 votes. He stated he wrote to the governor that a mistake had been made and asked leave to correct it. The clerk of the court did no such thing, and it is not a part of the record. The clerk of the court, John Sedwick, asserts that his attention was called not immediately after the election, as the chairman of the committee would have you believe, but was called, as he says, last fall, after the election, after the official returns had gone to Governor Jackson. Weeks had elapsed, and the return had been made to the governor. He then wrote the governor and asked whether there was any way to correct it, and the governor told him it could not be corrected. So much for this.

Therefore no reliance can be placed on the suggestions of the clerk of

the court. What business had the clerk to do with the returns? That is the province of the judges. It is not for the House or the committee to pass upon what the judges did on the night of the election, but generally to inquire whether the return judges in making up the returns of the whole county had correctly certified the figures to the governor so as to enable him to certify to this House one of these gentlemen had been elected.

I repeat, although I do not reiterate, that nine men have made this statement, nine men computed these figures, nine men certified to them, and that certificate is the basis of the judgment you are to pronounce in this connection.

The learned chairman said the contestee might have offered some testimony to show it, but he did not do it. Was it the province of the contestee? Why has not the contestant taken the best evidence in his power to show that the return of 1,166 was correct. Where are these clerks, Thomas and Peterson, who on the night of the election, on the 6th of November, 1888, compared their tally-sheets, which were bound to agree, who certified, Thomas with Peterson and Peterson with Thomas, that but 379 votes had been polled in that precinct? They certified to it. They swore to it; not being content to certify to it, they swore it was correct. They are not dead nor beyond the reach of the contestant. Why did you not call the other two judges, Ross and Ludwick? Why did you not recount these ballots?

The law of Maryland which is the rule and guide of your course of conduct in this case provides that not only the judges, but the clerks of elections as soon as the last man has deposited his ballot in the glass ballot-box provided by the State, not the spurious tin box with a double shoot, but a glass box through which the sun-light shines—the law of Maryland provides when it is discovered the last voter, in the time prescribed by law, has deposited his ballot, then the clerks are sworn under the law to call out in a loud voice the result of the election. Thomas and Peterson compared their tally-lists and found that Mudd had received 379 votes. They called out that fact in a loud voice. The three judges, Broome, Ludwick, and Ross, swore to those 379 votes as well as the four return judges.

These gentlemen were all Republicans and had no purpose or desire to falsify the returns. It was after that this Democratic newspaper—three months after this event, on that night it was stated that Mudd received 1,166 votes instead of 1,138. He says on the night of the election he went to the precinct to get returns for his paper and published them the next day. If that was his only object and he obtained what he went for, where is the newspaper with these returns in it, the published programme of the facts upon which this committee relies and asks this House to say 407 rather than 379 was the vote for the contestant at that precinct; why was not that fact produced?

I pass from this view of the case and now come to another feature. We had relied upon this decision of the Supreme Court of the United States. The Committee on Elections, not content with hoisting the black flag upon which are inscribed the death's-head and cross-bones of their colors, and boldly pirating from the vote of Calvert County 28 votes to give the contestant, which he himself did not claim he was entitled to as a part of the return—I say, not content with that, they fly to another position which is to be impregnable, in that 54 votes are to be accorded to them in votes improperly rejected because improperly registered.

Preposterous, Mr. Speaker, I say to the gentleman representing that committee, absolutely preposterous. Six voters of the 64 have already voted in the county in which they claimed the right to vote, and yet you demand on the judgment of this House that these 6 votes are to be counted over again for the contestant, when the truth is that they have already voted once for the contestant, and you add to these 6 votes more cast by some persons voting in other names than their own. Take the 46 votes in the other column, and those show that under the law of Maryland, which is to be your chart and guide and to control your judgment and consciences in this investigation—the law of Maryland has prescribed that no man shall be entitled to his vote unless his name appears on the poll-book on the day of election.

Will you now in bold strides take away the grandest prerogative which belongs to a sovereign State of this Union, and say that it shall no more exercise the right to regulate the qualifications of its own electors? I challenge the gentleman, the chairman of the Committee on Elections, to show this House in any Federal statute or by the decision of the highest court of the land, or, for that matter, by the decision of any court of Christendom, that votes which have never gone into the ballot-box can ever be counted for anybody. It is absurd to claim it. Here is the Hamlet of the play. The fraud you have charged has recoiled upon you.

In conclusion, I will say in regard to what was said by my learned friend on the other side about my colleague—I have a word to add in that connection. This is not a West Virginia case.

The SPEAKER *pro tempore* (Mr. ALLEN, of Michigan). The time of the gentleman from Maryland has expired.

Mr. GIBSON. I ask the indulgence of the House for five minutes longer.

The SPEAKER *pro tempore*. The time is under the control of the gentleman from Texas.

Mr. McCOMAS. I ask unanimous consent that five minutes additional be added to each side.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GIBSON. I am very much obliged to my colleague. I would not waste the time of the House or take any longer time than I have occupied, but, Mr. Speaker, in view of my absence of familiarity with making speeches on this floor I trust I may be permitted to trespass a moment, as I rarely trouble the House.

In conclusion, I can not forbear to institute a comparison between the *circumstantia*, the surroundings, the standing around, so to speak, of this case.

The gentleman from Pennsylvania [Mr. DALZELL] has argued that "personal considerations" should not weigh in this case. And if not, why not?

After the selection of the Representative, this House might sit in judgment upon his fitness to become a member of it. If he came to its doors with a fraudulent claim and the fraud could be clearly shown, then the House might and ought always to reject him as unfit to enter. But inasmuch as the solemn act of the State, by its highest official, is by such a proceeding to be declared hasty and ill-considered or fraudulent, out and out, and inasmuch as the declared choice of the district is to be reversed, it behooves this House, for its own honor, dignity, and self-respect, and for the sake of the reputation that will come of it, to take heed that such proceeding on its part shall be well sustained by unquestionable facts and in conformity with the rules of honor and justice.

It was never meant by the makers of the Constitution that this House should sit in judgment upon the elections held in any part of this country. It was no part of this purpose, when the right to exclude improper characters was given this House, to grant an inquisitorial power to nose about the several precincts and by taking advantage of technicalities and casual omissions, or by worse means, to make and unmake Representatives and secure majorities at their will. If such is to be the practice of parties in the majority freedom is a farce and the pretense of self-government a delusion and a snare.

No, sir; the right of the district to have the Representative of its choice seated is a precious right. Whoever assails it threatens the destruction of the whole fabric of government; whoever disobeys it will bring down upon himself and us the temple of liberty, and the hopes of its lovers will perish with it.

All are equally interested in the protection of this right. The same wrong may at any time threaten the constituency of any member within the sound of my voice, and it behooves all to take solemn heed that the habit of contesting elections when the sitting member is not of the dominant party does not grow and become the—

* * * little rift within the lute
That by and by will make the music mute
And ever widening slowly silence all.

Sir, republican institutions have already once been sorely tried, but they have not been hardly hurt. The body corporate has lost no limb; it stands up straight and beautiful and strong, its bosom still heaving slightly with the effort of the struggle, but healthy, hearty, and giving promise for an endless life of peace and use and happiness. So may it ever be.

But if meddling by the General Government with the affairs of the separate States be carried so far as to violate the bounds set by the makers of the Constitution, if under any form of law or cover or pretense the free will of the people be thwarted here, mistrust will take the place of confidence in our form of government, dependence will be less upon right than might, the scenes of the last days of the Roman Empire will be re-enacted, and chaos will ensue.

Mr. Speaker, I have said this nation has had one trial already and passed through it without loss of power or prestige. There is another coming worse than the first, whose mutterings are faint, far off, yet distinctly audible to him who knows how to listen. Meet it we must. There is and can be no escape, but if at the time the struggle comes all wise and good men have reason to know that the Government is administered as it was meant to be, that the Stoic philosophy is the rule of administrative conduct, if nowhere those in power make use of that power for partisan rather than for national purposes, that broad earnest views prevail, then all will be well, at least in the end.

But, Mr. Speaker, if the contrary is the case, if everywhere, or at least if in high places, expediency takes the place of justice; if "to can" is better than "to ought," then they who understand the rule of might, and who have not been taught the restraints of right, will rise and work their will.

How important, therefore, in this connection, are these very "personal considerations" the gentleman from Pennsylvania ignores.

You know well, Mr. Speaker, the character of the man whose seat is contested here. You have already seen "the mettle of his pasture;" but knowing him as you do, as well as you do, not a tithe of such knowledge is possessed as belongs to me, who have known him for many years. I have known him, sir, in all the relations of life, public and private, social and political, as a legislator, as a senator of our

honored State of Maryland, as president of that senate, for twelve years the treasurer of that State, dispensing the revenues of that State. Going from the high offices he held, declining a renomination for a fourth term, he retired to receive at the hands of his people the deserved plaudit of "Well done, thou good and faithful servant." You know how he has been rewarded with still higher honors in the councils of the nation as your peer upon this floor.

You have known his actions upon this floor, his incomings and outgoings. Not a pulsation of his heart in his intercourse with you on this floor but what has beat responsive to the honor and glory of his whole country. Not for his own district, not for his own State alone, but for the welfare of the whole country has he fearlessly sought such legislation as would result in the blessings of good government which should fall like the dew of heaven as well upon the poor man as upon the rich man. You know full well not only that, but you know the State from which he comes. Maryland is not Arkansas. None of the conditions surround my State that you have charged so causelessly, for purposes of your own, as existing within the borders of Arkansas, as proud and glorious a State as any in the American Union and undeserving of the conditions of blood and murder and the rape of the ballot-box you have put upon her.

I heard the gentleman from Iowa, General HENDERSON, say the other day, in reference to election cases, that, whenever he found black-handed fraud and red-handed murder in connection with contested-election cases, that wherever he found anything of that character or any such surroundings, he would vote to unseat any man claiming to hold a seat under any such circumstances; but Maryland occupies no such position. Law and order reign supreme within our borders. She was a State honored in the Union when the States represented by many of the gentlemen on this floor were yet unborn. Maryland has watched with pride the stars in our political firmament march on to glory and greatness, and has herself guided the "course of empire westward on its way."

Maryland rocked the cradle of your Constitution, she nurtured it in its growth and she defended and upheld it when assailed. When the wild storm of war surged around us, a war in which "the very names of affection and kindred were but new incentives to hatred and rage," Maryland stood true to her post, like the pilot at the helm with the storm shrieking in his ear, and sent fifty thousand of the best and bravest of her sons to fight for the flag and for the Union. Maryland has never been bought. Maryland has never been scared; never did she—

* crook the pregnant hinges of the knee
Where thrift may follow fawning.

But, gentlemen, whether you will heed or whether you will forbear, the clouds are in the heavens for you just the same. Let me tell you that it needs no "second Daniel come to judgment" to interpret the handwriting on the wall. Let me tell you that in your next loud shout of triumph with which you will hail your effected purpose, in the wrong done my colleague and my State, there will come to you in that shout an undertone of warning which will proclaim that the vengeance of an outraged people, though it cometh slowly cometh surely, and will be as inexorable as the grave. Let me tell you that if you persist in such a course the setting sun on the election day in next November will hide in ignominious shadow your discomfited myrmidons of wrongdoing, misrule, and injustice. [Loud applause on the Democratic side.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. COOPER, of Ohio. I will inquire of the gentleman from Texas if he can not occupy some of his time now.

Mr. MOORE, of Texas. The balance of the time, so far as this side is concerned, will be given to the gentleman from Maryland [Mr. Compton]. We are entitled to one hour, and it is the opinion of members of the committee that time should be given to Mr. Compton to address the House, and I trust he may be allowed that privilege.

Mr. CRISP. I would suggest to the gentlemen on the other side to use all their time but an hour, and leave one hour to be used to-morrow.

Mr. COOPER, of Ohio. I do not accept that as an agreement, but we will substantially do that. If the House has gotten down out of the clouds, I will now yield twenty minutes to the gentleman from Massachusetts [Mr. GREENHALGE].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced agreement to the amendments of the House to the bill (S. 140) to prevent the introduction of contagious diseases from one State to another, and for the punishment of certain offenses.

It also announced that the Senate had passed without amendment House bills of the following titles:

A bill (H. R. 417) for the erection of a public building at Houlton, Me.;

A bill (H. R. 3592) granting a pension to Mrs. Anna Butterfield; and

A bill (H. R. 5751) to increase the pension of Isaac Endaly.

It also announced that the Senate had passed, with amendments in which the concurrence of the House was requested, the bill (H. R. 856) to amend section 1 and section 9 of an act entitled "An act to authorize the Denison and Washita Valley Railway Company to construct and

operate a railway through the Indian Territory, and for other purposes," approved July 1, 1889.

It also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 188) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire;

A bill (S. 189) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire;

A bill (S. 314) for the relief of Mary B. Le Roy;

A bill (S. 640) granting a pension to Annie D. Rundlett;

A bill (S. 916) granting a pension to Mary E. Harney;

A bill (S. 1029) to provide for the purchase of a site for a public building at Spokane Falls, in the State of Washington;

A bill (S. 1030) to provide for the purchase of a site for a public building at Tacoma, in the State of Washington;

A bill (S. 1031) to provide for the purchase of a site for a public building at Seattle, in the State of Washington;

A bill (S. 1075) to provide for the purchase of a site for a public building at Walla Walla, in the State of Washington;

A bill (S. 1136) for the relief of William De Ford, trustee for C. D. De Ford & Co.;

A bill (S. 1319) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota;

A bill (S. 1354) to provide for the purchase of a site and the erection of a public building thereon at Sioux Falls, in the State of South Dakota;

A bill (S. 1453) to provide for the purchase of a site and the erection of a public building thereon at Saginaw, in the State of Michigan;

A bill (S. 2692) to establish certain ports of delivery in Alaska Territory;

A bill (S. 3060) to carry out the provisions of section 15 of an act entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union," approved February 22, 1889; and

A bill (S. 3089) to authorize the Secretary of the Interior to survey and mark the seventh standard parallel between the States of North and South Dakota.

