

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.

Mr. HAWLEY subsequently said: Certain papers from the War Department relative to the Apache Indians were by mistake referred to the Military Committee. I ask that they be referred to the Committee on Indian Affairs.

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

#### COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the clerk of the Court of Claims, transmitting the conclusions of fact and of law filed by that court in the spoliation claim of the brig Experience; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial and protest of the chief and delegates of the Cherokee Nation, remonstrating against the passage of the Oklahoma bill; which was referred to the Committee on Indian Affairs.

Mr. PLATT subsequently said: Before I came into the Senate this morning I understand that there was a memorial presented from the Cherokee Nation, or perhaps from Chief Mayes in their behalf—

The VICE-PRESIDENT. It was a memorial of the chief and delegates of the Cherokee Nation.

Mr. PLATT. Relating to their land and what is proposed to be done in the creating of the Territory of Oklahoma. The memorial was referred to the Committee on Indian Affairs. As that matter is now before a conference, I move that the memorial be referred to the Committee on Territories.

The VICE-PRESIDENT. That order will be made, if there be no objection.

Mr. PLATT. I supposed that the memorial had been ordered to be printed, but I find that it has not been. I move that an order be made that it be printed.

The motion was agreed to.

Mr. VOORHEES presented a petition of Subordinate Lodge No. 5 of the Bricklayers and Masons' International Union of America, of Terre Haute, Ind., praying for legislation whereby none but citizens of the United States shall be employed in the construction of public works; which was referred to the Committee on the Judiciary.

Mr. COCKRELL. I present a memorial of the Merchants' Exchange of St. Louis, Mo., remonstrating against the passage of what is known as the Edmunds inspection bill for hog products intended for export.

I also present the memorial of the Pork-Packers' Association of St. Louis, Mo., protesting against the passage of this bill, for the following reasons:

We think the bill unnecessary and in some of its features decidedly injurious to the business of stock-raising and curing of hog products, more injurious even than the German and French prohibition.

It is virtually a public acknowledgment that our product is not good or put up properly, which is not a fact, and is calculated to cast a shadow of doubt over one of the most important productions of the United States.

It says, "No meat should pass inspection that is not sixty days in salt or pickle," making it totally unfit for the English trade, and would cut us off and close the most valuable market we now have.

It forces the packers and exporters to have all their meats intended for export inspected on the Atlantic coast, making the great packing points of the West pay tribute in place of shipping by through bill of lading direct to European points, causing delay, injury to the property, vexation, and expense.

We think it unwise for the United States at this particular time to pass any law on this subject. We are now having the best export demand for hog products that we have had for three years, and any legislation at this moment would be a serious check and possibly a fatal mistake.

The time may arrive when our Government can make reciprocal commercial treaties with European governments that will open the ports of Europe to our hog products and bring about an exchange of the products of the world on a fair basis. When that time comes it may be necessary to make such general regulations for inspection, etc., as may suit all.

The following resolution was also adopted, to wit:

That the chairman of this meeting appoint a committee of five to consult and act in harmony on the above subject with committees that may be appointed by other bodies in the West.

I move that the memorials be referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. The memorials will be referred to the Committee on Foreign Relations, if there be no objection.

Mr. MORGAN. It is due to the Committee on Foreign Relations to state that yesterday they heard a very extended argument and presentation of the facts and propositions from what purported to be a representative selection from all of the packers and a number of the exporters of the United States, and I think that that subject will have due consideration by the committee.

Mr. SHERMAN. I should like to make a correction. From the statements made of these petitions, some of which have been sent to me, it is evident that they contain a misrepresentation of the bill, representing it to be exactly the reverse of what it is. The bill provides that meats which have been salted for sixty days need not be re-inspected; and the only modification which is proposed by the gentlemen interested in the trade from all parts of the United States, after a week's notice, in order to enable them to come here—the only change they wish to make is in a single section of the bill, and that change is that the section be so limited that the requisition for an inspection shall only

apply to a country that objects to our meat on account of its not being inspected before exportation. All they wanted and the only change they proposed—I say this in defense of the committee—was to confine the application of the first section to countries which require, as a matter of law and custom, an inspection at the place of exportation.

Mr. COCKRELL. As I understand, this protest is against the passage of any law upon this subject, and I understand that the presentations before the committee yesterday were also against the propriety of any law, but that if a law was enacted it ought to be restricted to those countries that require an inspection before exportation.

Mr. SHERMAN. They have no objection to the law at all. They say they inspect themselves. What I wish to correct is that the petitioners, no doubt honestly, have been misled by the statements in the public prints, which have entirely misrepresented the bill. The provisions of it are exactly the opposite to what they state and what has been stated in petitions sent to me. The bill relieves of inspection in all cases where the meat has been salted sixty days before exportation, and these petitions say just the reverse, that it requires that all meats shall be inspected.

Mr. COCKRELL. I do not think so. I should like to ask the Senator if the hearing before the Committee on Foreign Relations yesterday will be printed, so that we may have it.

Mr. SHERMAN. The testimony of all the gentlemen who were before the committee will be printed, probably to-day or to-morrow.

The VICE-PRESIDENT. The memorials will be referred to the Committee on Foreign Relations.

Mr. McPHERSON. I present a petition of Subordinate Lodge No. 17, of the Bricklayers and Masons' International Union of America, at Trenton, N. J., praying that the laws be so amended as to provide that none but citizens of the United States be employed on all Government work, whether let by contract or otherwise. I also present a like petition from another subordinate union, No. 9, of that place; also, a like petition of Subordinate Union No. 12, of Passaic, N. J.; also, one from Subordinate Union No. 20, of Atlantic City, N. J., of like import.

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

The motion was agreed to.

Mr. COKE presented a petition of citizens of Texas, praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. TURPIE presented a petition of Subordinate Union No. 5, of the Bricklayers and Masons' International Union of America, of Terre Haute, Ind., praying for the passage of such laws as will secure to citizens the right to labor on Government works in preference to aliens; which was referred to the Committee on Education and Labor.

Mr. BLODGETT. I present a petition of Subordinate Union No. 17, of Trenton, N. J., of the Bricklayers and Masons' International Union, praying for the enactment of laws that will secure to citizens of the United States the right to labor on Government work in preference to aliens. I also present two other petitions from subordinate unions of the same association located in Orange and Passaic, N. J., making the same request. I move that these petitions be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. VEST. I present a memorial of the Carpenters' Council of St. Louis, Mo., remonstrating against the ratification of the treaty with Russia, if such a treaty is now pending, of which I say nothing. I move that the memorial be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. PAYNE presented a petition of Subordinate Union No. 21 of the Bricklayers and Masons' Union, of Columbus, Ohio; a petition of Subordinate Union No. 24 of the Bricklayers and Masons' Union, of Findlay, Ohio; a petition of Subordinate Union No. 12 of the Bricklayers and Masons' Union of East Liverpool, Ohio, praying for legislation to exclude aliens from employment on Government works; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a memorial of the North American Turnbund of Danville, Ill., remonstrating against the passage of any measure designed to change materially the present laws on immigration and naturalization; which was referred to the Committee on Immigration.

Mr. SHERMAN presented a memorial of Subordinate Union No. 15, of Cincinnati, Ohio, of the Masons' International Union of America; a memorial of Subordinate Union No. 18, of Cincinnati, Ohio, of the Masons' International Union of America; a memorial of Subordinate Union No. 7, of Akron, Ohio, of the Masons' International Union of America; a memorial of Subordinate Union No. 12, of East Liverpool, Ohio, of the Bricklayers and Masons' International Union of America; a memorial of Subordinate Union No. 21, of Columbus, Ohio, of the Bricklayers and Masons' International Union of America, and a memorial of Subordinate Union No. 24, of Findlay, Ohio, of the Bricklayers and Masons' International Union of America, remonstrating against the employment of aliens on Government works; which were referred to the Committee on Education and Labor.

He also presented a memorial of Dan Brown Post, No. 380, Department of Ohio, Grand Army of the Republic, remonstrating against the passage of the dependent-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Mahoning County, Ohio, praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. ALLEN presented a memorial of the Legislature 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. 16, relative to light-house and fog-signal at Clallam Head, 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. 16.

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

We, your memorialists, the Legislature of the State of Washington, would respectfully urge upon your honorable body the necessity of an appropriation from the national Treasury, for the purpose of erecting a light-house and fog-signal at Clallam Head, a promontory on the shore of Fuca Strait, about 30 miles eastward, and inland from Tatoosh light-house, at the entrance of said Fuca Strait.

In support of the urgent proposition herein contained, your memorialists would respectfully cite the following facts:

First. On entering Fuca Strait ships and tow-steamer soon lose sight of the Tatoosh light, and, if the wind happens to be unfavorable, soon pass out of hearing of the fog-signal on Tatoosh Island. The next lights to be sighted or fog-signals to be heard are those at Port Angeles, on the American shore, and Race Rocks, on the British shore, a distance of 60 miles or more. In stormy or foggy weather or on dark nights, it is often perilous to attempt the "run" between these given points as at present without any aid to navigation.

Second. A light-house and fog-signal at Clallam Head would not only be seen and heard by vessels passing either out of or into said Strait of Fuca, but would be a guide to a reasonably safe harbor of refuge in almost all kinds of stormy weather. Clallam Bay, formed by the shore-line curving inland from Clallam Head, is frequently sought by storm-bound vessels in cases where daylight serves to reveal its location.

Third. The dangers to shipping herein recited are dangers that affect all the shipping of Puget Sound in its communication with the outer world, and its magnitude, in some respects being second only to that of New York, renders the subject one of national importance.

And your memorialists will ever pray.

Passed the senate January 10, 1890.

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

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

Passed the house January 13, 1890.

Mr. ALLEN presented a petition of the Chamber of Commerce of Port Townsend, Wash., praying that that city may be designated as a place for holding the United States district court in the State of Washington; which was referred to the Committee on the Judiciary.

He also presented two petitions of citizens of Sehome and Whatcom, Wash., praying for the passage of an act making Sehome a suburb of entry; which were referred to the Committee on Commerce.

Mr. CASEY presented a petition of 31 citizens of North Dakota, praying that Congress will appropriate money for the development of irrigation in that State; which was referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. PADDOCK. I present nine memorials signed by over 300 members of the Farmers' Alliance of Nebraska, remonstrating against the passage of the Union Pacific funding bill, demanding that the Attorney-General shall take steps to enforce laws violated by the company, and stating that the extension of time for payment of the debt of the company is in the nature of an additional subsidy and ought not to be granted.

As the bill is on the Calendar, I move that the memorial lie on the table.

The motion was agreed to.

Mr. EVARTS presented a petition of 55 citizens of Rome, N. Y., praying for the passage of the Blair educational bill; which was ordered to lie on the table.

He also presented a memorial of the Collins Monthly Meeting of Friends, numbering 79 persons, of Erie County, New York, remonstrating against increased expenditures in the Navy and so-called coast defenses, etc.; which was referred to the Committee on Naval Affairs.

He also presented a petition of Subordinate Union No. 23 of the Bricklayers and Masons' International Union of America, of Elmira, N. Y.; a petition of Subordinate Union No. 43 of the Bricklayers and Masons' International Union of America, of Binghamton, N. Y.; a petition of Subordinate Union No. 6 of the Bricklayers and Masons' International Union of America, of Albany, N. Y.; a petition of Subordinate Union No. 37 (1,050 members) of the Bricklayers and Masons' International Union of America, of New York City, N. Y.; a petition of Subordinate Union No. 9 of the Bricklayers and Masons' International Union of America, of Brooklyn, N. Y., and a petition of Subordinate Union No. 1 of the Bricklayers and Masons' International Union of America, of Brooklyn, N. Y., praying for such an amendment of the laws as will require the employment of citizens of the United States only on all Government works; which were referred to the Committee on Education and Labor.

Mr. EDMUNDS. I present petitions from sundry citizens of Vermont, praying for legislation requiring transatlantic vessels to furnish cold-storage accommodations for American products that require it. I move that the petitions be referred to the Committee on Commerce.

The motion was agreed to.

Mr. MITCHELL. I present a petition signed by 105 citizens of Lane County, Oregon, in which they represent that, in their judgment, the demonetization of silver, by which the money standard of the country was changed from gold and silver to gold alone, was an act uncalled for by the people, and one which has worked great wrong to the producing and industrial interests of the country by restricting the money supply and increasing the value of gold, thus forcing down, they say, prices of all commodities to the detriment of the great body of the people, and they pray Congress for the restoration of silver to its constitutional place as a money metal, with the same rights of coinage and legal tender as are now accorded to gold and as existed from the foundation of the Government down to 1873, and they say if this is done "they will ever pray."

I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. MITCHELL. I present a memorial of the Chamber of Commerce of the city of Port Townsend, in the State of Washington, praying Congress for such legislation as will cause the United States district court for the district of Washington to be held in the city of Port Townsend. I think a bill on this subject has passed, and I therefore move that the petition lie on the table.

The motion was agreed to.

Mr. DAWES presented a petition of citizens of Salem, county of Essex, Massachusetts, praying that labor performed on public works shall be done by American citizens, and not by aliens; which was referred to the Committee on the Judiciary.

Mr. PASCO presented a petition of the veteran soldiers of Chatfield Post, No. 11, Department of Florida, Grand Army of the Republic, now holding their meetings in one of the casemates of Fort Marion, praying for a grant of the lot of ground in the city of St. Augustine on which the old building known as the "King's Forge" stands, so that they may have a permanent location upon which they may erect a building wherein to hold the meetings of the post; which was referred to the Committee on Public Lands.

Mr. TELLER presented a petition of ex-soldiers of the Union Army and members of Abraham Lincoln Post, No. 4, Department of Colorado and Wyoming, Grand Army of the Republic, praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of the county commissioners of Montrose County, Colorado, praying that an appropriation be made for a deep-water harbor at Galveston, Tex.; which was ordered to lie on the table.

Mr. STEWART presented 32 petitions, signed by 1,100 members of the Farmers' Alliance and citizens of Nebraska, praying for the free coinage of silver; which were referred to the Committee on Finance.

Mr. PLUMB presented a petition adopted at a mass convention of citizens of Sumner County, held at Wood's Opera-House, in Wellington, Kans., praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition adopted at a regular meeting of the Lew. Wallace Post, No. 50, Department of Nebraska, Grand Army of the Republic, praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of the Pioneer Farmers' Alliance, No. 14, of Patterson, Kans., praying for the passage of what is known as the Vance bill, to establish agricultural depositories for the storage of grain and other produce; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Badger Creek, Lyon County, Kansas, praying for the free coinage of silver; which was referred to the Committee on Finance.

He also presented a resolution adopted by the Prairie View Farmers' Alliance, No. 590, of Glasgow, Kans., praying that an appropriation be made for a deep-water harbor at Galveston, Tex.; which was ordered to lie on the table.

He also presented resolutions adopted by the Saline County Farmers' and Industrial Union of Kansas, praying for certain financial and other legislation; which was referred to the Committee on Finance.

He also presented a petition of old soldiers of Gray County, Kansas, praying for the repeal of the limitation in the arrears-of-pension act, and that the service and disability pension bills be passed; which was ordered to lie on the table.

He also presented a memorial of the Monthly Meeting of Friends, held at Emporia, Lyon County, Kansas, remonstrating against appropriations for the Navy and coast defenses; which was referred to the Committee on Naval Affairs.

He also presented a memorial of the stockmen's convention, held at Sedalia, Mo., praying for certain legislation to prevent the spread of Texas or splenic fever among cattle; which was referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented a petition of Subordinate Union No. 25 of the Bricklayers and Masons' International Union of America, of Salem, Mass., and a petition of Subordinate Union No. 13 of the Bricklayers and Masons' International Union of America, of Lowell, Mass., praying for an amendment of the law so as to secure to citizens of the United States the right to labor on Government works in preference to aliens; which were referred to the Committee on Education and Labor.

Mr. HOAR. I also present a petition of sundry dealers in canned lobster, doing business in Boston, Mass., being, as I am informed, some forty or fifty very important firms, and engaged in the importation of fish and other products, praying that no legislation may be had to affect the tariff on these articles. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. WILSON, of Maryland, presented a petition of John Kane, president, and William B. Nolan, secretary, for and in behalf of Subordinate Union No. 3, of Baltimore, Md., of the Bricklayers and Masons' International Union of America, praying for the employment of citizens of the United States in preference to aliens on Government works; which was referred to the Committee on the Judiciary.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed the bill (S. 954) authorizing the construction of a public building at Burlington, Iowa, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 749) for the erection of a public building at York, Pa., in which it requested the concurrence of the Senate.

#### REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2960) to authorize the building of a bridge at Pine Bluff, Ark., across the Arkansas River, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2965) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, reported adversely thereon.

Mr. HARRIS. Let that bill go upon the Calendar.

The VICE-PRESIDENT. The bill will be placed upon the Calendar with the adverse report.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2303) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, reported adversely thereon; and the bill was postponed indefinitely.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 629) making an appropriation for the establishment of a life-saving station and providing for a life-saving crew at Port Orford, in the State of Oregon, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 467) to establish additional life-saving stations, reported adversely thereon; and the bill was postponed indefinitely.

Mr. DOLPH. As a substitute for the bills just reported adversely, I report from the same committee a bill which I ask may be placed on the Calendar.

The bill (S. 3190) to establish additional life-saving stations was read twice by its title.

Mr. DOLPH. By direction of the same committee, I report back adversely the bill (S. 927) making an appropriation for the removal of the hull of the wrecked *Silvia de Gras* from the channel of the Columbia River, opposite Upper Astoria, Oregon. I report this bill adversely because the Chief of Engineers and the Secretary of War have reported that there is a section in the river and harbor appropriation bill of 1880 authorizing that to be done and making an appropriation for it.

The VICE-PRESIDENT. The bill will be postponed indefinitely, unless objection be made.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 3090) providing for the construction of a military store-house and offices for Army purposes at the Omaha Military Depot, Nebraska, and for other purposes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1406) making appropriation for extending and repairing the military quarters at Fort Abraham Lincoln, North Dakota, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred resolutions of the Legislative Assembly of North Dakota, praying for the maintenance of Fort Abraham Lincoln as a military post, asked to be discharged from their further consideration; which was agreed to.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 1762) to change the boundaries of the Uncompahgre reservation, reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 7754) granting right of way to Little Falls, Mille Lacs and Lake

Superior Railroad across Mille Lacs Indian reservation, reported it with amendments.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 3064) to establish a fog-signal at or near the Cuckolds Island, at the entrance to Booth Bay Harbor, otherwise known as Townsend Harbor, Maine, reported it without amendment.

He also, from the same committee, to whom was referred the joint resolution (H. Res. 119) requesting the Secretary of War to cause a further report to be made as to the practicability and approximate cost of tunneling the Detroit River at or near Detroit, Mich., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3131) for the registry or enrollment of the barges *Herdis* and *Agostino*, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 460) making an appropriation for the purchase of a site and the construction of a first-order light-house at the mouth of the Coquille River, on the Pacific Ocean, reported it with amendments.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (S. 2844) providing for the erection of range-lights and steam fog-whistle on Plum Island in Lake Michigan, reported it without amendment.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 1395) to amend sections 2275 and 2276 of the Revised Statutes of the United States, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3040) to establish a public park to be called and known as the Royal Arch Park, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2845) to establish a public park at Pagosa Springs, in the State of Colorado, reported it with amendments.

Mr. HAWLEY. The bill (S. 2941) granting the buildings and four sections of land at Fort Sisseton to the State of South Dakota for the use of the militia of the State was referred to the Committee on Military Affairs. That property has been abandoned as a military post and the lands have been turned over to the Interior Department. I therefore ask that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be referred to the Committee on Public Lands.

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

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1171) to incorporate the East Washington Street Railway Company, reported adversely thereon; and the bill was postponed indefinitely.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 1846) restoring the timber-culture right of *Armor H. Worthington*, reported adversely thereon; and the bill was postponed indefinitely.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 2580) to vacate the location of the right of way made by the Choctaw Coal and Railway Company through the southeast quarter of section 33, township 12, range 3 west, in the Indian Territory, reported adversely thereon.

Mr. PLUMB. I ask unanimous consent that that bill may go to the Calendar notwithstanding the adverse report.

The VICE-PRESIDENT. The bill will go to the Calendar with the adverse report.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1528) for the removal of the charge of desertion standing against *Alfred Shell*, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report accompanied by a bill (S. 3191) for the relief of *Albert Shell*; which was read twice by its title.

Mr. PLUMB, from the Committee on Public Lands, to whom the subject was referred, submitted a report, accompanied by a bill (S. 3192) for the relief of *John R. Blankenship*; which was read twice by its title.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 139) for the erection of a public building in the city of San José, State of California, reported it without amendment.

#### RECOMMITTAL OF A BILL.

Mr. PLUMB. The Committee on Public Lands instruct me to request that the bill (S. 2907) to grant the *Mesilla Valley Irrigation* and *Land Company* the right of way for an irrigating ditch across the *Fort Selden* military reservation, in New Mexico, be recommitted to the Committee on Public Lands.

The VICE-PRESIDENT. That order will be made.

#### CHIEF-JUSTICE FULLER'S ADDRESS.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably a House concurrent resolution and ask for its present consideration.

The resolution was considered by unanimous consent, and concurred in, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That there be printed 25,000 copies of the address of Chief-Justice Fuller, delivered December 11, 1886, on the occasion of the commemoration of the inauguration of George Washington, the first President of the United States, of which 16,000 copies shall be for the use of the House, 8,000 for the use of the Senate, and 1,000 for the use of the Chief-Justice.

Mr. MANDERSON. I am also directed by the Committee on Printing to report back adversely the concurrent resolution submitted by the Senator from Florida [Mr. CALL] December 16, 1889, and ask that it be indefinitely postponed, the object having been reached by the last resolution, which was adopted.

The following resolution, submitted by Mr. CALL December 16, 1889, was postponed indefinitely:

*Resolved,* That 10,000 copies of the address of the Chief-Justice of the United States on the centennial of the inauguration of George Washington as the first President of the United States be printed, of which 3,000 shall be for the Senate and 7,000 for the House of Representatives.

#### MELBOURNE INTERNATIONAL EXHIBITION REPORTS.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by myself January 6, 1890, in relation to the Melbourne International Exhibition reports, to report the same back favorably and ask for its present consideration. I will say that this is a resolution authorizing the printing of the reports of the United States commissioners to the Melbourne Industrial Exhibition of 1888. They have been printed under the order of the Senate, and I have here a communication from the Secretary of State in which he calls attention to the important subject-matter involved, and ask that extra copies be printed for distribution, including some for the State Department. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That the Secretary of State be, and he is hereby, authorized to have the reports of the United States commissioners to the centennial international exhibition at Melbourne, 1888, or such of them as may be accepted by him for publication, printed and bound at the Congressional Printing Office, and that, in addition to the usual number, there shall be 600 extra copies for the use of the Senate, 1,200 for the use of the House of Representatives, and 1,200 for the use of the Department of State.

#### BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 3193) to amend the record of William H. Hamlet; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3194) granting a pension to Joseph H. Scoopmire; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3195) granting increase of pension to Henry Reiter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3196) granting an increase of pension to Michael McGarvey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL. In connection with that bill I present the petition of Michael McGarvey, and also the affidavits of Nicholas Mathias, S. D. Barlow, jr., J. T. Gifford, Thomas J. Scott, William C. Evans, Benjamin Lea, Thomas Bass, sr., and T. J. Scott, and ask that they all be received, and referred to the Committee on Pensions.

The VICE-PRESIDENT. They will be so referred.

Mr. COCKRELL introduced a bill (S. 3197) granting a pension to Virginia A. Owen, widow of John Owen, deceased; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL. In connection with that bill I present the petition of M. W. Thompson, Henry Ratliff, J. R. Gladden, and 8 other neighbors, and the affidavits of John C. Culley, Aug. Crumbaugh, Alonzo Gitting, and W. P. Pollock, and ask that they be received and referred to the Committee on Pensions with the bill.

The VICE-PRESIDENT. The papers will be so referred.

Mr. STEWART introduced a bill (S. 3198) to provide for the disposal of the abandoned military reservations in Wyoming Territory; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 3199) to authorize entry of the public lands by incorporated towns for cemetery and park purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 3200) to authorize the purchase of certain public lands by the city of Buffalo, Wyo., and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHERMAN (by request) introduced a bill (S. 3201) for the relief of the estate of John H. Piatt, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McMILLAN (by request) introduced a bill (S. 3202) extending the criminal jurisdiction of the circuit and district courts to the Great

Lakes and their connecting waters; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MOODY introduced a bill (S. 3203) to fix the rank and pay of veterinary surgeons, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 3204) granting a pension to Frank B. Weed; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3205) for the relief of Harrison Flora; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. STEWART introduced a bill (S. 3206) for the relief of the estate of James T. Sanford, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST, by request, introduced a bill (S. 3207) granting a pension to Jesse G. King; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 3208) to amend section 4787 of the Revised Statutes of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

#### GOVERNMENT LOANS ON REAL ESTATE.

Mr. STANFORD. On the 10th of this month I introduced a resolution, Miscellaneous Document 104, which was laid on the table by request. I now desire that that resolution shall be referred to the Committee on Finance.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Finance if there be no objection. The Chair hears none, and it is so ordered.

#### HORATIO PHILLIPS VAN CLEVE.

Mr. WASHBURN. If there be no further morning business, I ask unanimous consent for the present consideration of the bill (S. 826) for the relief of Horatio Phillips Van Cleve.

The VICE-PRESIDENT. Is there objection to the request?

Mr. HARRIS. Let the bill be read for information, subject to objection.

The Chief Clerk read the amendment of the Committee on Military Affairs, which was to strike out all after the enacting clause of the bill and insert:

That the laws regulating appointments in the Army be, and they are hereby suspended, and suspended only for the purposes of this act; and the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint Horatio Phillips Van Cleve, late a major-general of volunteers in the Army of the United States, a second lieutenant, and thereupon to place him, the said Horatio Phillips Van Cleve, upon the retired-list of the Army, with the rank and grade of second lieutenant, without regard and in addition to the number now authorized by law of said retired-list: *Provided,* That from and after such nomination and appointment no pension shall be paid to the said Horatio Phillips Van Cleve, but this proviso shall be no bar to any claim for pension that the widow or children or heirs of the said Horatio Phillips Van Cleve may have after his decease.

Mr. HARRIS. Is the bill reported by the Committee on Military Affairs?

The VICE-PRESIDENT. It has been reported by the Committee on Military Affairs with the amendment which has been read. Is there objection to the present consideration of the bill?

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

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### AID TO COMMON SCHOOLS.

Mr. INGALLS. Understanding that the Senator from Tennessee who is entitled to the floor [Mr. BATE] is ready to proceed, I move that the Senate at this time proceed to the consideration of the unfinished business.

The VICE-PRESIDENT. The Senator from Kansas moves that the Senate proceed to the consideration of the bill (S. 185) to aid in the establishment and temporary support of common schools.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE-PRESIDENT. The pending question is on the amendment offered by the Senator from South Dakota [Mr. MOODY], and the Senator from Tennessee [Mr. BATE] is entitled to the floor.

[Mr. BATE withholds his remarks for revision. See Appendix.]

Mr. HARRIS. Mr. President—

The PRESIDING OFFICER (Mr. FAULKNER). The Chair will lay before the Senate and have read the order made at a former day's session.

Mr. HARRIS. Let it be read.

The PRESIDING OFFICER. The unanimous order then made will be read.

The Secretary read as follows from the proceedings of Wednesday, March 12, 1890, as published in the Record of March 13:

**THE PRESIDING OFFICER.** The Chair will restate the proposition. The Senator from New Hampshire asks unanimous consent that on Thursday of next week, at 2 o'clock in the afternoon, all debate shall cease upon the bill and the amendments pending, except such remarks as the Senator from New Hampshire shall desire to make himself, not to exceed one hour, and that, at the conclusion of his speech, the vote shall be taken upon the pending amendments, and all amendments that may be thereafter offered to be subject to debate under the five-minute rule. Is that the proposition?

**Mr. BLAIR.** That is the way I mean to be understood.

**THE PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

**Mr. BLAIR.** It is the understanding that it applies to one week from to-morrow.

**THE PRESIDING OFFICER.** Thursday of next week.

**THE PRESIDING OFFICER.** Under the unanimous order adopted at that session of the Senate the Chair will recognize the Senator from New Hampshire as now entitled to the floor.

