

John A. Stroube, to be postmaster at Chamberlain, in the county of Brûlé and State of South Dakota, in the place of William Gilman, whose commission expires July 3, 1890.

Robert B. Wood, to be postmaster at Hampton, in the county of Elizabeth City and State of Virginia, in place of Mattie K. Chisman, whose commission expired March 31, 1890.

PROMOTION IN THE ARMY.

Quartermaster's Department.

Lieut. Col. Richard N. Batchelder, Deputy Quartermaster-General, to be Quartermaster-General with the rank of brigadier-general, June 26, 1890, *vice* Holabird, retired from active service.

CONFIRMATION.

Executive nomination confirmed by the Senate May 22, 1890.

POSTMASTER.

John H. Johnston, to be postmaster at Danville, in the county of Pittsylvania and State of Virginia.

HOUSE OF REPRESENTATIVES.

THURSDAY, June 26, 1890.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

BRIDGE ACROSS THE MISSISSIPPI AT WINONA, MINN.

Mr. DUNNELL. I ask unanimous consent that the bill (H. R. 8792) to authorize the construction of a bridge across the Mississippi River at Winona, Minn., may be considered at this time. I will state that this bill has heretofore been read except the two closing sections, when the gentleman from New York [Mr. SPINOLA] objected. I understand that he will not now make objection.

Mr. DOCKERY. What is the bill?

Mr. DUNNELL. It is a bill for the construction of a bridge at the city of Winona, Minn. The bill was written at the War Department.

Mr. MCREARY. I desire to inquire whether the bill contains simply the usual provisions.

Mr. DUNNELL. The bill is in the usual form. It was prepared at the War Department.

Mr. SPINOLA. I have no objection.

The SPEAKER. Unless the reading of the whole bill be called for, the Clerk will read the two sections not heretofore read.

The Clerk resumed and concluded the reading of the bill.

There being no objection, the House proceeded to the consideration of the bill.

The substitute recommended by the Committee on Commerce was agreed to.

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

Mr. DUNNELL 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.

LEAVE OF ABSENCE TO POST-OFFICE EMPLOYÉS.

Mr. KETCHAM. I ask unanimous consent that the Committee of the Whole on the state of the Union be discharged from the further consideration of the bill (H. R. 10086) granting leaves of absence to clerks and employés in first and second class post-offices, and that the House now proceed to consider the bill. I will simply state that this bill has been recommended by the Post-Office Department, has been unanimously approved by the Committee on the Post-Office and Post-Roads, and will involve no additional expense to the Government.

The bill was read, as follows:

Be it enacted, etc., That from and after July 1, 1890, the clerks and employés attached to first and second class post-offices be allowed leaves of absence, with full pay, for not exceeding fifteen days in any one fiscal year: *Provided*, That no clerk nor employé be granted a leave until he has performed service for one year.

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

Mr. FLOWER. I hope there will be no objection. The bill does not involve one dollar of expense to the Government. I can say from personal observation, founded on an experience of six years in connection with the postal service, that no class of people employed by the Government more fully earn their salaries than this class of post-office employés, and they are certainly entitled to this little relief that the present bill affords them. I hope the bill will pass, and I trust also that we shall as soon as the opportunity arises give our post-office clerks the benefit of the eight-hour system.

Mr. DOCKERY. I will inquire of the gentleman from New York [Mr. KETCHAM] whether this bill carries an appropriation?

Mr. KETCHAM. It does not.

Mr. BLAND. Has the bill been reported from any committee?

Mr. KETCHAM. It has received the unanimous approval of the Committee on the Post-Office and Post-Roads.

Mr. BLAND. Understanding that the bill has been reported favorably by a committee of this House, I shall not object to its consideration; otherwise I should do so.

There being no objection, the Committee of the Whole House on the state of the Union was discharged from the further consideration of the bill, which was ordered to be engrossed and read the third time; and it was accordingly read the third time, and passed.

Mr. KETCHAM 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.

DONATION OF LAND FOR SCHOOL PURPOSES.

Mr. CHIPMAN. I ask unanimous consent for the present consideration of the bill (H. R. 8155) to grant school district No. 7 of the township of Dearborn, Wayne County, Michigan, certain lots of land for school purposes.

The bill was read, as follows:

Be it enacted, etc., That the following described lands, situate in the township of Dearborn, county of Wayne and State of Michigan, to wit, lots 68, 69, 70, 71, 72, 95, 96, 98, 99, are hereby granted to school district No. 7 of said township, to be used for school purposes, the said lands being bounded by Center street, Mason street, Morley avenue, and Garrison street, according to the plat of the United States military reservation in said township.

The amendment recommended by the Committee on the Public Lands was read, as follows:

Add the following as new sections:

Sec. 2. That the Secretary of the Interior shall cause the unsold portion of the grounds, and the building thereon known as the Dearborn arsenal, in the State of Michigan, except the lots named in section 1 of this act, to be reappraised and sold for cash, at not less than the appraised value, to the highest bidder, after giving not less than ninety days' notice of such sale in three of the most prominent newspapers published in said State: *Provided*, That each subdivision, together with any buildings, building materials, & other property, thereon, shall be appraised and offered separately, at public outcry, to the highest bidder, after which any unsold subdivision or subdivisions, together with any buildings, building materials, or other property thereon, shall be subject to sale at private entry for the appraised value, at the proper land office.

Sec. 3. That the sum of \$500, to be immediately available, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this act.

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

Mr. TAYLOR, of Illinois. Is there a report in this case? If so, I should like to hear it read.

Mr. CHIPMAN. Let the report be read; it is very short.

The report (by Mr. PAYSON) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (H. R. 8155) to grant school district No. 7 of the township of Dearborn, Wayne County, Michigan, certain lots of land for school purposes, having fully considered the same, respectfully report:

By act of Congress of March 3, 1875, volume 18, Statutes at Large, page 510, certain lands of the United States adjoining Detroit, Mich., and called the Detroit arsenal, were ordered to be platted, appraised, and sold at not less than the appraisement.

Under this, one hundred and fifty-three lots were laid off and seventy-four sold. The remainder, seventy-nine, are still the property of the United States. Only ten lots have been sold in the past six years; the value has largely depreciated, and the Secretary of the Interior has recommended a new appraisement and sale of the remainder of the lots.

The authorities of the school district in which the lots lie ask for a donation of one block, nine lots, as a school site, and, as the community is poor, the lots not valuable, probably not exceeding \$600 to \$800, we recommend the passage of the bill, amended by adding two appropriate sections for the sale of the remaining lots.

There being no objection, the House proceeded to the consideration of the bill.

The amendment reported by the Committee on the Public Lands was agreed to.

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

Mr. CHIPMAN 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.

WAGON-BRIDGE AT HASTINGS, MINN.

Mr. HALL. I ask unanimous consent for the present consideration of the bill (H. R. 8047) to construct a wagon-bridge across the Mississippi River at Hastings, Minn.

Mr. HEMPHILL. After this I will call for the regular order. I had agreed with some gentlemen here that inasmuch as there had been two recognitions on the other side for requests for unanimous consent I would not object to two on this side.

The SPEAKER. As the Chair understands, the regular order is demanded.

Mr. FLOWER. I hope the gentleman from South Carolina [Mr. HEMPHILL] will withdraw his objection. When this is disposed of my colleague [Mr. SPINOLA] desires consent for the consideration of a small bill.

Mr. HEMPHILL. I would like to say in explanation that I did

agree with some gentlemen here that inasmuch as two gentlemen on the other side had been recognized to call up bills by unanimous consent I would not object to two on this side. But if our friends over there come in and our friends over here want to do the same thing constantly, we shall never get through.

The SPEAKER. The Chair thinks an examination will show that the recognitions have been equally divided between the two sides; that there has not been enough difference to account for the difference in numbers of the two sides.

Mr. HEMPHILL. I am not making any criticisms of the Chair.

The SPEAKER. The Chair is very glad to have an opportunity to make this statement, because he has noticed that some criticism has been made on this point.

Mr. GEISSENHAINER. I understand the objection is withdrawn.

The SPEAKER. Is the objection withdrawn by the gentleman from South Carolina [Mr. HEMPHILL]?

Mr. HEMPHILL. Yes, sir.

The bill was read.

Mr. BLAND. Has this bill been favorably reported by a House committee?

Mr. HALL. Yes, sir; it is reported favorably by the Committee on Commerce; the report accompanies the bill.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the Committee on Commerce were read, as follows:

After the word "structure," in line 27 of section 4, insert:

"And for the safety of vessels passing at night there shall be displayed on said bridge, from the hour of sunset to sunrise, such lights or other signals as may be prescribed by the Light-House Board."

Add a section, to be known as section 7, as follows:

"SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of the passage of this act."

The amendments were agreed to.

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

Mr. HALL 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.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed with amendments, in which concurrence was requested, a joint resolution (H. Res. 166) authorizing Ensign J. B. Bernardou, United States Navy, to accept two vases presented to him by the Government of Japan.

The message also announced that the Senate had passed with amendments a joint resolution (H. Res. 104) to permit the Secretary of War to grant a revocable license to use a pier, as petitioned by vessel-owners of Chicago, Ill., asked a conference with the House on the bill and amendments, and had appointed Mr. CULLOM, Mr. DOLPH, and Mr. RANSOM conferees on the part of the Senate.

The message further announced that the Senate had passed bills of the following titles, in which concurrence of the House was requested:

A bill (S. 3917) to adopt regulations for preventing collisions at sea; and

A bill (S. 3918) in regard to collision at sea.

LEAVE OF ABSENCE, PER DIEM CUSTOMS EMPLOYÉS.

Mr. SPINOLA. Mr. Speaker, I ask unanimous consent to consider Senate bill No. 276, providing for leave of absence to the officers and employés of the customs service of the Government who receive per diem compensation.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read at length.

Mr. HOLMAN. Mr. Speaker, I wish to suggest to my friend from New York that this measure should be broadened, I think. We have been legislating in this direction for several years past, making exception of a case here and there, but enacting no legislation broad enough to cover the various departments of the Government.

Mr. CUMMINGS. Let me suggest to the gentleman from Indiana that this bill does not take one penny out of the Treasury of the United States.

Mr. HOLMAN. I so understand, and I am not referring to that as a provision of the bill. I am not objecting on that ground.

Mr. SPINOLA. You can bring in a general bill at any time hereafter. Let this bill go through now.

Mr. FLOWER. Yes, we can get them all in hereafter in some general measure.

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

Mr. HOLMAN. I am not objecting, Mr. Speaker, but I do not think this is the right kind of legislation. There are, for instance, our navy-yards and certain people about the Capitol here employed, for whom no provision is made.

Mr. BUCKALEW. Mr. Speaker, I retained the right to object, as this seemed likely to lead to discussion and consumption of time.

The SPEAKER. Does the gentleman object?

Mr. BUCKALEW. Yes, I do object, and demand the regular order.

The SPEAKER. Objection is made.

Mr. HOLMAN. I have not objected to the consideration of the bill.

The SPEAKER. But the gentleman from Pennsylvania objects and demands the regular order.

FEDERAL ELECTION LAW.

The SPEAKER. The House under the special order proceeds to consider the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc. The gentleman from Massachusetts [Mr. LODGE] is recognized.

Mr. LODGE. Mr. Speaker, I desire to ask first that this bill and the report accompanying it may be reprinted for the use of the House. The supply, I am informed at the document-room, is entirely exhausted. I ask that both the majority report and the views of the minority be ordered reprinted, together with the bill.

The SPEAKER. In the absence of objection, the order will be made.

There was no objection, and it was so ordered.

The SPEAKER. The first thing in order is the reading of the bill.

Mr. LODGE. I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. LODGE. Mr. Speaker—

Mr. BUCKALEW. Before the gentleman from Massachusetts proceeds I want to understand, as a member of the minority of the committee which reported the bill, how members will have the time assigned to them in debate upon the floor; whether the chairman of the Committee on Election of President and Vice-President has anything to propose in regard to the matter? If so, I hope he will suggest some such arrangement before proceeding with his argument.

Mr. LODGE. I understand, Mr. Speaker, that the time is to be equally divided, whatever it may be, between the two sides of the question; and that the recognitions, of course, will be in the usual manner. I know of no other arrangement that can be made, or has been suggested. I know there are a great many more requests for time on this side of the House than the time allotted to debate will allow; and I suppose we will have to do the best we can in regard to that matter. Of course any arrangement as to the division of time on the other side the gentleman chooses to make, or that will be satisfactory to that side, will be entirely satisfactory to me. I shall not object to any such arrangement on their part.

Mr. BUCKALEW. I would ask if the gentleman from Massachusetts proposes to control the recognitions on the majority side.

Mr. LODGE. I suppose, Mr. Speaker, that outside of the members of the committee themselves, who are entitled to their time, the recognitions must proceed from the Chair, the time having been fixed by a general rule or order of the House. I do not suppose it lies with the chairman of the committee to control it.

Mr. BUCKALEW. Unless by common consent.

Mr. LODGE. Of course, unless by common consent. I have no wish personally on the subject. I have not the slightest objection to your controlling absolutely your time on that side.

Mr. BLOUNT. Mr. Speaker, I make this suggestion: That we go on for an hour or so, and I have no doubt that in the mean time some arrangement can be made which will be satisfactory to all parties.

Mr. BUCKALEW. I wish merely to say in behalf of the minority of the committee, that a large number of gentlemen, some twenty-five or thirty of the minority, have applied to the members of the committee who made the minority report for time; and their names have all been taken down, with the understanding that the minority of the committee would control the time on this side of the House. But if that arrangement is not made by consent of the House, if assignments are to be made by the Speaker, of course—

The SPEAKER. The Chair will be very glad to listen to any suggestion of the gentleman from Pennsylvania as to the control of the time on that side of the question, if he desires to control it, and no objection is made by other members of the House.

Mr. BUCKALEW. I wish to continue, Mr. Speaker, the suggestion that a number of gentlemen have also submitted their names to the Speaker for recognition and there is liability of confusion unless some understanding can be reached in the House as to the division of the time on the subject. In that event, I shall abdicate any concern about it and these gentlemen can make their own arrangements. I merely wish to add that individually I do not care a straw as to what arrangement may be made, provided it is satisfactory to the gentlemen themselves.

Mr. TUCKER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. LODGE] control the time on that side of the House, and the gentleman from Pennsylvania [Mr. BUCKALEW] be considered as controlling the time on this side of the House.

Mr. KERR, of Iowa, and Mr. SPINOLA objected.

Mr. KERR, of Iowa. I have no objection to the gentleman from Pennsylvania controlling the time on that side of the House.

Mr. BLOUNT. I call for the regular order, with the hope, Mr. Speaker, that after debate has proceeded for some time, some arrangement may be made.

The SPEAKER. The Chair thinks there is no doubt that some satisfactory arrangement can be made, if gentlemen on the committee will endeavor to do so.

Mr. LODGE. Mr. Speaker, I do not think that any graver or more important subject could come before this House than the one presented by the pending bill. The subject is one which demands the most serious and deliberate treatment on the part of the House. So far as I am concerned, I desire to say that I have absolutely no personalities to indulge in; that I have no bitter reflections to make upon any one anywhere, and that it will be my endeavor to treat the question as dispassionately and as temperately as I can.

Such argument as I have to make, Mr. Speaker, I should like to make, complete and connectedly, as a whole, without being broken in upon or diverted to side issues; and I therefore would take the liberty of asking that I may be allowed to proceed without interruption, and I trust that I shall not be considered discourteous if I decline to yield to questions.

The bill before us proposes to extend and perfect existing laws in regard to the supervision of the elections of members of this body, so that they will be effective throughout the United States, wherever the application of the law is demanded. It is needless for me to say to the House that the power of the United States in regard to elections extends only to those at which members of this body are chosen. This bill proposes to exercise this power, when demanded, in such a way as to secure, so far as possible, fair and honest elections for Representatives in Congress, without disturbing or overthrowing in any way the State machinery employed for the same purpose.

The bill provides that a chief supervisor shall be appointed by the circuit courts in each judicial circuit of the United States, that on petition of 100 citizens in an entire Congressional district, or in a city of over 20,000 inhabitants, or on the petition of 50 citizens in a county, such city, Congressional district, or county shall be put under the operation of this law. Unless citizens desire the application of this law it will not be applied. If citizens do desire it to the numbers that I have mentioned, it will be applied. The duties of the officers appointed by the chief supervisor upon petition to carry out the instructions and duties imposed upon them by the bill are to act simply as officers of supervision and observation, and they stand side by side with the local officers who register and receive the votes, who count and who return them. No local machinery is disturbed, no local officer is displaced, no man, if this law is applied to a district, will cast his vote in any manner different from that in which he now casts it. No State which has adopted a system of a secret and official ballot is interfered with. On the contrary, a special provision is made for the existence of such systems, and, in a word, the operation of this law leaves the local systems entirely untouched.

The first duty of the officers appointed under this bill is that of observation and report, first on registration where registration exists, in order that such registration may be pure; that no man's name may be upon it which does not belong there, and that no man's name may be taken from it which has a right to be there. Their next duty is to stand at the polls and watch the reception of the vote. Their next duty is to take part in the count of the votes and make a return to the chief supervisor. If the law applies simply to a city or a county, their duty ends there. If, however, it applies to an entire Congressional district, the law provides for the establishment of a United States board of canvassers, also to be appointed by the circuit courts, who shall canvass and return the votes as returned to them by the supervisors, and make certificate of the same to the Clerk of this House. If that certificate agrees with the certificate of the State officers, of course the man holding both certificates is seated. If, however, they differ—and this is the only point where the law gives absolute control to the United States—the certificate of the United States board of canvassers is to be *prima facie* evidence, and is to place the name of the holder upon the roll of the Representatives of this body.

The penal sections now existing in regard to violations of election laws have been revised so as to make the punishment commensurate with what the committee believes to be the most serious crimes in their way that can be committed, crimes against the suffrage.

The general purposes and methods of the bill can be easily understood from the outline of its objects which I have given. Now one word as to the principles on which it rests.

The great safeguard to the public welfare of this country is publicity. Public opinion always governs in the last resort, and that it should govern rightly it needs only to be correctly informed. Everything which concerns government, from the selection of the pettiest town officer to the conduct of the vast affairs of the nation, should be done so that it may be seen and known of all men. Darkness is noxious to free institutions, but in the brightest light that can shine upon them they flourish and grow strong.

The business of the people must not be transacted in dim corners or in locked rooms, but openly, before the people's eyes, and this applies

with tenfold force to the foundations upon which the whole vast system rests. The greatest assurance of honest elections lies in making absolutely public every step and every act by which the Representatives of the people are chosen to their high offices. To secure complete publicity at every stage of an election, therefore, is the leading principle of this bill. From the earliest process by which citizens are made to the very last by which Representatives are certified, every step under this bill is to be watched over and reported by officers of the United States; every transaction, no matter how trivial, if it has relation to elections and to voting, is to be brought out into light so that the people of the United States may behold and understand it. If all is well and rightly done, it will be known. If aught is wrong, it too will be known, and wrong withers away when it is dragged out into the bright light of day.

To secure absolutely this great safeguard of publicity by an accurate report of every fact, this bill provides that the officers charged with this duty shall represent the two leading parties at every registration office and every polling place where they are posted. If an officer has a political interest which leads him to misrepresent the facts, he has by his side an associate of the opposite interest to disclose the truth. These officers derive their authority from the source which is farthest removed from party politics, the courts of the United States, and their chief is so far as possible placed above temptation by holding his office by a tenure which depends solely on his fidelity to his trust and not on the chances of politics. Such is the security for an honest and entire publicity given in the bill. But a still further security is found in the fact that the local officers stand side by side with the officers of the United States. They conduct the registration and the elections, and they report them also. Thus we have two reports from two different sources of all the facts connected with the election; concealment becomes impossible without a resort to violence, and violence is in itself publicity.

The first principle in the bill, therefore, is to secure this absolute publicity in regard to everything connected with the election of a member of Congress. The second is to make sure that every man who is entitled to vote has an opportunity to cast his vote freely and have it counted, and that no man who is not entitled to vote shall be allowed to vote. To the qualified voter this bill aims to give full opportunity. If he is threatened it seeks to protect him; if he is ignorant it seeks to inform him. On the other hand, in order to prevent the man who is trying to vote in violation of the law or the officer who is fraudulent and corrupt from carrying out his wrongdoing, this bill offers the means of speedy punishment and of collecting the evidence necessary to conviction.

Such, in brief, are the provisions and the principles on which this bill rests. To the honest voter it offers no interference, but only protection in his rights; to the honest party, seeking success only by honest means, it has no terrors. But to the man or the party who seeks to do wrong and to profit by fraud, corruption, or violence, it brings publicity and punishment.

Such being the principles and purposes of the bill, two questions arise in regard to it: First, is it within the power of Congress to enact such a law; and, second, if Congress has the power, is it necessary and expedient to exercise it? As to the first point, the constitutional power to enact such legislation, there is not, I think, much room for discussion. The language of the Constitution is so plain that it admits of but one interpretation, and if doubt ever could have existed, the decisions of the Supreme Court make doubt no longer possible.

This necessary power is found in section 4, Article I, of the Constitution of the United States, which is as follows:

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

The language employed in this section is so plain that it would seem almost superfluous to enter into argument or discussion as to its meaning. If words mean anything those just quoted mean that the power of Congress over the conduct of elections of members of this body is absolute and complete. The Constitution says that Congress may make all regulations in regard to the election of Representatives, and the power to "make regulations" thus conferred is in terms exclusive and paramount.

But out of abundance of caution the framers of the Constitution went further and added to the word "make" the words "to alter;" that is, under the Constitution, Congress has power to assume complete control of elections of its members and conduct them at such times and places and through such officers and under such rules as it may see fit. On the other hand, Congress may under this clause leave the entire regulation of the election of Representatives to the States, or it may take a partial control of a part of the necessary procedure and leave what remains to the State, or it may alter and amend the State regulations and supervise and enforce their execution.

On a matter of such importance, however, it will not be amiss to cite a few controlling authorities and to show that the power of Congress in regard to the election of Representatives is not only paramount, but that it can be exercised to any degree, from total control downward, which Congress may deem wise. In the convention of 1787, on the 9th

of August, Mr. Pinckney and Mr. Rutledge moved to strike out the words which in the draught then before the convention conferred this power upon Congress. The motion was lost, apparently without a division, and, if we may judge from Mr. Madison's notes, had no serious support in the convention. The remarks made, however, in opposition to the motion of Mr. Pinckney show clearly the view taken of this clause by the framers of the Constitution and the paramount character of the power conveyed by it, although in the draught then under consideration the clause was much less sweeping than it afterwards became in the instrument as adopted.

Mr. MADISON. The necessity of a general government supposes that the State Legislatures will sometimes fail or refuse to consult the common interest at the expense of their local conveniences or prejudices. The policy of referring the appointment of the House of Representatives to the people and not to the Legislatures of the States supposes that the result will be somewhat influenced by the mode. This view of the question seems to decide that the Legislatures of the States ought not to have the uncontrolled right of regulating the times, places, and manner of holding elections. These were words of great latitude. It was impossible to foresee all the abuses that might be made of the discretionary power. Whether the electors should vote by ballot or *visa voce*; should assemble at this place or that place; should be divided into districts or all meet at one place; should all vote for all the Representatives or all in a district vote for a number allotted to the district—these and many other points would depend on the Legislatures, and might materially affect the appointments.

Whenever the State Legislatures had a favorite measure to carry they would take care so to mold their regulations as to favor the candidates they wished to succeed. Besides, the inequality of the representation in the Legislatures of particular States would produce a like inequality in their representation in the National Legislature, as it was presumable that the counties having the power in the former case would secure it to themselves in the latter. What danger could there be in giving a controlling power to the National Legislature? Of whom was it to consist? First, of a Senate to be chosen by the State Legislatures. If the latter, therefore, could be trusted, their representatives could not be dangerous.

Secondly, of Representatives elected by the same people who elect the State Legislatures. Surely, then, if confidence is due to the latter it must be due to the former. It seemed as improper in principle, though it might be less inconvenient in practice, to give to the State Legislatures this great authority over the election of the Representatives of the people in the General Legislature as it would be to give to the latter a like power over the election of their representatives in the State Legislature.

Mr. KING. If this power be not given to the National Legislature, their right of judging of the returns of their members may be frustrated. No probability has been suggested of its being abused by them. Although this scheme of erecting the General Government on the authority of the State Legislatures has been fatal to the Federal establishment, it would seem as if many gentlemen still foster the dangerous idea.

Mr. Gouverneur Morris observed that the States might make false returns, and then make no provisions for new elections.—*The Madison Papers*, volume 3, pages 1280, 1281.

The interpretation then given to this clause of the Constitution has never been shaken. Mr. George Ticknor Curtis, in the latest edition of his Constitutional History of the United States, which is, as everybody is aware, a work of very high authority and great research, says in regard to this clause:

This provision originated with the committee of detail; but as it was reported by them, there was no other authority reserved to Congress itself than that of altering the regulations of the States, and this authority extended as well to the place of choosing the Senators as to all the other circumstances of the election. In the convention, however, the authority of Congress was extended beyond the alteration of State regulations so as to embrace a power to make rules, as well as to alter those made by the States. But the place of choosing the Senators was excepted altogether from this restraining authority and left to the States. Mr. Madison, in his minutes, adds the explanation that the power of Congress to make regulations was supplied, in order to enable them to regulate the elections if the States should fail or refuse to do so. But the text of the Constitution, as finally settled, gives authority to Congress "at any time" to "make or alter such regulations;" and this would seem to confer a power which, when exercised, must be paramount, whether a State regulation exists at the time or not.—*Constitutional History of the United States*, volume I, pages 479, 480.

We are not left, however, merely to the views of the convention or of the commentators upon the Constitution to learn the meaning of this clause, conferring the power to regulate elections. Its correct interpretation has been twice given in the fullest manner by the supreme judicial tribunal upon which the Constitution confers the authority to determine finally upon the meaning of its own provisions. In the case of Siebold (*Ex parte Siebold*, 100 United States, 371), Mr. Justice Bradley delivering the opinion of the court, Justices Clifford and Field dissenting, the following passages give the views of the court upon this important power of Congress:

It seems to us that the natural sense of these words is the contrary of that assumed by the counsel of the petitioners.

After first authorizing the States to prescribe the regulations, it is added, the Congress may at any time, by law, make or alter such regulations. "Make or alter!" What is the plain meaning of these words? If not under the preposition of some abstract theory of the relations between the State and National Governments, we should not have any difficulty in understanding them. There is no declaration that the regulations shall be made either wholly by the State Legislatures or wholly by Congress. If Congress does not interfere, of course they may be made wholly by the State; but if it chooses to interfere, there is nothing in the words to prevent its doing so, either wholly or partially.

On the contrary, their necessary implication is that it may do either. It may either make the regulations or it may alter them. If it only alters, leaving, as manifest convenience requires, the general organization of the polls to the State, there results a necessary co-operation of the two governments in regulating the subject. But no repugnance in the system of regulations can arise thence, for the power of Congress over the subject is paramount. It may be exercised as and when Congress sees fit to exercise it. When exercised, the action of Congress, so far as it extends and conflicts with the regulations of the State, necessarily supersedes them. This is implied in the power to "make or alter." (Pages 383, 384.)

So in the case of laws for regulating the elections of Representatives to Congress. The State may make regulations on the subject; Congress may make regulations on the same subject, or may alter or add to those already made. The paramount character of those made by Congress has the effect to supersede those made by the State, so far as the two are inconsistent, and no further.

There is no such conflict between them as to prevent their forming a harmonious system perfectly capable of being administered and carried out as such. (Page 386.)

The objection that the laws and regulations, the violation of which is made punishable by the acts of Congress, are State laws and have not been adopted by Congress is no sufficient answer to the power of Congress to impose punishment. It is true that Congress has not deemed it necessary to interfere with the duties of the ordinary officers of election, but has been content to leave them as prescribed by State laws. It has only created additional sanctions for their performance, and provided means of supervision in order more effectually to secure such performance. The imposition of punishment implies a prohibition of the act punished. The State laws which Congress sees no occasion to alter, but which it allows to stand, are in effect adopted by Congress. It simply demands their fulfillment. Content to leave the laws as they are, it is not content with the means provided for their enforcement. It provides additional means for that purpose, and we think it is entirely within its constitutional power to do so. It is simply the exercise of the power to make additional regulation. (Pages 383, 389.)

On the contrary, as already said, we think it clear that the clause of the Constitution relating to the regulation of such elections contemplates such co-operation when Congress deems it expedient to interfere merely to alter or add to existing regulations of the State. If the two governments had an entire equality of jurisdiction there might be an intrinsic difficulty in such co-operation. Then the adoption by the State government of a system of regulations might exclude the action of Congress. By first taking jurisdiction of the subject the State would acquire exclusive jurisdiction in virtue of a well-known principle applicable to courts having co-ordinate jurisdiction over the same matter. But no such equality exists in the present case. The power of Congress, as we have seen, is paramount, and may be exercised at any time, and to any extent which it deems expedient; and so far as it is exercised, and no further, the regulations effected supersede those of the State which are inconsistent therewith.

The Supreme Court also discussed this clause of the Constitution still more fully in *Ex parte Yarborough* (110 U. S., 651) when Mr. Justice Miller delivered the opinion of the court and no dissent was noted:

That a Government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the Legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud is a proposition so startling as to arrest attention and demand the gravest consideration.

If this Government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the General Government, it must have the power to protect the elections on which its existence depends from violence and corruption.

If it has not this power it is left helpless before the two great natural and historical enemies of all republics, open violence and insidious corruption. (Pages 657, 658.)

Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections? To provide, if necessary, the officers who shall conduct them and make return of the result? And, especially, to provide in an election held under its own authority for security of life and limb to the voter while in the exercise of this function. Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud?

If this be so, and it is not doubted, are such powers annulled because an election for State officers is held at the same time and place? Is it any less important that the election of members of Congress should be the free choice of all the electors because State officers are to be elected at the same time? (*Ex parte Siebold*, 100 U. S., 371.)

These questions answer themselves; and it is only because the Congress of the United States, through long habit and long years of forbearance, has, in deference and respect to the States, refrained from the exercise of these powers that they are now doubted.

But when, in the pursuance of a new demand for action, that body, as it did in the cases just enumerated, finds it necessary to make additional laws for the free, the pure, and the safe exercise of this right of voting they stand upon the same ground and are to be upheld for the same reasons. (Pages 661, 662.)

If this were conceded, the importance to the General Government of having the actual election—the voting for those members—free from force and fraud is not diminished by the circumstance that the qualification of the voter is determined by the law of the State where he votes. It equally affects the Government; it is as indispensable to the proper discharge of the great function of legislating for that Government that those who are to control this legislation shall not owe their election to bribery or violence, whether the class of persons who shall vote is determined by the law of the State or by the law of the United States, or by their united result. (Page 663.)

If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage without legal restraint, then, indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which it enshrines, are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists on the other. (Page 667.)

The court in *Ex parte Siebold* also ruled very plainly in regard to the power of Congress under this clause of the Constitution to treat State officers conducting elections as officers of the United States:

It is objected that Congress has no power to enforce State laws or to punish State officers, and especially has no power to punish them for violating the laws of their own State. As a general proposition this is undoubtedly true, but when in the performance of their functions State officers are called to fulfill duties which they owe to the United States as well as to the State, has the former no means of compelling such fulfillment?

In view of the fact that Congress has plenary and paramount jurisdiction over the whole subject, it seems almost absurd to say that an officer who receives or has custody of the ballot given for a Representative owes no duty to the National Government which Congress can enforce, or that an officer who stuffs the ballot-box can not be made amenable to the United States. If Congress has not, prior to the passage of the present laws, imposed any penalties to prevent and punish frauds and violations of duty committed by officers of election it has been because the exigency has not been deemed sufficient to require it, and not because Congress has not the requisite power. (Pages 387, 388.)

They also decided that it conferred upon Congress the power to appoint officers of its own to act as police at the polls, where a member

of Congress is being chosen, for the preservation of order and for the protection of the electors in their right to freely and peaceably cast their ballots:

The counsel for the petitioners concede that Congress may, if it sees fit, assume the entire control and regulation of the election of Representatives. This would necessarily involve the appointment of the places for holding the polls, the times for voting, and the officers for holding the election; it would require the regulation of the duties to be performed, the custody of the ballots, the mode of ascertaining the result, and every other matter relating to the subject. Is it possible that Congress could not, in that case, provide for keeping the peace at such elections and for arresting and punishing those guilty of breaking it?

If it could not, its power would be but a shadow and a name. But if Congress can do this, where is the difference in principle in its making provision for securing the preservation of the peace, so as to give to every citizen his free right to vote without molestation or injury, when it assumes only to supervise the regulations made by the State, and not to supersede them entirely? In our judgment there is no difference; and if the power exists in the one case it exists in the other. (*Ex parte Siebold*, page 396.)

In view of the language of the Constitution, of its intention as explained by its framers, and of the full and elaborate decisions of the Supreme Court on every point which could be involved therein, there can be no need for your committee to offer further argument as to the constitutional powers of Congress to pass such a bill as that which they report herewith. This bill is only a partial exercise of the plenary power of Congress in regard to the election of Representatives. It provides merely that the United States shall watch over every stage of an election which concerns the choice of a member of this body, shall give to all those proceedings the utmost publicity, which in this country is the surest safeguard of the rights of the people, and shall by a single act of control, if necessary, prevent the false certification of a member by any State officer or officers who may be ready to violate the laws.

Mr. Speaker, I will not enter further into the constitutional question, for it seems to me to be wholly needless. It is safe to say that no clause of the Constitution is more plainly expressed than that which relates to the control by Congress of Congressional elections, and that none has ever been more decisively construed by the great tribunal upon whom the high duty of finally interpreting the Constitution devolves. Congress has the absolute power to deal with the election of members of this House as it pleases; and the fact that it has never used this or any other power sparingly makes no difference in the argument. Power implies responsibility, and where responsibility exists it can not be shirked by leaving in abeyance the exercise of the power designed to meet it. If citizens of the United States entitled to vote for Representatives in Congress are deprived of their rights, it is the duty of Congress to see that they are protected. If Congressional elections anywhere are tainted with fraud or corruption, or are perverted by violence, it is the duty of Congress to interfere, and that duty is imperative, because the power of interference exists. If the people, or any considerable body of people, believe that Congressional elections anywhere are fraudulent or corrupt, it is the duty of Congress to interfere in order to restore public confidence.

It is not enough that elections should be fair; they must be known to be fair. They must be known to be fair beyond the reach of doubt or questioning. It is as important to have public confidence in the verdict of the ballot-box as it is to have the verdict itself honest. If people come to believe that the result of the elections is not in reality the will of the majority, the day is not far distant when that result will be set aside by force and the very foundations of the Government will be shaken. If popular distrust is not well founded Congress must demonstrate that elections are fair. If fraud and violence really exist they must really be rooted out. Congress therefore has the power, and with the power the duty, to legislate; and the method in which it proposes to deal with the question, under this bill, is before the House. The only point that now remains to be considered, and it is the most important of all, is that which relates to the expediency and necessity of such legislation—a question to be determined by an appeal to facts.