ELECTION CONTEST—MUDD VS. COMPTON.

Mr. GREENHALGE. Mr. Speaker, I was very glad to see that the House was inclined to grant indulgence to the gentleman from Maryland [Mr. GIBSON] who has just taken his seat; and I should be willing even to go further and to ask that five minutes be allowed from each side to enable that gentleman to recover his customary and constitutional equanimity after the attack of hysterics under which he has evidently labored and which has aroused the anxious solicitude of both sides of the House. [Laughter.] Nothing pleases me more, Mr. Speaker, than to witness the fervor manifested by gentlemen upon the other side towards the Constitution; and I do not suppose that, in the ecstasy of their feelings, it makes much difference what constitution it is towards which their devotion or their expression of devotion is directed [laughter]; whether the constitution of man, the "Constitutions of Clarendon," the constitution of Maryland, or the Constitution of the United States of America. When I hear their expressions of devotion to the latter instrument, a problem occurs to my mind as to how in the world it was possible for that instrument to subsist for a number of years without the active support of some of the gentlemen upon the other side. [Laughter upon the Republican side.]

Somebody told me, I think some newspaper correspondent—I speak it with fear and trembling, and hope I shall not receive a shot from anybody—that devotion to the Constitution was carried so far that during the vicissitudes of some great battle of the late rebellion, when one gentleman upon the other side was ordered to advance upon the Federal troops, he argued the question against his commander, and proved, at least to his own satisfaction, that the movement would be "unconstitutional." [Renewed laughter.] In my opinion that gallant leader was correct. [Laughter.]

I do not know what views are entertained upon these subjects at the present time by gentlemen upon the other side, but nothing gives me greater pleasure than to hear the eulogies passed upon that immortal instrument—the Constitution of the United States—by my friends on the other side. I am very glad when I see my calm and judicial friend from Texas [Mr. MOORE] rising and imploring that the Constitution shall be saved. Now, I assure you, Mr. Speaker, that there is not the least danger to the Constitution at the present time, certainly not from the Committee on Elections, so long as the gentleman from Texas remains as a member of that body, and I hope it will be manifest to this House and to the public opinion of the country when the record of the Committee on Elections is made up at the close of its work that not merely have the Constitution and the laws been safe in their hands, but that the rights of the humblest citizen and the sacred rights of a member duly elected to his seat in this House, as well as those of the people who elected him, have been preserved sacredly and intact.

I am glad to see, Mr. Speaker, that when we eliminate the question from this case upon which we agree—when we eliminate from this case the questions of the 3 votes cast for "S. N. Mudd," "S. E. Mudd," and "Mudd" upon the one side and "Compton" upon the other; when we apply to them the elementary rules of the law applicable to contested-election cases, and allow them to each party respectively, I think it will be clear from the questions which remain that the facts and the policy and the principles upon the one side and upon the other as between the majority and minority of the committee are separated by a line of demarkation as vivid and clear as a line of fire, which shows precisely the difference between the mental constitution, the policy, and principle of the majority, and the mental constitution, and policy, and principle of the minority.

Now, there are only two great questions left in this case for discussion aside from the questions of individual votes, which I have not time to take up and which the elaborate analyses of the gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from Iowa [Mr. LACEY] have made entirely clear to the House, so that any discussion by me would be simply superfluous.

I say we have simply a question of the 28 votes in Calvert County and a question of conduct of the election in that third district of Anne Arundel County to which reference has been made. I say, Mr. Speaker, that here in the matter of inquiry into the question of allowing 28 votes the difference in the mental constitution—as I put it—on the one side and on the other of this House becomes apparent. I say that we, sitting here as a high court, as an august tribunal, as the grandest tribunal in some respects, I think, upon the earth, we have the right to ascertain, not merely what are the rules of procedure, not merely what are the directory laws and mandatory laws and technical regulations upon this point and upon the other, but the real facts, the true essence of the case; what are the true, real, and genuine rights of all parties. If we find that, by some error, a mistake is made in the returns sent to the governor in the first instance; if we show by the testimony of the judges of election that there was such a mistake; if we show by adding up the columns of figures that the true result is what we claim it to be, that there were not merely 1,133 votes cast for the contestant in that case, but 1,166, then I say that we have every confidence in appealing to this House to say that, no matter what the technical rule may be, no matter what the forms of the law were, strictly speaking, if the facts, upon the sworn testimony, upon the certificate of the judges, are as we claim they are, I say that this House is bound as a highest court in the land upon questions of this character, as the court of last resort, to give these 28 votes to the contestant.

I have here the testimony of half a dozen witnesses. I will leave out most of them because they may be objected to as Republicans. I refer to the testimony of Augustus Wilson (page 272), of John Sedwick (page 273), of James Broome (page 274), of T. W. Sparklin (page 275). These witnesses, I say, may be objected to on the ground that they are Republicans, so I will take the testimony of Charles S. Parran (page 273), who testifies that the returns as corrected are 1,166 votes for Mudd, for Compton 866; that these are the correct returns according to the papers and documents in the office of the constituted authorities of elections in Calvert County. His testimony ought to be accepted even by my friend the gentleman from Maryland, the final questions to the witness Parran being:

- Q. What are your politics?
A. I am a Democrat.
Q. Did you vote for Mr. Compton?
A. I did.

We have the returns from the different election districts in that county, and they carry out, figure by figure, the theory presented in this able and elaborate report drawn by the gentleman from Ohio [Mr. COOPER] on behalf of the majority of the committee. I therefore say that there is no question that this House, disdaining these minor forms, throwing aside technicalities which no man ought to stand upon in seeking a place upon this floor—a seat in this House—will decide that these 28 votes belong to the contestant as matter of right and justice.

Now we come to the only other question which is allotted to me for discussion, and that comprehends the occurrences in the third precinct of Anne Arundel County, and I congratulate the gentleman from Texas [Mr. MOORE] upon the beautiful picture which he has drawn of affairs in that election district of that county. I have always supposed that my friend from Texas [Mr. MOORE] had a strain of poetry in his composition; I think most men have; but I think it comes out vividly in this minority report, even through the harsh, chilly, and apparently uncongenial element of cold figures and tabulated statements. My friend's observations upon the occurrences in this district I commend to the attention of the House and to members upon both sides. He puts his propositions in numerical order. He says:

1. That the only guns on the ground that day were some guns which had been brought there by persons, some colored and some white, who were on their way gunning.

He does not say "gunning" for what, whether for squirrels or "coons." [Laughter.] He adds:

That the only pistol-shots fired were by some young men, nowhere near the polls, who were shooting at a mark.

2. That, instead of it being true that there were any such acts of violence as were calculated to intimidate persons of ordinary firmness, the true state of the

case is just this: 1. Not long after the polls were opened (they were opened at 8 a. m.) and after some few white men had voted, a body of colored men, numbering about one hundred men, who has assembled at a place called the "Mill Pond," about 100 yards from the polls, marched in a body to the polling place, and after some fifteen of them had voted, two of their number, Hall and Andrew Sampson, who were in the line, were by some young man standing there pushed or shoved out of the line, and told they had no right to vote there, and thereupon Hall, whom the evidence shows had taken an active part in distributing tickets among the colored voters, and was looked up to as a leader among them, after addressing certain remarks to those around, ordered, according to a large number of the witnesses, and advised, according to others, the whole line of negroes away from the polls, which order or advice was at once obeyed, and in consequence of this order or advice, which was subsequently given to others already at the polling places or on their way thereto, nearly every one, if not every one, of the 175 colored people referred to in contestant's allegation abstained from voting.

3. That according to some of the witnesses it was the same young man who pushed or threw out of line both Hall and Sampson; but at all events, according to the evidence of a number of the contestant's own witnesses, the whole number of the class of persons described by some of the witnesses as "strangers," and by others "roughs," and who are alleged to have caused the intimidation of the 175 negro voters, was but three.

4. That according to the contestant's own proof there were from 50 to 100 colored voters in line when the two men, Hall and Sampson, were shoved or pushed out of line; and this number was further increased shortly after, as most did not leave the grounds till after 12 o'clock, and there were 161 on the grounds during that time.

5. That according to the overwhelming mass of evidence, as given by the contestant's own witnesses, no blows were struck at any time, no fire-arms used or shown, no threats of personal violence made, not even the hunting guns had then been brought to the grounds when the trouble with Hall and Sampson took place.

6. According to the contestant's own evidence none of the 175 votes were ever tendered to the judges; on the contrary, the voters admit that they refused to tender their votes.

That is the picture of sylvan peace, of order and quietness and beauty, which my friend from Texas draws. It is a "peace that passes understanding"—especially the understanding of this House. They say of Warsaw that "Peace reigns in Warsaw," and then we find that in that unhappy city they have "made a solitude and called it peace," and I think when you turn to some of the evidence in this record you will find that it was a peace of similar character which prevailed in this third election district of Anne Arundel County.

I cite the testimony of Arthur C. Whittemore; of James Ellison, a witness for the contestee, and of John Ellison, another Democrat (pages 60 and 61, and 370 and 371 of the record), to show that there were guns in the wagon there, at this polling place, and the testimony of A. K. Young and a number of other witnesses that several of these gentlemanly visitors from Baltimore, to whom reference has been made, carried revolvers. That appears on page 63 of the record. There was no violation of the peace, my friend from Texas says; nobody was hit, no actual violence was used. I say that, from the testimony on pages 59 and 62 and 63 of the record, the contrary appears. I refer to the testimony of A. K. Young and of Mr. Jubb, to whom objection is made because he is a Democrat who was not in favor of Mr. Compton.

Well, though he was not in favor of Mr. Compton, he voted for Cleveland, and I trust that is a redeeming circumstance in the eyes of my friends on the other side. I cite that testimony to show that one man was struck. His name was Roderick Kess. He was struck close behind the ear. This occurrence appears upon page 62 of the record. The whole crowd of these 175 men, admitted to be in line ready to vote, was pushed back, as appears on page 59, in the testimony, page 64, of Osmond S. Pumphrey, a Democrat; and one William H. Hall, page 65 of the record of testimony, was forbidden to vote. He was a colored man of intelligence, of high character, of property, whose influence upon this line of 175 men was strong, and who, after he had been threatened and shamefully assaulted, and after two men, and three men, and four men had been pushed out of the line, and the whole crowd of colored voters had been pushed back, said to them: "Boys, if we can not vote peaceably let us have no disturbance. We had better go home. This wrong will be righted some time."

Our constitutional friends on the other side argue that although "Tip" Wells, "Hatch" Williams, and their illustrious friends were there with guns and revolvers, although actual violence had been used and worse had been threatened, these facts were not sufficient to justify men of "ordinary firmness" in leaving the polls, and that the order of William Hall—his "advice"—was simply a device to enable the colored men to come to this House and obtain a larger allowance of votes than they could actually have polled!

There was no safety for Mr. Hall and his friends unless they retired at that time.

We claim, Mr. Speaker, that there were badges worn by some of this gang from Baltimore, making them out to be deputy marshals; and the testimony of D. H. Williams, on pages 366 and 367 of the record, will give you some idea of what Mr. "Hatch" Williams was in these affairs. He has already been referred to as a leader in these election operations. We have a list of several of the gentlemen from Baltimore who are referred to in various places, both by Democrats and Republicans, as the "roughs from Baltimore," and their euphonious names are as follows: Bill Chairs, Frank Chairs, Tip Wells (who was the leader), Tong Wales, George Cromwell (a name which has a sound of terror for some people), and Ed. Pumphrey. These were the leaders of the gang.

Mr. COMPTON. Will the gentlemen allow me a moment, for I know he does not want to do injustice—

[Here the hammer fell.]

Mr. COOPER, of Ohio. I yield the gentleman from Massachusetts five minutes more.

Mr. GREENHALGE. What is the question of the gentleman from Maryland?

Mr. COMPTON. The gentleman from Massachusetts has read seven names of persons whom he describes as the choice spirits, "Plug Uglies," or what else he may choose to denominate them, from Baltimore City, as the men who were guilty of the intimidation here charged. I want to say to the gentleman—I am sure he does not mean to do injustice or to state anything that is not true—that six of those seven men, in my opinion—and I am satisfied I am right about this matter—are registered voters in the third precinct of the first election district of Anne Arundel County; and one of the seven—Tip Wells—upon whose name the gentleman lays special stress, as do the committee, has voted in that district for twenty years.

Mr. GREENHALGE. It make a very slight difference—

Mr. COMPTON. But you said they were the choice spirits from Baltimore.

Mr. GREENHALGE. The number of roughs from Baltimore was much more than eight. I only name some of the gentlemen who were acting as leaders of the choice spirits from Baltimore. I do not say that they themselves came from that city. I am not sure about that. "Tip" Wells probably did, although he had formerly been a resident of this district in Anne Arundel County. He came down to this precinct to earn promotion or reward in the public service, and very shortly afterward was made a deputy collector of internal revenue under the last administration; and I think his duty took him to the city of Baltimore.

Now, as to "Hatch" Williams, I do not know whether he was indigenous to the soil of Anne Arundel County or to the city of Baltimore. I do not think either place, like the seven cities that contended for the honor of having given birth to Homer, would make much of a contest about Mr. "Tip" Wells or Mr. "Hatch" Williams.