**Mr. HARRIS.** I request the Senator from New Hampshire and the Chair to allow me to ask the unanimous consent of the Senate to modify that order in this respect: My colleague [Mr. BATE] has consumed ten or more minutes of the time under that order which belonged to the Senator from New Hampshire. I ask unanimous consent that the Senator from New Hampshire shall have the full hour, notwithstanding the consent heretofore agreed to.

**THE PRESIDING OFFICER.** Does the Senator from New Hampshire yield to the Senator from Tennessee to make the request?

**Mr. BLAIR.** Does the Senator desire to repeat it or consider that he has made it?

**Mr. HARRIS.** I have made the request of the Senator from New Hampshire to yield to me for the purpose of making it.

**Mr. BLAIR.** I appreciate very highly the courtesy of the Senator, and, if I desired to speak, would be glad to avail myself of such unanimous consent for the extension of the time by the Senate, if the Senate should see fit to give it, but I do not propose to take the time of the Senate, and I shall not have occasion to ask for any extension of the order made by unanimous consent some days ago.

**Mr. President,** I do not desire to occupy and I shall not take the time of the Senate in any further talk upon this bill. I have done what I could to place the facts before the country and to submit this cause to the Senate, and I leave it there.

I will simply say, in reference to the remarks of the Senator who has just concluded [Mr. BATE], to which I have not been able, owing to the nature of other exactions upon my time, to listen any further than to perceive that he made a strong, eloquent, and able defense of his State against any intimations or any assertions and facts which may have been produced in this debate bearing upon the condition of education there, that I find, comparing his State with the State of Michigan, which is in population almost the same or was so by the last census, that Tennessee has a population of 1,542,359 and Michigan has a population of 1,636,937, and that during the year 1887-'88, in the two States, as shown by the same table and taking into consideration the same conditions, the expenditure in the State of Tennessee was \$1,023,893 and in the State of Michigan the expenditure was \$4,730,665, a proportion of a little less than between four and five dollars in the State of Michigan to an expenditure of one dollar in the State of Tennessee. I do not wish to say—

**Mr. BATE.** Will the Senator allow me a word in that connection?

**Mr. BLAIR.** Will the Senator excuse me a moment?

**Mr. BATE.** Will the Senator state in that connection how much public land Michigan had? How many million acres did she have out of which to gain that fund?

**Mr. BLAIR.** I am not dealing with the question who is to blame, but simply the fact as to the actual expenditure for education in the two States, for that is the only fact that to my mind, so far as expenditure is concerned, is at all pertinent to the merits of this bill. And it is no question between grown folks at all, but it is a question whether the children of the country are receiving the necessary education in the various States and Territories where they may reside. That is the only question that there is in this bill. All the matter that I have placed before the Senate, and that others have placed before the Senate, to my mind, in the last resort has application simply to that one issue, whether this generation in all portions of the country is doing its duty to the coming generation?

**Mr. President,** I have no desire to say anything further. I have no desire to talk when there is no necessity for it. I simply desire now that this question between the children of this country and the country itself may be decided upon its merits. I ask for a vote on the bill and the amendments.

**Mr. HAWLEY.** I am a little surprised by that request. I happen to know, and we all know, that Senators expected the debate would not close until 3 o'clock; that the Senator from New Hampshire was to have an hour, from 2 to 3 o'clock, and there are Senators who, on that account, are not here.

**Mr. BLAIR.** I can go on until 3 o'clock if it is necessary.

**Mr. HAWLEY.** Of course, I did not intimate that. I thought in the mean time we could take up some other bill.

**Mr. BLAIR.** I prefer to go on.

**Mr. HAWLEY.** Very well.

**Mr. BLAIR.** Mr. President, the Book which is the written source of our sacred religion and accepted as of unquestioned verity in all its declarations informs us that "God made of one blood all the nations of the earth." And, although this proposition does not imply that in personal, family, and general social intercourse there may not and must not be both antipathies and affinities, yet it does imply that in natural powers there is so much of likeness, not to say equality, among all races of men that with the fair equalization of the conditions of action—equality before the law and equality in fact between individuals and communities in the practical administration of the law—all men are capable of high development and progress in all directions and in all things in which any are thus capable; that the soul is a unit, and that it always embraces in its sum the same parts, however differently developed and combined in the persons of individuals; that, however it may vary in degree, whatever in kind may be predicated of one race or person may be predicated or hoped for in another individual or race.

What the colored race has accomplished within twenty-five years last past is simply wonderful, and, in my belief, no race of men which ever inhabited the planet could have done more under the same circumstances. As a Northern man and a member of a race more numerous, and one dominant, but now co-ordinate with them before the law, I cheerfully accord to the colored people of our country this high tribute to their industry, capacity, and achievement. And I may also, with justice, here and now say for the seven millions of colored American citizens, that during the last quarter of a century they have abundantly demonstrated the wisdom of that Divine Power which ordained their freedom as the most precious fruit of the terrible struggle in which the North and the South expiated a common crime in fraternal blood.

But while I would do full justice to the patience, devotion, and enterprise of our colored fellow-citizens, as exhibited in the past and as prophesied for the future, I should neglect a great opportunity if I were to fail to present a few suggestions, which are not offered by me as one claiming to be their peculiar friend, to the exclusion of others, whether of their own race or of their white fellow-citizens, among whom, as now, by the decrees of a fortunate fate they must continue to live.

Our best friends should be those with whom our interests are immediately identified, and, although emigration may sometimes be a relief from evil, yet in a free country, where the resources of nature abound on every hand, as they do everywhere in our wonderful Southern land, unexhausted and even untouched, the best place for a man is that where he was born. If he suffers under adverse conditions he will do better to seek, and, if need be, demand by proper means their amelioration, rather than venture the loss of all by expatriation or removal to new and strange parts even of the same country. Too often it is, "distance lends enchantment to the view," and to transfer vast populations from one part of the country to another is almost impossible. It never should be necessary; and, if in any case it may seem to be so, yet in the end more immediate and substantial relief will generally be found in a patient but manly and determined effort to better one's condition where he already is.

The hard, naked truth is that this is a world of toil, and that whatever we get we must pay for in solid work.

The real difference between slavery and freedom is this: Slavery is work without pay; freedom is work with pay. Wherever we go we shall find this to be inexorably true. In our present free condition under the law, to receive a man's work and not to pay him is to rob him; to pay him less than a fair price is to rob him proportionately. When a man is paid only in part for his toil he is a slave to just the degree that he is unpaid. Before slavery was abolished by law the slave was paid the necessities of life for his labor, and the employer or the master fixed the amount himself, controlled, however, by the unavoidable cost of keeping the laborer in good condition as a producing power. The right to fix or rather to agree with the employer upon the price of his labor, or to work for one's self as the alternative, is the substantial advantage which the freeman possesses over the slave.

Now, a moment's thought will show us that in order to exercise this right so that it will be of any value to the freeman he must possess two things:

1. He must have knowledge of the value of his work, in order to fix a fair price upon it.
2. He must be able to get work elsewhere when it is refused by the employer, and to do this without fail he must own land.

The first qualification, then, of a freeman is knowledge, intelligence, for knowledge is power. The second qualification is the ownership of land and skill to earn a living upon it. If I could fix these two thoughts in the minds of my countrymen forever, I should be their greatest benefactor.

Get education! And get land! Get the best possible of both, and always remember that a little of the best is worth more than much of an inferior quality. But at all events get some, and get as much as you can of education and of land; and if you can not get the best of either, then endeavor to make that which you do get still better by your own exertions, for often, as the old North Carolina song has it—

It is more in the man than it is in the land.

There can never be any real liberty and permanent happiness in this world unless the masses of the people have intelligence and land. With these two great possessions the people are independent and are their own kings. Whoever possesses the knowledge will come to possess the land of any country, and thus it is that in the last analysis knowledge itself is liberty, because knowledge is power.

I have been trying to specify land as the great "property qualification and immunity of freemen," and so bring home to the mind as clearly as possible the two indispensable objects for which we must labor if we would become and continue free, which are, knowledge and land. These we must have or be slaves. These possessions we must transmit to our children or they will become a race of slaves. Knowledge and land the masses of the people in our nation must have, or they will become the bondmen of superior classes at home or of more powerful nations abroad. The attainment of these should be the great earthly object of us all.

Not only should the attainment of knowledge and land be the great earthly object, but without them there is no development of individual spiritual power, no true liberty of the soul in the realm of eternal things, none of that higher and sublimer freedom wherewith the Great Author of our religious faith shall make us "free indeed."

I conceive the whole problem of the future of our country and of mankind to depend upon the question whether the masses of the people shall have knowledge and land—not necessarily every individual, but the great majority—so that their favorable condition may determine favorably the condition of all; for where, under the operation of equal laws, the majority are prosperous and happy, there will be the minority also. Therefore it is that I dwell upon the thought, knowledge and land!

But what is knowledge? What is land? Both these terms are used in a very comprehensive sense, the former as embracing all that we come to know or which may be known, whether from books, from science and liberal culture, or without them; the latter term, land, embraces air and water as well as the soil, so far, at least, as they may become property and the means of production by individual appropriation and ownership.

But I desire to speak within the limits of the practical, and endeavor to suggest what to me seem to be the great tangible objects to which the efforts of those who daily toil for existence and for liberty should be directed, regardless of color or race; for color is of the skin merely, and not of the soul, and we are all one, the human race.

Therefore, when I speak of education to-day I refer to that common knowledge in books and in affairs which is necessary in order that its possessor shall make headway, or at least hold his own in the competitions of life with those by whom he is surrounded and with the positive resistances of nature herself. Whether the great law of human development be the survival of the fittest—a doctrine to which I am unwilling to subscribe if its true construction be that the strong, by reason of their strength, have the right or are placed under the necessity of growing stronger and of surviving longer at the expense of the lessening strength and earlier decay of the weak—still this is certainly true, that survival and progress depend upon the possession of a certain inherent and also an acquired force on the part of those who advance at all. And that education or knowledge of which I now speak is what individuals and communities must possess in order to hold their own and get on against and in connection with their own surroundings, their neighbors and friends, or their several environments, to speak more exactly as I mean.

The college and higher institutions of learning are indispensable to every civilized people, because they already have them; and they alone can give those higher forms and orders of knowledge which society must have and constantly apply or retrograde. But the cultivation and pursuit thereof is of itself an occupation and is impracticable to the masses of men. They, however, must possess a certain degree of knowledge and training of both head and hand in order to exist in a state of society where these advantages are generally possessed; and all progress is conditioned upon an increase of this common culture of the common people, such as is acquired in the common school and in the mastery of some common occupation, whereby work can be directed to the production of useful things. There are no higher ends than the performance of the common duties and the attainment of the common objects of life.

The whole purpose of human existence seems to be to transmit that life which God has given in and through succeeding and constantly improving generations. Human life is not merely a struggle to exist, but to climb; not merely to hold, but to acquire; to develop the grand and noble, the pure and the godlike, not in one nor in a few, but in all; and the proper discharge of the common duties of existence has these lofty purposes directly in view. Therefore it is that the post of honor is the private station; therefore it is that the occupations of every-day life are not inferior in dignity, as they are superior in importance, to those of a more select and exacting character. The farmer and the school-master can exist without the mathematician and the king, while the humblest soul may find its way even more surely to the high places of the eternal heavens than the philosopher or the sage. The essential dignity and elevation of human nature are manifest in

common life. To be fitted for it, then, every individual must possess the education and training to which I have referred.

A free people must also know more than simply how to live. They must govern themselves in order to become or continue free. They must possess and exercise the attributes of kings. What the king does for the whole people, a free people must do for themselves. If intelligence and wisdom are necessary in the king, even so must the people possess the same or fail in the performance of the functions of self-government. No people can govern themselves unless they know how to do it. If they attempt self-government without knowledge of the principles upon which society is founded and in ignorance of the great issues controlling their own interests and destiny, which from time to time they are called upon to decide, the result must be either anarchy, which is the destruction of society, or a despotism in which liberty and progress are crushed under the foot of some all-conquering czar.

The ballot, which is self-government, is but a knife in the hand of the ignorant man wherewith he may destroy society, however innocent or even praiseworthy his intentions. What then? Shall he be deprived of this great defense of freemen? Nay, verily! But rather educate him and qualify him for its exercise. And let whoever possesses this great right, this weapon wherewith other rights of person and of property are to be preserved, see to it that he wields it under the direction of knowledge and virtue, which alone will enable him to defend and bless rather than to curse and destroy.

But of what avail to educate the head and the hand without there be the opportunity to apply that knowledge in the work of life? Men must have not only the power to work intelligently and skillfully, but the opportunity also. If the granting of that opportunity to work depends upon the will of another, then of what advantage are knowledge and skill? Plainly, the trained and intelligent worker is none the better off, for the amount of his wages will be dictated by the man who can condemn him to idleness and want unless he accepts that pay which the employer may see fit to give. He is still a slave. But if he have land he can work for himself. Now, then, we see that land and liberty are the same.

Hear this, O ye farmers of the South, of the North, of the West, of the whole earth! Land and liberty are the same!

Whoever has land is free, for he can root himself in his own heritage, and, combining his toil with light and heat and all fructifying influences, he can win from the bosom of the common mother of us all a generous support for himself and for the dear ones who depend upon him for life. When refused employment in every other occupation or offered but the scanty wage of oppression and avarice, the owner of his own land is free indeed. And being thus sure of a final resource from want, whoever seeks employment in any other trade or occupation, if so be he possesses the intelligence which common-school education will give, can demand and will receive all that his labor is reasonably worth. But without this ultimate resource in the land itself, no man, no community, is free. All over the world and through all human history the people are poor unless they own the land. Only as they own land are they free. The land is the source of all production, and whoever controls it controls all those who produce, all those who toil, in every avocation among men.

I do not mean that every individual must own land in order to be reasonably sure of work and of fair pay, but I do mean that only thus can he be absolutely sure of a resource when other employments suspend and other avocations fail; and always a majority of the people must be rooted, as it were, in the soil. No other occupation yields the necessities of life direct. These come primarily from the land, and their annual reproduction is indispensable to the life and therefore to the freedom and happiness of man. All other occupations may be crowded, but not so the intelligent cultivation of the land. And it is only where the mass of men pursue the primary work of tillers of the soil that artisans and operatives and mechanics find a remunerative demand for their skill.

So, viewed in whatever way you please, it comes down to this plain truth at last, that only the owner and cultivator of the soil is sure of a livelihood. He alone is sure forever to be free.

He does not require much. In our broad and blessed country there are homes for all who will build them, there are fertile farms for all who will till them. A little land, worked with intelligence and thrift, will suffice for the support of a family; and a few years of industry and economy will enable any man to pay for the acres which will make him independent, and therefore really free.

We are told by those who have studied the subject that a community educated thoroughly in the common branches of knowledge will, by reason of that superior intelligence, produce at least twice as much by its labor as the same community could produce without education. An educated man will, therefore, as a rule, get at least double the wages which he could otherwise earn. This is generally true, and the first condition of all improvement is education.

But I hardly need dwell upon this primary and acknowledged truth. The important practical questions for every one are these: How shall I obtain education? How shall I obtain land?

Each one is chiefly the maker of his own fortunes. Education and the acquirement of property—that is, liberty—must be our own work.

All that the nation, the State, or parents and friends can do is to provide the opportunity. That is done when we have the school, the workshop, and the land. We must ourselves do all the rest. No community has done justice to itself until every child and every inhabitant has been provided with the opportunity for education in the common branches of knowledge, to acquire some useful occupation, and with the work itself; which, as we have already seen, when it can be had nowhere else, may always be found in land.

It is of no use to bid a child be educated and yet provide no school or to work when he has no trade and no training for the farm. In selecting a home or a country wherein to live, every sensible person will then, if possible, find schools and land. If they are scarce and can not be supplied where he is, then he must seek his fortunes elsewhere or get but little good out of this life. As wealth increases and new industries spring up, employment may be found outside of the land, but, all the same, these occupations will fail as the culture of the soil disappears; so that ever the great demand is for education and for land.

If I were to select any part of this world as the natural home of a great people, I should choose the Southern States.

In ten years' time the Southern States of this nation could be made the paradise of the workingman. And here in this great arena, whether it be for better or for worse, swarming and increasing millions of the sons of toil must continue for all time to dwell and to have their homes. What shall their future be?

The relations of the Government, both State and national, to the great problems of the future condition of our people I do not propose at any length to discuss. A great work and solemn responsibility attach to them both. But we are dealing chiefly with ourselves, with our own powers and duties to-day.

Our great work is the personal practice of the virtues of industry, economy, temperance, and justice in our daily lives. Only the industrious man can earn money; only the economical man will save it; only the temperate man can preserve his own time and his own powers of body and of mind, and only the just and honest man will have the respect of the community wherein he dwells or even long avoid the meshes of the law. No man who does not possess these simple but all-important virtues will often acquire education, land or other forms of property, or true freedom for himself or his child.

The cultivation of these virtues is our own work; no one can perform it for us. Without this is done by ourselves, all help from the wealth or services of others, all aid from the nation or from the State, is of no avail. With the practice of honesty, industry, temperance, and economy on the part of the individual, all other things from the nation and from the State will soon be added thereto. And whoever, by the practice of these virtues, can save the smallest surplus from the proceeds of his daily toil beyond his daily need, let him invest it in his head or in land. And if so be he have others dependent upon himself, let him even suffer all things, that he may give to them likewise education and land, that they in their turn may confer these great benefits upon the generations to come.

It is not possible for one part of a community to be segregated from the remainder and to live alone. Of every race and color, we are to stand or fall together, and nothing in the end is for the good of one which is not for the general good. No class or individual can live at the expense of others without ultimate injury to all, and I should consider any man a common enemy who would advocate a measure or a policy which could foster discontent or alienation among the people in any part of our country. No portion of our great land is more in need of honest, industrious, skillful, and contented labor than the great region known as the Southern States, and nowhere is there a more hopeful or inviting field for intelligent and thrifty workers in every vocation than here. True that conditions here, as everywhere else, may be greatly improved; and especially important everywhere in the South is the more rapid development of the common school. Without this, progress will never come, wealth will never accumulate, and free government will not long survive. But the schools will come.

The nation should help. So industrial training will come. All forms of diversified industry, every trade, manufacture, and vocation known to civilization and every production possible to a varied climate and fertile soil will spring up and dwell there forever. The future is full of promise, and to the colored man and his children who will get education and get land there will be ample compensation during all the long ages to come for the wrong and suffering to which the past may have subjected his race.

Nor should it ever be forgotten that the colored man of to-day is civilized and free, the equal of every other man in American citizenship and before American law, because of the wise decrees of the Great Author of all that has been and is and is to be, which ordained his forcible emigration from a still savage continent and his education during two hundred and fifty years of bondage up through ever-increasing degrees of civilization until the final hour when God saw that he was qualified for the full measure of liberty. White and colored, North and South, we have lived and suffered and atoned together, and who shall say that it is not well?

It is impossible to disconnect in any way the fate of men who live in the same community and under the same laws by distinctions no

more substantial than color and race. Education produces the same effect upon all; ignorance always oppresses and enslaves. Honest, intelligent toil will thrive, and it matters not who says nay. Social distinctions and prejudices may last forever. Probably they will always exist. Properly regulated and restrained within their true sphere, as they are the manifestations of instinct and innate tendencies, no doubt they are indispensable to the happiness of society. But these distinctions in social relations can not change the rights or add to or take from the dignity of any citizen before the law.

Could I address them personally I should pray our colored friends to remember that it is an evil thing to cultivate the sentiment that they are in any way a distinct people; that they have any less or greater claim to consideration because of their race or of their past; that there is any hope of better conditions of life for them through direct or indirect influences than for other American citizens among whom they live. And, on the other hand, it is a high crime in the eye of the law of the nation and of the States if by reason of their race or previous condition their advantages in the practical administration of the law be the less.

But let them remember whenever, if ever, they are sorely tried, that the saints have come up through great tribulation; and, if their journey to the promised land has been through a wilderness, that they are now where the milk and honey begin to flow and the fruit trees of their earthly paradise are blossoming all around.

Yes, colored men, stick to your homes in the "sunny South." Labor will yet conquer all things. Labor will give you land; labor will give you schools. Land and schools will redress every grievance; will bring you wealth and all the comforts and luxuries of life; will banish all inequalities and hardships from which you suffer in the practical administrations of the law, and will protect you in the exercise of the suffrage by demonstrating to those who surround you your full capacity intelligently and safely to share in the great responsibility of self-government and in control of the property and lives of your fellow-men.

Education and the skill which results from it will increase the rewards of your toil. Now, the labor of the North is better paid than yours, because it is more intelligent and more skilled. Thousands of industries there abound, demanding the disciplined thought and the well-trained hand, while you have as yet comparatively few. But your good time is coming. Everywhere capital is seeking investment in your forests, your mines, your plantations and farms, and your waterfalls, and in the natural centers of affairs. Diversified industries, by which a people produce most things which they themselves consume, and thus cease to depend upon other nations and other climes, are coming to you. Demand for labor of every kind will spring up on every hand. Your wages will increase, and with economy will come the power to purchase all the manifold comforts and finally all the reasonable refinements and luxuries of life.

Producing everything, increasing wealth will enable you to buy and to consume. Farms will multiply and farmers grow rich. Houses will be erected which will greatly surpass the old in all the conditions of health, convenience, and protection from the elements. Domestic animals will improve, and chattels in ten thousand forms will multiply on every hand. Labor-saving tools and machinery will come to relieve you from the severity of your toil. Schools will give discipline and culture to your sons and your daughters alike. Newspapers, those great educators of the people, will everywhere abound. Every intellectual and moral power will be quickened and every want of the body and of the soul supplied from the abundant harvests of the stimulated productive forces of new-born industrial life.

In this regeneration, this new industrial creation, the colored man will bear a most important part. But it is not his field alone. The whole people own this great land, and work, honest, intelligent, productive toil, is the universal God-given privilege. Its rewards and blessings and honors belong to all.

Schools and land! Intelligence and the skill and opportunity to work for fair pay are the right of every son and daughter of man; and throughout this land of ours, if nowhere else on earth, that right shall be the possession of all.

More and more the prejudices and limitations of other days are passing away. Patriotism embraces the whole country, and rejoices in the good of every class and condition in our national life. Adversity and war have taught us at least mutual respect, and sectional hate is giving place to the love of a citizenship which has continental proportions and which, let us hope, will be as enduring as time.

American history must forever record that the earliest martyr to American liberty was the gigantic Attucks, who fell under the British bullet on Massachusetts soil. Jackson summoned free negroes to the defense of New Orleans. At the head of a regiment of the sons of New Hampshire, I myself was in that charge upon the bloody walls of Port Hudson, when Southern valor destroyed the gallant columns of the North, and among the dying and the dead along the whole seven miles of slaughter none were nearer to the foe than the colored soldiers who there first fell in the uniform of their country.

Regiments of colored soldiers are now conceded to be among the best troops in the regular and permanent Army of the United States. In peace and in war the colored man has well discharged all the high

duties of the American citizen and soldier. By his good conduct he has erased the color line; and, while all agree that it may remain in society relations, those who would restore it in civil affairs do fight against the stars in their courses and the irreversible decrees of God. The highest statesmanship and patriotism throughout the country recognize this great fact, and both North and South, accepting the situation, rejoice together in the removal of a fell institution which was established and fostered by the capital of both, and the pangs of whose extinction almost destroyed our national life.

I believe fully in the perpetuity of our institutions and of our Federal Union. I could not entertain this high confidence if I doubted the broad and national patriotism of any section of the country or of any class of our people. If Jefferson were alive he would no longer tremble for his country when he remembered that God is just, for he would see that God is now determined that the last vestiges of slavery shall be destroyed. There is now no great institution warring among our members, threatening destruction to the body politic or the subversion of free principles and free government. The Declaration of Independence is no longer an American theory only, but is an American fact. True there is terrible pain in the great redemption process, but it is being wrought out in the nation and in every State. The forces of human nature have free play everywhere, and are fast transmuting free thought into free action, which will soon disintegrate and destroy whatever remains over of the laws and customs of the past which conflict with the general improvement and happiness of all.

There is much cause for gratitude to the Supreme Ruler that He has ordained that human life, which flows on age after age in the race, shall be so brief in generations and individuals. Were we to live on century after century like Methuselah, the progress of the world would be like the journeyings of the sloth, and hope would falter because of the Bourbonism of both North and South manifest in petrified but still breathing men. But, fortunately, those who do not change for the better soon die, and the new blood of youth and souls fresh from the Divinity and free from the shackles of custom, prejudice, and tradition spring forth upon the forever shifting arena of human action to work out their manifest destiny in the full light of liberty and under laws which stimulate the ambition, ennoble the aspirations, purify the purposes, protect the rights, and defend the lives and fortunes of all. Educate the people universally, and the violence of savagery, which sometimes breaks out like the sudden spring of a wild beast, will disappear forever.

It does not yet appear what this already supreme nation shall be; but we do know that we are the advance guard of mankind. Whatever of hope there may be for the fifteen hundred millions of the race will fail if our sixty millions shall desert the banner of humanity and destroy our free and holy institutions by faithlessness to the principles of universal liberty or the demands of personal duty in private life. We do know that we have the greatest opportunity before us ever yet given to any people in the annals of time. We know, too, that as is our opportunity so is our responsibility. We know that upon our own generation in this present time God has placed the burdens of a great emergency, of a peculiar trust. In the presence of the mighty problems which confront us and the solemn responsibilities which press now upon men of action everywhere in our great land, the prejudice of parties and the clamor of hunters for place should cease. Let us approach our future as one people, full of a patriotism as large as the whole country, yet regardful of the fortunes of the humblest child, caring equally and fully for all sections, and beholding in all one great unity, in which every citizen is an equal and a king.

So shall it be that the memories of the first Revolution shall revive in all their tenderness and glory, and our last estate shall be better than the first.

There is one particular aspect of this proposition to give equalization and universality of common-school education to the people of the whole country which I think well might be practically dwelt upon, and during the few moments which still remain to me I will advert once more to this. I refer now to the great importance of this measure as an educational measure, operative chiefly at the South, to the conditions and civilization of the North. We all understand how it was that we were two nations until the civil war.

Conditions as different prevailed in the South, as compared with those of the North, as prevail at the present time between our own civilization in the North and the average civilization in Europe or in any other foreign countries.

Labor had its rights in the North; labor was intelligent and therefore it was free, and because it was free it was intelligent, and therefore possessed the power of combination, and it was able to exact in the market its proportion of the amount received for the productions of which labor was the creator.

But for that intelligence the labor of the North would have been as cheap labor in all this vast period of time as at the South; but intelligence and education made that difference. The war came and swept away the merely nominal slavery, but did not change the condition of vast masses of men. They were the same after the war that they were before the war, but if there be nothing done to change the condition in which childhood finds itself in the environment of the coming generation they will remain for the future the same as they were in the

past. Nothing can change the condition of the great mass of the people of the South but intelligence, the power which comes of knowledge and of general education. That gives the force which leads to combination; and in that is the true secret of higher wages and better compensation to the ordinary artisan, to the ordinary toiler in the common walks of life. That alone can put the masses of the Southern people upon the same plane of civilization, developing the same wants, developing the same amount of wages, and when a man labors for wages and the same price or share in the product of his commodity, when he is a farmer or producer in any other sense than that of a mere laborer with his hands, that done, the ordinary production of the South will stand upon the same plane of cost as the ordinary production of the North, and it will, therefore, be unable to seek the Northern market and take from Northern citizens the market which they deserve by reason of their own toil, and in the possession of which home market alone is there any guaranty that the condition of the laborer at the North, the common capital of the mass of the citizenship, capital and labor combined, shall continue as at present.

As I before expressed it, nothing can constitute a tariff for the protection of the civilization of the North as against the cheap production of the South, which is coming with the introduction of numerous and diversified industries there as at the North, but producing among the masses of the people of the South homogeneous intellectual conditions with those of the people of the North. When that is done, the result, the article produced, will be distributed among the masses of the people at the South rather than that the price, the result, will pass into the pocket of the capitalist alone. When their wants, the result of increasing education, demand the necessary wages wherewith to purchase that which will supply those wants, so that they may consume like the masses of the people of the North, then the South will produce double what she now does with the same numerical working population, because with intelligence her power to produce will increase correspondingly; and the increase of the cost of the articles produced at the South together with the means of purchasing and of consuming them on the spot will confine to the South the wealth which she produces; and in due time the labor of her people will have brought about homogeneous conditions and like civilization abounding throughout the whole country, and thus we shall be able to perpetuate the conditions of the North in the South and throughout the whole country and for all time.