This bill is a national bill, intended to guard Congressional elections in every part of the country when it may be demanded. I have heard it freely charged that it is not national but sectional, yet when I observe the heat of the persons and of the newspapers who make the assertion, their vehemence leads one to remember "that suspicion always haunts the guilty mind." It was said many years ago by a distinguished statesman of my own State that freedom was national and slavery sectional. So it may be said with equal truth that honest elections are national and dishonest elections are sectional. If an impure ballot-box was a universal condition the frame of the National Government could not long endure. Anything that makes for purity of elections must be national in its scope, and fraud, although not confined to any section of the country, is, fortunately for us, always local and sporadic, and therefore never national. The facts in the case, however, demonstrate the national character of this measure more thoroughly than anything else.

The legislation of which this is an extension and improvement was made necessary by the gigantic frauds in the city of New York prior to the enactment of the legislation of 1870 and 1871. That certainly is not a sectional origin, in the sense in which the word is used against this or any other measure which aims to secure honest elections. It is now proposed to bring within the provisions of an effective law of sim-

ilar character all parts of the country where fraud, violence, or corruption at the ballot-box is known or suspected, and I propose to show, first, the need of such legislation in certain Northern districts, and to prove it by our experience under the existing law.

In May, 1870, there was a special election held in New York for the office of chief-justice, a special election for a legal office, not calling forth, probably, any great display of party feeling. In the first eight wards of New York there were polled at that special election 37,780 votes—that was the total of the votes of all sides. Before the November election the first part, and a very limited part, of the existing supervisors law was enacted, and at the November election, at a general election for a member of Congress, those same eight wards cast 22,839 votes; a decline of 14,941 votes in six months. Starting with that vote of 37,780 in May, 1870, for chief-justice, I have here a statement of the votes of those wards in each Presidential election except 1884, which are accidentally omitted in the table subjoined (see appendix, Table I, A and B), up to the Presidential election of 1888. From the election of November, 1870, when these wards polled 22,000 votes, there has been a steady but normal increase in the vote, just as the population has increased, until in 1888 those wards polled 32,004 votes. That is, there was a total loss in all the wards but one of 9,454 votes, a gain over 1870 in one ward of 3,678 votes, and in the total Presidential vote of 1888, compared with the vote of the special election for chief-justice in 1870, there was a net loss of 5,776 votes.

Now, Mr. Speaker, I want to look at that same body of votes in another way. (See appendix, Table I, C.) I have here thirteen election precincts selected from those wards in order to show the proportion of the vote to the total population of the district. In the sixth election district of the First ward, for every three of the total population there was one vote. In the twelfth election district of the Eighth ward there was one vote for every two of the population. In the thirteenth election district of the Eighth ward there was one vote for every 1.67 of population; and when we come to the tenth election district of the Sixth ward, we find there that for every ninety-three of the population, men, women, and children, there were cast 100 votes! [Laughter.] In the tenth election district of the Sixth ward, in 1870, the Democratic vote alone, throwing out the vote of other parties, was 884, or 14 more than the whole number of persons resident in the ward, men, women, and children, native, naturalized, and aliens. [Laughter.]

Mr. Speaker, in those earlier and "better days," before modern realism had come in to put its fetters upon fiction, persons of fertile imagination who desired to make up election returns made them up in the method of the romantic school of writers. They were not troubled by the desire of plausibility or reality. They made their returns big and handsome, just as the old novelists made all their heroes brave and all their heroines beautiful. [Laughter.]

There was another feature of New York elections at that time, known as the naturalization frauds of 1868. Under the supervisors law, which came in 1870 and 1871, many of the men who participated in those frauds were brought to justice and most of them gave up naturalization papers which they had obtained illegally in 1868. I have examined those files a little, and I have looked at the affidavits of the men who themselves gave up their papers fraudulently obtained and made affidavits as to how they had obtained them.

I will not weary the House by going into details, but I will mention a few merely to show the methods by which the work was done. For instance, there is the case of a Spaniard who, after he had been a few days in the country, had a certificate of naturalization left for him at his house. This was the usual procedure, the certificate of naturalization was generally left at the man's house as a free gift to the person whose fraudulent vote it was desired to secure. Here is another: John Lawrence, who was under age and had been only a few days in the country, was handed his certificate of naturalization in a liquor store. One man, although two years had not elapsed since his declaration of intention, received a certificate on presenting a card from the City Hall to the clerk of the court. Joseph Carey received his in a liquor store; but in order to make it seem more real and natural, he paid the proprietor of the store a fee of \$2. Another had his certificate handed to him in the City Hall corridor; another received his on the horse-cars; and so it went.

Now, Mr. Speaker, naturalization is the foundation of citizenship—the way in which citizens are made in this country.

Mr. FLOWER. Mr. Speaker—

Mr. LODGE. I should be obliged if the gentleman would allow me to proceed without interruption. These frauds there were largely carried on and were checked if not extirpated by the supervisors' law. Where they still exist they are the product of the great Northern cities and Northern States where foreign immigration chiefly comes. Mr. Speaker, I do not think we can put too high a value on the gift of American citizenship. I believe that this should be more sacredly guarded than anything else that we have to give, and any law which checks naturalization can not be too rigid or too widely extended and enforced.

Now, in case it should occur to any one to say that this is merely the substitution of one set of officers in the interests of one party for another set of officers in the interests of another party, and that the results are no more reliable in one case than in the other, I desire to

call the attention of the House to the fact that it has never been shown that any legal voter has ever been interfered with in his right to vote in the city of New York since that time by the law appointing United States supervisors. No such case at least has ever been presented so far as I have been able to find out. But in further proof of the fact that this law has done no harm, but has done great good, I will invoke here the testimony of a distinguished public man who was never listened to in this House with aught but respect, who was a Representative of the city of New York, and who as the head of a special committee made a careful examination into this subject in 1877. Hon. S. S. Cox, in his report as the chairman of the Committee on Alleged Fraudulent Registration and Fraudulent Voting in the cities of New York, Philadelphia, Brooklyn, and Jersey City, took occasion to say:

Whatever may be said about the United States law as to elections or their supervision by United States authority, whatever may be said as to the right of a State to regulate in all ways such elections, this must be said, that the administration of the law by Commissioners Davenport, Muireheid, and Allen, the United States functionaries and their subordinates, was eminently just and wise and conducive to a fair public expression in a Presidential year of unusual excitement and great temptation.

The testimony of Mr. Davenport, the United States commissioner for the southern district of New York, is a remarkable statement, which the committee would adopt as the basis of their report as to the three cities.

I think no one who will look at these figures, showing the enormous frauds committed in the city of New York, before the United States stood guard over the elections, can refuse to say that such legislation was of enormous value in the interest of honest voting and of the good Government which honest voting can alone produce, and that it has helped forward the cause of ballot reform and of improved election methods, in respect to which New York stands to-day in the very front rank.

New York, however, Mr. Speaker, is not the only large city in the United States, nor is it the only city where at times the elections have been tainted with fraud and corruption. There has been an investigation running on all winter into the frauds of a city close by New York. I need not go over that testimony. Everybody has seen the evidence as to the Hudson County frauds, but when at the close of an election there are found, as I understand, in a patent-locked ballot-box the shirt-cuffs and shirt-buttons of the inspector of elections, it indicates that somewhere or other there is a break in the law or in the box.

Mr. Speaker, there are other such districts elsewhere of similar character. They are plague spots which should be promptly cured. I need not go over the questions of the poll-list and tally-list forgeries and other election frauds with which we are all familiar. They have become notorious, and there is no need to do more than allude to them.

But, now, let us take a more general state of facts. In some States there is what is called a permanent registration. That is the case in my own State. No matter how honestly the registration is carried out, it is my belief that any permanent registration in a large city must accumulate names which represent nobody, and which, therefore, throw open the door for an ever-increasing fraud. Those names stand there a constant temptation, to be kept on the list by unscrupulous men of both parties and of all shades of opinion, so that they may vote upon them other men whom they can control, and thus be enabled to repeat in voting. Nothing can be more wholesome than to have those permanent lists thoroughly overhauled from time to time by men who stand outside with no local interests to subserve. It brings them out into the light; it gives them publicity. As a resident in a State where that system of registration prevails, I have no hesitation in saying that I believe it would be well, very well, to have those permanent registration lists in large cities overhauled in this way. If there is nothing wrong, then it will dispose of such accusations as are now made from time to time that the lists are not right. If they are wrong, it will remedy the wrong, and I do not believe that anything or anybody or any party that is honest in its intentions, purposes, and aims was ever hurt by having the truth and the whole truth known about elections, from beginning to end.

Mr. Speaker, the elections in the great Northern cities are not the only ones which have come under suspicion. It is believed by a very large portion of the American people that there are districts in the South where fraud in some form controls despotically the verdict of the ballot-box. I have always observed, sir, among the gentlemen who represent those States a noble zeal against the varied forms of wrong-doing which have at times disfigured Northern elections. Nothing can be finer than the honest and manly rage with which they denounce bribery, the great factor, they say, in Northern elections, and the foundation of Republican success. Whoever benefits by bribery, it is an evil thing and a grave peril to-day in the commonwealth. I, for one, do not underestimate it or blink it in the least. I say frankly that I will join hands with any of our zealous friends on the other side in promoting legislation which will put a stop to it.

If I could have my way, Mr. Speaker, I would put the secret and official ballot into every district of this country, because that is the only thing I have ever seen which actually and practically stops the use of money at elections. It must not be forgotten, however, that legislation against bribery or any other crime against free suffrage must be national in its character. I am more than ready to make it so, and we have gone as far in this bill against it as we can go in a bill which does not provide for a secret and official ballot. In return I ask my

friends who are so warm on the subject of corruption to unite with me in legislation which shall be applicable not only to bribery and corruption but to the other evils which beset elections. Since they are so eager to remove the mote from their brother's eye they might agree that it is but fair to take the beam from their own.

In regard to Southern elections, Mr. Speaker, one of two things must be true—the elections are either fair, free, and honest, or they are not. There can be, unfortunately, no question of the widespread belief among a large body of the American people that many of these elections are the very reverse of fair, free, and honest. Whichever state of facts is the correct one, it is the paramount duty of the National Government to restore to the people confidence in these as in all other elections. If, as I have heard it stated on this floor, Southern elections are perfectly fair, and the black man goes carolling to the voting place by the side of his employer, seeking only to cast his vote for those whose interests are identical with his own, then, sir, it is the duty of the United States Government to uncover this pleasing picture and display it to the country so that confidence may be restored, and no man may suspect longer that Southern elections are open to criticism.

If all is right and well in elections in the South this law can hurt no one, but will be, on the contrary, of unprecedent value to those communities now accused of wrong-doing. No people will be so much benefited by it as the people of the South, for it will demonstrate at once that the generally accepted Northern view is groundless and unjust. If, on the other hand, the belief of large masses of the people, that in certain regions of the South such a thing as a fair election is unknown, is well founded, then it is high time that the United States should put a stop to that evil, if they have to exercise to the very last point every power that the Constitution has put into their hands.

If, Mr. Speaker, as I have said all is well with Southern elections, as we hear declared on this floor by Representatives from that region with all the solemnity of Roman augurs, there can be no possible objection to this legislation. On the contrary, they of all people ought to desire it. But if, when the Roman augurs retire from the public gaze they hold a different language in the recesses of the temple, if they fight with the utmost fury against every attempt to regulate or improve elections, then we are forced to believe that these accusations are not groundless, and it is easy to show why we should deal with the existing facts as here proposed.

It would not be fair to cite here anything in the nature of a private conversation, but now and then some of these lovers of honest elections grow careless, and their utterances on the subject creep out into light of day to be much admired and pondered by all men.

The newspapers of the South also always discuss this matter with great vigor and with a frankness which is as charming as the language they use is polished and civilized.

But again we can spare ourselves anything which seems to savor of personality by a consideration of certain figures to which I now ask the attention of the House. The total vote returned for ten Representatives from Georgia in 1886 was 27,520; in 1888 it was 130,134. In Mississippi the total vote returned for seven Representatives in 1886 was 46,748, and in 1888 it was 115,216. In South Carolina the total vote returned for seven Representatives was 39,077, while in 1888 it was 76,369. I have the figures here from one hundred and sixty-four other districts, which I will print as an appendix, and from which I wish merely at this time to draw a few comparisons. (See appendix, Table II, A.)

An analysis of this table shows that there were one hundred and fifty-one Congressional districts in each of which the total vote returned for Representative in 1886 exceeded the aggregate vote returned from the ten Congressional districts of the State of Georgia; that there were thirteen districts in each of which the total vote returned in 1886 exceeded the aggregate vote from the seven districts of South Carolina, and that there were six districts in which the total vote returned exceeded the aggregate from the seven Congressional districts of Mississippi. Moreover, an inspection and comparison of the election returns of 1888 show that of four Representatives, one from Colorado [Mr. TOWNSEND], one from Kansas [Mr. PETERS], one from Minnesota [Mr. SNIDER], and one from Nebraska [Mr. DORSEY], each is backed by more votes than are the seven Representatives from South Carolina—from Colorado, 92,000; from the Seventh district of Kansas, 82,000; from the Fourth district of Minnesota, 82,000; and from the Third district of Nebraska, 77,000. Here are the figures: Total vote of South Carolina for Representatives in the Fifty-first Congress as returned, 76,369; total vote for one Representative from Colorado, 92,309; total vote Seventh Congress district of Kansas, 82,244; total vote Fourth Congress district of Minnesota, 82,373; total vote Third Congress district of Nebraska, 77,892.

The one hundred and fifty-one districts above enumerated each cast more than 27,520 votes for Congress candidates in 1886. It may be of interest to note the districts in each of which 15,000 votes or less were returned. I have them here in a table. (See appendix, Table II, B.) There are forty-five of them, each of which returned less than 15,000 votes for a Representative in the Fiftieth Congress, and forty-one of those districts are in the South. Only fifteen of those districts returned as many as 10,000 votes each in 1886; the average for the remaining

thirty districts—I desire to call the attention of the House particularly to this part of the comparison—the average for the remaining thirty districts being 4,167 votes each, or 26,673 votes less per district than the average per district of two hundred and four districts in the twenty-two States of the North and West.

To express it in another form, the thirty districts with thirty votes in the House of Representatives cast and returned a total of 125,015 votes, which was 11,000 votes less than the returned vote of the three districts of Nebraska; 3,000 votes less than the returned vote of the four districts of Maine; nearly 70,000 votes less than the returned vote of the six districts of California; only 2,000 more than the returned vote of the four districts of Connecticut; less than one-half of the returned vote of the seven districts of Kansas; 120,000 less than the returned vote of the twelve districts of Massachusetts; less than one-third of the returned vote of the eleven districts of Michigan; 79,000 votes less than the returned vote of the five districts of Minnesota; 104,000 votes less than the returned vote of the seven districts of New Jersey; considerably less than one-seventh of the returned vote of the thirty-four districts of the State of New York; a little more than one-sixth of the returned vote of the twenty-one districts of Ohio, and considerably less than one-half of the returned vote of the nine districts of Wisconsin.

Moreover it was 99,000 votes less than the returned vote of the ten districts of Virginia; 107,000 votes less than the returned vote of the ten districts of Tennessee, and 69,000 votes less than the returned vote of the nine districts of North Carolina; 25,000 less than the returned vote of the six districts of Maryland; 5,000 less than the returned vote of the four districts of West Virginia, and 293,000 votes less than the returned vote of the fourteen districts of Missouri.

These figures, Mr. Speaker, seem to possess some significance. They do not appear to me to be mere curiosities of arithmetic.

Now I have here another table (see appendix, Table III) which shows the ratio of the voting population to the total population, and it is interesting to notice that where States had a census in 1885, and where we can make comparisons, we find that the ratio of increase in the vote corresponds very accurately with the ratio of increase in the total population. That is, allowing for the differences of off years and Presidential years, there is a steady increase in the vote, which bears an exact relation to the increase of population. On these ratios I am grieved to say that there are three States which show an apparent decrease of population in the last ten years.

If the ratio of voting population to total population means anything, and it is usually perfectly accurate, then the population of Georgia has decreased 145,530 since 1880; the population of Mississippi, 123,154, and that of South Carolina, 533,027.

In Mississippi there was an enormous decrease of the vote between 1876 and 1880. In 1876 the total vote was 164,778, in 1880 only 117,078, a decrease of 47,700 votes in the short space of four years. In 1888 the total number of votes returned was only 115,567, showing a steady but slower decrease during the eight preceding years, and an aggregate decrease in twelve years of no less than 49,211 votes, or about 30 per cent.

Now, let us compare Mississippi and New Jersey. They both are Democratic States. They both have the same number of Representatives in Congress. The population, curiously enough, in 1880 was almost exactly identical. In 1880 the population of Mississippi was 1,131,597, and the population of New Jersey was 1,131,116. In 1880 Mississippi returned a total vote of 117,078, and New Jersey a total vote of 245,928.

In 1888 the total vote of Mississippi had shrunk to 115,567, and the total vote of New Jersey had swelled to 303,741. Each of the seven Representatives from Mississippi in the Fifty-first Congress represents an average of 16,459 votes cast and counted, and each of the seven Representatives from the State of New Jersey is backed by an average of 43,335 votes. (See appendix, Table IV.)

Now compare South Carolina and Kansas, one a Democratic and the other a Republican State. These States, in 1880, started in a race which was almost even as to population. South Carolina had 995,577 inhabitants; Kansas had 996,090. The representation of South Carolina was increased from 5 to 7 and of Kansas from 3 to 7. In 1880 the total vote of South Carolina was 170,956, and the total vote of Kansas was 201,236. In 1888 the total vote of South Carolina had dwindled to 79,750, a decrease of 91,206, or more than 53 per cent. in eight years. In 1888 the total vote of Kansas was 334,035, an increase of 132,799, or nearly 40 per cent. in eight years. Each Representative in the Fifty-first Congress from South Carolina is backed by an average of 10,909 returned votes, and each Representative from Kansas is backed by an average of 47,040 votes. (See appendix, Table V.)

In 1886 the total Congressional vote of South Carolina was 39,077, or 22,388 less than that of the district represented by Mr. PETERS, of Kansas. In 1888 the total vote returned for Congress in the seven South Carolina districts was 76,369, 5,875 votes less than the total vote cast and returned in the district now represented by Mr. PETERS.

Under the present apportionment the ratio of representation is 151,912. According to that ratio, supposing that the vote indicates correctly a decrease of the population, South Carolina is entitled to three instead of seven Representatives in Congress, on a population of 462,-

550; and Georgia, on the same basis, is entitled to nine Representatives instead of ten, if the Presidential vote of 1888 be taken as the multiplicand, and she would be entitled to eight Representatives instead of ten if the Congressional vote of 1888 should be taken as the multiplicand, the latter total being 12,705 less than the former and indicating a population of only 1,268,805.

Of course the foregoing comparisons are based upon the theory to which I have alluded, that elections are as free and fair and election returns as honest in Mississippi and South Carolina as in New Jersey and Kansas.

It may, perhaps, be urged that it is unfair to compare Northern States with Southern States. The three States of Georgia, Tennessee, and Virginia have an equal representation in Congress. The population and number of men of voting age in each State in 1880 were as follows:

State.	Population in 1880.	Men 21 years old and upward, 1880.
Georgia.....	1,542,180	321,438
Tennessee.....	1,542,359	330,305
Virginia.....	1,512,565	334,505

Georgia and Virginia were among the "original Thirteen" which fixed the basis of representation, and they with Tennessee have shared equally in the remarkable prosperity which has overspread many of the Southern States within the past twenty years. Georgia in 1880 contained about 15,000 more colored men twenty-one years old and upward than did Virginia—the totals being, respectively, 143,471 and 128,257. Georgia contained about 63,000 more colored men twenty-one years old and upward than did Tennessee, the totals being 143,471 and 80,250, respectively. The latter State was admitted into the Union only seven years after the adoption of the Constitution; both States have a large proportion of population engaged in agriculture; mining and manufacturing have gained a firm foothold in both States; they touch each other geographically. It is evident, therefore, that the normal political conditions of these States can not differ widely, and that a comparison of results can not be unfair. It is found in the table given in the appendix, numbered VI.

It will be noted that more votes were cast for Representative in the Third Tennessee district in 1886 than were cast in the ten Georgia districts in the same year, while in the First Tennessee district the number was only 174 less than the total for the ten Georgia districts.

Now, as to the weight in legislation and in conducting the National Government that is implied in these figures. In the Fifty-first Congress Georgia furnished the chairmen of the following House committees: Elections; Post-Office and Post-Roads; Education; Reform in the Civil Service; and one member each for the Committees on Ways and Means; Appropriations; Judiciary; Coinage, Weights, and Measures; Commerce; Foreign Affairs; Territories; Railways and Canals; Manufactures; Mines and Mining; Pacific Railroads; Labor; Patents; Pensions; Revision of the Laws; Expenditures in the State Department; Accounts; Enrolled Bills, and Census—four chairmen and nineteen other members of committees.

In the same Congress South Carolina furnished the chairmen of the Committees on Public Buildings and Grounds, District of Columbia, and Labor Troubles in Pennsylvania; and one member each of the following committees: Banking and Currency; Coinage, Weights, and Measures; Foreign Affairs; Military Affairs; Naval Affairs; Indian Affairs; Territories; Patents; Private Land Claims; Revision of the Laws; Reform in the Civil Service; Election of President, Vice-President, and Representatives, and Census—three chairmen and thirteen other members of committees.

Mississippi furnished the chairman of the Committee on Levees and Improvements of the Mississippi River, and one member each for the following committees: Elections (Mr. Barry, whose district had returned 3,086 votes); Rivers and Harbors; Agriculture; Foreign Affairs; Military Affairs; Post-Office and Post-Roads; Public Lands; Indian Affairs; Pensions; War Claims; Expenditures in Navy Department; Expenditures in Post-Office Department; Expenditures in Public Buildings, and Indian Depredation Claims—one chairman and fourteen other members of committees.

New Jersey furnished the chairman of Militia and one member each of the following committees: Coinage, Weights, and Measures; Agriculture; Foreign Affairs; Railways and Canals; Manufactures; Public Buildings and Grounds; Labor; Militia; Invalid Pensions; Election of President, Vice-President, and Representatives, and Indian Depredation Claims—one chairman and eleven other members of committees.

The twenty-four Representatives from the three States of Georgia, Mississippi, and South Carolina, who represented an aggregate returned vote of 113,345, filled eight chairmanships and forty-six other places on House committees in the Fifty-first Congress. In the same Congress the State of New York, with thirty-four Representatives backed by a total returned vote of 930,837, filled five chairmanships—the only one of importance being that of Census—and sixty-two other members of committees.

This was an average of $2\frac{1}{2}$ committee places for each Representative from the three States first named, the average vote of each district being 4,723, and an average of $1\frac{1}{4}$ committee places for each Representative in the State of New York, where the average total vote per district was 34,481, or more than seven times as great. The first three States had two members of the Elections Committee; New York had none. They had one representative on Ways and Means; New York had none. They had three members of Foreign Affairs; New York had one member.

Now, Mr. Speaker, I wish to call attention to the increase of the vote from one election to another. The picturesquely small votes of 1886 did not continue. They were increased. In the following year these votes rose. The vote of Alabama increased 100 per cent.; the vote of Arkansas increased 182 per cent.; the vote of Mississippi increased 146 per cent.; the vote of South Carolina increased 95 per cent., and the vote of Georgia in two years increased 370 per cent. These percentages of increase, Mr. Speaker, are beyond nature. They can only be considered as works of art, and I leave them for the consideration of the House without comment on my part, only adding—

The SPEAKER. The gentleman's hour has expired.

Mr. LODGE. The gentleman from Vermont, a member of the committee, will yield me further time.

Mr. STEWART, of Vermont. Mr. Speaker, I yield whatever portion of my time the gentleman may require.

Mr. LODGE. I only add that the average increase of the votes in the other States of the Union is between 30 and 40 per cent. from an off year to a Presidential year. (See Appendix, Table VII.)

Mr. Speaker, these statistics speak loudly enough as to the voting in the various States. I have no intention of going further and of entering upon an elaborate discussion of the overwhelming testimony to be found in countless election cases and in the unstudied utterances of Southern newspapers and of Southern representatives as to the actual manner in which Southern elections are sometimes conducted.

No intelligent and fair-minded man is going to deny that there have been frauds in Northern elections. I have no doubt that they have existed and that they still exist, and the greatest proof of it is the earnest effort now being made in every Northern State to-day by both parties to root out those evils and to destroy the suspicion of them if they do really exist, by the most elaborate devices that the wit of man can devise. This shows not only that these evils have existed, but that the people of those States are prepared to deal with them and are dealing with them. There is no occasion for getting into a condition of sensitiveness because we say these same evils in other forms may exist elsewhere. It ought not to be necessary to argue that there are districts in the South where the elections for Representatives in Congress are not universally fair and free; but in the problem there presented there is something far graver than a dispute as to the details of voting and counting.

The wrong where wrongdoing occurs in most districts in the North is simply an effort of one party to get ahead of another by illicit means, usually by fraud or bribery of a pretty vulgar kind. No doubt in Southern elections the desire of unscrupulous persons to defeat their opponents by any method plays its part; but the question which complicates and controls the issue there is the question of race. No one can afford to speak lightly of or indulge in recriminations about the race question in the South. I have no desire, for one, to cast stones at any man or any men who are dealing with a problem at their own doors because they do not appear to me to deal with it as I should when I am a thousand miles away from it. That problem and the future of the negro in America present one of the gravest questions before the American people. It is one in which we are all concerned and for the right solution of which we shall all be held responsible, whether we live in the North or in the South.

The wrong of slavery was expiated by the North, which condoned it, as much as by the South, which upheld it. One thing is certain: We shall never deal with it successfully by raging over it and calling each other hard names; still less shall we be able to deal with it if we attempt to evade the issue or blink the facts. The negroes in the United States did not come here by any will or action of their own. They did not seek to force themselves upon us as the Chinese, whom we have excluded, tried to do; they were brought here by force under circumstances of hideous cruelty. They were held in bondage and ignorance. They were sold on the block and they quivered under the lash. It is idle to say that they are better off than they would have been if they had staid in their native wilderness. Better an eternity of savage freedom than the civilization which came to them with the hammer of the auctioneer in one hand and the slave-driver's whip in the other.

No material comfort is worth having which is purchased by such suffering as theirs and by more than two hundred years of slavery. At last a time came when there was war between the States to decide whether this Government should survive or whether the country should be torn into two conflicting parts, and on the outcome of that war the fate of the race turned. What did this race do in that mighty struggle? When it began the negroes were not citizens; they were only slaves, although in the catalogue of the Constitution perhaps they passed for men. To the Government, on the one side, they owed no allegiance, for its power

had been used, so far as they knew, only to rivet their bonds, to seize them by the throat, and to thrust them back into bondage.

On the other side were their owners, and how much a slave owes to the owner who buys and sells him let each man answer for himself.

Pay ransom to the owner,
And fill the bag to the brim.
Who is the owner? The slave is owner,
And ever was. Pay him.

What, then, did they do, this race that owed nothing to either combatant but the single debt of a great revenge? On one side, they took their muskets in their hands and went to the front by regiments. They died in the trenches and on the battle-field by hundreds for the Government which up to that time had only fastened their chains more securely upon them. On the other side, they remained on the plantations. They cared for the defenseless families and for the property of the men who had gone away with an army whose victory meant the continuance of slavery. Yet the annals of the war tell no story of a San Domingo massacre or of the slaughter of the helpless beings who staid at home while nearly every able-bodied white man was bearing arms on the field. They gave loyalty to the Government which had spurned them and fidelity to the men who had held them in fetters.

Such loyalty and fidelity as this demand some better reward from the people of this country both North and South than the negro has ever received. What he needs is neither brutality on the one hand nor sentimentality on the other. He should not be petted and coddled because he is a negro-American, nor should he be intimidated and cast out for the same reason. We are altogether too fond of prefixing qualifying adjectives to the word American. If a man is not satisfied to be an American pure and simple and to abandon the prefixes which denote race distinctions, then he is better outside this country than in it, and this truth, which is susceptible of a wide application, I would now apply to the men of the colored race. We have clothed them with the attributes of American citizenship. We have put in their hands the emblem of American sovereignty. Whether wisely or unwisely done is of no consequence now; it has been done and it is irrevocable.

We owe them no more and no less than we owe to all American citizens, but we do owe them all that the Government gives to any American citizen, be he rich or poor, white or black. The Government which made the black man a citizen of the United States is bound to protect him in his rights as a citizen of the United States, and it is a cowardly Government if it does not do it! No people can afford to write anything into their Constitution and not sustain it. A failure to do what is right brings its own punishment to nations as to men. There is no escape from the inexorable law of compensation. As Lincoln said in his second inaugural:

Fondly do we hope, fervently do we pray, that the mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, "The judgments of the Lord are true and righteous altogether."

If we fail as a people to deal with this question rightly we shall pay for it just as we paid the debt of slavery of which all this is part. What then, ought we to do? After the war, when this great body of slaves was cast helplessly into freedom with all the responsibility of citizenship suddenly forced upon them, I believe that it was wholly within the power of the white race to so conciliate and divide them that the negro as a sectional political question should never more have been heard of. Perhaps it was asking too much of human nature to expect this to be done. At all events it was not done, and it was declared that the problem could be solved by methods other than those known to the law. Those methods have been tried and they are a failure. For fifteen years they have prevailed completely, and yet the South comes to this Congress with the demand that measures should be taken to deport the negro population. That the proposition is impracticable does not deprive it of its significance.

It is a confession of failure and a cry of despair. Whatever the correct policy is by which to deal with these problems which the South thus presents of its own accord this is neither the time nor the place to discuss. One thing is certain. No intelligent remedy can be applied so long as the negro question is made a matter of party politics, dividing sections and keeping alive sectional animosities and agitation. With the governments of the States and of the municipalities we here have nothing to do. Each State and each community must work out its own salvation in its own way. If they do right they will profit by it. If they do wrong they will pay for it, and pay for it to the last jot and tittle, for

Though the mills of God grind slowly, yet they grind exceeding small.

But the election of men to sit in this Hall is a different question. It is a mere pretense to talk about the "rule of an inferior race," of "organized barbarism," when dealing with this part of the problem. If negroes or men nominated by negroes had always been elected from a dozen or twenty districts in the South it would have been but a trifling element in the great movement of the National Government.

But if such elections had been permitted the political agitation in the North about the negro and the negro question would have died out long ago. But here party supremacy came in and the race question was falsely used as an excuse for seizing a certain number of seats in this body.

There is another and more important point to be considered here. When Congressional elections are interfered with anywhere, they touch the like elections everywhere. Call this bill "revolutionary!" Mr. Speaker, the "revolution" lies in those figures that I have read which show that while the Constitution guarantees an equal representation on this floor that equal representation has ceased to exist. There, Mr. Speaker, is where the "revolution" has been wrought. Whether we can turn it back, whether we can check it, whether we can succeed in undoing its work by legislation here, I do not know; I know that it is our duty to attempt it by every fair and proper means.

The election of a governor in one State does not concern the people of another politically, but the fraudulent election of a member of Congress in one State is a direct wrong to the political rights of the people in every other. Leave our rights alone and then you can take up your burden in your own way and we will help you to our utmost power, for your prosperity and your troubles are ours also. To every man who is an American citizen the United States owe protection. But with few restrictions the determination as to the qualifications of a voter is left to the States. If any State thinks that any class of citizens is unfit to vote through ignorance it can disqualify them from voting for State officers or for members of this House. It has but to put an educational qualification into its constitution. But the disqualification like the qualification can not recognize color, and that is the reason that legal methods have never been tried. The negro is not thrust out from his rights merely because he is ignorant and unfit to use them, as is constantly charged, but because his skin is black. It is this distinction which gives the lie to every principle of American liberty that is at the bottom of the difficulty and of the problem which we all deplore.

The first step, then, toward the settlement of the negro problem and toward the elevation and protection of the race is to take it out of national party politics. This can be done in but one way. The United States must extend to every citizen equal rights. It is a duty which they can not avoid. If they do not perform it now they will perform it later, and the longer it is postponed the worse the consequences will be. Moreover, this cry about the danger of negro rule, this bitter appeal to race supremacy, which is always ringing in our ears, is made a convenient stalking horse to defraud white men as well as black men of their rights. It is an evil which must be dealt with, and if we fail to deal with it we shall suffer for our failure. If all is fair and honest and free in Southern elections this law will interfere with no one, but will demonstrate the fact to the people of the United States. If all is not fair and free this law will begin even if it does not complete the cure.

An honest vote lies at the bottom of our system of government. It is the only way we have to discover and assert the will of the majority, and the will of the majority governs in this country. If we do not ascertain that will honestly it will be determined by force. You may call these truisms, if you like, but truisms are more apt to be forgotten than anything else, and yet to disregard them is the road to ruin. Free elections are the safety of this Government. We here can interfere with none but those which concern the Congress itself, but it is our plain duty to see to it that those at least are preserved in their purity and integrity. So far as a party question enters into this it can be easily dealt with. If one party benefits by free elections it is because that party is cheated now. If neither party is cheated by fraud, then free and honest elections will affect neither. If both cheat, both will suffer.

It is our duty, so far as lies in our power, to make elections so honest that no man will dare to question them. Let us do our whole duty to every American citizen, made such by the Constitution, no matter what his creed or color, no matter whether he be weak or strong, rich or poor, and we can safely abide by the result. Let us secure to all men the freedom which is the corner-stone of our Government.

I wish men to be free
As much from mobs as kings; from you as me.

[Applause on the floor and in the galleries.]

The SPEAKER. The House will be in order. The galleries will cease applause.

APPENDIX.

TABLE I.—Showing the changes in the vote of the first eight wards of New York following the enactment of the supervisors' law, May 31, 1870.

A.

Wards.	May, 1870, chief- justice.	Nov., 1870, for Congress.	Loss in six months.
First.	3,051	2,174	877
Second.	470	289	181
Third.	1,332	659	673
Fourth.	5,804	3,313	2,491
Fifth.	4,374	2,694	1,680
Sixth.	6,350	2,865	3,485
Seventh.	6,887	5,778	1,109
Eighth.	9,512	5,067	4,445
Totals.	37,780	22,839	14,941

TABLE I.—Showing the changes in the vote of the first eight wards, etc.—Continued.

B.

