

Parsons, Kans., praying for legislation to counteract the effect of the recent original-package Supreme Court decision—to the Committee on the Judiciary.

Also, petition of M. A. Stanley and 150 others, residents of same city, for same relief—to the Committee on the Judiciary.

By Mr. PHELAN: Petition of the trustees of the Methodist Episcopal Church, of Saulsbury, Tenn., for reference of claim to Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. QUACKENBUSH: Petition of citizens of the Eighteenth district of New York in favor of a national Sunday-rest law—to the Committee on Labor.

By Mr. SANFORD: Petition of 23 survivors of rebel prisons, residing in Montgomery County, New York, for the passage of House bill 319, entitled "A bill for pensioning prisoners of war"—to the Committee on Invalid Pensions.

By Mr. STRUBLE: Resolutions of the Jobbers and Manufacturers' Association of Sioux City, Iowa, favoring the establishment by the Government of a navy-yard and shipping docks at the port of New Orleans, La.—to the Committee on Naval Affairs.

Also, petition of Jens P. Pederson and 14 others, citizens of Iowa, favoring the establishment and maintenance of a harbor on the Texas coast—to the Committee on Rivers and Harbors.

By Mr. TURPIN: Petition of Cawthorn & Coleman and others, citizens of Selma, Dallas County, Alabama, protesting against legislation by Congress compelling railroads to transport petroleum barrels free—to the Committee on Railways and Canals.

SENATE.

WEDNESDAY, July 2, 1890.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

LANDS IN ARIZONA AND NEW MEXICO.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

In my annual message I called attention to the urgent need of legislation for the adjustment of the claims under Mexican grants to lands in Arizona and New Mexico.

I now submit a correspondence which has passed between the Department of State and the Mexican Government concerning the rights of certain Mexican citizens to have their claims to lands ceded to the United States by the treaty adjusted and confirmed. I also submit a letter from the Secretary of the Interior, with accompanying papers, showing the number and extent of these claims and their present condition.

The United States owes a duty to Mexico to confirm to her citizens those valid grants that were saved by the treaty, and the long delay which has attended the discharge of this duty has given just cause of complaint.

The entire community where these large claims exist and indeed all of our people are interested in an early and final settlement of them. No greater incubus can rest upon the energies of a people in the development of a new country than that resulting from unsettled land titles.

The necessity for legislation is so evident and so urgent that I venture to express the hope that relief will be given at the present session of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, July 1, 1890.

The PRESIDENT *pro tempore*. The message, with the accompanying papers, will be laid on the table and printed.

Mr. MANDERSON. It seems to me that the communication should be referred to the Committee on Private Land Claims.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection—either that or the Committee on Foreign Relations.

Mr. MANDERSON. It is a matter certainly of very great importance. I think it is a fact that the Committee on Private Land Claims has at this session of Congress, as it frequently has before, reported a bill designed to reach the difficulties spoken of in this communication. I do not think that the communication should lie on the table, but that it should be referred to that committee, so that it may, if possible, stir it up to renewed activity on this important matter.

The PRESIDENT *pro tempore*. The message, with the accompanying papers, will be referred, if there be no objection, to the Committee on Private Land Claims, and printed.

PETITIONS AND MEMORIALS.

Mr. MORGAN presented a petition of the Central American Transit Company of New Jersey, praying for the adjudication of their claim against the Government of Nicaragua; which was referred to the Select Committee to Inquire into All Claims of Citizens of the United States against the Government of Nicaragua.

Mr. WALTHALL presented the petition of L. Lopez and 400 other citizens of Biloxi, Miss., and vicinity; the petition of T. J. Stewart and 10 other citizens of Mississippi City, Miss.; the petition of P. M. Rhodes and 152 other citizens of Pass Christian, Miss., and vicinity; the petition of P. B. Hand and 33 other citizens of Handsborough, Miss., and vicinity, and the petition of W. T. Firth and 57 other citizens of Ocean Springs, Miss., and vicinity, praying that the customhouse be removed from Shieldsborough, Miss., to Biloxi, Miss.; that a deputy's office be established at Pearlington, and that the present dep-

uty's office at Pascagoula be maintained; which were referred to the Committee on Commerce.

Mr. VEST presented resolutions adopted by the Commercial Exchange of Kansas City, Mo., praying that an appropriation be made by this Congress of \$10,000,000 for the improvement of the Mississippi River; which were ordered to lie on the table.

He also presented a petition of 124 citizens of Macon City, Mo., praying for the free coinage of silver; which was ordered to lie on the table.

He also presented the memorial of C. O. Baxter & Co. and other manufacturers, of St. Louis, Mo., remonstrating against the duties on Dutch and bronze metal proposed in the McKinley tariff bill; which was ordered to lie on the table.

Mr. REAGAN presented a petition of citizens of Dallas County, Texas, praying for legislation to limit the hours of work of clerks and employes of first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL. I present the proceedings of a mass meeting of the citizens of Pima County, in the Territory of Arizona, demanding "the immediate repeal of that provision of the law in regard to arid lands or that Arizona be excepted from its provisions." They say they ask for no Government aid, but simply that the land laws, the desert and the homestead acts particularly, be retained and thereby all lands will be reclaimed which can be profitably, and all ditches, canals, and reservoirs will be built by private enterprise that would be profitable to the Government to do. "We demand the repeal of this law, and then to be let alone in our struggle with the desert, as we have demonstrated that we can make the desert bloom without Government aid, if not injured by bad legislation."

I ask that the resolutions be received and referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

The PRESIDENT *pro tempore*. The resolutions will be so referred, in the absence of objection.

Mr. PADDOCK. I desire the attention of the Senator from Missouri. The subject to which the Senator refers is now under consideration by the Committee on Appropriations. They are to have a meeting upon that subject, as I understand, this afternoon for the special consideration of this particular matter, and therefore I suggest that the resolutions should go to the Committee on Appropriations, as they have before them and are considering an amendment to the sundry civil bill covering this whole subject.

Mr. COCKRELL. Has that amendment come from the Select Committee on Irrigation and Reclamation of Arid Lands?

Mr. PADDOCK. The amendment to which I referred was reported from the Committee on Public Lands and referred to the Committee on Appropriations. The Director of the Geological Survey was before the Committee on Appropriations this morning, and he is to be again this afternoon, in the consideration of that subject by that committee. Therefore I suggest to the Senator, as the petition he presents is one of like import to one received by myself and is understood by me, that it be referred to the Committee on Appropriations for its consideration this afternoon.

Mr. COCKRELL. I have no objection to the reference of the resolutions to the Committee on Appropriations, as I understand the matter is now pending before that committee.

The PRESIDENT *pro tempore*. The paper will be referred to the Committee on Appropriations, in the absence of objection.

Mr. COCKRELL. I desire also to present a resolution of Local Assembly 448, Knights of Labor, of St. Louis, Mo., adopted at a meeting held on June 14, 1890, reciting that the Committee on the Judiciary in the lower House of Congress have reported favorably on a bill to prohibit alien ownership of land, and in an elaborate report accompanying said bill the committee sets forth the fact that Congress has the power to totally exclude aliens. The committee further report that they had ascertained that certain noblemen of Europe now own 21,000,000 acres of land in the United States, besides millions of acres owned by other aliens. The committee further say that European capitalists have invested millions of money in railroad and land bonds covering 100,000,000 acres of land, the greater part of which, under foreclosure sales, will in a few years become the property of foreign bondholders. The bill prohibits foreign-born persons who have not been naturalized from owning land, and only allows them to have a leasehold, and that for no longer than five years; it also compels alien landowners to sell their lands or become citizens within ten years; and they favor the passage of this bill.

I ask that the resolution be received and referred, I suppose, to the Committee on Education and Labor.

Mr. BLAIR. Certainly.

The PRESIDENT *pro tempore*. The paper will be so referred, in the absence of objection.

Mr. COCKRELL. I am not sure whether this resolution of the Knights of Labor of St. Louis should be referred to the Committee on Education and Labor or to the Committee on Public Lands. I am not certain which committee should take charge of it.

Mr. BLAIR. That is a subject-matter which the labor organizations of the country are seeking to bring to public attention. It has been

before the Committee on Education and Labor. I am not at all particular to which committee it goes. The Senator can have his choice.

Mr. COCKRELL. I was under the impression that the Committee on Public Lands had reported the bill which prohibited the acquisition of lands by alien owners.

Mr. BLAIR. I think the resolution had better go to the Committee on Public Lands.

Mr. COCKRELL. For that reason I think it had better go to the Committee on Public Lands.

The PRESIDENT *pro tempore*. The reference to the Committee on Education and Labor will be reconsidered, if there be no objection, and the resolution be referred to the Committee on Public Lands.

Mr. MITCHELL presented a petition of citizens of Salem, Oregon, praying the passage of the bill to limit the hours of work of clerks and employes in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 8792) to authorize the construction of a bridge across the Mississippi River at Winona, Minn., reported it with an amendment.

He also, from the same committee, to whom was referred the bill (H. R. 8047) to construct a wagon-bridge across the Mississippi River at Hastings, Minn., reported it without amendment.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 3899) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, reported it without amendment, and submitted a report thereon.

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

A bill (H. R. 7482) increasing the pension of John P. Davis;

A bill (S. 2370) for the relief of Philip T. Greely; and

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

Mr. PIERCE, from the Committee on Pensions, to whom was referred the bill (S. 3957) granting an increase of pension to Mrs. Mary McIntosh, reported it without amendment; and submitted a report thereon.

THE MISSISSIPPI AND ITS TRIBUTARIES.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the resolution submitted by Mr. PLUMB June 28, 1890, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That 1,000 copies of the pamphlet entitled *The Mississippi and its Forty-Four Navigable Tributaries*, prepared at the Treasury Department and printed at the Government Printing Office in 1888, be printed as a public document for the use of the Senate.

UNCLAIMED LAND PATENTS.

Mr. PLUMB. The Committee on Public Lands instruct me to report back favorably, with amendments, the bill (S. 3831) to provide for the delivery of land patents to their rightful owners. After making a statement in regard to this matter I shall venture to ask the Senate to consider the bill now.

It appears by an Executive Document which accompanies the bill that about 250,000 land patents have accumulated in the General Land Office for which claimants have not appeared. This, according to the statement of the Land Office, grows largely out of the fact that from time to time the land offices in different States have been abolished and their files have been returned to the Department. Large portions of these files were returned on account of the suspension of land offices in the Southern States during the war of the rebellion.

The Government owes an obligation to the parties to whom these patents are due to deliver the patents to them and to have them always ready for delivery and for delivery without cost. But it seems that last summer some thrifty soul, for lack of better employment, hit upon a plan of making a speculation for himself out of the innocent holders of these patents, and was allowed by the Land Office to take his clerks into that department and make copies of all the names of the grantees of these patents, together with a description of the land and such other information as the patents might contain, which would enable him to look up the persons who were entitled to the patents. Thus the Government presents the spectacle of letting out by job the performance of that which is a plain public duty. The Commissioner in reporting on this subject congratulates himself that he has done a good thing in thus enabling the parties to have their rights through the intervention of private parties which they can not get from the Government authorities.

The result is that from different portions of the country come complaints of this kind, that parties had been sought out through the instrumentality of the private holders of this information and informed that they can get their patents if they will only pay a certain sum of money. One case to which the Senator from Nebraska [Mr. PADDOCK] called my attention, and which I will ask him to verify in a moment, was that of a person who, having been communicated with on this sub-

ject, inquired to know what it would cost him and was told it would cost him \$25. He thereupon forwarded the money, and after the party had got the money, the other party not in due course getting his patent wrote again to find out about it, and was informed by the attorney that in the mean time there had been some other cost about it and it would cost him \$25 more. The Senator from Arkansas [Mr. BERRY] informed the Committee on Public Lands that cases of this kind have arisen in his State.

It seems to me rather extraordinary; and the committee have devised a plan whereby this speculation perhaps may not entirely cease, but, at all events, which will provide for such action on the part of the Department as will prevent the necessity of any one going to these private parties and paying a sum of money for that kind of service which the Government is bound to render without any compensation whatever.

I was a little surprised, in fact, that the Commissioner of the General Land Office in making his report did not suggest that the whole of the public business relating to the Interior Department had better be carried on by private contract.

Mr. PADDOCK. If the Senator will allow me to say a word in this connection I will state that the recommendation to which he refers was not made by the present Commissioner of the General Land Office. It was made by an Acting Commissioner some time ago.

Mr. PLUMB. It seems to have been the result of collusion between one of the Assistant Secretaries of the Interior and the Acting Commissioner of the General Land Office.

Mr. PADDOCK. I do not know as to that.

Mr. PLUMB. It seems to have been some sort of a private "snap" as between those persons.

Mr. PADDOCK. In reference to the case which the Senator has called attention to, inasmuch as he has referred to me, I desire to state that the patent referred to in this case was ready to be issued. The attorney found that it was ready to be issued and notified the person to whom the patent belonged that he had special facilities for expediting the issuance of patents and advising him if he would remit \$25 he thought he would be able to secure the patent for him very soon. He did remit \$25, as the Senator has stated; then the attorney wrote again to him stating that there had been some additional complications about it involving considerable labor and therefore he would require an additional \$25. In the mean time the owner of the patent had forwarded his \$25 to the party with an order for his patent. However, the attorney had obtained the patent under the order received by him and held it until he got the second \$25. When the matter was brought to the attention of the Commissioner of the General Land Office he called the attorney before him and immediately debarred him from practice before the Land Office.

Mr. PLUMB. That was a most righteous act, and one which shows that the Commissioner of the General Land Office himself has some appreciation of the duties and responsibilities of his position. But it has resulted already in a condition of things which is a serious reflection upon the administration of the Land Office, and, fearing that that office could not help itself out of the dilemma into which it had been put, the bill which I have spoken of has been reported, imposing certain duties in regard to this matter upon the Commissioner of the General Land Office, which will obviate the necessity of letting these things out by private contract any further and advise all people as to where they can get the information necessary to enable them to obtain the muniment of title which the law intends they shall have.

Mr. BERRY. The Commissioner of the General Land Office, in response to a resolution either passed by the Senate or sent from the Committee on Public Lands, I do not remember which, made the statement that a large number of patents which belong to various parties throughout the United States and which they were entitled to have delivered to them free of cost were on file in his office; that he was applied to by a firm of lawyers in the city of Washington to make a list of those patents, and that he and one of the Assistant Secretaries of the Interior, General Bussey, had both given permission to this law firm in Washington to make a list of all these patents in his office.

He does not give any reason why he gave such permission. He must have known the object and purposes the attorneys had in view when they applied for the permission.

I will state that that is not the present Commissioner of the General Land Office, but the present Assistant Commissioner, who was at that time Acting Commissioner, as I remember the fact, gave the permission to these attorneys to make a list of the patents belonging to the people, which they had a right to have delivered to them free of cost. After they got this permission I was informed by one of my colleagues in the other House that he had received a number of letters from citizens in Arkansas stating that this firm had written them that they had facilities for procuring patents and had understood they had never obtained a patent to the land, and if they would send to that firm a certain amount of money they thought they could or would procure the patents for them.

Mr. President, it seems to me that some explanation upon the part of the Assistant Commissioner of the General Land Office ought to have been given as to why he selected out this firm of lawyers and per-

mitted them to obtain the information by which they could impose upon this large number of citizens throughout the United States and put money into their own pockets. That is all the criticism I care to make. The Commissioner gives no explanation in his letter, but he says he did that thing without giving any reason why. I think that the legislation proposed by the Senator from Kansas is necessary and that the bill ought to pass, so that these people can procure their patents without having to contribute to this law firm, which seems to have peculiar facilities that other law firms have not for getting information from the General Land Office.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the bill (S. 3831) to provide for the delivery of land patents to their rightful owners, this morning reported from the Committee on Public Lands, may be now considered.

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

Mr. PIERCE. There was some suggestion made here when the letter of the Commissioner came in with regard to the publication of these names in some one paper at the capital of each State. It seems to me it would be a very wise provision to have that inserted in the bill.

Mr. PLUMB. The committee thought of that, and concluded that it would involve an unnecessary expense. Undoubtedly everybody will have notice through the public prints that if any muniment of title, any patent, is lacking to his land he can go to the county-seat and at the office of the recorder of deeds find out about it.

Mr. PIERCE. Should not notice be given in some manner so that the people will understand that their patents are with the Government or something of that kind?

Mr. PLUMB. The list of patents does that. It is a list of the names of the grantees, and will be with the recorder of deeds of every county in the United States, being of permanent record with that county, and undoubtedly the fact will be published, and by applying they can find out.

Mr. PIERCE. I suppose the committee have examined that point, and I will not press it.

The PRESIDENT *pro tempore*. The amendments proposed by the committee will be stated.