In my brief remarks in the earlier part of this brief address, I directed my thoughts principally to the colored population of the country. I believe that in their education lies the solution of the race problem. It is treated as the master problem with which we have to contend at the present time. Doubtless it is so; at all events, it is one of the great problems, but I have never looked upon the condition of the negro as the only cause of solicitude on the part of American patriotism. The white people of this country comprise its great mass of the population, and they must constitute the nation now and hereafter. Upon their condition must depend the future of the United States, and upon the future of the United States the future of the world. I think it has been demonstrated in the progress of this debate that the white population of this country is in need of increased facilities of education; that there is as large a mass of white children at the South who require education and increased facilities for education as of the colored race. There is probably a much larger mass, and the object of this bill is as much to carry relief to them as to the colored children.

Mr. President, this bill recognizes no color line. It distributes by virtue of its provisions the larger portion of the amount appropriated at the South, because there is the illiteracy and there is the poverty, and therein is the greater need; just as we pour the appropriations of the river and harbor bill into those regions where are the rivers and harbors, and improve them there; and if they were all located on a single coast it would have the advantage of the whole. But when the money is in a State it is combined with the fund of the State itself, at least three times as much as that which the nation gives; and the whole by the express provisions of the bill is to be distributed for the education of the children of school age, irrespective of race or color or of previous condition in life.

So if this bill becomes a law and there be a necessity, so far as its provisions go that necessity will be supplied, but it will give the white child the black child's chance; it will give the black child the white child's chance. It will recognize no color line, but will go in one vast, munificent, and beneficent stream to all the citizenship and the childhood of the country irrespective of any distinctions of race or color or previous condition in life.

Mr. President, I have occupied my time; I have done my duty, and I submit this bill with the amendments to the action of the Senate.

The VICE-PRESIDENT (at 3 o'clock p. m.). The question is on the amendments proposed by the Senator from South Dakota [Mr. MOODY], the first of which will be stated.

Mr. HARRIS. Have the committee amendments been acted upon as in Committee of the Whole?

The VICE-PRESIDENT. They have been acted upon.

Mr. HARRIS. I did not remember as to the fact.

The VICE-PRESIDENT. The first amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. In section 14, line 7, after the word "authorized," it is proposed to insert the words "and required;" so as to read:

The Secretary of the Interior is authorized and required to receive and consider, etc.

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

Mr. GEORGE. I do not exactly understand that amendment. Who offered it?

The VICE-PRESIDENT. It was offered by the Senator from South Dakota [Mr. MOODY].

Mr. GEORGE. Let it be again read.

The VICE-PRESIDENT. The amendment will be again stated.

The SECRETARY. In section 14, line 7, after the word "authorized," it is proposed to insert the words "and required."

Mr. GEORGE. Now let the whole sentence in which it occurs be read.

The SECRETARY. So as to read:

But in determining the number of illiterates therein, and also in the States of South Dakota, North Dakota, Montana, and Washington, the Secretary of the Interior—

Mr. GEORGE. That is enough. I understand it now.

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

Mr. BLAIR. I hope the amendments submitted by the Senator from South Dakota will be adopted. They seem to be perfectly just. The amendment was agreed to.

The VICE-PRESIDENT. The next amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. In section 14, line 11, after the word "section," it is proposed to insert:

Including the illiterates of the Indian population resident therein.

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

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment submitted by the Senator from South Dakota will be stated.

The SECRETARY. It is proposed at the end of section 14 to add the following words:

And in any subsequent apportionment in said States and Territories, and in any of said Territories after they shall be admitted as States, the illiterate Indians living therein shall be included in the basis of such apportionment.

Mr. EDMUNDS. Mr. President, I rise to the support of this amendment. I believe under the understanding I am entitled to five minutes.

The VICE-PRESIDENT. The Senator is entitled to five minutes.

Mr. BERRY. I think, according to the understanding, that applies only to amendments offered afterwards. This amendment was offered before.

The VICE-PRESIDENT. The Secretary will read the understanding reached on a previous day bearing upon the question.

Mr. EDMUNDS. I hope this will not come out of my five minutes, Mr. President.

The Chief Clerk read as follows from the RECORD of the 13th instant:

The PRESIDING OFFICER. The Chair will restate the proposition. The Senator from New Hampshire asks unanimous consent that on Thursday of next week, at 2 o'clock in the afternoon, all debate shall cease upon the bill and the amendments pending, except such remarks as the Senator from New Hampshire shall desire to make himself, not to exceed one hour, and that, at the conclusion of his speech, the vote shall be taken upon the pending amendments, and all amendments that may be thereafter offered to be subject to debate under the five-minute rule. Is that the proposition?

Mr. BLAIR. That is the way I mean to be understood.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BLAIR. It is the understanding that it applies to one week from to-morrow.

The PRESIDING OFFICER. Thursday of next week.

The VICE-PRESIDENT. The Senator from Vermont will proceed.

Mr. EDMUNDS. Do I understand that my friend from Arkansas thinks I am not entitled to speak to the pending amendment?

Mr. BERRY. I understood the unanimous consent that was given to be that at 3 o'clock to-day the vote should be taken without debate upon the amendments then pending, and that all amendments thereafter offered should be subject to debate under the five-minute rule in the order reached.

Mr. EDMUNDS. I will not violate the understanding if that is the way the Senator understands it. When we get through with the pending amendment I think I can move one that will enable me to say what I desire.

Mr. GEORGE. My understanding is—and I will state it to know if I am correct—that all the amendments proposed by the committee to the bill have been adopted as in Committee of the Whole. Is that the fact or not?

The VICE-PRESIDENT. All the amendments of the committee have been agreed to, the Chair is informed.

Mr. GEORGE. In Committee of the Whole?

The VICE-PRESIDENT. In Committee of the Whole. The Chair desires to call the attention of Senators to the understanding reached

at a previous session, wherein it is stated by the Chair that "the vote shall be taken upon the pending amendments, and all amendments that may be thereafter offered to be subject to debate under the five-minute rule."

Mr. BERRY. The understanding was that all amendments offered after 3 o'clock to-day are to be subject to debate under the five-minute rule, and all debate must cease upon the bill and amendments then pending at 3 o'clock. Thereafter such amendments as might be offered should be subject to debate under the five-minute rule.

The VICE-PRESIDENT. The amendments which have just been reported, which were offered by the Senator from South Dakota, were offered since that time.

Mr. BERRY. I understood that they were offered yesterday and, therefore, before 3 o'clock to-day.

The VICE-PRESIDENT. They were offered since the understanding was reached.

Mr. BERRY. But before 3 o'clock to-day?

The VICE-PRESIDENT. The Chair is of the opinion that the Senator from Vermont is entitled to the floor under the five-minute rule.

Mr. EDMUNDS. Mr. President, in support of the amendment, which is in the line of the objects of the bill, as everybody will agree, I have to say, in the first place, that the argument which doubters, secret opponents, etc., have made against the constitutionality of this bill is denied by the plain letter of the Constitution, which in respect of the taxing power declares that Congress shall have power to lay and collect taxes, duties, imposts, excises, etc., in order to promote the general welfare. In addition to that, Congress is given certain specific powers to do things that they might do without a dollar of money, if they could get a volunteer to the Army or whatever; and add that the constant practice of Congress and of every Department of the Government for a hundred years, beginning with the First Congress, has demonstrated that that is the way the men who made the Constitution and who have administered it since understood it. One of the very first acts passed, I believe, in the very first Congress, was to give a certain amount of money to refugees from somewhere (I can not take the time in five minutes to say where), and so on down to this day, going latterly to seeds for the farmers of Texas, Congress has appropriated money out of the Treasury to pay for such objects.

Mr. SHERMAN. The latter bill was vetoed?

Mr. EDMUNDS. It was vetoed, but I take it that does not change the judgment of Congress or the nature of the Constitution.

So, in my opinion, with great respect to everybody, the profession that is put up here that there is any moral even, not to say legal, obstacle in a constitutional way of Congress appropriating public funds to promote the general welfare by beginning at the fundamental point of general welfare everywhere, in every country and in every place since history began, is entirely baseless. There is no nation the prosperity of whose people and whose happiness and safety are not measured exactly by the amount of education that the body of that people have.

Now we come to the expediency of the measure. It has been objected that these States, Vermont and Mississippi, South Carolina and New Hampshire, and so on, will steal this money, will squander it, and that the light of life and liberty will not go to the people because the officers of the States will steal the money.

That is a short and brief way of putting it. I do not believe so at all. If it were possible, there is the safeguard which this bill contains everywhere in all its provisions of the oversight of the United States and that the stoppage of any further appropriation is to come if the money is not properly accounted for.

What do we do it for then? I do it in respect of the morning stars of the Northwest that have just come into the Union, in order that they may in the quickest way be aided, augmented in their exertion to make their people intelligent in those simple ranges of intelligence that make citizens capable of defending themselves and of electing wise rulers. I do it for the Southern States, for the aristocracy that now governs them, in order that the friction between ignorance and the intelligence of the aristocracy may be diminished, and that when the poor white and colored man come to know a little more they will see that the landowner and the man of education, the man of property, is their friend and that it is better to intrust him with the administration of local affairs than it is to put it into the hands of any ignorant candidate whatever.

To my brother Republicans I say by just the measure that you increase the intelligence where there is friction, South or North, of the common people, by that measure you enable them to defend their rights in a just and honorable and constitutional way.

I believe my five minutes are up.

The VICE-PRESIDENT. The Senator's five minutes have expired.

Mr. HAWLEY. Mr. President, I had marked a passage in the speech of the Senator from New York [Mr. EVARTS] to comment upon, but had made up my mind that I would not refer to it, and I should not do so except for the speech of the Senator from Vermont. The Senator from New York said:

This bill, as the Senator from Connecticut 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 had but five minutes before said with great respect and with permission of the Senator:

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.

That is as reported here. It should be "educational purposes."

But we are discussing something else here to-day. We are discussing the first measure—

This is what I said was 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.

The Senators from New York then called attention to what is known, to the great honor of the senior Senator from Vermont, as the Morrill act, that which established agricultural colleges. There is no analogy or very slight analogy between the two measures. The Morrill act did not attempt to enter into the established system of common schools at all. It established an entirely distinct institution in each State, an agricultural college, and dedicated to that certain public lands, and then said that afterwards it should be continued in accordance with the legislation of the State. There was no inspection whatever provided for. In this bill here before me the governor of the State is to certify to nine distinct points before his State can receive any money.

In the form of specifications in section 11 there are sixteen points upon which there shall be every year a statement to the Interior Department. There is a board of inspection appointed, because it is declared that it shall be the duty of the Secretary of the Interior to promptly investigate all complaints lodged with him of any misappropriation or discrimination, etc., and in case it be ruled against the governor, upon an investigation, the money shall not be given. It is expressly provided that all complaints shall be investigated.

Now, I call attention to that point especially. All over the country, unless in the South it is different from what it ever has been or different from any other part of the world, there will arise constant complaints of partiality and maladministration. It is the duty of an inferior officer of the Government under the direction of the Secretary of the Interior, it is the duty of the Commissioner of Education to go down or send down into every one of the States and inquire as to whether the governor has truly certified to the Commissioner as to whether the subordinate officers of the State have honestly executed the law. Compare this with the Morrill act, that gave the money forever to the States, dedicated it, and said it must be kept a separate and distinct fund forever, to be expended and honestly governed according to the laws of the Legislature, and put only the indispensable condition into it for the safe conduct of the money. It did not provide for inspection.

The odious feature of this proposed law, and that which in spirit is altogether unconstitutional, is that it sends your Federal subordinates, your men who do not rise to the dignity of whisky gaugers, to investigate the conduct of governors, and I say every subordinate officer would give rise to ten octavo volumes of complaints of unfairness and bad judgment relating to the governor, that the people have been false to their trust and can not have the money for the next year.

Now, I do not say that there is any one point in this bill which upon being carried to the Supreme Court would be ruled as unconstitutional, but there are things beyond the reach of the Supreme Court that are plainly against the spirit of the Constitution and things nominally within the discretion of Congress where the Supreme Court is jealous about crossing the line.

I prophesy, if this bill passes, not eight years and \$77,000,000, but fifty years and a hundred million dollars. Unless the bill shall become so odious that we shall come here early and ask for an extra session to repeal it, I prophesy volume upon volume of incessant complaints that will redouble and quadruple those which followed reconstruction.

The bill is full of that. It is a measure that will breed future controversy everywhere. It is against the spirit of our Government, against our traditions, against our State rights.

I do not want those inspectors. Keep out of my State your secretary of the board of education here. The governor and the people, the town committees, all the school boards, are capable of educating our children, but, whether we are or not, we mean to make the experiment, because we have been a hundred years at it. Keep your hands off and let us do these things. It is better for us—

The VICE-PRESIDENT. The Senator's five minutes have expired.

Mr. BLAIR. I wish simply to say to the Senator that he helped put those features into the bill.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota [Mr. MOODY].

The amendment was agreed to.

Mr. HAWLEY. I move to strike out the word "seven" where the bill says "seventy-seven million dollars," and I do that for the sake of putting an item into the debate which I intended to put in day before yesterday, and I am sorry that I omitted it. It is a mere statement of figures.

Mr. BLAIR. Ought there not be action upon the pending amendment first?

Mr. HAWLEY. It has been agreed to.

Mr. BLAIR. Very well.

The VICE-PRESIDENT. The amendment has been agreed to.

Mr. HAWLEY. I am not going to prolong this debate.

Mr. BLAIR. Let me understand distinctly. Was the amendment moved by the Senator from South Dakota adopted?

The VICE-PRESIDENT. It has been adopted.

Mr. HAWLEY. I move a *pro forma* amendment in order that I may put in the estimate of the probable expenditures and appropriations for the next fiscal year. I have it from the best accessible authorities about this building, and having sent it out for a revision I now present it. This is it:

Estimated revenues \$450,400,000. That includes post-office revenues. *Per contra*, probable appropriations, exclusive of deficiencies, \$323,000,000; permanent appropriations, including sinking fund, \$101,600,000; probable deficiency—a guess, but a guess from the best judges of what it will be—\$31,000,000. That makes on the other side \$455,600,000. But add proposed appropriations reported to the Senate and not included in probable deficiency, return of direct tax, \$17,500,000, which we have passed and sent to the other House; Blair bill, \$7,000,000; French spoliation claims, which the courts have adjudged that we owe, and we owe as truly as we owe our board bills, \$1,742,000.

Mr. BLAIR. Will the Senator—

Mr. HAWLEY. No, I will not stop in reading a column of figures when I have only five minutes.

Naval ships, \$7,000,000; increased pensions, \$35,000,000, as the committee has told you here. This aggregate makes \$68,242,000, and added to \$455,600,000 it makes proposed appropriations \$523,842,000. The estimated revenues being \$450,400,000, there is in view a probable deficit, if that be anything like truth, of \$73,442,000.

Now, that will appear in the RECORD and you can study upon it. You have got to repeal some things and defeat some things and reorganize some things, and stop your reformation of the tariff and stop your reduction if you pass the bill now before you.

Mr. EDMUNDS. Mr. President, I rise to speak to the amendment proposed by the Senator from Connecticut, simply to say that according to my view of these understandings that we have about voting I am not at liberty in moving formal amendments to speak to the general subject, and therefore I make no reply to my honorable friend from Connecticut.

Mr. HAWLEY. I will not be misrepresented by the Senator. With his permission I will state that I moved what I may call a financial amendment, pertaining to the millions to be expended, and the money to be expended next year; and I did not say a word about anything except finances.

Mr. EDMUNDS. I have nothing to say, Mr. President.

Mr. BLAIR. I wish to state—

Mr. HAWLEY. I withdraw my amendment. The Senator can move any other he chooses.

Mr. BLAIR. This is a matter—

Mr. EDMUNDS (to Mr. BLAIR). Let it go, and do not violate the understanding. Let it go.

Mr. BLAIR. I am not violating any understanding. I have not spoken on the pending amendment.

The VICE-PRESIDENT. The amendment has been withdrawn.

Mr. BLAIR. It could not be withdrawn when I was speaking upon it. The Senator can not jump up after I got the floor and withdraw it.

Mr. HAWLEY. Then I will let it stand.

Mr. PLUMB. I rise to a parliamentary inquiry. I should like to ask what was the understanding as to the proceedings to-day upon this bill, and if it embraces the opportunity to indefinitely debate amendments. If it does, then of course there would have to be some order taken about voting, because there might be a good many amendments offered and a good deal of debate.

Mr. BLAIR. Mr. President, it is not probable, it is not possible, that during this session of Congress there can be any appropriation under this bill, because it is provided that the assent of the States through their Legislatures shall be first obtained. It will consequently be impossible that the bill shall go into operation or that there should be any appropriation under it during the present session of Congress.

The VICE-PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment proposed the bill will be reported to the Senate.

Mr. HAWLEY. My amendment is withdrawn? That is the understanding?

The VICE-PRESIDENT. It is withdrawn.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The VICE-PRESIDENT. The question now is, Shall the bill be ordered to be engrossed and read the third time?

Mr. INGALLS. On that question I ask for the yeas and nays.

Mr. PLUMB. I wish to offer an amendment. I move to strike out all of section 2 down to and including the word "census," in line 11, and to insert what I send to the desk.

The VICE-PRESIDENT. The amendment of the Senator from Kansas [Mr. PLUMB] will be stated.

The CHIEF CLERK. In section 2, it is proposed to strike out all down to and including the word "census," in line 11, as follows:

That such money shall annually be divided among and paid out in the several States and Territories, and in the District of Columbia, in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not write bears to the whole number of such persons in the United States, except as provided in the fifteenth section; such computation shall be made according to the census of 1880, until the illiteracy returns of the census of 1890 shall be received, and then upon the basis of that census.

And to insert in lieu thereof:

That such money shall annually be divided among and paid out in the several States and Territories and in the District of Columbia in proportion to their population respectively between the ages of ten and twenty-one years, according to the census of 1880: *Provided*, That all of said money remaining undistributed at the date of the publication of the returns of population according to the census of 1890 shall be divided as aforesaid in proportion to the population between the ages of ten and twenty-one years according to said census.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Kansas.

Mr. PLATT. Will the Senator from Kansas explain just what his amendment proposes?

Mr. PLUMB. The difference between my amendment and the distribution provided for by the bill is this: Under the bill it is to be distributed to the States upon the basis of illiteracy. Under my amendment it is to be distributed to the States upon the basis of population between the ages of ten and twenty-one years. In other words, the people who pay their money would get their aliquot proportion of it back.

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

The amendment was rejected.

The VICE-PRESIDENT. The question is on the engrossment and third reading of the bill.

Mr. INGALLS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HAMPTON (when Mr. BUTLER'S name was called). My colleague [Mr. BUTLER], who is absent, asked me to pair with him; but by an arrangement with the Senator from West Virginia [Mr. FAULKNER] the pair has been transferred, so as to authorize the Senator from West Virginia and myself to vote.

Mr. FAULKNER. My pair with the Senator from Pennsylvania [Mr. QUAY] has been transferred to the Senator from South Carolina [Mr. BUTLER].

Mr. MCPHERSON (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. If he were present, he would vote "yea" and I should vote "nay."

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS], who was unexpectedly called away from the city. If he were present, he would vote "nay" and I should vote "yea."

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM], but I transfer that pair to the Senator from North Dakota [Mr. CASEY]. I vote "yea."

Mr. WASHBURN (when his name was called). I am paired with the senior Senator from Louisiana [Mr. GIBSON], who I understand would vote "yea." If he were present, I should vote "nay."

The roll-call was concluded.

Mr. BECK. I am paired upon the bill and all the amendments, as I understand, with the Senator from Georgia [Mr. BROWN]. I would vote "nay" against the bill in every form, if I were allowed.

Mr. PASCO. My colleague [Mr. CALL] is paired with the Senator from Pennsylvania [Mr. CAMERON]. If my colleague were present, he would vote "yea."

The VICE-PRESIDENT. The vote on the question of engrossment—

Mr. BLAIR (after having voted in the affirmative). I desire to change my vote. I vote "nay."

The result was announced—yeas 31, nays 37; as follows:

YEAS—31.

Allen,	Dolph,	McMillan,	Pugh,
Allison,	Edmunds,	Manderson,	Squire,
Barbour,	Everts,	Mitchell,	Stanford,
Chandler,	George,	Moody,	Stewart,
Colquitt,	Hampton,	Morrill,	Stockbridge,
Cullom,	Hearst,	Pasco,	Teller,
Daniel,	Higgins,	Pettigrew,	Wilson of Iowa.
Dawes,	Hoar,	Platt,	

NAYS—37.

Aldrich,	Farwell,	Jones of Arkansas,	Spooner,
Bate,	Faulkner,	Jones of Nevada,	Turpie,
Berry,	Frye,	Kenna,	Vest,
Blackburn,	Gorman,	Morgan,	Voorhees,
Blair,	Gray,	Payne,	Walthall,
Blodgett,	Hale,	Pierce,	Wilson of Md.
Cockrell,	Harris,	Plumb,	Wolcott.
Coke,	Hawley,	Reagan,	
Davis,	Hiscock,	Sawyer,	
Dixon,	Ingalls,	Sherman,	

ABSENT—14.

Beck,	Cameron,	McPherson,	Vance,
Brown,	Casey,	Paddock,	Washburn.
Butler,	Eustis,	Quay,	
Call,	Gibson,	Ransom,	

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

Mr. BLAIR. I desire under the rule to enter a motion to reconsider the vote just taken, which I now do.

Mr. EDMUNDS. The Senator is entitled to do that within two days. I insist on my motion.

EXECUTIVE SESSION.

The VICE-PRESIDENT. The Senator from Vermont moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and fifteen minutes spent in executive session the doors were reopened.

PUBLIC BUILDING AT BURLINGTON, IOWA.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 954) authorizing the construction of a public building at Burlington, Iowa, and it was referred to the Committee on Public Buildings and Grounds.

J. F. BAILEY & CO.

Mr. CULLOM. I move that a bill reported adversely this morning by the Senator from Maryland [Mr. WILSON], being Senate bill 2931, be placed upon the Calendar. I understand that the Senator from Maryland has no objection to this, as he reported the bill from the committee.

The VICE-PRESIDENT. The Senator from Illinois requests unanimous consent that the action of the Senate by which 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, reported adversely from the Committee on Claims, was indefinitely postponed, may be reconsidered, and that the bill be placed on the Calendar. Is there objection? The Chair hears none, and it is so ordered.

HOUSE BILL REFERRED.

The bill (H. R. 749) for the erection of a public building at York, Pa., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

TRUSTS AND COMBINATIONS.

Mr. SHERMAN. I move that the Senate proceed to the consideration of the bill (S. 1) to declare unlawful trusts and combinations in restraint of trade and production.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. INGALLS. I move that the Senate do now adjourn. The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 21, 1890, at 12 o'clock m.

NOMINATIONS.

*Executive nominations received by the Senate the 20th day of March, 1890.*

SECRETARY OF LEGATION.

Francis MacNutt, of the District of Columbia, to be secretary of the legation of the United States at Constantinople, *vice* Pendleton King, recalled.

UNITED STATES CONSUL.

James F. Ellis, of Wisconsin, to be consul of the United States at Brockville, Canada, *vice* John O. Bridges, recalled.

RECEIVER OF PUBLIC MONEYS.

Edmond W. Eakin, of Blunt, S. Dak., to be receiver of public moneys at Pierre, S. Dak. (a newly established office). A nomination was sent to the Senate February 12, 1890, in which the name of said Eakin was erroneously stated as Edwin.

REGISTER OF LAND OFFICE.

Harlan P. Wolcott, of Garfield, Kans., to be register of the land office at Larned, Kans., *vice* Henry W. Scott, to be removed.

Reuben N. Kratz, of Mitchell, S. Dak., to be register of the land office at Mitchell, S. Dak., *vice* Myron H. Rowley, to be removed.

POSTMASTERS.

James B. Miles, to be postmaster at Helena, in the county of Phillips and State of Arkansas, in the place of Henry P. Grant, whose commission expired March 3, 1890.

John W. Archibald, to be postmaster at Prescott, in the county of Yavapai and Territory of Arizona, in the place of Adoniram J. Head, resigned.

J. Knox Corbett, to be postmaster at Tucson, in the county of Pima and Territory of Arizona, in the place of Calvin A. Elliott, removed.

Frederick G. Diefenbach, to be postmaster at Blue Island, in the county of Cook and State of Illinois; the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1890.

Joseph H. Weeks, to be postmaster at Upper Alton, in the county of Madison and State of Illinois; the appointment of a postmaster for the

said office having, by law, become vested in the President on and after April 1, 1890.

George Woodruff, to be postmaster at Farmington, in the county of Fulton and State of Illinois, in the place of William Marshall, removed.

William C. Adams, to be postmaster at Petersburg, in the county of Pike and State of Indiana; the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1890.

William H. Breeding, to be postmaster at Edinburgh, in the county of Johnson and State of Indiana, in the place of Edwin K. Hosford, resigned; Mr. Breeding having been nominated and confirmed as William Breeding.

Mark L. De Motte, to be postmaster at Valparaiso, in the county of Porter and State of Indiana, in the place of Engelbert Zimmerman, whose commission expires April 6, 1890.

Jonas Myers, to be postmaster at Rochester, in the county of Fulton and State of Indiana, in the place of Andrew T. Bitters, whose commission expired March 12, 1890.

William P. Moulton, to be postmaster at Stuart, in the county of Guthrie and State of Iowa, in the place of Charles H. Berner, resigned.

John Lovejoy, to be postmaster at Rockland, in the county of Knox and State of Maine, in the place of William P. Hurley, whose commission expired February 10, 1890.

Michael Keating, to be postmaster at Centreville, in the county of Queen Anne's and State of Maryland, in the place of Daniel C. Hopper, whose commission expired January 13, 1890.

Charles W. L. Hayward, to be postmaster at East Weymouth, in the county of Norfolk and State of Massachusetts, in the place of Zechariah T. Bicknell, whose commission expires March 29, 1890.

Sumner A. Whitehead, to be postmaster at Eaton Rapids, in the county of Eaton and State of Michigan, in the place of John H. Hamlin, whose commission expired February 8, 1890.

William Cochran, jr., to be postmaster at Milan, in the county of Sullivan and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1890.

Mark L. Doughty, to be postmaster at Farmington, in the county of St. Francois and State of Missouri; the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1890.

Samuel L. Andrews, to be postmaster at Crete, in the county of Saline and State of Nebraska, in the place of Theodore A. C. Baker, whose commission expires April 6, 1890.

James B. Hartwell, to be postmaster at Hastings, in the county of Adams and State of Nebraska, in the place of Griffith J. Evans, whose commission expires April 14, 1890.

Frank E. Helvey, to be postmaster at Nebraska City, in the county of Otoe and State of Nebraska, in the place of Donald MacCuaig, removed.

Henry C. Hammond, to be postmaster at Brockport, in the county of Monroe and State of New York, in the place of John C. Collins, whose commission expired March 18, 1890.

John A. Place, to be postmaster at Oswego, in the county of Oswego and State of New York, in the place of John A. Barry, whose commission expires April 6, 1890.

Jacob Weltmer, to be postmaster at Santa Fé, in the county of Santa Fé and Territory of New Mexico, in the place of Adolph Seligman, whose commission expires April 6, 1890.

Hallum G. Williamson, to be postmaster at Albuquerque, in the county of Bernalillo and Territory of New Mexico, in the place of William A. Walker, whose commission expired January 13, 1890.

Milton B. De Shong, to be postmaster at Ashland, in the county of Ashland and State of Ohio, in the place of Robert W. Cowan, whose commission expired March 1, 1890.

John C. Reid, to be postmaster at Cuyahoga Falls, in the county of Summit and State of Ohio, in the place of Thomas J. Francisco, whose commission expired March 12, 1890.

Maggie L. Carson, to be postmaster at Aiken, in the county of Aiken and State of South Carolina, in the place of James E. Crosland, whose commission expired February 10, 1890.

Joshua E. Wilson, to be postmaster at Florence, in the county of Florence and State of South Carolina, in the place of Edward H. Lucas, whose commission expired March 9, 1890.

Newman C. Nash, to be postmaster at Canton, in the county of Lincoln and State of South Dakota, in the place of John B. Bertrand, jr., removed.

William C. Baquet, to be postmaster at Gonzales, in the county of Gonzales and State of Texas, in the place of Wiley V. Collins, whose commission expires April 6, 1890.

George W. Cotter, to be postmaster at Alvarado, in the county of Johnson and State of Texas, in the place of William B. Norman, removed.

Justin M. Moody, to be postmaster at Waterbury, in the county of Washington and State of Vermont, in the place of George W. Morse, whose commission expired March 9, 1890, and who has resigned.