Wards.	May, 1870, chief- justice.	Nov., 1870, for Congress.	President.				Loss, 1888 from May, 1870.	Gain, 1888 over May, 1870.
			1872.	1876.	1880.	1888.		
First.	3,051	2,174	2,259	2,388	2,500	2,761	290	.....
Second.	470	289	346	372	464	425	45	.....
Third.	1,332	659	717	822	936	1,050	282	.....
Fourth.	5,804	3,313	2,974	3,258	3,396	4,059	1,745	.....
Fifth.	4,374	2,694	2,620	2,953	3,254	2,935	1,439	.....
Sixth.	6,350	2,865	2,485	2,681	2,866	3,498	2,832	.....
Seventh.	6,887	5,778	6,494	7,526	8,648	10,565	.....	3,678
Eighth.	9,512	5,067	5,316	5,942	6,482	6,711	2,801	.....
Total.	37,780	22,839	23,211	25,942	28,546	32,004	9,454	3,678

Net loss, 5,776.

C.

Specimen election districts—Vote of May, 1870, for chief judge of the court of appeals.

Wards.	Election district.	Total vote.	Popu- lation, June, 1870.	No. of resi- dents to one vote.
First.	Sixth	310	963	3.10
Eighth.	Twelfth	734	1,958	2.71
Sixth.	Second	195	1,528	2.70
Eighth.	First	555	1,425	2.59
Third.	Third	338	885	2.58
Sixth.	Eleventh	1,110	2,796	2.52
Second.	Eleventh	167	365	2.19
Second.	Second	303	640	2.11
Eighth.	Thirteenth	1,022	1,710	1.67
Sixth.	Ninth	1,045	1,643	1.57
Eighth.	Second	957	1,140	1.20
Eighth.	Third	865	1,034	1.19
Sixth.	Tenth*	934	870	.93
In thirteen election districts.....		8,535	15,956	1.87

* In the tenth election district of the Sixth ward the Democratic vote alone was 884, or 14 more than the whole number of persons, men, women, and children—natives, naturalized, and aliens included—resident in the district.

TABLE II.—Returns from one hundred and sixty-four districts in 1886.

A.

State.	District.	Representative.	Vote.
California	First	Mr. Thompson	32,982
Do	Second	Mr. Biggs	35,456
Do	Sixth	Mr. Vandever	38,646
Colorado	Eighth	Mr. Symes	58,258
Illinois	Tenth	Mr. Hitt	32,277
Do	Mr. Post	31,212	
Do	Eleventh	Mr. Gest	34,262
Do	Twelfth	Mr. Anderson	32,552
Do	Thirteenth	Mr. Springer	35,242
Do	Fourteenth	Mr. Rowell	30,022
Do	Fifteenth	Mr. Cannon	32,863
Do	Sixteenth	Mr. Landes	32,708
Do	Seventeenth	Mr. Lane	27,725
Do	Eighteenth	Mr. Baker	30,339
Do	Nineteenth	Mr. Townsend	29,046
Do	Twentieth	Mr. Smith	31,904
Indiana	First	Mr. Hovey	29,740
Do	Second	Mr. O'Neal	30,941
Do	Fourth	Mr. Holman	30,766
Do	Fifth	Mr. Matson	32,856
Do	Sixth	Mr. Browne	32,650
Do	Seventh	Mr. Bynum	43,890
Do	Eighth	Mr. Johnston	40,734
Do	Ninth	Mr. Cheadle	41,458
Do	Tenth	Mr. Owen	34,185
Do	Eleventh	Mr. Steele	38,890
Do	Twelfth	Mr. White	34,478
Iowa	Thirteenth	Mr. Shively	37,192
Do	First	Mr. Gear	32,250
Do	Third	Mr. Henderson	34,565
Do	Fourth	Mr. Fuller	32,195
Do	Fifth	Mr. Kerr	32,804
Do	Sixth	Mr. Weaver	32,620
Do	Seventh	Mr. Conger	29,398
Do	Eighth	Mr. Anderson	33,726
Do	Ninth	Mr. Lyman	31,414
Kansas	Tenth	Mr. Holmes	29,635
Do	First	Mr. Morrill	31,287
Do	Second	Mr. Funston	34,792
Do	Third	Mr. Perkins	36,716
Do	Fourth	Mr. Ryan	38,084
Do	Fifth	Mr. Anderson	35,906
Do	Sixth	Mr. Turner	33,025
Maine	Seventh	Mr. Peters	61,465
Do	First	Mr. Reed	31,044
Do	Second	Mr. Dingley	33,980
Do	Third	Mr. Milliken	31,752
Maryland	Fourth	Mr. Boutelle	31,591
Michigan	Sixth	Mr. McComas	33,929
Do	First	Mr. Chipman	34,044
Michigan	Second	Mr. Allen	34,452

TABLE II.—Returns from one hundred and sixty-four districts in 1886—Continued.

State.	District.	Representative.	Vote.
Michigan	Third	Mr. O'Donnell	39,308
Do.	Fourth	Mr. Burrows	36,000
Do.	Fifth	Mr. Ford	39,773
Do.	Sixth	Mr. Brewer	39,609
Do.	Seventh	Mr. Whiting	28,333
Do.	Eighth	Mr. Tarsney	37,846
Do.	Ninth	Mr. Cutcheon	33,817
Do.	Tenth	Mr. Fisher	29,293
Minnesota	First	Mr. Wilson	33,612
Do.	Second	Mr. Lind	38,282
Do.	Third	Mr. Macdonald	33,359
Do.	Fourth	Mr. Rice	64,933
Do.	Fifth	Mr. Nelson	43,937
Missouri	First	Mr. Hatch	31,778
Do.	Second	Mr. Mansur	34,928
Do.	Third	Mr. Dockery	35,156
Do.	Fifth	Mr. Warner	32,171
Do.	Sixth	Mr. Heard	40,636
Do.	Seventh	Mr. Hatton	28,347
Do.	Tenth	Mr. Clardy	29,289
Do.	Eleventh	Mr. Bland	30,598
Do.	Twelfth	Mr. Stone	39,414
Do.	Thirteenth	Mr. Wade	28,232
Do.	Fourteenth	Mr. Walker	28,933
Nebraska	First	Mr. McShane	42,679
Do.	Second	Mr. Laird	41,665
Do.	Third	Mr. Dorsey	52,155
New Hampshire	First	Mr. McKinney	37,534
Do.	Second	Mr. Gallinger	39,559
New Jersey	First	Mr. Hires	35,433
Do.	Second	Mr. Buchanan	35,380
Do.	Third	Mr. Kean	33,479
Do.	Fifth	Mr. Phelps	29,538
Do.	Sixth	Mr. Lehmbach	37,971
Do.	Seventh	Mr. McAdoo	31,551
New York	First	Mr. Belmont	32,594
Do.	Thirteenth	Mr. Fitch	31,828
Do.	Fourteenth	Mr. Stahlnecker	30,245
Do.	Fifteenth	Mr. Bacon	27,707
Do.	Sixteenth	Mr. Ketcham	28,249
Do.	Seventeenth	Mr. Hopkins	34,044
Do.	Eighteenth	Mr. Greenman	34,286
Do.	Nineteenth	Mr. Tracey	34,643
Do.	Twenty-first	Mr. West	29,851
Do.	Twenty-third	Mr. Sherman	32,353
Do.	Twenty-fourth	Mr. Wilber	32,410
Do.	Twenty-fifth	Mr. Belden	27,623
Do.	Twenty-sixth	Mr. De Lano	34,650
Do.	Twenty-seventh	Mr. Nutting	35,373
Do.	Thirty-second	Mr. Parquhar	30,432
Do.	Thirty-fourth	Mr. Laidlaw	32,151
North Carolina	Second	Mr. Simmons	28,218
Do.	Fourth	Mr. Nichols	30,284
Ohio	First	Mr. Butterworth	29,545
Do.	Second	Mr. Brown	33,495
Do.	Third	Mr. Williams	36,612
Do.	Fourth	Mr. Yoder	28,648
Do.	Fifth	Mr. Seney	34,038
Do.	Sixth	Mr. Boothman	38,925
Do.	Seventh	Mr. Campbell	31,594
Do.	Eighth	Mr. Kennedy	36,425
Do.	Ninth	Mr. Cooper	35,442
Do.	Tenth	Mr. Romeis	33,244
Do.	Eleventh	Mr. Thompson	31,730
Do.	Twelfth	Mr. Pugsley	36,832
Do.	Thirteenth	Mr. Outhwaite	39,265
Do.	Fourteenth	Mr. Wicham	28,175
Do.	Fifteenth	Mr. Grosvenor	30,943
Do.	Sixteenth	Mr. Wilkins	38,046
Do.	Seventeenth	Mr. Joseph D. Taylor	33,605
Do.	Eighteenth	Mr. McKinley	38,268
Do.	Nineteenth	Mr. Ezra B. Taylor	28,007
Do.	Twenty-first	Mr. Crouse	32,727
Oregon	Twenty-first	Mr. Foran	29,091
Pennsylvania*	First	Mr. Hermann	54,954
Do.	Fourth	Mr. Bingham	30,415
Do.	Fifth	Mr. Kelley	32,276
Do.	Sixth	Mr. Harmer	36,711
Do.		Mr. Darlington	28,606

* Returns from "old districts." The candidates for Congressman-at-large received 817,865 votes, an average of 29,209 for each of the twenty-eight "new districts."

TABLE II.—Returns from one hundred and sixty-four districts in 1886—Continued.

State.	District.	Representative.	Vote.
Pennsylvania	Seventh	Mr. Yardley	32,053
Do.	Ninth	Mr. Hiestand	28,458
Do.	Twelfth	Mr. Lynch	28,368
Do.	Fourteenth	Mr. Bound	32,014
Do.	Fifteenth	Mr. Bunnell	28,542
Do.	Sixteenth	Mr. McCormick	31,483
Do.	Seventeenth	Mr. Scull	33,304
Do.	Eighteenth	Mr. Atkinson	31,393
Do.	Nineteenth	Mr. Maish	33,509
Do.	Twenty-first	Mr. Patton	33,535
Do.	Twenty-second	Mr. McCullough	34,041
Do.	Twenty-sixth	Mr. Dalzell	30,655
Do.	Twenty-seventh	Mr. Hall	31,456
Tennessee	Third	Mr. Scott	30,545
Texas	Fifth	Mr. Neal	27,883
Do.	Sixth	Mr. Hare	28,154
Do.	Ninth	Mr. Abbott	31,910
Do.	Tenth	Mr. Mills	28,497
Do.	Eleventh	Mr. Sayers	34,301
West Virginia	First	Mr. Lanham	29,724
Do.	Second	Mr. Goff	34,497
Do.	Third	Mr. Wilson	34,315
Do.	Fourth	Mr. Snyder	29,464
Wisconsin	First	Mr. Hogg	32,679
Do.	Second	Mr. Caswell	27,600
Do.	Third	Mr. Guenther	33,213
Do.	Fourth	Mr. La Follette	31,420
Do.	Sixth	Mr. Smith	29,272
Do.	Seventh	Mr. Thomas	30,824
Do.	Eighth	Mr. Haugen	35,744
Do.	Ninth	Mr. Stephenson	40,349

B.

Alabama	First	Mr. Jones	4,206
Do.	Second	Mr. Herbert	5,669
Do.	Third	Mr. Oates	4,662
Do.	Fifth	Mr. Cobb	6,333
Do.	Sixth	Mr. Bankhead	12,309
Do.	Seventh	Mr. Forney	12,177
Arkansas	First	Mr. Dunn	6,092
Do.	Fourth	Mr. Rogers	13,391
Do.	Fifth	Mr. Peel	4,746
Georgia	First	Mr. Norwood	2,078
Do.	Second	Mr. Turner	2,411
Do.	Third	Mr. Crisp	1,704
Do.	Fourth	Mr. Grimes	3,239
Do.	Fifth	Mr. Stewart	2,999
Do.	Sixth	Mr. Blount	1,722
Do.	Seventh	Mr. Clements	6,680
Do.	Eighth	Mr. Carlton	2,377
Do.	Ninth	Mr. Candler	2,366
Do.	Tenth	Mr. Barnes	1,944
Do.	Sixth	Mr. Carlisle	12,146
Do.	Seventh	Mr. Breckinridge	4,808
Louisiana	First	Mr. Wilkinson	12,999
Do.	Second	Mr. Logan	14,775
Do.	Fourth	Mr. Blanchard	5,759
Do.	Fifth	Mr. Newton	14,263
Do.	Sixth	Mr. Robertson	10,132
Do.	Seventh	Mr. Allen	3,167
Mississippi	First	Mr. Morgan	12,648
Do.	Second	Mr. Catehings	6,900
Do.	Third	Mr. Barry	3,086
Do.	Fifth	Mr. Anderson	4,316
Do.	Sixth	Mr. Stockdale	12,117
Do.	Seventh	Mr. Hooker	4,514
Nevada	Do.	Mr. Woodburn	12,370
New York	Sixth	Mr. Cummings	14,423
North Carolina	Seventh	Mr. Henderson	13,936
Pennsylvania	Third	Mr. Randall	12,176
Rhode Island	First	Mr. Spooner	6,636
South Carolina	First	Mr. Dibble	3,317
Do.	Second	Mr. Tillman	5,235
Do.	Third	Mr. Cothran	4,409
Do.	Fourth	Mr. Perry	4,470
Do.	Fifth	Mr. Hemphill	4,701
Do.	Sixth	Mr. Dargan	4,469
Do.	Seventh	Mr. Elliott	12,496

TABLE III.

State.	Population, 1880.	Presidential vote, 1880.	Ratio.	Presidential vote, 1888.	Eight years' increase of vote.	Eight years' decrease of vote.	Population, 1888, according to voting ratio in 1880.	Increase of population 1880 to 1888 on basis of vote returned.	Decrease of population 1886 to 1888 on basis of vote returned.	Population according to State census of 1885.
Alabama	1,262,505	152,048	8.30	175,100	23,052	.....	1,453,330	187,825	.....	.....
Arkansas	802,525	107,290	7.50	155,944	48,654	.....	1,159,580	357,055	.....	342,617
Florida	269,493	51,618	5.20	66,635	15,017	.....	346,502	77,009	.....	.....
Georgia	1,542,180	158,040	9.75	142,839	.....	15,201	1,392,650	.....	149,530	.....
Louisiana	939,946	103,083	9.10	128,250	23,167	.....	1,167,075	227,129	.....	.....
Mississippi*	1,181,597	*117,078	9.60	115,567	.....	1,811	1,009,443	.....	122,154	.....
North Carolina	1,399,750	241,218	5.80	285,512	44,294	.....	1,655,969	236,219	.....	.....
South Carolina	995,577	170,956	5.80	79,750	.....	91,206	462,550	.....	533,027	.....
Tennessee	1,542,359	241,783	6.30	303,466	61,681	.....	1,911,835	369,476	.....	.....
Virginia	1,512,565	217,615	7.00	304,093	86,378	.....	2,128,651	616,286	.....	.....
California	804,699	160,795	5.00	251,339	90,544	.....	1,256,695	451,996	.....	.....

* Vote in 1876, 164,778. Population, 1870, 827,922.

TABLE III.—Continued.

State.	Population, 1880.	Presidential vote, 1880.	Ratio.	Presidential vote, 1888.	Eight years' increase of vote.	Eight years' decrease of vote.	Population, 1888, according to voting ratio in 1880.	Increase of population 1880 to 1888 on basis of vote returned.	Decrease of population 1888 to 1888 on basis of vote returned.	Population according to State census of 1888.
Kansas	996,000	201,236	4.95	334,065	132,799	.....	1,653,473	657,383	.....	1,268,562
Minnesota	780,773	150,771	5.20	263,285	112,514	1,369,082	588,309	581,123	581,123	1,117,798
Nebraska	452,402	87,460	5.10	202,653	115,193	1,033,530	720,616	97,916	97,916	740,645
Connecticut	622,700	132,802	4.68	153,978	21,106	3,239	363,276	16,285	16,285	363,276
New Hampshire	346,991	86,454	4.00	90,819	4,365	1,397,209	266,093	260,711	260,711	1,278,033
New Jersey	1,131,116	245,928	4.60	303,741	57,813	1,397,209	266,093	85,943	85,943	1,278,033
Oregon	174,768	40,816	4.28	60,914	20,098	260,711	260,711	260,711	260,711	194,150
Wisconsin	1,315,497	266,904	5.00	354,584	87,680	1,772,920	357,423	357,423	357,423	1,563,423
Maryland	934,943	172,221	5.40	210,921	38,700	1,138,973	204,030	204,030	204,030	1,138,973

TABLE IV.

Mississippi.			New Jersey.		
District.	Representative.	Total vote, 1888.	District.	Representative.	Total vote, 1888.
First	Mr. Allen	13,085	First	Mr. Bergen	46,453
Second	Mr. Morgan	19,795	Second	Mr. Buchanan	42,803
Third	Mr. Catchings	16,238	Third	Mr. Geissenhainer	44,448
Fourth	Mr. Lewis	15,251	Fourth	Mr. Fowler	30,925
Fifth	Mr. Anderson	20,239	Fifth	Mr. Beckwith	40,383
Sixth	Mr. Stockdale	15,044	Sixth	Mr. Lehlbach	51,133
Seventh	Mr. Hooker	15,561	Seventh	Mr. McAdoo	47,205

Mississippi.

New Jersey.

Mississippi.			New Jersey.		
District.	Representative.	Total vote, 1888.	District.	Representative.	Total vote, 1888.
First	Mr. Allen	3,167	First	Mr. Hires	35,433
Second	Mr. Morgan	12,648	Second	Mr. Buchanan	35,380
Third	Mr. Catchings	6,950	Third	Mr. Kean	33,479
Fourth	Mr. Barry	3,086	Fourth	Mr. Pidcock	26,021
Fifth	Mr. Anderson	4,316	Fifth	Mr. Phelps	29,538
Sixth	Mr. Stockdale	12,117	Sixth	Mr. Lehlbach	37,971
Seventh	Mr. Hooker	4,514	Seventh	Mr. McAdoo	31,551

TABLE V.

South Carolina.			Kansas.		
District.	Representative.	Total vote, 1888.	District.	Representative.	Total vote, 1888.
First	Mr. Dibble	9,855	First	Mr. Morrill	37,012
Second	Mr. Tillman	12,237	Second	Mr. Funston	45,118
Third	Mr. Cothran	8,774	Third	Mr. Perkins	36,227
Fourth	Mr. Perry	11,410	Fourth	Mr. Ryan	49,560
Fifth	Mr. Hemphill	9,586	Fifth	Mr. Anderson	38,318
Sixth	Mr. Dargan	8,972	Sixth	Mr. Turner	40,774
Seventh	Mr. Elliott	15,435	Seventh	Mr. Peters	82,244

FIFTIETH CONGRESS—VOTE OF 1886.

First	Mr. Dibble	3,317	First	Mr. Morrill	31,287
Second	Mr. Tillman	5,235	Second	Mr. Funston	34,792
Third	Mr. Cothran	4,400	Third	Mr. Perkins	36,716
Fourth	Mr. Perry	4,470	Fourth	Mr. Ryan	38,084
Fifth	Mr. Hemphill	4,701	Fifth	Mr. Anderson	35,966
Sixth	Mr. Dargan	4,469	Sixth	Mr. Turner	33,025
Seventh	Mr. Elliott	12,476	Seventh	Mr. Peters	61,465

* Mr. Ryan resigned in 1889.

TABLE VI.

Georgia, 1888.			Virginia, 1888.		
District.	Representative.	Vote.	District.	Representative.	Vote.
First	Mr. Lester	16,896	First	Mr. Browne	29,048
Second	Mr. Turner	11,000	Second	Mr. Bowden	33,775
Third	Mr. Crisp	12,750	Third	Mr. Waddill	31,412
Fourth	Mr. Grimes	13,941	Fourth	Mr. Venable	28,963
Fifth	Mr. Stewart	16,008	Fifth	Mr. Lester	27,451
Sixth	Mr. Blount	9,050	Sixth	Mr. Edmunds	34,586
Seventh	Mr. Clements	12,269	Seventh	Mr. O'Ferrall	30,268
Eighth	Mr. Carlton	9,551	Eighth	Mr. Lee	29,776
Ninth	Mr. Candler	21,191	Ninth	Mr. Buchanan	32,562
Tenth	Mr. Barnes	7,378	Tenth	Mr. Tucker	28,581

TABLE VI.—Continued.

Georgia, 1886.			Virginia, 1886.		
District.	Representative.	Vote.	District.	Representative.	Vote.
First	Mr. Norwood	2,078	First	Mr. Browne	23,288
Second	Mr. Turner	2,411	Second	Mr. Bowden	25,430
Third	Mr. Crisp	1,704	Third	Mr. Wise	26,565
Fourth	Mr. Grimes	3,239	Fourth	Mr. Gaines	20,944
Fifth	Mr. Stewart	2,999	Fifth	Mr. Brown	22,388
Sixth	Mr. Blount	1,722	Sixth	Mr. Hopkins	18,625
Seventh	Mr. Clements	6,680	Seventh	Mr. O'Ferrall	22,402
Eighth	Mr. Carlton	2,377	Eighth	Mr. Lee	17,111
Ninth	Mr. Candler	2,366	Ninth	Mr. Bowen	23,425
Tenth	Mr. Barnes	1,944	Tenth	Mr. Yost	24,300

* The total vote as returned by the State canvassers was 30,955; after an investigation of the returns by the House, which resulted in unseating Mr. Wise, the total vote was stated at 31,412.

Georgia, 1888.			Tennessee, 1888.		
District.	Representative.	Vote.	District.	Representative.	Vote.
First	Mr. Lester	16,896	First	Mr. Taylor	32,293
Second	Mr. Turner	11,000	Second	Mr. Houk	33,966
Third	Mr. Crisp	12,750	Third	Mr. Evans	37,289
Fourth	Mr. Grimes	13,941	Fourth	Mr. McMillin	26,230
Fifth	Mr. Stewart	16,008	Fifth	Mr. Richardson	26,150
Sixth	Mr. Blount	9,050	Sixth	Mr. Washington	33,128
Seventh	Mr. Clements	12,269	Seventh	Mr. Whitborne	24,860
Eighth	Mr. Carlton	9,551	Eighth	Mr. Enloe	26,290
Ninth	Mr. Candler	21,191	Ninth	Mr. Pierce	27,344
Tenth	Mr. Barnes	7,378	Tenth	Mr. Phelan	31,879

Georgia, 1886.			Tennessee, 1886.		
District.	Representative.	Vote.	District.	Representative.	Vote.
First	Mr. Norwood	2,078	First	Mr. Butler	27,346
Second	Mr. Turner	2,411	Second	Mr. Houk	23,616
Third	Mr. Crisp	1,704	Third	Mr. Neal	27,883
Fourth	Mr. Grimes	3,239	Fourth	Mr. McMillin	20,233
Fifth	Mr. Stewart	2,999	Fifth	Mr. Richardson	19,966
Sixth	Mr. Blount	1,722	Sixth	Mr. Washington	24,137
Seventh	Mr. Clements	6,680	Seventh	Mr. Whitborne	20,642
Eighth	Mr. Carlton	2,377	Eighth	Mr. Enloe	24,421
Ninth	Mr. Candler	2,366	Ninth	Mr. Glass	24,206
Tenth	Mr. Barnes	1,944	Tenth	Mr. Phelan	19,962

TABLE VII.

State.	Males of voting age, 1880.			Vote for Representatives.	
	White.	Colored.	Total.	1886.	1888.
Alabama	141,461	118,423	259,884	86,667	173,214
Arkansas	136,150	46,827	182,977	55,488	156,380
Florida	34,210	27,489	61,699	56,777	66,320
Georgia	177,967	143,471	321,438	27,520	130,134
Louisiana	108,810	107,977	216,787	84,763	113,242
Mississippi	108,254	130,278	238,533	46,748	115,216
North Carolina	189,732	105,018	294,750	194,214	279,681
South Carolina	86,900	118,888	205,789	39,077	76,369
Tennessee	250,055	80,250	330,305	222,413	209,549
Texas	301,737	78,639	380,376	288,440	337,712
Virginia	206,248	128,257	334,505	224,478	305,965
Total	1,741,525	1,085,518	2,827,043	1,336,585	2,053,832
Delaware	31,902	6,396	38,298	22,230	29,695
Kentucky	317,579	58,642	376,221	209,249	337,764

TABLE VII—Continued.

State.	Males of voting age, 1880.			Vote for Representatives.	
	White.	Colored.	Total.	1886.	1888.
Maryland.....	183,522	48,584	232,106	150,471	207,812
Missouri.....	508,165	33,042	541,207	418,777	517,473
West Virginia.....	132,777	6,384	139,161	130,955	156,966
Total.....	1,173,945	153,048	1,326,993	931,682	1,249,710
California a.....			329,392	194,085	247,557
Colorado.....			93,608	58,258	92,009
Connecticut.....			177,291	123,015	153,623
Illinois.....			796,847	567,853	745,593
Indiana.....			498,437	459,225	533,584
Iowa.....			416,658	337,431	402,936
Kansas.....			265,714	271,359	329,283
Maine.....			187,323	128,367	144,882
Massachusetts.....			502,648	245,304	341,028
Michigan.....			467,687	279,495	473,869
Minnesota.....			213,485	214,123	262,312
Nebraska.....			129,042	126,499	203,019
Nevada.....			31,255	12,370	12,603
New Hampshire.....			105,138	77,093	90,707
New Jersey.....			300,635	229,373	303,350
New York.....			1,408,751	930,887	1,272,369
Ohio.....			826,577	704,457	832,950
Oregon.....			59,620	54,964	58,233
Pennsylvania.....			1,094,284	817,865	990,056
Rhode Island b.....			76,898	17,891	35,389
Vermont.....			95,621	48,473	68,251
Wisconsin.....			340,482	233,654	350,777
Twenty-two Northern States.....			68,417,403	66,291,534	67,947,310
Five border (formerly slave) States.....			1,326,993	931,682	1,249,710
Eleven Southern (seceding) States.....			42,827,043	41,336,585	42,053,832

State.	Increase 1888 over 1886.		Number of Representatives.	Average vote to each Representative.	
	Number.	Percent.		1886.	1888.
Alabama.....	86,547	100	8	10,833	21,652
Arkansas.....	100,592	182	5	11,097	31,276
Florida.....	9,593	17	2	28,388	33,185
Georgia.....	102,614	370	10	2,752	13,013
Louisiana.....	38,579	46	6	14,127	18,873
Mississippi.....	68,468	145	7	6,678	16,459
North Carolina.....	75,467	39	9	21,578	31,076
South Carolina.....	37,292	95	7	5,582	10,909
Tennessee.....	67,136	29	10	23,241	29,954
Texas.....	49,272	17	11	26,222	30,701
Virginia.....	81,487	86	10	22,447	30,596
Total.....	717,247	54	85	15,724	24,162
Delaware.....	7,465	33	1	22,230	29,695
Kentucky.....	128,515	61	11	19,022	30,706
Maryland.....	57,341	38	6	25,078	34,635
Missouri.....	98,696	24	14	29,913	36,963
West Virginia.....	26,011	20	4	32,733	39,241
Total.....	318,028	34	36	25,880	34,714
California.....	53,472	27	6	32,347	41,259
Colorado.....	33,751	58	1	58,258	92,009
Connecticut.....	30,608	23	4	30,733	38,405
Illinois.....	117,740	31	20	28,392	37,379
Indiana.....	76,359	17	13	35,325	41,191
Iowa.....	65,505	19	11	30,675	36,630
Kansas.....	57,924	21	7	38,765	47,040
Maine.....	16,515	13	4	32,092	36,220
Massachusetts.....	95,724	39	12	20,442	28,419
Michigan.....	94,374	25	11	34,490	43,079
Minnesota.....	48,189	23	5	42,824	52,462
Nebraska.....	67,520	50	3	48,833	67,673
Nevada.....	233	2	1	12,370	12,603
New Hampshire.....	13,614	18	2	28,546	45,333
New Jersey.....	73,977	32	7	32,767	43,325
New York.....	341,982	37	34	27,335	34,481
Ohio.....	128,493	18	21	33,545	39,908
Oregon.....	3,279	6	1	54,954	58,233
Pennsylvania.....	172,171	21	28	30,291	35,328
Rhode Island.....	17,475	98	2	8,947	17,684
Vermont.....	19,778	40	2	24,236	34,125
Wisconsin.....	67,123	24	9	31,517	38,975

a In this State about 65,000 Chinese are included in population (males twenty-one years old and upward), although they can not vote.

b The remarkable increase in the vote was due to the adoption of the enfranchisement amendment to the constitution in April, 1888.

c Of this total nearly 32 per cent. foreign born.

d Nearly 75 per cent. of males of voting age in 1880.

e More than 94 per cent. of males of voting age in 1880.

f Of this total about 16½ per cent. foreign born.

g More than 70 per cent. of males of voting age in 1880.

h More than 94 per cent. of males of voting age in 1880.

i Of this total about 7½ per cent. foreign born, and, excluding totals of Louisiana and Texas (410,547), less than 4 per cent. foreign born.

j More than 47 per cent. of males of voting age in 1880.

k Nearly 73 per cent. of males of voting age in 1880.

TABLE VII—Continued.

State.	Increase 1888 over 1886.		Number of Representatives.	Average vote to each Representative.	
	Number.	Per cent.		1886.	1888.
Twenty-two Northern States.	1,655,806	26	204	30,840	38,957
Five border (formerly slave) States.	318,028	34	36	25,880	34,714
Eleven Southern (seceding) States.	717,247	54	85	15,724	24,162

Of course the States which contain a large percentage of foreign-born men of voting age are placed at a disadvantage in these comparisons, because a considerable percentage of the foreign-born men twenty-one years old and upward are not naturalized; that is necessarily true in the North and West, which receive annually tens of thousands of foreign immigrants, while the South, with the exception of Texas and Louisiana, receives only hundreds. In 1880 there were only 50,506 foreign-born males of voting age in the nine States of Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, which contained an aggregate white population of 1,330,978 persons of voting age, an average of less than 4 per cent.

In the Northern States the numbers and proportions of foreign-born men of voting age were as follows:

California.....	127,374	nearly.....	50	per cent.
Colorado.....	26,373	nearly.....	30	per cent.
Connecticut.....	55,012	nearly.....	33	per cent.
Illinois.....	277,889	more than.....	33	per cent.
Indiana.....	73,446	about.....	15	per cent.
Iowa.....	126,103	about.....	32	per cent.
Kansas.....	53,595	about.....	20	per cent.
Maine.....	22,486	about.....	124	per cent.
Massachusetts.....	170,690	more than.....	33	per cent.
Michigan.....	176,088	more than.....	33	per cent.
Minnesota.....	123,777	more than.....	58	per cent.
Nebraska.....	44,864	more than.....	35	per cent.
Nevada.....	14,191	more than.....	55	per cent.
New Hampshire.....	16,111	about.....	14	per cent.
New Jersey.....	99,399	more than.....	30	per cent.
New York.....	536,598	about.....	39	per cent.
Ohio.....	191,386	nearly.....	25	per cent.
Oregon.....	13,630	about.....	25	per cent.
Pennsylvania.....	272,860	more than.....	25	per cent.
Rhode Island.....	27,108	about.....	37	per cent.
Vermont.....	17,533	about.....	19	per cent.
Wisconsin.....	189,469	about.....	50	per cent.
Total.....	2,636,392	average nearly	32	per cent.

Despite this disadvantage, however, it will be noted that the number of votes cast in a number of Northern States exceeds the total male population of voting age returned in 1880. Here is the statement:

State.	Males of voting age, 1880.	Total vote.	
		1886.	1888.
Indiana.....	498,437	535,584	
Kansas.....	265,714	271,359	329,283
Michigan.....	467,687	473,869	
Minnesota.....	213,485	214,123	232,312
Nebraska.....	139,042	136,499	203,019
New Jersey.....	300,635	303,350	
Ohio.....	826,577	832,950	822,950
Wisconsin.....	340,482	350,777	

The only border State which has passed the same limit is West Virginia—139,161 in 1880; 156,966 votes in 1888.

Of course, however, these States could not compete with the Southern States in the matter of increasing the vote of 1888 over the vote of 1884, as will be seen by the following comparative statement.

State.	Males 21 years old and upward, 1880.	Total vote.		Increase, per cent.
		1886.	1888.	
Alabama.....	259,884	86,667	173,214	100
Arkansas.....	182,977	55,488	156,380	182
Georgia.....	321,438	27,520	130,134	370
Mississippi.....	238,533	46,748	115,216	146
South Carolina.....	205,789	39,077	76,369	95
Indiana.....	498,437	459,225	535,584	17
Kansas.....	265,714	271,359	329,283	21
Michigan.....	467,687	379,495	473,869	25
Minnesota.....	213,485	214,123	232,312	23
Nebraska.....	129,042	136,499	203,019	60
New Jersey.....	300,635	229,373	303,350	32
Ohio.....	826,577	704,457	832,950	18
West Virginia.....	139,161	130,955	156,966	20
Wisconsin.....	340,482	283,654	350,777	21

It will be observed that even under the impulse of the great Southern revival in voting in 1888 the first five States returned less than 54 per cent. of the total number of men who were twenty-one years old or upward in 1880, while the last nine States returned more than 108 per cent. of the total number of men of voting age reported by the census of 1880. (The totals are: 1,208,621 persons, 651,313 votes, or a trifle less than 54 per cent. in the first five States; and 3,181,220 persons and 3,448,110 votes, or a little more than 108 per cent., in the last nine States.)

Mr. HEMPHILL. Mr. Speaker, I can not hope to express to this House the views which have influenced the minority of the committee in as elegant terms as have been used by the gentleman, the head of the committee [Mr. LODGE], who has just stated the views of the majority on this bill. But I hope I shall be able to speak as passionately and with as broad a view in stating the reasons and the motives which influenced the minority in reaching the conclusion that they have.

The purpose of this bill, as any gentleman knows who has read it closely, is to effectually place the election of members of Congress under the control of the United States Government, and, as we who represent the minority contend, the effect of the bill, whatever its purpose may be, will be to control absolutely the election not only of members of Congress, but of various State and county officers in the several States of the Union, and eventually to control the election of the President of the United States.

The clause under which this claim is made is the first clause of the fourth section of the first article of the Constitution, which provides:

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

It is hardly necessary, Mr. Speaker, to say in this House, to gentlemen who are supposed to know something of the history of the adoption of the Constitution of the United States, that this section created more uneasiness in the minds of the members of the conventions that finally passed upon the adoption of the Constitution of the United States than all of its other provisions combined. Seven of the thirteen States were so unwilling to accept the Constitution of the United States with this provision in it, that they expressly provided amendments to it which were to be submitted to the States, which would deprive the Congress of the United States of the right to exercise this power except in certain specified emergencies. And the State of Massachusetts which has sent so many able Representatives to the Congress of the United States, and which so far as ability and learning are concerned has certainly filled an honored place among the sisterhood of States, was so seriously concerned on the subject that that State not only submitted an amendment to the Constitution to deprive Congress of this power, but expressly enjoined upon its Representatives to take care at "all times" to see that nothing was done by the Congress of the United States which should deprive the people of the State of the right to pass upon and settle this question for themselves.