The SECRETARY. In line 3, after the word "of," strike out "be, and;" in line 4, after "hereby," strike out "authorized and;" and in line 4, after the word "to," strike out the remainder of the bill and insert; so as to make the bill read:

Be it enacted, etc., That the Commissioner of the General Land Office is hereby directed to forward to the recorder of deeds for each county in the United States lists setting forth the lands disposed of by the Government in such county the patents for which are now or hereafter may be on deposit in the General Land Office, and which have remained therein unclaimed during a period of more than twelve months, such lists to also contain the name of the grantee for each tract of land therein described: *Provided,* That this direction shall not apply to patents withheld from delivery on account of any claim of error or fraud in the price of the same or the entry upon which it is based.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill to provide for the delivery of land patents to their rightful owners, and for other purposes."

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 4179) granting an increase of pension to John T. Steele; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 4180) for the relief of Caleb Bryan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 4181) granting a pension to George Blanchard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4182) granting a pension to John M. Filler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a joint resolution (S. R. 109) providing for the printing of the agricultural report for 1890; which was read twice by its title, and referred to the Committee on Printing.

DISTRICT TAX ARREARS.

Mr. HARRIS introduced a joint resolution (S. R. 108) extending the "act fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia if paid within a time specified" to September 1, 1890; which was read the first time by its title.

Mr. HARRIS. I ask that the joint resolution be read at length.

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

Resolved by the Senate and House of Representatives, etc., That the provisions of the act approved May 6, 1890, being "An act fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia if paid within a time specified" be, and they are hereby, re-enacted and extended to the 1st day of September, 1890.

Mr. HARRIS. I send to the Chair the act to which reference is made,

and ask the unanimous consent of the Senate that the joint resolution be now considered. Let the act be read.

The PRESIDENT *pro tempore*. The act will be read, if there be no objection.

The Secretary read as follows:

Be it enacted, etc., That the rate of interest to be collected of any person owing arrearages of general taxes prior to July 1, 1888, or assessments for special improvements, including the laying of water mains, now due to and the liens for which are held by the District of Columbia, shall be 6 per cent. per annum, in lieu of the rate and penalties now fixed by law and of all accrued costs: *Provided,* That this provision shall only apply to taxes and assessments paid on or before the 30th day of June, 1890.

Approved, May 6, 1890.

Mr. HARRIS. The act expired yesterday. The commissioners of the District wrote me yesterday, asking that a joint resolution be passed extending the time to the 1st of September, saying that they think they can collect \$100,000 or more by such an extension within that time.

Mr. EDMUNDS. I should be glad to inquire of the Senator from Tennessee and the Committee on the District of Columbia whether these continued and yearly provisions for helping delinquent tax and assessment payers are just towards those tax and assessment payers who do pay within the time, or who, being a little out of time, as I have been myself once or twice, pay the penalty prescribed by law? It appears to me not to be right to the prompt tax-payers to allow the delinquents to run along a year or two and then make a compromise with them, and then do it again and again. It is a constant temptation to people not to pay and to borrow the money at 6 per cent. or 5, or whatever, for that purpose. There may be some good explanation of it, but I am not able to understand it.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HALE. I should like to have the Senator who reported it explain precisely what it covers.

Mr. HARRIS. The explanation will be found by reading again the act that it is proposed to extend. Let the act be read.

The PRESIDENT *pro tempore*. The act will be again read, if there be no objection.

The Secretary read as follows:

That the rate of interest to be collected of any person owing arrearages of general taxes prior to July 1, 1888, or assessments for special improvements, including the laying of water mains, now due to and the liens for which are held by the District of Columbia, shall be 6 per cent. per annum, in lieu of the rate and penalties now fixed by law and of all accrued costs: *Provided,* That this provision shall only apply to taxes and assessments paid on or before the 30th day of June, 1890.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. EDMUNDS. Let it go over until to-morrow, until we can see the letter of the commissioners.

Mr. ALLISON. Let it be printed in the RECORD.

Mr. EDMUNDS. Let the letter of the commissioners be printed in some way, so that we can understand the matter.

The PRESIDENT *pro tempore*. Objection being made, the joint resolution will lie over until to-morrow.

Mr. HARRIS. I send to the Secretary's desk a letter from the commissioners of the District in order that it may go into the RECORD.

The PRESIDENT *pro tempore*. The letter will be printed in the RECORD.

The letter referred to is as follows:

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,
Washington, July 1, 1890.

SIR: The commissioners recommend and request the extension until September 1 next of the law "fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia, if paid within a time specified," approved May 6, 1890, inasmuch as the tax-payers had but about twenty-eight days in which to take advantage of that act.

The communication of Mr. Solomon J. Fague is herewith returned.

Respectfully,

J. W. DOUGLASS, *President.*

HON. ISHAM G. HARRIS,
United States Senate.

PENSION AGENCIES.

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

Resolved, That the Secretary of the Interior be, and is hereby, directed to furnish information on the following points:

First. The number of pensioners borne upon the roll of each, United States pension agency on June 30, 1890.

Second. The amount of money apportioned to each agency for clerk hire by the circular letter of Commissioner Kaun, dated July 1, 1890, and upon what basis such apportionment was made.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. HISCOCK. I desire to call up for consideration the motion I entered yesterday to reconsider the vote by which the Senate refused to recede from its amendments to the legislative, executive, and judicial appropriation bill, disagreed to by the House of Representatives.

The PRESIDENT *pro tempore*. The Senator from New York asks unanimous consent that the Senate now proceed to the consideration of the motion to reconsider the vote by which the Senate refused to recede from its amendments to the legislative, executive, and judicial appropriation bill. The Chair hears no objection, and the motion to reconsider is before the Senate.

Mr. HISCOCK. Mr. President, I was heartily in favor of the action of the Senate yesterday and of its vote, so far as the matter of principle involved is concerned, but at this late day of the session it does not seem to me to be worth while that we should allow the bill to fail, and therefore I am willing to change my vote upon that question, and hope the action of the Senate will be reconsidered. I do not care to discuss the merits of the proposition.

The PRESIDENT *pro tempore*. The question is upon agreeing to the motion of the Senator from New York to reconsider the vote by which the Senate refused to recede from its amendments to the legislative, executive, and judicial appropriation bill.

Mr. STEWART. On that motion I ask for the yeas and nays.

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

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE] and withhold my vote.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH] unless my vote should be necessary to make a quorum. I am not advised how he would vote and withhold my vote. I should vote in the affirmative if at liberty to do so.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY], but I understand from his colleague [Mr. CAMERON] that he would vote the same way that I would on this question. I therefore vote "nay." I desire to say that my colleague [Mr. KENNA] is paired with the Senator from Colorado [Mr. WOLCOTT].

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON] and withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS].

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

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. SPOONER]. If he were present, I should vote "yea." I wish to announce that my colleague [Mr. GEORGE] is paired generally with the Senator from New Hampshire [Mr. BLAIR].

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

The roll-call was concluded.

Mr. MANDERSON. I have exchanged pairs with the Senator from Mississippi [Mr. WALTHALL], who is paired with the Senator from Wisconsin [Mr. SPOONER], so that the pair will stand between the Senator from Wisconsin and the Senator from Kentucky [Mr. BLACKBURN]. I vote "nay."

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. WALTHALL. With the exchange of pairs announced by the Senator from Nebraska [Mr. MANDERSON] I record my vote. I vote "yea."

Mr. BLAIR (after having voted in the affirmative). I have voted in the affirmative. I am paired with the Senator from Mississippi [Mr. GEORGE]. I would inquire of his colleague if he understands that I am at liberty to vote in the affirmative.

Mr. WALTHALL. I think so.

Mr. GORMAN (after having voted in the negative). I am unwilling that this bill shall be lost because of this controversy. I therefore change my vote, and vote "yea."

Mr. McMILLAN (after having voted in the negative). I change my vote; I vote "yea."

The result was announced—yeas 26, nays 21; as follows:

YEAS—26.

Allison,	Dawes,	McMillan,	Sawyer,
Bate,	Dixon,	Morrill,	Sherman,
Berry,	Frye,	Payne,	Teller,
Blair,	Gorman,	Plumb,	Vest,
Casey,	Hale,	Power,	Walthall.
Coke,	Hawley,	Reagan,	
Cullom,	Hiscock,	Sanders,	

NAYS—21.

Allen,	Dolph,	Harris,	Pasco,
Barbour,	Farwell,	Ingalls,	Stewart,
Butler,	Faulkner,	Jones of Arkansas,	Washburn.
Cameron,	Gibson,	Jones of Nevada,	
Cockrell,	Gray,	Manderson,	
Colquitt,	Hampton,	Mitchell,	

ABSENT—37.

Aldrich,	Eustis,	Paddock,	Stockbridge,
Blackburn,	Evarts,	Pettigrew,	Turpie,
Blodgett,	George,	Pierce,	Vance,
Brown,	Hearst,	Platt,	Voorhees,
Call,	Higgins,	Purh,	Wilson of Iowa,
Carlisle,	Hoar,	Quay,	Wilson of Md.
Chandler,	Kenna,	Ransom,	Wolcott.
Daniel,	McPherson,	Spooner,	
Davis,	Moody,	Squire,	
Edmunds,	Morgan,	Stanford,	

So the motion to reconsider the vote by which the Senate refused to

recede from its amendments to the bill (H. R. 9066) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes was agreed to.

The PRESIDENT *pro tempore*. The question recurs upon the motion to recede from the amendments of the Senate to the bill.

Mr. EDMUNDS. I should like to have those amendments read, so that we may be certain what they are.

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

The SECRETARY. The second amendment proposes to strike out "three hundred and twenty-nine thousand seven hundred and sixty-eight dollars and ten," and insert "four hundred and twenty-two thousand two hundred and ninety-six dollars and ten."

Mr. EDMUNDS. That is a mere footing.

The PRESIDENT *pro tempore*. They will be read successively in order.

Mr. EDMUNDS. I thought perhaps we might consider each one.

Mr. ALLISON. The amendment read is a footing. That depends upon the other amendments that are later on.

The PRESIDENT *pro tempore*. The next amendment will be reported.

The SECRETARY. Amendments 21, 22, and 23 are, on page 8, line 1, before the word "clerks," to strike out "twenty-five" and insert "twenty-six;" after the word "at," in the same line, to strike out "\$6 per day during the session" and insert "\$1,800 each;" and in lines 3 and 4, before the word "dollars," to strike out "eighteen thousand one hundred and fifty" and insert "forty-six thousand eight hundred;" so as to make the clause read:

For twenty-six clerks to committees, at \$1,800 each, \$46,800.

Amendments numbered 24 and 25 are, in the next clause on page 8, line 6, after the word "committees," to strike out "during the session" and insert "at \$1,800 each," and in lines 7 and 8, before the word "dollars," to strike out "twenty-one thousand seven hundred and eighty" and insert "sixty-three thousand;" so as to make the item read:

For clerks to Senators who are not chairmen of committees, at \$1,800 each, \$63,000.

Mr. EDMUNDS. Now I understand the question.

The PRESIDENT *pro tempore*. The question will be taken upon these amendments in gross, if there be no objection.

Mr. EDMUNDS. It is a motion to recede, which is a total motion, I take it.

Mr. GORMAN. I only desire to say that I do not change an iota of the statement I have heretofore made to the Senate. I believe it is the right of this body to determine for itself how many officers—of course within reason—are necessary and the proper compensation for them, and that it is an extraordinary matter for the co-ordinate branch of the Legislature to oppose to the extent it has this proposition. But this great bill, the legislative, executive, and judicial appropriation bill, which ought to have gone into operation yesterday, is of so much importance to the Government that I do not feel that it is wise at this time and on this bill to jeopardize or postpone its operation, but on some other occasion it will afford me great pleasure, and I hope the Senate will have the opportunity, to have this matter determined, and determined as I think it ought to be and as the Senate believes wise and proper in the matter of compensation for its officers.

Mr. COCKRELL. I should like to ask the Senator if there has not been a joint resolution already passed extending the law of 1890 for the rest of this month and if it will make one particle of difference whether this bill is passed to-day or whether it is passed twenty days hence.

Mr. GORMAN. In answer to the Senator from Missouri I will say that it does make a great difference. There are radical changes in this bill as compared with the act of two years ago which will require necessarily the opening of new accounts, and no one knows better than my friend from Missouri that that can not be carried on until a new bill shall have been framed.

I am not willing to go to the extent of having to go over this entire matter, to have a new bill introduced and framed and sent here for the compensation of the officers, and therefore under the circumstances I think we ought to recede. I do not believe we can sustain ourselves by going quite as far as that on a bill of this character.

Mr. DOLPH. I hope the motion will not prevail. It is a monstrous proposition to my mind that it is the duty of the Senate on an appropriation bill to recede from every amendment it may make, if the other House will not concur in it. That gives the House jurisdiction not only to originate appropriation bills, but jurisdiction to determine absolutely what appropriations shall be made—not only what appropriations shall be made for every Department of the Government, but what appropriations shall be made for the Senate itself.

The Constitution provides that the Senate shall choose its own officers. A fair interpretation of that is such officers or employes as are found necessary for the proper conduct of its business, and the power to choose involves, in my judgment, the power to determine what the compensation shall be.

While it is true that there can be no money expended except by an appropriation authorized by both branches of Congress, there is a prin-

ciple involved by which the Senate should be allowed not only under the Constitution to choose its own officers, but to determine their compensation.

The proposition was stated by the Senator from Ohio [Mr. SHERMAN] the other day, and it has been frequently stated on this floor, that the body offering an amendment to a bill must recede if the other body does not concur in it. By such a rule, I repeat, the power would be conceded to the House of Representatives not only to originate appropriation bills, but to determine absolutely what appropriations shall be made.

Mr. EDMUNDS. I do not see it in the way the Senator from Oregon does at all. The Senate has the same right to refuse to accede to House propositions that the House has to refuse to accede to Senate propositions; and if the House of Representatives inserts in an appropriation bill a sum of money to pay its Clerk, and there not being a standing law fixing the salary of that Clerk and the Senate thinks it too high, the Senate has the constitutional right to strike that out and say to the House, "We can not agree to that proposition." In such a case the Senate is not bound to recede; the House is bound to recede because the House is the body that makes the affirmative proposition that "We wish to draw so much money from the Treasury for our own purposes, but we can not draw it without the assent of the Senate." Therefore, if the Senate says it will not assent, they must put down the pay of their Clerk to the sum that the Senate thinks the Treasury ought to bear. That makes the equality of the Houses.

Of course, there is a matter of courtesy and delicacy between the two Houses, and of judgment that in general each House is the best judge of how much ought to be paid to its own employes, and undoubtedly that courtesy ought to be carried to the extremest limit of anything that we can justly respond to the tax-payers about in the way of not being extravagant. But I think it the right of the House of Representatives to say if it does say, and its duty if it thinks so to say, that the expenses of the Senate proposed here are extravagant and unnecessary for the tax-payers to bear; and if they think so it is their right to keep on thinking so. If it should happen at the next session that the Senate is of opinion that some or all of the House employes are too highly paid, it will be our mission to say that, and then the boot will be on the other leg.

I remember, Mr. President, not a great many years ago that the question did come up exactly the reverse, where the Senate Committee on Appropriations, of which I then happened to be a member, thought that some of the House expenses were extremely extravagant and out of all proportion, and we modestly and in perfect good temper, of course, said, "We can not vote a tax" (putting it in that form) "to pay that amount of money for your expenses in the particulars named;" and the House saw the force of it in the end and receded, just as I hope we are about to do now. It may be that the proposal that we make is right in itself. It may be that it is too high. I am not on that question at all, but I think it is due to the safety of the Government to admit as I do, for one, that if the House of Representatives thinks, taking into consideration the courtesy and the liberal allowances that ought to be made for mere differences of amounts, that our expenses are too high, they are doing their duty by the people in saying so; and if the case were reversed as it will be in a year or two, as I take it, we shall have the same liberty and exercise the same duty.

Mr. PLUMB. Mr. President, the position of the House of Representatives in regard to this matter is not so wholly unreasonable as seems to be conceived by some members of this body. When this item was first put on the bill it was of course received with a great deal of disfavor in the other end of the Capitol. The members of the House felt that it was a discrimination against them and in our favor. They had their reasons, for perhaps they did not believe at that time that provision for clerks to members of either branch was wise, having in view that proper regard for public sentiment which is not above the fair consideration of any member of this body or of the other, and they declined for a long time to accede to the proposition of the Senate to provide its members with clerks.

I happened then accidentally, as on this occasion, to be a member of the conference, and I know that I stood out very considerably against my own conviction to some extent; at all events, against my conviction of the propriety of the proceeding, because of the fact that I was standing up for the rights of the minority on this floor. Our Democratic brethren had then said to us with a great deal of force, "We are outside the pale; we can not be the chairmen of committees, and we do not have anybody therefore to help us. You who are in the majority have clerks who, whatever the exacting duties of their official position may be, can still render you some service, and we ought to have something to be fairly represented." The Republican members of that conference committee stood loyally by what they regarded as a fair demand of their associates on the other side. I think we stood by them more faithfully and manfully than we would have done if it had been a matter affecting only the members on this side. I am sure that we did. The House finally yielded that point. The next year the bill came over without that provision, and the Senate put it in, and again we had a protracted conference, with the usual result that the House yielded; and this year for the first time the House sent the bill over

with that provision in it, thereby finally conceding to the Senate what was contended for.