Now, "Hatch" Williams says in reply to a question:

Q. You have a nickname—"Hatch" Williams?

A. My name is Doran Hatch Williams.

Q. But they call you "Hatch," don't they?

A. Yes, sir; my familiar friends do; yes, sir.

Q. Were you appointed a deputy sheriff that day?

A. No, sir.

Q. It has been testified that you had a badge on?

A. Yes, sir; let me explain that to you.

Q. What were you doing with a badge on?

A. I will tell you all about that badge business. There was a badge sent there for a man and I put it on for fun; I just wanted to see how I would look with a badge on; it didn't remain on my coat but only a minute; the man's name that the badge was sent for was Hiram Sappington; I don't know whether he was appointed by any one to be deputy sheriff or not; I heard he was, and I heard the badge was sent there for him. I suppose Mr. Crane knew what he was doing. Just hold on a minute, just wait a minute, Mr. Rose; I have made a mistake. He was appointed deputy sheriff and received the badge and I took it away from him; he didn't give it to me; I took it away from him just through a joke and I pinned it on my coat and went around there with it on for a few moments and then I went to him and I said: "Hiram, here is your badge." I was not appointed and had no right with it.

Q. Did Mr. Pumphrey have a badge on?

A. He did.

Q. Did you see him interfere with anybody?

A. Not the least bit in the world. I have been voting there for twenty years, and I never saw a more peaceable election in my life. It was the quietest and calmest election I ever saw or witnessed, and I think our friend over there [indicating Mr. Rose], if he will get his man Hall to attend to the niggers, we will continue to have peaceable elections.

Recross-examination:

Q. That is to say, if the negroes don't vote down there you will have peaceable elections; is that what I understand you?

A. I don't say anything about that, but I just say Mister Hall was objected to, as you term him; I call him Bill Hall; I don't honor him enough to call him Mister Hall; I don't call no niggers "Mister." He was the marshal of these niggers and marshaled them right up in a body, I suppose seventy-five or eighty head of them, and when he was objected to he just turned calmly around to his little company and said, "Boys, do you see that? Our votes are objected to; go away." Now, if I had been the marshal of the white men, as he was the marshal of the niggers, I would have said, "Boys"—that is, if my vote had been objected to—I would have said, "Boys, my vote is objected to; try your hand," and let them take the same chances that I took.

Q. Is Mr. Hall a property owner down there?

A. Of course he is.

Q. He is considerable of a tax-payer, isn't he?

A. I suppose he is, from the property he owns.

Q. Have you any reason, Mr. Williams, to say that he is not a gentleman worthy of honor? You say you call him Bill Hall.

A. I don't mister no nigger; I don't care if he owned half of this country I would not mister him; and, furthermore, my judgment in this case is, simply because Bill Hall is considerable of a tax-payer I don't see what right he has down there any more than any nigger that don't pay any taxes.

Q. (MR. STANLEY.) In other words, you don't consider him any better because he happens to own a little land?

A. Not a bit, sir; he is a nigger; I consider him a nigger, and I don't consider him better than any of the rest of them.

Now, Isay, Mr. Speaker, whether "Hatch" Williams was born in Baltimore or in Anne Arundel County I can not say; I leave those localities to struggle for that honor as they please.

I say that the 175 votes in line were a tender which in law would be adjudged good even in the mere matter of a transaction relating to personal property, as in the case of a tender of greenbacks or legal currency in the payment of a debt. Those men stood there ready to put their votes into that ballot-box. They were registered; they had done all the law required of them, and they were thrown back by force, by violence; they were subjected to strong intimidation with guns and

revolvers in the hands of such men as "Tip" Wells and "Hatch" Williams and their friends. These men bring to my mind the Baltimore roughs of a former day.

I say this case, this evidence, brings to my recollection the time when men from Massachusetts walked through the streets of this same city of Baltimore almost twenty-nine years ago. That grand event is clothed with greater importance now. The blood shed then in the streets of Baltimore should be as the blood of redemption of that city and of Maryland and the whole country as much to-day as it was in that day, nearly twenty-nine years ago, when the Sixth Massachusetts Regiment rushed from their homes to save Baltimore and Washington and the Republic. [Applause.] I feel bound to stand here to do what I can to complete the work begun by men from my own State, from my own county, from my own city of Lowell. [Renewed applause.]

[Here the hammer fell.]

Mr. CRISP. I should like to know how the time stands between the two sides.

The SPEAKER *pro tempore* (Mr. ALLEN, of Michigan, in the chair). The time has been extended by unanimous consent. There remains on this side an hour and ten minutes, and on that side an hour and five minutes.

Mr. CRISP. The contestee prefers not to speak until the morning.

Mr. COOPER, of Ohio. If the motion to adjourn is made I will not antagonize it.

Mr. CRISP. I move the House adjourn.

WORLD'S FAIR.

Mr. CANDLER. I ask by unanimous consent that the bill and report on the world's fair be printed in the RECORD.

There was no objection, and it was ordered accordingly.

The bill and report are as follows:

Mr. CANDLER, of Massachusetts, from the Select Committee on World's Fair, reported the following bill as a substitute for H. R. 6883:

A bill (H. R. 8393) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of Chicago, in the State of Illinois.

Whereas it is fit and appropriate that the four hundredth anniversary of the discovery of America be commemorated by an exhibition of the resources of the United States of America, their development, and of the progress of civilization in the New World; and

Whereas such an exhibition should be of a national and international character, so that not only the people of our Union and this continent, but those of all nations as well, can participate, and should therefore have the sanction of the Congress of the United States: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an exhibition of arts, industries, manufactures, and products of the soil, mine, and sea shall be inaugurated in the year 1892, in the city of Chicago, in the State of Illinois, as hereinafter provided.

Sec. 2. That a commission, to consist of two commissioners from each State and Territory of the United States and from the District of Columbia and eight commissioners at large, is hereby constituted, to be designated as the World's Columbian Commission.

Sec. 3. That said commissioners, two from each State and Territory, shall be appointed within thirty days from the passage of this act by the President of the United States, on the nomination of the governors of the States and Territories, respectively, and by the President eight commissioners at large and two from the District of Columbia; and in the same manner and within the same time there shall be appointed two alternate commissioners from each State and Territory of the United States and the District of Columbia and eight alternate commissioners at large, who shall assume and perform the duties of such commissioner or commissioners as may be unable to attend the meetings of the said commission; and in such nominations and appointments each of the two leading political parties shall be equally represented. Vacancies in the commission nominated by the governors of the several States and Territories, respectively, and also vacancies in the commission at large and from the District of Columbia, may be filled in the same manner and under the same conditions as provided herein for their original appointment.

Sec. 4. That the Secretary of State of the United States shall, immediately after the passage of this act, notify the governors of the several States and Territories, respectively, thereof and request such nominations to be made. The commissioners so appointed shall be called together by the Secretary of State of the United States in the city of Chicago, by notice to the commissioners, as soon as convenient after the appointment of said commissioners, and within thirty days thereafter. The said commissioners, at said first meeting, shall organize by the election of such officers and the appointment of such committees as they may deem expedient, and for this purpose the commissioners present at said meeting shall constitute a quorum.

Sec. 5. That said commission be empowered in its discretion to accept for the purposes of the World's Columbian Exposition such site as may be selected and offered and such plans and specifications of buildings to be erected for such purpose at the expense of and tendered by the corporation organized under the laws of the State of Illinois, known as "The World's Exposition of 1892." Provided, That said site so tendered and the buildings proposed to be erected thereon shall be deemed by said commission adequate to the purposes of said exposition: And provided, That said commission shall be satisfied that the said corporation has an actual bona fide and valid subscription to its capital stock of at least \$5,000,000, of which not less than \$300,000 shall have been paid in, and that the further sum of \$5,000,000, making in all \$10,000,000, will be provided by said corporation in ample time for its needful use during the prosecution of the work for the complete preparation for said exposition.

Sec. 6. That the said commission shall allot space for exhibitors, prepare a classification of exhibits, determine the plan and scope of the exposition, and shall appoint all judges and examiners for the exposition, award all premiums, if any, and generally have charge of all intercourse with the exhibitors and the representatives of foreign nations.

Sec. 7. That after the plans for said exposition shall be prepared by said corporation and approved by said commission, the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors or of the public, shall be fixed or established by said corporation, subject, however, to such modification, if any, as may be imposed by a majority of said commissioners.

Sec. 8. That the said commission shall provide for the dedication of the buildings of the World's Columbian Exposition in said city of Chicago on the 30th

day of April, 1892, the one hundred and third anniversary of the inauguration of George Washington as first President of the United States, with appropriate ceremonies, and that the said exposition shall close on the 20th day of October, 1892.

SEC. 9. That whenever the President of the United States shall be notified by the commission that provision has been made for grounds and buildings for the uses herein provided for and there has also been filed with him by the said corporation, known as "The World's Exposition of 1892," satisfactory proof that a sum not less than \$10,000,000, to be used and expended for the purposes of the exposition herein authorized, has in fact been raised or provided for by subscription or other legally binding means, he shall be authorized, through the Department of State, to make proclamation of the same, setting forth the time at which the exposition will open and close, and the place at which it will be held; and he shall communicate to the diplomatic representatives of foreign nations copies of the same, together with such regulations as may be adopted by the commission, for publication in their respective countries, and he shall, in behalf of the Government and people, invite foreign nations to take part in the said exposition and appoint representatives thereto.

SEC. 10. That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell for delivery at the close of the exposition any goods or property imported for and actually on exhibition in the exposition buildings or on its grounds, subject to such regulations for the security of the revenue and for the collection of the import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles when sold or withdrawn for consumption in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal.

SEC. 11. That the sum of \$20,000, or as much thereof as may be necessary, be, and the same is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the remainder of the present fiscal year and for the fiscal year ending June 30, 1891, to be expended under the direction of the Secretary of the Treasury for purposes connected with the admission of foreign goods to said exhibition.

SEC. 12. That it shall be the duty of the commission to make report, from time to time, to the President of the United States of the progress of the work, and, in a final report, present a full exhibit of the results of the exposition.

SEC. 13. That the commission hereby authorized shall exist no longer than until the 1st day of January, 1895.

SEC. 14. That the United States shall not in any manner, nor under any circumstances, be liable for any of the acts, doings, proceedings, or representations of the said corporation organized under the laws of the State of Illinois, its officers, agents, servants, or employees, or any of them, or for the service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatever attending such corporation or accruing by reason of the same.

SEC. 15. That there shall be exhibited at said exposition by the Government of the United States, from its Executive Departments, the Smithsonian Institution, the United States Fish Commission, and the National Museum, such articles and materials as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people; and to secure a complete and harmonious arrangement of such a Government exhibit a board shall be created to be charged with the selection, preparation, arrangement, safe-keeping, and exhibition of such articles and materials as the heads of the several Departments and the directors of the Smithsonian Institution and National Museum may respectively decide shall be embraced in said Government exhibit. The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named by the head of each Executive Department and one by the directors of the Smithsonian Institution and National Museum, such selections to be approved by the President of the United States. The President shall name the chairman of said board, and the board itself shall select such other officers as it may deem necessary.

That the Secretary of the Treasury is hereby authorized and directed to place on exhibition, upon such grounds as shall be allotted for the purpose, one of the life-saving stations authorized to be constructed on the coast of the United States by existing law, and to cause the same to be fully equipped with all apparatus, furniture, and appliances now in use in all life-saving stations in the United States, said building and apparatus to be removed at the close of the exhibition and re-erected at the place now authorized by law.

SEC. 16. That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the World's Columbian Exposition for the Government exhibits, as provided in this act, and he is hereby authorized and directed to contract therefor, in the same manner and under the same regulations as for other public buildings of the United States; but the contracts for said building or buildings shall not exceed the sum of \$400,000, and for the remainder of the fiscal year and for the fiscal year ending June 30, 1891, there is hereby appropriated for said building or buildings, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000.

SEC. 17. That for the purpose of paying the expenses of transportation, care, and custody of exhibits by the Government, and the maintenance of the building or buildings hereinbefore provided for, and the safe return of articles belonging to the said Government exhibit, and for the expenses of the commission created by this act, and other contingent expenses, to be approved by the Secretary of the Treasury, upon itemized accounts and vouchers, there is hereby appropriated for the remainder of this fiscal year and for the fiscal year ending June 30, 1891, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary: *Provided*, That the United States shall not be liable, on account of the erection of buildings, expenses of the commission or any of its officers or employees, or on account of any expenses incident to or growing out of said exposition for a sum exceeding in the aggregate \$1,500,000.

SEC. 18. That the commissioners and alternate commissioners appointed under this act shall not be entitled to any compensation for their services out of the Treasury of the United States, except their actual expenses for transportation and the sum of \$6 per day for subsistence for each day they are necessarily absent from their homes on the business of said commission. The officers of said commission shall receive such compensation as may be fixed by said commission, subject to the approval of the Secretary of the Treasury, which shall be paid out of the sums appropriated by Congress in aid of such exposition.

SEC. 19. That nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said commission in excess of appropriations made by Congress therefor.

SEC. 20. That nothing in this act shall be so construed as to override or interfere with the laws of any State, and all contracts made in any State for the purposes of the exhibition shall be subject to the laws thereof.

SEC. 21. That no member of said commission, whether an officer or otherwise, shall be personally liable for any debt or obligation which may be created or incurred by the said commission.

Mr. CANDLEE, of Massachusetts, from the Select Committee on the World's Fair, submitted the following report (to accompany H. R. 8393):

The Select Committee on the World's Fair, to whom was referred the bill (H. R. 6883) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of — in the year 1892, having had the same under consideration, have instructed me to report back a substitute therefor, entitled, "A bill to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of Chicago, in the State of Illinois," with a recommendation that the original bill lie upon the table and that the substitute therefor do pass.

The bill H. R. 6883 was intended to comprehend all that was required to successfully organize a world's fair in either one of the three cities of New York, Chicago, or St. Louis, but to which such amendments were to be made as the city selected might require.

By the vote of the House the city of Chicago was selected as the place for holding the fair of 1892, and under the instructions given by the action of the House the committee has inserted the name of the city of Chicago in the bill, and has consulted with the representatives of that city for the purpose of perfecting and improving it, making, after careful consideration, such amendments as it deemed necessary and of importance.

The bill submitted differs in some essential features from bill H. R. 6883. In the second section the representation of the Territories and the District of Columbia has been increased from one to two commissioners from each, and provision is also made for the appointment of eight commissioners at large. A name is also given the commission, the designation applied being "The World's Columbian Commission."