I do not purpose to enter into any long constitutional argument on this question. I hold that the Supreme Court of the United States must eventually adjudicate all problems which arise as to the powers of the several States and of the United States; and they have gone very far, if they have not absolutely decided that the Congress of the United States has almost unlimited powers in this particular.

I would like to call the attention of the Representatives of the people here to the fact, however, that every expression that has ever fallen from the lips of the voters of this country has been in absolute and utter condemnation of the right of Congress to take from them, the right to decide through State agencies, how these elections shall be carried on and who shall conduct them.

As I stated, at the very inception of this Government, when its foundations were being laid, as was then hoped in the broad and everlasting principles of human liberty, seven of the thirteen original States declared against the power of Congress to exercise this authority; and they put their objection on the broad ground that it was a usurpation of the liberties of the people and that it would eventually operate to their destruction.

Congress obeyed that injunction until 1842, when for the first time it undertook to legislate upon the subject, and a Mr. Campbell, a gentleman representing at that time one of the districts of South Carolina, introduced into the apportionment act of that year a provision requiring that the several States should elect their members of Congress from separate districts, "which shall be composed of contiguous territory." That was a Whig Congress, and Mr. Campbell, I think, in fact I am sure, was the only member from South Carolina who voted for the proposition, for the Democrats thought then, as they think now, that it was a usurpation of power by Congress and voted with practical unanimity against it.

Four of the States disobeyed the requirements of the law and elected their members of the House from the State at large, and not from separate districts. The right of the members from these four States was examined into under a resolution of the House and in this way the question arose as to whether or not the passage of the law was a constitutional exercise of power by Congress. The House of Representatives, by a large majority, practically overruled and

set at naught this alleged statute of the United States, and seated the members from the four States that had knowingly and willfully disobeyed it. When it came to a question before the people as to whether or not they would sustain the Democratic party in practically wiping from the statute-books such a law, the sentiment in their favor was overwhelming and the Congress that had been Whig in 1840, by the following election of 1842 was converted into a Democratic Congress by a majority of more than two to one.

The States which objected to that law were Missouri, Georgia, and Mississippi, and the good State of New Hampshire. Let me read to you some of the expressions of opinion that were given by the Legislatures of various States at that time.

The State of Ohio in 1843 resolved—

That Congress has no right, under the Constitution of the United States, to prescribe the manner, time, or place of holding elections for members of its own body, except in case where the Legislatures of the States shall refuse or fail to make provision for the same.

Resolved, That the General Assembly, acting in behalf of the people of the State of Ohio, do hereby solemnly protest against the late attempt of the National Legislature to encroach upon the independence of the several States composing this Union; and the second section of the act alluded to is hereby declared to be unconstitutional, arbitrary, and of no binding effect upon the States.

That, gentlemen, was the first instance, so far as I know, in which a Northern State adopted the somewhat famous doctrine of South Carolina as to the right of a State to nullify an act of the United States Congress. But the State of Ohio expressly declared through its assembled representatives that the Congress of the United States had no power to pass such a law, and that it was not binding upon them.

The State of New Hampshire resolved, amongst other things—

Resolved, That the recent act of Congress, directing the States to be divided for the choice of Representatives to Congress, is a direct violation of the provisions of the Federal compact, and we can not regard the same as binding upon the States.

Resolved, That we can not sanction so unauthorized an interference in our domestic relations on the part of Congress, and shall, therefore, decline to distract this State for the choice of Representatives to Congress.

I have some resolutions from the State of New York, expressing in even more emphatic terms the disapprobation of the people of that State of this act of Congress which usurps the power which they thought belonged to the several States under the Constitution of the United States.

But if the gentlemen here do not care to heed the voice of the people as it is expressed through their State representatives, and think that it is better to act upon their own judgment in this matter, then I would like to submit to them some views of this bill which I think will prevent any man from voting for it who desires an honest and an efficient national law for the preservation of the rights of the voters and of the members of this House.

This, gentlemen, is not a bill of universal application, and when the gentleman from Massachusetts [Mr. LODGE], in such soft and kindly words, undertook to state the character and the provisions of this bill, it seems to me that he omitted the chief features of it, and left the House in utter ignorance of what its effect will be.

The bill if it becomes a law is not to be operative, as most laws are when it passes both Houses of Congress and is approved by the President, but is to go into effect upon the petition of fifty or one hundred persons, as the case may be, "claiming to be citizens of the United States, and residents and voters in such county or parish." And the provisions for putting it into operation are very curious and uncertain even when petitioned for. It undertakes to provide for being put into operation by judicial districts under a chief supervisor for each.

There are seventy judicial districts in the United States, the entire area being laid off into judicial districts, so that if there is a supervisor for every district, the whole country is by this means embraced within the limits of the jurisdiction of one of these supervisors. And when you say that the supervisor of the judicial district shall have supervision of Federal elections within his judicial district, you cover the whole territory of the United States.

But having provided for this the bill goes on to say that the supervisor of a judicial district shall also have supervision of a Congressional district, the majority of the counties of which are in his judicial district. If the majority of the counties are in one judicial district, the minority of the counties must necessarily be in another judicial district, so that the minority of counties of one Congressional district will be supervised by the supervisor of that judicial district and by the supervisor of the judicial district in which the majority of the counties of that Congressional district lie.

The bill, not stopping here, provides further for the determining by the majority of the votes in the various counties, as shown by the census, for the supervision of entire Congressional districts where the counties are equally divided between two judicial districts or where they lie in more than two judicial districts.

So that under this bill as it is framed some portions of the United States will be under the supervision of one chief supervisor and other portions, even within the limits of the same Congressional district, will be under the supervision of two chief supervisors, and others again will be under the supervision of three or four or possibly five chief supervisors, according to the situation and limits of the Congressional districts as compared with the judicial districts of the various States.

Each chief supervisor has equal authority and each has power

under this bill to appoint three supervisors at each polling precinct, and any number of deputy marshals he shall see fit to select.

If there are no petitions there can be no supervisors; if there are petitions there may be from nine to fifteen supervisors, all with equal authority, conducting the election at one poll, and deputy marshals without number.

I can conceive, gentlemen, of no honest purpose in any such provision as that; and it can have no other effect except to put the people of some districts between the upper and nether mill-stone, by which the voters will be ground out of the last right that is left to them.

These are the astounding provisions of the first section, and the second section is rather more remarkable than the first. The second section undertakes to say when this bill shall be put into operation, and it provides for three cases in which the law may be made applicable. Now, if gentlemen of the majority have any reason on earth why this law upon petition should not be made applicable to every Congressional district in the United States, they have not seen fit to disclose it either in their report or in the speech which the chairman has made to this House.

There are three cases only in which this law can be put into operation even upon the petition of citizens. The first is in cities of 20,000 inhabitants or upwards. Second, in any county or parish which forms a part of a Congressional district. Now, why you should put that qualification to it I can not understand, and the majority have not explained. It is not any county or parish that forms a whole Congressional district, but it is any county or parish that forms a part of a Congressional district. Third, in any entire district, no part of which is within a city of 20,000 inhabitants or upwards. No Congressional district can be supervised as a whole upon a petition sent in by one set of people except in two cases: first, where the entire district is in a city of more than 20,000 inhabitants, or where the district has not within its limits a city of 20,000 inhabitants.

No supervision can be had in a district which is formed of one county only and which has in it a city of 20,000 inhabitants and upward, except in so far as the supervision applies to the city itself. The township and other subdivisions or portions of the county or parish forming part of the Congressional district which embraces a city of 20,000 inhabitants and upward can not be supervised under this bill. One part of the Congressional district, under both the first and second subdivisions of this bill, may be put under supervision and under the operation of the Federal law, while the other part is not under that supervision and is under the State law. Returns from the first-named part will be made to both the United States and the State canvassers; the managers of the second-named part to the State canvassers only. The returns of the United States canvassers will be utterly useless in this case, for no full returns can be made from the whole district. If a Congressional district is composed partly of a city of 20,000 inhabitants and upwards and partly of counties, it can not be embraced under the law as a whole, and one petition, or several petitions, for each county or part of a city will be required. If the county, as distinguished from the city, is divided between two or more Congressional districts, no part of it can be brought under this law, unless it be in a Congressional district no part of which is within a city of 20,000 inhabitants or upwards.

Mr. Speaker, it does seem to me that if we are to have a statute of the United States, the first requisite ought to be that it should be of uniform application. This is not so here, because it depends upon the wish of fifty or one hundred men in a town or county or city; and even this number of petitioners, or in fact any number, have not the power to put this law in operation in every district or part of district in the United States.

While the gentleman from Massachusetts [Mr. LODGE] has made what appears to be an exceedingly fair and free unfolding of all the merits of this bill, he has failed to state to this House why it is that this very unique and exceedingly complicated and unsatisfactory provision is put in here, unless the purpose of it is to bring this law to bear down upon some portion of the people and allow other portions to escape its burdens. I call upon him, and upon others who succeed him, to explain to this House why these very peculiar provisions are found in this bill, as developed by this analysis of the first and second sections of it.

Mr. Speaker, there are other portions of this bill which seem to me to strike at the very central point of the liberties of the people of this country. There are four different kinds of officers who are to be appointed to carry out the requirements of this measure. First, there is a chief supervisor, who is to be appointed to supervise, through his subordinates, the Congressional election in his judicial district and in other districts in certain contingencies, as I have above specified.

2. The supervisors—three at each poll—who are practically to conduct the election and who receive their appointment from the chief supervisor.

3. The canvassers—three in number—who are to canvass and certify the result of the voting.

4. Deputy marshals—without limit as to number—to attend upon the registration, and voting, etc.

The chief supervisor is made a permanent officer of the Government and is appointed by the circuit judge of the United States who

has a life tenure. So that, so far as it is possible to remove the election of members of Congress from the control and influence of the people, and from the exercise of any voice whatever in the management and results of this most important matter, this bill easily surpasses anything that has been proposed to the representatives of the people.

This House has been called the very "breath of the people" of the United States, and it is so spoken of because the members are directly elected by them, and the purpose of the creation and the existence of this House was and is that the people through its members might have the most direct and powerful influence upon this Government; and yet this bill provides that the man who is to supervise and practically control the elections of the members of this body shall be one who in no way owes his appointment to the people, but who is appointed by an officer who holds a life tenure and who himself does not receive his commission from the people, but from the President of the United States.

If only one-half is true as to the corruption of the voters of the United States that has been depicted by the gentleman from Massachusetts, then I am sure we may well expect that at least one-half of the supervisors who shall be appointed by the circuit judges will be unworthy to exercise the great powers that are given to such officers in this bill.

If the people of the United States have become so debauched that they can not be trusted to have any voice whatever in choosing the managers of their elections, and are to be "guarded, scrutinized, and supervised," as if they were criminals absent from the penitentiary upon ticket-of-leave only, then I say it is but fair to presume that when we must select these officers from the body of the people we will not be able to get every one of them honest. Suppose a mistake is made in the appointment of these officials and some of them act corruptly and dishonestly. The judge who appoints the supervisor has a life tenure, and the supervisor himself has a life tenure. Neither owes his appointment to the people, and neither can be removed or directly affected in any way by the popular vote. How can they turn the supervisor out if he is dishonest and illegally returns the wrong man to Congress?

The point does not seem to have occurred to the gentleman from Massachusetts that when this machinery is put in motion the power of the people to change directly the supervisors of election and the chief supervisor and the judge who appoints is absolutely gone forever. Not only the chief supervisor is a permanent officer, but he appoints the supervisors of election. Those supervisors, under the present law, as appointed, are taken one from each political party. This bill provides that two of them, the majority, shall be taken from one political party and one from the minority or other political party; but it also provides that the majority shall be able to do everything that the whole board can do, and it provides further that the judges, eight out of ten of whom are Republicans, shall appoint the chief supervisor, and that he shall select a majority of his own party for the control of the elections. Not only does the one party have the chief supervisor and the supervisors, two at least at each poll, but it has the majority of the board of canvassers who are also appointed, not by the people, not by anybody who has been elected by the people, but by a judge who has been appointed by the President, and that board of canvassers make up their returns and determine who shall be members of this House without any reference whatever to the returns made by the officers appointed by the State to conduct the election.

Another very strange provision of this bill is that the supervisors shall hold their office for two months after the election is closed and after their duties are entirely performed. That, I say, is a very peculiar provision, that a man shall be appointed to an office, to perform a certain duty, upon a certain day, at the end of which day all his efficiency as an officer shall cease; that he shall have no further duties laid upon him, and yet that he shall continue to be an officer of the United States for two months after his work is thus entirely completed. Now, the purpose of that is so manifest to every man who knows the law of the United States that it drives right through the whole of the "non-partisan" covering which the gentleman from Massachusetts [Mr. LODGE] has put about this bill.

What is the object of this provision? If a supervisor of election makes a false return as to a State office, or does anything else in violation of State law (and I will soon show you that he has great power there also) he can not be arrested and tried before the State courts; for, under this bill, he has two months after he has manipulated the ballot-box and robbed the people of their rights to run away from the State and to snap his fingers in the face of the people whose rights he has ruthlessly trampled upon. We all know that a State court is not permitted to try a United States official for any offense which he commits in violation of law while acting as such official, and the plain effect of this provision, not expressed upon its face, but perfectly manifest when you understand the decisions of the courts, is to give these officers the opportunity to rob the people of their honest votes, with two months within which to escape the punishment that would be due to them. I say, Mr. Speaker, that that one provision of this measure stamps this bill as a scheme to rob the people of the States of the dearest right of American citizenship.

And not only this, but has any gentleman who has read this bill or any statute that it refers to been able to discover any limit whatever to the number of deputy marshals that may be appointed to execute this law? Have the people of New York or Kansas or Illinois or any of the Northern States become so utterly corrupt and devoid of honor that there is to be no limit whatever to the number of men who may be appointed to guard and scrutinize and supervise them when they go to cast their ballots as American freemen? This bill says that the chief supervisor shall provide for the filling of all election districts, and I think that is a very appropriate term. He is going to "fill" the election districts with his supervisors and deputy marshals, and, if necessary, I presume the people of the country are to be crowded out entirely. This chief supervisor names all the other supervisors, and he and the marshal together determine the number of United States deputy marshals. In 1876, in one city in this country, there were 11,615 deputy marshals appointed to guard and scrutinize and supervise the voters; of those 155 were at one poll, and in addition to the 11,000 deputy marshals there were 6,000 supervisors.

Mr. TURNER, of Georgia. Where was that?

Mr. HEMPHILL. That was in New York City, in 1876. Now, I ask, gentlemen, can there be any honest reason for putting one hundred and fifty-five of those officials at one polling place when there are many polling places in the United States that do not have half that number of voters? And if the supervisor can put 155 officers at one polling place, why may he not put two hundred and fifty-five or one thousand at one polling place? Why, sir, I remember an election in South Carolina, in 1876, when there were a thousand United States soldiers sent to watch the polls in one county. We are not afraid of this bill personally, for many of us have marched in front of the glittering bayonets of the soldiers of the United States to cast our votes as freemen. The Government sent a thousand soldiers into one county and the result was that every one of them is said to have voted the Democratic ticket, and we had a bigger majority than we ever had before in our lives. [Laughter.]

Mr. BOATNER. I suppose you "bulldozed" them. [Laughter.]

Mr. HEMPHILL. In 1876 there were nearly five thousand deputy marshals and over four thousand supervisors appointed in one place. I have some figures here taken from a speech of Mr. CARLISLE delivered in this House on April 17, 1879, showing that in May, 1878, the chief supervisor of elections in New York City had one of his assistants to swear to a single complaint against ninety-three hundred persons of foreign birth whose naturalization papers had been issued to them in 1868, and on which they had voted ever since that time. On this complaint the same supervisor, as clerk of the court, issued five thousand and four warrants returnable before himself as commissioner of the court. Every one of these warrants was illegal, because the complaint contained more than one name. When the warrants were set aside the supervisor had twenty-eight hundred more complaints made out, and issued warrants upon them. Thirty-four hundred naturalized citizens surrendered their papers to escape this partisan persecution. A few days before the election in November, thirty-two hundred more complaints were sworn out.

Among the instructions given by the chief supervisor to his subordinates was the following:

In the case of persons who present themselves to vote, where a warrant has been previously issued, you will see that such persons are arrested upon the warrant upon so presenting themselves, and before voting.

The gentleman from Massachusetts has alluded to the number of persons who voted at one election in some portion of New York City and who did not vote at the succeeding election. Within six months, if I recollect aright, he says the number of votes in certain wards in that city fell off several thousand. Possibly the above stated action on the part of this chief supervisor furnishes the explanation for this decrease in the votes cast.

If this is intended for an honest and fair scheme, if we want to get at what our friend from Massachusetts seems so earnestly to desire—a proper representation on this floor of the full vote of the people—then let us limit the number of appointees, so that there will be no danger of having more officers to watch the voters than there will be voters to be watched. Surely no gentleman on the other side of the House will object to this reasonable proposition.

Mr. Speaker, we all know that there has been an earnest effort on the part of a good many people in this country, and a sham effort on the part of a good many others, to carry out something like "civil-service reform" in the United States; and one of the main objects of this reform has been to deprive the party in power of the right of levying assessments upon the office-holders who draw money from the United States Treasury, which money, when thus taken from them by assessment, is used for the corruption of the people at the ballot box and for the purpose of keeping in power the party that happens to have the majority of office-holders and the alleged right to call upon them for contributions. I believe that this part at least of what is called "civil-service reform" receives the hearty support of every honest man in the United States, whether he is a Democrat or a Republican.

But let us look at this bill and see how much it is going to contribute towards that beneficent purpose. An assessment upon office-holders of 1 or 2 per cent. yields an immense sum for the corruption

of voters; and the suppression of this practice has received the earnest attention of the people of this country, who desire honest elections. This bill provides, not that a man shall merely pay a part of the official salary he earns during the year, but that a particular official, in each judicial district, shall have the power intrusted to him of selecting and practically appointing unnumbered adherents of his own political party, who shall attend the polls at a compensation of \$5 per day to carry out the instructions of their political boss.

Under the old system the campaign committee simply sent the money to the polls; under this new scheme a Federal officer will send the men themselves, who are to be paid directly from the Treasury, and this official has no limit placed upon his right to take the people's money for this purpose.

The compensation of these supervisors and of all other officers under this bill is not to be subjected to the scrutiny and examination of Congress, and their accounts for salary and expenses are not to be examined by the regular accounting officers of the Treasury.

The salary of the officers of this Government from the President down must be annually appropriated by the people's representatives, and the accounting officers of the Treasury must scrutinize and examine all accounts and claims against the Government, but these officials are to be paid from a permanent appropriation and their accounts passed on by the judge only who appoints them, and are made "special," which means that they are to be paid ahead of and in preference to other claims.

The President can not draw his salary unless appropriated each year by Congress, but these election officers can. The President can not increase the Army and Navy by one man without an act of Congress, but the chief supervisor of any district under this bill can increase his army of election officers to any number he desires without consulting Congress and pay them from the public money without limit as to amount. In fact, the people of the United States, the Army and Navy, and the Treasury are placed under the absolute control of the chief supervisors of election without accountability to any one for their use or abuse.

Now it needs no eloquence to depict the horror of having 100,000 or 500,000 or 1,000,000 men at the polls where the people are casting their ballots—these men receiving a compensation of \$5 a day, and all of them appointed, not by both parties equally, but by one man who owes his appointment not to the people or their Representatives, but to a judge of a United States court, whom we can not get at if we choose to do so.

The gentleman from Massachusetts is, as some people think, an earnest reformer of the civil service, while others are unkind enough to express doubt; I give him credit for an honest purpose to do what is right, and I say there can be no more iniquitous provision, nothing which will wipe out more completely every effort to relieve us from the influence of office-holders than the provision in this bill for the appointment of an innumerable body of men to attend at the polls and do the bidding of a partisan Federal official.

The law as it now stands is that the supervisor of elections must come from the town, city, or voting precinct in which he serves. This bill, if it becomes a law, authorizes the chief supervisor to put into your voting precinct or mine any number of men from any part of the Congressional district, even though those men come from places 100 or 200 miles away, and be utterly unknown to any of the voters of the precinct.

Not only so, Mr. Speaker, but there is another very peculiar provision in this bill. Some of the States of this Union provide that ballots, in order to be legal and to be counted, shall be printed in a certain way and be of a certain size, so that every man may cast his vote without it passing under the inspection of his "boss"—the boss under whom he earns his livelihood or his political boss—so that the heelers and the bribers shall not know what kind of a vote he casts. But this bill provides that every vote that is cast for a member of Congress shall be counted. So that in Massachusetts, for instance, if the State officers decide that they must throw out under the State law a ballot, all the names being upon one ticket, this bill says they can not do so, that this ballot is to be counted, and to be counted in a particular way—every name upon it is to be read out, and the name of every office voted for read out.

Again, what are the supervisors to do? In the first place, any supervisor at an election where the State managers, or inspectors, as they are called, hesitate for one moment—the expression is "who do not immediately pass upon the right of the voter who is challenged"—then a supervisor, not the majority, but one, shall pass upon it, and if he so decides this vote shall be put into the box, and when received shall be counted, and the State managers shall have no right to reject it, although the majority of the United States supervisors are not there to pass judgment upon it. There is no appeal from that decision. If they choose to let in one man, if one of the supervisors chooses to let in any man who comes to vote, no matter whether he is registered or not, no matter whether he is qualified under the State laws or not, no matter whether he has complied with the provisions of the State statutes or the constitution or not, if any one of the supervisors says the man can vote he can do so, and his vote, cast in defiance of the State law, must be counted. But if that be true what is to prevent one of the supervisors, in a close district, from electing any of the State officers or county officers that he sees fit to

elect? There is no provision in the law as embodied in this bill to correct such an abuse. There is no provision to correct it or to eliminate that vote in any case. There is no provision that the rights of the people shall be respected, while everything is provided for the rights of the supervisor, who is supposed to be an angel from heaven, because he is appointed by a judge of the United States court who has a tenure for life.

Not only that, Mr. Speaker, but they are to count the votes in a particular way. Every ten votes are to be taken out of the ballot-box by the supervisor, and to be handed to the State inspector, and the State inspector hands them to another supervisor, and he passes them on to another inspector, and he to another supervisor, and so on, so that every vote in the ballot-box, even if a general ticket, is to be handled by seven men, three of whom are not appointed by the State officers, are not in any way responsible to the State law, and who have a right to pass upon the receipt of the votes and the counting of them as they see fit. Now, in New Jersey Indiana, and Illinois, the law requires that the tickets, after they are counted, shall be locked up and preserved for six months.

This bill provides that one of each kind of the tickets is to be pasted on the return and sent here. That is one of the provisions of it. Another is that the United States canvassers are to draw out and destroy extra ballots. How can you preserve the tickets and at the same time send them to Washington and also at the same time destroy them? And these canvassers, gentlemen—I want to call your attention to it—who are to pass finally on the right of every member of this House to his seat upon this floor are not, by the provisions of this bill, to meet at any specified place in the State and are not to give any notice of any meeting that they may hold. All that is required is that they shall meet at some place in the State where a circuit court of the United States is held, and in my State there are three places, I believe, certainly two, and in many of the States five or six, where United States circuit courts are held. I can not imagine any reason on earth why a man who is interested in the final outcome of the vote should not have notice of the place and time where the canvassers are to meet. I repeat, therefore, if this is an honest bill, if its purpose is to bring about honest elections, it would not show such defects upon its face; and that they do exist any gentlemen will find for himself who will take the trouble to examine and study it.

But another very peculiar provision of the bill is contained in section 38, and I do not know of any better name for that provision than to call it the "jury-fixer." You all know that around every court-house in every large city where there are jurors there are some men whose business it is to influence unfairly and dishonestly those who are drawn or are likely to be drawn to serve on the juries. I do not know of any people in the United States that to-day enjoy more completely the utter and supreme contempt of every honest man who knows anything about the administration of justice than these people. But this section provides that the law of the United States as it now exists, which is that the jurors shall be drawn by the clerk of the court and by a jury commissioner of the opposite party, shall be amended so as to provide that the clerk of the court alone, representing one political party, alone shall have the right to select all of the jurors, and that the opposite side shall have no voice in the matter or anything whatever to do in the selection.

Mr. Speaker, when it comes to the selection of jurors to carry out the purposes of the bill, this provision indicates that it shall be done by an official of the court hidden away from the sight of any man, or any man of the opposite party, at least, from the one to which he belongs. I say that no more iniquitous proposition was ever submitted to any body of men for their approval than the proposition that the statute law of the United States, which now provides an honest mode of selecting jurors, shall be altered so that the jurors shall hereafter be drawn by one man, and that man free from the presence of a witness of the opposite party.

Mr. MILLS. May I ask the gentleman from South Carolina what was the necessity for changing the jury law, in a bill that purports to provide for fair and free elections?

Mr. HEMPHILL. Well, I think that was explained very well by my distinguished friend from Pennsylvania [Mr. BUCKALEW] in his statement before the committee, that he thought at first it was entirely out of place to mix up the juries with this partisan election law, but that after reading the bill he thought that it was simply the culmination of the whole thing, that it was partisan in the beginning and through the middle, and it ought to be partisan at the end [Laughter on the Democratic side.] I think that is a just explanation of the whole business.

Now, Mr. Speaker, there is another provision with reference to this jury law which is equally curious, and that is, that the supervisor who has faithfully—those are the words—who has faithfully performed his duty as a supervisor shall be excused from service as a juror.

That struck me as being very peculiar, and I could not understand it, but after looking over the duties of a supervisor I thought that it was nothing but fair that the man who would be willing to act as a supervisor under this bill, and carry out what appears to be the un-holy duties expected of him, should be considered as having done enough to entitle him to be excused from any further service in that

line. That is, I think when he has done that he has done his share and he ought to be excused from any further service. But a man who has not "faithfully performed his duty" as a supervisor, who has not been willing to override State laws as seems to be herein expected, whose integrity has sustained him when the supervisor has ordered him to make a wrong return, he should not be excused. He will have to run the chances of being drawn on a partisan jury.

And to show the purpose of this change in the jury law I will read to gentlemen an extract which shows what has already been done in that line. You will all remember that there has been some trouble about the administration of law in the United States courts in Florida, and I have a letter from a very worthy gentleman from that State, which he addressed to the President of the United States. Its tone is calm and judicial. The writer's character is such as to entitle him to great respect at the hands of the representatives of the people here. He says:

On July 1 last, the judge appointed a jury commissioner in open and flagrant violation of the United States statute, and another officer of the court has only recently been charged with an admission that this act was unlawful, but was done to make the conviction of Democrats sure, a charge which he has never publicly denied.

The marshal of this court ordered his deputy—

Now look at what we are coming to—

The marshal of this court ordered his deputy to select for jurors only "true and tried Republicans"—

That is the order of the marshal—

another open violation of the statute, which directs that the selection shall be made without regard to party affiliations. Under this arrangement the grand jury contained twenty-two Republicans in a total of twenty-three members.

Does any man believe that that is an honest jury, in a State like Florida, where the total Republican vote is not half the Democratic vote, that you could get an honest jury of twenty-two Republicans and one Democrat?

The gentleman from Massachusetts [Mr. LODGE] says that if we have honest elections we ought not to be afraid of this bill. It is not the elections that are troubling us, it is the iniquity of the office-holders who are sent South to oppress the people. That is the trouble with this bill. We have had eight long years of sad experience of that sort in our State, and I say there is not a gentleman on that side who if he had been there, even as a Republican, would not resent every effort to re-establish that system of iniquity which went under the form of civil government.

I want to call the attention of the House to one more provision. I can not take up all my time in explaining this bill, but I wish to call the attention of the House to the fact that in one section the Legislature is prohibited absolutely from changing any of its State laws as to the election of Congressmen, and as I hold, as to any election, except as to the places and as to the printing of tickets. That is section 37 of the bill. The object, of course, is to continue the present system. Even if the Democrats and the Republicans by a unanimous vote choose to change their own laws upon that subject, under this bill they can not do it. And yet it is stated that this is simply a measure to get an honest count for members of Congress.

Mr. Speaker, let us ask ourselves why this bill should be passed. I have run over it somewhat hurriedly, and probably have wearied the House with its details, but let us ask ourselves honestly what reason can be given for enacting such a law. This Government has been in existence for a hundred years or more. There has never been any necessity up to this time for the passage of any such law as this, and it seems to me that if the people have been trusted, through their representatives in their several States, to manage the election of members of Congress for a hundred years, and there has been no special emergency within the last few years which requires any action upon the part of Congress, that we might, at least, trust them for some time longer in this matter which is so sacred and dear to them.

It must be a humiliating thing for Republicans to confess by this bill that while through seventy-five years, when this country was controlled alternately by the Federalists, the Democrats, and the Whigs, the people could manage their own elections, that now, after twenty-five years of almost uninterrupted control by the Republican party, the people have become so corrupt, their honor so blunted, their integrity so weakened, that they can not be trusted to make an honest return of the votes they cast and must be guarded and scrutinized and supervised as if they were criminals.

Is that not rather a bad record for a party that claims to be the party of great moral ideas—a party that claims more virtues and has fewer than any I ever knew or heard of in my life? [Laughter.] If the result of their rule of this country for a quarter of a century has not been such as to debauch the public sentiment which, when they took charge of the Government, was honest and upright and patriotic, why should there be any such law as this upon the statute-book?

The chief reason assigned by the gentleman from Massachusetts for the passage of this measure is that the public at large think that there is corruption at elections. Mr. Speaker, I think that is the most humiliating confession I have ever heard on this floor. He means to say that if the people have an opinion as to the dishonesty

of their Government which is not well founded, the Representative should acquiesce in the unjust charge and trim his sails accordingly, instead of squarely meeting the case and giving to the public the truth as he knows it. I think, Mr. Speaker, that it is the duty of a Representative of the people to tell them the unadulterated truth whether it be what they have believed or not, and he ought to stand to it.

When a member gives to the House advice of this character upon a matter of such importance, we may well question ourselves whether we ought to follow him when he asks our support of a measure of as great consequence as the one now pending. If his theory be correct, any upright man who has the misfortune of acquiring a reputation for dishonesty through the misrepresentation of his enemies ought not to call for the proof of the charges, face his enemies, and live down the lies that are told against him, but he should go around like a sneak-thief pretending that he is a dishonest man, simply because the public sentiment leans that way.

One of the chief difficulties in this country in settling forever many of the pressing problems that confront us arises from the total misapprehension of the motives and actions of the Southern people, for which sectional demagogues are largely responsible. No people have ever been more misunderstood and misrepresented than those of the Southern portion of our country, and there is nothing in which we are more interested and about which we are more anxiously concerned than that we shall have the opportunity to meet face to face our countrymen from every portion of this Union, and that they may have willing ears to listen to the truth with reference to the people who have suffered so much from being so greatly misunderstood.

Gentlemen, a good deal has been said in this country of late about the new South. What this country really needs is a new North. It needs a North that will take a view of all the facts and not be guided by their own preconceived prejudices. It needs a North which will not waste all of its time and energy in reforming other people's abuses. It needs a North that will sometimes look at its own shortcomings and not always on those of people a thousand miles away; and it needs a North which will believe that when a man in the South of the Anglo-Saxon race happens by any untoward circumstance to come into serious collision with another man of the African race that it is not always because the other man is black.

Finally, Mr. Speaker, it needs a North which, with all its culture and patriotism, freeing itself from all narrowness and prejudice, will rise to the high plane of viewing this whole country as composed of one people, with one hope, one destiny, and one flag, and all moved by the same earnest desire to contribute to the grandeur and glory of a common country.

The SPEAKER *pro tempore*. The time of the gentleman from South Carolina has expired.

Mr. HEMPHILL. I would like to have a little more time, if entirely agreeable.

Mr. ROWELL. I ask that the gentleman may have a little more time.

Mr. BRECKINRIDGE, of Kentucky. I ask unanimous consent that he may take such time as he desires, and that it be charged to this side of the House.

The SPEAKER *pro tempore*. Without objection, the gentleman will be allowed to consume such further time as he desires. The Chair hears no objection.

Mr. HEMPHILL. Now, Mr. Speaker, I do not pretend to say that there are not many men in the North who do take a broad view of the situation, nor to say that the South has not received many substantial benefits from the North in the way of aid toward the education of poor people, both white and black, and in many ways I need not here mention. I am anxious to give them credit for everything that they have done or are doing that is good, and I am not here to criticise them severely for the views that they take on this question; but I am here to say that the first thing that we need is a different view from the Northern people as to the Southern question. Let me quote from a distinguished citizen of Massachusetts, for whose purity and patriotism we all have profound respect—a man long since dead who still lives. Mr. Webster, when attacked by the prejudices of Massachusetts, said:

The question is whether Massachusetts—intellectual in character and of high moral sentiment—the question is whether she will stand to the truth against temptation and against her own prejudices. She had conquered everything else, a sterile soil and an unfriendly climate; she had conquered everybody's prejudices but her own. The question is whether she will conquer her own, and that is the question I am determined to ask her. I do not wish these States to be bound together as a mere legal corporation, but by the common sympathies which bind kindred hearts. I desire to see throughout this country that balm for every wound, that remedy for all the evils under which the country groans, a united love for a common country.

[Applause.]

Now, gentlemen, these are noble sentiments, and I would like to repeat them in the ear of every citizen of Massachusetts to-day. I would ask them to rise to the height where they can take a broad and an unprejudiced view of the needs of this country, and when they have done that we will not be under the necessity of opposing any more such measures as this.

Mr. Speaker, I wanted to say a few words with reference to the matter of securing an honest return to this House of the true senti-

ments of the people of this country. A great deal has been said throughout the whole country, and it has gotten to be a kind of a shibboleth of the Republican party and of other people who want to overturn the party now prominent in the South, to cry out for "a free ballot and a fair count." I say unhesitatingly that that is essential to the permanency of this Government.

But, gentlemen, what is the use of talking about a free ballot and a fair count unless we go to the extent of remedying the whole wrong? What is a free ballot? It is the right to put into a box, unhindered, a piece of paper with the name of the man of your choice representing the principles that you advocate. And what is a fair count but an opportunity to have every vote taken out of that box and fairly counted in the result? But, after all, that is a mere means. That is not the end of voting. The end and object of voting is that the voter may have his sentiments represented upon this floor and at the other end of this building, and there is where I say our friends on the other side fall far short of what they undertake. "A free ballot and a fair count" is a mere delusion and fraud unless the laws of the country are so framed in the several States of this Union that when a man casts his vote and has it counted it shall amount to something.