George S. Smith, to be postmaster at Marion, in the county of Smyth and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October

1, 1888. Richard J. Haller was appointed and commissioned by the President, but his term expired by limitation of the law.

Noyce B. Smith, to be postmaster at Kilbourn City, in the county of Columbia and State of Wisconsin, in the place of Thomas B. Coon, removed.

#### PROMOTIONS IN THE NAVY.

Commander Frederick Rodgers, to be a captain in the Navy, from the 28th of February, 1890, *vice* Capt. George B. White, deceased.

Lieut. Commander Charles M. Thomas, to be a commander in the Navy, from the 28th of February, 1890, *vice* Commander F. Rodgers, promoted.

Lieut. Robert E. Carmody, to be a lieutenant-commander in the Navy, from the 28th of February, 1890, *vice* Lieut. Commander C. M. Thomas, promoted.

Lieut. Henry C. Gearing, junior grade, to be a lieutenant in the Navy, from the 28th of February, 1890, *vice* Lieut. Robert E. Carmody, promoted.

Ensign George H. Stafford, to be a lieutenant, junior grade, in the Navy, from the 28th of February, 1890, *vice* Lieut. H. C. Gearing, promoted (subject to the examinations required by law).

Ensign George R. Clark, to be a lieutenant, junior grade, in the Navy, from the 16th of February, 1890, *vice* Lieut. H. C. Wakenshaw, junior grade, deceased.

Commodore Andrew E. K. Benham, to be a rear-admiral in the Navy, from the 28th of February, 1890, *vice* Rear-Admiral James E. Jouett, retired.

Capt. Joseph Fyffe, to be a commodore in the Navy, from the 28th of February, 1890, *vice* Commodore A. E. K. Benham, promoted.

Commander John F. McGlensey, to be a captain in the Navy, from the 28th of February, 1890, *vice* Capt. Joseph Fyffe, promoted.

Lieut. Commander Albert S. Snow, to be a commander in the Navy, from the 28th of February, 1890, *vice* Commander J. F. McGlensey, promoted.

Lieut. Eugene D. F. Heald, to be a lieutenant-commander in the Navy, from the 28th of February, 1890, *vice* Lieut. Commander A. S. Snow, promoted.

Lieut. Templin M. Potts, junior grade, to be a lieutenant in the Navy, from the 28th of February, 1890, *vice* Lieut. E. D. F. Heald, promoted.

Ensign Allen G. Rogers, to be a lieutenant, junior grade, in the Navy, from the 28th of February, 1890, *vice* Lieut. T. M. Potts, junior grade, promoted (subject to the examinations required by law).

Lieut. William H. Allen, junior grade, to be a lieutenant in the Navy, from the 5th of March, 1890, *vice* Lieut. M. F. Wright, deceased.

Ensign William P. White, to be a lieutenant, junior grade, in the Navy, from the 5th of March, 1890, *vice* Lieut. W. H. Allen, junior grade, promoted (subject to the examinations required by law).

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 20, 1890.*

##### UNITED STATES CONSULS.

Samuel B. Zeigler, of Iowa, to be consul of the United States at Aix-la-Chapelle.

James R. Danforth, of Pennsylvania, to be consul of the United States at Verviers and Liege.

##### SURVEYOR-GENERAL OF LOUISIANA.

Charles B. Wilson, of New Orleans, La., to be surveyor-general of Louisiana.

##### DISTRICT JUSTICE OF THE PEACE.

Joseph W. Davis, of the District of Columbia, to be justice of the peace for the District of Columbia (to be assigned to the city of Georgetown).

##### UNITED STATES MARSHAL.

Alexander Ramsey Nininger, of Alabama, to be marshal of the United States for the northern district of Alabama.

##### SUPERVISING INSPECTOR OF STEAM-VESSELS.

Frank Burnett, of Missouri, to be supervising inspector of steam-vessels for the fourth district.

##### RECEIVER OF PUBLIC MONEYS.

Joseph H. Hughes, of Cheney, Wash., to be receiver of public moneys at Spokane Falls, Wash.

##### ATTORNEY FOR NEW MEXICO.

Eugene A. Fiske, of New Mexico, to be attorney of the United States for the Territory of New Mexico.

##### REGISTERS OF LAND OFFICE.

Reuben N. Kratz, to be register of the land office at Mitchell, S. Dak. Winfield S. Cobean, of Fort Stanton, N. Mex., to be register of the land office at Roswell, N. Mex.

##### NAVAL OFFICER OF CUSTOMS.

John F. Patty, of Louisiana, to be naval officer of customs in the district of New Orleans, in the State of Louisiana.

## PROMOTION IN THE ARMY.

*Fifth Regiment of Artillery.*

Additional Second Lieut. William Lassiter, of the Fourth Artillery, to be second lieutenant, February 10, 1890.

## POSTMASTERS.

Asia Willison, to be postmaster at Creston, in the county of Union and State of Iowa.

Lewis P. Summers, to be postmaster at Abingdon, in the county of Washington and State of Virginia.

John A. Reynolds, to be postmaster at Rochester, in the county of Monroe and State of New York.

John Pittenger, to be postmaster at Washington, in the county of Warren and State of New Jersey.

Miss Ovie Smedley, to be postmaster at Harrodsburgh, in the county of Mercer and State of Kentucky.

William H. Overby, to be postmaster at Henderson, in the county of Henderson and State of Kentucky.

Charles S. Moss, to be postmaster at Franklin, in the county of Williamson and State of Tennessee.

John E. Catlett, to be postmaster at Hannibal, in the county of Marion and State of Missouri.

George G. Briggs, to be postmaster at Grand Rapids, in the county of Kent and State of Michigan.

Elias S. Bedford, to be postmaster at Huntsville, in the county of Randolph and State of Missouri.

John H. Hutchinson, to be postmaster at Taylor, in the county of Williamson and State of Texas.

W. Walker Russell, to be postmaster at Anderson Court-House, in the county of Anderson and State of South Carolina.

Joseph Harris, jr., to be postmaster at Sturgeon Bay, in the county of Door and State of Wisconsin.

Thomas Reed, to be postmaster at Fairmont, in the county of Marion and State of West Virginia.

James A. Davis, to be postmaster at Morgantown, in the county of Monongalia and State of West Virginia.

Richard E. Griffith, to be postmaster at Winchester, in the county of Frederick and State of Virginia.

Eugene W. Davies, to be postmaster at Athens, in the county of Bradford and State of Pennsylvania.

Andrew N. Brice, to be postmaster at Sunbury, in the county of Northumberland and State of Pennsylvania.

Henry H. Williams, to be postmaster at Urbana, in the county of Champaign and State of Ohio.

Jeremiah Kerr, to be postmaster at Greenfield, in the county of Highland and State of Ohio.

Daniel H. Hensley, to be postmaster at Hamilton, in the county of Butler and State of Ohio.

Alfred H. Breese, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio.

John Waller, to be postmaster at Monticello, in the county of Sullivan and State of New York.

George G. Roe, to be postmaster at Clyde, in the county of Wayne and State of New York.

Gottlieb Schmidt, to be postmaster at New Ulm, in the county of Brown and State of Minnesota.

Clark Conkling, to be postmaster at Lyons, in the county of Rice and State of Kansas.

Solomon R. Washer, to be postmaster at Atchison, in the county of Atchison and State of Kansas.

Frederick W. Childs, to be postmaster at Brattleborough, in the county of Windham and State of Vermont.

Charles T. Drake, to be postmaster at Stoughton, in the county of Norfolk and State of Massachusetts.

Charles W. Seyde, to be postmaster at Miles City, in the county of Custer and State of Montana.

Thomas Kelley, to be postmaster at San José, in the county of Santa Clara and State of California.

John G. Joy, to be postmaster at Salinas, in the county of Monterey and State of California.

John Calder, to be postmaster at Willow, in the county of Colusa and State of California.

John Sherman Cady, to be postmaster at Sonora, in the county of Tuolumne and State of California.

Thomas J. Whiteman, to be postmaster at Carrollton, in the county of Carroll and State of Missouri.

Martin K. Barkley, to be postmaster at Nevada, in the county of Vernon and State of Missouri.

Charles H. Talmadge, to be postmaster at West Union, in the county of Fayette and State of Iowa.

Edward B. Cousins, to be postmaster at Audubon, in the county of Audubon and State of Iowa.

William H. Ward, to be postmaster at Salem, in the county of Washington and State of Indiana.

Henry C. Webb, to be postmaster at Bedford, in the county of Taylor and State of Iowa.

## HOUSE OF REPRESENTATIVES.

THURSDAY, March 20, 1890.

The House met at 12 o'clock m. Prayer by Rev. GEORGE ELLIOTT, of Washington, D. C.

## ORDER OF BUSINESS.

The SPEAKER. The Clerk will cause the Journal of the proceedings of yesterday to be read.

Mr. OUTHWAITE. Mr. Speaker, there is evidently no quorum present, and I ask a call of the roll.

The SPEAKER (having counted the House) announced the presence of 75 members.

Mr. OUTHWAITE. I move a call of the House.

Mr. ATKINSON, of Pennsylvania. On that I demand a division.

The House divided; and there were—ayes 53, noes 8.

So a call of the House was ordered.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Abbott,	Carlisle,	Geissenhainer,	Peel,
Alderson,	Carlton,	Gibson,	Phelan,
Allen, Mich.	Carter,	Gifford,	Randall, Pa.
Allen, Miss.	Caswell,	Goodnight,	Reyburn,
Anderson, Kans.	Catchings,	Grimes,	Seney,
Andrew,	Cheatham,	Grosvenor,	Simonds,
Arnold,	Clancy,	Groat,	Skinner,
Atkinson, W. Va.	Clarke, Ala.	Hall,	Smith, Ill.
Baker,	Clark, Wis.	Harmer,	Smith, W. Va.
Banks,	Clunie,	Hayes,	Smyser,
Barnes,	Cobb,	Hemphill,	Spooner,
Bayne,	Cogswell,	Herbert,	Stahlnecker,
Belknap,	Compton,	Hopkins,	Stephenson,
Bergen,	Connell,	Kelley,	Stewart, Ga.
Biggs,	Cooper, Ind.	Kilgore,	Stockbridge,
Bingham,	Cothran,	Knapp,	Stockdale,
Blanchard,	Covert,	Lacey,	Struble,
Bliss,	Cowles,	Lanham,	Sweney,
Blount,	Craig,	Lansing,	Tarsney,
Boatner,	Crain,	Lehibach,	Taylor, Joseph D.
Boutelle,	Crisp,	Lewis,	Tillman,
Bowden,	Culberson, Tex.	Mansur,	Turner, Kans.
Breckinridge, Ark.	Cutcheon,	McAdoo,	Turpin,
Brewer,	Dargan,	McCarthy,	Walker, Mass.
Brower,	De Haven,	McClammy,	Wallace, N. Y.
Brown, J. B.	De Lano,	McClellan,	Washington,
Browne, T. M.	Dingley,	McCord,	Watson,
Browne, Va.	Dockery,	McKenna,	Wheeler, Mich.
Buckalew,	Dorsey,	McRae,	Whitthorne,
Bullock,	Dunphy,	Milliken,	Wickham,
Bunn,	Ellis,	Morey,	Wilber,
Burrows,	Enloe,	Niedringhaus,	Wiley,
Burton,	Ewart,	Norton,	Willkinson,
Caldwell,	Farquhar,	Nute,	Williams, Ohio
Campbell,	Featherston,	O'Neil, Mass.	Wilson, Ky.
Candler, Ga.	Fowler,	Owen, Ind.	Wilson, Mo.
Cannon,	Frank,	Payson,	

During the roll-call the following members appeared and were noted as present in accordance with the provision of the rules:

ABBOTT, ALDERSON, ALLEN of Michigan, ANDREW, BAKER, BANKS, BAYNE, BELKNAP, BERGEN, BLANCHARD, BOUTELLE, BOWDEN, BRECKINRIDGE of Arkansas, BREWER, JASON B. BROWN, BURROWS, BURTON, CALDWELL, CARLISLE, CARTER, CHEATHAM, COBB, COGSWELL, COOPER of Indiana, COVERT, CUTCHEON, DINGLEY, DOCKERY, DORSEY, ELLIS, GROSVENOR, HERBERT, LACEY, LANHAM, LEHLBACH, MCKENNA, JOSEPH D. TAYLOR, WALLACE of New York, and WILLIAMS of Ohio.

Mr. OUTHWAITE. I ask unanimous consent to dispense with further proceedings under the call.

Mr. KELLEY. I shall object, Mr. Speaker, unless I can ascertain whether my name has been recorded as present.

The SPEAKER. The gentleman can make the motion.

Mr. OUTHWAITE. I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. BOUTELLE. I desire to inquire whether the proceedings, having been dispensed with, will be made a matter of record?

The SPEAKER. They will be necessarily a matter of record, but the gentleman, if present during the call, can cause his name to be entered by the Clerk, under the rule.

Mr. MILLIKEN. Mr. Speaker, I desire to know if my name is recorded as present.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

Mr. McMILLIN. My colleague [Mr. ENLOE] is detained from the House on account of sickness in his family.

The SPEAKER. Such announcements are not in order, the proceedings having been dispensed with under the rule.

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

## REPRINT OF A BILL.

On motion of Mr. BUTTERWORTH, by unanimous consent, 300 additional copies of the bill (H. R. 3353) for the prevention of a trust on stock cattle, beef cattle on foot, and the shipping and sale of dressed beef, except on certain conditions, were ordered to be printed.

## PUBLIC BUILDING, BURLINGTON, IOWA.

Mr. GEAR. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 302) and consider the same, with an amendment reported by the Committee on Public Buildings and Grounds.

The SPEAKER. The Clerk will read the amendment proposed by the committee.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fire-proof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, and other Government offices, in the city of Burlington and State of Iowa, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$100,000, which said sum of \$100,000 is hereby appropriated for said purpose, out of any moneys in the United States Treasury not otherwise appropriated.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioners, and other expenses incident to the selection of the site and for necessary survey thereof shall be immediately available.

So much of said appropriation as may be necessary for the preparation of sketch-plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the approval by the Secretary of the Treasury of such site.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Iowa shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

After the said site shall have been paid for and the sketch-plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the balance of said appropriation shall be available for the erection and completion of the building, including fire-proof vaults, heating and ventilating apparatus, elevators, and approaches.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The SPEAKER. The Chair desires to explain to the House that the Senate bill No. 954 on the Speaker's table, as it actually passed, is the same as the amendment which has been read to the House bill.

Mr. GEAR. I ask the adoption of the Senate bill.

Mr. HOLMAN. I think the report should be read.

The report (by Mr. KERR, of Iowa) was read, as follows:

[To accompany bill S. 954.]

The Committee on Public Buildings and Grounds have had under consideration the bill (S. 954) authorizing the construction of a public building at Burlington. They find it to be identical with House bill 302.

Your committee recommend that House bill 302 do lie on the table and that Senate bill 954 do pass.

[House Report No. 417, Fifty-first Congress, first session.]

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 302) for a public building at Burlington, Iowa, report as follows, and recommend the passage of the bill:

Burlington is a city of 30,000 population, situated on the west bank of the Mississippi River, its local business covering a large district in Illinois on the east and Iowa on the west. It is an important railroad center.

During the year 1889, 267,335 cars of freight entered and departed from Burlington, being a daily average of 753 cars. During the year 1889 there was received for distribution at Burlington 283,000 tons of merchandise, and of this there was shipped to the interior 262,000 tons. Over 100 passenger cars arrive at and depart daily from Burlington. The railroad lines running into the city are the Chicago, Burlington and Quincy, the Chicago, Burlington and Kansas City, the Burlington and Northwestern, the Burlington and Western, the Burlington and Cedar Rapids and Northern, the Burlington and Keithsburg, and the Burlington and Quincy.

The manufacturing interests of this city employ over 3,000 hands, and the sales by wholesale houses and manufacturers for 1889 were over \$20,000,000. The gross receipts of the post-office for the year ending June 30, 1889, were \$41,830.05; expenses, \$23,765.62; net revenue, \$18,064.43; percentage of net earnings to expenses, 57 per cent.; salary paid to postmaster, \$3,000; clerk mail, \$1,315.717; money-order business, \$324,003.94; registered mail, pieces handled, 4,230; special delivery, 1,361; number of employes, 11 regular carriers and 3 subcarriers, and 10 office clerks. One hundred and eight postal clerks are employed on lines centering in Burlington, 60 of whom are paid at this city, not including 35 employed on Chicago, Burlington and Quincy Railroad postal service.

The city being the headquarters of the chief clerk for the territory covering the south half of Iowa and parts of Illinois and Missouri, the office of the collector of internal revenue for the fourth Iowa district is located in Burlington. Two deputies, three clerks, and one gauger are employed. The receipts from internal revenue are \$375,000. One surveyor and one deputy surveyor of the customs office are located at Burlington. Fifty-three boats are registered at the port.

The present post-office facilities are inadequate to the business, being one floor 36 by 87 and one storage-room in basement 25 by 40. The internal-revenue office, including vault, is now confined to a space 20 by 55, with storage-room 20 by 60. The customs office has now a room only 20 by 20. In view of the inadequate facilities for transacting the Government business at Burlington, and the importance thereof, your committee are of the opinion that a public building should be erected at that city, and they recommend its passage.

Mr. BRECKINRIDGE, of Kentucky. I ask the gentleman in charge of this bill whether the appropriation is embodied in the bill?

Mr. GEAR. Yes, sir.

Mr. CANNON. I move to strike out the appropriation.

Mr. KERR, of Iowa. I will accept the amendment.

The SPEAKER. The first question is, Is there objection to the present consideration of the bill?

There was no objection.

Mr. CANNON. Now, Mr. Speaker, I move to amend the Senate bill by striking out, in lines 13 to 16, the words—

Which said sum of \$100,000 is hereby appropriated for said purpose, out of any moneys in the United States Treasury not otherwise appropriated.

The amendment was adopted.

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

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

The latter motion was agreed to.

The SPEAKER. In the absence of objection, the bill (H. R. 302) will be laid upon the table.

There was no objection, and it was so ordered.

## PUBLIC BUILDING AT YORK, PA.

Mr. MAISH. Mr. Speaker, I ask permission to call up for immediate consideration the bill (H. R. 749) for the erection of a public building at York, Pa.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise procure a suitable site, which shall leave the building unexposed to danger from fire in adjacent buildings, and cause to be erected thereon, at York, in the State of Pennsylvania, a substantial and commodious public building, with fire-proof vaults, for the use of the post-office and internal-revenue and other Government offices there located, the plans and estimates for said building having first been prepared, examined, and approved as required in section 3734 of the Revised Statutes of the United States, and based upon calculations and specifications that will insure the completion of the building and the purchase of the ground at a cost not to exceed the sum of \$150,000: *Provided,* That no money to be appropriated for said building shall be used until a valid title to the site selected shall be vested in the United States, nor until the State of Pennsylvania shall have ceded to the United States jurisdiction over the same for all purposes, during the time the United States retains the ownership thereof, except for the enforcement of the criminal laws of the State and the service of civil process therein.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. I ask that the report be read first.

The SPEAKER. The gentleman from Indiana asks for the reading of the report, subject to objection.

The report was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 749) for the erection of a public building at York, Pa., having had the same under consideration, submit the following report:

The city of York contains 21,000 inhabitants, and adjoining towns, separated only by the city lines, contain about 4,000 more. It is the center of one of the finest and richest agricultural sections of the Union. In the city are seven national banks, two large car-shops, an immense agricultural implement manufactory, and numerous minor manufactories. There are seventy cigar manufactories in the city and eight hundred in the county, the product of which in 1887 was over 200,000,000 cigars. York is the point where the Northern Central Railroad is crossed by the Frederick Division of the Pennsylvania Central. An independent road is also in operation between York and Baltimore by way of the famous slate quarries, in the southern part of the county.

The amount of internal revenue collected at York from 1883 to 1889 is as follows, namely:

1883	\$423,626.70
1884	441,393.54
1885	452,897.22
1886	555,170.18
1887	614,851.44
1888	628,996.60
1889	682,625.18

The place in which this vast business is transacted is a second-story back room, wholly inadequate for the purpose. There is no vault for the safe-keeping of books, papers, stamps, and other public property.

The accommodations of the post-office are equally unsatisfactory. The office is the dining-room and kitchen of an old dwelling-house, and is entered at an angle of the public square of the city. The office is separated from a store on the one side and rear yards on the other by thin board partitions with cracks that may be seen through. It is an entirely unsafe depository for the public property necessarily accumulated there, and for the valuable correspondence of the people.

The gross receipts of the post-office for the fiscal year ending June 30, 1887, were \$25,327.73; total expenses, \$12,875.56; net revenue to the Government, \$12,452.17; gross receipts for the year 1888, \$26,533.26; total expenses, \$13,877.10; net revenue to the Government, \$12,656.16; gross receipts for the year 1889, \$28,831.21; total expenses, \$13,449.87; net revenue to the Government, \$15,381.34.

In the public square of York, in history commonly called Yorktown, in a building known as the State House, sat the Continental Congress during the

gloomy years of 1777-78. It was there that the articles of confederation were completed and adopted by Congress. There the Conway cabal exploded; there La Fayette came to support the commander-in-chief, and there the board of war guided the Revolutionary struggle under the presidency of John Adams and the secretaryship of Thomas Paine. These important historic events can be appropriately commemorated upon a public building at that city.

Your committee, in consideration of the foregoing facts, recommend the passage of the accompanying substitute for bill H. R. 749, with the following amendment:

Strike out the words "one hundred and fifty," in line 16, and insert instead the word "eighty."

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The amendment reported by the committee was agreed to.

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

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

The latter motion was agreed to.

MARYLAND CONTESTED-ELECTION CASE—MUDD VS. COMPTON.

Mr. COOPER, of Ohio. I understand there is an hour and five minutes remaining on that side and an hour and ten minutes upon this. Am I correct, sir?

The SPEAKER. The Chair understands that that is the fact?

Mr. COOPER, of Ohio. We will hear from the gentlemen on the other side.

The SPEAKER. The gentleman from Maryland [Mr. COMPTON] has the floor for an hour.

Mr. COMPTON. Have I the privilege of controlling that time, Mr. Speaker?

The SPEAKER. The gentleman has that privilege.

Mr. COMPTON. Have I the privilege to control the time? Suppose, for instance, I do not use the whole hour, will I have the right to give the privilege to another gentleman to speak?

The SPEAKER. The Chair understands that is the custom. The Chair understands that there is an hour and five minutes on the right and an hour and ten minutes on the left.

Mr. MILLS. Mr. Speaker, I hope we will have order at the beginning, at any rate.

The SPEAKER. The House will be in order.

Mr. COMPTON. Mr. Speaker, I respectfully ask the attention of this House while I, in a plain, unvarnished way, present for its consideration, as best I can, the facts in this case as developed by the testimony. I shall endeavor, Mr. Speaker, in treating the case to work absolutely within the record, so far, sir, as what I may have to say shall affect the facts in this case. It may be, sir, that I shall ask for some latitude of debate in treating one feature of the case, but only one.

Now, Mr. Speaker, I desire to say to you, and to this House, in the outset that I have but one appeal to make. "Hear me for my cause, and be silent, that you may hear; believe me for mine honor, and have respect to mine honor that you may believe; censure me in your wisdom, and awake your senses that you may the better judge."

Before I proceed, Mr. Speaker, to a discussion of the facts and figures and testimony in the case, I desire to briefly allude to the addresses made on yesterday by three distinguished gentlemen upon the other side. My acquaintance, sir, has been very limited with the distinguished gentleman from Iowa [Mr. LACEY] who opened this debate, but that acquaintance has made a most favorable impression on me. I recognize in him, sir, an accomplished lawyer and gentleman in his manner and in his treatment of his fellows, and I believe a fair and honorable man. But, sir, in justice to myself and to this case I am bound to say that in one statement which that gentleman presented to this House he wandered as far from the truth as he could well have gone—unintentionally, I know.

He stated, sir, that Ed. Pumphreys was a Democratic deputy marshal. The testimony in this case shows that Ed. Pumphreys was a Republican deputy sheriff. Only so much to show, sir, the gentleman, no matter how carefully and critically he may have read the testimony and no matter how fair and honorable was his purpose, he has made a mistake. It is true, sir, that Mr. Pumphreys claimed to be a Democrat, but on the election day, in the first precinct of the third election district of Anne Arundel County, he bore the commission of a deputy sheriff from the Republican sheriff; and, as I shall undertake to show when I come to that branch of the case, he was one of those who sought to give to the Congress of the United States and the Republican committee of this House an opportunity, of which they have availed themselves, to throw out the election in that district.

And now, sir, in reference to the distinguished gentleman from Pennsylvania [Mr. DALZELL], in whom I recognize an accomplished man, a trained orator, and a high-toned, chivalrous gentleman, I want to say that hardly does it become a man occupying the exalted position which he occupies, in the closing remarks of his speech to this House, to call to the attention of his brethren upon that side of the Chamber the fact that I had so borne myself during my service as to win the respect and confidence and good will of many of them, and that that should not be allowed in a controversy like this, where the truth alone is sought to be established, to weigh with fair-minded men in my favor.

Now, Mr. Speaker, with reference to the gentleman from Massachusetts [Mr. GREENHALGE]. I heard that speech, and I regret that I did hear it. I believe from what I have heard of that gentleman that he will live to see the day when he will regret that he made it. Mr. Speaker, the speech of the gentleman is the third one I have heard him make in this House, filled with wit and humor and anecdote. It brought to my mind an anecdote. I heard a story once of a guest at a country inn. When he heard the bell ring, and seeing a servant pass, he called out: "Jim, what bell is that? Is that the first bell?" "No, boss; dat is not de first bell." "Is that the second bell, Jim?" "No, boss; dat is not de second bell." "Well, Jim, if it is not the first bell and if it is not the second bell, what bell is it?" "Well, boss, dat is de second ringing of de first bell." [Laughter.] I have heard three ringings of the first bell from the distinguished gentleman from Massachusetts. [Applause on the Democratic side.]

Now, Mr. Speaker, it might and may be allowable for one to overdo a thing; and it may be, as it was said when he and I were boys, allowable to play to the pit, and here to the gallery; but never, sir, in my poor judgment, is any man ever justified in seeking to arouse the passions of a war long gone past, and which has been forgotten, by appeals to those prejudices and those passions which the memory of that war might inflame.

I have nothing to say, sir, in reply to the gentleman with reference to the provisions of the constitution of Maryland which he so lightly derided. I have nothing to say in defense or justification of the unfortunate occurrence twenty-nine years ago, in the streets of Baltimore, to which that gentleman saw fit to allude. But, Mr. Speaker, I appeal to the old State from which he hails. Has Massachusetts—probably the grandest of all the old Commonwealths, save and except the mother of States across the Potomac—has she at last lowered the standard of her ideas of right and her ideas of what is great and worthy in the estimation of men? What think you, sir, would the shades of Story and of Choate and of Webster say, could they move among the living, and express their opinions of the standard which that gentleman [Mr. GREENHALGE] has sought to set up for the glorious old Commonwealth? [Applause on the Democratic side.]

Sir, she has commanded, and deservedly commanded and received at the hands of the free American people from the day of her colonial birth to the present time, the meed of praise for having furnished some of the noblest specimens of mortality who have ever graced American history. And to-day, sir, her own John Sullivan wears the belt as the chief representative of the manly art in the physical world. [Laughter.] And has it come to this, that Massachusetts has lowered her standard so far as to seek upon this floor to grasp and gain the belt for the fun-making statesman of this House? for, if she has, sir, she has failed. Call him back and send another, for he is a failure. [Applause on the Democratic side.]

Mr. GREENHALGE. I will ask the gentleman if Mr. Sullivan is not a member of the Democratic party.

Mr. COMPTON. I do not know and I do not care. [Laughter.] That has just about as much to do with this controversy as has the suggestion of the gentleman from Massachusetts [Mr. GREENHALGE] yesterday with reference to the riot in Baltimore, and the suggestion that a man ought not to be believed because he would not "mister" a negro.

So much, Mr. Speaker, for what has been said by gentlemen who have spoken upon the other side. Now, sir, I come to the consideration of the facts in this case. Let me say, sir—and if I have lived to this time of life and am not able to establish among those who know me credit for my declaration I had better leave it unsaid—let me say with reference to this seat that if I did not believe, in the court of my conscience and in my judgment and best conviction, that I was elected to it, I would resign it and leave this House without a contest.