The House say with great fairness, and I think it has been suggested in private conference, "While yielding this as a matter which has become to a certain extent a permanent practice of the Senate, and which has at any rate not encountered any very great dissent in the public mind, and doing what we conceive to be the fair thing, we had a perfect right to believe that the Senate was satisfied and was not going to encroach upon us further and ask more of us." Now they say, having agreed to this and for the first time put it in the appropriation bill, "Not content with that, you seek to enlarge it and to give your clerks more than they have hitherto had and without any showing that there is any necessity for this increased compensation." The Senator from Massachusetts [Mr. DAWES] said yesterday what I did not have occasion to reply to, that the point was not whether we should have the increased compensation, but whether we should distribute it through the calendar year or limit it to the session; but the other House said that was still a new proposition, and they said what is manifestly true, "You make the clerks annual, and the next session we shall be confronted with the statement that these fellows, at the price of \$6 a day for the session applied to the entire year, get too small salary compared with what you pay messengers and so on, and consequently the argument will be made irresistible to increase the compensation." They said in substance, "We will leave these wages where they are."

The sentiment in the other House in favor of doing something nearly the same for members of that body is growing. "We want to bring this thing up at a time when we shall be better able to consider it in all its bearings and make a fair adjustment between the two Houses. Meanwhile we do not want to pledge ourselves to any policy in regard to your clerks which will be an embarrassment to us in the consideration of the question in regard to our own; and we do not want to lay the foundation for an increase of salaries of a very considerable body of men until this other question related to it comes up in its proper and natural way." That seems to me to be the position of the House of Representatives.

Having done what I could individually to have the House conferees yield, having consented as I did, as I thought as a matter of wisdom, to the proposition that these clerks should be annual and have a compensation of \$1,500 a year, I come back to the proposition that the House is not in this matter treating the Senate unfairly and is not trenching upon the constitutional prerogatives of the Senate, and has been, I think, all the way through, fairly treating the determination of the Senate to have proper employes and give them a reasonable compensation.

Now, I can say another thing without infringing upon the rules, and that is that, if this bill fails, of course another bill will come here in due time. It is the duty of the House of Representatives to frame and pass appropriation bills, and they will avail themselves of the opportunity which will come by reason of the failure of this bill, and that bill which will come here will not have the appropriation for clerks at all, and the Senate will be left where it was before, with the necessity of putting it on as an entirely new item, and then we shall be at a disadvantage in regard to this matter, and probably have the spectacle here during the pendency of very important measures which have partly been ripened and have their position on the Calendar to be taken into consideration during the summer, and the time that ought to be occupied in other discussion will be frittered away in regard to this question, which is "mere leather and prunello," after all.

Mr. DOLPH. Under the Constitution, the Congress of the United States with the approval of the President has the power to enact laws, and no doubt each branch of Congress is responsible for the exercise of its constitutional power. I do not believe there is any rule which deprives either House of the exercise of this constitutional right to determine what laws shall be enacted. I do not believe there is any such rule as has been contended for here making it the duty of the Senate to recede from an amendment adopted by it to an appropriation bill or any other bill, under the Constitution or otherwise, if the two Houses disagree.

Mr. PLUMB. Allow me to ask the Senator a question right on that point.

Mr. DOLPH. Certainly.

Mr. PLUMB. Is it not the duty of the Senate to so act as that legislation may result, even if it involves a compromise?

Mr. DOLPH. I was about to say that if the two Houses disagree and they attempt to arrive at a compromise through a conference committee I think it is just as much the duty of one body to yield as it is of the other.

I am not speaking about appropriations made for the payment of the employes or officers of the Senate or of the House of Representatives. The two bodies are equal. They have equal power. A bill before it can become a law has to pass both branches of Congress and to be approved by the President or become a law without his signature, according to the provisions of the Constitution.

There is certainly in the Constitution no provision which requires that the House which makes a new proposition must yield if the other does not consent to it, and there is nothing in reason to support such a po-

sition. If a certain bill must originate, either under the Constitution or by the custom of Congress, in the House of Representatives, to say that the Senate shall not make amendments to it, as I said before, would give the House power to say what appropriations should be made and what legislation should be had upon a given subject.

But when we come to consider what appropriations shall be made for the payment of officers of either body, while there is no constitutional requirement that one House shall yield rather than the other, there is a certain fitness in things, there is a certain principle involved that would make it proper, I think, for the House to yield to the Senate in the case of employment of officers by the Senate and their payment, and for the Senate to yield to the House and allow them a liberal discretion in the matter of their employes and of the sums to be paid them.

Senators talk about the responsibility for the loss of this bill. If this bill is defeated the Senate will be no more responsible than the House of Representatives. Members of the Senate can go quite as long without their salaries for the next year as members of the other House. I can not conceive we should be any more responsible for the defeat of the bill than the House, because, to say the least, the matter in controversy is a matter of which the Senate has an equal right with the House to judge and upon which the Senate has the same right to insist that the House has to disagree to it.

The PRESIDENT *pro tempore*. Is the Senate ready for the question? The Senator from Massachusetts [Mr. DAWES] moves that the Senate recede from its amendments disagreed to by the House of Representatives upon the legislative, executive, and judicial appropriation bill, which have been read by the Secretary.

Mr. COCKRELL. Let us have a division.

The motion was agreed to; there being on a division—ayes 32, noes 16.

ORDER OF BUSINESS.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of Order of Business 1633, being the bill (S. 3823) in amendment of and supplementary to the act of Congress approved March 22, 1882, entitled "An act to amend section 5350 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes."

Mr. CULLOM. Mr. President, I hope that the special order, the shipping bill in charge of the Senator from Maine [Mr. FRYE], will not be laid aside. He was called out a moment ago and asked me to see that his bills were brought up as soon as the morning business was disposed of.

Mr. EDMUNDS. I want to pass the Utah bill. I have tried three or four times.

Mr. PLUMB. I wish to make a little personal statement.

Mr. EDMUNDS. I yield to that.

PERSONAL EXPLANATION.

Mr. PLUMB. Mr. President, for a year or two there has been a permanent pair existing between the Senator from Missouri [Mr. VEST] and myself, one which has been conducive to the comfort and convenience of both of us and in the interest of the public service, and one which he has faithfully observed and which I have tried to observe; but for three or four days he was called away on urgent business and he notified me that he was to be absent, and yet, notwithstanding the fact of that pair, I voted every time on a yea-and-may vote without announcing the pair, thereby doing him a very great injustice.

I want simply to call the attention of the Senate to the fact and have it go into the RECORD that this is a matter for which he is not in any wise responsible, coupled with the other fact that none of the votes were of a kind which perhaps involved partisan considerations and none of them were carried by my vote alone. If that had been so, I should at once have moved to reconsider the vote by which the judgment of the Senate had been obtained.

I make this statement in justice to the Senator from Missouri and also in justice to myself.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. MARTIN, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 4562) to provide for the admission of the State of Idaho into the Union; and it was thereupon signed by the President *pro tempore*.

AMERICAN MERCHANT MARINE.

The PRESIDENT *pro tempore*. The Chair will call the attention of the Senate and of the Senator from Vermont to the proceedings yesterday upon Order of Business 1109, Senate bill 3738. The Senator from Maine [Mr. FRYE] asked—

unanimous consent that this bill may be taken up to-morrow morning after the morning business, and the Senator then—

Referring to the Senator from Texas [Mr. REAGAN]—

has this afternoon in which to make his remarks.

The PRESIDING OFFICER said—

The President *pro tempore* being necessarily absent—

Is there objection to the request of the Senator from Maine [Mr. FRYE]? The Chair hears none, and it is so ordered.

Mr. EDMUNDS. That being a unanimous consent, I withdraw my motion, and I stand by it although I was not here.

Mr. GRAY. Where does that appear?

The PRESIDENT *pro tempore*. The agreement appears on page 7355 of the CONGRESSIONAL RECORD of this morning. The title of the bill will be stated.

The SECRETARY. A bill (S. 3738) to place the American merchant marine, engaged in the foreign trade, upon an equality with that of other nations.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was read, as follows:

Be it enacted, etc., That on and after the passage of this act there shall be paid, out of any moneys in the Treasury of the United States not otherwise appropriated, to any vessel of more than 500 tons gross register, whether sail or steam, constructed in and wholly owned by citizens of the United States or registered pursuant to the laws thereof, and which shall be engaged in the foreign trade, plying between the ports of the United States and foreign ports, the sum of 15 cents per gross registered ton for the first 500 miles or fraction thereof sailed outward, and the same sum for the first 500 miles or fraction thereof sailed inward, on any voyage or voyages; 15 cents per gross registered ton for the second 500 miles or fraction thereof sailed outward, and the same sum for the second 500 miles or fraction thereof sailed inward; and 30 cents per gross registered ton for each thousand miles thereafter, and pro rata for any distance sailed less than 1,000 miles after the first thousand miles sailed: *Provided*, That the foreign port to which the voyage is made shall be distant more than 70 miles seaward from the ocean or Gulf boundary of the United States; and such payments to any vessel as aforesaid shall be paid to the owner or owners thereof, upon proof of the distance actually sailed, to be ascertained and the payment to be made under such regulations as the Secretary of the Treasury shall prescribe and promulgate, distances between ports to be determined by measurements which shall be furnished by the United States Hydrographic Office to the Bureau of Navigation. The payments at the rate of 30 cents per ton for each 1,000 miles sailed, as herein provided, shall continue for the term of ten years at that rate, and thereafter for another term of nine years at a reduction of 3 cents per ton each year upon each 1,000 miles sailed, and pro rata for any less distance.

SEC. 2. That no vessel shall be entitled to the benefits of this act unless its entire cargo shall be loaded at a port or ports of the United States and discharged at one or more foreign ports, or shall be loaded at one or more foreign ports and discharged at a port or ports in the United States; nor shall a vessel be entitled to receive payment under this act unless it shall have freight on board at the time of sailing to the amount, in tons weight or measurement, of at least 25 per cent. of the net register tonnage, 2,240 pounds or 40 cubic feet to make a ton of cargo.

SEC. 3. That no vessels shall be entitled to the benefits of this act unless all the officers thereof shall be citizens of the United States, in conformity with the existing laws, nor unless upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to-wit: During the first two years this act shall be in force, one-sixth thereof; during the next three succeeding years, one-third thereof; and during the remaining term of this act, at least one-half thereof, nor unless there be carried on vessels of less than 1,000 tons gross register one native-born apprentice, and on vessels of 1,000 tons and upward one such apprentice for each thousand tons or three-fourths fraction thereof.

SEC. 4. That, to owners of vessels already built, payments under this act shall be made for such time only as each shall stand inspection and hold character, if wood built, not lower than the second grade (A 1), in a scale of six grades, in the Record of American and Foreign Shipping, or the corresponding classification in any other incorporated American register of shipping that has or shall have the unqualified indorsement of the boards of marine underwriters of New Orleans, La., New York, N. Y., Philadelphia, Pa., Boston, Mass., and San Francisco, Cal. If iron or steel built, payments shall be made for such time only as each vessel shall stand inspection and hold character not lower than the second class (A 1, thirteen years), in the Record of American and Foreign Shipping or the corresponding classification in any other incorporated American register of shipping that has or shall have the unqualified indorsements of the boards of marine underwriters of New Orleans, La., New York, N. Y., Philadelphia, Pa., Boston, Mass., and San Francisco, Cal.

SEC. 5. That vessels keel-laid and built after the passage of this act, in order to be entitled to payments after losing or lapsing from class in the first grade if wood built, or from the first class or division if iron or steel built, must have been so well constructed as to have been classed originally in the highest grade of the first class, or first division, to-wit: If wood built, A 1, twelve years; and if iron or steel built, A 1, sixteen years in the Record of American and Foreign Shipping or the corresponding classification in any other incorporated American register of shipping that has or shall have the unqualified indorsements of the boards of marine underwriters of New Orleans, La., New York, N. Y., Philadelphia, Pa., Boston, Mass., and San Francisco, Cal., the foregoing classification to be subject to the approval of the Bureau of Navigation, in the discretion of the Secretary of the Treasury. Vessels so built and classed for the highest character shall receive payments as in section 4 provided for vessels already built. Vessels unclassified in the register named in this act, or in an American register whose rules for building and inspection are fully equal in requirements, and all vessels whose class has expired or been suspended or withdrawn shall be disentitled to payments while this disqualification exists.

SEC. 6. That the Government of the United States shall have the right, during the time this act shall be in force, to purchase or charter any vessels receiving the benefits of this act at a price to be fixed by agreement with their owners or agents, or by the judgment of appraisers, mutually selected in case of disagreement.

SEC. 7. That the Secretary of the Treasury shall fix the times and manner of payments, prescribe the vouchers, with forms of account, and verifications, upon which payments shall be made, and shall adopt whatever regulations may be necessary to carry out the provisions of this act.

Mr. FRYE. Mr. President, I ask that in line 7, section 1, after the word "or," the words "so owned and" be inserted; so as to read "so owned and registered." It is an omission.

The SECRETARY. In line 7, after the word "or," it is proposed to insert the words "so owned and;" so as to read:

Constructed in and wholly owned by citizens of the United States, or so owned and registered, etc.

The amendment was agreed to.

Mr. FRYE. Mr. President, I ask that the next Calendar bill (S. 3739) may also be read.

The PRESIDENT *pro tempore*. The bill will be read. Does the Senator wish it to be taken up for consideration?

Mr. FRYE. I ask that it be read for information now. Practically the two bills are one. One is supplemental to the other, and the discussion that takes place over one will apply to the other bill.

The PRESIDENT *pro tempore*. The bill will be read, if there be no objection.

The Secretary read the bill (S. 3739) to provide for ocean mail service between the United States and foreign ports and to promote commerce, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General is hereby authorized and empowered to enter into contracts for a term of not less than five nor more than ten years in duration, with American citizens, for the carrying of mails on American steam-ships, between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment will best subserve and promote the postal and commercial interests of the United States. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route, and the Postmaster-General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named.

SEC. 2. That before making any contract for carrying ocean mails in accordance with this act the Postmaster-General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, Charleston, Norfolk, Savannah, Galveston, and Mobile, and, when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland. Such notice shall describe the route, the time when such contract will be made, the duration of the same, the size of the steamers to be used, the number of trips a year, the times of sailing, and the time when the service shall commence, which shall not be more than three years after the contract shall be let. The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter 8 of Title XLVI of the Revised Statutes for the letting of inland mail contracts so far as the same shall be applicable to the ocean mail service.

SEC. 3. That the vessels employed in the mail service under the provisions of this act shall be American-built steam-ships, owned and officered by American citizens, in conformity with the existing laws, and upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers. They shall be divided into four classes. The first class shall be iron or steel screw steam-ships capable of maintaining a speed of 20 knots an hour at sea in ordinary weather and of a gross registered tonnage of not less than 8,000 tons. No vessel except of said first class shall be accepted for said mail service under the provisions of this act between the United States and Great Britain. The second class shall be iron or steel steam-ships capable of maintaining a speed of 16 knots an hour at sea in ordinary weather and of a gross registered tonnage of not less than 5,000 tons. The third class shall be iron or steel steam-ships capable of maintaining a speed of 14 knots an hour at sea in ordinary weather and of a gross registered tonnage of not less than 2,500 tons. The fourth class shall be iron or steel or wooden steam-ships capable of maintaining a speed of 12 knots an hour at sea in ordinary weather and of a gross registered tonnage of not less than 1,500 tons. It shall be stipulated in the contract or contracts to be entered into for the said mail service that said vessels may carry passengers, with their baggage, in addition to said mails, and may do all ordinary business done by steam-ships.

SEC. 4. That all steam-ships of the first, second, and third classes employed as above and hereafter built shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and they shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than 6 inches, and shall be of the highest rating known to maritime commerce. And all vessels of said three classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officer shall report, in writing, to the Secretary of the Navy, who shall transmit said report to the Postmaster-General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster-General as provided for in this act.

SEC. 5. That the rate of compensation to be paid for such ocean mail service of the said first-class ships shall not exceed the sum of \$6 a mile, and for the second-class ships \$5 a mile, by the shortest practicable route for each outward voyage; for the third-class ships shall not exceed \$1.50 a mile, and for the fourth-class ships \$1 a mile for the actual number of miles required by the Post-Office Department to be traveled on each outward bound voyage: *Provided*, That in the case of failure from any cause to perform the regular voyages stipulated for in said contracts, or any of them, a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages: and that suitable fines and penalties may be imposed for delays or irregularities in the due performance of service according to the contract, to be determined by the Postmaster-General: *Provided further*, That no steam-ship so employed and so paid for carrying the United States mails shall receive any other bounty or subsidy from the Treasury of the United States.

SEC. 6. That upon each of said vessels the United States shall be entitled to have transported, free of charge, a mail-messenger, whose duty it shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for the accommodation of himself and the mails.