Now let us see about some of our Northern States in this respect. They delight in talking about the negro and alleged frauds in the South. The fact of it is, that I think there are a great many men on that side of the House who owe an everlasting debt of gratitude to the darky. They never would have been heard of if had it not been for him. Their political capital consists in talking about the blacks and abusing the white people of the South. That is the main-spring of their existence, so far as politics is concerned. And they do this for two purposes; first, because they want to be elected, and second, because they want to keep the eyes of the voters away from their own performances at home. Now what is the use of talking about free ballot and a fair count in Kansas, for instance, when the State is gerrymandered in such a way that not a Democratic voice has ever been heard from that State on the floor of Congress? Yet gentlemen waste their time and their strength and their energy in abusing the South and talking about the rights and the wrongs of the colored men of the South, when there are 147,000 Democratic voters in Kansas whose voice has never reached this House of Representatives.

Mr. KELLEY. Will the gentleman permit a question?

Mr. HEMPHILL. Yes, sir.

Mr. KELLEY. How could the gentleman expect any gerrymandering or non-gerrymandering to elect a Democrat from Kansas when there are not four Democratic counties in the whole State? [Laughter on the Republican side.]

Mr. HEMPHILL. It does not make any difference how many Democratic counties there are in the State. That is not the question. The question is as to the representation of the voice of the people of the State, and the gentleman knows that the Democrats of Kansas never had a Representative here.

Mr. KELLEY. No, I do not. On the contrary, I know that they have had a Representative here.

Mr. HEMPHILL. Once.

Mr. KELLEY. Yes, once.

Mr. HEMPHILL. The exception proves the rule. Mr. Speaker, if the parties had fair representation upon this floor in exact accord with the sentiment of the voters, there would be now in this House 163 Democrats, 154 Republicans, 5 Prohibitionists and 2 Labor candidates. That would be the result if there was a fair and honest expression here of the sentiments of the people of this country.

In California 117,000 Democratic votes are required to elect two Representatives, while 124,000 Republican votes elect four Representatives. The average number of votes to the Representative are, Democratic 58,000, Republican 31,000. In other words, it takes 27,000 more votes in California to put a Democratic Representative here than it takes to send a Republican Representative.

In Illinois 348,000 Democratic votes elect seven Representatives, while 370,000 Republican votes elected thirteen Representatives. The average number of Democratic votes to one Representative is 49,000; the average number of votes to each Republican Representative is 28,000. That is, it takes 21,000 more Democratic votes in Illinois to elect a Democrat here than it does to elect a Republican. I see that creates a smile on the other side. Gentlemen over there think that is all right. That is what they call "a free ballot and a fair count" up North.

Take Iowa, 179,000 Democratic votes elect one Representative, while 211,000 elect ten Republican Representatives. The average number of votes to the Representative on the Democratic side is 17,900, while the average number of votes to each Republican Representative is 21,000. In other words, it takes 158,000 more Democratic votes in Iowa to send one Democratic Representative here than it takes to send one Republican Representative. Yet the gentleman from Massachusetts thought it so small a matter that the Democrats of all these States should be swindled out of their rights on this floor that he deemed it absolutely unworthy of notice.

Mr. Speaker, I have here a great many other figures. Take the State so ably represented by the gentleman who has been elected dictator of this House, to pass all our laws for us during the Fifty-

first Congress without any effort on our part. See how the case stands there. In Maine 73,734 Republican votes have chosen four Representatives, while 54,516 Democratic votes have chosen no Representative at all. In other words, there are four Representatives here from Maine representing 73,734 people; and there is not one man here from Maine representing 54,516 people.

In Massachusetts 104,385 Democratic voters elect two Representatives, while 183,892 Republicans elect ten. Average number of votes to the Representative: Democrat, 52,191; Republican, 18,389; difference, 33,803.

In Michigan 213,469 Democratic voters elect two Representatives, while 236,387 Republicans elect nine. Average number of votes to the Representative: Democrat, 106,734; Republican, 26,625; difference, 80,469.

In Minnesota 142,492 Republican voters have five Representatives, while 120,793 voters not of that party have no political representation.

In Nebraska 108,425 Republican voters have three Representatives, while 94,228 voters not of that party have no political representation.

In the great State of New York it takes to elect a Representative: Democrats, 42,389; Republicans, 34,105; difference, 8,284.

In Ohio it is as follows: Democrats, 79,251; Republicans, 26,003; difference, 53,248.

In Pennsylvania it is as follows: Democrats, 63,805; Republicans, 25,052; difference, 38,853.

In a Congressional election a Republican has three times the political weight of a Democrat in Ohio and Massachusetts, four times as much in Michigan, and more than eight times as much in Iowa, while in nineteen States, ten Republican and nine Democratic, the minorities have no influence or power in a Congressional election and have no political representation in the House of Representatives.

Gentlemen, if a minister of the gospel goes into the pulpit one day in each week and preaches the gospel in its purity and beauty, and serves the devil with might and main the other six days of the week, the people of the community will most likely not have much confidence in him; and you could not blame them very much. That is just the way we look at these sham efforts at reform coming from the other side of the House, under the pretense of a "free ballot and a fair count," when it is known by everybody that these same reformers have so fixed the apportionment in their States that representation amounts to absolutely nothing so far as the Democrats are concerned.

Now for the total. In fourteen Northern States, as the New York World shows by figures, there are 3,386,000 Republicans, who elect 126 Representatives, the average being not quite 27,000 to each Representative, while 3,074,000 Democrats elect in the same number of States only 47 Representatives, or an average of 65,000 Democratic votes to elect a Representative.

Gentlemen, if voting means anything; if it means the expression through Representatives of the policy which the people desire to see adopted, I say that you in the majority are here wrongfully; you have no right to be here, because the people have not by their full and fair expression sent you here.

Mr. SPRINGER. They are usurpers.

Mr. HEMPHILL. Yes, you are usurpers.

Mr. FARQUHAR. Will the gentleman from South Carolina permit me one observation?

Mr. HEMPHILL. I would prefer not to be interrupted, because I am treading on the time of other gentlemen.

Mr. FARQUHAR. I wish only to call the gentleman's attention to this point: The gentleman must have noticed that in the exhibit to which he has referred in relation to fourteen States, several of the Northern States are omitted. I do not know that it would make any particular difference in the result; but the gentleman, I know, is too fair not to notice that omission.

Mr. HEMPHILL. I only specify some Northern States. There may be a little inaccuracy in the addition and subtraction; but anything of that kind would not affect this general result, that 65,000 Democratic votes are required to elect one Representative, and 27,000 Republican votes to elect a Representative. I am sure there is no such mistake as would affect that general result.

Mr. FARQUHAR. Oh, I grant the showing of the argument.

Mr. HEMPHILL. Take, for instance, the State of New York, which has two representatives at the other end of the Capitol voting for protection and for monopolies, as we think. How do they get there? Why, they get there because the Legislature of New York refused to have a census of the voters of the State so that there should be a re-apportionment. Since 1835 the Legislature, in the teeth of the constitution, has refused to the people the plain right to have themselves enumerated and their representatives apportioned according to the enumeration. And so Mr. EVARTS and Mr. HISCOCK are today in the Senate of the United States misrepresenting the sentiments of the State of New York.

The same thing is true with regard to Connecticut.

Mr. PAYNE rose.

Mr. HEMPHILL. Just wait a moment; you can say it afterward, and it does not amount to anything, anyhow. [Laughter.]

Mr. PAYNE. Why are you not fair enough to say it?

Mr. HEMPHILL. Well, I will say this. The Legislature of New York passed a law providing for a census, taking in the amount of property and everything of that kind, which the constitution did not provide for, and the governor vetoed it, as he ought to have done.

Mr. PAYNE. Did not Mr. Tilden, when governor, sign a precisely similar law?

Mr. HEMPHILL. Mr. Tilden, like other people, did some things under stress of weather.

Mr. SPINOLA. We are talking about what the Republicans did. [Laughter.]

Mr. HEMPHILL. Take the State of Connecticut. In 1884, 1886, and 1888 the largest number of votes there, as we all know, were cast for a Democratic governor; but the Legislature did not regard the voice of the voters; they turned right around, slapped the people in the face, and put in a man who was not elected by a majority of the votes. And as we all know, Connecticut has her representatives in the Senate of the United States who advocate and vote for Republican principles, while the political sentiment of Connecticut is absolutely Democratic, and has been so for many years.

Gentlemen, when you have righted the wrongs at your own doors; when you have taken the beam out of your own eye so that you can see without prejudice; when you have fixed the laws of your own States so that there may be a proper and honest expression of the sentiments of the people of the Northern States—in other words, gentlemen, when you have practiced what you preach and shown your faith by your works, then come to us and we will receive you with open arms; and if we do not take your advice we will suggest something better which you will agree to. [Laughter and applause on the Democratic side.]

Now, gentlemen, this question is not only of very great importance to this whole country, but it is a question of exceeding great consequence to the Southern portion of it. The gentleman from Massachusetts [Mr. LODGE] realized this, for he addressed the larger part of his remarks in this House to treating of that phase of the subject. In the Northern States of the Union, whether the Democrats or Republicans are in power is a matter of not so much consequence, because you have there honest people in both parties, and you have dishonest people in both parties, of course; but generally speaking, the better sentiment of the country in all sections of the Northern States stands by what is honest and just, and will give you at least a fairly clean and honest administration of public affairs. But, gentlemen, when you look to another portion of this country the prospect is very different.

Now, we know very well that the colored man has just as many rights and privileges before the law as we have, and we know, also, gentlemen—and it is not a matter of belief only—that, during the years of the longest and saddest experience that ever fell to the lot of any people on earth, we were robbed by the picked villains of the United States under the forms of law, backed up by the bayonets of the United States Army. There is not a man I have ever met from one of the Northern States who is so devoid of manhood and courage that he would not, under the circumstances which governed the Southern States at that time, assert his right as an American citizen and fling off such a miserable sham of a Government, which, instead of protecting the people, robbed them of everything they could gather together after the destructive ravages of war.

We have seen in South Carolina every military company of white men disarmed by law and at the same time 96,000 black men enrolled as State militia and ordered to attend political meetings. We have seen 14,000 black men organized just before an election and 1,000,000 cartridges bought for their use. We have seen the State debt increased \$13,000,000 in four years. We have seen the decision of the supreme court of the State as to the right of gentlemen to seats in the Legislature overruled by a corporal of the United States Army. In truth, we have witnessed and experienced every insult and injury that could be heaped upon a people; and, gentlemen, we do not want to be put in that position again.

So far as this law affects members of Congress only we protest against it, but we can shoulder it if the country can, but as to our own State, we know that the honest and intelligent people must either rule it or we must leave it; and for myself, gentlemen, in this presence and before the people of the United States and before that God who sits upon the circle of the heavens, in all reverence, but in all earnestness, I swear we will not leave it. [Applause on the Democratic side.] It is the home of our fathers. There their bones lie buried through many generations. They bought it with their blood when Concord and Lexington were the battle-fields of this country. [Applause on the Democratic side.] They have handed it down to us unimpaired; and, gentlemen, are we not our fathers' sons? Shall the blood first turn back in our veins, and shall we transmit to coming generations a great and noble State which has been overruled and down-trodden by a race whom God never intended should rule over us? [Applause on the Democratic side.]

Now, gentlemen, I believe, and I do not hesitate to say it, that the colored man has his rights in full. He has as many rights as I have, and I concede them all to him, but he can not have his rights and mine, too, and this law is intended to put him again in control of the government of the Southern States. It is intended to awaken again

that race prejudice which is fast dying out; it is intended to bring about a constant irritation and clash between the two races in the South, and will retard its growth and be destructive of the very principles of government in that section.

Now, gentlemen, I want to quote a few words from a speech which I will not read at length. They are the words of a gentleman who is prominent in this country and has received the support of the Republican party in a most earnest contest for the governorship of South Carolina, certainly one of the most scholarly men I know. I refer to Governor Chamberlain, formerly of South Carolina. He spoke before a Boston audience not a great while ago, and after talking of other things came to the question of the condition of the colored man in the South. I quote from his language:

What we shall do about it is our only proper present inquiry. I see men running to and fro, patriots wringing their hands in despair, magazine writers crowding our tables with discussions, editors venting their omniscience, and clergymen lifting up their prayers over our portentous race problem. I confess I share in no such excitement, and I confess, too, here in Boston, that I have very little respect for those who are raising this alarm and outcry. It is, in my judgment, at least nine parts out of ten the babble of professional or ill-informed philanthropists and the interested jargon of demagogic politicians. [Cheers.]

That is the opinion of a man capable of judging.

What, then, is the duty of the North in respect to this problem? What is Boston's and Massachusetts' duty? What is the duty of all patriotic men? I answer with my whole mind and conscience, their duty is to let the negro alone.

Can a patriotic American conceive of a more unpatriotic and infamous course of conduct—infamous towards the negro as well as the white man of the South—than, without other than a cold-blooded partisan aim, to arouse the hatred of both races toward each other, to set the negro and white man at each other's throats, while they in cowardly safety, in New Hampshire and Kansas, look on at the bloody results? And such men, heaven defend us, are our Senators and Republican leaders! [Cheers.] When President Harrison calls for a "bugle blast," or Depew discourses solemnly of our duty to defend a free ballot, let us be brave enough and manly enough to tell them that such thunder is a stage trick which has had its day of success, and that the real point of danger to a free ballot and to American institutions lies in the means and methods which in the last election carried New York for Harrison. [Long-continued cheering.]

I want to read one further extract from this speech. He was the Republican governor of South Carolina and lived there for twelve years. He has been away from our State since 1876. He went back again and has been there six or eight months. As to the situation and condition of the negro upon his return as compared with that when he left, I quote this language:

What do I find? I find that since 1876 both races in South Carolina have prospered. I find the prosperity of the negro has advanced *pari passu*, more than *pari passu*, with the white man. I find the negro more self-respecting, better provided with schools, far better, acquiring property more rapidly, more industrious, more ambitious for education and property, than he ever was before 1876; and I have come here to-night, at not a little inconvenience, to proclaim this in the ear of Boston's philanthropy and Boston's patriotism. [Cheers.]

I do not exonerate the white race at the South from all past or present blame. There are wrongs done there to the negro now, but I do say that the negro has never known such an era of advancement and prosperity in all that befits a citizen and freeman at the period since 1876; and if it be treason to say it, I reply, in historic words, "Make the most of it!" [Long applause.]

Now, gentlemen, these are the sentiments which we think are true with reference to the condition of the people in these Southern States. I could go on and add to them, but I will not do it now. I only desire to say, gentlemen, in conclusion, that of course the day when we can resist by force any law of the United States, however, unjust it may be, has gone by forever.

To fraud or violence we will not resort, but every lawful means that can be suggested consistent with honor we will employ to preserve our civilization and our prosperity and our freedom.

We can only appeal to the good people of this country to give us that fair treatment which they, under like circumstances, would demand at the hands of the Government to which we all pay taxes, which we all support, and whose common flag we all love.

I know, Mr. Speaker, there are some gentlemen upon whom we can not impress the sacred truths which come up from every part of the Southern country. They do not believe us, they do not want to believe us. Such men willfully misrepresent and traduce us. We do not expect their good opinion, and we fling defiance in their teeth. We can not reason with them. Facts do them no good.

But back of these lies the great body of the American people. For one, I have an abiding faith in their sense of justice and in their love of right; and when we have fully, fairly, and honestly stated to them the facts with reference to the Southern country, and the position of the black man in it, when they have once understood the whole case, I have no doubt that they will render an honest and a righteous verdict.

And whatever that verdict may be the Southern people will accept it as the judgment of their countrymen, and as the final arbitration of this great problem; and relying upon Him who is the God of Justice, as well as the God of Nations, we will go forward in the great work that lies before us, and endeavor to perform our whole duty to this country honestly, patriotically, and faithfully. [Applause on the Democratic side.]

POST-OFFICE APPROPRIATION BILL.

Mr. BINGHAM. On behalf of the Committee on the Post-Office and Post-Roads I report back to the House the bill (H. R. 9856) making appropriations for the Post-Office Department for the fiscal year ending

June 30, 1891, and request the House to non-concur in the amendments of the Senate, and request a conference upon the same.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, June 24, 1890.

Resolved, That the bill from the House of Representatives (H. R. 9856) entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1891," do pass with the following amendments:

Page 1, lines 6 and 7, strike out the following words: "two hundred and fifty" and insert in lieu thereof "three hundred."

Page 1, line 20, strike out the words "two hundred" and insert in lieu thereof "five hundred and ninety."

Page 1, line 22, strike out the word "that" and insert the word "this."

Page 3, line 7, strike out the word "fifty" and insert the word "thirty-five."

Page 4, lines 25 and 26, strike out the words "six hundred and sixty-four" and insert in lieu thereof "seven hundred and twelve."

Page 4, line 26, after the word "dollars," insert the following:

"And from this appropriation the Postmaster-General is hereby authorized to expend the sum of \$48,000, or so much thereof as may be necessary to cover one-half of the cost of transportation, compensation, and expense of clerks to be employed in assorting and pouching mails in transit on steam-ships between the United States and other postal administrations in the International Postal Union."

Mr. BINGHAM. Mr. Speaker, I move non-concurrence in the amendments of the Senate, and request the appointment of a committee of conference.

The motion was agreed to; and the Speaker announced the following gentlemen as conferees on the part of the House: Messrs. BINGHAM, KETCHAM, and BLOUNT.

FEDERAL ELECTION LAW.

Mr. ROWELL. Mr. Speaker, after the eloquent and exhaustive speech of the gentleman from Massachusetts [Mr. LODGE], chairman of the committee that reported this bill, this side of the House might well afford to rest the case, because all else that may be said will be but a repetition or a presentation of the same arguments in different forms. And after the eloquent closing of the speech of the gentleman from South Carolina [Mr. HEMPHILL] all sides of the House, if he represents the sentiment of that State, ought to cry out aloud for the passage of this bill, because, as I understand him, he proclaims the will of the minority in South Carolina.

The bill under consideration, Mr. Speaker, is no new departure in legislation. It is but an enlargement of the law which has been upon the statute-book since 1871, and which, for eighteen years, has been constantly called into requisition in all the great centers of population for the benefit of all the people, and always in the interest of honest elections. For eighteen years it has been frequently called into requisition in the rural districts as well North as South, and never to the detriment of any legal voter and always in the interest of light and truth. It is not a revolution in the practices of this country. It is not trenching upon the rights of any of the States reserved to them. It is but an exercise of a power placed in the beginning in the Constitution of the United States, a power that the people in Congress assembled have not hesitated to make use of when honest elections and fair representation demanded that that power should be called into use.

The gentleman from South Carolina goes back to the time when the measure first became a law requiring a division of the various States into Congressional districts, and he calls up the protests of several States against that law, and the declaration of some of them that it was an exercise of power not granted by the Constitution. I call the gentleman's attention to the fact that, notwithstanding those declarations, the judgment of the years has been pronounced in favor of that exercise of power, and now nowhere in any State by any political party is there advocacy of a return to the former rule.

The test of the wisdom of an act is the approval of the generations that follow, and the protests to which he refers have gone down into history as protests made for political use; protests manifesting the un wisdom of the protestants. The resurrection of the history of the opposition to the districting act in this year of our Lord 1890 is unfortunate for the gentleman's position, for it recalls one of the worst mistakes of the Democratic party in opposing a legitimate exercise of Federal power.

Mr. Speaker, there is no more vital question confronting the American people than that which concerns honest elections, whether those elections have reference to State or local affairs, or whether they have reference to the House of Representatives of the United States. So long as the people rest secure in the belief that legislators are chosen by the free and uncorrupted suffrage of the electors, so long as they are satisfied that laws are enacted and executed by those who have been honestly chosen, just so long will there be respect for the authority of the law and a public sentiment opposed to lawlessness and a standing army of conservators of good government. It is the conviction that all the people have a voice in the selection of legislative and executive officers; the conviction that every man, however high or however low, counts one at the ballot-box, that makes this "a Government of the people, by the people, and for the people."

Our fathers when they founded the Government under which we live laid the corner-stone in the doctrine that governments are established among men by the consent of the governed, and in building a new nation out of all the varied forms of government that the world had developed selected that one which recognizes in each

citizen a sovereign, with a right to a single voice and the equal of every other man at the ballot-box; the right to protect himself with his ballot; the right to give his consent to the government under which he lives at the ballot-box, and the right to have defended the purity of the elections where that voice was expressed.

Now, I shall not enter into any discussion of the constitutional questions of whether we have a right to enact into law this bill which we are now considering. It is *res adjudicata*. It is a settled question, and to stop to discuss it before this body is to waste the people's time. But because we have the power it does not necessarily follow that we ought to exercise it. If, under the ordinary machinery supplied by a State for holding elections, we are having fair elections throughout the country, if those not qualified are kept from voting and all the qualified are permitted to cast an unpurchased and uncompled ballot with assurance of an honest count and correct return, then there is no need of other law. If crimes against the ballot are only sporadic, cropping out here and there, the work of the criminal classes, without seriously affecting results, then we have no occasion to call upon the reserve power of the Federal Government to correct these sporadic and occasional evils; but if, on the other hand, crimes against the purity of the ballot-box are general, or general in any particular locality, and the people of the State or the localities are either unable or unwilling to cope with and uproot the evil, then it ought not only to be the duty, but it ought to be the wish of every representative of the people to use whatever power is found in the Federal Constitution to correct the wrong; and I can not conceive how any man can oppose the proper exercise of that power if he believes that crimes are prevalent and the results of elections uncertain, unless it is his desire that these crimes may continue, and that minorities instead of majorities shall make the laws and control the destinies of the nation.

Now, is it true that crimes against the suffrage are common? Why, Mr. Speaker, it is only a few years ago that, figuratively, the whole American people held their breath awaiting for the threatened marshaling of armies to determine who should be inaugurated President of the United States. On the one hand our friends on the other side were charging that Rutherford B. Hayes was not elected President of the United States and that Mr. Tilden was the duly and lawfully elected President, and they have been vigorously maintaining from that day to this that the Republicans stole the Presidency. Upon the other hand, we upon this side of the House have answered back: "You tried to take the Presidential office by force; failing that, you tried to steal it; failing that, you tried to purchase it by the most unblushing attempt at corruption ever heard of in the country; failing that, you threatened to marshal your partisans and take that which you could neither capture, steal, nor buy; and ever since have been finding fault because you were not permitted to do it." If what I say is true, or if half of what the other side believes is true, then in 1876 there was fraud, there was corruption of the most gigantic character in American history. Their numbers are not few who believe that six years ago Mr. Cleveland was counted into the Presidential chair by the action of corrupt officials at the polls in his own State, to say nothing of the suppression of votes in all the South. I say there are those, and their numbers are increasing every day, who believe it; and if that belief honestly exists, ought it not to be the wish of every representative of the people to so conduct elections as to make such a charge impossible of belief in the future?

It is an historic fact that the first year after the law of 1871 was put in force it eliminated 20,000 fraudulent names from the register of a single city, and in other large cities in proportion. No one anywhere among honest men acquainted with the facts will deny that in all the great—

Mr. SPINOLA. Yes; I deny it.

Mr. ROWELL. That in all the great centers of population there is a need of just such supervision in aid of the State authority and that watchfulness over possible dishonest officials to prevent dishonest elections.

Now, in saying this, I am not charging that the people of these great cities desire dishonest elections, but I am charging that into these great centers of life gather the criminal classes; that criminals, by the aid of other criminals, lift themselves into place and power in spite of the will of the majority, and that, having so done, they get control of election and registration machinery, so that it becomes necessary to bring in other power, outside of the local authority, to uncover the blackness of crime and to let the light of day in upon it and to bring the criminals to punishment; and good men rejoice that there is a machinery outside which can help the honest majority in their cry for help against the criminals who, by "repeating," by false registration, by the stuffing of ballot-boxes, by false election returns, take possession of great city governments against the will of the people.

The gentleman from South Carolina [Mr. HEMPHILL] thought it strange that our colleague, the chairman of the committee [Mr. LODGE], should advance the idea that where there was a general belief that frauds in elections existed there ought to be a law to disclose whether that belief was true or false; and he thought that we ought to stand up in our majesty, remain silent under the charge, and trust to time and circumstances to develop the truth. We, legislators for the nation, hold our peace when all the country charges

that large numbers of men hold their seats in this body by the will of the minority and against the will of the majority! Hold our peace and have the people declare that the laws are not enacted by the voice of the people, but by the voice of the minority! Is that the gentleman's idea of duty to country, duty to his own State, duty to the common people, the conservators of good order everywhere?

But, Mr. Speaker, I intend to be entirely frank in what I say upon this bill. It is everywhere in Northern circles believed that the black vote of the Southern States is suppressed. It is everywhere believed that the fifteenth amendment to the Constitution of the United States is nullified. Now, if that belief is not true, it is one of the purposes of this bill to develop that fact. It is one of the purposes of this bill to secure everywhere to every man who desires it and is qualified the right to cast his ballot and have it counted; and in using the term "every man" I mean every man without reference to where he lives or what his color may be. It was the pleasure of the American people to incorporate into the Constitution of the United States the fifteenth amendment, and since that article became a part of our Constitution everywhere, in every State, the black man has been a voter upon the same terms as the white man.

Is it our duty, under the oath which we registered when we took our seats here, to see to it that the Constitution, the whole Constitution, and every section of it shall be upheld? Or did we take that oath with a mental reservation that if we live in a State where there might be colored men making up a majority of the population we would proclaim to the world that "we, the minority, must control, or that either they or we must leave the State, and that, so help us God, we would not leave it?" Is there any other meaning to that declaration, so defiantly made on this floor, than that, although the colored men are registered voters, although they are made voters by the Constitution of the United States, and although they constitute a majority of the voters, yet "we, the minority, will control the State for them and us; we, the minority, will represent the State in the national halls of legislation; we, the minority, will ignore the political rights of the majority, and we will do it in spite of the Constitution and in spite of any law that may be enacted by the Congress of the United States?"

Mr. Speaker, I have said that the belief is prevalent throughout the North that the black vote in the Southern States is suppressed. I now propose to affirm that that belief is based upon absolute proof. The black vote is not only suppressed, but it is the announced determination of the men who control public sentiment there, men of prominence and character throughout the great black belt of the country, that that suppression shall continue with law or in spite of law. Before I come to refer to the facts which I propose to cite, I want to discuss for a little while the question whether that ought to exist, and also the other question whether it is within the reasonable expectation of the country that the evils now existing of deprived suffrage will be corrected by the various localities.

I said in the outset that this Government was founded upon the idea that every man living under it gave his consent to the law, that consent to be manifested by the vote which he cast. When the war closed in 1865 it resulted in the emancipation of a race that for more than two hundred years had been slaves. That was the necessary outcome of that war. The black man had been the subject of discussion from the very beginning. That discussion culminated in a bloody war; on the one side men fighting for national unity, and on the other side men fighting to dismember the nation and found a new nation upon the corner-stone of human slavery. But the men who sought to maintain national unity were the victors. A new nation was not formed in the last half of the nineteenth century, in free America, founded upon human bondage. The bondsman went free. What was then our condition; what was the situation of the great ruling class of the South who had attempted to break up the nation? There were two possible conditions for them. One was exile, the other was re-enfranchisement. It was impossible that they should live in this country a subject race. It was impossible that they should obey laws and have no voice in making them; impossible, because incompatible with the theory upon which our nation was built.

But, while that is true, they were in a very different condition from the people of the North. The northern armies went home victors. The soldiers of the North went to homes which had not ceased to prosper during all the years of war, to homes where the foot of the invader had never penetrated, to glad welcomes because of the victory, and because of a belief that thenceforth they would be held as heroes who had been engaged in a righteous cause. Victors can afford to be magnanimous—can afford to trust the future and believe in the perpetuity of the nation they helped to save, and even to trust those not well disposed to it. But the Southern army went home vanquished, humiliated, because humiliation necessarily comes with defeat. They went to homes devastated, to a country that had been invaded, to houses, cities, and railroad systems destroyed, to a section absolutely impoverished, and they went to a social system absolutely overturned and uprooted.

That they were not well affected toward the new Union, the result of the war, and toward the new social conditions, the result of emancipation, not well affected toward the freedmen, need not surprise anybody. On the contrary, had they not been disappointed, had they not felt resentment and hostility, and had they not for a

time refused to participate in State and national affairs, it would have been a surprising condition in this country.

Now, while it is true that it was not possible for them to live in this country without re-enfranchisement, and without a participation in the affairs of the Government, it is equally true that there was no room in all this country for a subject class, and that therefore the black men of that country, recently made freemen, must also, ignorant as they were, be provided with the weapon of self-protection—the same weapon put back into the hands of their former masters—the ballot of the freeman. Ignorant they were, I grant you; and that ignorant suffrage necessarily entails evil, I grant you; but the evil is nothing in comparison with the evil of a subject class. We could have waited; but under the then condition of affairs, or any condition that might be looked for except in the very remote future, there was no hope that the black men once slaves would ever be enfranchised freemen by the consent of their late masters. If they were ever to be put on the road to independence and real manhood, the quicker they started the better for all concerned. Therefore it was the patriotic duty of the people of the United States, before they surrendered the power to do so forever, to see to it that the black men of the South should have the same right as the re-enfranchised white men of the South—the right to cast a ballot, and to have that ballot counted.

Mr. Speaker, concessions never come willingly from above. The favored of fortune who have climbed the rounds of the ladder until they have reached the heights are ever ready to force back the struggling men beneath them, seeking to climb the same ladder. Liberty's circle is broadened by the surging of the masses from the bottom—reluctantly compelled from those above. And in the hundred years just past we may all find a lesson. Every decade shows a broader suffrage, a wider liberty, compelled by the struggling millions who have not caught the ear of fortune and placed themselves beyond the need of legal protection. Revolutions never go backward unless they are revolutions of reaction. Liberty and privilege, once captured by the people below, can never permanently be retaken by the few who are above.

Prophecies of evil are always coming from the wise in their own conceit against the broadened suffrage—prophecies of destruction from the few who think they have been divinely commissioned to rule. But those prophecies have ever in the long run been belied; and the broader the suffrage, the wider the circle of liberty, the greater the prosperity to all the people. And he who would deserve well of his country, having reached the top, may well consider the wisdom of stretching a hand to the struggling men below him instead of trying to force them back into the depths.

Hence the time had to come when the ballot must be placed in the hands of every freeman. The evils that came with it must be endured as being less evils than perpetual bondage, and perpetual bondage of the worst type is that kind of bondage which may not protect itself with a ballot. We heed upon this floor the demands of the men with tickets in their hands. No law which strikes at the great mass of voters ever gets through this House, with the knowledge of the members, without vigorous protest. If there is no vote in the hand of any one of the masses, who heeds the interest of that class of men? Who cares for the men who have not yet attained to the high privilege of American citizenship? That class of people do not count at the polls; that class of people have nothing in their hands with which to protect themselves.

I have said Southern men were not well affected towards their former slaves at the close of the war. They did not dislike them as slaves, but they despised them as freemen because they had been accustomed to regard them as only fit for menial service. The condition has not greatly improved. The black man has allied himself politically with those who gave him his freedom. The master has formed other political alliances. He refuses to believe that his late slave can ever reach any other place than that of menial service. While such belief lasts there can be no political union between black and white in the South. When it ends and justice is conceded to the black man, there will remain no race issue.

These men, lately bondmen, ignorant semi-civilized, unaccustomed to self-reliance and independent judgment, ought not to be judged by their mistakes, but rather by their successes under adverse circumstances.

After more than two hundred years of bondage, subject absolutely to others' will than their own, shut out from all knowledge, such as white men find necessary to success, circumscribed in their movements, with no permanent family ties, with no legal defense against oppression, 4,000,000 men ushered into liberty to commence life in abject poverty and amongst those who had no faith in them as freemen, it was to be expected that they would halt and stumble, and even disappoint the hopes of their friends. Their helplessness appealed to the sympathy of every well-wisher of humanity.

But they were in the country, and of it. Their ancestors had come hither in chains. Their labor had enriched their masters. They could not and can not now be spared. They are here to stay, in the land of their fathers. Laws are for them as well as the whites, and he who studies with the idea that the whites are the only people who are to be legislated for makes a grave mistake.

The progress of these people in the last quarter of a century, in

education, in getting wealth, ought to admonish the whites that this race will not always be servile.

Now, Mr. Speaker, has the black vote been suppressed? That it is a truth that everybody recognizes. The man of wealth and power may forget election day, but the common citizen, who knows that there is one place in the world where he is the equal of every other man—that place the ballot-box—never willingly stays away from an election on an important occasion. And whenever you find a great body of men always absent on election day, you may set it down as conclusive proof that they are not away by their own consent or by their own will. A prominent man, testifying in a case before the Committee on Elections and trying to justify the belief that the black men of his district were not kept from the polls by the firing of cannon night and day for two weeks before the election, said, "No, that don't scare them; nothing but the shotgun keeps them from the polls."

Mr. OATES. Will the gentleman allow me a moment?

Mr. ROWELL. Yes, sir.

Mr. OATES. The gentleman says that wherever there is the absence of a large number of voters from the polls it is conclusive evidence that they have been intimidated.

Mr. ROWELL. That was not exactly the way I put it.

Mr. OATES. Was not that the substance of the gentleman's statement?

Mr. ROWELL. No, sir. I said, on important occasions, at important elections, wherever a large body of the common people are not found at elections on election day it is conclusive proof that there has been something done improper, either then or at some past time, to keep them away from the polls.

Mr. OATES. I deny your statement, and know of my own knowledge that it is untrue in many instances. I will prove my position when I have the opportunity.

Mr. ROWELL. Well, Mr. Speaker, I shall not engage in a bandying of words with my friend from Alabama as to his knowledge. But I undertake to say that what I have stated is the universal experience of observing and unprejudiced men. And I know how necessary it is to deny that conclusion, because only upon that denial can there be an accounting for the almost universal absence from the polls of the black men in many of the Southern States. I shall soon come to sworn proof of what I assert; and I say to my friend from Alabama that the records of this Congress are full of absolute proof of the truth of what I have asserted, coming from a dozen districts in the Southern States where the black men are.

Now, I want to take up the election of 1888. That was the year of a Presidential election. Four years before, the Democratic party secured the executive control of this Government after having been out of power for twenty-four years. They went into the contest of 1888 with earnestness, with vigor, and with a determination to hold on to that control which they had secured four years before. The Republicans, on the other hand, unwillingly had surrendered power and were eager to regain the power they had thus surrendered to the Democracy. It was an election in which North, South, East, and West were deeply interested, and everywhere the voters were aroused, intelligent and the ignorant alike, and heart and brain were enlisted as they had not been in years.

Now, take the State of South Carolina, the State from which my honored colleague on the committee [Mr. HEMPHILL] comes, and in which he lives; the State where his fathers lived and where their bones lie buried; the State that he does not intend to leave, although he must leave, he says, if the blacks there have the free right to vote and have their votes counted. In that State, in 1880, there were 604,332 black people, men, women, and children, and about 391,000 white people, or over 60 per cent. of the population blacks; and it has been proved so often, so overwhelmingly, and without serious contradiction, that 95 per cent. of these black men are Republicans, that we have a right to assume that had all the black men voted in South Carolina, by a majority of 50,000 it would have cast its vote for the Republican electors, and sent a solid Republican delegation to this Congress. And yet the total vote in all of that State for Congressmen in its seven districts was only 76,365, less than 11,000 to a Congressional district; and the total Republican and scattering vote was only 10,460. Seven thousand of these were cast in a single district, and that district made up in 1880 of over 180,000 people, made out of five of the old Congressional districts, and made in an image that man never dreamed of before, made contiguous by 50 miles of sea-beach, over which the ocean waves flowed every day.