And now, Mr. Speaker and gentlemen, I must ask you to pardon me if I read from the record. But first let me say, and gentlemen will recognize the truth of what I say, that I have discovered, very much to my regret and, I am sorry to add, to the discredit of this House, that, as a rule, when an election contest is being considered by the House, a question of the highest privilege, then and there more seats are vacant in this Hall than upon any other occasion. Let me say another thing. As it strikes me, in the discussion of these cases, gentlemen who have addressed the House have assumed that their fellow-members upon the floor were as familiar with the incidents and facts in the case as they were themselves, and have therefore made assumptions and proceeded to statements of the testimony and to conclusions which the vast majority of the House did not apprehend because they had not studied the case. Now, if you will allow me and bear with me while I do it, I will endeavor to lay the foundation for the statements which I shall make before I proceed to make such statements or demonstrations.

Now, Mr. Speaker, what is this case? We claim, and the other side must concede it, that upon the official returns as made to the governor of Maryland, even granting that the votes locked up in two boxes in Charles County are to be counted and added to the result and admitting that it is proper that the votes for "Sidney E." and "S. N." and "Mudd" should be credited to my opponent, and the vote "For Comp-

ton" to me, they must concede to me, I say, on the face of the returns, a clear and undisputed plurality.

Gentlemen may do as they please, and say what they please, and turn and twist this subject as they please until they come to the investigation and production of other evidence, but upon the face of the official returns I am elected to this House and they can not but know it.

Mr. Speaker, what is the first question which arises in this case? It is a question as to the admissibility of the claim that 28 votes not returned in the official return from Calvert County to the governor shall be credited to the contestant in this case.

Now, Mr. Speaker and gentlemen, what does the record say upon that subject? I know I shall probably weary you, but it is your duty to listen and it is my duty to myself and my case to make the statement. Two days after the election in Calvert County the return judges of that county, every individual man of them a Republican, appointed by a Republican board of county commissioners, no friends of mine politically, assembled, as required by law, at the county town of Calvert County, Prince Frederick, and there and then summarized, under their supervision, by the hands of another man, the returns. (I will come back to that presently and show how this testimony has been misrepresented, because this individual who they claim made up this return swears that he never saw the book.) They made up their official return, as I have said, two days after the election and returned it to the governor, showing 1,138 votes for Mr. Mudd.

Now, sir, upon that return we stand and are entitled to stand until the contestant demonstrates that it is defective. Can this proposition be denied by any man who has capacity enough to add a column of four figures?

Now, as to the testimony that is to break down this return—for it will not do, Mr. Speaker, before an audience like this to undertake to break down the official return by newspaper squibs and newspaper almanacs, and the gentleman from Iowa [Mr. LACEY] knows it. On the 6th or the 26th day of February, I do not remember exactly which, but about three months after the election, Mr. Mudd repaired to Calvert County court-house to summon witnesses to show and demonstrate that he had been improperly cut out of 28 votes.

Now, how does he proceed to destroy those official returns? First he calls the return judge of elections in each district, the man who had made the return and sworn to it; and holding one book of the poll, remember (or, observe, gentlemen, there are two books of the poll in every election district in Maryland)—holding one book of the poll he calls the attention of the judge to the figures therein and asks him if those were the figures therein when he made the return two days after the election. His reply is, "Yes." What is that, gentlemen, but an attempt to break down a certificate under oath by the mere memory of the man, which, as you and I know, is as fallible as any attribute of humanity? He does not even ask him what the figures were; he does not produce the other book of the poll; but he relies upon one book of the poll and the memory of the man, without asking him to note the figures.

But, Mr. Speaker, *falsus in uno falsus in omnibus*, and fraud vitiates everything. The law of the State of Maryland is mandatory and must be complied with, or the defect is incurable. In one of the precincts in which he undertakes to show the return on one of the poll-books, you will find, as was so elaborately shown yesterday by my colleague [Mr. GIBSON], that, instead of obeying the law of the State of Maryland and writing out those returns in letters, not in figures, the return is made in figures alone, and not certified by the clerks of election. What was the purpose and the object of the law of Maryland when it said that the returns shall be made in words, and not in figures? To avoid the very possibility of what seems to appear upon the face of this very case, the altering of the figures and the changing of the returns. Yet, upon such flimsy testimony as this, the contestant comes here and asks this House of Representatives to pronounce here and now that those Republican judges, when, two nights after the election, they made this return and swore to it, deliberately perjured themselves.

But, Mr. Speaker, gentlemen on the other side ask me why we did not verify the thing. There was no obligation upon us to do so. We stood upon the certificate, and it was their business to destroy it. We could not be called upon to prove a negative.

Now, I have shown you how they attempted to break down this sworn certificate; let me show you how they might have broken it down had it been possible to do so. In the first place, the very fact that they called for only one book of the polls throws suspicion upon the whole case, suspicion which they can not get rid of.

But, Mr. Speaker, what does the law of Maryland provide? It provides that as soon as the election shall be over the judges and the clerks of election shall make a tabulated return of all the votes cast and they shall deposit one of those returns in the ballot-box; that they shall give to the Democratic watcher and the Republican watcher a copy of those returns, and that the ballot-box shall be delivered to the return judge, with the key in the pocket of the minority judge, a plaster having been placed over the key-hole of the box. This ballot-box and these returns were in the hands of the friends of the contestant, the Republican clerk of Calvert County. Why did not the contestant by a judicial order open that box and show the returns therein in order to prove his claim? Why did he not call upon his Republican

watcher or the Democratic watcher to come to the front and present the return made on the night of the election? But, best of all, with that ballot-box and those votes in charge of his own political friends, why did he not recount the ballots?

Sir, we stand, as I believe, upon absolutely unassailable and impregnable ground, and the contestant has failed to move us from our position. He had the means and opportunity, ample and abundant, had he seen fit to avail himself of it. But he did not do so, and there is but one conclusion and one fair presumption, and that is that he could not have done it.

Gentlemen on the other side talk about the testimony delivered by a Democratic editor of a Democratic paper in the county of Calvert and town of Prince Frederick. My friend said something about "God save the mark" and "Deliver me from such Democrats."

I do not undertake, and will not—because I have no justification and it would be wrong in me to do so—to question the veracity of Mr. Par- ran; but I do not believe in his Democracy, though he voted for me, he says. As I have always understood, he runs the independent paper, whereas the Journal is the Democratic paper. And some of you gentlemen on the other side know whether there is any difference between "Independent" and "Mugwump;" some of us on this side think the difference is between tweedledum and tweedledee.

But, Mr. Speaker, as to the testimony of other gentlemen in this case upon which the contestant relies so firmly for the destruction of this certificate, pardon me while I briefly allude to some of it.

Now, gentlemen, you will find that in the brief of the contestant and in the report of the committee special stress is laid upon what they claim as a fact, that Mr. Augustus Sollers Wilson, the Democratic deputy clerk, footed up the returns for the Republican judges two nights after the election. Now, I ask the attention of my friends on the other side to the testimony of Mr. Wilson, on page 272:

Augustus Sollers Wilson, a witness of lawful age, produced on behalf of the plaintiff, being first by me duly sworn, deposes and says:

Q. 1. Mr. Wilson, it has been stated here that you made the addition for the return judges of the vote for the several districts of this county and made up the returns for the county as a whole therefrom to be forwarded to Annapolis; is or is not that the case?

A. I did.

Q. 2. Will you state how it happened that the returns thus sent by you to Annapolis gave me 28 votes less than the returns filed by the several return judges in the clerk's office of this county?

A. I can't tell how it happened.

Q. 3. Do you know whether or not it did happen?

A. No; I can not say I do know exactly; I never saw the returns after they left here for Annapolis.

Q. 4. Do you know what figures you sent to Annapolis?

A. No; I don't remember.

Q. 5. Do you know what number I am entitled to from the returns from the various districts filed in the clerk's office?

A. I do not know.

Q. 6. Have you ever made an examination of the returns from the various districts?

A. I have made an examination.

Q. 7. Do you know therefrom what is my correct plurality over Mr. Compton in this county?

A. No; I can not say exactly.

This is the witness upon whom more especially than upon any other the committee rely, because they claim he footed up the returns two nights after the election.

Cross-examination by attorney for contestee:

Q. 1. Did you enter in making such returns such figures as were given you by return judges of election?

Now listen, if you please, my friends.

A. I did.

Q. 2. Did not you enter upon the certificate which the law requires the clerk to forward to the secretary of state only such figures and facts as you were directed by the return judges to forward and enter thereon?

A. I did.

Now, mark!

I put only those they told me; I did not see the books at all.

Gentlemen, I pause for a reply, and I hope you will find it; for, unless you do, on that testimony your case is gone in the estimation of any fair-minded man living on God's habitable globe.

But this is not all. I do not propose and would not for any consideration knowingly do any man any injustice; and I will read his testimony to the end:

Q. 1. Did you send on to Annapolis any certificate purporting to be the clerk of the court's certificate to the returns from this county?

A. I do not think I did the clerk's certificate; I sent on the returns of the judges of this county.

Q. 2. Mr. Wilson, didn't you tell me down-stairs to-day, in the presence of Mr. Dowell or Mr. Dowell standing near, that the returns sent on by you to Annapolis were a mistake and that those in the clerk's office were correct?

(Objection entered to the question.)

A. I did say so, and they are not correct unless they correspond with the books in the clerk's office—

which he had sworn three minutes before he had never seen. It will not do for my friend from Pennsylvania to shake his head, for that is the record.

Mr. DALZELL. If my friend will allow me, He simply testified—and he should be fair enough to state it—that at the time of making the returns he did not have the book and had not seen the book, but he took those returns as read off to him by the judge. There is nothing in the testimony to warrant the inference he had not seen the book since

that time. The testimony proves and confirms the accuracy of the returns on the books.

Mr. COMPTON. Let us see.

Int. 3. Do you mean to say, then, that the books in the clerk's office, as they are to-day, are the correct returns for this county?

A. I certainly do think they are correct, sir.

Does he swear to it?

I think they are correct.

Here is a witness whom you claim to have made an unequivocal asseveration as to the truth of the returns, and he tells you he thinks so.

And listen to this:

Recross-examination:

Q. 1. In answer to interrogatory No. 3 you stated that the books now in the clerk's office contained the correct returns. Do you know this of your own knowledge or did you mean to state that the books of to-day contain the same entries as they did on the day they were returned by the judges of election?

A. To the best of my knowledge they contained the same entries.

Mr. GREENHALGE. What else could he say?

Mr. COMPTON. What else could he say! If he had knowledge he could have sworn to it.

Mr. GREENHALGE. He does, to the best of his knowledge.

Mr. COMPTON. Now listen to the clerk who had these returns in his actual physical possession, in his hands and under his eyes, all the time. This is the testimony by which these gentlemen seek to break down certificates signed under oath by four judges of election:

Q. 5. Do the returns now in your office contain the same figures as to my vote and that of Mr. Compton that they did when filed by the return judges in your office?

A. I feel sure they do.

Did he not know? What is he talking about feeling sure? I feel very sure the sun is shining, but I am not out of doors and can not swear to it. He was in possession of positive knowledge, and could have sworn to it; but he says, "I feel sure" of it. It is an evasive answer. It was his duty to know.

I can not go fully into the subject, as I would like to. There is much that might be said on this point, but I will only take the salient points and make as best I can a statement to bring them to your attention.

Now, I deny that any testimony sufficient in the estimation of any man who knows how to weigh testimony, although he be as I am, no lawyer, has been adduced to invalidate or destroy the original certificate made by the Republican judges in this case.

Gentlemen, the feature in this case is that of the recount, and the attorney, the astute, suspicious attorney upon the other side, who personally, I know, plays under the mask of a civil-service reformer and is an uncompromising and a most violently prejudiced Republican, sought in vain to throw suspicion upon it. I say it within the hearing of my colleague, his representative, and I do not believe he will question the loyalty, the true, uncompromising Republicanism of Mr. Rose.

Mr. GREENHALGE. Is not the chief reason for your attack upon Mr. Bonaparte the fact that he is not here?

Mr. COMPTON. I have not made an attack upon Mr. Bonaparte. What has come over the spirit of the genius of the gentleman from Massachusetts? [Laughter.]

What does the gentleman mean? He seems to be astray on every point. I have not mentioned Mr. Bonaparte's name. He was only counsel to appear before the committee for the purpose of making a little speech. Mr. Rose was the counsel in the case. Has not the gentleman read the record?

Mr. GREENHALGE. Then I will put the same question in regard to Mr. Rose. Is not the chief reason that you make an attack upon him because of the fact that he is absent?

Mr. COMPTON. Is it an attack on a man to say that he is a pronounced Republican? [Applause on the Democratic side.] I do not say that I do not respect the man who is a pronounced Republican.

Mr. GREENHALGE. Then it is the first declaration of fact you have made during the discussion of the case. [Derisive laughter on the Democratic side.]

Mr. COMPTON. Well, the House can take your word for it. I am content.

Now, as I have said, the next feature is the recount, and I was about to say that Mr. Rose, who prepared the brief of the contestant, and I repeat it now, that Mr. Rose masks in the guise of a civil-service reformer when he is a Republican. (I do not quarrel with him for his Republicanism, but I quarrel with him for his civil servicism. [Laughter.] Can the gentleman distinguish?) Mr. Rose drew the brief of the contestant in the case, and lays special stress upon certain queries which he injects there, and the gentlemen representing the majority of the committee have followed to a certain extent his illustrious example as to why the recount was made in certain precincts and not made in others.

Now, I will tell you. First, because an honest Republican clerk of election in the gentleman's—the contestant's—own county said on the day after the election that in the ninth district of Charles County a vote had been counted for contestant to which he was not entitled. Was I not justified in recounting that box? I recounted the box in the first precinct of the first district of Baltimore County, because a Repub-

lican friend who was in the room on the night of the election with a Democratic friend by his side said to me that as the count progressed that night "we counted a vote for the Prohibition candidate for Mudd, by mistake, and it was tallied, but agreed when the count was concluded that it should be corrected." In the hurry, however, and confusion of the count the correction was forgotten and was not made. Was I not justified in recounting that box?

I was told by a Democratic friend that a gentleman in the sixth precinct of the fifteenth ward had given him the word of a man whose word he never questioned that he and others had cast their votes for Harrison and the Republican electors and for me for Congress, and, more than that, I was put upon my guard with reference to those who counted the votes in that and in the other precincts. Was that not justification and reason sufficient for recounting those districts? And in every single case but one, Mr. Speaker, in every single instance but one the result was verified by the recount.

And now, gentlemen of the committee, I ask your attention; I appeal to your candor; I appeal to your sense of right and justice. In a precinct in the sixteenth ward there were two poll-books of return. There they are in the record. One of them showed 223 votes for Mr. Mudd and the other showed 222 votes for him. Now, as candid men, tell me, if you please, when the recount confirmed the 222 votes, why you persist in counting 223 for Mr. Mudd.

Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER. The gentleman has thirteen minutes of his time remaining.

Mr. LACEY. Before the gentleman from Maryland proceeds, let me say that the committee simply followed the recount as it appeared, and allowed whatever it might have.

Mr. DALZELL. The committee allowed the whole recount.

Mr. COMPTON. But your mistake is in counting the other column—223 votes—for Mr. Mudd.

Mr. DALZELL. We allowed the recount.

Mr. COMPTON. Oh, that is all plain, my friend. He knows that if he gives me 1 vote on the recount and still gives to my opponent the 223 votes that it is an act of injustice to me, and that the vote which he does allow me does no good.

Mr. LACEY. If it was so, it was a mere clerical mistake.

Mr. DALZELL. In the summing up of the case that I made before the House on yesterday I gave the gentleman the benefit of every single solitary vote claimed by the minority of the committee and by his counsel before the committee in connection with the recounts.

Mr. COMPTON. That was the basis of the recount, and, though they endeavored, they sought in vain to break it down, both counsel for contestant and the Committee on Elections, and justice has forced them to confess that the recount is absolutely unassailable and impregnable, and they did it, I am sorry to say, reluctantly.

Now, then, there is no dispute about the 19 votes given to me by the recount. The next condition of things to which I would ask your attention is as to a number of votes claimed to have been improperly registered on both sides of this controversy and a number allowed by that side—or the committee on that side—and the number denied to him by the committee, as well as the number claimed by the contestant and refused by the committee. Now, this is a question of law, and, as I have already said and as I presume is well known to the House and my fellow-members on this floor, I am no lawyer.

The SPEAKER. The Chair begs to interrupt the gentleman from Maryland to say that in the estimate of time remaining to the gentleman the Chair did not include the five minutes beyond the hour allowed by unanimous consent.

Mr. COMPTON. Then how much time have I now remaining?

The SPEAKER. The gentleman now has fifteen minutes.

Mr. COMPTON. I must hasten on. This, I say, is a question of law, a question of Maryland constitutional law, which the great successor of Webster deals with so lightly and of which he thinks so little. But the constitution of the State of Maryland, which is the organic law of the State and can not be abrogated or broken down at will, thank God, so long as there presides in the center of this Capitol an honest, fearless Federal Chief Judiciary, even by the sophisms of the distinguished lawyer from Massachusetts—the constitution of the State of Maryland makes registration a qualification for a voter—not only a qualification, but a prerequisite—and provides that the Legislature of the State shall pass a registration law in conformity with the provisions of the constitution. That the Legislature has done; and I respectfully submit to any lawyer that, in view of the constitutional and local provisions of the statute-book of the State of Maryland, this honorable House of Representatives can find no authority under the Constitution or decisions of the Federal courts in this country to justify them in going behind the State statutes. But, Mr. Speaker, I know that our friends inject a vast amount of India rubber into that instrument. And I fancy I see plodding through their minds and their consciences the declaration which they deem an unanswerable reply to the declaration which I have made, that this House is the absolute judge of the qualifications and returns of its members.

Mr. Speaker, while it is, it is so under the limitations of constitutional provision. No man, no lawyer or man who professes to be a

lawyer, and no layman of ordinary capacity would undertake to read and construe one provision of the Constitution except in the light of adjacent and other provisions of that Constitution. Now, sir, I come (and I am sorry to say that I have no further time) to what I know my friends upon the other side construe as the turning-point and the conclusion of the whole question in controversy in this case, and that is the reported condition of things in the first precinct of the third district of Anne Arundel County.

Now, Mr. Speaker, the gentlemen upon the other side understand this question as well as I do. They know they are upon thin ice in the Calvert County matter; they know they are on thinner ice in regard to improperly registered voters; and therefore they are reduced to the desperate expedient of taking out 200 votes in the election district in Anne Arundel County, or they can not stand before an intelligent people and ask that the seat to which I was elected be given to the contestant in this case. Now, Mr. Speaker, I wish I had time. As I said in the outset of my remarks I propose to deal with the facts in this case and abide and stand on the record, but upon one general proposition connected with it I wish to take a little latitude. It was upon this question of intimidation of colored voters and the general proposition that I desire to address myself earnestly to my friends on the other side of this House, but I fear the time will be denied me.

I could a tale unfold, gentlemen of the Republican party, in connection with this question, keeping justly and rigidly within the pale of truth, as I have endeavored to do within the pale of this record, and open the eyes of any man from your section who is, as you must be, personally unacquainted with the true condition of things in the section of Maryland from which I come; but, as I said, the time is denied me.

Mr. WASHINGTON. Take the time.

Mr. COMPTON. Now, Mr. Speaker, I wish I could take the time, but I am not the master of the time. Upon what testimony and upon what kind of testimony do our friends upon the other side rely for this claim of intimidation of 175 colored voters, and the justification which they find therefor in throwing out this election precinct? First, sir, they produce the Republican return judge, and I undertake to say here, and I would say it if he stood there, because the record justifies me in saying it, that a swifter witness to perjure himself never stood on any stand. I say it deliberately, and I appeal to the record.

What did he say and what did he do? He was there during the entire day. He remained in the room with his associates and the clerks during the entire day. He had the power under the law of Maryland to summon the posse comitatus and command the peace. What did he do? He did not allude to the fact of anything wrong outside of the room, because he had no knowledge of any wrong, though he had two eyes and two ears and an open window between him and where the said wrong was done. And after the poll was closed the ballot-box was opened, and that return judge there and then with his associates counted the ballots, next day took them to Annapolis, and there in the presence of Major Howard and his clerk announced to him that the election the day previous was a perfectly fair and quiet one, and no trouble about it.

What does he say on cross-examination? When asked if he did not know that as judge of election he had the power under the law to command the peace, he said no; he knew nothing about that. When asked if he had ever served as judge of election before, he said he had never served as a judge of election before; and out of the mouth of his own associates in the room, and a crowd of responsible and respectable witnesses outside of it, it is proved that the man had served three times as judge of election, and on one occasion he had refused to sign the returns.

And as to Jubb, the other judge of election. His animosity to me and his character were enough to break his testimony.

And now let me call your attention to the testimony of one of the contestant's own witnesses in this case. He called Mr. John Williams and asked Mr. Williams if he would believe Mr. Hines and Mr. Jubb upon their oath. Mr. Williams said:

I do not know why I should not.

Then he was asked:

Then, Mr. Williams, if these gentlemen made a statement under oath to a certain set of facts and other named gentlemen made a statement of a different set of facts, what would you believe?

He answered:

I would believe the others as against Hines and Jubb.

Now, as to Mr. Hall. I have nothing to say against Hall except that he was a man whose dignity was easily offended.

Mr. Speaker, our friends on the other side talk about intimidation. The record brings out the fact which we in Maryland, and especially in my district, all had knowledge of, that only two years before the election in question these poor, "timid" colored men who, gentlemen tell us, obey the lash and the dictates of their former masters—one of these "timid" colored men brained a white man and killed him in his tracks right at the very window where this election was held. The testimony in this case shows that but one single man, and Hall himself swears he was a small man, interfered with any voter there, and

Hall does not say the man pulled him out of the line; he simply says that he tore his ticket in halves.

Now, what do we find in this record? Numbers of these colored men—and I ask the privilege of putting the testimony upon this point into the record—numbers of these very colored men unqualifiedly swear that they saw nothing to stop them from voting except that Brother Hall told them not to vote. But, Mr. Speaker, there is one feature of this case that I want to present and to drive home to the minds of gentlemen upon the other side, and it is this: I charge right here and now that the testimony in this case shows, and it is demonstrable from the record, that there was a conspiracy there between the colored people and the Republicans to have that district thrown out. Four or five men who had repaired from the election to Mr. Armijener's store, when asked by him if they had voted, innocently answered, "No, we have not voted; Brother Hall told us not to vote; we are going to throw the district out;" and the testimony to that effect comes out from the mouths of more than one witness on the stand.

Now, as to Ed. Pumphrey; my friend from Iowa [Mr. LACEY] describes him as a Democratic deputy marshal, and they ask why we did not summon him. Mr. Speaker, we did summon him and he declined to appear. We summoned him the second time and he came in such a condition that we could not put him on the stand. We then asked the other side to summon him; they dared not do it, because he was the go-between between the shrewd Republican sheriff of the county and the leaders there who, in connection with Hall and under instructions, sought to prevent the colored men from casting their votes in order to have a pretext for throwing out the district. We believed that we could drive him to the wall and prove the fact from his own lips, and we tried to get him, but he would not come, and the other side did not dare to summon him.

And Jubb (the judge), after saying there were about one hundred colored people at the window when the two men were pulled out (he says two or three), testified (page 60) as follows:

Q. How long after the colored men had been pulled away was it that Bill Hall told all the rest of the colored men, you say maybe a hundred, to go away?

A. The darkies seemed disposed to go to the window until Bill Hall said that, and then they left.

Q. The other colored people were disposed to go up and vote, and Bill Hall said that they had better go away, and they took Bill Hall's advice?

A. They were disposed to hold their ground.

Q. Until Bill Hall told them that?

A. Yes, sir; and then they went home.

Q. They appeared to take his advice?

A. Yes, sir; they moved off.

Elijah Richards (page 207), contestant's witness:

Q. How near to the polls did you get?

A. I suppose I got within about 5 feet of the window or door or whatsoever it is.

Q. Why didn't you vote?

A. The reason I didn't vote the time that I tried to get upon the window there was a little scrimmage made and they all came away from the window and I followed the crowd out.

Q. What sort of a scrimmage was it?

A. There was one young man got hold of another colored man there and threw him away from the door and told him he didn't vote there; he didn't belong in that precinct at all.

I. E. Cephas (page 119), contestant's witness:

He was asked why he did not vote, and he said in reply that he saw the vote of Hall was objected to, and they saw Hall could not vote there; he thought he would get away, and Hall said he did not think the votes would be anything if he did vote. Cephas then added: "Gentlemen, I did not see no danger; I didn't see no threatenings and no guns or anything of that kind."

J. J. Tankard (pages 106, 107), witness for contestant.

After giving the distance he was from the polls, he was asked:

Q. Why did you not go closer?

A. Well, sir, I started, and William H. Hall was ahead of me, and I saw they tore his ticket in two in his hand, and he said: "Men, leave the polls!" and with that all turned off and left the polls.

Q. And you heard Hall say, "Leave the poll, leave the poll?"

A. Yes, sir; after the men tore his ticket, and he said, "Men, leave the poll, leave the poll."

Testimony of Samuel Henson, colored:

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 man 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. Then you left?

A. Yes, sir.

Q. Did anybody interfere with you or say anything to you?

A. They did not, sir.

Q. Did anybody trouble you?

A. No, sir.

Q. Did anybody threaten you?

A. No, sir.

Q. You say he, the head captain. Who is that?

A. Yes, sir; our head captain is Mr. Hall.

Q. Which Hall?

A. William H. Hall—old man Bill Hall.

Q. And he is the head captain?

A. Yes, sir.

Testimony of J. E. Wright, colored:

Q. How near to the polling place did you get?

A. I got up to the polls.

Q. Did you vote?

A. Yes, sir.

Q. You voted, then?

A. Yes, sir.

Q. What hour was it that you voted, do you know?

A. I do not know, sir; I am hardly prepared to tell you what hour it was, but it was in the forenoon.

Q. When the polls first opened?

A. Pretty much when they first opened; yes, sir.

Q. Were you there when Mr. Hall was pulled away?

A. Yes, sir.

Q. Had you voted before that?

A. No, sir; I just came up behind him after he was pulled away.

Q. And you got your vote in?

A. Yes, sir.

Cross-examination.

By Mr. STANLEY:

Q. You say you voted there after Hall was pulled away?

A. Yes, sir.

Q. Did anybody try to stop you from voting?

A. No, sir; not me.

Q. And they did not interfere with you at all, then?

A. No, sir; they didn't say any word to me at all.

Q. And you went there and voted?

A. Yes, sir.

Q. Could other people have voted there if they had wanted to?

A. Yes, sir; there was an objection made at the same time I voted; but still I ventured it.

Q. You were determined to vote and you voted?

A. Yes, sir.

Q. What sort of a confusion was there?

A. Well, there was a good deal of them talking, I don't know what they were talking about, right at the window where they handed the tickets in.

Q. Some one told you something?

A. They never told me nothing, and I asked no questions any more than what I seen; an interruption and the talking of them men, and some of them said there was a confusion, and some said they were rejecting the votes, and would not take tickets.

Q. So you went away?

A. Yes, sir; I went away and went home. I came down there about 8 o'clock and at half past 9 I left the polls.

Q. You didn't offer to vote?

A. No, sir; I had a ticket in my pocket.

Q. You saw no fighting?

A. No, sir; I didn't see no fighting.

And now, Mr. Speaker, what conclusion do the gentlemen upon the other side reach in reference to this district? Why, sir, they reach the very logical conclusion that because 175 colored men failed or refused to vote, made no effort to vote, did not try to vote, therefore 200 other men who did try to vote and who did vote should have their votes thrown out and not counted. I want to put one simple question to these gentlemen. I do not mean any reflection, I do not mean anything unkindly, but I ask you gentlemen, honestly and squarely, to come around a corner here with me and tell me whether, if there had been 168 votes for Mudd and 32 votes for me instead of 168 for me and 32 for Mudd, you would ever have thrown out that district. [Laughter.] Now, answer that question—just a whisper between you and me. [Laughter.]

Is not that the milk in that coconut? Is it not because you know that unless you do throw out that district this seat, to which I was honestly elected, is mine and can not be taken from me?

The SPEAKER. The time of the gentleman has expired.

Mr. COMPTON. I appeal to the House to indulge me for three minutes longer.

Mr. MCCOMAS. Mr. Speaker, I ask unanimous consent that the gentleman be allowed the time he desires.

Mr. STOCKBRIDGE. I make the same request, Mr. Speaker.

There was no objection, and it was so ordered.