The third section dispenses with the United States corporation which it was proposed to create by the Congress of the United States. It is also stipulated that the commissioners to be appointed from each State and Territory and the District of Columbia, together with the eight commissioners to be appointed at large, shall be selected equally from the two leading political parties.

In the fourth section there is no essential change, excepting as to the question of quorum for the first meeting, it being limited to the number present thereat. Provision is here made for the notification of the governors of the passage of the bill.

In the fifth section the commission, in place of acting as a corporation under the United States law, as in the previous bill, is authorized to accept for the World's Columbian Exposition the site, plans, and specifications of the buildings to be erected and tendered by the corporation created under the laws of the State of Illinois known as the "World's Exposition of 1892." The committee, in presenting this section, recognize the objections which have been made against a United States corporation and have availed themselves of one created under the laws of the State of Illinois.

This suggestion was made by the representatives of the city of Chicago; it is in accord with the action taken in the formation of their corporation; it is simple and practicable, and relieves the Government from any obligation or connection with it. It insures that everything connected with the site and erection of the buildings shall be conducted by a corporation with ample means, which will deliver it, for the uses of the exposition, without any obligations on the part of the United States Government, implied or otherwise, beyond that which the Government appropriates for its own commission and for its own exhibit. And the commission, acting independently of the corporation, and without power to incur any obligations, is instructed by this act to accept the buildings only when they shall be deemed by said commission to be adequate to the purposes for which they are intended.

In the original which was submitted to the House the eleventh section stated that not less than the sum of \$5,000,000 should be subscribed and pledged, and not less than 10 per cent. thereof should be actually paid in cash, before the commission should do any corporate act other than those necessary to its organization. The bill now reported is still more conservative, protecting the Government's interests, so far as its connection with it is concerned, and insuring the financial success of the fair beyond a reasonable contingency by providing that the commission shall not only be satisfied that the actual bona fide subscription to the capital stock of at least \$5,000,000 has been made, of which not less than \$500,000 has been paid in, but also declares that the further sum of \$5,000,000, making \$10,000,000 in all, shall be provided by the corporation in ample time or as needed for the successful prosecution of the work.

The committee has given careful consideration to the statements of the representatives of the finance committee of the city of Chicago as to the subscriptions to the stock of \$5,000,000, and believes the subscriptions to be bona fide, that they are made in good faith, and that they will be paid. Some of the statements made by the chairman of that committee are appended to this report. The committee also accept the statements and representations made by the citizens of the city of Chicago, through their committee, as to their ability to raise an additional five millions, and are of the opinion that they are made in good faith, and will not be repudiated.

While it is the judgment of the committee that the city of Chicago will meet the obligations and promises of their representatives, it would call attention to the fact that the judgment of this committee is not taken alone, but that the commission, on the spot in Chicago, will have a more favorable opportunity to satisfy themselves in regard to the site, the plans of the buildings, and the certainty of the \$10,000,000 than it would be possible for a committee of this House to do without taking more time and entering into the details of the exposition more fully than would be wise and practicable during a session of Congress.

The representatives of the city of Chicago, who have appeared before your committee were ready to meet every requirement indicated by the bill previously considered or in the discussion while the location of the site was pending, and your committee desires to recognize the fact that it is due to the city of Chicago that it should be assured by the action of this House that the fair is to be held in the city of Chicago, without further delay, as the business arrangements connected with the provisions of this act can be better adjusted when they are assured of the action of Congress. The committee claim that the Government of the United States does not assume any risk, but is asked to enact such legislation as to demonstrate that it is in sympathy with and desires to encourage the patriotic efforts of the citizens of Chicago in this great national and international exposition that will mark this important epoch in the history of the world and commemorate the life and services of Christopher Columbus in a manner worthy the continent which he discovered.

Section 6 does not appear in the bill previously reported. It defines the duties of the commission and gives them the necessary power to allot space for the exhibitors, classify exhibits, determine the plan and scope of the exposition, appoint judges and examiners, award premiums, and to have general charge of all intercourse with the exhibitors and representatives of foreign nations.

Section 7 authorizes the corporation of "The World's Exposition of 1892" to make any modification in the plans, subject to the approval of a majority of the commissioners; to make rules governing the rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors or the public.

Section 8 provides for the dedication of the buildings of the World's Columbian Exposition on the 30th day of April, 1892. Upon the question of time for holding the exposition there was a difference of opinion among the members of the committee, and each member reserved the right to vote for such time for opening and closing the exposition as might be deemed best after further discussion.

Section 9 provides that, in addition to the approval of the commission, the President of the United States shall receive satisfactory evidence that \$10,000,000 have been raised or provided for to successfully carry on this fair before proclamation is made and invitations extended to foreign nations.

Section 11 appropriates \$20,000 to be expended during the fiscal year ending June 30, 1891, in the place of \$100,000 which was named in the original bill, as it is estimated that that amount is all that will be required during that period for the expense of admission of foreign goods for exhibition.

Section 16 limits the cost of the Government buildings to the sum of \$400,000 and appropriates \$100,000 of that amount for the remainder of this fiscal year and for the fiscal year ending June 30, 1891.

Section 17 appropriates \$200,000 for the purpose of paying the expenses of the Government exhibit, maintenance of its buildings, and for the expenses of the commission and other contingent expenses, all subject to the approval of the Secretary of the Treasury of the United States, for the remainder of this fiscal year and for the fiscal year ending June 30, 1891, and limits the expenditure of the Government hereafter for all purposes connected with the exposition to the sum of \$1,500,000.

Section 18 provides for the payment of the actual expenses of the commissioners while necessarily absent from their homes on the business of the commission and for the compensation of the officers of the commission, subject to the Secretary of the Treasury.

In submitting the letter of Lyman J. Gage, esq., chairman of the finance committee, of Chicago, which will be published in the appendix to this report, this committee would call attention to the fact that the city of Chicago and the State of Illinois have, for an extended period, indicated their desire that there should be a world's fair held in the United States to commemorate the four hundredth anniversary of the discovery of America by Christopher Columbus, and that the city of Chicago should be selected as the site.

In September, 1889, they organized a committee and selected a number of experienced gentlemen, together with an engineer, to visit Paris for the purpose of studying the plans and operation of the Paris Universal Exposition of that year, in order to be thoroughly prepared to inaugurate, without delay, a national exposition by availing themselves of the experience of those connected with that of Paris. The investigations there made enable the city of Chicago to more intelligently comprehend the magnitude of the undertaking, and to estimate the cost, the scope, and the requirements for the successful conduct of it, and to commence their active preparation for the site and the buildings more promptly than could have been possible excepting for their enterprise and forethought.

The committee would call attention to the fact that the citizens of Chicago offer a larger and more generous contribution to this nation for the inauguration of a national and international exposition than was ever proffered by private citizens before, and larger than any ever offered by any foreign government or city in the great international expositions previously held. In the financial plan of the great Paris exposition, which is now claimed to have been the most successful in the world, an agreement was made between the French minister of commerce, the prefect of the Seine, representing the city of Paris, and the governor-general of the Crédit Foncier in behalf the guaranty association, stipulating that the contributions should aggregate \$5,000,000. The city of Chicago guaranties to satisfy the commission that it will provide, without the aid of the National Government, the sum of \$10,000,000.

The committee would also call attention to the fact that the estimated cost, for all purposes, for the Paris exposition was \$3,000,000, with a reserve fund of \$800,000 to provide for contingencies and for possible modifications in the original plans, and it believes that the \$10,000,000, with the site to be provided by the city of Chicago, is ample for all purposes for a fair in this country. Appended is a detailed statement from the report of Mr. Jeffrey, one of the gentlemen sent to France to investigate and obtain information concerning the Paris exposition, as showing the cost and receipts of that exposition, from which calculations may be made and estimates based for the exposition at Chicago.

In addition to the buildings erected by the Government of the United States and the city of Chicago for the exposition, we may reasonably anticipate that many of the States of the Union, the Dominion of Canada, Mexico, the Central and South American Republics, and the Governments of Europe will erect commodious buildings for their exhibits.

About fifty countries were represented at the Paris exposition, and we may confidently expect an increased interest and larger representation in the Columbian exposition. The Argentine Republic appropriated \$1,000,000 and the Republic of Mexico \$1,200,000 for the buildings and exhibits of their respective countries.

The committee would call attention to the interesting and important communications and estimates, appended hereto, received from the different Departments and bureaus of the Government, indicating their great interest in the exposition, and that it is most important that they should have an opportunity to exhibit the valuable collections of the Government of the United States, not only that millions of people may enjoy the privilege, but because it will cultivate the taste, increase their knowledge, and inform them as to the great resources of the nation, and impress them with its wonderful progress and the possibilities of the future.

The bill offered as a substitute for the bill H. R. 6833 makes an appropriation amounting to only \$330,000 until the close of the fiscal year ending June 30, 1891, as more than this amount, in their judgment, will not be required up to that time, and limits the expenditures to be made by the Government of the United States to the amount originally suggested in the former bill, namely, \$1,500,000.

Under some of the plans considered, that the buildings should be constructed of iron and glass, a large percentage of the cost will be reimbursed by the sale of the buildings at the close of the exhibition, and the plan presented by the different Departments will enable the Government to add to its permanent collections in Washington the interesting and valuable exhibit made by them at the World's Columbian Exposition at Chicago, it also being stated that the present is the most favorable time to secure some important additions that it may be impossible to obtain at a later period.

The continued interest manifested by the people of the country and foreign nations in this celebration and the more careful consideration of the subject since the first report of this committee have more deeply impressed the committee with the grandeur and importance of the undertaking and confirmed them in the opinion that it will prove to be of great national advantage, stimulating the patriotism and promoting the material prosperity of the people.

VIEW OF THE MINORITY.

The undersigned members of the Select Committee on the World's Fair respectfully dissent from the foregoing report and its conclusions. We believe that the following resolution, which we voted in favor of in committee, should have been adopted:

"Resolved, That when a guaranty fund of \$10,000,000 shall be secured by the citizens of Chicago, the sufficiency and legality of which shall be satisfactory to this committee, we report the pending bill with such amendments as the committee may agree upon."

J. J. BELDEN,
WM. H. HATCH,
R. P. FLOWER.

APPENDIX I.

WASHINGTON, D. C., March 10, 1890.

Hon. J. W. CANDLEE,

Chairman of the World's Fair Committee, House of Representatives.

DEAR SIR: Before returning to Chicago it may be advisable to put into writing form the substance of the pledges made by me on behalf of a special committee appointed to wait upon your honorable committee in the matter of Chicago's interest in the proposed world's fair.

You kindly gave us audience on the evening of March 6. On that occasion speaking for our committee, I explained that the "World's Exposition of 1892" is a corporation authorized by the laws of Illinois; that its capital stock is \$5,000,000, and that its object is to provide means for and promote a world's fair or exposition in the city of Chicago in celebration of the four hundredth anniversary of the discovery of America by Columbus; that commissioners appointed according to law had opened books of subscription, and that \$5,000,000 in bona fide subscriptions had been made. In fact, that \$250,000 in subscriptions more than could be received had been tendered.

I further stated that the subscribers to this stock and the people of Chicago understood fully that their Representatives in Congress had declared that Chicago stood ready to provide \$10,000,000 for the purpose of the proposed exposition if Congress should select Chicago as the place for such exposition.

I stated that with my associates, Messrs. Edwin Walker, Thomas B. Bryan, W. J. Onahan, and Otto Young, we represented the executive committee by whom we were appointed to confer with you. The executive committee is a large body embracing prominent men, subscribers to the stock, and has for its chairman Hon. D. C. Cregier, the mayor of Chicago.

I pledged to your committee that in addition to the \$5,000,000 stock the further sum of \$5,000,000 would be duly provided by the citizens of Chicago, and explained that our board of directors would increase the capital stock of the company to at least 7,000,000. I declared that in the light of what had been done it was entirely reasonable to believe that one million of the two millions of stock could be readily placed; that if it should then appear inexpedient to make further effort in that direction that \$1,000,000 in bonds secured by a pledge of the corporation's assets and net receipts could be readily sold at par.

This I asked you to believe and act upon as a reasonable proposition, such a one as business men act upon in even the largest and most important affairs, and as to its entire feasibility the business judgment of my associates and myself stands pledged.

I have now the great satisfaction of knowing that pledges made your committee have been fully indorsed by many representative citizens of our city.

The following is a copy of a telegram received on the day succeeding our interview:

"CHICAGO, March 7, 1890.

"LYMAN J. GAGE,

"Willard's Hotel, Washington, D. C.:

"We wish you continued success in Washington; we will stand by you and the committee in every way. Chicago will now, as in the past, prove equal to every emergency. You can count on our hearty support.

"S. W. Allerton, capitalist; John B. Drake, proprietor Grand Pacific Hotel; G. B. Shaw, president Merchant Loan and Trust Company; C. L. Hutchinson, president Corn Exchange National Bank; John C. Black, president Continental National Bank; J. W. Ellsworth; W. E. Hale, president Hale Elevator Company; Potter Palmer, proprietor Palmer House; R. T. Crane, president Crane Brothers Manufacturing Company; E. G. Keith, president Metropolitan National Bank; H. F. Lames, president Commercial National Bank; A. L. Patterson, Chicago Globe; W. J. Huiskamp; Chicago Times; J. J. P. O'Dell, president Union National Bank; Victor F. Lawson, Chicago News; E. St. John, vice-president Rock Island Railroad Company; Samuel M. Nickerson, president First National Bank; William T. Baker, president Chicago Board of Trade; William Penn Nixon, Chicago Inter-Ocean; John N. Clark, collector of customs; N. B. Ream, capitalist; O. W. Potter, president Illinois Steel Company; James W. Scott, Chicago Herald; H. H. Kohlsatt, capitalist; E. S. Pike, capitalist; C. R. Crane; Joseph Medill, Chicago Tribune; George Schneider, president National Bank of Illinois; Geo. R. Davis, county treasurer; A. F. Seeberger, wholesale hardware; Stuyvesant Fish, president Illinois Central Railroad Company; J. W. Doane, president Merchants' Loan and Trust Company; The Hibbard, Spencer & Bartlett Company."