Mr. PEEL. Will the gentleman bear with me for a moment, if it will not divert him?

Mr. ROWELL. Certainly.

Mr. PEEL. My colleague has called my attention to the fact that you stated that where a vote was not polled in a Congressional district that it was evident there was intimidation or corruption.

Mr. ROWELL. No, not exactly. I did not say intimidation. I said that there had been some reason which disfranchised the voters or kept them away from the polls.

Mr. PEEL. Well, I wanted to say in response to the gentleman, that in 1888 the Congressional Directory will show that I did not receive 5,000 votes in my district.

Mr. ROWELL. That may be. Had you opposition?

Mr. PEEL. No. And I will say here in the presence of this House that there is no district in the United States where elections are fairer than in mine.

Mr. ROWELL. I hope that is true.

Mr. PEEL. And there has never been a whisper of suspicion against it. You can not get a Republican to say anything against the fairness of elections in that district.

Mr. ROWELL. How many did the opposition poll in 1888?

Mr. PEEL. They polled a good many votes then; I do not recollect the exact number.

Mr. ROWELL. Was the whole vote about 25,000?

Mr. PEEL. I do not remember the number, but I can say to the gentleman that every man who wanted to vote voted, that every man who votes there has his vote counted, and there is no restriction on the right to vote.

Mr. ROWELL. Well, Mr. Speaker, what the gentleman states exactly carries out the idea I suggested in what I said. In unimportant elections if you have a district that has no opposition, and there is nobody else to be voted for except a member of Congress, then a few of his friends will go and vote and that is an end of it. I understand that very well. Such an election is not likely to bring out the votes of the district. It is only those elections that take place when important issues are involved.

Mr. PEEL. Will not the gentleman concede that it is likely to take place in any district where there is no opposition in an off year?

Mr. ROWELL. Undoubtedly; and that is the very reason I am not talking of off years, but of Presidential years, important elections; and I have shown that in the State of South Carolina only a little over 10,000 Republican votes were cast, with a black population of over 600,000, 95 per cent. of whom are Republicans, and that the white vote was some 60,000, and that together there were less than 11,000 votes in a Presidential year on a Presidential day for each of the Congressional districts. And outside of the Seventh district there were only about 3,000 Republican votes cast. I know the reason why. More than 50 per cent. of the colored votes of that State had been disfranchised by an unconstitutional statute of the State.

Mr. LEWIS. Will the gentleman allow me one moment?

Mr. ROWELL. Yes.

Mr. LEWIS. I want to say in a Presidential year, in 1888, in my district, I received 12,855 votes, and my Republican competitor received 2,396. And I want to say that no man on the face of the earth has ever intimated that there was anything unfair about the election there, or that anybody was intimidated, or there was any ballot-box stuffing, and I dare any man to make the assertion.

Mr. ROWELL. Oh, well, I never take a dare. That is not my way of doing business, nor my way of talking.

Mr. LEWIS. Yes; but I wanted to answer emphatically that part of your argument.

Mr. ROWELL. Now, I do not know anything about your district. I know what is true as a general rule, and know what has been proved to be true in a dozen cases during the present Congress that I have investigated, and as many more that I have examined in past Congresses.

Mr. WHEELER, of Alabama. Will the gentleman allow a short statement?

Mr. ROWELL. I will yield for a question.

Mr. WHEELER, of Alabama. Well, it involves a little statement.

Mr. ROWELL. Oh, no; I can not yield for that. You might want to "dare somebody, too." [Laughter.]

The gentleman will understand, of course, that I do not mean to be discourteous, but I must beg not to be interrupted.

Mr. Speaker, there are ten Congressional districts in Georgia, and the total vote of Georgia in 1888 was 129,383 for Congressmen, or a little less than 13,000 for each Congressional district.

The Republican and scattering vote throughout the State was 33,842, an average of 3,400 Republican votes to the district. There were 725,133 colored people in that State in 1890, and 816,906 white people. For some reason the Democratic white voters cast their ballots and for some reason the Republican black voters did not cast their ballots.

Mr. CRISP. What reason do you assign for that?

Mr. ROWELL. I do not know, sir, but I have my belief.

Mr. CRISP. Let us have your belief. State what your belief is.

Mr. ROWELL. I will. I believe that the revolution which swept over the South in 1875—that revolution to which nearly every Southern man points with pride as the grandest act that ever took place in any country, in overthrowing what they were pleased to call the carpet-bag government when there was force and fraud and crime that ought to bring the blush of shame to every patriot—that the acts of 1875 and 1876 have had their influence, extending all through the years down to the present time.

Mr. WHEELER, of Alabama. Has the gentleman a particle of proof to sustain that belief? There is not a particle of proof to sustain it.

Mr. CRISP. Let me say to my friend upon how little foundation that belief is based, that in 1871 the Democrats came to their own in Georgia. You say you base your belief on the revolution of 1876. Let me say to you that the Democrats elected a governor in Georgia in the fall of 1871.

Mr. ROWELL. Yes, but the Republicans gave a great many more votes in the fall of 1871 than they ever have since.

Mr. CRISP. Let me state to my friend a fact that he ought to know, before he has any belief about Georgia, that there has been no organized Republican party in that State, except to hold offices here and to send delegates to the Republican convention, for fifteen years.

Mr. ROWELL. And, Mr. Speaker, the fact that there has been no organized Republican party in Georgia speaks in eloquent words of the disfranchisement of the Republicans in that State. [Applause in the galleries and on the Republican side.] And it ought to kindle a fire of remorse that ought to strike into the consciences of the white people who made it impossible that there should be an organized Republican party in Georgia.

Mr. CRISP. How have they made it impossible?

Mr. ROWELL. The fact remains.

Mr. CRISP. State the fact. Show your evidence.

Mr. ROWELL. Existing things do not come without a reason. I do not blame the gentlemen who come here from ten Congressional districts in Georgia who wish to retain their representation on this floor.

Mr. CRISP. You can not even produce a newspaper statement to support your assertion.

Mr. ROWELL. I am not giving newspaper statements now. I am referring to conditions, and I know as an observant man that you never find a certain condition of affairs, unnatural and improbable, unless there has been a reason behind it.

Mr. CRISP. Why is 47 per cent. of the vote in Maine silent? Why is over 40 per cent. of the vote in Massachusetts silent?

Mr. ROWELL. That is not so in Presidential elections.

Mr. CRISP. In Presidential years. The statistics show that.

Mr. KERR, of Iowa. Oh, no; they all vote then.

Mr. ROWELL. Now I am going to refer to the State of Alabama.

Mr. CRISP. You had better drop the State of Georgia. [Laughter on the Democratic side.]

Mr. ROWELL. My genial friend over there is always ready to defend the State of Georgia. I hope Georgia will always send as able gentlemen as he to this House, but I would a great deal rather he would come here with twenty or thirty thousand votes behind him than with 1,500. [Applause on the Republican side.]

Mr. CRISP. Mr. Speaker, my friend does not seem to catch hold of an idea that is very forceful generally throughout the country, and that is that the people of a State may vote or may not vote, as they please, whether it is agreeable to the distinguished gentleman from Illinois or not.

Mr. ROWELL. Now that is just what I am trying to get at, to pass a bill so that the people may vote or not vote, as they please. That is the purpose of this bill. [Applause in the galleries and on the Republican side.]

The SPEAKER *pro tempore* (Mr. PETERS in the chair). The applause in the galleries must cease.

Mr. CRISP. Mr. Speaker, my friend expressed a belief about Georgia. As one of its humble representatives I ask him to point to a single line of evidence—

Mr. PEEL. Mr. Speaker, I call the attention of the Chair to the fact that there is frequent applause in the galleries. It seems to me that the galleries have been filled up for occasions like this, expressly for the purpose of applauding any slander upon the South. I am tired of it, and I ask for the enforcement of the rules of this House.

The SPEAKER *pro tempore*. The applause in the galleries must cease. Persons in the galleries are there by the courtesy of the House, and if the applause is repeated the galleries will be ordered to be cleared.

Mr. CRISP. I ask the gentleman from Illinois [Mr. ROWELL] to point to a single line of evidence, or a single claim by anybody, that there are any unlawful practices in the State of Georgia.

Mr. ROWELL. I point to the fact that in the State of Georgia, with a population of 725,000 colored Republicans, there were less than 35,000 Republican votes, and my friend knows very well that there must be some reason for it.

Mr. CRISP. My friend knows very well, from the Directory and otherwise, that there is no opposition and has been none to the candidates in Georgia, and I just now stated we elect in Georgia, for instance, this coming year, in November, no officers except members of Congress. We hold one election in October and another in January, but the members of Congress alone are elected in November. Now, when there is no opposition to them, is it astonishing that the vote should be light? That is a fact; there is no one nominated on the other side.

The SPEAKER *pro tempore*. The time of the gentleman from Illinois has expired.

Mr. ROWELL. I ask that I may have time extended in which to complete my remarks.

Mr. TRACEY. I hope the time will be taken from the time of the other side.

Mr. ROWELL. Certainly.

The SPEAKER *pro tempore*. By unanimous consent, the time of the gentleman will be extended.

Mr. ROWELL. Now I have given the gentleman from Georgia an ample opportunity to put his side of the case, and I think the House

understands the theory upon which I base my opinions, and I proceed to the State of Alabama. The total vote of the eight districts of Alabama was 173,000, 22,000 returned vote for each district. The total Republican vote was 54,574, a little over 6,000 for each district. The white population of Alabama is 662,183; the black population is 601,103—44 per cent. In the seven districts of Mississippi the total vote was 113,675, a little over 16,000 to the Congressional district. The total Republican vote was 25,904—3,700 only to a district. The white population is 479,388, and the black population 650,291, or 58 per cent. of the total.

Now, I have all but one district of Louisiana. In the five districts of Louisiana, and I get the facts out of the Congressional Directory, there were 88,213 votes, or 17,600 to a district. The Republican vote was 20,376, a little over 4,000 to the district. The white population is 454,954, and the black population is 483,655. Taking the five States together, and the total average vote for all the Congressional districts is less than 16,000, while in the State having the largest colored population it is less than 11,000, and 7,000 of that in one district. Now, that is less than one-third of the vote polled in the State of Illinois in a Presidential year.

Now, in the State of Illinois, with its twenty Representatives, the white vote cast was 797,649, or a little less than 40,000 to a district, while in the five Southern States, with thirty-seven Representatives, it was 580,000. Now, as to the State of Illinois, with twenty Representatives and 797,000 votes, two votes in each of the five States count at the polls just the same as five votes in the State of Illinois.

Mr. ENLOE. Will the gentleman yield for a question?

Mr. ROWELL. I have yielded so much time that I can not.

Mr. ENLOE. Just a moment.

Mr. ROWELL. Just a moment, then.

Mr. ENLOE. I wanted to ask the gentleman from Illinois if he could explain the result in the Third Louisiana district, in which Mr. Price was elected over Mr. Minor, and in which he performed some missionary work.

Mr. ROWELL. I think I could explain it very satisfactorily to myself, but perhaps not so satisfactorily to the gentlemen upon the other side; but I shall not assume to give my personal observations in the Third district of Louisiana upon the floor of the House at this time.

Now, it may be said that Illinois is a Western State, or one of the growing States, and therefore it is not fair to make a comparison. I will take the New England States. Take the six New England States together. The average vote for Congressmen at that election was more than double the average vote of the five Southern States I have mentioned, and more than three times the average vote in the State of South Carolina; and that is a section of the country where the population ought not to increase more than normal because of emigration, and could properly be compared with the Southern States, where the increase is but normal.

Now, gentlemen may give a great many excuses for this condition of things, but I can give you a reason out of the sworn testimony presented to this Congress. You want to know what it is. Now, in some entire Congressional districts under the State machinery the vote when returned is absolutely reversed. Fraud taints every ballot-box and permeates the whole community. An honest election is looked upon as dishonest, and an honest election officer looked upon as an enemy of his country. In other Congressional districts armed bodies of masked men ride from poll to poll and seize the ballot-boxes and destroy them, and those ballots are not counted to make up the total vote of the State. In other districts, all through the district, ballot-boxes are stuffed full of ballots that were never cast, and the ballots that were cast are thrown away. In other places in Congressional districts military companies are organized and armed by the State to ride through the districts at night, and to fire cannon morning and evening, as a Democratic witness called for a contestant said, "in order to let the darkeys know that there was going to be an honest election." The night before election these military companies organized and armed by the State ride through the towns shooting into the cabins of colored men to notify them to come out and vote on the next day; and if they do not quite succeed, if in spite of shooting off cannon, in spite of firing into the cabins, the black men are at the polls, these same military companies engage in target practice on the next day with the polling place as a target.

Mr. OATES. Will the gentleman tell where that was?

Mr. ROWELL. Yes, sir; I will tell you where all of these things took place. In the State of Mississippi and in three districts thereof.

Mr. OATES. Which three?

Mr. ROWELL. All three of them are contested here. In the State of Arkansas armed bodies of men seized upon a ballot-box, and five homicides have occurred since that time over that ballot-box.

Mr. PEEL. Will the gentleman state whereabouts in Arkansas that occurred at a Federal election?

Mr. ROWELL. That occurred in the Breckinridge district, in a Federal election.

Mr. PEEL. I challenge the gentleman to show the proof of that.

Mr. BRECKINRIDGE, of Arkansas. The statement of the gentleman is not true as to a single murder, and it can not be substantiated by any facts.

Mr. ROWELL. I undertake to say that it is proven beyond con-

troversy that that ballot-box was carried away by armed bodies of men and five men are dead since then on account of that ballot-box.

In one county in the State of Florida an armed body of men went from poll to poll and seized every ballot-box they could reach, when the Republicans were in a majority before the count was made, and then went to a store where another one was locked up, broke into the store and with Winchester rifles in their hands took the ballot-box out of the hands of a Democratic precinct officer and destroyed it.

These are some of the methods by which the black vote of the South has been suppressed. These are some of the reasons which cry aloud for Federal supervision of elections. Seventeen contests have come before this House, sixteen of them from other than Northern States. One other was started and the contestant lost his life while taking testimony. Four others from the South started and were abandoned.

Mr. ALLEN, of Mississippi. A good many others might be abandoned with profit.

Mr. ROWELL. Oh, yes. You would not hesitate to abandon a contest under a suggestion that perhaps "it would have a good effect if some of the witnesses and lawyers disappeared." I think I would abandon a contest myself under such circumstances.

Mr. PEEL. If the gentleman will permit me, I want to make a correction. I believe I stated that my colleague, Mr. BRECKINRIDGE, of Arkansas, had not been in Arkansas as long as I had been. I believe I stated also that the gentleman from Illinois [Mr. ROWELL] could not produce any proofs that armed men were around the polls in Arkansas at an election. I take that back. During Powell Clayton's reign we had plenty of that. [Applause on the Democratic side.]

Mr. ROWELL. Well, we ought to have had a Federal election law then to put an end to it. [Applause on the Republican side.]

Mr. PEEL. But since Powell Clayton and his party were repudiated by the people of Arkansas we have had a better time.

Mr. ROWELL. Yes; and Powell Clayton's brother, who ventured to run for Congress under a Democratic Administration, can not speak in his own defense on the floor of this House.

Mr. BRECKINRIDGE, of Arkansas. Right there I want to ask the gentleman from Illinois, does he mean to charge that against the Democratic party.

The SPEAKER *pro tempore*. Does the gentleman from Illinois yield to the gentleman from Arkansas?

Mr. ROWELL. I must decline to yield.

The SPEAKER *pro tempore*. The gentleman from Illinois declines to yield.

Mr. ROWELL. The gentleman has a seat on the floor of this House—

Mr. BRECKINRIDGE, of Arkansas. Yes, I have a seat here; and as long as I have a seat here I will stand up for the honor of the constituency I represent.

Mr. ROWELL. And the man who contested that seat has no representative on the floor of the House to speak for him.

Mr. BRECKINRIDGE, of Arkansas. I do not hear what the gentleman says, but I wish that if he has any charge to make against the Democracy of that community he would make it openly.

The SPEAKER *pro tempore* (Mr. PETERS). The gentleman from Arkansas will bear in mind that the gentleman from Illinois declines to yield, and the Chair must enforce his right to the floor.

Mr. ROWELL. I can not stop to read the evidence. It covers thousands of printed pages. It was taken, as other evidence is taken, in the manner provided by law and in cases where the litigants were each contending for seats in this House. In many of these cases reports have been made and are in the possession of members. In others the reports have not yet been prepared.

And I affirm, with a full knowledge of what these records contain, that all the frauds I have mentioned, and many others equally flagrant, have been committed; that in ten of the districts where contests are or were pending these frauds were the rule in large sections of the district; that they were connived at by the best people of the districts in all matters except those pertaining to elections; that they were upheld by public sentiment, and that even the strong arm of Federal power has been unable to reach and punish the men who were guilty of these crimes, and all attempts to bring ballot-box-stuffers and ballot-box-robbers to punishment are held to be sore grievances by the people among whom these crimes are committed.

Counties have come almost to open revolt because the Federal courts have sought to bring to punishment the men who went in armed bands and seized the ballot-boxes upon whose contents depended the right to a seat here. With these facts before us, facts which none but the ignorant dispute, gentlemen on the other side answer me that there are no election frauds, and cry aloud for facts.

The whole Democratic party in the House, with one voice, cry out oppression, persecution, and that we are reopening a race conflict because we protest against these crimes and seek to provide against their recurrence.

There can be no oppression if these things have no existence. There can be no change of representation from these States if all are now accorded the right to vote and if that vote is honestly counted. The hand of the law rests heavily only on the law-breaker. Why

all this outcry if there is nothing in these charges? Outcry against what? Against a bill which seeks to extend to all supervisors of election the powers and duties now and for eighteen years past belonging to election supervisors in cities of 20,000 inhabitants, and which more clearly defines the manner of performing those duties.

When a political party takes to itself the absolute control of election machinery and excludes its political adversaries from all participation in the conduct of elections and from all opportunity to witness what is being done and how the vote is counted, as is done in most of the Southern States, it does not come with a very good grace from such a party to object to the presence of men not in party affiliation with them as witnesses, and at the same time proclaim the purity of such elections.

Mr. Speaker, the purpose of this bill is supervision. [Derisive laughter on the Democratic side.] That seems to be a matter which excites the risibilities of the gentlemen on the other side of the House. Honest men do not object to having the light shine in upon their acts. This bill, if enacted into law, provides that there shall be Federal officers present during every process of registration by the State officers, so that they may know every fact about that registration which the State officers know; and that is the extent of their power in connection with registration. Is there any need of it? In the State of Virginia, in the State of South Carolina, in the State of Florida, the Republican who wants to register must go day after day, and week after week, and finally perhaps have the doors closed against him and fail to get his name on the list. If a "John Smith" anywhere in the State is convicted of felony, John Smith's name goes to every register in every precinct of the State, and, although there may be five hundred of them, five hundred "John Smiths" are marked "convict," and five hundred voters are excluded from the privilege of the ballot. Is there need for supervision of that kind of registration? And, if men desire to be honest, is there any possible objection to the kind of supervision here proposed?

But it is said that the supervisors are to be appointed by a chief supervisor who is himself appointed by the United States circuit court. It is true that in all of the Southern States I have mentioned there is no representative upon election boards for the opposition party. No matter what the law of the State, the Democracy stands guard at the polls and Republicans are excluded; Democratic State officers at the top choose officers down in the counties; the county officers select Democrats, for the governor of South Carolina, boasting that they had the freest and fairest election held in any State of the Union, declined to give a single representative to the Republican party at the election.

Mr. SPRINGER. Will my colleague allow a question?

Mr. ROWELL. Yes, sir.

Mr. SPRINGER. Is not that the case in your own district?

Mr. ROWELL. It is not the case in my own district, and never has been.

Mr. SPRINGER. Do not the precincts elect their own judges of election?

Mr. ROWELL. They do not.

Mr. SPRINGER. And do not the county officers, who are all Republicans, canvass those votes?

Mr. ROWELL. I am not talking about canvassing the votes.

Mr. SPRINGER. Were they not all Republicans who canvassed the votes that gave you your certificate of election?

Mr. ROWELL. There is no precinct in my district where the officers, both judges and clerks, are not divided between the parties.

Mr. SPRINGER. How is that done?

Mr. ROWELL. It is done by the appointment of the township and county officers; and the canvass is made by the county officers calling in justices of the peace outside to help do the canvassing.

Mr. SPRINGER. Are they all Republicans?

Mr. ROWELL. If there are any Democratic justices of the peace, the justices called in are Democrats and Republicans; if there are no Democrats holding the position, no Democratic officer can be called in, but every Democratic candidate is permitted to be present to see the count made.

Mr. SPRINGER. That is under the law of the State.

Mr. ROWELL. That is not only under the law, but without any law. There is no occasion, let me tell my colleague, for anybody to commit crime in connection with elections either in his district or mine; and if he is caught in it, there is not any occasion for a United States law to punish him, because there is a public sentiment in favor of honest elections.

Mr. SPRINGER. What is the use of this law, then, so far as our State is concerned?

Mr. ROWELL. This law is designed to cover districts North or South where there is a different public sentiment; that is the use of it.

Mr. ENLOE. Has the gentleman found any place in the North where he intends to apply this law?

Mr. ROWELL. There are plenty of places in the North where it ought to apply.

Mr. ENLOE. I have not heard the gentleman indicate them; he has not talked about them in his speech.

Mr. ROWELL. I could point out many of them.

Mr. ENLOE. Just give us a sample.

Mr. ROWELL. And there are plenty of places, I have no doubt, in the South where such provisions are not needed. Where the whites largely preponderate, where there is no spirit of hostility to the colored man, I take it that there are honest elections. But because the Southern people believe that their once slaves are incompetent for any other position than that of menials—because those colored men instinctively know this fact—because of the feeling among the whites—there is a determination that the black vote shall not be cast, or if cast shall not be honestly counted. And the statement of the gentleman from South Carolina in that eloquent conclusion of his speech ought to close the mouth of any man who denies the truth of what I affirm on this point.

But, Mr. Speaker, my friend from South Carolina was in error when he said that under this bill one hundred supervisors could be sent into any district. Only three can be sent into any district—the same number that ordinarily preside at an election.

Mr. SPRINGER. Pardon me; I understood the gentleman from South Carolina to say deputy marshals, not supervisors.

Mr. ROWELL. There is not any provision for deputy marshals except the provision in the old law for cities of 20,000 inhabitants and upwards. There is no provision for such officers in the country districts.

Mr. SPRINGER. There is a provision, as I understand the bill, for as many special deputy marshals as the supervisor may desire to appoint in every place where there is to be Federal supervision.

Mr. ROWELL. There is no provision for the appointment of deputy marshals anywhere except in cities of 20,000 inhabitants; there is no such provision for the county districts—none at all.

I was surprised when the gentleman from South Carolina talked about sending ballots up to Washington. He certainly has not read the bill. There is no such provision in it. There is a provision for a return to a chief supervisor where a whole Congressional district is supervised. There is a provision for a canvass by a United States canvassing board. There is a provision for the attaching of a sample ticket to the returns. But the tickets are to be counted by the United States officers according to the State law; and if the State law describes a particular ticket, and any other ticket is in the ballot-box, the United States supervisor is prohibited from counting that ticket. He is subordinate to the State law.

Mr. HERBERT. Will the gentleman allow me to correct a statement he has just made?

Mr. ROWELL. I hope I shall not be interrupted.

Mr. HERBERT. I want to show that the gentleman is mistaken as to the number of deputy marshals that may be appointed.

Mr. ROWELL. No; I am not mistaken about the number.

Mr. HERBERT. Let me read the bill.

Mr. ROWELL. No; I shall not stop to allow you to read the bill. I think I know what the bill contains.

Mr. HERBERT. Well, you do not.

Mr. ROWELL. If there is any clause in it that I have not gone over and did not help prepare, I do not know it.

Mr. CRISP. How about the clause which the caucus approved and which you afterwards struck out, providing for a test oath?

Mr. ROWELL. My friend may want to talk about that, but that is not here, not in this bill.

Mr. CRISP. But how about it? You said you went over the bill. The caucus approved the bill with that clause in it providing for a test oath.

Mr. ROWELL. Was the gentleman in the caucus?

Mr. CRISP. The papers stated that the caucus approved the bill as Mr. LODGE introduced it.

Mr. ROWELL. I recollect the gentleman referred to the newspapers once before when he knew the newspaper statement was not true.

Mr. CRISP. Do you deny it?

Mr. ROWELL. I would do anything for the gentleman—as much as for any man on the floor of this House.

Mr. CRISP. You must admit that it was in the bill and you did not know it.

Mr. ROWELL. I did not prepare the section of the bill to which the gentleman refers, but I did the one which is in this bill. The bill to which the gentleman refers is not before the House.

Mr. MAISH. Will the gentleman yield to me for a question?

Mr. ROWELL. No, I must hasten on. I am getting out of the line of my argument.

Mr. HERBERT. Let me read section 20 of this bill.

Mr. ROWELL. No, I decline to yield. Now, will that be sufficient?

Mr. MAISH. The gentleman, having had his time extended by the courtesy of the House, ought to be willing to yield.

Mr. ROWELL. I yielded half of my hour for questions from the other side before I obtained the courtesy to which the gentleman refers; and the time I am now occupying comes out of the time of this side of the House.

Now, there can be no supervisor appointed who lives outside of the district. The gentleman wondered why there was a provision incorporated in the bill to have the supervisor hold his office two months after the election. If he will go up into the State of New York he will find that the precinct inspector holds his office for a

year. The reason for holding it two months is in order that they may still hold official position until they can be compelled to appear and be examined in regard to any uncertain return they have made.

My friend from South Carolina deemed that it was for the purpose of escaping State prosecution. Does he suppose that any State court has any jurisdiction over the acts of a Federal official done in the line of his duties as a Federal official? And such, Mr. Speaker, is the line of all the criticisms that he made upon the peculiarities of this bill.

Now I want to add but a word. There are penal clauses in this bill which apply to every election, whether supervised or not, if the election is for a Representative in Congress. It provides a penitentiary offense for any one who shall buy or offer to buy a vote; for one who shall sell or offer to sell a vote; for one who shall stuff a ballot-box, shall make a fraudulent return, shall commit perjury with reference to the election, shall fail to discharge his duty as a supervisor, or shall fail to discharge his duty as a State officer acting at an election where a member of Congress is to be elected. No man can commit a crime against the integrity of an election without subjecting himself to a penalty.

I hope, my friends upon the other side of the House, you do not desire that men shall escape that punishment who commit crimes against the purity of the ballot-box. They are provided for here. These provisions govern every election district in the United States, whether supervision is had or not, and where supervision is had it is for the purpose of knowing the facts, and therefore of being able to prove the guilt of the man who has committed the crime. It is a proposition for supervision. It is a proposition that at all places where supervision is desired there may be Federal officers looking on at the acts of the State officers. If those State officers desire to do their duty they will realize that there are other and watchful interests present to prove the fact. But if they do not desire to do their duty, if they intend to falsify the returns, if they intend to count men in as elected who were not, they will oppose the presence of watchfulness of both political parties to see whether they do their duty or not.

In only two instances is there anything outside of the present law. One is where the State officers, or the people in their sovereign capacity, fail to hold an election, as is very often the case in some of the large black districts of the South, then the Federal officials shall supervise and conduct that election, and make return both to the State and Federal canvassing officers; and it provides that such election shall be valid the same as if it had been held by the State authorities. In another instance there is a change, and it is where the certificate of the canvassing board shows that one man is elected, and where the certificate of the State officers shows that another man is elected. Then the authority of the United States which certifies shall be superior upon the question of who shall take his seat and participate in the organization of this House to the certification of the State officer. In all other respects it is supervising pure and simple, and penal clauses appended for violation of either the Federal or State law.

And now, Mr. Speaker, I have detained the House very much longer than I intended, because the line of my thought has been broken up by a great many questions and interruptions. I have only to say that fraud permeates many districts in the United States. In many districts it is connived at by the people who otherwise are the best people. It is the duty of this House to say to them that no part of the Constitution of the United States shall become a dead letter, and unless we propose to allow the fifteenth amendment to the Constitution to be nullified and abrogated, unless we propose to lie down supinely and see 6,000,000 of people absolutely disfranchised and made subject to the law which they had no hand in framing, then we must enact some provision to correct the evils which confessedly exist. I approve of this proposed law. My judgment goes with it, and I am willing to stake my reputation in the future upon this bill if it is once enacted into the law of the land. I shall regard no act of my life, Mr. Speaker, with more approval than the act which gives consent to the passage of this bill. [Applause on the Republican side.]

Mr. TUCKER. Mr. Speaker, before proceeding I desire to yield ten minutes to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Speaker, I consider it due to my constituents that I should make a brief statement of the reasons why I do not favor the proposed legislation. I frankly admit that the state of affairs as they exist in certain parts of this country, judging from the testimony taken before the Committee on Elections in contested-election cases, would seem to justify the passage of such a measure, and I would not hesitate to vote for it if I was convinced that it would bring about the desired result, namely, a fair election and an honest count of the votes cast.

I have no doubt that frauds are perpetrated to a certain extent both in the North and in the South. It would, however, be wiser in my opinion to let the people of the different States regulate their own elections. [Applause on the Democratic side.] Time, education of the masses, and advancement of the moral sentiments of the communities will bring about the same result, and when obtained the relief will be permanent.

The law is not general and it does not provide the same system for conducting Congressional elections in every Congressional district of the

United States. The application of fifty to one hundred persons claiming to be citizens of the United States and residents and qualified voters of the district for which they make application may force upon the people of that district this supervision of election which may be obnoxious to them. While I have no doubt that Congress has the power to regulate the national elections if it sees fit, under the Constitution, I question the right to enact a law which shall be made applicable in some districts and ignored in others. If a law is enacted at all for the purpose of regulating elections let it be so framed that it will apply uniformly throughout all parts of the country and not depend upon the petition of any number of citizens.

I believe that many would seriously object to the provision of the bill which would give one man, the chief supervisor, the power to direct a house-to-house canvass and to subject them to the annoyance of what they would consider a political inquisition. We must remember that while the people who are strong party adherents might not object to it, the large class of independent voters might consider that it was merely a canvass made officially by the party in power to further the interests of that party. [Applause on the Democratic side.]

United States marshals and supervisors have often caused trouble at election places. They have assumed authority and frequently have prevented or sought to prevent legalized voters who belonged to the opposite political party of which they themselves were members from casting their ballots. I have great faith in the people of the United States. I believe that self-government is not a failure. I believe that where frauds have been committed in election matters public opinion will finally compel the conviction and punishment of the law-breakers.

Take the recent election frauds committed in my own State, in the district represented by my colleague [Mr. MCADOO]. I doubt very much whether a case could be cited from any part of this country which would equal the fraudulent acts perpetrated there. These were condemned by the respectable Democrats of Hudson County whose party was benefited by their commission, and the parties accused were indicted by a grand jury composed mostly of Democrats and are now being tried before a Democratic judge and a Democratic prosecutor. I have no doubt that Jersey justice will prevail, and that if those prosecuted are truly shown by the evidence to have been implicated in the frauds they will be convicted by a jury composed, very probably, largely of Democrats and will receive the full penalty of the law.

That is what public sentiment has done, and will do, to correct election abuses.

I think the law as proposed will tend to bring about a conflict of authority between election officers elected directly by the people and the supervisors appointed. This, I think, would develop a deplorable state of affairs in some sections of the country.

When frauds in election matters become open and notorious and are sanctioned by the community in which they are committed, it shows that the moral sense of that community is in a most wretched condition. Every imaginable law can be enacted, but no matter how stringent it will have no effect on these people. A preponderance of public sentiment against these frauds must be created before a fitting law can be enforced. When this public sentiment has once been created legislation is unnecessary. The people will take care of the matter.

In these times many are apt to come to Congress and to the legislative bodies of the States to ask for the passage of laws to correct evils, or supposed evils. In many of these cases, and I believe in all, legislation is unnecessary, and not only would not bring about the results desired, but would retard any advance in reform—matters that can be regulated only when the people become better enlightened by education and when a public sentiment has been created in favor of the good.

I consider it unwise to enact this law.

I believe its results will not be beneficial to the people of the country, and, speaking as a Republican, not beneficial to the Republican party.

I shall, therefore, vote against it. [Loud applause on the Democratic side.]

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. 516) to extend the limit for the erection of a public building at Springfield, Mo.;

A bill (H. R. 887) authorizing the erection of a hotel upon the Government reservation at Fortress Monroe; and

A bill (H. R. 7160) making an appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1891, and for other purposes.

FEDERAL ELECTION LAW.

Mr. TUCKER. Mr. Speaker, I very much regret that my own physical condition is such that I feel I can not do justice to the great subject which is now under consideration; for I come to the discussion of this bill with a profound sense of the responsibility resting upon me and upon the representatives of the people here assembled.

We are here, sir, at the close of one hundred years of the nation's life. We have passed through wars and rumors of wars, and this great

country has survived them, with the States of the Union in charge of the election machinery of the country. If I were standing as a lawyer in court called upon to plead to this as a bill in equity—though I can not agree to that term, for I think it is neither legal nor equitable—if I were called upon to enter a plea to it, I should demur not only to the bill in general, but I should demur to it specially, not only to the general principles that are involved in it, but to many individual provisions of it. I would say that it must go out of court, because it is against the Constitution of the land. Gentlemen upon the other side have said, and the distinguished gentleman from Illinois [Mr. ROWELL] has said in advance, that any discussion of the constitutionality of the measure is a loss of time. Though I incur the criticism of the gentleman for so doing, yet I must beg leave to occupy a short period of my time in discussing that phase of the bill.

This is a Government of limited powers. There is no power which we have here except that which the Constitution gives us; and, unless the Constitution of the land shows, not doubtfully, but clearly, that this bill comes within it, it is the sworn duty of every member of this House to vote against it.