SEC. 7. That officers of the United States Navy may volunteer for service on said mail vessels, and when accepted by the contractor or contractors may be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without detriment to the service, and while in said employment they shall receive furlough pay from the Government, and such other compensation from the contractor or contractors as may be agreed upon by the parties: *Provided*, That they shall only be required to perform such duties as appertain to the merchant service.

SEC. 8. That said vessels shall take, as cadets or apprentices, one American-born boy under twenty-one years of age for each 1,000 tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers, and receive such pay for their services as may be reasonable.

SEC. 9. That such steamers may be taken and used by the United States as transports or cruisers, upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, they at the same time selecting a third, who shall act in said appraisal in case the two shall fail to agree.

Mr. FRYE. Mr. President, these two bills have been reported favorably from the Committee on Commerce. The first is known to the public as the Farquhar bill, he being chairman of the Committee on Merchant Marine in the House, who reported it favorably there. The bill explains itself. It is a bounty on tonnage on all ships, sail or steam, wood or iron or steel, of a certain class, the class being a very perfect requirement. It is also known as the bill agreed upon by what is called the Shipping League Association of the United States. This is an association which has been in existence eight or ten years and has devoted itself and its deliberations entirely to the question of the revival of the American merchant marine or that portion of the marine engaged in the foreign carrying trade. It has held conventions in various parts of the country, and finally agreed without any division of opinion upon this bill as the result of its best judgment. It has been very extensively and warmly indorsed, and it may not be occupying the time improperly for me to call the attention of the Senate to these indorsements, the most of them being for the tonnage bill. They are as follows:

Resolution of the Commercial Exchange of Kansas City, Mo., under date of November 15, 1889.

Resolution of the St. Paul (Minn.) Chamber of Commerce, under date of January 13, 1890.

Resolution of the Cincinnati (Ohio) Chamber of Commerce and Merchants' Exchange, January 7, 1890.

Resolution of the Pacific Coast Board of Commerce, San Francisco, Cal., dated March 19, 1890.

Resolution of the Memphis (Tenn.) Cotton Exchange, dated November 14, 1889.

Resolution of the Harlem (N. Y.) Republican Club, dated January 14, 1890.

Resolution of the Chamber of Commerce and Industry of Louisiana, dated January 28, 1890.

Resolution of the Chamber of Commerce of San Francisco, Cal., dated April 15, 1890.

Resolution of the Chamber of Commerce of Pittsburgh, Pa., dated December 5, 1889.

Resolution of the Chamber of Commerce of Rochester, N. Y., dated November 11, 1889.

Resolution of the Chamber of Commerce of New Haven, Conn., dated November 7, 1889.

Resolution of the Chamber of Commerce of the State of New York, dated February 16, 1888.

Resolution of the Chamber of Commerce of Boston, Mass., dated March 8, 1888.

Resolution of the Board of Trade of Peoria, Ill., dated December 16, 1889.

Resolution of the Board of Trade of Jacksonville, Fla., dated December 4, 1889.

Resolution of the Mankato Board of Trade of Mankato, Minn., dated January 3, 1890.

Resolution of the Board of Trade of Omaha, Nebr., dated November 19, 1889.

Resolution of the Board of Trade Association of Pueblo, Colo., dated December 13, 1889.

Resolution of the Board of Trade of Elgin, Ill., dated January 6, 1890.

Resolution of the Board of Trade of Wichita, Kans., dated November 18, 1889.

Resolution of the Board of Trade of Philadelphia, Pa., dated December 16, 1889.

Resolution of the Board of Trade and Transportation of New York City, dated October 9, 1889.

Resolution of the Stationers' Board of Trade of New York City, dated March 11, 1890.

Resolution of the Chamber of Commerce of Charleston, S. C., dated January 25, 1890.

Resolution of the Produce Exchange of Toledo, Ohio, dated November 16, 1889.

Resolution of the Vessel-Owners and Captains' National Association, dated New York, January 8, 1890.

Resolution of the National Grange Patrons of Husbandry, dated Washington, D. C., January 23, 1890.

Resolution of the Commercial Conference of the Pacific Coast, dated San Francisco August 29, 1889.

Resolutions of the Merchants and Manufacturers' Association of Baltimore, Md., dated December 11, 1889.

Resolution of the Merchants' Club of Boston, Mass., dated December 17, 1889.

Resolutions of the Buffalo (N. Y.) Merchants' Exchange, dated November 12, 1889.

Resolutions of the Mechanics' Exchange of Providence, R. I., dated November 13, 1889.

Resolution of the Associated Wholesale Grocers of St. Louis, Mo., dated October 26, 1889.

Memorial of the Legislature of the State of Washington, dated February 17, 1890.

Petition of J. R. Tysen & Co., of Jacksonville, Fla., dated May 17, 1890.

Petition signed R. D. Wood & Co. and other business men of Philadelphia, Pa., dated April 26, 1890.

Petition of the National Association of Furniture Manufacturers, dated Grand Rapids, February 15, 1890.

Memorial of Business Men's Meeting, held at Philadelphia, Pa., April 23, 1890, and signed by over 1,000 business men and firms.

It was also indorsed by the Steam-Packing Makers' Union in New York; the Archimedes Association of Bolt-Cutters; the Oakland Labor Club; the Vulcan Association (foundrymen), New York; the Machinists' Open Union No. 4, New York; the Bushwick Protective Association of Dock Coopers, New York; the Brass Model-Makers' Protective Union, New York; the Empire City Association (burnishers), New York; the Boiler-Makers and Iron-Ship Builders' Union, New York; the Berwick Association of Coppersmiths, New York; the Wire-Drawers' Protective Association, New York; the Rob Roy Association Spoon-Oar Makers, New York; the Workingmen's Municipal Reform League of New York; the Bag-Sewers' Protective Association of New York; the Pattern-Makers' Union of New York; the Flax-Spinners' Union No. 3 of New York; the New York State Engineers' Society of New York; the Machine Blacksmiths of New York; the "All for One" Association of Freight-Handlers, New York; the Ajax Association of Cotton-Press Hands in New York; the Oakum Association (ship-calkers), New York; the Riggers and Sail-Makers' Protective and Benevolent Association, New York; the Ansonia Association of Block-Makers, New York; the White Star Association of Tug-Boat Firemen, ship-owners, builders, and workmen of Damariscotta, Me.; Steel Tool-Makers' Union of New York; the Malthus Club of Riveters, New York; the executive committee of the Workingmen's Municipal Reform League, New York; the Grain Shovelers' Union, New York; the Coal Trimmers' Open Union, New York; the Stuyvesant Association, Oakum Pickers, New York; the Drop-Press Forgers, New York; the Open Union of Machine Riveters, New York; the Oakland Labor Club, California; the Vulcan Association (foundrymen), New York; the Economic Club, New York; the Pump-Makers' Beneficial League of New York; the Diston Association of Cordage-Makers; the Peerless Association of Edge-Tool Makers, New York; the Union Labor Party at Syracuse; the Local Assembly, No. 1899, Knights of Labor, New York; the Louisiana Knights of Labor; and the American Brotherhood of Steam-Boat Pilots.

Yesterday I received, in addition, a resolution from the Pensacola Board of Trade in favor of the bill. I supposed that Mr. Thurber, of the New York and Brazilian Steam-Ship Company, would very much prefer the postal subsidy bill, but on January 23 I received a letter from him in which he gives very strong reasons, and to him conclusive, in favor of both bills, but especially in favor of this tonnage bill. He says:

The objective points that promise the greatest return for our efforts are the West Indies and South and Central America, because: First, the foreign shipping is not so firmly entrenched as in the trade with Europe; and, second, because we have the advantage of contiguity, and also that this country produces more of the products which are demanded by our South American neighbors; and, third, that we consume more of the products that they can and do supply.

He says:

Therefore, the steamers that are needed in the South American trade are large, economical freight-carriers, with good but smaller accommodations for passenger service than steamers engaged in the European trade. An average speed of ten to eleven knots is, in this trade, the more desirable on account of cost of running; rates of freight can be made lower.

I claim the "tonnage" bill will give ample pay to that class of steam lines to stimulate the increase of present lines and the establishment of many others to South America that will be very advantageous to this country.

Now I come to what under the "tonnage" bill will become very valuable to this country, and that is the establishment, the freighting on the ocean of the character of steamers designated as "tramps." I predict with the passage of the tonnage bill introduced in the House by Mr. FARQUHAR that within five years "American tramps" will drive foreign tramps nearly out of the South American trade and invade the European and East India trade, and that our ship-yards all over this country will be driven to their utmost capacity to supply the demand.

The first results we shall realize from the passage of this bill will be the transfer of the coal traffic England now has the control of in the West Indies and South and Central America to this country. Every point on our seaboard where coal can be delivered at from \$2 to \$2.50 per ton will have demands far beyond any present supply for the South American markets.

Every sailing vessel available and suitable for the trade will be at once employed, eventually to be driven out by steam colliers.

Every railroad that can supply coal at ports at tide water will have demands for coal that will exceed their capacity, because the "tonnage" bill is the one factor that will turn the scale in our favor. You can readily see that when you know that the price of Welsh coal in the West Indies is almost \$6.50; in Brazil, \$11 to \$12; in the River Plate republics, \$12 to \$13, and the difference in the price from, say, an average of \$2 in Wales consists of cost of freight.

I hope to live to see the time, because of the benefits of the tonnage bill, that we will not only freight 72 per cent. of our own exports and imports, as we did as late as 1860, against 11 per cent. to 12 per cent. now, and that American-built ships will compete for the East India trade, as our American clippers once did.

As to the cost of this bill, let me give the estimate of the Commissioner of Navigation, and there need not be any great mistake in an estimate of this kind, because it is well ascertained from the records of ships, both sail and steam, the number of miles that they actually travel in a year. Steamers are obliged to be held up over half the time at least in wharves and docks and for repairs, etc. Sailing vessels are held up a certain length of time. The average is found without any difficulty. In the testimony taken before the House committee there

was a very large number of illustrations, so that it can be made reasonably certain what the cost of this bill will be.

The Commissioner of Navigation thinks it will be about \$3,000,000 the year after it shall become a law, and that in the course of two, or three, or four years it will rise to five or six million dollars. I confess I shall be disappointed if in four or five years it does not reach to seven or eight million dollars. The larger the figure it reaches the more effect it will have had upon commerce. But his argument is that many of the vessels now in existence which will be received under the classification will necessarily in a year or two drop out, and that as to the vessels to be built under this law the requirements are so exacting and the provisions so rigorous that the capacities of the yards will not be sufficient to increase it to more than \$6,000,000 within three or four years.

As to the ratio of bounty I find, on looking it over, that a sailing ship costing \$50,000 would in a year receive about \$5 a ton; that is, the number of miles sailed in the year would produce \$5 a ton. If she was a ship of a thousand tons she would receive \$5,000; and a steamer of the same size would receive about double that amount. Calculated on the percentages of cost of transportation, the Commissioner of Navigation sends me the following:

RATIO OF BOUNTY TO WHOLE COST OF SHIP TRANSPORTATION.

The whole cost of ship transportation includes the interest, insurance, and depreciation of the ship, besides the running expenses while making a voyage.

Taking the voyages of eight sailing ships, four in transatlantic trade and four in trade around Cape Horn, I find the average ratio of bounty to whole cost of transportation is 12.38 per cent.

Taking the voyages of five steam-ships running from New York to ports in the West Indies and Mexico, I find the average ratio of bounty to whole cost of transportation is 10.93 per cent.

For the entire marine, sail and steam, and for the period of the operation of the bounty bill, the average ratio as above may be stated approximately at 11½ per cent.

WM. W. BATES,
Commissioner of Navigation.

HON. WILLIAM P. FRYE,
United States Senator, Washington, D. C.

In other words, the amount paid to sailing ships and to steam-ships under this tonnage bill would be about one-half of the depreciation, interest, and insurance.

The other bill I wish to call the attention of the Senate to because I regard it as a very important one indeed and because the principle involved in it has received the sanction of the Senate several times by a very large majority. That is what is known as the postal-subsidy bill. It provides that the Postmaster-General may make contracts, after advertisement, with the lowest bidder for the carrying of the United States ocean mails hereafter on American vessels. It provides for four classes of American vessels. The first class is vessels of 8,000 tons measurement and not less, capable of maintaining at sea a speed of 20 knots an hour, and it provides that no contract shall be made for carrying the mails between New York and Great Britain except on that class.

Now, I can simply say in relation to such vessels that they would be the best, fastest, stanchest, and most powerful in the world, and if any line should be put on between New York and Liverpool it would be a line which will be unequalled for strength, for speed, for comfort, and for everything that makes up a fine ship of to-day. I may say right here that the English ships are not built so well nor provided with so many comforts as the American. Take the City of Paris to-day, which is one of the finest ships there are in the service, which consumes, I imagine, 300 tons of coal every day she runs and requires one hundred and fifty men to handle it, and there is no provision whatever for those men after their day's work is over to wash, and they are compelled to go to bed as they are, covered with perspiration, smut, and coal ashes. Take a ship Mr. Cramp, of Philadelphia, built for Mr. Spreckels, to-day in his line, and it has an apartment with a shower-bath for those very men. I only speak of this as an illustration of the difference between an American-built ship, and the care in its construction shown for the comfort of the sailors, and an English-built ship.

I have no doubt, as I stated the other day, that if that postal bill should become a law, in three years there would be an American line between New York and Liverpool, and I have abundant reasons for saying that.

What will be the cost under this bill? Undoubtedly four ships of that class would cost \$800,000 a year. But says, perhaps, the Senator from Missouri [Mr. VEST], that is an enormous amount of money to pay for a line of four great ships between New York and Liverpool to carry the mails. In my judgment, no. The fourth-class vessels of this bill call for a dollar bounty where the first-class ships I am speaking of at this moment call for \$6, and yet the one-dollar bounty is greater in proportion than the six. A steamer going 10 knots an hour can do it on 20 tons of coal a day with four or five men to handle it, but a steamer making 20 knots an hour must have 300 tons of coal a day and employ one hundred and seventy-five men to handle it.

Then again, Mr. President, it was not so much as Great Britain paid a year to establish the Cunard Line. It was no more than we undertook to pay the Collins Line to establish that. The second class is required to go 16 knots an hour and to be first class in every particular. I have no doubt if this bill should become a law there would a be line

of that kind between New York and the River Plate. That class of ships, 5,000 tons gross tonnage, would be employed between San Francisco, Tacoma, and Seattle, on Puget Sound, and Australia, Japan, and China, and between New York and the River Plate. The third class is the 3,000-ton vessels and is to receive a bounty of a dollar and a half; and the fourth class is the ordinary run of steamers of a thousand tons, either wood or steel, such steamers as would be used across the Caribbean Sea and in the Gulf of Mexico.

This bill also contains a provision that the plans and specifications for every ship must be approved by the Secretary of the Navy. It also contains a provision that one-quarter of the sailors for the first two years shall be Americans, and then a third, and then a half. It also provides that there shall be an American apprentice, who shall be a petty officer and instructed in seamanship, for every thousand tons on each one of the vessels.

Mr. GRAY. Is it not also provided that the sailors "shall be constructed after the latest and most approved types, with all the modern improvements and appliances?"

Mr. FRYE. Does the Senator so read it?

Mr. GRAY. I so read it in lines 10 and 11.

Mr. FRYE. In what section?

Mr. GRAY. At the top of page 3 those words occur.

Mr. FRYE. I did not understand the Senator's question.

Mr. GRAY. I was asking the question jocularly, but it is not really quite clear, as a matter of construction, whether the clause that they "shall be constructed after the latest and most improved types, with all the modern improvements and appliances," applies to sailors or ships.

Mr. FRYE. I do not think it is open to the construction the Senator puts upon it. It applies to the vessels. The Senator will have to go back to the commencement of the section: "That the vessels employed in the mail service" shall be so and so, and shall carry such and such sailors, and shall be constructed so and so.

Mr. GRAY. But—

upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract, at least one-half thereof; and shall be constructed after the latest and most approved types.

Mr. FRYE. No; there is a semicolon, and what follows relates back to the ships, as a matter of course. It is only an undertaking on the part of the Senator to read it wrong.

Mr. GRAY. No; I thought it was obscure.

Mr. FRYE. I read that over a great many times, examined it with a great deal of care, and am myself entirely satisfied with the language.

Mr. GRAY. I think the sailors ought to be of the kind described there.

Mr. FRYE. The bill provides, too, that these vessels shall be taken as cruisers whenever it is necessary.

Those are the two bills. The postal bill provides that no vessel receiving this subsidy shall draw anything from the United States Treasury under any other act of Congress in the matter of subsidy or bounty, so that one is practically supplemental to the other.

Now, I do not like to occupy the time of the Senate with speech-making. I do not think I ever in my life was so averse to talking in the Senate as I have been at this session of Congress. I do not care particularly to discuss the shipping bills. I have discussed them in Congress for twenty years. I know all the objections that can be made to them and all the arguments that will be made for them, and yet it hardly seems that I should ask the Senate to act upon these bills without saying something in relation to them and something in favor of their enactment into law.