It is proper to explain that a fairly full report of my statements and pledges were immediately wired by press correspondents and were published in the Chicago papers the morning of March 7. It is in the light of these facts and the information thus conveyed to the signers thereof that the telegram in question is to be construed as an indorsement of our proposition.

Inquired of as to our ability to provide for the exposition by May 1, 1892, our committee was a unit in declaring that we should meet the conditions of any bill which Congress should adopt on this point. We declared that our buildings could be built in a shorter period than would be required by the Government, should it construct a building of its own, or by the several States or by other nations in the preparation of their own special exhibits.

With this I beg to hand you a copy of the subscription list to the stock of the "World's Exposition of 1892," duly certified by Otto Young, chairman of the Chicago sub-finance committee, showing an aggregate of 2,556 names, and a total subscription of \$1,361,000. To this would be added, if its voluminous character did not forbid, the names of about 27,000 other subscribers, aggregating in their subscriptions \$860,670, or a total in all of \$5,221,670.

LYMAN J. GAGE,

Chairman of Finance and of Special Committee.

WASHINGTON, D. C., March 11, 1890.

APPENDIX II.

WASHINGTON, D. C., March 10, 1890.

DEAR SIR: At your request I have compiled a list of subscribers to the capital stock of the "World's Exposition of 1892," and have given you the individual names of such as have subscribed the sum of \$200 and over.

These amount to (see Exhibits A and B).....\$4,361,000
In addition to the above we have subscriptions of less than \$200 each..... 800,670
to the amount of..... 5,221,670

Total amount subscribed..... 5,221,670

For all the above subscriptions the signatures are in the rooms of the sub-finance committee. I know of many other subscriptions which have not been reported to me officially, and therefore can not be taken into consideration in this report.

Respectfully submitted,

OTTO YOUNG,

Chairman Sub-Finance Committee, World's Exposition of 1892.

Approved and submitted,

L. J. GAGE,

L. J. GAGE,

Chairman Finance Committee the World's Exposition of 1892.

APPENDIX 1.

UNITED STATES SENATE, Washington, D. C., March 19, 1890.

DEAR SIR: I have examined the list of the subscriptions to the world's fair fund for Chicago, and desire to say to you that they are bona fide and will be paid. Yours, very truly,
HON. J. W. CANDLER,
Chairman World's Fair Committee.

APPENDIX 2.

PARIS EXPOSITION.

[From Mr. Jeffery's report to the Chicago committee.]

Legislation and official decrees.

November 8, 1884.—President Grévy issued a decree for a universal exposition to be held in 1889. This remained in abeyance by the Government until 1885.

July 6, 1885.—Act was passed by the Senate and Chamber of Deputies authorizing the exposition.

July 23, 1886.—President Grévy issued decree regulating the organization of the departments of the exposition.

August 25, 1886.—President Grévy issued decree making the exposition grounds a customs warehouse; articles for exhibition to be shipped direct to the grounds without custom-house examination.

August 26, 1886.—Decree issued fixing May 5 and October 31, 1889, as the opening and closing of the exposition.

January 6, 1888.—The minister of public works issued decree of general regulations affecting shipments to the exposition.

Early in 1887 foreign nations were invited to participate in the exposition.

Construction of buildings, etc.

1886.—Invitations were extended to the French engineers and architects to submit competitive designs for general arrangement of buildings and grounds. Eighteen days only were allowed in which to prepare them. One hundred and seven designs were submitted.

August 2, 1886.—The engineering and architectural bureaus were organized and put to work.

Time occupied in preparing ground, laying the foundations, and constructing the buildings complete as follows: Machinery hall, fifteen months; central transept and grand dome, seven and one-half months.

Miscellaneous industries buildings, seven months; liberal arts palace, twenty months; fine arts palace, twenty months; total area of inclosed grounds, 238 acres; total area under roof, 7,550 acres.

Buildings all complete in November, 1888.

Cost exclusive of salaries of architects and draughtsmen of the three main structures, as follows:

Machinery hall.....	\$1,426,208.90
Miscellaneous industries buildings.....	1,027,295.97
Palaces of the fine and liberal arts.....	1,504,209.61

Total..... 3,957,714.48

The Eiffel tower was built as a private enterprise.

Financial.

March 29, 1886.—Agreement made between representatives of the Government of France, the city of Paris, and the Guaranty Association for Contributions, as follows:

By the national Government.....	\$3,400,000
By the city of Paris.....	1,600,000
By the Guaranty Association.....	3,600,000

Total..... 8,600,000

This on the assumption that total expenses would not exceed \$8,600,000.

The Guaranty Association was composed of persons who within a specified time should subscribe to one or more shares of its capital stock. Par value of shares \$200, first payment \$10. No subscription received for less than \$200. Stockholders to share in the profits, if any, and be responsible only for amount of subscription.

March 20, 1889.—The foregoing agreement was modified by agreement (ratified by the Chambers) between the commissioner-general and the governor of the Crédit Foncier of France, the latter representing the trust companies, banking houses, and members of the Guaranty Association, providing that the Crédit Foncier should issue 1,200,000 bonds of \$5 each, with twenty-five coupon admission tickets attached.

The bonds to mature in 1964 without interest, and to participate in eighty-one lottery drawings, prizes of which were from \$5 each to one of \$100,000.

Within a few hours the whole loan was taken and \$6,000,000 became available at once.

Conferring [conformably?] to the agreement, this sum was disposed of as follows:

To refund to the Guaranty Association.....	\$3,800,000
For supplementary expenses of the exposition.....	700,000
For payment of lottery prizes.....	800,000
For redemption of bonds in 1964.....	900,000

Total..... 6,000,000

This increased the available cash resources of the exposition to \$9,300,000, and procured the sale at once of 30,000,000 admission tickets before the opening of the exposition.

Resources.

By national Government.....	\$3,400,000
By city of Paris.....	1,600,000
From sale of bonds.....	4,300,000
From sale of concessions.....	400,000
From national exhibits.....	1,119,000
For two buildings and exhibits by city of Paris.....	177,440

Total from all sources..... 11,069,562

Estimated profit in national treasury to be divided between the nation and the city of Paris, \$1,600,000 to \$1,800,000.

Miscellaneous.

Total admissions (estimated).....	28,000,000
Greatest admissions in one day.....	387,877
Smallest admissions in one day.....	26,322
Number of exhibits.....	36,000
Number of exhibit awards or prizes.....	34,800

About fifty countries were represented officially or semi-officially.

The Argentine Republic had 32,292 square feet of space, had a special building, and appropriated \$1,000,000.

The Government of Mexico had 23,239 square feet of space, a special building, and appropriated \$1,200,000.

The United States had 113,000 square feet of space, no building, and appropriated \$250,000.

Estimated increase of receipts by railroads during the year, \$12,000,000.

APPENDIX 3.

STATE DEPARTMENT, March 18, 1890.

Respectfully referred to Hon. J. W. CANDLER. His attention is especially asked to the details of Mr. Curtis's communication. JAMES G. BLAINE.

WASHINGTON, D. C., March 18, 1890.

SIR: I have the honor to submit herewith a brief sketch of a plan for a historical collection to be exhibited at the proposed Columbian Exposition of 1892, and to respectfully request that you would forward the same to Hon. J. W. CANDLER, chairman of the special committee of the House of Representatives in charge of that subject.

As it is intended to commemorate the discovery of America and the noble purpose of such exhibitions is the education of the people, this fair should be distinctively American and display, so far as possible, objects of interest associated with the discovery and the results of his achievements.

It is proposed, through the good offices of the Department of State, to secure from Europe and South America a historical collection which shall be one of the chief features of the exposition and afterward be placed in the National Museum at Washington for the permanent benefit of the public. This collection is to illustrate the epoch of the discovery and the condition of the continent at the time Columbus first placed his foot upon American soil; and the plan is to secure:

1. A model of the house in which Columbus was born, with a collection of portraits of himself, his family, and as many as possible of the men who were associated with him and his discoveries, both his patrons and companions.

2. An illustration of the court of Ferdinand and Isabella, with life-sized figures properly costumed, portraits, and fac-similes of state papers relating to the first voyage and subsequent events in the life of the great discoverer.

3. A perfect reproduction of the caravel in which Columbus sailed, manned by Genoese sailors in the costume of the time, to be moored in or near the grounds of the exposition, the caravel to be equipped as nearly as possible as it was during the voyage, with originals or fac-similes of the compasses and other nautical instruments used by navigators at that age, together with the actual charts used by Columbus, if those can be obtained, and, if not, accurate reproductions.

4. A model in relief of the West India Islands and the north coast of South America, showing the routes of several voyages made by Columbus and the other early discoverers, with historical illustrations, models, relics, etc., of Amerigo Vesputi, Alonso de Ojeda, Nuñez de Balboa, and others.

5. Life-sized models of the natives of America at the time of the discovery, with a collection of objects showing their costumes, habits, customs, and manner of life.

6. The last days of Columbus, illustrated with models, portraits, a collection of the original of his papers, his last will and testament, his death and burial, and a model of his coffin and tomb.

7. The epoch of the Conquest, illustrated by models of the palace of Montezuma and his temples, with other objects, either original or accurate reproductions, showing the condition of the semi-civilized portions of the continent, their social, religious, and political organization; costumed figures of the Conquistadors, their armors, weapons, etc.

8. A similar illustration of the civilization of the Incas of Peru, with models of their palaces and temples, costumed figures, implements of household and military service, showing the social, religious, and political life, with costumed figures of Pizarro and his men.

9. Collections showing the development of the resources of the southern continent for four hundred years, and giving by object lessons the history of the Central and South American republics and their progress in civilization.

10. The epoch of the Revolution, illustrated by portraits, historical papers, and other objects, tracing the history of the struggle that resulted in the separation of the American colonies from the crown of Spain.

There are very large collections in Spain, Mexico, Peru, Chili, Colombia, and other countries, a great portion of which could easily be obtained, either in the original or accurate reproductions, at a moderate cost, and the whole arranged in chronological order would make a display of historic interest whose value can scarcely be overestimated. Many of these relics are held by the several governments in libraries and museums, and some in private collections. No attempt has ever been made to bring them together, but every American nation would appreciate the value of the collection and enter with enthusiasm into the effort to secure a complete and accurate display illustrative of the history of America. The papers of Columbus alone, if nothing else, should be collected for the National Museum of the United States. The originals of many and fac similes of the remainder can easily be secured, and in Peru and Mexico priceless relics of prehistoric civilization can now be obtained which a few years hence will be beyond the reach of collectors.

This historical collection should be supplemented by a display showing the present condition of society and civilization in the other American republics; the manner of life and customs of the people, their style of living, their methods of agriculture and progress in the mechanical arts and the sciences, their distinctive national costumes, etc., to be illustrated by accurate types, from the rancho of Mexico to the gaucho of the Argentine Republic. This would of itself be a most valuable and interesting collection, as each republic has its peculiarities and the native races furnish material of the most picturesque character, of which none but those who have traveled in Spanish America and Brazil have the slightest idea.

Thanking you for the kind invitation to submit my plans, I have the honor to be, your obedient servant,

WILLIAM E. CURTIS.

HON. JAMES G. BLAINE,
Secretary of State, Washington, D. C.

APPENDIX 4.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 13, 1890.

SIR: In reply to your communication of the 26th ultimo, requesting to be furnished with estimates of amounts required under House bill 6883 for the purpose of erecting buildings for the Government exhibits and the placing of such exhibits therein at the World's Fair at Chicago in 1892, and for their care and safe return, I have the honor to transmit herewith such estimates as have already been received from the various Departments and bureaus of the Government, as follows:

Department of State.....	\$50,000
Department of Justice.....	3,000
Commissioner of Fisheries.....	150,000
Life-Saving Service, including cost of life-saving station.....	18,500
Coast Survey.....	12,500
Bureau of Engraving and Printing.....	3,000
Smithsonian Institution.....	585,000

Respectfully, yours,

W. WINDOM, Secretary.

HON. JOHN W. CHANDLER,
Chairman World's Fair Committee, House of Representatives.

APPENDIX 5.

DEPARTMENT OF JUSTICE, Washington, D. C., March 7, 1890.

SIR: I have the honor to acknowledge the receipt of your request of the 1st instant for an estimate of the cost, including all expenses of preparation, transportation, etc., in connection therewith, of such an exhibit as should be made by the Department of Justice at the World's Fair in Chicago in 1892, and the amount of floor and wall space required for such an exhibit, and to say in reply thereto that a proper exhibit can be made for \$3,000, and that, subject to such modification as might be necessary on account of the shape of the space assigned to this Department or the construction of the building, this Department should have not less than 900 feet of floor space and 1,500 feet of wall space.

Very respectfully,

W. H. H. MILLER, *Attorney-General.*

The SECRETARY OF THE TREASURY.

APPENDIX 6.

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY, Washington, D. C., March 13, 1890.

SIR: In connection with your reference of the letter of Hon. JOHN W. CANDLER, chairman of the World's Fair Committee of the House of Representatives, and in which reference you request me to furnish an estimate of the cost of placing, caring for, and returning such an exhibit as should be made by the Department of Agriculture at the forthcoming World's Fair, I have the honor to suggest that the sum of \$250,000 be estimated for the purposes of this Department, including cost of collecting, preparing, caring for, and returning said exhibit. The estimated space required by the several divisions of the Department for the proposed exhibit is 25,700 square feet of floor space. In addition to this I would estimate an outdoor space of some 3,000 square feet for the use of the horticultural and botanical divisions.