Mr. Speaker, I beg to consider, first, one or two sections that to my mind, beyond all controversy, are open to the constitutional objection. We find in the first place that the supervisors that are to be appointed are to supervise the registration of voters, and not only to supervise the registration of voters, but actually to pass upon the qualifications of voters. And I want gentlemen to follow me. I refer you to clauses 7 and 11 of section 8 of this bill, wherein it is not only provided that these supervisors shall supervise and scrutinize the registration, but actually pass upon the right of a man to vote. If I am mistaken, will gentlemen upon the other side correct me? I say that the power to pass upon the qualifications of a voter to vote is a power that the Constitution gives to the States that can not be wrested from them. [Applause on the Democratic side.] Why, what is it? The second section of the first article says:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

And yet it is proposed that that power which is inherent in the States shall be taken from them and given for its determination into the hands of the Federal officer appointed under this bill. Read the bill. I refer you to the section to show that this officer under this bill will have the power to pass upon the qualifications of the voter, to say whether or not he can vote. Not only so, but, as elections are held in many States for State officers and Presidential electors at the same time as for members of Congress, this bill seeks to do by indirection what it is confessed it can not do under the Constitution directly, namely, to put *all elections*, State and Federal, under the control of Federal supervisors and deputy marshals. The power to challenge the voter and count his vote under such circumstances, when Federal and State elections are held together, puts the election of State officers in the hands of Federal officials. The power to *supervise* carries with it, by necessary implication, the power to *compel* the doing or *prevent* the doing of something which is the subject of the supervision, and if the Federal Government has no power over the *right of suffrage* in the States how can it give or take away the right to vote by supervision of registration, which is a necessary requirement for suffrage in many of the States.

Not only does it do that, but it does another thing. It gives the power to the supervisor to go to the State officers who are the registrars and interfere with the registration books and to affix his signature to each and every page of the original registration book and copy when any name is received or stricken from the book.

To every copy of the book which is made the supervisor has the power to put his name. More than that, the power is given him of directing—mark the word—*directing* the officer of the State to do certain things upon his own books, when he has taken an oath to discharge his duty as registrar to his State and to his State alone. Now, I say that there is nothing clearer to my mind than this, that wherever a bill impinges upon the right of a State to control her own affairs as secured to her in the Constitution there we must stop. The history of the Constitution and the instrument itself show that the intent of the framers was that Federal and State powers should be separate and distinct, the Federal Government to be supreme in its powers as defined and limited in the Constitution, and outside or beyond them powerless to change, influence, or control all other governmental powers, which were expressly “reserved to the States respectively, or to the people.” (Article X. Constitution of the United States.)

Not only does it do that, but it violates that right in regard to the qualification of a voter which is allowed to each State in providing an educational qualification for the voter. It is not doubted that the States have the right, if they see fit, to require an educational qualification. No man doubts that, and yet look at clause 13 of section 8, where the supervisor is required to go with the voter, point out the box, and tell him where he must put his vote. The constitution of a State may say: “We will have an educational qualification so that those who can not read or write and who have not intelligence to vote shall not vote.” This bill says: “Away with your qualification, away with the constitutions

of your States; we are over and above you all, and we will compel the Federal officer to go into your States and override your constitutions and go with the illiterate voter, the man that the State has a right to exclude under the Constitution of the United States, and make him vote as we dictate.” Gentlemen, these three provisions are sufficient to condemn this bill. They are the special demurrs that I would enter to the bill, and they show that it is not good in law because it is against the Constitution, and it is against the Constitution because it is uprooting a clear provision in the Constitution.

Now, I demur generally to it as being unconstitutional. And I say boldly, in spite of the intimation of the gentleman from Illinois [Mr. ROWELL], who says that time is wasted in any discussion of the constitutionality of this measure (for I have observed a tendency since I have been a member of this House on the part of some gentlemen to sneer at the man who may by chance refer to the Constitution of the country as the guide of his action), that it never was intended that Congress, under a bill like this, should take charge of the elections of the country.

There are three provisions of the Constitution which must be construed together, in my judgment. The first is Article I, section 2, that “the House of Representatives shall be composed of members, chosen every second year by the people of the several States.” Suppose there was no other clause in the Constitution but that in regard to elections, would any gentleman doubt that the States would have under that direct power an implied power to provide the machinery to elect them? There can be no doubt of that. But it is manifestly unjust to construe one clause of an instrument by itself; they must all go together; and therefore I read the fourth section of the first article, which provides:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof.

Suppose it stopped there? There would be no doubt that under this section and the second section of the first article the power would be vested in the States alone, but the Constitution-makers in their wisdom saw fit to add this clause:

But the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

But there is another clause, and that is the eighteenth clause of the same article, which provides that the Congress shall have power “to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.” Take all three clauses together and construe them as fair-minded, honest men. What do they mean? Why, they evidently mean that in the first place the Constitution-makers saw proper to leave to the people of the States the control of the elections in the States. But they say—

But the Congress may at any time by law make or alter such regulations, etc.

What does that mean? Does it mean to give power to the States in the first part of the section and take it away in the second without rhyme or without reason? Does it mean to play with the States as we used to do when children, “Indian gift”—give with one hand and take away with the other? Was there to be no limitation upon Congress in this respect? Was there to be no condition upon which Congress was to take this power so clearly given to the States?

The Constitution is silent about it. There is nothing there except the clauses which I have given to throw light upon it; but there are reasons for it given by the men who made the Constitution and penned these words that must rightfully be construed as a part of the words themselves, and which clearly elucidate and explain the sections—for I take it, gentlemen, that the reasons which produced the formation of words are as much a part of the words themselves as if they were written.

Before considering the reasons and opinions of those who made the Constitution and those of the different State conventions that ratified it subsequently (and in which State conventions were many members who had been members of the Federal convention that framed the Constitution), let us consider for a moment this fourth section of Article I in itself.

We notice, first, that “the times, places, and manner of holding elections,” etc., is primarily confided to the Legislature of each State; secondarily, it is given to the Congress.

The language itself and the arrangement of the two clauses show this:

The times, places, and manner, etc., shall be prescribed by the Legislature of each State.

But the Congress may, by law, at any time make or alter, etc.

The first is *original* and *primary*, the second is *permissive* and *contingent*. The Legislatures and Congress can not both have original and primary power to act on the same subject at the same time. Such a conflict would never have been sanctioned. Nor can we believe that the men who draughted this section intended to distinguish it from every other in the Constitution in granting to two distinct and separate authorities co-equal power over the same subject at the same time. Nor can we conceive a greater absurdity than the grant of plenary power to the Legislatures of the States in the first clause of the section, only to be abrogated and annulled in the second clause of the same section without cause.

We can not believe that the intelligence which framed that great instrument, careful in avoiding any conflicts that would probably arise between the State and Federal authorities (for that hour was resonant with jealousies of power), deliberately placed this power into two distinct hands to be exercised, it may be, at the same time and in different ways; and it is equally improbable that the power given the Legislatures of the States, as the authority best suited in the minds of the makers of the Constitution, to provide "the times, manner, and places of holding," etc., was intended without reason or cause to be taken from them and arbitrarily assumed by Congress; and that, too, when there had been no failure on the part of the States to provide the necessary machinery and no impropriety in the machinery provided.

We conclude, therefore, that the obvious and plain meaning of the section under discussion is that the Legislature of each State should have the *primary authority* to prescribe "the times, places, and manner of holding elections, etc.," and that Congress should have such power *ultimately*.

When shall Congress exercise this control? For what cause shall it assume the power and the States abdicate their control of elections which they have exercised without interruption for one hundred years? These sections and the Constitution are silent upon this subject; but the history of the adoption of the Constitution and the contemporaneous evidence of those who made it supply the answers.

Of the original thirteen States that framed the Constitution seven were outspoken on the subject, while in some of the others there was likewise a strong sentiment against the adoption of the Constitution containing this and other sections.

The language of some of them is most striking and instructive. On the 6th of February, 1788, Massachusetts, through her State convention, presided over by the great Revolutionary patriot, John Hancock, ratified the Constitution. In the report of ratification, after expressing the opinion that certain amendments should be made to "remove the fears and quiet the apprehension of many of the good people of this Commonwealth, and more effectually guard against an undue administration of the Federal Government," the following alteration of and provision to the Constitution is suggested:

That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases when a State shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeably to the Constitution.

Not satisfied with the mere suggestion of such amendment and with a prophetic fear that, if such suggestions were not adopted by the first Congress to assemble under the Constitution, some erring son of this ancient Commonwealth might some day waver in his support of those principles in the Halls of Congress, the convention added this strong language:

And the convention do, in the name and in behalf of the people of this Commonwealth, enjoin it upon their Representatives in Congress at all times, until the alterations and provisions aforesaid have been considered agreeably to the fifth article of the said Constitution, to exert all their influence and use all reasonable and legal methods to obtain a ratification of said alterations and provisions, in such manner as is provided in the said article.

South Carolina ratified on the 23d of May, 1788, with the following recommendation:

And whereas it is essential to the preservation of the rights reserved to the several States and the freedom of the people under the operations of a General Government that the right of prescribing the manner, time, and places of holding the elections to the Federal Legislature should be forever inseparably annexed to the sovereignty of the several States: This convention doth declare that the same ought to remain to all posterity a perpetual and fundamental right in the local, exclusive of the interference of the General Government, except in cases where the Legislatures of the States shall refuse or neglect to perform and fulfill the same according to the tenor of the said Constitution.

New Hampshire ratified June 21, 1788, and made a recommendation in the same language used by the State of Massachusetts.

Virginia, on the 26th of June, 1788, ratified with a recommendation in the following words:

That Congress shall not alter, modify, or interfere in the times, places, and manner of holding elections for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse, or be disabled by invasion or rebellion to prescribe the same.

August 1, 1788, North Carolina ratified, having held out against ratification on account of this and other objectionable clauses. The convention recommended an amendment in the same language as did the State of Virginia.

New York ratified July 26, 1788, and the recommendations of its convention are in some respects the strongest of any on this subject. Before the formal statement of ratification, a declaration of rights is set forth in which, among other provisions, we find—

That nothing contained in the said Constitution is to be construed to prevent the Legislature of any State from passing laws at its discretion, from time to time, to divide such State into convenient districts and to apportion its Representatives to and amongst such districts.

Under these impressions and declaring that the rights aforesaid can not be abridged or violated and that the explanations aforesaid are consistent with the said Constitution, and in confidence that the amendments which shall have been proposed to the said Constitution will receive an early and mature consideration, we, the said delegates, * * * do, by these presents, assent to and ratify the said Constitution.

In full confidence, nevertheless, that until a convention shall be called and convened for proposing amendments to the constitution * * * the Congress will not make or alter any regulations in this State respecting the times,

places, and manner of holding elections for Senators or Representatives unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that in those cases such power will duly be exercised until the Legislature of this State shall make provision in the premises.

And in accordance with this declaration the convention suggested an amendment to Congress embodying the above idea.

Rhode Island did not ratify until June 26, 1790, and the language of her convention on the subject and the amendments suggested were in almost the identical words of those of the State of New York, only stronger. The above extracts have been made that it might be seen how strong was the feeling on this subject at the time of the ratification of the Constitution, and that the Constitution itself was only finally adopted in the faith and belief of a majority of the States that Congress would never exercise this power except when the States had failed to do so or from any cause could not do so.

Not alone did the States above enumerated speak out with no uncertain sound, but, in the debates in the Pennsylvania convention to ratify the Constitution James Wilson, a member of the Federal convention that framed the Constitution and a member of the State convention, explained this provision to mean in effect that the States were primarily to act, and Congress only in case of their failure to do so; and the convention recommended an amendment in the following words:

That Congress shall not have power to make or alter regulations concerning the time, place, and manner of electing Senators and Representatives, except in the case of neglect or refusal by the State to make regulations for the purpose; and then only for such time as such neglect or refusal shall continue.

We conclude, therefore, that Congress has the power to "prescribe the times, places, and manner of holding elections" for members of Congress, but that such power is *contingent* and *conditional* only, not *original* and *primary*.

Under what conditions or upon what contingency?

If we accept the evidence of the States in their State conventions ratifying the Constitution, and that of the men who made the Constitution, the conditions are—

First. Where the States refuse to provide the necessary machinery for elections; and

Second. Where they are unable to do so for any cause, rebellion, etc.

Mr. KERR, of Iowa. Will the gentleman yield to me for a question?

Mr. TUCKER. Yes, sir.

Mr. KERR, of Iowa. Does not that destroy the force of your theory as to the word "alter" in there?

Mr. TUCKER. Not at all. Not a bit of it. On the contrary.

Congress shall have the power not only to make, but alter. Mark you, Congress must alter and not make the States alter. Congress must make, and not allow the States to go on and make and then say the State law is my law. It must alter itself, and not mix up a kind of Brunswick stew, as it were, of the duties of State officers and Federal officers in the enforcement of a State law; the regulation must be clear, precise, and concise.

The Federal regulations must be clearly Federal, independent of and apart from the State regulation; and the State regulations must be distinct from the Federal machinery, so that there can be no danger of a collision of authority; so that when the State regulation is altered by Congress it is no longer a State regulation in its changed condition; it at once puts on the Federal character, is a Federal enactment, for the enforcement of which the Federal Government and its agents is alone responsible. Is any other theory consistent with the independence of the State and Federal systems?

And now, if gentlemen will pardon the historical narrative, in 1789, when the First Congress convened, there was a resolution offered for an amendment to the Constitution to be submitted to the States, striking out the latter part of that clause: "But the Congress may have power at any time to make or alter," etc. The proposition was debated for some time, but it was finally defeated by a vote of 23 to 28, and the provision was permitted to stand as it was; but if gentlemen will take that discussion and read it as I have done lately they will find that the men who voted against striking that out put on record as their reason that it was a clause that could never be used, and would never be used, except when the States refused to act. In one of the reports presented here (by my friend from Maryland, Mr. McCOMAS, I believe), I find that he says it is a remarkable fact that many of the States proposed an amendment to the Constitution striking out the latter part of the section and Congress declined to change it, and that that fact made the argument the stronger that the people who were in that Congress intended that the power should remain there. That is only partly true; but it remained there, why? Because of the fact that the men who voted to retain it did so under the distinct understanding, as stated by many of them, that this was a power that could never injure the people of the country, because it never was intended to be used except when the States failed to provide the necessary machinery.

When you come down to the act of 1842, which has been referred to, you find that Congress there attempted to take charge of this matter.

In 1842 Congress passed a law directing the States to elect their Representatives by districts rather than by a general ticket system, as

some were then doing. The bill was approved June 25, 1842, and President Tyler sent a special message to Congress giving his reasons for approving it. This was so unusual a proceeding that the venerable Mr. Adams, who was then a member of the House, asked "that the message be referred to a select committee with power to send for persons and papers."

The States of Missouri, Georgia, Mississippi, and New Hampshire declined to obey the law and elected their Representatives by the general ticket system, as theretofore. Upon the assembling of the Twenty-eighth Congress the question of the title to their seats was at once raised and able reports were filed by Hon. Stephen A. Douglas for the majority of the committee and Hon. Garrett Davis for the minority. They were elaborately and fully discussed. A separate vote was asked on each member. In the case of Edmund Burke, of New Hampshire (the first vote taken), the yeas were 128 and the nays were 68. While varying slightly in the other cases, the majority was about the same in each case. We find among those voting in the affirmatives such names as John P. Hale, Hannibal Hamlin, Preston King, George C. Dromgoole, Edmund W. Hubard, and Stephen A. Douglas, and others. (See House Journal, first session, Twenty-eighth Congress, pages 380, 381.) So that the power claimed by Congress to command the States to lay off districts for members of Congress was thus emphatically and quickly denied, and, so far as we are informed, it has never been attempted since.

Then you find that in 1870 and in 1872 Congress provided that elections should be by ballot and that the time of holding them was to be uniform throughout the country. Why, gentlemen, I think nothing demonstrates more clearly than these very laws the absolute necessity of leaving to the people of each State the control of its elections and election machinery. Suppose Congress in its wisdom were to pass a law providing that members of Congress should be elected on the 15th of January in each year, would not that operate to disfranchise many States in this Union? How could the people get out on the snow-clad hills of Maine or the blizzard-stricken plains of Minnesota to vote on the 15th of January? Why, it shows more clearly than anything else that the people of each State are better qualified to judge of what is proper in conducting their own elections than anybody else.

Again, take the matter of the ballot. Congress has acted on that, and therefore it is said that it is constitutional, because Congress has acted on it. But it is to be remembered that Congress has passed a great many unconstitutional laws. I know not what others may think, but I believe there is nothing about which the people of the States should be allowed to exercise their own judgment more than that matter of a secret ballot. Personally, I believe in an open ballot, by the man singing out before God and man, in the broad light of day, the name of the man he votes for. You may not so believe. Then you ought not to be compelled to have a *viva voce* system. I do not like a sneak or a spy that is afraid to open his mouth and tell the people how he is going to vote. Congress, however, has preferred it and enacted it into law, and by that act has done more in my judgment to disorganize and demoralize the public sentiment of the country than it will ever gain by passing such a bill as this.

Let every man judge for himself. Let every man take care of his own household. Let every people determine for itself what is best for itself, and let others do the same for themselves. A man who insists on taking care of other people's business all the time will find that his own will go to ruin. I heard of a man once who made a fortune by attending to his own business, and I will add to avoid mistake that his name was not LODGE or ROWELL. [Laughter.] What we ask for, what the States ask for, is that they may be left to determine for themselves what is best under the Constitution for themselves.

Now, gentlemen, there is another clause of the Constitution to which I have referred that bears very decidedly upon this question. Chief-Justice Chase in the case of *Hepburn vs. Griswold*, the old legal-tender case which has become so celebrated in the land, was called on to construe that clause in the Constitution which provides that "the Congress shall have power to pass all laws necessary and proper to carry into execution the foregoing powers." And, gentlemen, if you conclude that under the second and fourth sections of the first article of the Constitution Congress has the power at any time to interfere and take the elections into its own hands, you have yet to construe those provisions of the Constitution with the subsequent one which provides that it can only pass laws which are "necessary and proper" to carry into execution the powers granted. Now, what are "necessary and proper" laws to carry into execution the powers granted to Congress over the election of Representatives? Chief-Justice Chase says that the words "necessary and proper" mean "bona fide, appropriate to the end" in view; that they mean absolute good faith, absolutely appropriate means; not for partisan purposes, but in good faith, bona fide. Now, is it "bona fide, appropriate," to the assumption by Congress of the control of elections for Congressmen to appoint supervisors whose duties shall be not to carry on any separate election machinery, but to go on and stick their noses into the election machinery of the States? Is it "bona fide, appropriate," to the purpose of an election law for the election of members of Congress that State officers should be dragged into the Federal courts and punished for a violation of a State law? Or is it "bona fide, appropriate," to this object that

each member of this House should be returned, not by the State that sends him here, but by an officer of this Government appointed for life, amenable to no power, and with no penalty attaching to his dereliction of duty? Is it "bona fide, appropriate," to the purpose of passing an election bill that you should put into it a clause providing that the juries of the country shall be of one political faith? Put your hands upon your hearts and let your hearts seek counsel from on high and answer me whether that is "bona fide, appropriate," to the purposes of passing an election law?

But observe this clause again:

The times, places, and manner of holding elections for Senators and Representatives, etc.

If Congress has the power to pass this bill, it has the power to amend it and make it applicable to the election of Senators. Apply its provisions to the election of Senators, and what would we have? The Legislatures of the States dominated and controlled in the election of Senators by Federal officers. In the State of Virginia, in the election of Senator, "a committee of three members from each house shall compare the votes and ascertain and report the result." But, if this bill be constitutional and applied to the election of Senators, the committee of each house of the Virginia Legislature could not compare the votes without the supervision of the Federal supervisors. They could not ascertain and count the vote, for under this bill that power is given the supervisors. They could not "report the result" to their respective houses, for the supervisors would report the result to a Federal canvassing board.

Members would be challenged in their right to vote, and the right of the people of a county to representation denied by a Federal official. Confusion, chaos, and collision would inevitably result, and the proud position of free and independent States converted into the subserviency of cowering victims to Federal usurpation and power. Does not the analogy show that the makers of the Constitution could never, never have intended any such power to be given to Congress over the States and their elections for Senators and Representatives? It will not do to say such power in the election of Senators will never be invoked. The political exigency that could disperse the Legislature of a State at the point of the bayonet would not be long in finding a pretext for the application of the club and the billet for the enforcement of its wicked designs.

But, gentlemen, we come now to the discussion of some of the provisions of this bill. This bill has a provision which, so long as I am a member of this House, I shall resist with all the power that I have, because I believe it is against the true interests of the American people. It was John Marshall, of Old Virginia (somebody has said she never tires and some wag has added that it is because she never did anything to make her tired [laughter]; but, in spite of that, gentlemen, I love every foot of her sacred soil with all my heart, not only for what she is now doing, but for what she has done in the past. If her history were blotted out to-day from that of the sisterhood of States and the declaration of her great jurist, to which I am about to refer, were alone preserved to let posterity know that she once had existed, Virginia's life would not have been in vain)—it was that great jurist, John Marshall, sitting as a member of the greatest convention that ever assembled on this continent, in 1829-'30, as a member of the Virginia convention to revise the constitution of that State, who used these words in speaking of the judiciary:

I have always thought, from my earliest youth till now, that the greatest scourge that an angry Heaven ever inflicted upon an ungrateful and a sinning people was an ignorant, a corrupt, or a dependent judiciary.

Do gentlemen propose by this bill, when the country is full of corruption in high places throughout the land; when it crawls with its slimy trail even into the highest offices of the Government—are gentlemen willing to drag down the last bulwark of American liberty into the slums of partisan polities? Are gentlemen for party purposes willing to forego the preservation in its purity of the chief bulwark of American liberty? I speak, sir, not as a partisan on this subject. Whatever else may be done in this bill, however much some of its features may commend themselves to you, for God's sake strike out that provision that puts it into the hands of the judiciary of the country to run the elections of the country.

One gentleman who preceded me said that it was absolutely essential for the good of the country that the people should have confidence in the purity of the elections. Is it not more essential that the people should have confidence in the judiciary, those who hold the scales of justice, or ought to hold them, impartially between man and man. I agree with honorable gentlemen to this extent at least: that the merest suspicion of fraud attaching to the judiciary is as bad as fraud itself. The judge of the circuit court of the United States appoints the supervisors (section 5); if one of them is to be tried for misconduct, the judge who appointed him tries him; a jury selected by a clerk of the same political faith is impaneled for him. There could be but one result in nine cases out of ten. The conduct of the supervisor is not alone on trial, but the judgment of the judge in selecting him as such supervisor is also on trial, and before whom? Before the judge who selected him.

One other point I desire especially to bring to the attention of the House. So far as I remember—and I am borne out in this statement by gentlemen who have examined the particular section perhaps more

closely than I have—there is not only a life tenure for the chief supervisor who conducts these elections, but there is absolutely no penal statute in regard to him. Duty and responsibility should go hand in hand. Here we have a duty imposed, with responsibility to no one for its proper discharge. If I am mistaken on this point no one will more frankly than myself admit it, but I have been unable to find in the bill any penal provision with regard to the chief supervisor.

But I object to another provision here. I object to that provision in this bill which proposes to apply the power of punishment under the penal clauses to State officers. And I beg that you remember that there is *one* section in this bill providing a punishment for the officers it creates and *eight* sections providing punishment for State officers whom it has never created. Is that right? Is it in the interest of preventing collisions throughout the country? Beginning at section 42 and going on through the bill, you will find various provisions for punishing the State officers of elections; and then there is one little section providing for the punishment of the supervisors.

And I say further that Congress has no power under the Constitution to punish the officer of the State for the violation of State law.

I am perfectly aware that it has been stated otherwise in certainly a very respectable tribunal; but that decision was only reached by the learned judge, assuming that in the election of members of Congress, the election machinery was operated under State laws, that Congress in effect *adopted* such laws as its own, not by enactment, but by implication; but, if my view of the Constitution is correct, Congress has power only under condition to make or alter these provisions in regard to elections; and in order to make anybody liable under its law it must be clearly a Federal law, and not a State law converted into Federal law by implication. It can not say to the State, "We will let you go on; we will let you have your judges of election and other officers of election, and we will have ours; we will have supervisors and marshals; when our officers disobey our law we will punish them; when your officers, who have never taken an oath to support the Constitution of the United States, but are sworn to support the State constitution, violate their State laws, we will punish them, too." I say it is not right.

Mr. MCCOMAS. Has not the Supreme Court of the United States, in the Siebold case (100 United States Reports), expressly affirmed the position which the gentleman denies? How does he dispose of that very pertinent decision?

Mr. TUCKER. My friend must have been asleep; I am glad I have wakened him up. I have referred to that decision.

Mr. MCCOMAS. I have just come in; but I am wide enough awake to remind the gentleman of a decision of the Supreme Court that directly contradicts his position.

Mr. TUCKER. I have referred to that decision and have attempted to state my views in regard to it.

Mr. MCCOMAS. I suppose, then, my friend from Virginia overrules the decision of the Supreme Court.

Mr. TUCKER. I say this, that neither the Supreme Court nor any other court can bind my conscience as a Representative of the people as to the construction of the Constitution.

Mr. MCCOMAS. That fully explains the gentleman's position. I beg pardon for asking him the question.

Mr. TUCKER. I say to the gentleman, moreover, that the duty devolves upon us as one of the co-ordinate branches of this Government to construe that instrument in such manner as seems to us right and proper under our oaths. And if I mistake not there is a bill pending in the other end of the Capitol that we are threatened with very soon, known as the Wilson bill, or original-package bill, in which some gentlemen on your side of the Chamber have undertaken to dissent from the decision of the Supreme Court of the United States and undertaken under their oaths here to reverse by legislation the judgment of that high tribunal upon the matter in question. And if that bill contains what I understand it does, as much as I dislike to disagree with that honorable court, I shall vote for the bill when it comes before us.

Now, gentlemen, I disapprove of another provision in this bill: the power vested in the chief supervisor of appointing an unlimited number of deputy marshals. And on this point my friend from Illinois [Mr. ROWELL] is mistaken. Under the twentieth section of the bill any number of deputy marshals may be appointed, as shall in the opinion of the chief supervisor be necessary. I am opposed to the provision of the bill as found in the sixth and eleventh clauses of the eighth section, providing for the canvass of cities by supervisors. Gentlemen know what that means. The object is not to canvass to find out whether a man is registered properly. Why should you presume in advance that a man has forsaken himself? Has it come to this, that in this country the presumption of fraud is against every man? That is the provision. You actually presume that the registration is fraudulent and send these people around with Government money in their pockets to investigate that matter. No one can be mistaken as to what this provision means: that the political work of the dominant party is to be done by hirelings paid from the public Treasury.

I object to another provision of the bill, Mr. Speaker. I do not believe in the supervision feature, as a matter of expediency, looking to the true interests of our State and Federal systems. I think the only

logical position for Congress to take in regard to the elections of Representatives, if the time ever comes when under the Constitution it can take charge of the elections, is this: Either to give it absolutely into the hands of the States or absolutely into the hands of the Federal Government. Do not have any mixture of the two. It is, and will be, a source of serious trouble, dispute, and clashing of interests, as well as clashing of authority, if Congress assumes control of a part of the machinery and the States take charge of another portion of it. Congress should either take charge of it absolutely and free the States or let it remain absolutely with the States.

One of the least objections to the bill is the probable cost of it. I have been at considerable trouble to ascertain what that would probably be. I have gotten from the secretaries of state of all or most of the States of the Union a statement as to the election precincts in the United States, which I will insert, as follows:

Election precincts in the United States.

Alabama.....	1,086
Arkansas (estimated).....	1,200
California (estimated).....	1,600
Colorado (estimated).....	600
Connecticut.....	251
Delaware.....	66
Florida.....	600
Georgia (estimated).....	1,500
Illinois (estimated).....	3,000
Indiana (estimated).....	1,500
Iowa.....	1,922
Kansas (estimated).....	3,000
Kentucky.....	1,375
Louisiana.....	744
Maine.....	517
Maryland.....	483
Massachusetts.....	715
Michigan.....	1,466
Minnesota (estimated).....	1,800
Mississippi (estimated).....	1,115
Missouri (estimated).....	2,500
Montana (estimated).....	500
Nebraska (estimated).....	500
Nevada (estimated).....	500
New Hampshire.....	268
New Jersey.....	266
New York.....	3,366
North Carolina (estimated).....	1,200
North Dakota (estimated).....	500
Ohio.....	2,449
Oregon.....	508
Pennsylvania.....	4,217
Rhode Island (estimated).....	500
South Carolina (estimated).....	600
South Dakota (estimated).....	800
Tennessee (estimated).....	2,000
Texas.....	3,935
Vermont (estimated).....	500
Virginia (estimated).....	1,800
Washington (estimated).....	600
West Virginia (estimated).....	700
Wisconsin (estimated).....	1,500

Total number.....

The above figures are obtained (except those estimated) from secretaries of state, and mostly refer to the date of the Presidential election in 1888. For Pennsylvania, however, the figures are from Smull's Hand-Book, containing the election returns for 1889. Of the election districts or precincts for that State 815 were in Philadelphia.

The table does not contain the numbers for the Territories of Arizona, Idaho, New Mexico, Utah, and Wyoming. Of course the number of election precincts have been considerably increased since the election of 1888.

There are 55,000 in round numbers, without regard to the Territories. Under this bill the cost of the canvassing board, the cost of the chief supervisor, the cost of the supervisors themselves in each district, the cost of deputy marshals, allowing an average of three deputy marshals for each precinct and three supervisors for each, and allowing a fair average of the amount that they are to be paid under the law, I find upon an estimate will be \$11,732,800.

Cost of Lodge bill.

Cost of canvassing board:	
Three canvassers, per diem and expenses, \$20 each.....	= \$60
Clerk, per diem and expenses.....	= 20
	80
Days allowed (section 15), 15; estimated average used, 5; 5 × \$80 =	400
Number of States in Union, 42; 42 × \$400 =	16,800
Seals, stationery, etc. (estimated).....	1,000
	17,800
Cost of chief supervisors, by Congressional districts:	
Printing, recording, certifying, stationery, advertising, telegrams, etc., for each Congressional district, \$5,000; number of Congressional districts, 330; 330 × \$5,000 =	= 1,650,000
Cost of supervisors (section 19):	
Average number to precinct, 3; estimated average pay of each, \$6; estimated average days of service, 6; number of precincts in United States, 55,000; total cost of supervisors.....	5,940,000
Cost of deputy marshals (section 20):	
Number of precincts, 55,000; estimated average for each precinct, 3; estimated average days of service, 5; services per diem, \$5; total cost of deputy marshals.....	4,125,000
Total.....	11,732,800

Mr. O'NEALL, of Indiana. And add a thousand more precincts and their expenses for Indiana.

Mr. TUCKER. Well, I have fifteen hundred for Indiana. This is a conservative estimate, and I am satisfied it is a reasonable estimate. My own judgment is that it will cost not less than twelve millions, and most probably will reach from fifteen to twenty millions.

I come now to discuss another feature of the bill, and it is this: Gentlemen have declared on this floor that this bill was a national bill intended for the whole country. The gentleman who opened this debate, the gentleman from Massachusetts [Mr. LODGE], launched us upon a smooth sea, and I thought our sailing was to be of the happiest nature; that there were to be no gales encountered in the discussion. But we were soon disabused of that idea when the gentleman from Illinois [Mr. ROWELL] took his position. The gentleman from Massachusetts says this is not a sectional, but a national measure. The gentleman from Illinois has confessed practically that it is a sectional bill.

The gentleman from Illinois imagines he is arguing a contested-election case, and goes into all of the murders and crimes in the catalogue and talks about the war and about the beautiful traits of character of the negro. Why, gentlemen of this House, where did the gentleman from Illinois get authority to talk to me and for me about the character of the colored people? Why, in childhood I was rocked upon the bosom of as noble an old colored woman as ever drew the breath of life. Reared from childhood among them, I know them as the gentleman from Illinois can never know them, and that old "mammy," who was loyal and true to me in life and whose memory is as dear to me as one of my own family, will ever awaken in my heart the warmest feelings toward that race to which she belonged and which was faithful in the trying days of the war.

But the gentleman from Illinois has gone back to the war. Some of us in this House have been born since the war began; we have grown up with the new civilization, with new conditions and ideas; and it is a condition that confronts us here, and not a theory. Why, gentlemen, I say to you that the position of the gentleman from Illinois shows that this bill is to be a sectional one, whose operation is to be chiefly against the interests of the Southern people. He says openly that we cheat the negro, that we steal his vote, that we murder him. The gentleman is not at all discriminating in his remarks against us. Very well. Admit it for the sake of the argument. I ask any gentleman who hears me to tell me in all honor and in all candor whether it be worse to steal the vote of a man who does not know how he is voting than to buy the vote before it reaches the ballot-box of a man who could vote intelligently if let alone.

Mr. KELLEY. This law is against both.

Mr. TUCKER. Oh, yes; I am coming to that. The gentleman says it is against both; but, Mr. Speaker, it is mighty little against both. [Laughter.] You have to-day a statute providing against bribery. You have a section in this bill against it with a little addition that the man who is bribed is amenable also to punishment. And let me tell you when the two get together you will have a pretty hard time trying to find out who was the bribed and who was the briber. [Laughter.] I do not justify and can not justify the stealing of a vote or the killing of a man; but I say, for the sake of argument, admit the truth of the gentleman's assertion, what position are you in if reports be true that money has been used all over this country in carrying elections? and you know, as well as we can know any other fact in this life, that it was used for the purpose of corrupting voters by the Republican party in the last Presidential election. I ask you now in all seriousness to answer candidly the question whether or not it is any worse—supposing it to be bad enough to steal ballot-boxes—to steal a ballot than it is to buy a vote before it goes into the box.

You are forced to plead guilty to the charge that votes are bought throughout the North, and seek to avoid its force by charging ballot-box-stuffing on the South. Are you in position, before removing the beam out of your own eye, to cast out the mote out of thy brother's eye?

Both are wrong, but when you begin to pose as the immaculate party that can not exist in an atmosphere tainted with immorality of any kind, and would conceal your own crimes by a tirade against the supposed delinquencies of others, I beg to suggest that it would at least be prudent to sweep before your own doors before demanding that filth should be swept from your neighbor's door.

You say you want to uproot both by your bill. When did the desire strike you? Since the indictments against Dudley were dismissed or the fat-frying processes of Foster were exhausted or after the \$400,000 gathered together by the industrious hand of the present Postmaster-General had been expended for legitimate campaign purposes? And if, with bribery and corruption all around you, you have failed to enforce the present law against bribery, how can we hope that you will do so now? The bill is sectional. It is aimed at the South. Is there anything anywhere in the bill to show that it is not? Let us see. The honorable gentleman—no, it was the Speaker of this House himself—made a speech not long ago in the city of Pittsburgh, and did he indicate in that speech that this was to be a national-election law or a sectional law?

Always brilliant, in opening he said:

Your toast strikes the only possible note of continued victory for the Republican party. Continued victory we must have. Not as partisans, but as patriots.

[Laughter on the Democratic side.]

Do not laugh.

Not on the past must be our reliance, but on the future. If we are not to-day in the fore-front of human progress, to have been followers of Abraham Lincoln in the years gone by is not an honor, but a burning disgrace. Progress is the essence of republicanism.

And so on.

Continuing, he says:

I have not, for years, been one of those who talked about the South.

But he determined what he was going to do that night.