I read the report of the Produce Exchange of New York, about a fortnight ago, Mr. Ferguson, I think, secretary, and I found that there sailed from New York last year carrying grain and breadstuffs, our grain and breadstuffs, 1,996 ships.

Mr. EDMUNDS. Do you mean different ships or voyages?

Mr. FRYE. Voyages. Four of those vessels were American and carried the American flag. The four American vessels carried 50,000 bushels of wheat. Six hundred and sixteen of those vessels were English. They carried 25,000,000 bushels. I found on reading the same report that in the month of April this very year the value of the importations was, in round numbers, \$71,000,000 of imports; and that ships not carrying the American flag brought \$55,000,000 of the imports. I found that the exports were \$63,000,000, and that vessels carrying a foreign flag took fifty-four and one-half millions of that. I found that in that month we paid foreign vessels \$11,000,000 for carrying our imports and our exports.

It has been estimated again and again that we paid every year \$150,000,000 for carrying our own exports and imports in foreign ships. Including passengers it is an underestimate, and it will be found on investigation that we paid over \$160,000,000 last year.

That settles one thing. Our carrying trade—and I hope no Senator will understand me as saying commerce—our carrying trade is absolutely dead so far as foreign commerce is concerned. We have four or five lines left only of steamers. Take the Brazilian line from New

York to Brazil, three or four steamers, sailing, I think, once a month, from 3,500 to 3,900 tons each. That steam-ship line is kept on the ocean to-day by the Brazilian mail pay, and in no other possible way. Let Brazil withdraw that pay and that steam-ship line stops, the same as John Roach's did. That line lost \$277,000 the first four years it ran. It never has paid a dividend from the day it was put on down to now. The United States pays it nothing for carrying its mails, not a cent, and refused to pay it enough to reimburse the actual cost of handling mails. If we do nothing, how long will that line stay on?

Take the line to Venezuela. It went there and established its trade; it was the pioneer. It lives, it has a bare margin for profit, but it has succeeded in building up between the United States and Venezuela the largest trade, three times over, that we have in the whole of that southern country in proportion to the population and wealth; and we are getting the benefit of it, while the United States pays it a bare pittance, a cent a mile I think it is, for carrying the mails. There is now a Spanish line coming in in competition. Under the act of the Cortes two years ago that Spanish line will receive \$5,000 for every round trip made. How long will the Venezuelan line stay?

There is another line, the New York and Cuban Mail Steamship Company, nine steamers to Havana, Vera Cruz, Santiago de Cuba, and Cienfuegos; and we pay it \$300 a quarter for carrying United States mails. There is a Spanish line that has come on within a year to compete with that, and under that act of the Cortes the Spanish line is receiving \$5,000 for every round trip.

Mr. GRAY. I should like to ask the Senator from Maine if the people of this country get the benefit of the commerce that is created by that Spanish line, so far as it comes to this country.

Mr. FRYE. So far as it comes to this country they get the benefit of the commerce, beyond any manner of doubt, and I am inclined to think our freight charges are low, and very likely it is a good trade—if there is no sentiment in the case and no humiliation in the inability of a great maritime nation like this to carry its own products.

Now, how long will that line exist? New Zealand has withdrawn her subsidy to the Pacific Mail Steam-Ship Company. I think Mr. Spreckels's line has it now—\$400,000 a year—when our country was paying for carrying our mails about nine or eleven thousand dollars, I have forgotten which; and the Pacific Mail Steam-Ship Company can no longer compete in the Pacific Ocean with the new subsidized line from the Canadian Pacific. You take the entire length of the Canadian Pacific Railroad with no interstate-commerce law to bind it and control it in any way, and the great ships that have been built at its western terminus to sail to China, Japan, and Australia, what will become of the Pacific Mail Steam-ship Line? It will disappear and unless Congress does something, and does it soon, too, there will not be a single steam-ship line traversing the oceans of the world carrying the American flag, not one.

I visited once many of the great ports of the world. If I had visited those ports twenty-five years ago I would have seen the American flag at the peak of scores and scores of beautiful ships in every port. During my visit two or three years ago I never saw the American flag.

Now, this is a great nation. We boast of it immensely. We are complimenting ourselves hugely now over the census returns, over our wealth, over our manufacturing industries, our mining industries; and yet to-day we are falling into the contempt of the whole world because we, a maritime nation, have no ships on the ocean; and we are entitled to that contempt too. We are a giant, but we are bound. We are a Samson, but our locks are shorn.

I take it in discussing these questions every Senator here will admit that I am stating the absolute naked facts and that in the foreign carrying trade the United States is practically dead to-day. Why? I am not going into a discussion of the tariff with my distinguished friend from Missouri [Mr. VEST]. I am not going to discuss the cause unless it becomes necessary in order to supply a remedy. There is the dead body. I wish to know is it worth our while to resurrect it and breathe life into it? If it is, how shall we do it? I can not understand the innermost thoughts and feelings of an American citizen who can listen to the statement of facts about our foreign carrying trade and not feel an impulse to go back once more on to the ocean where we stood in such proud conspicuousness thirty years ago. I can not understand an American citizen who cares nothing in relation to it, and simply replies to you, "Are we not getting them to carry our imports and exports as cheap as we could do it?" I can not fathom the heart of such a man.

What is the trouble with our merchant marine?

I say it is dead for want of protection. It is the only great industry in the United States of America of which the same can be said. Our people are paying \$50,000,000 a year to keep alive the sugar-growing industry of the United States. Six million dollars a year will revive this dead body of our merchant marine and keep it on the ocean. We used to protect it. We had in the early days differential duties, and they were a protection and a power for prosperity in this direction. But we began to make commercial treaties, one after another, with the nations of the earth, and when we had completed them there was no power of protection by differential duties, and there never can be until we have abrogated every one of these treaties and commenced *de novo*.

We did more than that. We provided by law March 1, 1817, that no goods, wares, or merchandise shall be imported into the United States from any foreign port or place except in vessels of the United States or in such foreign vessels as truly belong to the citizens of that country of which the goods are the growth, production, or manufacture. That was the law, and remained so for a long while, and it did afford protection and encouragement to our marine. But civilization advanced, and in 1849 that law was repealed, and the Secretary of the Treasury, Mr. Meredith, made this proclamation:

First. In consequence of the alterations of the British navigation laws, above referred to, British vessels, from British or other foreign ports, will (under our existing laws), after the 1st of January next, be allowed to enter our ports with cargoes of the growth, manufacture, or production of any part of the world.—
Second. Such vessels and their cargoes will be admitted from and after the date before mentioned, on the same terms as to duties, imports, and charges, as vessels of the United States and their cargoes.

W. M. MEREDITH,
Secretary of the Treasury.

That was October 15, 1849, and from that moment down to now your vessels engaged in the foreign carrying trade have been absolutely unprotected. Worse than that, for as I said the other day you enacted a law authorizing the Postmaster-General to seize any of them and to compel them to carry the United States mails for the sea postages. Then when the sea postage at Berne was cut down four and five and six times you compelled your vessels to carry your mails for the 2 cents sea postage, while Great Britain and every other maritime nation on the earth was paying from two to three times more every year than they received from the entire mail, and you are making all the way from \$500,000 to \$1,000,000 a year out of your foreign mails.

We had protection on our coastwise vessels, a law on our statute-books for a century forbidding all competition with them by foreigners. What is the result? To-day in your coastwise trade you have thirty-five thousand vessels; you have a tonnage of 4,500,000 tons, and the cheapest freights known to the world. The tonnage of the lakes alone in freight is 40,000,000 tons a year, while the entire tonnage of the great cities of London and Liverpool is not 30,000,000 tons a year. You are taking this very year through St. Mary's Falls 8,000,000 tons of freight, a million and a half more tons than are taken through the Suez Canal. Our coastwise and lake fleet is four times as large as the coastwise fleet of Great Britain to-day and larger than the coastwise fleets of all the maritime nations of the whole world.

Again, I repeat, your freights are lower than the freights anywhere in the known world. That is what protection has done for that business; and the other indicates what want of protection has done for that.

Why do you leave your ships engaged on the ocean without protection? What is your excuse? You protect the iron mines, the coal mines, the iron factories, the woolen factories, the cotton factories, the silk factories, and your coastwise trade. Why do you say that you are powerless to afford any protection to the ships engaged in the foreign trade?

The Senator from Missouri very likely will say, "It costs more to build ships here and you ought to admit foreign ships to American registry free." That is one of his panaceas. I wish to say to the Senator from Missouri—I think I have said it to him before and I probably shall again before this discussion is through—that if Great Britain would give the United States to-day every iron tramp she has the United States could do no more of the foreign carrying trade than she does now. I could have shown the Senator last year twelve ships as good as ever were built in the United States, not one of them over eight years old, each one of which he could have bought for 50 per cent. of its value. There is no man in America to-day can take a present of an iron ship from Great Britain and run it in the foreign carrying trade. Why not?

I was in Liverpool three years ago. I went to see the United States consul-general, Captain Russell, an old shipmaster, a very bright man, a Democrat of the old faith, a free-trader, as most shipmasters are. I told Captain Russell that I was anxious to have, and to have faithfully given, so that there could be no mistake about it, the wages paid to sailors and officers by every maritime nation on earth, and, more than that, I desired to have the cost of living on board ships. "Why," he said, "that is an enormous job." Said I, "I know it is, captain, but it is information that I want very greatly and from a source where it is not open to contradiction." He obtained it for me. He did not send it directly to me, but to the Secretary of State and requested him to send me a copy, as the work had been done at my request. The Secretary sent me a copy and I laid it by for future use. He has given the tables here. He says:

Reference to these tables will show that the vessels of the United States pay the highest rate of wages, besides costing more for maintenance of the crews, than those of any other nation. This of course refers to voyages commencing in the United States; but even when they commence in foreign ports, that is, ship their crews and obtain their supplies at a foreign port, they then average higher rates than vessels of other nationalities as regards cost of maintenance.

British vessels in domestic ports can procure crews for from 37 per cent. to 22 per cent. lower than those paid on American vessels, which is a serious item in the disbursement account. Then, again, the cost of maintenance on American ships is about 40 cents per day per man, against the English 29 cents, or a difference of 27 per cent. in favor of the latter. When it is considered that pro-

visions, such as beef, pork, and flour, which are the principal articles of food consumed, can be obtained in the United States, if anything, at a lower price than in England, it seems remarkable that the crews of our vessels should cost 27 per cent. more per man for maintenance, yet such appears to be the case.

It is an acknowledged fact that the living on board our vessels is superior to that of other nations, and it is generally asserted that larger quantities of food are supplied to the crew, the scale of provision laid down by Congress being rarely if ever resorted to.

The wages paid on vessels belonging to Norway and Sweden, Russia, Germany, Denmark, Austria, and Spain average about 47 to 50 per cent. lower than those of United States vessels, and the cost of maintenance about 32 per cent. less, excepting those of Germany, which cost about 10 per cent. less only.

He accompanies this by the tables which I will have printed. They show from 35 to 50 per cent. less cost of wages of seamen and officers and from 27 to 35 per cent. less cost of maintenance. Now, if there was nothing else you could not run your ship against a foreign ship. The demand for lower freights comes every day and every hour of the day. The margin is small for profits in the carrying trade, and the difference between the wages and the cost of living alone would wipe out the margin for the American ship.

Mr. GRAY. Will the Senator, while he is on that topic, inform us—

THE PRESIDING OFFICER (Mr. CULLOM in the chair). Does the Senator from Maine yield to the Senator from Delaware?

Mr. FRYE. With pleasure.

Mr. GRAY. I will not interrupt the Senator if he at all objects.

Mr. FRYE. No; I yield with pleasure.

Mr. GRAY. Will the Senator inform us why it is that an American vessel owned by Americans and under the American flag sailing between New York and Liverpool can not be sailed, so far as the compensation of the crew and the provisioning of the vessel are concerned, as cheaply as one that sails under the British flag, when they buy their provisions at the same ports, get their crews from the same sources, of the same nationalities, as American vessels are permitted to do and do to-day?

Mr. FRYE. I could without the slightest difficulty give the Senator ample reasons for the difference, but as the statement has been made as a matter of fact by Captain Russell I do not think I shall waste the time of the Senate in order to do it.

Mr. GRAY. If the Senator will allow me, I have here the statement of another experienced navigator who says it is the fact that a vessel sailed under the American flag, upon the same route with a vessel under the British flag, can be sailed as cheaply, so far as the compensation for the crew and the provisioning for the crew is concerned, as the British vessel.

Mr. FRYE. Why, Mr. President, the method of treatment and the manner of living on board a British ship and an American ship are as different as the sun from the moon. The American sailor will not live as the foreign does. Does the Senator think that Spain treats her sailor on board ship as Americans do?

Mr. HAWLEY. Will the Senator permit me to suggest, for fear he may be forgetting it, that the moment the Swedish or Norwegian sailor at Liverpool or elsewhere enlists on an American ship he falls into fraternity with American sailors and demands the utmost they have ever had? Of course he will sail for his own nationality with inferior accommodations, pay, and provision, but when he sails under an American flag he naturally wants the best the American sailor gets.

Mr. FRYE. As a matter of fact, of course it is our tariff that has caused this difference. There is no doubt about that. Our tariff has increased the wages of laboring men in our protected industries in this country, and you can not increase the wages of one class without increasing those of the other. It has made luxuries abroad necessities here and increased the cost of living, whether on board ship or on shore.

But, Mr. President, I will not stop here. We are handicapped in another way. Every maritime nation in the world other than ours does protect its vessels engaged in foreign carrying trade.

Mr. MORGAN. They protect everybody but the sailors, do they not?

Mr. FRYE. They do not protect the sailors, but they protect everybody who owns and sails ships. I sent to the Governments of all the nations to obtain from headquarters, so that there could be no mistake about it, just what they were doing for their vessels engaged in the foreign carrying trade, and can not be in error.

England commenced the protective policy a great many years ago. Some Senators insist that England never subsidized any ships. She has been paying subsidies for fifty years and is paying them to-day, not only for carrying her mails, but for commercial reasons. Mr. Wells is not right in his assertions. She paid from 1848 to 1854 \$23,390,000, and she has paid since that time \$158,000,000. She started in 1843 with \$3,250,000 a year; gradually ran it up to \$6,000,000; then down in our war to \$3,000,000 and a little over; and after the war was over and we undertook to subsidize the Collins Line she again increased it to \$6,000,000, and to-day is paying \$3,000,000 in postal subsidies.

I know it will be said that she does this only in the interest of her postal service; that she opens her mail contracts to competition, regardless of the nationality of the competitor. That is not true; neither statement is accurate. I looked through Hansard's Reports in refer-

ence to this matter, and found a great variety of statements made in Parliament and by Government officials to the contrary.

It was said the French line had been authorized to carry the English mails. Parliament resented the idea that any mail of Great Britain should be carried under a foreign flag, insisted that it should not be done, and it was not. I will ask leave, Mr. President, to print these extracts without reading them.

The PRESIDENT *pro tempore*. The Chair hears no objection. The papers referred to are as follows:

ENGLISH SUBSIDIES.

In 1840 Col. Dawson Damer criticised the policy of the Government in paying such large sums for carrying the mails. The chancellor of the exchequer, in reply, said:

"He was not there to criticise the policy pursued by other countries, but to defend the principle we had adopted: that it was not for this Government to occupy the lines of communication by armed steamers, but rather to encourage and assist the private enterprise of the country, to aid it, but not to interfere with it. And if the time should come when vessels which were employed in peace were required for war, the country would find that by having encouraged commercial enterprise and private speculation a sufficient number of steamers would be obtained when occasion occurred."

In 1852, in reply to a criticism of Viscount Jocelyn, Mr. Cowper said: "According to an estimate which would be found in the report of the committee, the gross amount received by the post-office upon foreign and colonial postage was £556,492. The net receipts, deducting the amount to be paid to foreign countries and the inland postage, were 443,782*l*. The annual amount paid for the service which earned this was 822,390*l*. The total amount paid for all lines, including colonial, foreign, and the British Islands, was 877,797*l*, and this was paid to vessels which earned 521,513*l*, carried to the account of the post-office. It had been necessary to pay large sums on the chief lines in order to induce the parties to embark their money in the undertakings required."

In a debate in 1857 Mr. Provand said: "From 1854 to 1867 the Peninsular and Oriental Company received subsidies which were equal to 4*s*. 2*d*. per mile. This contract we are considering is equal to 6*s*. 2*d*. or 7*s*. 3*d*. a mile, according to the way in which mileage is calculated."

And further: "When the first large subsidy was granted in 1867 I find that the company submitted their accounts of probable earnings for ordinary trade and probable expenditure for carrying on the service, and said that they required a certain subsidy to pay a dividend, which they put at 6 per cent."

March 14, 1862.—Mr. W. Williams said: "There were items in the vote which were very objectionable. For instance, for the mail between Brazil and the West Indies, 30,000*l*. He would then refer to the charge of 25,000*l*. for conveyance of the mails between Panama and Calcutta. They had nothing to do with the west coast of America. He knew they had an interest in Panama, as a means of direct communication, but not in the intercourse between the two points. He also objected to the charge of 14,000*l*. for mails between Australia and New Zealand."