In this connection I will add that, while it is desirable that this Department shall co-operate with the other Executive Departments, as contemplated by the framers of the bill in the general plans of the exposition, it will, without doubt, be admitted by those who consider the magnitude of the contemplated agricultural display and its diversified character that a special building should be devoted to at least a portion of it, the grounds surrounding which may be utilized for the horticultural and botanical "outdoor" purposes. It is in view of the probability of such a conclusion and it is with a due appreciation of the magnitude of the undertaking that the above estimates for money and space are submitted.

Very respectfully,

J. M. RUSK, *Secretary.*

The SECRETARY OF THE TREASURY.

APPENDIX 7.

[S. P. Langley, secretary; G. Brown Goode, assistant secretary, in charge of United States National Museum.]

SMITHSONIAN INSTITUTION, UNITED STATES NATIONAL MUSEUM, Washington, March 12, 1890.

SIR: I have before me the letter of Hon. J. W. CANDLER, chairman of the World's Fair Committee of the House of Representatives, dated February 26, with your indorsement of March 1, requesting me to furnish an estimate of the cost of placing, caring for, and return of such an exhibit as should in my judgment be made by the Smithsonian Institution and National Museum at the World's Fair at Chicago in 1892.

I wish to preface what I have to say with the remark that the estimates for space and cost have been carefully made by experts who have participated in all of the great expositions of the past sixteen years. The Smithsonian museum is the one bureau of the Government whose special function is that of exhibition, and its officers are prepared to say with great exactness what can be done with any specified sum. The estimates have not been made with a view to possible reduction, but represent the minimum sum with which a display suitable for the place and occasion can be prepared within the time of opening.

I wish also to call attention to the fact that in the fourteen years which have elapsed since the Philadelphia exhibition the standards of exhibition work have completely changed, and the display of the Government Departments at Philadelphia, which was admirable for the time and thoroughly satisfactory to all visitors, would fall far below the expectations of the present.

As a more specific illustration of my meaning, I will cite the Fisheries Exposition in 1880, which excited so much admiration abroad as to form a kind of epoch in the history of such undertakings. I am assured by the gentleman in charge of that display, and to whom its exceptional success was mainly due, that in the London exhibition of 1883, after a lapse of only three years, the standard of what was expected to be reached had been so raised that had the United States repeated the display (which was so unrivaled in Berlin) it would not have stood higher than tenth among the competing national exhibits on that occasion.

The standard of excellence has recently been still further advanced by the Paris exposition of 1889, for which the resources of the French Government and the ingenuity and talent of the people were severely taxed during a five-years period of preparation.

Past experience seems, therefore, inapplicable to present circumstances, and I can only say that in view of the limited time and the great expectations which are entertained in connection with the Chicago exhibition the expense must of necessity be greater than on similar occasions in the past.

In 1876 there was practically no National Museum, and the display made at that time by the Smithsonian Institution, covering about 25,000 square feet of floor space, was of a kind which most of the visitors had never seen. In 1892, when the national collections in Washington cover about 125,000 square feet, and are sufficiently extensive to require the immediate addition of at least 105,000 additional square feet, it would seem that the area required in a great international exhibition should be at least three times as much as in 1876, and that the cost of preparation would be proportionately greater in relation to the floor space occupied.

That this must necessarily be so is indicated by our experience at the Cincinnati exhibition, where the proportionate cost was \$6.25 per foot, while at Philadelphia it was approximately \$3.75.

Keeping these things in mind, and also the undoubted fact that the time for preparation will be, at most, inadequately brief, I feel that I must name a sum out of proportion to previous expenditures in earlier and smaller Government expositions. The insuring of a successful exhibit on the part of the Smithsonian Institution has not been considered in making our estimates so much as the desire for a reasonable guaranty against failure.

I note with much satisfaction that the resolution of the House committee does not by its wording indicate a disposition to prevent the acquisition of new specimens by purchase and otherwise. In 1876 a large amount of material was obtained which after exhibition in Philadelphia was returned to Washington, becoming the permanent property of the people and the nucleus of the great collections now in the Museum building, and the same usage prevailed at the New Orleans exposition in 1885.

In 1888, however, on the occasion of the Cincinnati exposition, the rulings of the Treasury were quite at variance with those on previous occasions, and it was decided by the special auditor in charge of the accounts that no new objects could be obtained except such as might be necessary to "complete series" already in the Museum. This ruling was far from being in the interest of economy, and its enforcement interfered sadly with the success of our participation in the Cincinnati exhibition.

If the Smithsonian Institution should be instructed to participate in the exhibition at Chicago, it will undoubtedly be necessary to obtain large quantities of new material, which must be either purchased, collected in the field, or in the case of the models and other similar preparations, which are most effective on such occasions, made in the workshops of the Museum.

The exhibition of such new material will be more essential on this occasion than hitherto for two principal reasons:

1. That at a time when the Capital will be an especial object of interest for foreign visitors it will be undesirable to denude its walls of any large number of the objects now on exhibition.

2. That many of the most attractive objects have already been shown at expositions in Philadelphia, Cincinnati, Louisville, and elsewhere, and the public visiting the Chicago exhibition would not be satisfied to look at them again.

In planning for the proposed exhibition, those departments would be selected in which it would seem possible, within the brief time available, to make the most imposing and instructive displays, and in which it is believed that results can be produced which would not be discreditable even in comparison with the Paris exposition. I will mention some of the directions in which satisfactory results may undoubtedly be secured.

1. The Smithsonian Institution should exhibit its own history, condition, and functions, and the general results of its operations during its forty-six years of existence, including its publications, explorations, and researches, twenty-five year period of meteorological observations, etc. It may also, with propriety undertake to set forth the history of American science and exploration from the time of the discovery of the Continent to the present day, and the activities of the numerous scientific institutions and societies of the United States, the progress of scientific exploration by the Government of the United States and by individuals and foreign governments in all parts of the American Continent, together with a collection of portraits of representative scientific men of the world, so far as they have been associated with the development of scientific thought in America.

2. The National Museum, as on previous occasions, would undertake to illustrate the natural resources of the United States and their utilization, so far as this subject was not undertaken by other departments.

In this connection especial attention should be given to the animal resources of the continent. It would be desirable to show large groups, mounted by the best methods of modern taxidermy, of the various quadrupeds of America which are fast approaching extermination: buffalo, elk, moose, musk ox, caribou, mountain goat, mountain sheep, the five species of deer and beaver, the walrus, the fur seal, the sea elephant, and others equally interesting and equally liable to extinction, though not so large, indeed, every species of American animal, bird, reptile, or invertebrates which is of sufficient importance to man, at least so far as they are of sufficient interest to mankind to have been designated by popular names.

In this connection may be represented also all methods of hunting employed in America, especially by uncivilized man. Supplementing the whole, a display of the various products of the animal kingdom used by man in his arts and industries. This is a subject which has not yet been adequately worked out in this country, but to which the Bethnal Green Museum in London, one of the most interesting places of public instruction in the world, is very largely devoted.

The industrial resources derived from the vegetable and mineral kingdoms may also with propriety be shown, except so far as these subjects may be taken up respectively by the Department of Agriculture and the Geological Survey.

In connection with the anthropological departments of the Museum, an attempt should be made to show the physical and other characteristics of the principal races of man, and the early stages of the history of civilization as shown by the evolution of certain selected primitive arts and industries. Here might properly be presented a considerable number of models of habitations and of costumed figures. Nothing was so popular and effective in the recent Paris exposition as displays of this character, and the resources of the National Museum workshops for doing work of this kind are probably better than are to be found elsewhere in America. In the case of certain selected arts and industries, it might be well to show quite a large group of specimens and to show their development from their beginning to the most advanced stages of the present time.

Among those best suited for this treatment would be the history of transportation by land and water. A floor-space of 5,000 feet might well be occupied by this subject, which forms so important a part of the history of civilization. Every mode of transportation known to man may be shown by originals, drawings, and models. A large amount of material in this direction is already in our possession, and much more is easily accessible. The economical industries, including an exhibition of the chemical elements and all their principal combinations; the methods of manufacture of all substances produced by the applications of chemistry and their utilization in the arts and industries. The history of music and musical instruments. The history and methods of printing and book-making. The history of the development of instruments of precision. The history and methods of photography and the graphic arts; the fine arts and the application of the arts of design to industrial arts and manufacture.

3. As a special subject, the archaeology of America, to constitute the exhibit of the Bureau of Ethnology. This will include illustrations of the mounds and ruins of the ancient Pueblos, the cliff ruins of the cave lodgers of the Pueblo regions, the shell mounds of the Pacific, and also the archaeology of the Atlantic Slope and the culture of the Alaskan Indians; all these subjects to be shown by means of models, photographs, drawings, and maps, and collections of the objects of art characteristic of each of these types of civilization, together with a representation of the work and methods of the bureau by means of its publications.

A portion of the material for such an exhibit has already been collected and is now in possession of the bureau or of the National Museum, but a portion to illustrate special features is still to be gathered.

For the proper exhibition of the material, it is estimated that 15,000 square feet of floor surface will be required and 5,000 square feet of wall and window space. The estimate for floor surface includes all necessary allowance for aisles and passages.

To make such supplementary collections as are necessary, to make maps, charts, models, photographs, and transparencies, to transport the material and install it in Chicago, including cost of cases and expense of mounting and labeling specimens, to prepare a catalogue, to care for the exhibit while in Chicago, and finally to transport it to the National Museum at Washington, it is estimated that \$160,000 will be required.

I have prepared a detailed estimate of the exhibits under each of these heads, as to space and cost. These are at your disposition, but are not given here. From these estimates the following more general ones have been derived:

The amount of space required will not be less than 80,000 square feet, which would be equivalent to 60,000 square feet exclusive of the space reserved for main passage aisles through the building. This is in addition to the 15,000 feet for the Bureau of Ethnology, and is less than three times what was assigned to the

Smithsonian Institution and the National Museum at the Philadelphia and New Orleans exhibitions. At the fishery exhibition in 1883 nearly half this amount of space was occupied by the display of the American fisheries alone, and the success of the installation on this occasion was largely due to the fact that the exhibits were not unduly crowded together.

The total amount of money required for the Smithsonian and the Museum exhibits, but exclusive of the special display of the Bureau of Ethnology, I estimate at \$425,000, and in making this estimate I have taken into consideration the probable cost of each department of the work, and have arrived at the total by adding these amounts together. I do not know that a detailed statement is desired, but one can be supplied as soon as it is called for.

These estimates are based not only on the experience of the Museum at Philadelphia, New Orleans, Cincinnati, Minneapolis, and other American fairs, but also at the fishery exhibitions in Berlin and London, which, though not nominally connected with the Smithsonian Institution, were practically so, the Commissioner of Fisheries being at that time the Secretary of this Institution and the officer in immediate charge its present assistant secretary, while very many of the workers were temporarily transferred from the Museum staff.

As I have already indicated, the cost of the earlier exhibitions was \$3.50 to \$5 per foot of floor space, but there are two important considerations which forbid us to expect that equally satisfactory results can now be accomplished at a proportionate cost. The first of these is the very obvious one of an enhanced scale of general prices in all directions, especially in that of labor. The second, that most of these exhibitions had been looked for long in advance and prepared with deliberate economy; while in the present case, if preparation could be begun to-morrow, the time would still be too short, and it will consequently be impossible to avoid such partial waste as always accompanies hurried action.

In conclusion, I desire to say that participation in such exhibitions is one of the greatest obstacles to the development of the National Museum, and inflicts immediate injury to its collections far greater than the mere damage of transportation to and fro. It is to be hoped, then, that Congress in estimating the cost will keep in mind the importance of replacing the collections in Washington in as favorable condition as if the interruption to the work had not occurred. On such occasions the mere absence of a large number of the responsible employes and the necessary temporary suspension of most of the ordinary activities of the museum would be nearly as grave an injury as the closing of its doors during the whole period.

For this there is no compensation, except in the increase in the collections which may result, and this is by no means an unmixed benefit since many of the objects added to the collection at such a time, however effective they may be in a temporary exhibition, seem crude and incongruous in a permanent museum.

Such considerations as these may, it seems to me, be kept prominently in mind in making an estimate of the amount required for such a participation in a great exhibition as may leave the permanent progress of the National Museum unimpaired.

I am, sir, your obedient servant,

S. P. LANGLEY, Secretary.

The SECRETARY OF THE TREASURY.

APPENDIX 8.

UNITED STATES COMMISSION OF FISH AND FISHERIES,
Washington, D. C., March 11, 1890.

SIR: In compliance with your request, I have the honor to transmit herewith an estimate of the cost of preparing, placing, caring for, and returning such an exhibit of the fisheries and fishery resources of the United States as should, in my judgment, be made at the World's Fair at Chicago in 1892.

Such an exhibit should not only be an exposition of our fishery resources and of the present conditions, methods, and results of the fisheries, but should also show the origin, progress, present conditions, methods, and results of the inquiry in regard to food-fishes and the fishing-grounds, an inquiry which has been most fruitful in results, economical as well as scientific, and which has served as a model, a stimulus, and an inspiration to other nations seeking the best means for the utilization of the resources of their waters.

The exhibit should show also the beginning and progress, as well as the present conditions, of the commercial fisheries, the development of methods, apparatus, vessels, and boats to meet the exigencies arising from time to time.

It should show the origin and development of public fish-culture in the United States and the present conditions, methods, and results of the work of the United States Fish Commission.

The exhibit in its essential features would illustrate an industrial and economic evolution probably as distinctively characteristic of the genius of our people as is the evolution of our social and political institutions.

An adequate exhibit, worthy of the occasion and of this great nation, would require the expenditure of not less than \$150,000 and would require for effective display a floor space of 40,000 square feet, distributed as follows:

	Square feet.
Objects of the fisheries.....	6,000
The fishing grounds, the vessels, apparatus, methods and results of the inquiry in regard to food-fishes.....	5,000
History, development, methods, apparatus, vessels, production, and statistics of the fisheries.....	20,000
Fish-culture, propagation, distribution, methods, apparatus, vessels, hatcheries, and statistics.....	5,000
Aquaria; salt and fresh water.....	4,000
Total.....	40,000

I regret that I have been delayed in furnishing the information asked for, but before making even approximate estimates I have found it necessary to consider the scope and arrangement of such an exhibit as would be required, and this has taken some time and labor.