Mr. COMPTON. I only want to say, after thanking my colleagues [Mr. MCCOMAS and Mr. STOCKBRIDGE] for the request which they have made in my behalf, that I suppose the guillotine is ready and the ax is sharpened. If that is so, sir, the victim is ready, and while he will fall with the hot breath of an earnest protest upon his lips, he will fall without a quiver. I am made, I hope to God, of that kind of stuff which does not know how to—

\* crook the pregnant hinges of the knee  
Where thrift may follow fawning.

[Great applause on the Democratic side.] I would not flatter Neptune for his trident or Jove for his power to thunder.

Thank God, sir, I will resign and leave this office, as I have every other that I have ever filled, with clean hands and a conscience void of offense towards any one. [Applause.] I have sought, and if, as my friend from Pennsylvania [Mr. DALZELL] said, I have won, the respect and esteem of gentlemen on the other side, I am proud of it; I have a right to be proud of it, for I have won it at no cost of principle.

But, Mr. Speaker and gentlemen, make no mistake. I am a Democrat of the strictest sect. [Applause on the Democratic side.] I believe, and I know that every honest and fearless and honorable man will give me credit for it, and for the others I care nothing—I believe, in my cool judgment and on my conscience, that the preservation of American liberty, of the rights of the American people—all of them, not black

only, but white, too—depends upon the enforcement of those principles which are inscribed upon the platform and record of the Democratic party. [Applause.] The motto on that flag as I see it borne aloft and always in the front, high, advanced, inscribed thereon, "Justice to all and special privileges to none," is the shibboleth under which I propose to live and die. [Applause.]

Now, Mr. Speaker and gentlemen of the House, I take my seat, believing and knowing that my account here, as best my poor abilities have enabled me to perform my duties, is settled, square and correct, here and yonder. I ask naught of man but what as an honest man I am entitled to. Justice is all I ask. And what I say to you in conclusion is simply this: *Fiat justitia, ruat cælum.* If I am entitled to the seat, be men enough to give it to me; if I am not, on your consciences, I have no fault to find.

I return, sir, to a people whose confidence and affection, thank God! those of them whose good will is worth having, I feel in my heart of hearts I have and hold to-day; to a humble and unpretentious home where, thank God! happiness prevails. I go, if go I must, without a regret, because I have no self-reproach; and I tell you here and now, "exiled, more joy" I shall feel than any tin Cæsar, with a whole House of Representatives at his heels. [Loud applause on the Democratic side.]

Mr. COOPER, of Ohio (after a pause, during which members on the Democratic side were crowding around Mr. Compton to extend their congratulations). Mr. Speaker, if the exercise of passing by and viewing the remains at this funeral is over, I would like to yield thirty minutes to my friend from Maryland [Mr. MCCOMAS].

Mr. MCCOMAS. Mr. Speaker, this is, as my colleague [Mr. Compton] has admonished the House, an important and serious question, but not to be decided by the eloquence with which my colleague has argued his own cause. Possessed of a warm heart and an intrepid spirit, he has urged that view which I am sure he honestly and wholly believes, that he was elected to the seat he fills. And if it be otherwise, Mr. Speaker, every generous-minded man must concede to him sincerity of spirit behind the fervor and the fire of his deliverance with respect to this controversy. But, upon this record and upon the reports and briefs which I have read and carefully considered I believe that my colleague was not elected on the face of all the precinct returns.

I find that Mr. Mudd was elected. I believe he was elected on the face of the returns by a plurality of 2 votes; that he is therefore entitled to the seat held by my colleague Mr. Compton.

If we go behind the returns after rejecting votes improperly counted and count votes improperly refused, Mr. Mudd was elected by a strong plurality.

The clear plurality on the face of the returns and upon the revision of the ballots is swelled to a plurality of more than 150 when we consider the transactions at the election in the first precinct of the third district of Anne Arundel County, justly thrown out by the majority of the committee because of the intimidation there practiced, intimidation which my colleague, the sitting member, is in no way responsible for and had, I am sure, no knowledge of, but which no longer should deprive Mr. Mudd of the seat to which he was elected.

I say that Mr. Mudd was elected on the face of these returns because the tabulations of all the precinct returns of all the Congressional district show that fact.

The only answer made to this tabulation is that from Calvert County, the returns sent to the governor only allowed Mr. Mudd 1,138 votes instead of 1,166 votes actually received by him. That Mr. Mudd did receive 1,166 votes in Calvert County is not only sworn to by the return judges from every precinct in that county, but proved by due certification by the clerk of court of the very returns signed by them and filed in the clerk's office of Calvert County two days after the election.

It is significantly affirmed by two newspapers, whose editors, standing by when the official count was made by the return judges, printed the returns in the two papers, one of them, at least, Democratic—the papers I now hold in my hand—one of them, as I understand, being edited by the counsel of the contestee; printed in the daily papers of Baltimore at the time, and promptly reported by the clerk to the governor when he wrote to the governor that the correct vote was 1,166, and asked the leave of the governor to correct this clerical error.

I have not found in the record a particle of proof denying that Mr. Mudd received these 28 votes taken from him by a clerical error. The minority report does not pretend that Mr. Mudd did not receive these 28 votes. This House will not deny him these votes as set out in the returns of the precinct judges here in this record. Thus, when we vote on the face of the returns, Mr. Mudd is the elected member, and the burden of proof is upon the contestee, Mr. Compton, to oust Mr. Mudd, under a familiar rule adopted by Congress.

I know that my colleague [Mr. GIBSON], in his speech yesterday, talked about the figures 379. If my friend has found anywhere in the returns the figures 379, as a correction of any of the precinct returns I hold in my hand, he can have thirty seconds of my time to show what page of the record it is on.

Mr. GIBSON. I made the statement then, and I make it to-day, that there was a forgery of the figures in the second precinct of the first election district of Calvert County—

Mr. McCOMAS. What part of the record proves your charge?

Mr. GIBSON. A forgery which is apparent from the record itself, because of the fact that it is only by the combination of the figures 379 and the other figures to which my colleague has alluded that there was a possibility of those five judges and two clerks adding up 1,138.

Mr. McCOMAS. Very well; then my friend finds 1,138, and because the figures on the precinct returns do not correspond with the 1,138, he goes back and says that some combination of figures (I am not talking of combinations; I shall talk of conspiracies presently)—that the combination of figures which he makes must squeeze the actual, true figures so as to correspond to the clerical error—

Mr. GIBSON rose.

Mr. McCOMAS. I can not yield further. My friend, in his endeavor to force down the majority, hits arbitrarily upon that precinct in that election district, and says, "These figures should be 379 instead of 407."

Mr. Speaker, there it stands. The President received 391 votes. Mr. Mudd ran a few votes ahead of that and received 407 votes.

But my friend says you must press and crush these figures into a smaller compass. My friend is an imaginative man. He has been led astray in this matter by visions. He has been dreaming. If he had gone on a summer trip instead of being engaged in this case he might have seen the sea serpent. [Laughter and applause.] If he had gone to the mountains he would have fancied faces and forms on every cliff. In every storm my eloquent friend would find a banner in the sky. It is this high imagination which causes these fancies and peoples for my friend the universe with strange but non-existent things. [Renewed laughter.] And thus my friend imagines these 379 votes. They are not in the record. They are not in the case, nor anywhere save in the perturbed and distorted fancy of my colleague [Mr. GIBSON]. Adding the votes of S. N. Mudd, S. E. Mudd, and Mudd, adding the vote wrongfully taken from Mudd, they make up 1,166; and no living witness has been brought to assail the verity of those official returns. Take the official count, take the official returns as filed by the proper officers; there they are, as they stood on the night of the election, as they stood on the day the return judges made them, as they stood when the proof was taken. They prove themselves and they make up 1,166 votes. When you add the three votes for S. N. Mudd and S. E. Mudd and Mudd there is a plurality of two on the face of the precinct returns upon which the contestant was in truth entitled to his seat upon this floor one year ago.

Mr. GIBSON rose.

Mr. McCOMAS. I have not the time to yield.

Mr. GIBSON. I will take but ten seconds. Explain why it is in this precinct, where I charge forgery, it is the only precinct in Talbot County where the two attesting clerks do not certify.

Mr. McCOMAS. Where does my colleague find that?

Mr. GIBSON. Do you understand that?

Mr. McCOMAS. I have not time to yield further. But if my friend wants an answer he shall have it.

Mr. GIBSON. Explain it if you can.

Mr. McCOMAS. There were three judges, and all the judges called swore the returns were correct. The clerks were then living. Living men could have been called. If that return was fraudulent living men could have been called to prove it. But no man was called to prove it. The minority report does not show it. Yet upon that shred Mr. Mudd, the contestant in this case, has been deprived of a seat upon this floor when he was entitled to it by having a majority of the votes on the precinct returns.

Mr. CRISP. Does the gentleman say those returns show the correct vote?

Mr. McCOMAS. I do.

Mr. CRISP. Does not the gentleman know that Compton was deprived unjustly of 19 votes, and if they had been included in the returns, conceding everything you say, Compton would have had a majority.

Mr. McCOMAS. I deny that there was a recount of that box.

Mr. CRISP. I mean of the whole district. You are attacking the face of the returns.

Mr. McCOMAS. I am.

Mr. CRISP. I say the votes making the return do not show the true vote.

Mr. McCOMAS. Does the gentleman say there is a scintilla of proof on the part of any living man that the total vote in that county was not 1,166 votes?

Mr. CRISP. I am talking now about another thing. The gentleman is talking—

Mr. McCOMAS. But that is my question, and I have been talking of the vote in Calvert County.

Mr. CRISP. But you say that on the face of the returns the contestant ought to have had the certificate of election. Now, I ask you if you do not know that these returns do not show the true state of the vote as admitted by the committee?

Mr. McCOMAS. Now, the gentleman does not answer my question, and I will give him 10 seconds of the brief time I have to do so.

Mr. CRISP. But the gentleman has switched off from his question, and so I have asked him one which I would like to have answered.

Mr. McCOMAS. My question was a very simple one, but it seems hard for the gentleman to answer. I say that the total face of the precinct returns in this county as footed up in this table showed 1,166 as the true actual vote. I asked the gentleman to show the error in that.

Mr. GIBSON. I will answer the gentleman's question, if he will permit me.

Mr. CRISP. If my friend will allow me a moment, I want to get him back to the point.

Mr. McCOMAS. I must decline to be interrupted unless the gentleman can put his question in a very few seconds.

Mr. CRISP. I will do so. I can not of course, without turning to the record, give the exact figures, but you are talking about the whole certificate. Now, you stated that the contestant ought to have had the certificate on the face of the returns, and I ask you if you do not admit what the committee admits, that the face of the returns does not show the true vote?

Mr. McCOMAS. Now the distinguished gentleman from Georgia is harping on the recount, and he can not give the figures, as he says, without taking time to examine the record and looking up the points which will enable him to make an answer to my challenge.

Mr. CRISP. Oh, that is immaterial.

Mr. McCOMAS. It is entirely material. It is the point. I am not talking of the official count as the governor had it, but of the official precinct returns, of the aggregate returns in Calvert County and adding to them the votes given for S. E. Mudd, S. N. Mudd, and Mudd combined, give him a plurality on the face of the official precinct returns throughout the Congressional district, without any question of error or mathematical correction or without any assault upon the figures which would entitle the contestee to the certificate.

Mr. CRISP. But the point is that you do not claim that they represent the true vote.

Mr. GIBSON. And the living witness that my colleague has asked for—

Mr. McCOMAS. Well, I can not yield any further to my colleague. My friend is certainly not that living witness.

Mr. GIBSON. I will state that there were three witnesses living who have certified to the vote as 1,138, and not 1,166.

Mr. McCOMAS. And I answer from the record that there is not a living witness to so testify, and when I challenged my friend last night to lay his hand upon the fact he did not do it, and he comes in to-day without an instance in the whole record to substantiate his assertion that the contestant's vote was 1,166.

Now, if the majority on the precinct returns approaches the disputed votes—and I must hasten on, as my time is rapidly drawing to a close—and the minority allow Mr. Mudd 22 votes and the majority allow him 54, while the minority allow Mr. Compton 10 and the majority allow him 17, taking the addition of these disputed votes and the division made by the minority and the majority of the committee and adding them to the precinct returns, instead of benefiting the contestee in this case you merely add to the plurality of the contestant in the total vote. Any fair determination of these disputed votes overwhelms the alleged gain by this recount.

This class of votes in a Maryland court would be allowed without contention. I speak of registered, qualified voters who presented themselves for registration at the proper time, who were duly registered as qualified voters, who went to the polls on election day and proffered their lawful votes and were refused merely because of the deliberate fraud or ministerial neglect of the registrar of voters to put their names on the poll-book in the hands of the judges of election, a neglect which the diligent voter could not possibly know until he applied at the election window; for he has a right to rely on the registration, "which registration," says the State constitution (section 5, article 1), "shall be conclusive evidence to the judges of election of the right of every person thus registered to vote at any election."

It is the common practice in Maryland for those voters convenient to the clerk's office, where the registrar's lists are deposited, to go from the polls to the clerks of the court to get the certificates of the clerk when the poll-books omit the names, but I have never before heard it contended that a citizen more remote from the court-house could be disfranchised by the criminal or ignorant neglect varying with the miles of distance or facilities of travel in any contest wherein it was proved he was a duly qualified registered voter and in person had proffered his ballot at his polling place.

For twenty-odd years I have observed the registration law in our politics. I know too well there is something in our climate causing the partisan registrar, whose perquisite it is in Maryland to tamper with our suffrage, to omit or misspell Republican names on the poll-books; but I have never yet known any court in that State, where our judiciary is impartial, to hesitate a moment in counting the votes such as are counted here, in part by the minority, and to the number of 54 for the contestant and 17 for the contestee by the majority of the committee in this report. Nearly all of these votes are of this character and are justly allowed Mr. Mudd. I shall not pause to discuss an isolated vote contested on the ground of identity, nor to insist upon six of these votes rejected because six other persons had illegally voted on the true voters' names.

In passing I remark that, with our Democratic election machinery, whenever you are told that six persons voted illegally on Republican names you may safely assume that the six illegal voters have cast six Democratic ballots. Political knaves in Maryland are not idiots. When they repeat at elections they repeat to count for their side.

The minority report in this case itself shows the weakness of the case of my colleague, the sitting member. It claims his plurality to be 30 votes. And this plurality of 30 votes includes the 28 votes in the second precinct of the first election district of Calvert County, to which Mr. Mudd is entitled, because his total vote in Calvert County was 1,166 instead of 1,133. Although on the third page the minority endeavor by argument too technical and too unsound to reject these 28 votes when properly certified by the clerk of the court of Calvert County from the precinct returns on the poll-books deposited in his office by law, nevertheless the minority adopts the same method of proof to give the sitting member 1 vote in the first precinct of the sixteenth ward of Baltimore.

When from the plurality of 30 in the minority report (on page 12) we deduct the 28 votes which in truth and in fact, as approved by the certified precinct returns, Mr. Mudd is entitled to, the plurality of my colleague is but 2 votes, which becomes a majority for Mr. Mudd when the 3 votes for "Mudd," "S. N. Mudd," and "S. E. Mudd" are given to the contestant, for whom they were polled.

On their report, therefore, the minority really start with a majority for the contestant, a majority on the face of the returns for Mr. Mudd. The recount of a few boxes in the district, boxes in certain precincts of certain wards of Baltimore City, boxes in the custody of a Democratic return judge, in the custody of the Democratic police board of Baltimore City and its Democratic employes, of the Democratic clerk of the circuit court of Baltimore County and his Democratic employes—such a recount does not import verity in Baltimore.

It will not satisfy an earnest seeker after the truth who knows the juggling with ballot-boxes there performed. Strong locks have not hitherto barred some of these partisans from changing ballots at will. Pasting a paper over the orifice and locking the ballot-box are not sure guards of the ballots. We in Maryland know this too well. Like Rob Roy's purse, these boxes are guarded at the top, but easily opened at the bottom. Such a recount has here been liberally allowed to Mr. Compton, giving 19 more votes than were counted for him in those few precincts, when he failed to recount all the precincts of the Congressional district.

On page 18 of the report is the final table of the minority. I show it to you. It gives a scant plurality for contestee of 37. Deduct the 20 votes therein of Mr. Mudd's assumed loss on this partial recount and the plurality dwindles to 17; but these 17 are included in the 28 votes belonging to Mr. Mudd in the Calvert County total of 1,166. These 17 votes are a plurality in the teeth of 28 votes which no member of the minority signing this report can deny Mr. Mudd actually received.

Such, Mr. Speaker, is the weakness of this case that the minority, with the face of the returns against their report and apart from the question of intimidation in the third district of Anne Arundel County, hang the whole case of the sitting member on a gain of 20 by a recount in a few precincts, chosen capriciously.

The intimidation of colored voters in the first precinct of the third district of Anne Arundel County was very effective. Of 475 registered voters, 252 are white and 223 are colored. When the polls opened 4 white men voted, then 15 colored men voted, then 187 white men followed, but 175 qualified registered voters with black skins swear that they left their homes to vote, but did not deposit their ballots. One hundred and sixty-one of these went to the polling-place, but did not cast a vote. The contestee's claim is these black men did not vote because they shrewdly suspected there would be a contest for this seat in Congress and that by abstaining this precinct would be thrown out. Surely an amazing compliment to these black voters! How skilled were they in the election law! Yet, practically, how stupid; for these 175 black votes would have carried the box for Mudd. There is a better reason why the colored vote was not polled; a better explanation why, after 15 black votes were rapidly polled, 175 failed to reach the box.

Five or six Baltimore roughs, strangers in that community, invaders of its peace, with "Tip" Wells, for five years a registered voter in Baltimore, as their guide, with Edward Pumphrey, and William Chairs, Democratic district manager, as their allies, were early on the ground. Some of them, with badges as United States marshals on the lapels of their coats, had stolen the livery of the nation to serve the Democratic party in. These Baltimore roughs early in the morning began to press Democratic tickets upon black voters. One, Samuel Gaither, was hindered, and when "Tip" Wells and Chairs gave the signal these roughs dragged Andrew Sampson from the line and snatched from the hand of William Hall, an excellent colored man seventy years of age, the leader of his race, one of the richest men of his community—snatched his ticket from his hand and tore it in pieces, denouncing them both, saying, "they did not belong there."

White Democrats quietly suffered this. "Tip" Wells and several roughs shouted, "Not a damn one of you shall vote unless you vote for Cleveland," and Hall was pulled away, and no "damned negro" did

vote except the Democrat black man who did vote for Cleveland. [Laughter and applause on the Republican side.]

They kept their faith, their oath, and their profanity together, and when White came up, and he was at the head of a line of 30 or 40, he was driven back.

In the wagons at that time were guns; some say that guns were loaded behind the house; and pistols were seen on the persons of these roughs. The black people were wholly unarmed, and Hall, with others about him, turned away, because, as Hall said, "If we can not vote, if our votes are rejected, we had better go away." One, John Emery White, tried to vote, and his ticket was grabbed away and he was told he could not vote unless he voted for Cleveland; and it appears that Frank Chairs, a Democratic internal-revenue storekeeper, and Wells agreed, "we have got them in check;" and when the blacks in a body again started for the window, the Democratic leader, William Chairs, called out, "Boys, don't go any closer; no damn nigger can vote here to-day;" and about 10 o'clock Rhoderick Kess, a black voter, tried again to vote and was struck in the face by one of the roughs, while Pumphrey went about the crowd of black voters and assured them that more roughs and marshals were coming that would shoot them if they tried to vote.

The minority say that these men ought to have done more to secure their votes. They say that this was a pretext to get them to throw out the box. If those 175 had been allowed to vote, besides the 32 that Mudd did get, it would have given that box to him by a clear majority. One hundred and seventy-five swear that they were not allowed to vote, and if they had been allowed to vote it would have given Mudd a clear majority.

The gentleman from Texas who signs the minority report may say it was not much of a storm. [Laughter.] Perhaps down in Texas it might not be. The gentleman from Georgia [Mr. CRISP] whose name is next thereon may say that this is very slight intimidation, and only a small matter which ought not to be considered. It might in Georgia be a small matter; but, Mr. Speaker, it seems to me that when these men stood there and tried to reach the place to deposit their ballots and were hurled away, that certainly was intimidation grave and monstrous.

The minority assert that the old man Hill had stated that these people would get the box thrown out; that they might as well give it up; that the box would be thrown out, and that they could make an appeal. He is an American citizen and he concluded that he had a right to make an appeal to this Congress. And why could not he make an appeal? If you can not reach so far as Arkansas or as Mississippi to correct fraud on the ballot-box, if you can not secure a fair election free from intimidation and have the ballot-box easy of access and unattended by intimidation there, here under the shadow of the Capitol, here near the very seat of Government itself, he may have hoped that the national Congress would do justice, and not condone this accursed intimidation of black citizens. Every fair-minded man in the State of Maryland will applaud you in the justice you will do. [Applause on the Republican side.]

Mr. COOPER, of Ohio. Mr. Speaker, I shall occupy none of the brief time remaining to me either in answering the eulogy which the contestee has so feelingly and eloquently pronounced upon himself or in discussing the merits of the contestee or of the State of Maryland. I honor and respect them both, and, if it be true, as was roarily announced here yesterday, that that State has covered the contestee with honors, I congratulate him. If he has "sounded all the depths of honor and all the shallows of fame" he can better afford to enjoy a season of rest in honorable retirement than to remain here occupying a seat to which he was certainly not elected and which is as certainly the property of another. [Laughter.]

Mr. Speaker, I can only glance at the salient features of this case. The first to which I call attention is the statement of the eloquent gentleman from Maryland [Mr. GIBSON] who addressed the House yesterday, that the important and decisive question in this case was whether the contestant was entitled to have counted for him 1,166 votes in Calvert County instead of 1,133. I do not agree with the gentleman that that question is decisive of this case, because, eliminating the 28 votes in dispute there, still the contestant is clearly elected. But if the gentleman's proposition be true, then what becomes of the claim of the contestee in this case? For, sir, I undertake to say that if anything in this case be proven beyond a reasonable doubt it is that in the county of Calvert 1,166 votes were cast for the contestant. The gentleman [Mr. GIBSON] loudly proclaimed upon yesterday that on the night of the election the judges of election in the second precinct of that county swore that there were 379 votes cast for the contestant, instead of 407, as we claim, and he has loudly announced that the judges upon that night proclaimed to all the bystanders that there were 379 votes cast for the contestant, and not 407.

Mr. GIBSON. The clerks.

Mr. COOPER, of Ohio. Very well; the clerks. Say the clerks, then. Now, I want to say here, Mr. Speaker, that a careful scrutiny of the record in this case justifies me in stating that neither the clerks nor the judges did either of those things, and I stand here to challenge the naming of a witness or the specification of an exhibit or a paper that even tends to prove any such statement as that made by the gentleman from Maryland. Sir, it is unquestionably proved that the judges and

clerks upon that night did count in the precinct in question 407 votes for the contestant, and so announced and so returned. The gentleman also declared that the second day after the election eight men swore that there were 1,138 and not 1,166 votes cast for the contestant in Calvert County. I again say that careful examination of this record shows that statement to be wholly unfounded in fact.

All the justification there is for the statement is that upon the second day after the election these judges came together, when a hiring deputy clerk who was doing the clerical work figured up, or attempted to make a tabulation of, the precinct returns, and in so doing, instead of correctly stating them to be 1,166, he erroneously made the number 1,138, and that summing up went to the governor. That is all there is of it, and that is all the justification there is for saying that there were any men there who "swore" to these figures, 1,138. Because these men were sworn officers and signed that return supposing it to be correct—there being no evidence that they ever examined the figures or ever tried to prove or scrutinize or verify them—because they signed that return as made out by the clerk, supposing it to be correct, the returns forsooth are to be taken to be intallible.

Who ever heard of such a doctrine? Upon the contrary, to demonstrate there were 1,166 votes, we have the testimony of bystanders who were there when the count was made, among them a Democrat who voted for Cleveland and for the contestee, the editor of a Democratic paper, who was there for the double purpose of ascertaining as a politician what the vote was and of getting the figures of the true vote so that he might publish them in his paper. He swears that, sitting there, he ascertained the fact to be, and that it was understood and known generally, that the contestant had 1,166 votes, and he so published in his paper. And the Baltimore Sun, too, which, although unlike its New York namesake, does not shine for all, does at least shine for all Maryland Democrats, proclaimed that there were 1,166 votes cast there for the contestant. And, finally, as the primary evidence, the best evidence, the unanswerable evidence, I produce the returns themselves, certified copies of which are in the record, which show as certainly as two and two make four that 1,166 votes were cast in that precinct for the contestant. And yet, because this deputy clerk made this error, an error which he himself acknowledged and which he says as soon as he ascertained it he wrote to the governor for the privilege of correcting—because that clerk made this error we are told that no correction is to be made, but this Congressional district is to be disfranchised and the man elected as its Representative is to be deprived of his seat upon that technical ground, at the instance of a gentleman who thanks God with uplifted hands that he is right both here and hereafter. [Laughter and applause on the Republican side.]

I suppose that according to the theory of the gentleman who appeals to us as lawyers, if he were trying before a jury an issue as to what was the amount of three promissory notes and he produced the deposition of a man who swore that he had examined the notes and computed the amount and had found the aggregate to be \$1,000, and rested his case, and then the other side produced the three promissory notes themselves, which read, as plainly as writing could, that each note called for \$500, and also produced the man who had made the computation, and he said that after looking at the notes again he was satisfied he made a mistake and the true amount was \$1,500, still my friend would insist that the deposition was correct and that the amount must still be \$1,000, for that is the theory upon which the gentleman bases his claim as to the point which he says is to be decisive of this case. If so, sir, then is not the claim of the contestee the thinnest and baldest of pretenses? Enough upon this question. Now, sir, as to our right to have counted the votes of duly registered and qualified legal voters of this district who, being entitled to vote, having done all in their power to qualify themselves to vote, and, being duly qualified, presented their votes, which were rejected, I have only to say that if the plain letter of the statutes of the United States is to be regarded and followed there is no question in this case; and that is conceded, and the only answer made by contestee upon this point is that the law is unconstitutional. Sir, the law has never been declared unconstitutional. On the contrary, whatever courts have had occasion to review it have affirmed its constitutionality, and it was enacted expressly to meet a decision of the highest tribunal of the Republic, and is clearly constitutional under that decision. But I have always observed, sir, that whenever our friends upon the other side are driven from every other defense and compelled to abandon every other argument, they make a final grand rally, call up their reserve forces, and cry aloud that the proposition they object to is "unconstitutional." Their wondrous reverence and idolatry for that sacred document are only equaled by their vigilance and zeal in apologizing for or justifying the nullification and violation of the Constitution when they inure to the benefit of the Democratic party.

But, sir, leaving these points, by which the case of the contestant is most clearly established, I pass to the consideration of the first precinct in the third district of Anne Arundel County. There are several undisputed and unchallenged facts in that case. First, that there were 207 duly registered, legally qualified Republican voters in that district entitled to vote, and 174 Democrats entitled to vote there, and of these 174 the eloquent gentleman who has just pronounced his valedictory

was scratched from 6, leaving 168 votes for the contestee. It is also in proof, by testimony undenied—indeed, admitted—that there were but 32 votes cast for the contestant, and that by the count upon that night and as allowed by the governor the contestee received 136 majority in that Republican precinct.

It is not denied that there were 175 colored Republicans there at the polls for the purpose of voting. Many of these poor men had walked weary miles for the purpose of exercising the privilege of casting their votes. They were there with tickets in their hands. They marched up to the polls to vote; they tried to vote, but did not vote because they were (whether there was reason for it or not) frightened away, and in consequence of their fright and terror the contestant lost 175 votes which, if they had been cast for him, would have left this contestee more than 100 in a minority, giving him everything he claims and eliminating from the contestant's claim everything to which the contestee objects.

I say these things are all conceded; and the only answer that is made by the contestee is that these men were frightened away without sufficient reason; that the conditions environing them were not such as to frighten away men of ordinary courage. Let us see. It is conceded that there had been trouble at these polls before and there had been rumors in the air in this precinct that it would be perilous for colored men to vote. Accordingly, as they arrived they did not venture to go at once to the polls, but gathered around an old mill near the polls until there had collected about 80 or 100 colored Republicans. They then concluded to venture up, in the hope that the assurance given by their numbers and the formidable array which they made would protect them from assault.