Mr. Crawford said: "He had never seen more ignorance displayed on any subject. The honorable member talked of there being no trade between this country and South America. The trade between this country and South America amounted to \$3,000,000 annually, and for the maintenance of that trade it was necessary to keep up an effective communication. The line between Australia and New Zealand was part of the main line from this country, and recent events have shown how important it was to have frequent means of communication. * * * It was necessary that the merchants of this country should have as speedy means of communication by steamers and by telegraphs as could be obtained. What was beneficial to individuals must be beneficial to the state."

Mr. C. Turners said: "He was opposed to a reduction in the postal subsidies, as he thought that, on the whole, the Government were no losers by the contracts; while the important benefits they conferred upon the commercial interests of this country were undeniable. There was a very large trade with South America, and, being connected with the Pacific Mail Company, he could state that the Government received fully the amount of payment to that company."

Vote agreed to. August 9, 1867.—The Duke of Montrose, postmaster-general, speaking of the proposed termination of the contract with the Peninsular and Oriental Company, said:

"A very curious misapprehension has got abroad among the public, to the effect that we were intending to give up the control of the postal communication with India, which we possess by keeping it in our own hands, and to throw it entirely into the hands of foreign Governments. Such an idea never entered my mind or that of any member of the Government, and the only ground there could be for this suspicion was that in giving notice of our tenders we did not state that we would not contract with any foreign Government. From this the notion has been taken that we were going to contract with the Sociétés Messageries Impériales, of France, and to give up the entire control of the English communication by our own vessels."

"There is no ground for that notion; and I can only imagine that it originated because in the committee of the House of Commons it was suggested that we should avail ourselves of the assistance of the Messageries Impériales in certain cases; and it was suggested by some that the service should be thrown into the hands of the Messageries Impériales if the contract would be taken cheaper than by any of our countrymen. That is wrong; but I do not mean to say that we ought not to avail ourselves in certain cases of the Messageries Impériales. * * * I say that to throw everything into the hands of a foreign country would be extremely impolitic, although we might in the first instance do these duties at a cheaper rate."

"A case in point is the subsidy of \$1,200,000 per annum which the British Government is now paying the Peninsular and Oriental for its East India and China service. At the time that the existing contract was awarded it was stated in the House of Commons that the Norddeutscher Lloyd or the Messageries Maritimes stood ready to carry the British, East India, and China mails for one-half or one-third the price demanded by the British company. There was one to England's credit, it can be said, only one statesman who was willing to accept these foreign propositions. But Postmaster-General Raikes rose and crushed him by the remark: 'I think that if the honorable member would only take the pains to study the course of popular opinion, he would find that a contract with the North German Lloyd or the Messageries Maritimes would have a very slight chance of being adopted by the House of Commons.'"

August 15, 1867.—Mr. Hunt, secretary of the treasury, in answer to a question, spoke substantially as above and said:

"One very significant feature in these reports is the copy of a letter from J. Henniker Heaton, a member of the British Parliament, addressed to the Right Hon. H. Cecil Raikes, M. P., postmaster-general of Great Britain, concerning the deficit in postal receipts, in the course of which he says: 'It can not be insisted too strongly that the subsidies are not paid by way of making up a deficiency in the postal accounts, but in order to keep up the character of our mer-

chant fleet. In short, the subsidies are paid as a matter of state policy, and the postal service should therefore not be saddled with them.'

"Continuing, Mr. Heaton remarks: 'The post-office itself repudiates the suggestion that the deficit caused by these enormous subsidies should be regarded as a deficit caused by the operations of the department. The claim that the post-office should be charged with the whole expense of this packet or ocean service must be considered as barred, by the simple fact that few of the mail packets were established either by the post-office or for merely postal purposes, their expense being far beyond what such requirements would justify.'

"Mr. Heaton then clinches his argument by saying: 'To assume that these packets were really established for post-office purposes is to charge the Government with the most absurd extravagance. The West Indian packets, for instance, were established at a cost of 240,000*l*. per annum, though the utmost return that was expected for letters was 40,000*l*. leaving 200,000*l*. clear deficit. Indeed, as was stated in the House of Lords by Lord Montague, who, when chancellor of the exchequer, arranged the first contract for the mail steamers, the cost of the packet service, which was said to swallow up the whole revenue now derived from the post-office, had no more to do with the penny postage than the expense of the war with Afghanistan or China. It was as distinct from the post-office as the expense of the army or navy.'"

November 29, 1867.—Secretary Hunt said:

"The arrangement with the company was conducted on the part of the post-office by Mr. Scudmore; the company submitted their books to him. After this examination the company expressed themselves willing to reduce their term from 500,000*l*. to 400,000*l*. provided the period was extended from six to twelve years; but they accompanied the abatement with the proviso that their shareholders should be guaranteed a dividend of 6 per cent. upon a certain stated capital; on the other hand they expressed their readiness to allow the Government to share to the extent of one-fourth in all the profits beyond 8 per cent. which might become divisible."

"After a great deal of consideration given to these further terms the Government adopted them with this condition, to which the company assented: That the guaranty of 6 per cent. should in no case render the Government liable to pay a greater sum than 500,000*l*., the original amount asked. The company also agreed to the condition desired by the admiralty that the Government should have power to buy or charter their vessels in cases of expediency for the public service."

March 20, 1868.—Mr. Thomas Cave said:

"The House should remember, too, that owing to the granting of these subsidies the Government during the Crimean war had at its command a magnificent fleet of transports, and which otherwise they would not have possessed."

June 30, 1862.—Lord Claude Hamilton asked the postmaster-general if he could inform the House of the amount of the subsidy paid to the Royal Mail Steam-Parcel Company for carrying the mails to the West Indies and the amount of the net receipts from the ocean postage.

Mr. Fawcett, in reply, said that the amount paid to the Royal Mail Steam-Parcel Company as an annual subsidy under contract was 80,500*l*., and the amount of net receipts from the ocean postage was 28,000*l*.

June 23, 1867.—In the House of Commons, in debate on the following motion:

"That this House disapproves of any contract subsidizing any line of steamers to carry mails to the East for a long period of years without steps having been taken to assist the Canadian Pacific Railway by a subsidy to run a fast line of steamers from Vancouver to Asia."

Mr. Goschen, the chancellor of the exchequer, said, speaking of the Vancouver line:

"There would probably be a postal advantage on account of the shortening of the time which the fast steamers would secure between England and Hong Kong, and still more between England and Yokohama and other ports; but we have to consider whether the advantages of a second postal line for military, commercial, and other reasons, and whether the possession of three steamers specially prepared, as I believe it is proposed they should be, under the supervision of the admiralty authorities, so as to be available as armed cruisers in time of war, would be worth the large sum of money asked."

Mr. Heaton inquired whether it is intended that the whole of the cost of the Vancouver service shall be charged to the post-office and said:

"I protest against more money being taken from the post-office revenue than is now paid. * * * I am strongly in favor of the Canadian Pacific route, and the post-office expenditure is now sufficient for both services if equally divided."

Mr. Goschen replied:

"Without wishing to commit the Government in the least, I may say that I should prefer not to charge the post-office for services which are postal in one sense, but which are undertaken partly for political, commercial, and other objects."

The "contract to carry mails to the East," the subject of the above debate, provided a subsidy of 265,000*l*. a year for ten years, the service to be weekly to Bombay and fortnightly to China. This contract was made March 18, 1867, for ten years. (See Consular Reports No. 112, January, 1890, pages 3 and 5.)

August 15, 1869.—Mr. Jackson, secretary to the treasury, in answer to a parliamentary question, said:

"The importance of the Canadian Pacific route for military and naval purposes was urged upon the Government by members of Parliament, public bodies, and members of both professions, and was one of the factors that led Her Majesty's Government, including the secretary of state for war and the first lord of the admiralty, to agree to the grant of a subsidy. I am afraid I should be traveling outside the limits of an answer if I were to specify the purposes aimed at, but their general nature is sufficiently obvious. * * * I believe that a letter was addressed to the prime minister in favor of a subsidy, signed by nearly three hundred members of this house (Commons), and I am told the number would have been increased if more time had been afforded."

August 16, 1869.—Motion made and question proposed: "That the contract with the Canadian Pacific Railway Company dated the 15th day of July, 1869, for the conveyance of Her Majesty's mails, troops, and stores between Halifax or Quebec and Hong-Kong, and for the hire and purchase of vessels as cruisers or transports, printed in Parliamentary Paper No. 263, of session 1869, be approved."

Mr. Provand said:

"Now this contract is for a fortnightly service between Canada, China, and Japan, and is to cost us 60,000*l*. a year."

Mr. FRYE. These extracts show beyond any manner of question that the purpose of Great Britain in paying these enormous annual sums was partly mail, partly commerce, partly politics, and that she, to accomplish these purposes, went to the extent even of guarantying a dividend of 8 per cent. to some of the lines, and paid a great deal more than is provided for in this bill, though we start in under the disadvantage of the occupancy of all the great routes by foreign lines.

France paid last year for carrying her mails \$6,000,000 and over. That was besides her bounty, the provision being the same as in this bill which I have reported from the Committee on Commerce, that whatever ship carried the mail and received pay for it should not be entitled to the bounty.

Italy paid over \$3,000,000; Germany, \$3,000,000; the Argentine Re-

public, \$3,000,000; Brazil, nearly \$2,000,000; Spain, a million and a half of dollars, and so on.

Allow me, Mr. President, to present a few facts illustrative of the difference in conduct of our Government and England towards the merchant marine.

When in 1870 we granted subsidies to the Pacific Mail Company, England commenced immediately increasing hers until it ran up to \$6,000,000 a year.

We abandoned our policy and England again began to reduce.

In 1850 Great Britain made a contract with two lines of steam-ships, one to the West Indies and the other to Brazil, the River Plate country, and the west coast of South America.

The first, the Royal Mail Steam-Packet Company, was paid a subsidy of \$1,350,000 a year and receives one up to now, though of course reduced. The other was the Pacific Steam Navigation Company, which still receives a subsidy of \$225,000 a year.

When England found that two of her great lines, one receiving a subsidy of \$2,000,000 and the other more, could not maintain competition with ships of other nations, a parliamentary commission investigated the matter and made two new contracts, paying a dividend of 8 per cent. on the English capital invested in the steam-ships, instead of the subsidies which were provided.

And here is an extract from the act:

Whenever the annual income of the company from all sources does not admit of the payment of a dividend of 8 per cent. on the capital employed, the subsidy shall be increased by so much—subject to a limit of 100,000l. (\$500,000)—as is required to make up such a dividend; and, on the other, that whenever the income is sufficient to allow a dividend exceeding 8 per cent. to be declared the company shall pay to the postmaster-general one-fourth of the excess.

To show what we are doing as compared with Great Britain:

England commenced her subsidies to the Spanish-American lines in 1862, paying those lines for the next fifteen years from a million and a quarter to a million and a half of dollars a year; since that time a little less than one-half as much.

England paid out last year over \$1,500,000 for carrying the mails more than she received in postage.

The report of the superintendent of foreign mails for the United States of last year shows that we paid out for carrying our mails to vessels of the United States register \$52,821.73; to foreign vessels about \$380,000.

The entire amount paid out was \$515,401; the amount received, \$1,728,743; a clean profit, allowing for the inland postage, of over \$700,000 on our foreign mail service last year.

In 1850 the cost of our mail service was, in round numbers, \$5,000,000. We paid for mail service to Spanish America \$500,000.

In 1888 our mail service cost nearly \$56,000,000; Spanish America, \$49,000.

From 1848 to 1861 we paid for mail service on vessels over \$1,500,000 a year—practically all of it to American vessels.

During the war we paid our vessels about \$75,000 annually, and to foreign \$400,000.

From 1877 to now our foreign mail service has cost us on the average about \$400,000 a year, 10 per cent. of it paid to our vessels, 90 per cent. to foreign vessels.

Our star-route service costs annually about \$5,000,000; length of routes, 225,600 miles. Our ocean steam-ships, about \$50,000; length of route, 1,900,000 miles.

By the contract of 1875, New Zealand and New South Wales paid a subsidy to the Pacific Mail Steam-Ship Company of \$400,000 a year for transportation of colonial mails to America and the British overland mails from San Francisco to the colonies.

The United States paid the same company for its outward mails for six months \$5,802.

Under this contract, in 1884, the United States received for mails sent from San Francisco to Australia \$36,479, while it paid \$11,479, making a net profit of nearly \$25,000.

It also made a net profit at the same time of \$5,000 on carrying the English mails.

The same year the Red D Line, between New York and Venezuela received for mail pay about 1 cent a mile.

In 1889 we paid for transportation of our mails to all the countries of Central and South America a little over \$48,000 to four lines—all we have—traveling over 2,000,000 miles.

The same year we paid coastwise steamers, protected by law, \$563,000, sailing about 500,000 miles.

We paid twice more for mail service on the Florida Rivers than to Central America.

We paid for mail service on the rivers in Arkansas about \$45,000, in Louisiana about \$42,000, for our foreign service on the Pacific Ocean \$42,000.

For the last twelve years, under the Postal Union reduction and the compulsory act, we have paid American vessels for carrying our mails, about \$500,000; to foreign vessels, about \$5,000,000; and have actually cleared a net profit of over \$9,000,000, while England has paid during same time, for same service, over \$40,000,000, at a loss to her, above the amount received for postage, of at least \$20,000,000.

So much for England as compared with the United States. Now take Germany. Germany pays to the North German Lloyd line, under a contract for fifteen years, 4,500,000 marks, and she besides giving liberal allowances for carrying the mails. That is over \$1,000,000. Is it not worth it? I ask any Senator here if the North German Lloyd line is not worth to the Empire of Germany all the money that she pays to keep it on the ocean. If there was a war and Germany required war steamers and transports, would it not be worth infinitely more? Germany has just established and subsidized another line, and is talking about subsidizing one to Portugal and to South Africa. For that service she is to pay \$214,000 a year. General Mason, consul-general at Frankfurt, says in his report:

The contract is for ten years, with a subvention at the rate of 900,000 marks—about \$214,000—annually, or between two and three times as much as our great and generous Government is paying to the entire fleet of foreign-going steamships under the American flag. Thirteen voyages a year are stipulated, at the very moderate speed of 10½ knots. This new enterprise has been inspired by the magnificent result of the German experiment in subsidizing a steam line to China and Australia. For this service Germany pays a subsidy of more than a million dollars annually.

Consul-General Mason says further:

The thirteen voyages specified for each line are no longer sufficient to accommodate the largely augmented traffic.

He says in another report:

Germany is to-day absorbed and controlled by an aggressive mercantile spirit which is almost American in its restless energy, and far more than American in its grasp of the essential conditions of a vigorous foreign trade and the courageous enterprise with which it provides the necessary facilities for developing and sustaining it.

Take Spain. Spain has been paying subsidies for several years, somewhat on the English plan, making contracts with certain companies. The most important and extensive was by act of the Cortes in 1886, with the Compañía Transatlántica, under the terms of which this company is to receive \$1,242,800 annually, from \$1.18½ to \$1.48 a mile. Now, where does that great line of steamships go? Let me show:

West India service, twelve voyages per annum from Cadiz via Palma (Canary Islands) to La Guayra, Porto Cabello, Cartagena, and Savanilla, to Colon. Distance, one way, 4,660 miles, or both ways, 9,320 miles. Distance run, twelve voyages, 9,320 by 12, equals 111,840 miles. One hundred and eleven thousand eight hundred and forty miles at 10.18 pesetas per mile equals 1,138,531½ pesetas; in United States currency, 1,138,531½ pesetas, at 19½ cents per peseta, equals \$222,013.59 per year. Or per voyage, \$18,501.13.

SAME ARTICLE AND CLAUSE.

	Miles.
Vera Cruz to Havana.....	837
Thence to New Orleans.....	650
Havana to Savannah.....	590
Thence to Charleston.....	85
Thence to Alexandria.....	591
Thence to Baltimore.....	174
Thence to Philadelphia.....	394
Thence to New York.....	252
Thence to Boston.....	302
Thence to Quebec.....	1,240
Total distance one way.....	5,115
Or both ways.....	10,230
Ten thousand two hundred and thirty miles at 10.18 pesetas per mile, equal to 104,140 pesetas; 104,140 pesetas at 19½ cents, equal to \$20,307.50 per voyage, or per annum for mail service on United States coast and Canada, \$243,687.60.	

The Spanish crews employed in this country carrying our imports and our exports, making forty-six arrivals in New York last year, number 2,600 men, and the ship property was valued at \$7,350,000, with subsidies enormous in their amount, with the cost of living upon their ships one-half what it costs on ours, paying wages to their sailors and officers not one-half what we pay.

Now, take France. France pays under the act of 1881 bounties on construction, which I care nothing about and will not repeat; but it pays at the rate of 29 cents a net ton per 1,000 miles sailed on all her ships, sail, steam, iron, steel, for ten years, the premium to slightly decrease each year. These vessels must carry the French mails, if they are used, free.