For the last eight years no one has heard me, in the House or in the campaign, discourse upon either outrages or wrongs, murders or shootings, or hangings. My silence did not arise from any approval of murder. It is known to everybody that the South denies that cheating is part and parcel of their elections. It is equally known to everybody that that denial is not true—

And so forth, the whole speech being an enumeration of Southern outrages, and at its close a remedy is suggested—"to take into Federal hands the Federal elections." The extracts from that speech show that the Speaker of this House, as a leader of his party, was determined if he had the power—and we all know he has the power—to drive this Republican party, by caucus or otherwise, into the adoption of a Southern election law. There is no intimation in the speech that there are frauds in elections in other parts of the country, in the State of Maine, or elsewhere, but only in the South. I find also that he has given his views to the public in an article in the North American Review that I beg leave to refer to very briefly. He puts it in this form:

Suppose it were a fact that negro domination and barbarism would follow from honest voting in the Southern State elections; suppose it were a fact that disregard of law and complete violation of the rights secured to the negro by the Constitution were absolutely necessary to preserve the civilization of the South; what has that to do with Federal elections? Violation of law and disregard of statutes are not needed to save the United States.

And in other places in that article the distinguished gentleman practically admits, as he does there admit, that if the defense which he alleges is made by Southern people, that they defraud the negro for the preservation of their own civilization, were true, that it would be proper and right and admissible. I say he admits practically that, for the preservation of State governments, property, and life, the things that are charged against the people of the South might be proper; yet that when you come to national elections it would not do.

Why, gentlemen, is it possible that the man who poses as the great friend of the negro would admit that it was proper to kill him or cheat him for one purpose, but very wicked, immoral, and improper to do so for another? If all the exaggerated and base stories of murder of the negro in the South were true, the Southern people could find no stronger champion of their position or justification of their action than the Speaker of this House and his views as expressed in this article. The Speaker, in the same article, and the gentleman from Illinois [Mr. ROWELL], both assert that the negro population increases the representation from the South, and that by the suppression of the negro vote that increase redounds to the benefit of the Democrats. Admit all they claim to be true, for the sake of the argument, which is not true in fact, and what do we find? That in the States of Connecticut, California, Iowa, Illinois, Michigan, Minnesota, Massachusetts, Nebraska, New York, New Jersey, Ohio, Pennsylvania, Rhode Island, and Wisconsin, in the year 1888, the Republicans cast 3,386,399 votes and the Democrats cast in the same States 3,074,165. The 3,386,399 Republican votes elected 126 Congressmen, or about 26,900 votes per Congressman. The 3,074,165 Democratic votes elected only 47 Congressmen, or 65,406 votes per Congressman.

That is, in the North, where gentlemen claim there is an honest expression of the popular will, it takes only 26,900 votes to elect a Republican, while to elect a Democrat it takes 65,408; and if the will of the people in the North were not stifled and a free expression of the popular will could be had, the Republicans would have only 90 instead of 126 members of the 173 from those States, while the Democrats would have 83 instead of 47 only, and instead of a Republican majority in this House of 9 the Democrats would have a majority of 63 members. No, gentlemen, when you look at this whole question dispassionately you will find a good deal depends on the question of whose ox is gored.

But for your gerrymandering of the States of Connecticut, New York, Rhode Island, and Massachusetts, they would to-day be represented in the Senate by Democrats, and you know it. When the popular will is thus defeated in the North you call it gerrymandering, not fraud; but the people of the country understand it and your sham pretenses of a desire for honest elections.

Now, I say that the South is getting along first rate. We ask you to give us a free chance in the race of life. We know better how to attend to these social questions than you can possibly know, with all your professed patriotism. We know perfectly well that we have a serious problem before us; that we are educating the negro; that we are giving him those rights which make him prosperous and happy; that we

are doing for him more than you can do for him and will continue to do it. We ask for our section what patriotic sons of Erin all over the civilized globe demand for their race, "Home rule for Ireland." Our cause is the same.

Now, I ask you where the demand for this bill comes from. Does it come from the negro? Does it come from the Southern Republicans? Where does it come from? The committee to which I have the honor to belong have had some advocates of this subject before it. Who were they? Most of them politicians, and negroes who live by politics, and one poor fellow who has gone crazy since, who is now in the asylum and who was crazy then, and that class of evidence is the basis of this bill. The business people of the country, North and South, do not want it, for they know that it will disorganize business in many portions of the country, endanger capital invested, and bring discontent and strife where now peace and happiness reign.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. BUCKALEW. I ask that the gentleman be given ten minutes more time.

There was no objection, and it was so ordered.

Mr. TUCKER. I am very much obliged to the committee. I shall not impose upon them very long. What does General Longstreet say upon this subject? General Longstreet says, in an interview with the correspondent of the St. Louis *Globe-Democrat*:

The negro is getting along quite well and would do much better if it were not for the politicians. It does not follow that because a man is black he is a Republican.

Here is a life-long Republican speaking.

A negro is like almost any other man. He will vote for the advancement of his own interests. He will vote against a negro who has gone to the front simply as a politician, in favor of a respectable Southern white man any time. He will vote for a Southern white man that he knows against a politician of the North every time. Schools are working out the problem of the colored man in the South. The development of the country is giving him new avenues of employment. What he is gradually getting is better wages, and what he needs is less politics and less meddling from politicians.

Now, gentlemen, that is the expression of a man who has been a Republican ever since the war, living in the State of Georgia, about which so much has been said here to-day.

Hear also what Ex-Governor Chamberlain, of South Carolina, who was the Republican governor of the State up to 1876, says on this subject in an address at the city of Boston, February 8, 1890:

I come from the South to-night. A business errand has again taken me to the State which was my home for twelve years. I have mingled again during the last four months with the people whom I then knew so well. What do I find? I find that since 1876 both races in South Carolina have prospered. I find the prosperity of the negro has advanced *pari passu*, more than *pari passu*, with the white man. I find the negro more self-respecting, better provided with schools, far better, acquiring property more rapidly, more industrious, more ambitious for education and property than he ever was before 1876; and I have come here to-night, at not a little inconvenience, to proclaim this in the ear of Boston's philanthropy and Boston's patriotism. [Cheers.] I proclaim it because it is true and because if any man living owes it to himself and to the country to proclaim the truth in this matter, I am that man. [Great applause.]

What, then, is the duty of the North in respect to this problem; what is Boston's and Massachusetts's duty; what is the duty of all patriotic men? I answer with my whole mind and conscience their duty is to let the negro alone. [Tremendous cheering.]

I repeat, we are getting along in the South now first rate. Let me show you what we have done since the war.

In 1860 the total assessed value of property in the United States was \$12,000,000,000, and of this the South had \$5,200,000,000, or 44 per cent. In 1870 the total assessed value of all property in the country was \$14,170,000,000, and of this the South had \$3,064,000,000, or 22 per cent. The assessed value of property in the South, as already stated, was \$2,100,000,000 less in 1870 than in 1860. That is an enormous loss; but between the years 1880 and 1889 look at the strides we have made. From \$2,900,000,000 in 1880 to \$4,200,000,000 in 1889; and the census reports will show a vaster increase over that. Where does that come from, gentlemen? A great deal right out of your pockets.

During the very first year of Mr. Cleveland's Administration \$13,000,000 of foreign capital came into the State of Virginia. Our people have caught the impetus of the age; the negro laborers are happy and contented; the Northern people are pouring their money down into our mines and our furnaces, and we simply ask that we may be allowed to take care, not only of our own, but what you may send there to be invested for your own good in the safest way for all concerned.

The cities of Philadelphia, Boston, and New York have all contributed of their coffers to the building up of our beautiful valley of Virginia, and some of it has come from the great West, and all that we ask for the old State of Virginia is to be let alone to work out our own "salvation with fear and trembling."

Mr. KERR, of Iowa. I will ask the gentleman if Virginia is not nearly a Republican State?

Mr. TUCKER. Not by a large majority; not by 44,000 last year, and "still some precincts to hear from."

Mr. BOWDEN. How many the year before, when we had some Federal supervisors?

Mr. TUCKER. About 1,500.

Mr. BOWDEN. Exactly.

Mr. TUCKER. When you had Federal supervisors, who suppressed the honest vote! [Loud applause on the Democratic side.]

Mr. WADDILL. I would like you to specify a place in Virginia where Federal supervisors ever suppressed a vote.

Mr. TUCKER. Will you sit down? I do not yield to you. [Laughter.]

Mr. WADDILL. I asked you a question, and that is the way you answer.

Mr. TUCKER. Sit down.

Mr. WADDILL. I will sit down when I get ready, and not by your direction.

The SPEAKER *pro tempore*. The gentleman from Virginia will be in order.

Mr. WADDILL. Decency requires that you should not refuse to answer a question in a proper manner.

Mr. STRUBLE. Mr. Speaker, I rise to a question of order and ask whether a member on this floor has a right to order another member to sit down.

Mr. TUCKER. Will the gentleman from Iowa be kind enough to take his seat? [Laughter.] Mr. Speaker, I did not mean to be discourteous to anybody. I do not want to be offensive to any gentleman.

Mr. WADDILL. Very well. With that explanation I wish to ask the gentleman if he will yield to a question.

Mr. TUCKER. Not now; later.

Now, we find, Mr. Speaker, that during the four years from January 1, 1886, to December 31, 1889, the total number of furnaces, factories, and mills that came to the South was 13,744. I see the honorable gentleman from Ohio [Mr. MCKINLEY] smiles approvingly at that. Then, Mr. Speaker, we find from 1878 to 1889 a proportionate increase in all the cereals, the cotton crops, hay, and so on. We find that in the years from 1880 to 1889 the number of cotton mills have increased in the South from 161 to 353; that the number of spindles has increased from 660,000 to 2,000,000. We find that the total amount of coal developed in the South in 1882 was 6,000,000 of tons; that in 1888 there was 19,000,000, and most of the labor in that development was that of the poor negro for whose benefit this bill is to be passed. The cotton crop in 1860 was only a little over 2,000,000 bales, while in 1889-'90 it amounted to over 7,000,000. We find that the cost of making iron in the Southern land and in my own district, where a large number of the laborers are negroes, according to the testimony of Messrs. Carnegie, Hewitt, McClure, Swank, and others, is estimated at anywhere from \$8.50 to \$10 a ton; and to-day iron is being made in my own district at a cost of not over \$10 a ton.

The honorable gentleman from New Hampshire [Mr. MOORE] who spoke some days ago on the tariff referred to these facts and appealed to us to stand by a prohibitory-tariff law; it is not wonderful that such development should come to us, because we have advantages in manufacturing over all other sections of this country, and capital is very sensitive to go where that is the case. We find that the total output of pig-iron in the South in 1880 was 397,000 tons and that in 1889 it was 1,500,000 tons. So that, gentlemen, looking not only to the social status of our people, but looking to the prosperity of our country, the preservation of our civilization, and the property of our people and of your people, we appeal to you to keep your hands off. Do not for partisan purposes relegate this Southern country, by the enactment of such a law as this, to the condition of things existing for ten years subsequent to the war. Let me read you a statement of the financial condition of the South at the close of the war, and then when the carpet-bagger had his grip fast upon her body. Here it is:

States.	Debts and liabilities at close of war.	Debts January 1, 1872—after reconstruction.
Alabama.....	\$5,939,654.87	\$38,381,967.37
Arkansas.....	4,036,952.87	19,761,265.62
Florida.....	221,000.00	15,763,447.54
Georgia.....	Nominal	50,137,500.00
Louisiana.....	10,099,074.34	50,540,206.61
North Carolina.....	9,699,500.00	34,887,467.85
South Carolina.....	5,000,000.00	39,158,914.47
Mississippi.....	Nominal	120,000,000.00
Tennessee.....	20,105,606.66	45,688,263.46
Texas.....	Nominal	20,361,0.00
Virginia.....	31,938,144.59	45,480,542.21

* June 1, 1871.

† January 1, 1871, about.

Does not this statement show, as well as the history of that dark period in our country's history, that bayonets and force applied in the elevation of ignorance over intelligence can only result in financial as well as social ruin to a people? When Federal troops were withdrawn from the Southern States and the manhood of the people reasserted itself, gradually confidence was restored, and values were enhanced, as

shown in the annexed tables of the assessed value of the property of the several States in 1880 and 1889:

States.	1880.	1889.	Increase.
Maryland	\$459,187,408	\$477,398,380	\$18,210,972
Virginia	303,997,613	*344,169,473	40,171,860
North Carolina	169,916,907	217,000,000	47,083,093
South Carolina	129,551,624	145,280,343	15,728,343
Georgia	251,424,651	380,289,314	128,864,663
Florida	31,157,846	93,800,000	62,612,154
Alabama	139,077,328	242,197,531	103,120,203
Mississippi	115,130,651	157,830,431	42,669,780
Louisiana	177,096,459	226,392,288	49,295,827
Texas	311,470,736	710,000,000	398,529,264
Arkansas	91,191,653	166,000,000	74,808,347
Tennessee	211,768,438	325,118,636	113,350,198
West Virginia	146,991,740	183,013,737	36,021,997
Kentucky	375,473,041	551,676,267	176,203,226
Total	2,913,436,095	4,220,166,400	1,306,729,927

*1888.

The census report of 1879-'80 estimated that the assessed value of property in the South was only 41 per cent. of the true value. On this basis the true value of property in the South in 1880 was \$7,105,917,300, and the value at present \$10,268,088,700, a gain of over \$3,000,000,000.

Relying upon the manhood of our people we are fast forging to the front in material progress in many parts of our State, while struggling poverty holds its grip in other sections, but as a whole our advancement has been marvelous. Will you strangle in its cradle this infant Hercules with such a law as this?

In conclusion, let me say, gentlemen, that, while this bill in my opinion is unconstitutional, Congress has no power to pass it; that the provisions of it are hideous, and that they ought not to be entertained by this House or this Congress; that even if it passes it will never accomplish the purpose whereunto it is sent. You may rely upon that. As was said in the discussion here to-day, if there be fraud and corruption in the country the only way to correct them is by an enlightened public sentiment which will frown them down, so that a man who deals in fraud, bribery, or corruption will not be countenanced in the community. [Applause.]

Now, gentlemen, I am through. I thank the House most cordially, and especially my friends upon the other side, who have been kind enough to give me their attention, and I only ask that this House will do no act that will disturb the harmony, that beautiful harmony of the State and the Federal Governments, that beautiful system which when kept in its perfect symmetry is the admiration of the world, but when jostled or gotten out of gear will work destruction to the people for whose welfare it was intended. I thank you, gentlemen, for your kind attention. [Prolonged applause on the Democratic side.]

APPENDIX.

The following tables are taken from the Manufacturers' Record and The Redemption of the South.

The production of coal in each Southern State in 1880, 1882, 1887, 1888, and 1889 was as follows, in tons:

States.	1880.	1882.	1887.	1888.	*1889.
Maryland	2,228,917	1,294,316	3,278,023	3,479,470	3,213,886
Virginia	45,896	100,000	825,263	1,073,000	1,592,4-5
West Virginia	1,839,845	2,000,000	4,896,820	5,498,800	4,729,047
Georgia	154,644	175,000	313,715	230,000	265,000
Alabama	323,972	800,000	1,900,000	2,900,000	4,000,000
Tennessee	495,131	850,000	1,900,000	1,967,000	2,500,000
Arkansas	14,778	50,000	150,000	193,000	250,000
Texas			75,000	90,000	200,000
Kentucky	946,288	1,300,000	1,933,185	2,570,270	2,750,000
Total	6,049,471	6,569,316	15,212,006	18,001,270	19,407,418

*These figures were compiled by Mr. F. E. Saward, editor Coal Trade Journal, New York.

* In 1882 the South produced 6,569,316 tons of coal, and in 1889 19,497,418 tons. Thus in seven years, from 1882 to 1889, the output of Southern coal mines advanced from 6,500,000 tons to upwards of 19,500,000 tons. Between the taking of the census of 1880 and that of 1890 the output of Southern coal mines has more than trebled, and every year will show continued gains as the development of this industry is rapidly expanding.

The production of pig-iron in net tons in the South for each year from 1880 to 1889, according to the official report of the American Iron and Steel Association was as follows:

States.	1880.	1881.	1882.	1883.	1884.
Maryland	61,437	48,756	54,524	49,153	27,342
Virginia	29,934	83,711	87,731	152,907	157,483
North Carolina		800	1,150		435
Georgia	27,321	37,404	42,364	45,364	42,655
Alabama	77,190	98,081	112,765	172,465	189,664
Texas	2,500	3,000	1,321	2,381	5,140
West Virginia	70,338	66,409	73,220	88,398	53,231
Kentucky	57,708	45,973	66,522	54,629	45,052
Tennessee	70,873	87,406	137,602	133,963	134,597
Total Southern States	397,301	451,540	577,275	699,260	657,599
Total whole country	4,295,414	4,641,564	5,178,122	5,146,972	4,589,613

States.	1885.	1886.	1887.	1888.	1889.
Maryland	17,209	30,502	37,427	17,606	33,847
Virginia	163,782	156,250	175,715	197,396	251,356
North Carolina	1,790	2,200	3,640	2,400	2,898
Georgia	32,924	46,490	40,947	39,397	27,559
Alabama	227,488	283,859	292,762	449,422	791,425
Texas	1,843	3,250	4,383		4,544
West Virginia	69,007	98,618	82,311	95,259	117,900
Kentucky	37,553	54,844	41,907	56,790	42,518
Tennessee	161,193	199,166	250,344	267,931	294,655
Total Southern States	712,835	875,179	929,436	1,132,858	1,566,702
Total whole country	4,529,869	6,365,328	7,187,206	7,269,628	8,517,068

The most striking fact in connection with the output of iron in the two sections is brought out by comparing the production of 1887 and 1888, two years of dullness in the iron trade, and, as already said, it is during such periods as these that the South's advantages are made the more apparent. In 1887 the South produced 929,436 tons of iron and in 1888 1,132,858 tons, a gain of 203,422 tons, while the North, which made 6,257,770 tons in 1887, made 6,136,770 tons in 1888, a decrease of 121,000 tons. Presented in tabular form this makes the following showing:

Production of iron in the South:

1887	....	tons...	929,436
1888	....	do...	1,132,858
Increase	....	do...	203,422

In the rest of the country:

1887	....	do...	6,257,770
1888	....	do...	6,136,770
Decrease	....	do...	121,000

The yield of principal crops in the South in 1879, 1887, 1888, and 1889 was as follows:

Crops.	1879.	1887.	1888.	1889.
Cotton, bales	5,755,359	7,017,000	6,938,290	*7,250,000
Increase over 1879		1,261,641	1,244,641	1,494,641
Corn, bushels	333,121,290	492,415,000	509,705,000	419,517,000
Wheat, do	54,476,740	52,384,000	44,207,000	55,060,000
Oats, do	43,476,600	81,506,000	78,254,000	77,714,000
Total, grain, do	431,074,630	626,305,000	632,166,000	652,291,000
Increase over 1879		195,230,370	201,091,370	221,216,370

*Estimated.

These figures show an increase in the production of grain from 1879 to 1888 of over 220,000,000 bushels. How does this increase compare with the production in the rest of the country? The following figures show:

Field in whole country, except the South.

Crops.	1879.	1887.	1888.	1889.
Corn, bushels	1,214,780,500	963,746,000	1,478,085,000	1,593,375,000
Wheat, do	394,279,890	403,945,000	371,661,000	435,500,000
Oats, do	320,293,720	578,112,000	623,481,000	573,801,000
Total	1,829,354,110	1,945,803,000	2,473,227,000	2,702,676,000

Notwithstanding the fact that the West produced last year the largest corn crop ever made, the increase as compared with 1879 was only 31 per cent., while the increase in the South's corn crop from 1879 to 1889 was 55 per cent.

While the South, as shown by the foregoing figures, made an increase from 1879 to 1887 of 195,000,000 bushels of grain, or 45 per cent., the increase in all the rest of the country for the same period was only 16,000,000 bushels, or less than 1 per cent.

States.	July 31, 1889.			May, 1880.		
	Mills.	Spindles.	Looms.	Mills.	Spindles.	Looms.
Alabama	21	131,904	2,414	16	49,432	863
Arkansas	5	13,800	224	2	2,015	28
Florida	1	1,400		1	816	
Georgia	73	455,998	10,246	40	198,656	4,493
Kentucky	6	45,200	677	3	9,022	73
Louisiana	5	60,280	1,584	2	6,096	120
Maryland	25	175,642	3,536	19	125,706	2,425
Mississippi	11	69,396	2,054	8	15,568	644
North Carolina	111	386,837	7,551	49	92,385	1,790
South Carolina	44	417,730	10,687	14	82,334	1,676
Tennessee	31	126,321	2,478	16	35,736	818
Texas	8	50,868	496	2	2,648	71
Virginia	14	99,889	2,754	8	44,340	1,322
Total	355	2,035,268	45,001	161	667,854	14,823

ORDER OF BUSINESS.

Mr. HAUGEN. Mr. Speaker, it is now late in the day; we have been in session more than six hours, and I move that the House do now adjourn.

EXTRA COMPENSATION OF LETTER-CARRIERS, 1888.

Mr. BINGHAM. I ask the gentleman to yield to me for a moment while I submit a joint resolution under instructions from the Committee on the Post-Office and Post-Roads.

Mr. HAUGEN. I will yield to the gentleman.

The joint resolution (H. Res. 183) was read, as follows:

Be it resolved, etc. That the unexpended balance of \$99,439.07 of the appropriation for the free-delivery service of the Post-Office Department for the fiscal year ended June 30, 1888, be continued and made available to June 30, 1891, for discharging the claims of letter-carriers for compensation for extra time in the months of May and June, 1888, made under the provisions of an act entitled "An act to limit the hours that letter-carriers in this city shall be employed per day," approved May 24, 1888.

The SPEAKER *pro tempore* (Mr. PETERS). Is there objection to the present consideration of this joint resolution?

Mr. MCMLLIN. Let us have the report read.

Mr. BINGHAM. I will state that it is simply to continue for one year longer the unexpended balance which under the general statutes would be covered into the Treasury at the close of the present month, in order that the Department can adjust the accounts of the men who have worked over eight hours a day. The joint resolution appropriates nothing additional from the Treasury, but merely makes the appropriation of 1888 continue until the account can be adjusted.

Mr. MCMLLIN. It does not change the law at all?

Mr. BINGHAM. It does not change the law and does not appropriate an extra dollar.

The SPEAKER *pro tempore*. Is there objection to the consideration of the joint resolution at this time?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

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

The latter motion was agreed to.

LEAVE TO PRINT.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that gentlemen who desire to print remarks upon the election bill may have the privilege of doing so.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from South Carolina?

Mr. KERR, of Iowa. Mr. Speaker, I wish to say that I have no objection to gentlemen who are interested in the discussion printing remarks when the matter is under consideration or within a reasonable time thereafter, but I do object to a leave to print which is unlimited as to time.

Mr. HEMPHILL. Then let it be within ten days after the vote is taken upon the bill.

There was no objection, and it was so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 8342) for the removal of the United States court-house building at Baltimore, Md.; and

A bill (H. R. 9287) to provide for a term of court at Danville, Ill.

The message also announced that the Senate insisted on its amendments to the bill (H. R. 9603) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1891, agreed to the conference requested by the House, and had appointed Mr. HALE, Mr. ALLISON, and Mr. BLACKBURN conferees on the part of the Senate.

The message further announced that the Senate insisted on its amendments to the bill (H. R. 9856) making appropriations for the service or the Post-Office Department for the fiscal year ending June 30, 1891, agreed to the conference requested by the House, and had appointed Mr. PLUMB, Mr. ALLISON, and Mr. BLACKBURN conferees on the part of the Senate.

LEAVE OF ABSENCE.

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

To Mr. RAY, an extension of his leave for two days.

To Mr. SPINOLA, indefinitely.

To Mr. DIBBLE, until Monday next.

To Mr. DORSEY, for five days.

To Mr. EZRA B. TAYLOR, indefinitely.

To Mr. MORSE, for one week.

J. B. BERNADOU.

Mr. WILKINSON. Mr. Speaker, I ask unanimous consent to concur in an amendment of the Senate to the joint resolution (H. Res. 166) authorizing Ensign J. B. Bernadou, United States Navy, to accept two vases presented to him by the Government of Japan. The name is incorrectly spelled in the joint resolution, and the Senate has amended it.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Louisiana to the present consideration of the Senate amendments to the joint resolution indicated by him?

There was no objection.

The amendments were read, as follows:

Line 1, strike out "Bernardon," and insert "Bernadou." Amend the title so

as to read: "Joint resolution authorizing Ensign J. B. Bernadou, United States Navy, to accept two vases presented to him by the Government of Japan."

The amendments were concurred in.

The motion of Mr. HAUGEN was then agreed to; and the House accordingly (at 5 o'clock and 25 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:

INCREASED CLERICAL FORCE IN WAR DEPARTMENT.

Communication from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War of the 26th instant, submitting additional estimates of appropriations for increased clerical force, etc., required by the record and pension division of War Department—to the Committee on Appropriations.

COMPILATION OF UNDELIVERED LAND PATENTS.

Letter from the Acting Secretary of the Interior, transmitting a copy of the report of the Commissioner of the General Land Office, with certain inclosures, in reply to a resolution of the House of Representatives of the 6th instant requesting information as to the persons or firms who had compiled a list of the original, undelivered land patents in said office and by what authority it was done—to the Committee on the Public Lands.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was introduced and referred as follows:

By Mr. MORRILL:

Resolved, That Thursday, July 3, immediately after the reading of the Journal, be set aside for the consideration of general bills reported from the Committee on Invalid Pensions, and this shall be a continuing order until such bills are disposed of;

to the Committee on Rules.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and disposed of as follows:

Mr. LEHLBACH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 431) for the erection of a public building at Lawrence, in the State of Massachusetts, reported, as a substitute therefor, a bill (H. R. 11157) for the erection of a public building at Lawrence, in the State of Massachusetts; which was read twice, and, with the accompanying report (No. 2560), referred to the Committee of the Whole House on the state of the Union.

Mr. DORSEY, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 10590) to carry into effect the recommendations of the International American Conference by the incorporation of the International American Bank, reported, as a substitute therefor, a bill (H. R. 11159) to carry into effect the recommendations of the International American Conference by the incorporation of the International American Bank; which was read twice, and, with the accompanying report (No. 2561), referred to the House Calendar.

Mr. CARLTON, from the Committee on Claims, reported with amendment the bill of the House (H. R. 5136) for the relief of F. G. Fuller and J. A. Mitchell, executors of John O'Dell, deceased, accompanied by a report (No. 2562)—to the Committee of the Whole House.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, severally read twice, and referred as follows:

By Mr. STRUBLE: A bill (H. R. 11154) to repeal part of section 6 of an act entitled "An act to divide the State of Iowa into two judicial districts," approved July 20, 1882—to the Committee on the Judiciary.

By Mr. MORRILL: A bill (H. R. 11155) to establish a port of entry and delivery at Leavenworth, Kans.—to the Committee on Commerce.

Also, a bill (H. R. 11156) to allow soldiers and sailors who have lost an arm and leg in the military service of the United States a pension for each disability—to the Committee on Invalid Pensions.

By Mr. WHEELER, of Alabama: A bill (H. R. 11158) to authorize the New Orleans Terminal Railway and Bridge Company to construct, operate, and maintain a bridge, and all the necessary approaches thereto, over the Mississippi River, above the city of New Orleans, State of Louisiana, on the left bank of the Mississippi River, to the opposite bank in said State—to the Committee on Commerce.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BRECKINRIDGE, of Kentucky: A bill (H. R. 11160) for the

relief of Mattie Ashurst, of Bourbon County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 11161) for the relief of Mrs. R. P. Todhunter, of Fayette County, Kentucky—to the Committee on War Claims.

By Mr. COOPER, of Indiana: A bill (H. R. 11162) to correct the military record of Capt. W. B. Ellis—to the Committee on Military Affairs.

By Mr. HOUK: A bill (H. R. 11163) for the relief of James Brogdon, of Stockton, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11164) for the relief of Robert McCampbell, of Knoxville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 11165) for the relief of J. H. Norwood, of Triongona, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 11166) granting an honorable discharge to Pleasant Slover—to the Committee on Military Affairs.

By Mr. O'NEILL, of Pennsylvania: A bill (H. R. 11167) for the relief of Henry B. Wood, an invalid veteran soldier of the Mexican war—to the Committee on Pensions.

By Mr. PERKINS: A bill (H. R. 11168) granting a pension to James E. Ruark—to the Committee on Invalid Pensions.

By Mr. QUINN: A bill (H. R. 11169) granting a pension to Isadora Ritter, formerly Isadora DeWolf Dimmick—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 11170) for the relief of Frederick Engelhardt—to the Committee on Military Affairs.

By Mr. SMITH, of Illinois: A bill (H. R. 11171) granting an increase of pension to Edwin Reeder, late a member of Company A, First Tennessee Infantry in the war with Mexico—to the Committee on Pensions.

By M. STOCKBRIDGE: A bill (H. R. 11172) granting a pension to Frederick Ochs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11173) to increase the pension of Elias D. Thompson—to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 11174) for the relief of Philander R. Baldwin—to the Committee on Pensions.

Also, a bill (H. R. 11175) granting a pension to Emily Leach, widow of William D. Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11176) for the relief of Lucy Simmons—to the Committee on War Claims.

Also, a bill (H. R. 11177) granting relief to A. M. Stratton—to the Committee on Military Affairs.

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. BROWER: Petition of Pilot Mountain Alliance, No. 2066, of Surry County, North Carolina, asking Congress for appropriations of money for complete system of levees on Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Rivers and Harbors.

Also, petition of L. H. Rothrick, C. A. Miller, and 26 others, citizens of Rowan County, North Carolina, for same purpose—to the Committee on Rivers and Harbors.

Also, petition of J. R. Howard, J. L. Shim, and 23 others, citizens of Burke County, North Carolina, for same purpose—to the Committee on Rivers and Harbors.

By Mr. CARUTH: Memorial of Cornwall & Bro., Louisville, Ky., regarding duty on glycerine—to the Committee on Ways and Means.

By Mr. COLEMAN: Petition of John C. Landreau, for relief—to the Committee on Foreign Affairs.

By Mr. DAVIDSON: Petition of citizens of Walton County, Florida, for the passage of Senate bill 2716—to the Committee on Rivers and Harbors.

Also, petition of other citizens of same county, for same measure—to the Committee on Rivers and Harbors.

Also, petition of G. H. Symmes and 19 others of Hillsborough County, Florida, asking passage of House bill 7162—to the Committee on Ways and Means.

Also, petition of W. G. Coxwell and 25 others of Calhoun County, Florida, for same measure—to the Committee on Ways and Means.

Also, petition of W. R. Shields and 10 others, of same county, for same measure—to the Committee on Ways and Means.

Also, petition of W. H. Eppers and 12 others, of Leon County, Florida, for same measure—to the Committee on Ways and Means.

By Mr. EVANS: Petition of citizens of Warren, Franklin, Grundy, Coffee, Cannon, De Kalb, White, Cumberland, Bledsoe, Putnam, Overton, Clay, Jackson, Fentress, and Smith Counties, asking that United States circuit and district courts be held at McMinnville, Tenn., to try causes from petitioning counties—to the Committee on the Judiciary.

Also, petition of the heirs of Christopher Wood, asking pay for property destroyed during the war—to the Committee on War Claims.

By Mr. FUNSTON: Petition asking revocation of the charge of disloyalty against John Kinchon—to the Committee on Military Affairs.

Also, another petition, asking same relief—to the Committee on Military Affairs.

Also, another petition, for same relief—to the Committee on Military Affairs.

Also, petition of citizens of Kansas, asking for speedy action on the question of sale of liquor in original packages when brought from one State to another—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LEE: Petition of Laura M. Brown, for the estate of Patsy Noles, deceased, late of Culpeper County, Virginia, praying that her war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. MARTIN, of Indiana: Petition to accompany the bill (H. R. 11123) to pension Eleanor Grafton—to the Committee on Invalid Pensions.

By Mr. MOORE, of New Hampshire (by request): Memorial in favor of an equestrian statue of Maj. Gen. John Stark—to the Committee on the Library.

Also (by request), memorial in favor of Thomas Leahy—to the Committee on Military Affairs.

By Mr. MOREY: Petition for the relief of Rolly Moore—to the Committee on War Claims.

By Mr. O'FERRALL: Petition of Julia A. Lewis, widow of James Lewis, deceased, late of Frederick County, Virginia, praying that her war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. ROWLAND: Petition of I. S. Oliver and others, voters of Robeson County, North Carolina, asking for an appropriation of \$6,200,000 for Galveston Harbor—to the Committee on Rivers and Harbors.

By Mr. SCRANTON: Petition of Hon. W. W. Watson and others, citizens of Scranton, Pa., for the perpetuation of the national-banking system—to the Committee on Banking and Currency.

By Mr. SKINNER: Petition of John T. Daniels, for the estate of John Wescott, deceased, late of Dare County, North Carolina, praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. STAHLNECKER: Petition of the National Furniture Association, assembled at Chicago, Ill., June 11, 12, and 13, 1890, asking that mahogany and certain articles in connection with their trade should be placed on the tariff free-list—to the Committee on Ways and Means.

By Mr. TOWNSEND, of Pennsylvania: Petition of McCreary and 25 others, citizens of Lawrence County, Pennsylvania, for passage of a bill prohibiting transportation of liquors, etc.—to the Committee on the Judiciary.

By Mr. TRACEY: Resolution of the Excelsior Club of New York, protesting against the passage of the free-coinage silver bill—to the Committee on Coinage, Weights, and Measures.

Also, petition from Cohoes, N. Y., in favor of the knit-goods schedule in the McKinley bill—to the Committee on Ways and Means.

By Mr. WILKINSON: Memorial of the New Orleans Board of Trade, limited, indorsing the action of the Chamber of Commerce of the State of New York, relating to the overflow of the Mississippi River and the urgent necessity of prompt action by the General Government to provide permanent protection—to the Committee on Rivers and Harbors.

By Mr. WILLCOX: Petition of citizens of Middletown, Conn., for the perpetuation of the national-banking system—to the Committee on Banking and Currency.

SENATE.

FRIDAY, June 27, 1890.

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

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

HOUSE BILLS REFERRED.

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

A bill (H. R. 8792) to authorize the construction of a bridge across the Mississippi River at Winona, Minn.; and

A bill (H. R. 8047) to construct a wagon bridge across the Mississippi River at Hastings, Minn.

The bill (H. R. 8155) to grant school district numbered 7 of the township of Dearborn, Wayne County, Michigan, certain lots of land for school purposes was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 10086) granting leaves of absence to clerks and employés in first and second class post-offices was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

PETITIONS AND MEMORIALS.

Mr. CASEY presented a petition of the Farmers' Alliance of Sherbrooke, Steele County, North Dakota, and a petition of the Farmers' Alliance of Carrington, N. Dak., praying for the passage of House bill 5353, known as the Butterworth option bill; which were referred to the Committee on Agriculture and Forestry.