Very respectfully,

M. McDONALD, Commissioner.

The SECRETARY OF THE TREASURY.

APPENDIX 9.

UNITED STATES COAST AND GEODETIC SURVEY OFFICE,
Washington, March 4, 1890.

SIR: I have the honor to acknowledge the receipt of a copy of a letter of February 25, addressed to you by Hon. JOHN W. CANDLER, M. C., chairman of the World's Fair Committee, House of Representatives, requesting you to transmit estimates to cover expenses from all branches of the Government which may take part in the exhibition at Chicago in 1892, and referred to this office with your indorsement of March 1 instant, requesting an estimate of the cost of placing, caring for, and return, and also an estimate of floor space required by such an exhibit as it may be deemed advisable to make on the part of the Coast and Geodetic Survey at that exhibition.

In conformity with your request, I beg to state that it is estimated that the amount of \$12,500 will be required to cover the cost of preparing, transporting, and caring for an adequate exhibit of the instruments, apparatus, publications,

etc., of the Coast and Geodetic Survey at the Chicago exposition, and that such exhibit will require a floor space of 100 by 50 feet, or 5,000 square feet.

Very respectfully,

J. C. MENDENHALL, Superintendent.

The SECRETARY OF THE TREASURY.

APPENDIX 10.

TREASURY DEPARTMENT,
BUREAU OF ENGRAVING AND PRINTING, March 8, 1890.

SIR: I am in receipt of a copy of a letter of Hon. JOHN W. CANDLER, chairman World's Fair Committee, House of Representatives, referred by you to me under date of the 1st instant, with the request that the Department be furnished with an estimate of the cost of placing, caring for, and return of such an exhibit as should be made by the Bureau of Engraving and Printing at the World's Fair in Chicago in 1892, and also an estimate of the floor and wall space required for said exhibit.

In reply I have the honor to state that in my judgment this bureau should make as complete and beautiful an exhibit of the engravings and securities executed by it as possible, and to do this will require the sum of \$3,000. This amount will include the cost of preparing, placing, caring for, forwarding, and return of the exhibit. The exhibit which it is proposed to prepare will not need any wall space, but a floor space of 18 by 40 feet will be required.

Respectfully, yours,

WM. M. MEREDITH, Chief of Bureau.

The SECRETARY OF THE TREASURY.

APPENDIX 11.

TREASURY DEPARTMENT,
OFFICE OF GENERAL SUPERINTENDENT,
UNITED STATES LIFE-SAVING SERVICE,
Washington, D. C., March 11, 1890.

SIR: In reply to your request of the 1st instant for an estimate of the cost of placing, caring for, and returning such an exhibit of the Life-Saving Service at the World's Fair in Chicago in 1892 as in my judgment should be made, I have the honor to state that, according to the best estimate I can make, \$18,500 will be required for the purpose. This amount includes the sum of \$6,000 for the erection of a life-saving station building after the plans and specifications of one of our most approved stations and \$3,000 for pay of a keeper and crew, both of which items are necessary to make a satisfactory exhibit. I have omitted an estimate of floor and wall space, as the building would afford all that is necessary.

Respectfully, yours,

S. I. KIMBALL, General Superintendent.

The SECRETARY OF THE TREASURY.

WOMAN'S NATIONAL ASSOCIATION.

Mr. KERR, of Pennsylvania. I ask, by unanimous consent, that a letter which I have received from the president of the Woman's National Indian Association be printed in the RECORD, and referred to the Committee on Indian Affairs.

There was no objection, and it was ordered accordingly.

The letter is as follows:

249 NORTH EIGHTEENTH STREET, PHILADELPHIA, March 18, 1890.

DEAR SIR: Will you kindly permit me to say a word from my position as president of the Woman's National Indian Association, regarding the proposed removal of the Utes? and I beg for the aid which I know you can bring to bear against that, as it seems to me, unjust and unwise measure. The worded argument pleads for the Utes' own good that they be removed to a mountain desert, where their home will not be coveted, where they will be at peace, and where they will have game for food, and thus be under no necessity of plowing. This is precisely what the friends of humanity do not want for any people, since it means simply continued barbarism, ignorance, helplessness, the utter absence of all progress, and thus a menace to their white neighbors wherever they are. In their present home there is enough good farming land on which to settle them all, leaving some surplus to be sold to white men, and Government compacts faithfully carried out will lift them into civilization and citizenship, as has been done with other tribes.

So at least it seems to us women, who have for ten years done all we can for thus solving the Indian problem by civilizing and rendering self-supporting Indian savages.

May we not look to you, as a member from our State, as our ally and champion for this, as it seems to us, righteous object?

Believe me, yours most respectfully,

Mrs. AMELIA S. QUINTERS.

Hon. JAMES KERR.

MESSAGE FROM THE SENATE—URGENT DEFICIENCY BILL.

A message from the Senate, by Mr. McCook, its Secretary, announced the passage of a bill (H. R. 7496) "to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1890," with amendments in which the concurrence of the House was requested.

Mr. HENDERSON, of Iowa. Mr. Speaker, I ask unanimous consent that the bill and amendments be ordered to be printed, and referred to the Committee on Appropriations.

There was no objection, and it was so ordered.

ENROLLED BILL SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (S. 1332) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described, for water reservoirs; when the Speaker signed the same.

And then, on motion of Mr. CRISP (at 4 o'clock and 24 minutes p. m.), the House adjourned.

EXECUTIVE AND OTHER COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following communications were taken from the Speaker's table and referred, as follows:

ZUNI INDIAN AGENCY, NEW MEXICO.

Letter from the Secretary of the Treasury, transmitting estimates of appropriations from the Secretary of the Interior for support of In-

dians and pay of agent at the Zuni agency, New Mexico—to the Committee on Indian Affairs.

INDIAN SCHOOL, CARLISLE, PA.

Letter from the Secretary of the Treasury, transmitting an estimate of the Secretary of the Interior for buildings for the Indian school, Carlisle, Pa.—to the Committee on Indian Affairs.

SURVEYING SIOUX RESERVATIONS.

Letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior for expenses of surveying the Sioux reservations—to the Committee on Indian Affairs.

COMMISSION TO NEGOTIATE WITH UTE OF SOUTHERN COLORADO.

Letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior to supply a deficiency in the appropriation for the Southern Ute Commission—to the Committee on Appropriations.

WASHINGTON AQUEDUCT TUNNEL.

Letter from the Secretary of War, replying to the resolution of the House of the 10th instant, relative to the Washington Aqueduct tunnel, the liabilities of certain contractors engaged in the construction thereof, and the action of the Department in relation thereto—to the Committee on Appropriations.

FLOODS IN THE MISSISSIPPI RIVER.

Letter from the Secretary of War, transmitting, in response to so much of the resolution of the House of the 15th instant in regard to floods on the Mississippi as requests the Secretary to report "if there is reason to apprehend unusual danger to human life," a report from the Chief Signal Officer, and in regard to other matters contained in the resolution promising further report—to the Committee on Rivers and Harbors.

OLIVER W. THURMAN VS. UNITED STATES.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Oliver W. Thurman against The United States—to the Committee on War Claims.

REPORT OF TREASURER WASHINGTON AND GEORGETOWN RAILWAY.

Letter from the president of the Washington and Georgetown Railroad Company, transmitting the treasurer's annual report of the receipts and disbursements of said company for the fiscal year ending December 31, 1889; also, a statement in detail of the expenditures made on account of the construction of the Seventh street cable road to the 31st day of December, 1889, and balance sheet January 1, 1890—to the Committee on the District of Columbia.

REPAIRS UPON GOVERNMENT BUILDING AT SITKA.

Letter from the Attorney-General of the United States, transmitting a copy of a letter from the United States marshal for Alaska, making estimate of the cost of repairs upon the Government building at Sitka, with accompanying papers—to the Committee on Appropriations.

SALARIES OF CLERKS ADJUSTING ACCOUNTS OF SOLDIERS' HOME.

Letter from the Secretary of the Treasury, transmitting a letter from the Second Comptroller recommending an increase in the salaries of clerks in his office engaged in adjusting accounts of the Soldiers' Home—to the Committee on Appropriations.

GOVERNMENT OWNERSHIP OF SECURITIES OF PACIFIC RAILROADS.

Letter from the Secretary of the Treasury, transmitting a reply to the resolution of the House of the 15th instant inquiring whether the Government is the owner of any of the first-mortgage securities of any of the Pacific railroads that were aided by the Government, etc.—to the Committee on the Pacific Railroads.

EXPENSES OF THE COLLECTION OF REVENUE.

Letter from the Secretary of the Treasury, transmitting an estimate of the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1891, showing the number of employes and the salaries required for each collection district—to the Committee on Appropriations.

MEMORIALS AND RESOLUTIONS OF STATE LEGISLATURES.

Under clause 3 of Rule XXII, the following memorials and resolutions were delivered to the Speaker and referred as follows:

By Mr. WILSON, of Washington: Memorial from the Legislature of the State of Washington, relative to light-house on San Juan Passage—to the Committee on Commerce.

Also, memorial from the Legislature of the State of Washington, relative to a light-house and fog-signal at Clallam Head—to the Committee on Commerce.

Also, memorial from the Legislature of the State of Washington, requesting that the surviving soldiers of the Indian war be granted lands in the State of Washington—to the Committee on the Public Lands.

Also, memorial from the Legislature of the State of Washington, relative to the improvement of the Columbia River—to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Washington, relative to the improvement of the Upper Columbia—to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Washington, relative to an appropriation for public surveys—to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Washington, relative to the improvement of the Cowlitz River—to the Committee on Rivers and Harbors.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was delivered to the Speaker and referred as follows:

By Mr. CANDLER, of Massachusetts:

Resolved, That Tuesday, March 25, immediately after the approval of the Journal, be set apart for the consideration in the House of the bill (H. R. 8393) "to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of Chicago, in the State of Illinois;" and that, unless previously ordered by the House, the previous question shall be deemed ordered on the engrossment, third reading, and final passage of the bill at 4 o'clock p. m. of that day;

to the Committee on Rules.

By Mr. SPRINGER:

Resolved, That Wednesday, March 26 next, after sixty minutes of the morning hour shall have passed, the House will take up and consider in the House the several bills providing for the admission of Wyoming, Idaho, New Mexico, and Arizona as States into the Union in the order named, and that this order shall continue from day to day thereafter until all such bills shall have consideration and final action. This order, however, shall not interfere with revenue or appropriation bills, but when entered upon it shall not be interfered with by other business until all of such bills are finally disposed of by the House, and at least one day shall be allowed for the consideration of each bill;

to the Committee on Rules.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, the following reports were filed, and, with accompanying bills, ordered to be printed, and referred as follows:

Mr. TAYLOR, of Tennessee, from the Committee on War Claims, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 6599) for the relief of George Turner;

A bill (H. R. 2373) for the relief of Eva Moore, Henry Carlton, and Maud Carlton, children of General James H. Carlton;

A bill (H. R. 6019) for the relief of Luther M. Blockman;

A bill (S. 150) for the relief of William Clift; and

A bill (S. 292) for the relief of C. M. Shaffer.

Mr. TAYLOR, of Tennessee, also, from the Committee on War Claims, reported with amendment the bill (H. R. 6018) for the relief of Thomas B. McElwee—to the Committee of the Whole House.

Mr. SIMONDS, from the Committee on War Claims, reported favorably the bill (S. 181) for the relief of the estate of Thomas Niles, deceased—to the Committee of the Whole House.

Mr. THOMAS, from the Committee on War Claims, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 7472) for the relief of Robert Travila, for the loss of carbine in late war; and

A bill (S. 862) for the relief of John W. Gummo.

Mr. THOMAS also, from the Committee on War Claims, reported favorably the following bills; which were severally referred to the Committee of the Whole House on the state of the Union:

A bill (S. 288) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion; and

A bill (S. 84) to authorize the Secretary of War to issue ordnance and ordnance stores to the State of Washington in payment for ordnance and ordnance stores borrowed by the State of Oregon of said State whilst a Territory, during the Nez Percé Indian war of 1877 and 1878, and for other purposes.

Mr. THOMAS also, from the Committee on War Claims, reported, as a substitute for the bill (H. R. 7242) for the relief of William D. Matthews, a bill (H. R. 8392) for the relief of William D. Matthews; which substitute was read twice, and referred to the Committee of the Whole House.

Mr. CANDLER, of Massachusetts, from the Select Committee on the World's Fair, reported, as a substitute for the bill (H. R. 6883) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of ——— in the year 1892, a bill (H. R. 8393) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea in the city of Chicago, in the State of Illinois; which substitute was read twice, and referred to the Committee of the Whole House on the state of the Union.

Mr. TURNER, of Georgia, from the Committee on Commerce, reported with amendment the bill (H. R. 5729) to authorize the construction of a bridge across the Oconee River, in the State of Georgia—to the House Calendar.

Mr. OSBORNE, from the Committee on Military Affairs, reported favorably the bill (H. R. 5323) to authorize the President to restore Tenedor Ten Eyck to his former rank in the Army, and to place him on the retired-list of Army officers—to the Committee of the Whole House.

Mr. ENLOE, from the Committee on War Claims, reported favorably the bill (H. R. 2150) for the relief of W. B. Morrow—to the Committee of the Whole House.

Mr. BURTON, from the Committee on War Claims, reported with amendment the bill (H. R. 2238) for the relief of Robert Woodbridge—to the Committee of the Whole House.