Italy pays at the rate of 65 cents a ton for every thousand miles sailed. The bounty is not given to vessels sailing in ballast nor to any that do not sail from continent to continent, this law to remain in force ten years. She has great lines to-day to North America, the Atlantic coast of South America, to India, to all points on the Mediterranean, to Valparaiso, Singapore, Batavia, and Hong-Kong, run by one company.

It is unnecessary to go further, for these are the maritime nations that are competing with us. Now, what is their advantage? Subsidies to every one of them, less pay to their sailors and officers, less cost for the support of their crews and officers. These are the people we are compelled to compete with.

I repeat, let Great Britain give the Senator from Delaware an iron ship, first class, he can not sail it on the ocean in competition with these countries to-day, and it will be utterly useless to try it.

Now, I will illustrate our position in this ocean conflict by taking one ship of our domestic line between New York and Brazil, the Al-

liance, registered tonnage, 2,985 tons, and a Spanish ship, her exact counterpart:

	American steamer.	Spanish steamer.	Difference in favor of Spanish.
Steam-ship Alliance, cost.....	\$382,378.00		
Spanish, exactly similar.....		\$344,140.00	
Difference of cost in favor.....		38,238.00	
Equal in interest per month.....			\$191.19
Cost of crew, wages per month.....	2,500.00	1,750.00	750.00
Cost of crew, food per month.....	1,152.00	691.20	460.80
Mail service, Brazil Government, distance, 11,490 miles; time, two months, \$4,750, or per month.....	2,375.00		
Mail service, Spanish Government with Spanish company of November 1, 1886, approved November 1, 1886, article 285, clause A, distance 10,230 miles, at 10.18 pesetas, or \$1.99 per mile, amounting to \$20,307.30; difference of mileage compared with Brazil steamers, 1,200 miles, at \$1,992.501.10; total 11,490 miles, at \$22,808.60 per month.....		11,404.30	9,029.30
Ship chandlery.....	450.00	500.00	
Coal about equal.....			
Engine-room, stores, oil, waste, etc.....	250.00	180.04	70.00
Insurance, 5½ per cent. per month.....	1,673.00	1,505.00	168.00
Wear and tear 2½ per cent. per month.....	796.62	716.95	79.66
			10,748.95

* Difference in favor of American, \$50.

Total difference per month in favor of Spanish ship, \$10,698.95.
Total difference per annum in favor of Spanish ship, \$128,387.40.
Ten thousand six hundred and ninety-eight dollars and ninety-five cents per month in favor of Spanish ship enables same to carry cargo 33 per cent. less than United States ship same tonnage.
Eight thousand seven hundred and seventy-three dollars and thirteen cents per month in favor of Italian ship enables same to carry cargo 29 per cent. less than United States ship same tonnage.
Nine thousand and ninety-four dollars and twelve cents per month in favor of French ship enables same to carry cargo 31 per cent. less than United States ship same tonnage.
Eight thousand and twenty-four dollars and twenty-one cents per month in favor of German ship enables same to carry cargo 27 per cent. less than United States ship same tonnage.
Seven thousand one hundred and thirty-two dollars and sixty-three cents per month in favor of English ship enables same to carry cargo 24 per cent. less than United States ship same tonnage.

These figures represent facts, not fancies, and show that, if the American line offers to take cargoes from New York to Rio for \$7.50 per ton, the Spanish ship can offer, for same cargo in our own ports, to carry at \$5.03 and be on the same basis as the American. Am I not justified, then, in my assertion that American ships can not compete successfully with those of these other countries, in the foreign carrying trade, even though the first cost of ours was merely nominal? Clearly, then, neither a reduction of the cost of an American ship of 15 or 20 percent., by the admission, free of duty, of all the materials, machinery, etc., entering into her construction, nor the admission of foreign-built ships to an American registry, "will secure to us our fair proportion of the carrying trade of the world." What legislation will? In my deliberate, carefully considered opinion, only such as for a term of years will provide for the payment to every American vessel, of sail or steam, of wood, of iron, of steel, "a navigation premium" of so much a mile for every mile such vessel sails and carries freight in the foreign trade, and that premium sufficient to make the terms between foreign ships and ours about equal.

Mr. MORGAN. I suppose, if the Senator will allow me, that part of that advantage in favor of the Spanish ship, or the British ship, or the French ship is in consequence of the low price of wages on board those ships?

Mr. FRYE. Yes, part of it.

Mr. MORGAN. Now, is there anything in the laws of the United States or is there anything in the Senator's bill which prevents an American shipmaster from shipping his crew at a Spanish port, or a British port, or a French port, or a German port, at any rate that he pleases and of any nationality that he pleases?

Mr. FRYE. If an American ship was trading between foreign ports of course it could hire sailors in the various ports; but these old shipmasters tell me, and I have no doubt it is correct, Mr. Russell tells me, that the moment employment is sought under an American flag the increased wages which that American flag is well understood all over the world carries at home are demanded, and that the living, also, is demanded which is understood to be given under the American flag.

Mr. GRAY. Do I understand the Senator to say that Russell was a sea captain?

Mr. FRYE. Yes.

Mr. GRAY. I thought he was a consul.

Mr. FRYE. He was a consul-general when I interviewed him, but he always had been a shipmaster.

Mr. MORGAN. Then the whole matter depends, as I understand it, upon a certain high reputation that sailors of the United States and

ships of the United States have for good living and high wages that induces a Spanish, Dutch, English, or French sailor to demand more of the American ship than of any other country?

Mr. FRYE. The Senator understands that an American ship making her voyage from a home port to a foreign port engages her crew at home, and generally for the round voyage, and of course they are governed by American wages all the way, and they demand the American living. I say it is well understood in foreign ports—it is as well understood in Liverpool as it is New York—that American wages are about so much; at any rate, more than English wages, and the American can not engage his crew without paying, so Mr. Russell told me, pretty near the American wages.

Mr. MORGAN. It is not possible, if the Senator will allow me a moment, as I conceive, under the statements which have just been made, by force of any statute we can enact to raise the wages of men employed in American ports, whether they are foreign or whether they are native-born people, and therefore I understand the argument to be that inasmuch as we can not afford to pay the difference between Spanish wages and American wages on board an American ship we must collect the money out of the people to pay the difference.

Mr. FRYE. Well, that is hardly a logical conclusion, I take it, from what I said; because the higher wages and the increased cost of living do not account for this enormous difference. I say we have no protection for our ships. If anything, we are discriminated against by our nation in this matter of carrying the mails. The Senator knows it is true that we are not paying the actual cost of carrying the mails to-day; that these foreign countries, in addition to paying lower wages for their sailors and their officers and a lower cost of living, have these enormous subsidies, and those, coupled with the other things, make the difference which I have stated.

Mr. President, is there any remedy for this? In my judgment there is but one to be found, and that is protection to American ships engaged in the foreign carrying trade, and that either by bounty or subsidies. Why should we fear to resort to bounties and subsidies? Why should we pay \$150,000,000 a year to foreign ships for carrying our cargoes? Why should we carry our mails under a foreign flag? Why should every passenger who desires to sail from America abroad be compelled to sail under a foreign flag? Why should we, with our immense wealth and our great power, our ship-yards and mechanics, our enormous coast line, depend upon foreign nations to do all of our foreign carrying business for us? Why should we permit them to pay subsidies, as England has for fifty years, and quietly surrender the possession of all this business; why yield to Spain and Germany and Italy and Holland and the Argentine Republic?

Mr. President, the other day I came across two autograph letters from Horace Greeley, written some twenty years ago, in one of which he advised that we should take part of the annual appropriations for the Navy and subsidize American ships, and in the other that we should pay a bounty to American ships. I found, among my papers, a message sent into Congress by President Grant, March 24, 1870, which I should like to have read.

The PRESIDENT *pro tempore*. The Secretary will read it, if there be no objection.

The Secretary read as follows:

MARCH 24, 1870.

To the Senate and House of Representatives:

In the executive message of December 6, 1869, to Congress the importance of taking steps to revive our drooping merchant marine was urged, and a special message promised at a future day during the present session, recommending more specifically plans to accomplish this result. Now that the committee of the House of Representatives intrusted with the labor of ascertaining "the cause of the decline of American commerce" has completed its work and submitted its report to the legislative branch of the Government, I deem it a fitting time to execute that promise. The very able, calm, and exhaustive report of the committee points out the causes which have produced the decline of our commerce.

It is a national humiliation that we are now compelled to pay from twenty to thirty million dollars annually (exclusive of passage money, which we should share with other nations) to foreigners for doing the work which should be done by American vessels, American built, American owned, and American manned. This is a direct drain upon the resources of the country of just so much money, equal to casting it into the sea, so far as this nation is concerned. A nation of the vast and ever-increasing resources of the United States, extending, as it does, from one to the other of the great oceans of the world, with an industrious, intelligent, energetic population, must one day possess its full share of the commerce of those oceans, no matter what the cost. Delay will only increase this cost and enhance the difficulty of attaining the result.

I therefore put in an earnest plea for early action in this matter, in a way to secure the desired increase of American commerce. The advanced period of the year, and the fact that no contracts for ship-building will be entered into until this question is settled by Congress, and the further fact that if there should be much delay all large vessels contracted for this year will fail of completion before winter sets in, and will therefore be carried over for another year, induces me to request your early consideration of this subject. I regard it of such grave importance, affecting every interest of the country to so great an extent, that any method which will gain the end will secure a rich national blessing.

Building ships and navigating them utilizes vast capital at home; it creates a home market for the farm and the shop; it diminishes the balance of trade against us precisely to the extent of freights and passage money paid to American vessels, and gives us a supremacy of the seas of inestimable value in case of foreign war.

Our Navy at the commencement of the late war consisted of less than one hundred vessels, of about 150,000 tons, and a force of about 8,000 men. We drew from the merchant marine, which had cost the Government nothing, but which had been a source of national wealth, six hundred vessels, exceeding 1,000,000 tons, and about 70,000 men to aid in the suppression of the rebellion.

This statement demonstrates the value of the merchant marine as a means of national defense in time of need.

The committee on the causes of the decline of American tonnage, after tracing the causes of its decline, submit two bills, which, if adopted, they believe will restore to the nation its maritime power. Their report shows with great minuteness the actual and comparative American tonnage at the time of its greatest prosperity; the actual and comparative decline since, together with the causes, and exhibits all the statistics of material interest in reference to the subject. As the report is before Congress, I will not recapitulate any of its statistics, but refer only to the methods recommended by the committee to give us back our lost commerce. As a general rule, when it can be adopted, I believe a direct money subsidy is less liable to abuse than an indirect aid given to the same enterprise. In this case, however, my opinion is that subsidies, while they may be given to specific lines of steamers or other vessels, should not be exclusively adopted; but, in addition to subsidizing very desirable lines of ocean traffic, a general assistance should be given in an effective way.

I therefore commend to your favorable consideration the two bills proposed by the committee and referred to in this message.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 23, 1870.

Mr. FRYE. The President of the United States, in his last annual message, says:

There is nothing more justly humiliating to the national pride, and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and sea-coast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. It is not possible in this communication to discuss the causes of the decay of our shipping interests or the differing methods by which it is proposed to restore them.

The statement of a few well authenticated facts and some general suggestions as to legislation is all that is practicable. That the great steam-ship lines sailing under the flags of England, France, Germany, Spain, and Italy, and engaged in foreign commerce, were promoted and have since been and now are liberally aided by grants of public money, in one form or another, is generally known. That the American lines of steam-ships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn, or, in the few cases where they are still maintained, are subject to serious disadvantages, is matter of common knowledge.

The present situation is such that travelers and merchandise find Liverpool often a necessary intermediate port between New York and some of the South American capitals. The fact that some of the delegates from South American states to the conference of American nations, now in session at Washington, reached our shores by reversing that line of travel, is very conclusive of the need of such a conference, and very suggestive as to the first and most necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

I recommend that such appropriations be made for ocean mail service in American steam-ships between our ports and those of Central and South America, China, Japan, and the important islands in both of the great oceans, as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair degree equalize the chances of American steam-ship lines in the competitions which they must meet. That the American states lying south of us will cordially co-operate in establishing and maintaining such lines of steam-ships to their principal ports I do not doubt.

Secretary Tracy in his annual report of 1889 uses very strong language in favor of something being done and is very emphatic in his conclusions. He says:

It must be remembered, however, that cruisers have another and equally important function in the attack and defense of commerce. Any staunch vessel with a good coal capacity and the highest rate of speed, armed with a few rapid-firing guns, though built and used principally for commercial purposes, may by certain adaptations in her construction be made readily available for this form of warfare. The fast transatlantic liners, nationalized in foreign countries, but supported and maintained by American trade and American passengers—many of them, even, owned by American citizens—are a powerful factor in the naval force of the Governments whose flag they bear and at whose disposal they must place themselves in time of war.

It is a matter for serious consideration whether steps may not be taken towards the creation of such a fleet of specially adapted steamers of American construction, owned by American merchants, carrying the American flag, and capable, under well defined conditions, of temporary incorporation in the American Navy. The advantages of such an arrangement, which enlarges the merchant marine and makes it at the same time self-protecting, are overwhelmingly great. The difficulty is that American capital will not be drawn into the enterprise unless it can be sure of specific compensation for the concessions which it makes to the Government, first, in the adaptation of its vessels to the latter's needs and, secondly, in the surrender of a privilege to use them when the exigency arises.

In the absence of such an arrangement the naval policy of the United States can not neglect to take account of the fleets of fast cruisers which foreign states maintain under the guise of passenger and merchant steamers. They constitute an auxiliary navy, and must be reckoned as a part of the naval force of the Governments maintaining them. It is difficult to imagine a more effective commerce-destroyer than the steam-ship City of Paris, armed with a battery of rapid-firing guns. She can steam over 21 knots an hour and can average 19.9 knots from land to land across the Atlantic. No man-of-war could overtake her; no merchantman could escape her. A fleet of such cruisers would sweep an enemy's commerce from the ocean. This fact is well understood in Europe, and states that are unprovided with a convertible merchant fleet are preparing to meet the possible emergency by partly protected cruisers that are substantially as fast as the City of Paris. Of this type the Piemonte is the latest development, and others equally fast are now building.

Secretary Whitney also advocated a like course in his report, I think it was his last annual report. He said:

It may not be out of place as a branch of this subject to call attention to one of the incidental consequences of the policy pursued by other countries in this matter of a naval reserve. In time of war troop-ships or transports are in great demand. Several European Governments make an annual contribution, based on tonnage, to companies constructing new vessels. The consideration to the Government is a counter-agreement, permitting the Government to take such a vessel for a transport in time of war upon terms named in the agreement. The Government officials are also consulted as to her mode of construction, and she goes on to the naval-reserve list. These payments are incidentally in the nature of a subsidy to the ship-owner, and this, with the liberal payments for Government transportation of mails, etc., keeps a large fleet of merchantmen afloat as a reserve ready for a time of war. Without ships and trained seamen there can be no naval reserve.

A notable illustration of the generosity and courage with which England pushes her shipping interest is seen in the manner in which she is at this moment dealing with the trade of the North Pacific. It has been thus far principally under the American flag and contributory to San Francisco and the United States. The British Government and Canada together are proposing for the establishment of a line of first-class steamers from Vancouver to Japan. The subsidy is likely to be \$300,000 annually, 45,000l. from England and 15,000l. from Canada. There will also be contributed from the naval-reserve fund probably \$5 per ton annually for each ship constructed for the route, which will increase the sum by probably \$125,000. Under such competition it is quite easy to conjecture what will become of the American flag and our resources in the way of a naval reserve in the North Pacific.

Secretary Whitney of course puts it largely upon the ground that these should be auxiliaries to the Navy. So does Secretary Tracy. Admiral Porter makes a very able argument in the same general direction.

Now, the naval architects had a meeting a short time ago in March—March 26, 27, and 28—in England. The first paper read was by William W. H. White, director of naval construction, and he used this language in reference to the merchant steamers:

Referring to merchant steamers and war cruisers, it was remarked that passenger steamers of the first rank greatly exceed in displacement as well as length, even the largest cruisers yet constructed (Her Majesty's ships Blake and Blenheim). On this account it is unreasonable to expect that any regularly built war cruisers yet contemplated can catch vessels like the City of Paris, or Teutonic, or Umbria at sea. It has been proposed that war cruisers should be built equaling these "greyhounds" in speed and coal endurance, but surpassing them in armament and protection. To do this must involve still greater displacement and cost; and one may well hesitate in embarking on such a course so long as we possess not merely a vast superiority in swift merchant steamers available as auxiliaries to the regular fleet, but also larger war cruisers than are to be found in foreign navies.

Mr. President, I hope that these bills will both be sent over to the other House, having received favorable action in the Senate. I feel myself a profound interest in this matter of reviving the American marine, as all Senators know, and have labored without weariness in that direction ever since I have been in Congress. I intended when I took possession of the floor to occupy it some fifteen minutes. I ask the pardon of the Senators for having occupied it the length of time I have, trespassing so long upon their patience.