And right here, Mr. Speaker, may I not stop to inquire whether it is not a withering reproach, a blistering shame in this fair, free land of ours that upon election day, that day of days to the American citizen, a portion of the citizens of this Republic are compelled either to wait and collect in numbers sufficient to repel assault before they dare approach the polls or to skulk around in hiding-places watching for an opportunity to steal forth, noiselessly and silently, to the polls and then noiselessly and silently flee away like fugitive criminals or hunted beasts? I pray God, sir, that you and I and all of us may yet live to see the day when every American citizen can upon election day, in peace, in assured safety, go to the polls, the palladium of American freedom [applause], and there with his ticket enfolding his judgment, his conscience, his convictions, and wishes, deposit that ticket and walk away in peace and safety, knowing that his vote will be counted as he left it, knowing further that the thus expressed conviction, conscience, and judgment of a majority of his fellow-men shall dominate in the councils and policy of the nation. [Applause.]

Sir, until that happy day comes we are living under a continual menace. Until that day comes there can not be that peace, that quiet, that confidence, upon the part of all citizens which is the essential prerequisite to permanent prosperity. Until that day comes, great, proud, powerful, and rich as our Republic is, it can never arrive at the full measure of its majestic stature. Until that day comes the reasonable hope of the men who more than a century ago founded our institutions in their sacrifice and blood, and the reasonable hope of the heroic men who within our own memory poured out their blood in crimson currents on more than a hundred battle-fields, will never have been justified. [Applause.]

In the presence of this question, involving the integrity of the Republic, the supremacy of the Constitution, obedience to the law, and the enjoyment of the dearest and most valuable rights incident to American citizenship, all other issues dwindle into comparative insignificance.

But when these colored men marched up to the polls, who else were there? There were many Democratic white men; and there were a few Republican white men, who were so timid and cowed that they were of no assistance to their colored friends; and, over and above all, there were two wagon loads of Baltimore "toughs," a name which has been a synonym of lawlessness and outrage for more than a generation in our land. Why were they there? They did not live in the precinct; they had no right to vote there. But you can read the answer to the question in the conduct which followed. They were there early; they remained until every colored Republican had left the polls, abandoning in despair the effort to vote. Although these toughs lived twelve or thirteen miles away, they were there before the polls opened.

In this body of eighty or one hundred colored men there was one old patriarch more than seventy-two years of age. By his age, his intelligence, his education, his wealth (for it is in proof that he was one of the largest tax-payers in the precinct), and his conservative views, he had become a leader, a banner man among his race. He marched up well in front. As he approached the polls these "toughs" seized him; they dragged him from the ranks; they tore his ticket from him; they thrust him back and said to him, "You can not vote here." The poor old man asks, "Why are not our votes to be taken?" The response, in the hoarse voice of the "tough," is, "No d—d nigger shall vote here unless he votes for Cleveland." And it is in proof that no negro was permitted to vote but one; and he, lifted upon the exulting

arms of these "toughs," inflicted upon himself the disgrace of voting the Democratic ticket.

That is not all. This old colored man turns to the leader, the captain of the Democratic forces, and says, "Look here; how is this? Can't we vote?" And the man thus addressed is solemn and silent as a sepulcher. Turning to the judges, this old colored man says, "See here! they have torn my ticket; can't we be allowed to vote? Can't we boys vote to-day?" And no man answered. No Republican there had the courage, no Democrat there had the manhood, to give one word of encouragement to these poor men.

What was this old patriarch to do? He might have advised a conflict. He might have said, "Boys, we will fight it out; we will insist on voting, let the consequences come," but would it not have been a fearful responsibility on his part? These colored men were there in numbers, it is true, but they were black men whose inheritance of centuries of subjugation and degradation unfitted them for conflict with the race to which their ancient masters had belonged. [Applause.] They were there fully conscious that in every conflict with the white race, no matter how begun nor how thrust upon them, it was the black man that always bit the dust and it was always the black man's blood which reddened the grass. [Applause.]

Yes, he might have invited a conflict between the whites and the blacks, but the result of that conflict he could well read in the dust which had been reddened with the blood of the black man in a hundred such contests. He could read the result of such contests in the lurid glare of multitudes of burning cabins, burning because their owners were "bad negroes," which in the South meant negroes who dared assert their rights, who dared defend themselves against the violence of white men.

He dared not do that. He exercised that better part of valor. He said, "If we can't vote, let us go home." I have no doubt if my friend from Texas had been there, if the old man had asked whether they should fight it out or go home, he would have advised him to go home and not make a fuss. The old patriarch did advise his friends to go home. He did advise them to go home and make no fuss.

Yet, sir, these men are to be disfranchised because they did not fight.

But that was not all; most of the colored men still lingered around, reluctant to leave without voting, and finally a man named Kess attempted to vote, but as he approached the polls he was seized by the roughs, pushed backwards violently some distance, the length of the building, was struck a crushing blow in the face, and was told to go home, that "no damned negro votes here to-day."

After a while another man makes the same attempt and meets with the same fate.

The vigilant leader of the Democratic forces, Mr. Chairs, whenever he saw one or two colored men going up to the polls, artfully intercepts them and tells them, according to the testimony, "If you go there there will be a fuss; you had better keep away," and they stopped and went away.

Then there is Ed. Pumphrey, who, it is said, was a Republican. I stand here to pronounce that to be untrue. Pumphrey never claimed the honor of being a Republican, and he never deserved that honor. He has been an unwashed Democrat all his life, and is likely to die one. [Laughter.]

He was there as a deputy marshal, and according to the testimony, whenever he saw any of these negroes going up to vote he would go to them and say, "Do not go up to vote; if you do there will be a riot, and I can not be responsible. You had better give it up and go home; although I am a deputy sheriff I can not protect you."

Then, to enliven the monotony of the day, we find these men from Baltimore shooting off their guns and revolvers, pretending to shoot at a mark. Their real mark was to frighten these colored men away, and they hit the mark in the center. These men stood there until the last colored man was intimidated and driven away.

But we are told they did not exercise ordinary courage and are told there was a peaceful election there. Yes, there was a peaceful election there after all the colored men had been driven away. As my friend from Massachusetts has said, there was peace in Warsaw after Kosciusko fell. There was peace in Jerusalem after the triumphant Roman had run the plowshare over its ruins. Sir, a peace which is the result of the entresurrender by the majority of their dearest and most valuable rights at the behest of the minority is a peace which is antagonistic to our institutions and is not healthful or desirable in this land of ours. [Applause.]

There was such peace at this precinct, and as a result when the vote was counted there was 136 majority for the contestee, and, sir, great, honest, and honorable as he says he is, it is beyond all contention that the contestee has for more than a year occupied the position and enjoyed the emoluments of a Representative in Congress by virtue of the terrorism which took place at that election precinct that day.

The pretense that the negroes refrained from voting was the result of a conspiracy on the part of the Republicans to secure the throwing out of the vote of this precinct is supremely absurd in the face of the undisputed fact that if they had voted the contestant would have had

39 majority in this precinct, and so would have been 39 votes better off than if the precinct was thrown out.

I do not charge the contestee with the outrageous conduct at this precinct. I do not say that he encouraged it or was a party to it, but I do charge, for it is beyond gainsaying, that he has enjoyed the usufruct thereof and is disposed to continue to do so.

Now, what shall this House do? As I said, Mr. Speaker, it is not necessary for the purposes of this contest that this precinct shall be considered; but, for one, as the Representative of an American constituency, I regret that this is not the decisive question in the case and the crucial test thereof, for I would be glad to put it to the manhood of this House to say whether such practices as that which I have referred to, and the truth of which can not be controverted, are to prevail.

Sir, the Constitution of this land guaranties to every citizen the right to approach the polls and there express his own convictions and conscience according to his own desires; and it is the demand of the people, of those that have placed us in control, especially is it the demand of the great, progressive Republican party which gave to the colored man his freedom, gave him equality before the law and in the courts, and invested him with the priceless and peerless rights and unfathomable responsibilities of American citizenship—the party would not be content until the guaranty of perpetual enjoyment of those rights so granted was stamped deep into the sacred face of the Constitution itself, and that we see to it, whenever a case comes up here presenting features like these, that we do all in our power to rebuke and stamp out such outrages as the thrifty husbandman would stamp out the rinderpest in his herd or on his farm. [Applause on the Republican side.] And I trust and believe we will do it. And yet the contestee appeals to this House upon this state of facts, because he has been an honest man, an honorable man, a courteous man, that we shall forget the law, that we shall forget the Constitution, that we shall forget the rights of the people of this district, and the rights of the poor black man throughout the country, and retain him in his seat.

Sir, under the circumstances I can not but regard such an appeal as an invitation to the House to do itself dishonor, and against the acceptance of that invitation I most earnestly protest, having no apprehension that it will be accepted by the majority of those around me.

I ask a vote on the pending question. [Applause.]

THE SPEAKER. Does the gentleman from Ohio [Mr. OUTHWAITE] desire to offer a substitute for the resolutions of the committee?

Mr. OUTHWAITE. The gentleman from Texas has charge of this case.

Mr. MOORE, of Texas. Mr. Speaker, I move to substitute for the resolutions of the majority the resolutions presented by the minority of the committee.

THE SPEAKER. The resolutions will be read.

The Clerk read as follows:

Resolved, That S. E. Mudd was not elected as a Representative to the Fifty-first Congress from the Fifth Congressional district of Maryland.

Resolved, That Barnes Compton was duly elected, and is entitled to retain his seat.

THE SPEAKER. Does the gentleman demand a division.

Mr. MOORE, of Texas. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 145, nays 155, not voting 29; as follows:

## YEAS—145.

Abbott,	Crain,	Lester, Ga.	Rowland,
Alderson,	Crisp,	Lester, Va.	Rusk,
Allen, Miss.	Culbertson, Tex.	Lewis,	Sayers,
Anderson, Miss.	Cummings,	Magner,	Seney,
Andrew,	Davidson,	Maish,	Shively,
Bankhead,	Dibble,	Mansur,	Spinola,
Barnes,	Dockery,	Martin, Ind.	Springer,
Barwig,	Dumphy,	Martin, Tex.	Stahneckker,
Blanchard,	Edmunds,	McAduo,	Stewart, Ga.
Bland,	Elliott,	McCarthy,	Stewart, Tex.
Blount,	Ellis,	McClellan,	Stockdale,
Boatner,	Enloe,	McCreary,	Stone, Ky.
Breckinridge, Ark.	Fitch,	McMillin,	Stone, Mo.
Breckinridge, Ky.	Fithian,	McRae,	Stump,
Brickner,	Flower,	Mills,	Tarsney,
Brockshire,	Forman,	Montgomery,	Tillman,
Brown, J. B.	Forney,	Moore, Tex.	Tracey,
Brunner,	Fowler,	Morgan,	Tucker,
Buchanan, Va.	Gelssenhainer,	Mutchler,	Turner, Ga.
Bullock,	Gibson,	Norton,	Turner, N. Y.
Bynum,	Grimes,	Oates,	Venable,
Campbell,	Hare,	O'Ferrall,	Walker, Mo.
Candler, Ga.	Hatch,	O'Neal, Ind.	Washington,
Carlisle,	Hayes,	O'Neil, Mass.	Wheeler, Ala.
Carlton,	Haynes,	Outhwaite,	Whiting,
Caruth,	Heard,	Owens, Ohio	Wike,
Catchings,	Hemphill,	Parrett,	Wiley,
Chipman,	Henderson, N. C.	Peel,	Wilkinson,
Clancy,	Herbert,	Pennington,	Willcox,
Clarke, Ala.	Holman,	Perry,	Williams, Ill.
Clements,	Hooker,	Pierce,	Wilson, Mo.
Clunie,	Kerr, Pa.	Price,	Wilson, W. Va.
Cobb,	Kilgore,	Quinn,	Wise,
Cooper, Ind.	Lane,	Reilly,	Yoder.
Cottrill,	Lanham,	Richardson,	
Cover,	Lawler,	Robertson,	
Cowles,	Lee,	Rogers,	

NAYS—155.

Adams,	Culbertson, Pa.	Knapp,	Rife,
Allen, Mich.	Cutcheon,	Lacey,	Rockwell,
Anderson, Kans.	Dalzell,	La Follette,	Russell,
Arnold,	Darlington,	Laidlaw,	Sanford,
Atkinson, Pa.	De Haven,	Laws,	Sawyer,
Atkinson, W. Va.	De Lano,	Lehbach,	Scranton,
Baker,	Dingley,	Lind,	Seull,
Banks,	Dolliver,	Lodge,	Sherman,
Bartine,	Dorsey,	Mason,	Simonds,
Bayne,	Dunnell,	McComas,	Smith, W. Va.
Beckwith,	Evans,	McCord,	Smyser,
Belden,	Ewart,	McCormick,	Snider,
Belknap,	Farquhar,	McKinley,	Spooner,
Bergen,	Featherstor,	Miles,	Stewart, Vt.
Bliss,	Finley,	Milliken,	Stivers,
Boothman,	Flick,	Moffitt,	Stockbridge,
Boutelle,	Flood,	Moore, N. H.	Struble,
Bowden,	Frank,	Morey,	Sweeney,
Bowden,	Funston,	Morrill,	Taylor, Ill.
Brewer,	Gear,	Morrow,	Taylor, Tenn.
Browne, Va.	Gest,	Morse,	Taylor, E. B.
Buchanan, N. J.	Greenhalge,	Niedringhaus,	Thomas,
Burrows,	Grosvenor,	Nute,	Thompson,
Burrows,	Grout,	O'Donnell,	Townsend, Colo.
Butterworth,	Hall,	O'Neill, Pa.	Townsend, Pa.
Caldwell,	Hansbrough,	Osborne,	Vandever,
Candler, Mass.	Harmer,	Owen, Ind.	Van Schaick,
Cannon,	Haugen,	Payne,	Wade,
Carter,	Henderson, Ill.	Perkins,	Walker, Mass.
Caswell,	Henderson, Iowa	Peters,	Wallace, Mass.
Cheadle,	Hermann,	Pickler,	Wallace, N. Y.
Cheatham,	Hill,	Post,	Wickham,
Clark, Wis.	Hitt,	Pugsley,	Williams, Ohio
Cogswell,	Houk,	Quackenbush,	Wilson, Wash.
Coleman,	Kelley,	Raines,	Wright,
Comstock,	Kennedy,	Randall, Mass.	Yardley.
Conger,	Kerr, Iowa	Ray,	
Congell,	Ketcham,	Reed, Iowa	
Cooper, Ohio	Kinsey,		
Craig,			

NOT VOTING—29.

Biggs,	Dargan,	Phelan,	Turpin,
Bingham,	Gifford,	Randall, Pa.	Wheeler, Mich.
Brosius,	Goodnight,	Reyburn,	Whitthorne,
Brower,	Hopkins,	Skinner,	Wilber,
Browne, T. M.	Lansing,	Smith, Ill.	Wilson, Ky.
Buckalew,	McClammy,	Stephenson,	
Bunn,	Paynter,	Taylor, J. D.	
Compton,	Payson,	Turner, Kans.	

So the substitute was rejected.

Mr. MAISH. I would like to inquire, Mr. Speaker, whether my name is recorded.

The SPEAKER. The Clerk will recapitulate the vote.

The Clerk recapitulated the names of those voting.

The following pairs were announced until further notice:

Mr. GIFFORD with Mr. TURPIN.

Mr. STEPHENSON with Mr. GOODNIGHT.

Mr. WHEELER, of Michigan, with Mr. BUNN.

Mr. REYBURN with Mr. McCLAMMY.

Mr. WILSON, of Kentucky, with Mr. PAYNTER.

Mr. WILBER with Mr. RANDALL, of Pennsylvania.

Mr. SMITH, of Illinois, with Mr. SKINNER.

Mr. LANSING with Mr. DARGAN, for one week.

Mr. HOPKINS with Mr. BUCKALEW, from Tuesday, for five days.

Mr. JOSEPH D. TAYLOR with Mr. WHITTHORNE, on this question.

Mr. BINGHAM with Mr. BIGGS, on this vote.

Mr. BROWER with Mr. PHELAN, on this question.

Mr. MAISH. Mr. Speaker, I desire to record my vote. I was standing on the other side of the Hall listening for my name but did not hear it called.

The SPEAKER. Was the gentleman listening at the time the roll was being called for his name?

Mr. MAISH. I was listening attentively.

The SPEAKER. The gentleman's name will be called.

Mr. MAISH's name was called and recorded as above.

The result of the vote was then announced as above recorded.

The SPEAKER. The question recurs on the resolutions presented by the committee.

Mr. COOPER, of Ohio. I ask that the resolutions be read.

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. CRISP. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 159, nays 145, not voting 25; as follows:

YEAS—159.

Adams,	Bayne,	Bowden,	Candler, Mass.
Allen, Mich.	Beckwith,	Brewer,	Cannon,
Anderson, Kans.	Belden,	Brosius,	Carter,
Arnold,	Belknap,	Browne, Va.	Caswell,
Atkinson, Pa.	Bergen,	Buchanan, N. J.	Cheadle,
Atkinson, W. Va.	Bingham,	Burrows,	Cheatham,
Baker,	Bliss,	Burton,	Clark, Wis.
Banks,	Boothman,	Butterworth,	Cogswell,
Bartine,	Boutelle,	Caldwell,	Coleman,

Comstock,	Harmer,	Morey,	Simonds,
Conger,	Haugen,	Morrill,	Smith, W. Va.
Congell,	Henderson, Ill.	Morrow,	Smyser,
Cooper, Ohio	Henderson, Iowa	Morse,	Snider,
Craig,	Hermann,	Niedringhaus,	Spooner,
Culbertson, Pa.	Hill,	Nute,	Stewart, Vt.
Cutcheon,	Hitt,	O'Donnell,	Stivers,
Dalzell,	Houk,	O'Neill, Pa.	Stockbridge,
Darlington,	Kelley,	Osborne,	Struble,
De Haven,	Kennedy,	Owen, Ind.	Sweeney,
De Lano,	Kerr, Iowa	Payne,	Taylor, Ill.
Dingley,	Ketcham,	Payson,	Taylor, Tenn.
Dolliver,	Kinsey,	Perkins,	Taylor, E. B.
Dorsey,	Knapp,	Peters,	Thomas,
Dunnell,	Lacey,	Pickler,	Thompson,
Evans,	La Follette,	Post,	Townsend, Colo.
Ewart,	Laidlaw,	Pugsley,	Townsend, Pa.
Farquhar,	Laws,	Quackenbush,	Turner, Kans.
Featherston,	Lehbach,	Raines,	Vandever,
Finley,	Lind,	Randall, Mass.	Van Schaick,
Flick,	Lodge,	Ray,	Wade,
Flood,	Mason,	Reed, Iowa	Walker, Mass.
Frank,	McComas,	Rife,	Wallace, Mass.
Funston,	McCord,	Rockwell,	Wallace, N. Y.
Gear,	McCormick,	Rowell,	Watson,
Gest,	McKenna,	Russell,	Wickham,
Greenhalge,	McKinley,	Sanford,	Williams, Ohio
Grosvenor,	Miles,	Sawyer,	Wilson, Wash.
Grout,	Milliken,	Scranton,	Wright,
Hall,	Moffitt,	Seull,	Yardley.
Hansbrough,	Moore, N. H.	Sherman,	

NAYS—145.

Abbott,	Crain,	Lester, Ga.	Rowland,
Alderson,	Crisp,	Lester, Va.	Rusk,
Allen, Miss.	Culbertson, Tex.	Lewis,	Sayers,
Anderson, Miss.	Cummings,	Magner,	Seney,
Andrew,	Davidson,	Maish,	Shively,
Bankhead,	Dibble,	Mansur,	Spinola,
Barnes,	Dockery,	Martin, Ind.	Springer,
Barwig,	Dunphy,	Martin, Tex.	Stahneck,
Blanchard,	Edmunds,	McAdoo,	Stewart, Ga.
Bland,	Elliott,	McCarthy,	Stewart, Tex.
Blount,	Ellis,	McClellan,	Stockdale,
Boatner,	Enloe,	McCreary,	Stone, Ky.
Breckinridge, Ark.	Fitch,	McMillin,	Stone, Mo.
Breckinridge, Ky.	Fithian,	McRae,	Stump,
Brickner,	Flower,	Mills,	Tarsney,
Brookshire,	Forman,	Montgomery,	Tillman,
Brown, J. B.	Forney,	Moore, Tex.	Tracey,
Brunner,	Fowler,	Morgan,	Tucker,
Buchanan, Va.	Geissenhainer,	Mutchler,	Turner, Ga.
Bullock,	Gibson,	Norton,	Turner, N. Y.
Bynum,	Grimes,	Oates,	Venable,
Campbell,	Hare,	O'Ferrall,	Walker, Mo.
Candler, Ga.	Hatch,	O'Neill, Ind.	Washington,
Carlisle,	Hayes,	O'Neill, Mass.	Wheeler, Ala.
Carlton,	Haynes,	Outhwaite,	Whiting,
Caruth,	Heard,	Owens, Ohio	Wike,
Catchings,	Hemphill,	Parrett,	Wiley,
Chipman,	Henderson, N. C.	Peel,	Wilkinson,
Clancy,	Herbert,	Penington,	Willcox,
Clarke, Ala.	Holman,	Perry,	Williams, Ill.
Clements,	Hooker,	Pierce,	Wilson, Mo.
Clunie,	Kerr, Pa.	Quinn,	Wilson, W. Va.
Cobb,	Kilgore,	Reilly,	Wise,
Cooper, Ind.	Lane,	Richardson,	Yoder.
Cothran,	Lanham,	Robertson,	
Covert,	Lawler,	Rogers,	
Cowles,	Lee,		

NOT VOTING—25.

Biggs,	Gifford,	Randall, Pa.	Wheeler, Mich.
Brower,	Goodnight,	Reyburn,	Whitthorne,
Browne, T. M.	Hopkins,	Skinner,	Wilber,
Buckalew,	Lansing,	Smith, Ill.	Wilson, Ky.
Bunn,	McClammy,	Stephenson,	
Compton,	Paynter,	Taylor, J. D.	
Dargan,	Phelan,	Turpin,	

So the resolutions were adopted.

The following additional pair was announced:

Mr. THOMAS M. BROWNE with Mr. BIGGS, on this vote.

The vote was recapitulated.

The result of the vote was then announced as above recorded.

Mr. Sydney E. Mudd (being conducted to the area in front of the speaker by Mr. COOPER, of Ohio) was duly qualified by taking the oath of office prescribed by law. [Applause on the Republican side and in the galleries.]

The SPEAKER. Order! Order!

ORDER OF BUSINESS.

Mr. MORROW. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the pension appropriation bill.

Mr. BRECKINRIDGE, of Kentucky. I would like the gentleman from California to give me his attention for a moment.

The SPEAKER. The question is not debatable.

Mr. SPRINGER. I would move that we suspend business until the galleries are cleared, as they ought to have been before.

Mr. BRECKINRIDGE, of Kentucky. I simply desire to suggest to the gentleman from California that we can not complete that bill this afternoon. It is now after 4 o'clock, and the House is not in a condition to take up a business matter; and I would suggest that we adjourn, and then we can complete this bill in a single sitting. The time for general debate is two hours and five minutes, which would run after 6 o'clock. So I would ask the gentleman to agree that the House do now adjourn.

Mr. MORROW. We can, at least, have an hour's debate before the House adjourns, and that time will be well disposed of, I think.

Mr. HOOKER. I move that the House do now adjourn.

The question was put; and the Speaker announced that the "noes" seemed to have it.

Several MEMBERS on the Democratic side. Division.

The House divided; and there were—ayes 132, noes 131.

Mr. MORROW. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 122, nays 154, not voting 53; as follows:

YEAS—122.

Abbott,	Cowles,	Lawler,	Richardson,
Alderson,	Crisp,	Lee,	Rogers,
Allen, Miss.	Culberson, Tex.	Lester, Ga.	Rowland,
Anderson, Miss.	Cummings,	Lester, Va.	Sayers,
Andrew,	Davidson,	Lewis,	Seney,
Bankhead,	Dibble,	Magner,	Spinola,
Barnes,	Dockery,	Maish,	Springer,
Barwig,	Dunphy,	Mansur,	Stahlnecker,
Blanchard,	Edmunds,	Martin, Tex.	Stewart, Ga.
Bland,	Elliott,	McAdoo,	Stewart, Tex.
Blount,	Ellis,	McClellan,	Stockdale,
Breckinridge, Ark.	Enloe,	McCreary,	Stone, Ky.
Breckinridge, Ky.	Fitch,	McMillin,	Stone, Mo.
Brickner,	Flower,	McRae,	Stump,
Brown, J. B.	Forney,	Mills,	Tarsney,
Brunner,	Geissenhainer,	Montgomery,	Tillman,
Buchanan, Va.	Gibson,	Moore, Tex.	Tracey,
Bullock,	Grimes,	Morgan,	Turner, Ga.
Campbell,	Hare,	Mutchler,	Turner, N. Y.
Candler, Ga.	Hatch,	Norton,	Walker, Mo.
Carlisle,	Hayes,	O'Ferrall,	Washington,
Carlton,	Haynes,	O'Neill, Ind.	Wheeler, Ala.
Caruth,	Hemphill,	O'Neil, Mass.	Wike,
Chipman,	Henderson, N. C.	Outhwaite,	Wiley,
Clancy,	Herbert,	Owens, Ohio	Wilkinson,
Clarke, Ala.	Holman,	Peel,	Wilcox,
Clements,	Hooker,	Pennington,	Wilson, W. Va.
Clunie,	Kerr, Pa.	Pierce,	Wise,
Cobb,	Kilgore,	Price,	Yoder.
Cochran,	Lane,	Quinn,	
Covert,	Lanham,		

NAYS—154.

Adams,	Dalzell,	Laws,	Sanford,
Allen, Mich.	Darlington,	Lehbach,	Sawyer,
Arnold,	De Lano,	Lodge,	Scranton,
Atkinson, W. Va.	Dingley,	Martin, Ind.	Seull,
Baker,	Dolliver,	Mason,	Sherman,
Banks,	Dorsey,	McComas,	Shively,
Bartine,	Dunnell,	McCord,	Simonds,
Bayne,	Evans,	McKenna,	Smith, W. Va.
Beckwith,	Farquhar,	McKinley,	Smyser,
Belden,	Featherston,	Moffitt,	Snider,
Belknap,	Finley,	Moore, N. H.	Spooner,
Bergen,	Fithian,	Morey,	Stivers,
Bliss,	Flick,	Morrill,	Stockbridge,
Boothman,	Flood,	Morrow,	Struble,
Boutelle,	Forman,	Morse,	Sweeney,
Bowden,	Funston,	Mudd,	Taylor, Ill.
Brewer,	Gear,	Niedringhaus,	Taylor, Tenn.
Brookshire,	Gest,	Nute,	Taylor, E. B.
Browne, Va.	Greenhalge,	O'Donnell,	Thomas,
Buchanan, N. J.	Groat,	O'Neill, Pa.	Thompson,
Burrows,	Hall,	Osborne,	Townsend, Colo.
Burton,	Hansbrough,	Owen, Ind.	Townsend, Pa.
Butterworth,	Harmer,	Parrett,	Tucker,
Bynum,	Haugen,	Payne,	Turner, Kans.
Caldwell,	Henderson, Ill.	Payson,	Vandever,
Candler, Mass.	Henderson, Iowa	Perkins,	Venable,
Cannon,	Hermann,	Peters,	Wade,
Carter,	Hill,	Pickler,	Walker, Mass.
Caswell,	Hitt,	Post,	Wallace, Mass.
Cheadle,	Houk,	Pugsley,	Wallace, N. Y.
Cheatham,	Kelley,	Raines,	Watson,
Clark, Wis.	Kennedy,	Randall, Mass.	Wickham,
Cogswell,	Kerr, Iowa	Ray,	Williams, Ill.
Coleman,	Ketcham,	Reed, Iowa	Williams, Ohio
Comstock,	Kinsey,	Reilly,	Wilson, Wash.
CConnell,	Knapp,	Rife,	Wright,
Cooper, Ind.	Lacey,	Rockwell,	Yardley.
Cooper, Ohio	La Follette,	Rowell,	
Culbertson, Pa.	Laidlaw,	Russell,	

NOT VOTING—53.

Anderson, Kans.	Cutcheon,	McClammy,	Stephenson,
Atkinson, Pa.	Dargan,	McCormick,	Stewart, Vt.
Biggs,	De Haven,	Miles,	Taylor, J. D.
Bingham,	Ewart,	Milliken,	Turpin,
Boatner,	Fowler,	Oates,	Van Schaick,
Brosius,	Frank,	Phelan,	Wheeler, Mich.
Brower,	Gifford,	Quackenbush,	Whiting,
Browne, T. M.	Goodnight,	Randall, Pa.	Whitthorne,
Buckalew,	Grosvenor,	Reyburn,	Wilber,
Bunn,	Heard,	Robertson,	Wilson, Ky.
Catchings,	Hopkins,	Rusk,	Wilson, Mo.
Conger,	Lansing,	Skinner,	
Craig,	Lind,	Smith, Ill.	
Crain,	McCarthy,		

So the House refused to adjourn.