Mr. LIND, from the Committee on Commerce, reported with amendment the bill (H. R. 7164) to amend and continue in force "An act to authorize the construction of a bridge across the Missouri River at Forest City, S. Dak., by the Forest City and Watertown Railway Company," approved August 6, 1888—to the House Calendar.

Mr. ROBERTSON, from the Committee on Military Affairs, reported favorably the bill (H. R. 2322) to amend and correct the military record of Frank M. Vowels and readjust his accounts for pay—to the Committee of the Whole House.

Mr. OSBORNE, from the Committee on Military Affairs, reported with amendment the joint resolution (H. Res. 55) directing the names of sharpshooters and Military Service Institution medalists shall be inscribed in the Army Register, and authorizing the wearing of their decorations by such medalists—to the Committee of the Whole House.

Mr. BURTON, from the Committee on Claims, reported favorably the bill (S. 237) for the relief of Maj. William M. Maynadier, a paymaster in the United States Army—to the Committee of the Whole House.

Mr. WHEELER, of Alabama, from the Committee on Military Affairs, reported with amendment the bill (H. R. 7990) to amend Rules and Articles of War 79 and 90, and to improve the administration of justice in the Army—to the House Calendar.

Mr. QUACKENBUSH, from the Committee on Public Buildings and Grounds, reported with amendment the bill (S. 1306) for the erection of a public building at Hudson, N. Y.—to the Committee of the Whole House on the state of the Union.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a joint resolution of the following titles were delivered to the Speaker, severally read twice, and referred as follows:

By Mr. CUTCHEON: A bill (H. R. 8394) to amend chapter 67, volume 23, of the Statutes at Large of the United States—to the Committee on Military Affairs.

By Mr. RAY: A bill (H. R. 8395) for the improvement of the Youghiogheey River between McKeesport and Connellsville, Pa.—to the Committee on Rivers and Harbors.

By Mr. O'NEILL, of Pennsylvania: A bill (H. R. 8396) to fix the compensation of the supervising special agent of the Treasury Department—to the Committee on Expenditures in the Treasury Department.

By Mr. VANDEVER: A bill (H. R. 8397) to authorize an investigation of insect and other pests and diseases that assail fruits and vines, to ascertain remedies, and for other purposes—to the Committee on Agriculture.

By Mr. DAVIDSON: A bill (H. R. 8398) to provide an American register for the wrecking and towing steamer Scythian, of Pensacola, Fla.—to the Committee on Merchant Marine and Fisheries.

By Mr. WHEELER, of Alabama: A bill (H. R. 8399) to increase the efficiency of the Army and militia—to the Committee on Military Affairs.

By Mr. BURTON: A bill (H. R. 8400) to provide for the lighting of St. Mary's River—to the Committee on Commerce.

By Mr. HOUK: A joint resolution (H. Res. 129) to arbitrate and settle the questions at issue between the District of Columbia and Samuel Strong—to the Committee on the District of Columbia.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were delivered to the Clerk and referred as follows:

By Mr. BOUTELLE (by request of Mr. REED, of Maine): A bill (H. R. 8401) to relieve James E. Traften from the charge of desertion—to the Committee on Naval Affairs.

By Mr. BRECKINRIDGE, of Kentucky: A bill (H. R. 8402) for the relief of William Millican—to the Committee on Military Affairs.

By Mr. THOMAS M. BROWNE: A bill (H. R. 8403) granting a pension to Elvira Macy—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 8404) for the relief of Barbara Berger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8405) to relieve George Easton from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 8406) for the relief of Peter Eichels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8407) to compensate Enoch Jacobs for services rendered to the Department of State—to the Committee on Claims.

Also, a bill (H. R. 8408) granting a pension to Eleanor Junkin Francis, child of Capt. John Junkin—to the Committee on Pensions.

Also, a bill (H. R. 8409) granting a pension to Andrew Kummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8410) granting a pension to Jacob Wittenback—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 8411) to pension Margaret Figg—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 8412) for the relief of Alfred Smith—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 8413) authorizing the President to appoint and retire Edward W. Serrell with the rank and grade of colonel—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 8414) for the relief of Margaret J. Bailey—to the Committee on War Claims.

By Mr. FITHIAN: A bill (H. R. 8415) placing Joseph B. Berry on the pension-rolls as a second lieutenant—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 8416) granting a pension to Ellen Breen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8417) granting a pension to Peter Devlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8418) granting a pension to Huldah A. Dow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8419) granting a pension to Hannah English—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8420) granting a pension to Thomas Fagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8421) granting a pension to William H. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8422) granting a pension to Rudolph Morand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8423) granting a pension to Ernst Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8424) granting a pension to Patrick O'Keefe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8425) granting a pension to John Schebler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8426) granting a pension to George R. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8427) granting a pension to John W. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8428) granting a pension to Joseph H. Welty—to the Committee on Invalid Pensions.

By Mr. LAWS (by request): A bill (H. R. 8429) to increase the pension of William P. Squire—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 8430) granting an increase of pension to Julia H. Totten, widow of James Totten, late a brigadier-general United States Volunteers—to the Committee on Invalid Pensions.

By Mr. MILES: A bill (H. R. 8431) granting a pension to Sarah Ann Noe—to the Committee on Invalid Pensions.

By Mr. RAY: A bill (H. R. 8432) granting a pension to Mary Henderson—to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 8433) granting a pension to Ebenezer Beebe—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 8434) granting a pension to Charity A. Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8435) for the relief of the heirs of Dr. John H. Long—to the Committee on Claims.

Also, a bill (H. R. 8436) granting a pension to James M. Wallace—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 8437) for the relief of J. B. Groom—to the Committee on War Claims.

By Mr. STRUBLE: A bill (H. R. 8438) granting a pension to Esther Walker, formerly Esther Dayton, a nurse in the late war—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (H. R. 8439) for the relief of the minor children of the late Charles R. Clements—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8440) granting a pension to Mrs. Henrietta M. Gregg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8441) for the relief of John B. Hinks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8442) granting a pension to Joseph Wilt, of Yale, Mich.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8443) for the relief of Jesse C. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8444) granting muster and pay and allowance of captain of cavalry to Michael Sheehy from June 13, 1864, to March 25, 1866—to the Committee on Military Affairs.

Also, a bill (H. R. 8445) granting a pension to Solomon Smith—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 8446) to increase the pension of Edward Healy—to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A joint resolution (H. Res. 130) authorizing George H. Scidmore, vice-consul-general of the United States at Kanagawa, Japan, to accept and wear a medal conferred upon him by the Emperor of Japan—to the Committee on Foreign Affairs.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the following change of reference was made:

A bill (H. R. 4782) for the relief of the legal representatives of Samuel Noble—Committee on the Judiciary discharged, and referred to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were delivered to the Clerk and referred as follows:

By Mr. BLISS: Petition of C. C. Ellsworth and 237 others, citizens of Greenville, Mich., praying passage of the per diem pension bill—to the Committee on Invalid Pensions.

Also, petition of Caroline Schmelyer, for pension—to the Committee on Invalid Pensions.

By Mr. BROSIUS (by request): Petition of Bricklayers and Masons' International Union of America, relating to the employment of citizens of the United States in the erection of public buildings—to the Committee on Public Buildings and Grounds.

By Mr. CALDWELL: Petition of Subordinate Union No. 1, Cincinnati, Ohio, of the Bricklayers and Masons' International Union of America, for the passage of laws securing to citizens of the United States the right to labor on public works in preference to aliens—to the Committee on Public Buildings and Grounds.

By Mr. CLARK, of Wisconsin: Petition of the officers of the Appleton Turnverein and of 900 citizens of the city of Appleton, Wis., protesting against any material change in immigration and naturalization laws—to the Committee on Immigration and Naturalization.

By Mr. CONGER: Concurrent resolution of the Iowa Legislature for the passage of a pure-lard bill—to the Committee on Agriculture.

Also, protest of 150 citizens of the Seventh Congressional district of Iowa, members of Des Moines Turner Society, against any material change in our present national immigration laws—to the Committee on Immigration and Naturalization.

By Mr. DORSEY: Memorial from Congregational churches in Nebraska, for appointment of additional chaplains in United States Army—to the Committee on Naval Affairs.

Also, resolutions of Society of Friends, of Sheldon County, against increased appropriations for the Navy—to the Committee on Naval Affairs.

By Mr. FORNEY: Petitions of William Ballenger, administrator; John S. Miller, Martha M. Wood, and Abraham W. Weaver, of Alabama, praying for the reference of their respective claims to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. HARE: Memorial of the Chickasaws, relating to lands of the Choctaw and Chickasaw Nations—to the Committee on Indian Affairs.

By Mr. HAYES: Joint resolution of the Legislature of Iowa, praying for the repeal of the limitations contained in pension act of 1879—to the Committee on Invalid Pensions.

Also, joint resolution of same body, for immediate construction of Hennepin Canal—to the Committee on Rivers and Harbors.

By Mr. JOSEPH: Petition from citizens of Farmington, N. Mex., praying for the restoration of silver to its constitutional place as a money metal—to the Committee on Coinage, Weights, and Measures.

By Mr. KINSEY: Petitions of 55 citizens of the State of Missouri, against any material change or alteration of present naturalization laws—to the Select Committee on Immigration and Naturalization.

By Mr. LANE: Petition of B. F. Kirk and others, for free coinage of silver and other relief—to the Committee on Coinage, Weights, and Measures.

Also, petition of Willy Garline and others, for same relief—to the Committee on Coinage, Weights, and Measures.

By Mr. LAWS: Seven petitions, containing 392 names, of citizens of Nebraska, against any material alteration of existing immigration and naturalization laws—to the Select Committee on Immigration and Naturalization.

Also, memorial of Nebraska Congregational Church Association, protesting against doing away with army chaplains and asking appointment of one for each army post—to the Committee on Military Affairs.

By Mr. McCORD: A remonstrance of Frank Steiskul and 55 others, citizens of Kewaunee, Wis., against any material change in the naturalization and immigration laws—to the Select Committee on Immigration and Naturalization.

Also, remonstrance of Messrs. Schofield & Co., of Sturgeon Bay, Wis., against increasing the duty on tin-plate—to the Committee on Ways and Means.

Also, remonstrance of Levi Martin, J. R. Sharp, and Webb & Stans-

bury, of Chippewa Falls, Wis., for same purpose—to the Committee on Ways and Means.

By Mr. MASON: Petition of 200 citizens of Illinois, asking for a Sunday-rest law—to the Committee on Labor.

By Mr. OUTHWAITE: Petition of Union No. 21 of the Bricklayers and Masons' International Union of America against alien labor on Government works—to the Committee on Labor.

By Mr. PAYNE: Petition of Sons of Veterans, Port Byron, N. Y., for increase of pensions—to the Committee on Invalid Pensions.

Also, petition of citizens of Wayne County, New York, for increase of pensions—to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of citizens of Liberal, Kans., for an appropriation for improving grades of sorghum cane—to the Committee on Agriculture.

By Mr. PICKLER: Petition of Black Hills (South Dakota) Woman's Christian Temperance Union, asking that the large expenditure of Naval Committee, recommending large appropriations for Navy and so-called coast defenses, be not allowed—to the Committee on Naval Affairs.

By Mr. RAY: Petition of 600 citizens of Westmoreland County, Pennsylvania, for the improvement of the Youghiogheny River—to the Committee on Rivers and Harbors.

By Mr. ROCKWELL: Petition of Bricklayers' Union, North Adams, Mass., for employment of native-born Americans only upon public works—to the Committee on Labor.

By Mr. ROGERS: Petition of M. W. Gibbs, of Arkansas, against taxing cotton-seed oil—to the Committee on Ways and Means.

By Mr. SHIVELY: Resolutions of London Post, No. 290, Grand Army of the Republic, of Knox County, Indiana, and of Hon. George W. Beamon and 300 others, citizens of Stark County, Indiana, asking for the early passage of the service and arrears pension bills—to the Committee on Invalid Pensions.

Also, petition of O. B. Rockwell and 60 others, citizens of Stark County, Indiana, praying for the passage of the service and arrears pension bills—to the Committee on Invalid Pensions.

Also, petition of Isaac Bascom and 50 others, citizens of same place, for same measures—to the Committee on Invalid Pensions.

Also, petition of Charity A. Carey, of Michigan City, Ind., asking the passage of a special pension bill for her relief—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: Petition of the New York Board of Trade and Transportation for the establishment of a telegraph service as part of the United States postal service—to the Committee on the Post-Office and Post-Roads.

By Mr. STRUBLE: Resolutions from Hartly Post, No. 451, Grand Army of the Republic, Iowa, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions from Rock Forest Alliance, No. 1188, of Patterson, Clay County, Iowa, urging the passage of House bill 5353 to prohibit option gambling, futures, etc.—to the Committee on Agriculture.

Also, resolutions from Smithland (Iowa) Alliance, for same purpose—to the Committee on Agriculture.

By Mr. SWENEY: Petition of H. H. Hassler and 7 others, letter-carriers at Findlay, Ohio, for the passage of House bill 3863—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMPSON: Petition of 594 soldiers and citizens of Gervais, Scioto County, Ohio, for passage of per diem pension bill—to the Committee on Invalid Pensions.

Also, petition of T. Lewis Post, No. 560, Grand Army of the Republic, of Ohio, for same relief—to the Committee on Invalid Pensions.

By Mr. WALLACE, of Massachusetts: Petition of Subordinate Union, No. 2, of Holyoke, Mass., of the Bricklayers and Masons' International Union of America, protesting against the employment of aliens on Government works—to the Committee on Labor.

SENATE.

THURSDAY, March 20, 1890.

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

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

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the commissioners of the District of Columbia submitting an estimate of appropriation for incorporation in the District of Columbia appropriation bill for the pavement of Florida avenue between Tenth and Eleventh streets, northwest, with sheet asphalt; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of March 11, 1890, correspondence between Lieutenant-General P. H. Sheridan and Brig. Gen. George Crook in regard to the Apache Indians, between March 26 and April 5, 1886, inclusive; which, with accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.