Mr. MORROW. I ask unanimous consent to omit the recapitulation.

Mr. HOOKER. I object.

The vote was recapitulated.

The result of the vote was then announced as above recorded.

The SPEAKER. The question recurs upon the motion of the gentleman from California that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the pension appropriation bill.

The question was put, and the Speaker announced that the "ayes" seemed to have it.

Mr. HOOKER. Division.

The House divided; and there were—ayes 93, noes 60.

Mr. HOOKER. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 168, nays 59, not voting 102; as follows:

YEAS—168.

Adams,	Cooper, Ohio.	Lacey,	Rowell
Allen, Mich.	Covert,	Laidlaw,	Russell,
Andrew,	Craig,	Lane,	Scranton,
Arnold,	Culbertson, Pa.	Lehbach,	Seull,
Atkinson, Pa.	Cummings,	Lind,	Sherman,
Atkinson, W. Va.	Cutcheon,	Lodge,	Shively,
Baker,	Dalzell,	Magner,	Smith, W. Va.
Barnes,	De Lano,	Maish,	Smyser,
Barwig,	Dorsey,	Martin, Ind.	Snider,
Bayne,	Dunnell,	Mason,	Spooner,
Beckwith,	Dunphy,	McCarthy,	Springer,
Belden,	Evans,	McClellan,	Stahlnecker,
Bergen,	Farquhar,	McComas,	Struble,
Bingham,	Featherston,	McCord,	Sweeney,
Bliss,	Finley,	Moffitt,	Tarsney,
Boothman,	Fitch,	Moore, N. H.	Taylor, Ill.
Boutelle,	Fithian,	Morey,	Taylor, Tenn.
Bowden,	Flick,	Morrill,	Taylor, E. B.
Brewer,	Flood,	Morrow,	Thomas,
Brickner,	Forman,	Morse,	Townsend, Colo.
Brookshire,	Fowler,	Mudd,	Townsend, Pa.
Brown, Va.	Gear,	Mutchler,	Tracey,
Brunner,	Geissenhainer,	Niedringhaus,	Tucker,
Buchanan, N. J.	Greenhalge,	Nute,	Turner, Kans.
Burton,	Groat,	O'Donnell,	Vandever,
Butterworth,	Hall,	O'Neill, Pa.	Venable,
Caldwell,	Hansbrough,	Osborne,	Wade,
Candler, Mass.	Harmer,	Outhwaite,	Walker, Mass.
Cannon,	Hatch,	Owens, Ohio	Walker, Mo.
Caswell,	Haugen,	Parrett,	Wallace, Mass.
Cheadle,	Hayes,	Pennington,	Wallace, N. Y.
Cheatham,	Henderson, Iowa	Perkins,	Watson,
Clancy,	Hermann,	Peters,	Wickham,
Clark, Wis.	Hill,	Pickler,	Wilcox,
Clunie,	Holman,	Post,	Williams, Ill.
Coleman,	Houk,	Pugsley,	Williams, Ohio
Conger,	Kennedy,	Quinn,	Wilson, Mo.
CConnell,	Kerr, Iowa	Raines,	Wilson, Wash.
Cooper, Ind.	Ketcham,	Ray,	Wise,
Cooper, Ohio	Kilgore,	Reed, Iowa	Wright,
Culbertson, Pa.	Knapp,	Reilly,	Yardley,
		Rife,	Yoder.

NAYS—59.

Alderson,	Cowles,	Lester, Va.	Price,
Allen, Miss.	Dockery,	Lewis,	Richardson,
Anderson, Miss.	Edmunds,	Mansur,	Rowland,
Banks,	Elliott,	Martin, Tex.	Sayers,
Blanchard,	Ellis,	McClellan,	Stewart, Ga.
Blount,	Enloe,	McAdoo,	Stockdale,
Breckinridge, Ark.	Flower,	Mills,	Stone, Ky.
Breckinridge, Ky.	Forney,	Montgomery,	Stone, Mo.
Buchanan, Va.	Grimes,	Moore, Tex.	Stump,
Burrows,	Hare,	Morgan,	Turner, Ga.
Burton,	Hemphill,	Norton,	Turner, N. Y.
Butterworth,	Henderson, N. C.	Oates,	Washington,
Bynum,	Herbert,	O'Ferrall,	Wheeler, Ala.
Caldwell,	Hooker,	Peel,	Wilson, W. Va.
Candler, Mass.	Kerr, Pa.	Pierce,	
Cannon,			
Carter,			
Caswell,			
Cheadle,			
Cheatham,			
Clark, Wis.			
Cogswell,			
Coleman,			
Comstock,			
CConnell,			
Cooper, Ind.			
Cooper, Ohio			
Culbertson, Pa.			

NOT VOTING—102.

Abbott,	Darlington,	Lester, Ga.	Sawyer,
Anderson, Kans.	Davidson,	McAdoo,	Seney,
Bankhead,	De Haven,	McClammy,	Simonds,
Bartine,	Dibble,	McCormick,	Skinner,
Belknap,	Dingley,	McCreary,	Smith, Ill.
Biggs,	Dolliver,	McKenna,	Spinola,
Bland,	Ewart,	McKinley,	Stephenson,
Boatner,	Frank,	Miles,	Stewart, Tex.
Brower,	Funston,	Milliken,	Stewart, Vt.
Brown, J. B.	Gest,	O'Neill, Ind.	Stivers,
Browne, T. M.	Gibson,	O'Neill, Mass.	Stockbridge,
Buckalew,	Gifford,	Owen, Ind.	Taylor, J. D.
Bunn,	Goodnight,	Payne,	Thompson,
Campbell,	Grosvenor,	Paynter,	Tillman,
Candler, Ga.	Haynes,	Payson,	Turpin,
Carlton,	Heard,	Perry,	Van Schaick,
Catchings,	Henderson, Ill.	Phelan,	Wheeler, Mich.
Chipman,	Hopkins,	Quackenbush,	Whiting,
Clarke, Ala.	Kelley,	Randall, Mass.	Whitthorne,
Comstock,	Kinsey,	Randall, Pa.	Wike,
Cochran,	La Follette,	Reyburn,	Wilber,
Crain,	Lanham,	Robertson,	Wiley,
Crisp,	Lansing,	Rockwell,	Wilkinson,
Culbertson, Tex.	Lawler,	Rogers,	Wilson, Ky.
Dargan,	Laws,	Rusk,	
	Lee,	Sanford,	

So the motion was agreed to.

The following additional pairs were announced for the rest of this day:

Mr. T. M. BROWNE with Mr. STEWART.

Mr. THOMPSON with Mr. DAVIDSON.

On motion of Mr. MORROW, the recapitulation of the names of members voting was dispensed with.

The result of the vote was then announced as above recorded.

#### PENSION APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole, Mr. BURROWS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the purpose of considering the annual pension appropriation bill.

Mr. MORROW. Mr. Chairman, I yield the floor to the gentleman from Indiana [Mr. CHEADLE].

Mr. CHEADLE. Mr. Chairman, I desire to reserve my time, and I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, from the Committee of the Whole, reported that they had had under consideration the bill (H. R. 7160) making appropriation for the payment of invalid and other pensions and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

- A bill (H. R. 5751) to increase the pension of Isaac Endaly;
- A bill (S. 140) to prevent the introduction of contagious diseases from one State to another and for the punishment of certain offenses;
- A bill (H. R. 3592) granting a pension to Mrs. Anna Butterfield; and
- A bill (H. R. 417) for the erection of a public building at Houlton, Me.

#### LEAVE OF ABSENCE.

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

To Mr. CHEATHAM, until next Tuesday, on account of important business.

To the Select Committee on Immigration and Naturalization, for three days, in order to make an investigation under the concurrent resolution providing for an immigration investigation.

#### THE LATE REPRESENTATIVE GAY.

On motion of Mr. WILKINSON, by unanimous consent, the special order designating Saturday, March 22, for the delivery of eulogies on the late Representative Gay, of Louisiana, was modified so as to provide that the exercises shall begin at 2 o'clock p. m.

#### ORDER OF BUSINESS.

Mr. MORROW. I move that the House do now adjourn.

The motion to adjourn was agreed to; and the House accordingly (at 5 o'clock and 17 minutes p. m.) 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:

##### INITIAL MONUMENTS, MINERAL SURVEYS.

Letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior for an appropriation for initial monuments for mineral surveys—to the Committee on Appropriations.

##### FLOODS UPON THE MISSISSIPPI RIVER.

Letter from the Secretary of War, transmitting a letter from the Chief of Engineers with a report from the president of the Mississippi River Commission, in further response to the House resolution of the 15th instant, relating to the floods upon the Mississippi River—to the Committee on Rivers and Harbors.

##### REGULAR SUPPLIES, QUARTERMASTER'S DEPARTMENT.

Letter from the Secretary of War, transmitting a letter from the Quartermaster-General, inclosing a proviso relative to certain equipments for the enlisted men of the Army, which he recommends to be inserted under the head of "Regular supplies, Quartermaster's Department," in the Army appropriation bill—to the Committee on Military Affairs.

##### MATTER OF THE BRIG EXPERIENCE.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and of law filed by said court under the act approved January 20, 1885, in the following spoliation claim, to wit: In the matter of brig Experience, James Houston, master; Mary B. Scott, administratrix *de bonis non* of Jacob Clement, deceased—to the Committee on War Claims.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred as follows:

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—to the Committee on Public Buildings and Grounds.

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—to the Committee on Public Buildings and Grounds.

A bill (S. 314) for the relief of Mary B. Le Roy—to the Committee on Invalid Pensions.

A bill (S. 640) granting a pension to Annie D. Rundlett—to the Committee on Invalid Pensions.

A bill (S. 916) granting a pension to Mary E. Harney—to the Committee on Invalid Pensions.

A bill (S. 1029) to provide for the purchase of a site for a public building at Spokane Falls, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 1030) to provide for the purchase of a site for a public building at Tacoma, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 1031) to provide for the purchase of a site for a public building at Seattle, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 1075) to provide for the purchase of a site for a public building at Walla Walla, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 1136) for the relief of William De Ford, trustee for C. D. De Ford & Co.—to the Committee on Claims.

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—to the Committee on Public Buildings and Grounds.

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—to the Committee on Public Buildings and Grounds.

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—to the Committee on Public Buildings and Grounds.

A bill (S. 2692) to establish certain ports of delivery in Alaska Territory—to the Committee on Commerce.

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—to the Committee on Public Buildings and Grounds.

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—to the Committee on the Public Lands.

#### RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was delivered to the Speaker and referred as follows:

By Mr. HITT:

*Resolved*, That Thursday, April 3, after sixty minutes of the morning hour have passed, be set apart for the consideration of bills reported from the Committee on Foreign Affairs;

to the Committee on Rules.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees on bills of the following titles were filed, and, with accompanying bills, ordered to be printed, and referred as follows:

Mr. PERKINS, from the Committee on Indian Affairs, reported with amendment the bill (H. R. 344) to grant the right of way to the Pittsburgh, Columbus and Fort Smith Railway Company through the Indian Territory, and for other purposes—to the House Calendar.

Mr. COLEMAN, from the Committee on Foreign Affairs, reported favorably the resolution of the House requesting the President of the United States, if not inconsistent with the public interests, to send to the House copies of all correspondence between the United States and Mexico relating to the seizure at port of Tampico of the schooner Rebecca in February, 1884, etc.—to the House Calendar.

Mr. MCCREARY, from the Committee on Foreign Affairs, reported favorably the bill (H. R. 2211) for the relief of R. F. Harrison—to the Committee of the Whole House.

Mr. HERMANN, from the Committee on Rivers and Harbors, reported favorably the bill (H. R. 4909) for the cancellation of contract with United States engineer for delivery of stone for the improvement of the mouth of the Columbia River in Oregon and Washington—to the House Calendar.

Mr. LEHLBACH, from the Committee on Public Buildings and Grounds, reported with amendment the bill (S. 1230) for the erection of a public building in the city of Pawtucket, R. I.—to the Committee of the Whole House on the state of the Union.

Mr. MONTGOMERY, from the Committee on the Post-Office and Post-Roads, reported favorably the bill (H. R. 7817) for the relief of Phillip N. Fox—to the Committee of the Whole House.

## 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. ROWELL: A bill (H. R. 8447) to fix the salaries of certain employes of the House of Representatives—to the Committee on Accounts.

By Mr. TOWNSEND, of Pennsylvania (by request): A bill (H. R. 8448) to authorize the payment of pensions to certain persons—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 8449) to repeal chapter 418 of the acts passed at the second session of the Fiftieth Congress—to the Committee on the Judiciary.

By Mr. WHEELER, of Alabama: A bill (H. R. 8450) for the erection of a public building at Decatur, Ala.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8451) for the erection of a public building at Florence, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. TOWNSEND, of Pennsylvania: A bill (H. R. 8452) to correct the record of certain soldiers of the late war and pay the amounts that may be due to them—to the Committee on Military Affairs.

By Mr. LEE (by request): A bill (H. R. 8453) to authorize the construction of the Potomac Railroad in the District of Columbia and to define the route of the same—to the Committee on the District of Columbia.

By Mr. GRIMES: A bill (H. R. 8454) to authorize the Secretary of War to cause an examination and survey to be made and the cost of improvement to be estimated of the Chattahoochee River between West Point, Ga., and Franklin, Ga.—to the Committee on Rivers and Harbors.

By Mr. TOWNSEND, of Colorado: A bill (H. R. 8455) for the erection of a public building at Leadville, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. McCORD: A bill (H. R. 8456) providing for the erection of range lights and steam fog-whistles on Plum Island, in Lake Michigan—to the Committee on Commerce.

By Mr. SNIDER: A bill (H. R. 8457) to amend an act entitled "An act to authorize foot and carriage or railroad bridges across the Mississippi River at St. Paul, in the State of Minnesota, approved July 5, 1884—to the Committee on Commerce.

By Mr. BOATNER: A bill (H. R. 8458) authorizing the purchase of tents by the Secretary of War, and for other purposes—to the Committee on Military Affairs.

By Mr. CLUNIE: A bill (H. R. 8459) for the protection of watersheds and irrigation systems, and for the establishment of a forest administration on the western mountains and plains—to the Select Committee on Irrigation of Arid Lands in the United States.

By Mr. SPINOLA: A bill (H. R. 8460) to provide for the retirement of disabled and wounded general officers of the United States volunteers—to the Committee on Military Affairs.

By Mr. WADE: A bill (H. R. 8490) to enforce the eight-hour law on Government premises—to the Committee on Labor.

By Mr. BOATNER: A joint resolution (H. Res. 131) authorizing the Mississippi River Commission to use funds and plant under their control for certain purposes—to the Committee on Rivers and Harbors.

## PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ABBOTT: A bill (H. R. 8461) to quiet the title of certain lands in the State of Mississippi, and for the relief of Eli Ayers—to the Committee on Indian Affairs.

By Mr. BECKWITH: A bill (H. R. 8462) to remove limitation from claims of Henry L. Potter—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 8463) giving the Court of Claims jurisdiction of the claims on account of property of the Chesapeake Female College possessed and used by the United States military authorities—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 8464) for the relief of the estate of F. Z. Tucker—to the Committee on War Claims.

By Mr. COOPER, of Indiana: A bill (H. R. 8465) to increase the pension of Daniel King—to the Committee on Pensions.

By Mr. CRAIG: A bill (H. R. 8466) granting a pension to Eli G. Flemming—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 8467) for the relief of Alexander Van Loon, late private in Company B, Fourth New York Heavy Artillery—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 8468) for the relief of the heirs of J. S. Stull—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 8469) for the relief of Hart County, Kentucky—to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 8470) granting a pension to Adam Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8471) granting a pension to Fritz Roddewig—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 8472) granting a pension to Mary B. Clammer, daughter of David Clammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8473) granting a pension to Thompson Riley—to the Committee on Pensions.

By Mr. MARTIN, of Indiana: A bill (H. R. 8474) to restore the name of Belinda Lloyd to the pension-roll and pay her a pension—to the Committee on Invalid Pensions.

By Mr. MOREY: A bill (H. R. 8475) granting a pension to Sarah W. Beckett—to the Committee on Invalid Pensions.

By Mr. O'FERRALL (by request): A bill (H. R. 8476) for the relief of the estate of Benjamin F. Gibbs—to the Committee on Claims.

By Mr. PUGSLEY: A bill (H. R. 8477) granting a pension to William Pfister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8478) to increase the pension of Sarah Rains, the oldest pensioner on the rolls of the war of 1812, she being ninety-nine years of age—to the Committee on Pensions.

Also, a bill (H. R. 8479) granting a pension to George W. Weaver—to the Committee on Invalid Pensions.

By Mr. SIMONDS: A bill (H. R. 8480) to correct the military record of Patrick Mackin—to the Committee on Military Affairs.

By Mr. SNIDER: A bill (H. R. 8481) for the relief of Benjamin F. Hartley—to the Committee on Claims.

Also, a bill (H. R. 8482) for the relief of O. M. Laraway—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 8483) for the relief of Horatio Phillips Van Cleave—to the Committee on Military Affairs.

Also, a bill (H. R. 8484) granting a pension to Jared D. Wheelock—to the Committee on Pensions.

By Mr. STEWART, of Texas: A bill (H. R. 8485) granting an increase of pension to Owen C. Powell—to the Committee on Pensions.

By Mr. TARSNEY: A bill (H. R. 8486) for the relief of Samuel Mason—to the Committee on War Claims.

By Mr. TOWNSEND, of Pennsylvania: A bill (H. R. 8487) for the relief of Timothy McCarty—to the Committee on Military Affairs.

By Mr. WALKER, of Massachusetts: A bill (H. R. 8488) to correct the military history of Owen Smith—to the Committee on Military Affairs.

By Mr. WRIGHT: A bill (H. R. 8489) removing disabilities from charge of desertion and decision of court-martial from George W. Morgan, of Company E, Eightieth Regiment, New York Volunteers—to the Committee on Military Affairs.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the following changes of reference were made:

A bill (H. R. 4714) for the relief of Sampson P. Boyly—Committee on Elections discharged, and referred to the Committee on Claims.

A bill (H. R. 5348) to place the name of Sarah A. Smail upon the pension-roll and grant her a pension of \$25 per month—Committee on Military Affairs discharged, and referred to the Committee on Invalid Pensions.

## PETITIONS, ETC.

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

By Mr. BROOKSHIRE: Petition of George W. Murphy, president, and Thomas Moran, secretary, of Subordinate Union No. 5 of the Bricklayers and Masons' International Union of America, of Terre Haute, Ind., praying the amendment of the law so that citizens of the United States shall be preferred as laborers to do public work controlled by the United States Government—to the Committee on Labor.

By Mr. BUCHANAN, of New Jersey: Petition of Union No. 17, Bricklayers' Union, Trenton, N. J., against the employment of alien labor on Government works—to the Committee on Labor.

By Mr. BULLOCK: Memorial of Dental Association of Florida, asking that dentists be appointed for the Army and Navy—to the Committee on Naval Affairs.

By Mr. CANDLER, of Massachusetts: Petition from 50 firms of grocers' packers, in regard to tariff on canned lobsters—to the Committee on Ways and Means.

By Mr. CANNON: Petition of F. H. Hacker, Henry Brand, and others, of Danville, Ill., of North American Turnbund, protesting against proposed system of emigrant inquisition through consular representation abroad—to the Select Committee on Immigration and Naturalization.

By Mr. CARUTH: Paper to accompany H. R. 6676, to pension John J. Tulley—to the Committee on Pensions.

By Mr. CATCHINGS: Claim of Alfred Smith for quartermaster supplies—to the Committee on War Claims.

By Mr. CHEADLE: Petitions of various Grand Army of the Republic posts, in favor of a service pension—to the Committee on Invalid Pensions.

By Mr. COGSWELL: Petition of Arthur A. Mack and other citizens of Salem, Mass., members of the Bricklayers and Masons' International

Union of America, asking that aliens may be excluded from employment on Government works—to the Committee on Labor.

By Mr. CONGER: Concurrent resolutions of the Iowa Legislature, for the passage of a pure-lard bill—to the Committee on Agriculture.

By Mr. COVERT: Petition of S. T. Preston and others, for a breakwater at Mattituck Bay, Long Island—to the Committee on Rivers and Harbors.

By Mr. CRAIG: Petition of citizens of Madison, Westmoreland County, Pennsylvania, favoring bill to prevent manufacture of adulterated lard—to the Committee on Agriculture.

Also, petition of ex-soldiers of Indiana County, for passage of service-pension, prisoners' pension, widows' pension law, and for repeal of limitation to the granting of arrears of pensions—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: Petition of stenographers and others, on behalf of the Lawler resolution as to the short-hand method of spelling—to the Committee on Education.

By Mr. CUTCHEON: Petition of farmers of Muskegon County, Michigan, favoring a bounty on American flour shipped in American vessels—to the Committee on Merchant Marine and Fisheries.

By Mr. EVANS: Petition of Benjamin F. Johnson, asking Congress to refer his quartermaster claim to the Court of Claims under so-called Bowman act—to the Committee on War Claims.

By Mr. GEST: Petition and proof in the pension claim of Margaret Hawkins—to the Committee on Invalid Pensions.

By Mr. HAYES: Joint resolution of the Iowa Legislature, praying for the repeal of the limitation 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. HAYNES: Memorial and petition of D. Carter and 71 others, citizens of Detroit, Mich., praying for the erection of a monument at Put-in Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and others who participated in the battle of Lake Erie on September 10, 1813—to the Committee on the Library.

By Mr. HEARD: Petition of citizens of Missouri, relative to improvement of the Missouri River—to the Committee on Rivers and Harbors.

By Mr. HENDERSON, of Iowa: Joint resolution of the General Assembly of Iowa, favoring the construction of a canal from the Mississippi River to the Illinois River at Hennepin, Ill.—to the Committee on Rivers and Harbors.

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

Also, joint resolution of same body, urging legislation to prevent adulteration of lard—to the Committee on Agriculture.

Also, petition of Honey Creek Monthly Meeting of the Friends Church, of Hardin County, Iowa, numbering 788 members, earnestly protesting against the Senate proposition for a large increase of the Navy and other coast defenses—to the Committee on Naval Affairs.

Also, resolutions of Chester Alliance of Farmers from Union, Hardin County, Iowa, favoring the Butterworth bill against gambling in farm produce—to the Committee on Agriculture.

By Mr. KELLEY: Petition of Thirty-third Judicial District Veteran Association, asking for the passage of service-pension bill and protesting against the dependent or pauper provisions in any bill; headquarters of association, Dighton, Kans.—to the Committee on Invalid Pensions.

Also, petition of A. B. Jetman and 83 others, citizens of Topeka, Kans., asking for increase of pay of letter-carriers, and asking for passage of House bill 3863 introduced by J. LOGAN CHIPMAN—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mt. Joy Lodge Farmers' Mutual Benefit Association, No. 2049, State of Kansas, asking for abolition of national banks, for free coinage of silver, for a chance to elect United States Senators by the people by direct vote, for liberal pensions to discharged soldiers, for an increase in the volume of the currency—to the Committee on Banking and Currency.

By Mr. LACEY: Petition of Elden Post, Grand Army of the Republic, Iowa, for service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Grand Army of the Republic post at Monroe, Iowa, for the same purpose—to the Committee on Invalid Pensions.

Also, resolutions favoring the Butterworth bill against dealing in farm products—to the Committee on Agriculture.

By Mr. LANE: Petition of citizens of Illinois, for the suppression of corrupt literature—to the Committee on Education.

By Mr. MCKINLEY: Petition of citizens of Ohio, in favor of the employment of home labor on Government works—to the Committee on Labor.

By Mr. MILLIKEN: Petition of H. M. Savage, for relief—to the Committee on Claims.

Also, petition of D. S. Moore and others, for pure lard—to the Committee on Agriculture.

By Mr. MOREY: Petition by soldiers of Gray County, Kansas, for passage of law repealing limitation of arrears of pension, service-pension, and dependent-pension laws—to the Committee on Invalid Pensions.

By Mr. MORRILL: Resolutions of the ex-soldiers of Gray County, Kansas, asking for pension legislation by passage of the Ingalls service bill and repeal of limitation to arrears act—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Protest of G. F. Bock & Son and four other dealers in hardware at Battle Creek, Mich., against an increase in duty on tin—to the Committee on Ways and Means.

Also, protest of A. R. Barrett, Union City, Mich., for same purpose—to the Committee on Ways and Means.

Also, petition from 89 farmers of Branch County, Michigan, asking the passage of a law directing the Secretary of the Treasury to pay a bounty for the export of flour by the barrel in American vessels—to the Committee on Agriculture.

By Mr. PERKINS: Petition of Jasper J. Stone and 25 other ex-Union soldiers, residents of Coney Township, Montgomery County, Kansas, asking for the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, petition of S. Slater and 50 others, asking for legislation providing for free coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. PERRY: Petition of citizens of Fairfield County, South Carolina, against the passage of the bills taxing cotton-seed-oil products—to the Committee on Ways and Means.

By Mr. PUGSLEY: Petition of Mary M. Shock, for pension—to the Committee on Invalid Pensions.

By Mr. RANDALL, of Massachusetts: Petition of citizens of Massachusetts, relative to the iron and steel industries—to the Committee on Ways and Means.

By Mr. RAY: Petition of Subordinate Union No. 6, city of Uniontown, Pa., of the Bricklayers and Masons' International Union of America against the employment of alien labor on Government works—to the Committee on Labor.

Also, petition of 600 citizens of Western Pennsylvania, for the improvement of Youghioghny River—to the Committee on Rivers and Harbors.

By Mr. SCULL: Petition of Subordinate Union, No. 13, city of Altoona, Pa., of the Bricklayers and Masons' International Union of America, praying for such an amendment to the laws as will secure to citizens of the United States preference in work on the construction of public buildings and other Government structures—to the Committee on Labor.

By Mr. SENEY: Petition of Bricklayers and Masons' Union, of Findlay, Ohio, against the employment of aliens instead of citizens on Government works—to the Committee on Labor.

By Mr. SPRINGER: Petition of Chicago Paint and Oil Club, for a simple and inexpensive system of bankruptcy—to the Committee on the Judiciary.

By Mr. STRUBLE: Resolutions passed by Lumbermen's Alliance No. 1299, Smithland, Iowa, urging the passage of H. R. bill 5353, defining options and futures and imposing penalties to lessen and prevent gambling in farm products—to the Committee on Agriculture.

By Mr. TOWNSEND, of Pennsylvania (by request): Two petitions of bricklayers' and masons' unions against alien labor on Government buildings and works—to the Committee on Labor.

By Mr. TURNER, of Georgia: Petition of W. B. McDaniel and 14 others, of Faceville, Decatur County, Ga., in favor of the bill to prevent the adulteration of lard—to the Committee on Agriculture.

By Mr. WICKHAM: Petition of Huntington Brown and 64 others, citizens of Richland County, Ohio, for the erection of monument to mark burial place of those who were killed in the battle of Perry's victory—to the Committee on the Library.

By Mr. WILLCOX: Petition for harbor at Duck Island—to the Committee on Rivers and Harbors.

Also, petition for breakwater, Duck Island harbor, Connecticut, signed by leading merchants, masters, and owners of vessels of Calais, Me., Newport, R. I., New London, Conn., Norwich, Conn., Mystic River, Conn., Mystic Bridge, Conn., New York City, Jersey City, N. J., and Brooklyn, N. Y., River Head, Long Island, Stonington, Conn., Fair Haven, Conn.—to the Committee on Rivers and Harbors.

By Mr. WILSON, of Washington: Memorial from the Legislature of the State of Washington, relating to light-house on San Juan Island—to the Committee on Commerce.

Also, same from same body, relating to a light-house and fog-signal at Callam Head—to the Committee on Commerce.

Also, same from same body, 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, same from same body, relative to the improvement of the Columbia River—to the Committee on Rivers and Harbors.

Also, same from same body, relative to the improvement of the Upper Columbia—to the Committee on Rivers and Harbors.

Also, same from same body, relative to an appropriation for public surveys—to the Committee on Appropriations.

Also, same from same body, relative to the improvement of the Cowlitz River—to the Committee on Rivers and Harbors.