Mr. VEST. Mr. President, as a member of the Commerce Committee I have not been able to concur in the favorable report of this bill by the Senator from Maine [Mr. FRYE]. I have never been able to support any bill giving a subsidy for any purpose since I have been a member of the Senate, nor do I propose to do so.

It is not my purpose to enter into any constitutional argument upon the subject, because that line of discussion is a little distasteful to the Senate and my experience has been that the Constitution is made to answer the purposes of any political organization or any great interest that desires to construe it in any particular way. In the convention of 1789, which framed the Constitution, a distinct proposition was made to incorporate in the Constitution a provision for subsidies. Upon page 261 of the journal of the convention it will be found that the following proposition was made to the convention:

To establish public institutions, rewards, and immunities for the promotion of agriculture, commerce, trades, and manufactures.—*Journal of the Federal Convention*, page 261.

That proposition was rejected, and to my mind it is conclusive as to the views and intentions of the framers of the Constitution in regard to granting subsidies. The power, if found at all, must be under the general-welfare clause of the Constitution, the blanket clause, which is made to cover all sorts of political exigencies and all sorts of doubtful legislation.

But I repeat, Mr. President, the fact found in the proceedings of the convention that this proposition was distinctly made and distinctly voted down shows that the men who made that instrument never contemplated such legislation as is now proposed.

It is not singular, Mr. President, that the Senator from Maine advocates this proposition. He represents a ship-building State. It would be equally strange if those of us who live away from the seaboard and who represent agricultural communities should agree to any such propositions as are contained in these bills. If I should offer in the Senate a proposition to pay a bounty upon wheat or corn or cattle, liberty would lie bleeding in the streets at once, and the whole of the Atlantic seaboard would rise against it as unconstitutional and monstrous in the extreme.

I would be obliged to any casuist to tell me the difference between a bounty, a subsidy, upon ships and upon any other article owned by the people of the United States. I should like to know where is the difference, logically, between granting a subsidy upon one article or upon another. The carrying trade of the United States, as the Senator from Maine has said, is languishing and almost dead. The cattle trade of the United States is languishing and almost dead; but, if I were to propose here a subsidy upon cattle in order to encourage the raising and exportation of cattle, I should be confronted not only with constitutional arguments, but the proposition would be attacked as the most monstrous one ever heard in the Halls of Congress.

The State of Maine has been persistent always in advocating subsidies. When wooden ships dominated the ocean, the great interest in that State was the building of wooden ships. In 1870, when Mr. Lynch was a member of Congress from the ship-building district of Maine, now

represented by Governor DINGLEY, he made a celebrated report on the subsidy question, in which he discovered that the cause of the decline of the American carrying trade was found in the existence of the Confederate cruisers during the war, that the Alabama and the Florida had brought about the present disastrous condition of that great interest. It was proposed by that gentleman, and successfully carried through the House of Representatives, to pay a bounty upon wooden sailing vessels in order to restore that interest to its former supremacy and importance. The bill came from the other House to the Senate, and it was moved to lay it upon the table, and Garrett Davis, of Kentucky, moved that it be kicked under the table, as the Congressional Globe shows. That was an investigation as to the cause of the decline of American commerce. Therefore, the Senator from Maine was particular to say that he desired no one to suppose that he did not know the difference between the carrying trade and the commerce of the United States.

In an article published in the North American Review in 1884 by Governor DINGLEY, the chairman of the Commerce Committee of the House of Representatives, the causes of the decline of American shipping, or the American carrying trade, are not ascribed to the war or to the presence upon the ocean of the Confederate cruisers, but the cause is alleged to be the change from wooden to iron vessels and steel vessels, and that the United States did not take advantage of the opportunity by purchasing iron and steel vessels abroad, but continued to adhere to the old-fashioned methods of maritime intercourse, and that the present decline in the American carrying trade has been the consequence.

During the Administration of Mr. Cleveland the Mills bill, as it was called, in regard to tariff taxation was supplemented by a proposition for an international conference, which has been termed now the Pan-American Conference. I have never been able to understand how it could be a Pan-American Conference, which I believe means an all-American conference, when Canada was excluded. It is called in some quarters a Spanish-American conference, but in the press of the country generally the Pan-American Conference. It originated with Democrats as a supplement to the Mills bill.

In that bill wool was put upon the free-list, and it was conceived that reciprocity treaties in connection with putting wool upon the free-list could be made with the South American countries, especially with Chili and the Argentine Republic, that would inure greatly to the commercial advantage of the people of the United States. After the Mills bill came to the Senate and was defeated, and after, of course, Mr. Cleveland had issued his celebrated message upon the tariff question, making that the sole issue in the Presidential canvass, the scheme or idea of a Pan or Spanish American conference, like the American shipping trade, languished and died. Mr. Cleveland became immersed in his campaign, and after his defeat the subject was not pressed. He was appealed to by prominent Democrats to carry out this idea and to bring about the negotiations which were necessary to this Pan or Spanish American conference.

In the heat and confusion and smoke of that Presidential conflict the matter was not consummated, and the result was that the present Administration became the residuary legatee of this scheme. It has been lately paraded before the country as a great and original invention. It has been published far and wide as the great diplomatic discovery of this age. Mr. President, it is a chestnut. It is a back number. It was invented by the ignorant and brutal Democracy. It was found half made up when the Harrison Administration came into existence, and the restless and ambitious spirit of the present Secretary of State seized upon it, and it is paraded before the country as a great and phenomenal diplomatic exploit.

There are some remarkable features connected with this Pan-American Congress which seems to have given a new life to this idea of subsidies that has been dragging its way through the lobbies of Congress for the last twenty-five years. I saw not long since a statement by a delegate from the Argentine Republic which is a little significant in connection with this Pan or Spanish American Congress. This was a speech made in the congress by Señor Peña, of the Argentine Republic, and it is a very remarkable declaration, exceedingly suggestive and very pertinent at the present time:

He said that from the very beginning of the debates on subsidizing lines of steamers he had made it clear that the Argentine Republic, in agreeing to pay its proportion of the proposed subsidy, did not expect any commercial gain to result. There were plain and weighty reasons why the trade between the United States and his country was not enlarging, reasons which were well known to all the members of the congress. But the Argentine Republic sought to promote intimacy with all the nations of America and on that ground had consented to the suggested subsidies. The Argentine delegates, having already signed that agreement, were prepared to stand by it, but not without making an important declaration of which the Secretary should take careful note.

The delegates were aware, went on Dr. Peña, that the tariff bill agreed upon by the majority of the Committee on Ways and Means of the House of Representatives provided for the increase of the duties on wool and for the imposition of a new duty on hides. If those proposals should become law, they would practically suppress Argentine exports to the United States. Under the present tariff fine wools are shut out; under the proposed one coarse wools would also be excluded, and what small trade there was would disappear. Taking up the duty on hides in particular, he showed how not only the Argentine Republic, but almost all the South American nations, would be affected by it. If that duty should be enacted into law it would entirely frustrate the benefits to commerce aimed at by the congress.

We were invited here to foster American commercial relations. When we go

home and give an account of our mission we shall have to say, We went to Washington with one of our products free, and we have secured a law which taxes it; another product which was taxed at 6 cents a pound we bring back from the congress taxed at 7 cents. Such will be the commercial results of the conference of the three Americas, judged without any irony, but also without any flattery.

The Argentine delegate went on to ask if it was either logical or decent to ask his country to spend money to "cover the seas with vessels sailing only with ballast." It was wholly inexplicable and confusing to him that the scheme to foster international communication and lower rates of freight should go hand in hand with a plan to lay new taxes on foreign commerce and raise the barriers of customs to an impassable height. This was to undo with one hand what was done with the other.

He concluded by saying that the Argentine delegates would vote for the proposed subsidies on the basis of the present tariff rates; but that if these should be changed to the disadvantage of Argentine exports they would advise their Government not to consent to the payment of a subsidy. This decision was the result of a formal vote of the Argentine delegation, and it should be inserted in the journal of the congress.

Mr. President, when the South American Commission was sent to the South American states there was a very significant interview between that commission and the President of Chili.

Mr. TELLER. What commission was that, the one in 1881?

Mr. VEST. The one in 1881, of which Governor Reynolds, of my State, was president. When the commission came to Chili they laid before the President of that country the purport of their mission and asked him to consider the negotiation of a treaty and the reciprocity of trade between Chili and the United States. I go back now a little in this history.

The Chilean President politely but decidedly declined to consider the subject. "It was out of no want of respect," he said, "for the United States; but it was his settled belief that all treaties were needless; that there could be no control by any convention of the laws of trade; that men would buy and sell where it was most for their advantage; and that this could not be aided or materially influenced by national compacts." In conclusion, he further remarked that "Chili opened all her ports to the vessels of any nation, the United States included, and in turn the Chilean flag ought to have access to the ports of the United States in like manner."

I make these quotations to show the origin of the recent communication from the State Department at the hands of the President of the United States to Congress assuming the new and marvelous position on the part of this Administration that there shall be free trade so far as it can be brought about by reciprocity treaties between the South American states and the United States of America. It is the most marvelous concession on the part of the high-protective-tariff party in this country that is known in political history. It is an abdication of the dogma of that party, and they never again with any consistency can talk to the people of the United States about the necessity for this high-protective-tariff system which has been their shibboleth for so many years.

Sir, it is as well known as that we are now in this Chamber that all the leaders of the Republican party have advocated the necessity of doing away with foreign commerce and intercourse with foreign nations and making this country absolutely independent and isolated from the rest of the world. The great leader and almost originator of the protective system in this country, Henry C. Carey, of Philadelphia, who occupied to the dogma of protection the same relation that Mohammed does to the faith of Islam, or that Brigham Young did to that of Utah, declared solemnly and publicly that he wished that the Atlantic Ocean was an ocean of fire, over which no ship could pass from Europe to the United States. My friend from Maine, who champions the subsidy bill, in a speech delivered by him in October, 1888, before the Home Market Club in Boston, declared—but I will read exactly what he did say:

Senator FRYE, of Maine, in a speech at a Home Market Club dinner in Boston, October 24, 1888, declared that he wanted "to see duties increased," so that no manufactures of silk or of wool or of iron and steel could be imported.

I have a full and complete copy of the speech from which I read that extract. It has been the settled doctrine of the Republican party in this country that importations from abroad should be discouraged. In the debate in the last Congress, when the items came up in the schedules of the Senate bill that was passed as a substitute for the Mills bill I repeatedly called attention to the fact, in the shape of assertion and question, that the only reason that existed for an increase of duty was because there was an increased importation. It was considered an absolute argument, sufficient and complete in itself, for any increase of tariff duty that more of the article was being imported into this country. The Republican party in its platform at Chicago upon which it elected Harrison declared that rather than touch one hair upon this sacred animal, this white elephant of the high protective tariff, it would abolish the whole of the internal-revenue system of the country. It was the distinct issue upon which that Presidential contest was waged.

Hardly have two years elapsed when the President elected upon that issue, and his Premier, the most prominent and eloquent advocate of the doctrine of high protection in the United States, lay down the declaration in the face of the whole world and come to Congress and say, "We protest against the McKinley tariff bill because it puts increased duties upon articles imported from the South American states, and we ask now for free trade with those countries to be brought about by reciprocity treaties."

It is a remarkable fact, Mr. President, that no adverse comment is made by the Republican press in the United States upon this extraor-

inary change. What has become of the home market? Sir, the country has been flooded with literature, paid for by the manufacturers, I take it, by the protected interests of the country—every section of the United States, down to the most obscure township and remote hamlet, has been flooded with literature to show that the home market was all that the people of this country wanted; that the foreign market amounted to nothing; that no steps were to be taken that led away from this high protective system, and if you in one single instance departed from the system, like the deadly crevasse upon the banks of the great Mississippi, there would be a deluge and a destruction indescribable to all material interests.

Now there is a change as sudden and marvelous as that which came upon the great Apostle Paul as he journeyed from Jerusalem to Damascus. Now we must have free trade, the home market will not do, and the Senator from Maine enlarges upon the idea of the Secretary of State and now wants to give subsidies to vessels of all sorts, sail and steam vessels, so as to bring about increased trade, for there can be no other purpose, I take it, not only with the South American states, but with all the European countries and the world at large.

The Senator from Maine (and I will not go over his entire argument) makes an erroneous statement, if I understand him, in regard to the granting of subsidies by England. If I understand him correctly he says that England has never given any of its mail contracts to any except English lines of steamers or English ships.

Mr. FRYE. If the Senator will allow me—

Mr. VEST. Certainly.

Mr. FRYE. Never where she had a line that itself could convey her mails, except in one instance, which was a French line, and the Parliament would not submit to that.

Mr. VEST. I assert, and there can be no sort of question about it, that the North German Lloyd line closed a contract with the Government of Great Britain for carrying the mails from Liverpool to New York, and in his controversy with Mr. Gladstone Mr. Blaine alludes to that fact and says that the contract was afterwards avoided by the English Government, but for what reason he does not state. However, I assert now, and will undertake to show, that the contract was made under open bidding, the contract being given to the lowest and best bidder, to the North German Lloyd line, and that Mr. Blaine so states emphatically, and I have the documentary evidence here to show it.

I assert more than that, that at this particular time a contract exists between the Pacific Mail Steam-Ship line, an American organization, and the Government of Great Britain, under which two of the vessels of that line are engaged in carrying the English mails from San Francisco to Australia.

Mr. FRYE. But the Senator knows that in a very short time, when the Canadian ships are put on to run from the western limit of the Canadian Pacific Railroad, they will no longer do that.

Mr. VEST. Ah, Mr. President—

Mr. FRYE. I alluded to that.

Mr. VEST. That is another proposition. What may happen in the future is another thing. I meet the proposition of the Senator from Maine when he asserts that England only gives the mail contracts to her own people with a statement of fact which he can not deny. I say that England puts up her contracts to the lowest and best bidder for carrying the mails, and that the North German Lloyd line was the successful bidder for the mails from New York to Liverpool, and that at this particular time a contract is in existence by which the Pacific Mail Steam-Ship Company carries the English mails from San Francisco to Australia under a contract with the British Government.

Mr. FRYE. It is because the British Government had no line.

Mr. VEST. Ah, "because." I am not talking about the cause; I am talking about the facts.

Mr. FRYE. If the Senator will pardon me, I not only said there was that line, but I stated the amount of profit which the United States made out of that mail transaction.

Mr. VEST. Now the Senator modifies it.

Mr. FRYE. No; that was my statement.

Mr. VEST. I undertake to show by official authority, coming from a gentleman who will not be suspected of any Democratic tendencies or free-trade tendencies, that the statement of the Senator from Maine is incorrect as to the practice of Great Britain in regard to these mail contracts, or subsidy contracts as he terms them. I quote now from an official report of John C. New, consul to Liverpool, made to the State Department:

The British Government does not grant subsidies, in the general sense of that term, to any steam-ship company, but the post-office authorities make contracts for the conveyance of mails to the different parts of the world with the steam-ship companies having steamers sailing to those ports. * * * No payment other than for the conveyance of mails is specially made for maintaining communication between Great Britain and Central and South America and the West Indies.

Here is a table, submitted by Mr. New in response to an inquiry from the State Department of the United States, giving the amount paid from 1868-'69 down to 1888-'89 by the British Government for mail service. No intelligent man will deny that Great Britain has fostered and encouraged her lines of communication over the whole world by increased mail pay. It was an absolute necessity of her condition. No parallel

can be instituted between the United States of America and the United Kingdom. We comprise almost a continent in our territorial possessions. We are united, compact, solid. We have a difference of climate, products, soil, and people, which is unequalled by any country upon the face of the earth. The spirit and theory of our Government is to hold no colonial possessions. It is not only a tradition, but a settled and accomplished fact governmentally with the people of the United States that no colony shall be held by this Government.

We can not hold even the Territories in a Territorial condition longer than a reasonable discretion by Congress will so keep them. They are held to become States. What is the condition and autonomy of the United Kingdom? It is an island with three hundred millions of people, and one-twelfth of them within the territorial domain of Great Britain. Rapidity of communication and certainty of transportation are a necessity with Great Britain. She must communicate with her colonies by ships, for it is impossible to do so in any other way. The carrying trade is to Great Britain the blood and life of the nation, and it would be strange indeed if a country so situated had not subordinated every other interest to that of ships in order to reach her colonial possessions and preserve the unity of her empire. There is no parallel between the two cases. There ought to be none, and there can be none.

But, Mr. President, this list shows that from 1868 down to 1888-'89 the pay given, call it subsidy or subvention or what you may, by the English Government to her steam-ship lines decreased from \$5,454,530 in 1868 to \$3,184,435 in 1888. I want to call the attention of those who are persistently claiming that the superiority of Great Britain upon the ocean comes from subsidies to an official report made to the Parliament of Great Britain by the lords of the admiralty, which I will ask the Secretary to read.

The PRESIDENT *pro tempore*. The Secretary will read as requested.

The Secretary read as follows:

With a view to attain this object [mercantile cruisers] my lords have sought and obtained the co-operation of Her Majesty's postmaster-general. They pointed out that the vessels most likely to suit the purposes of the admiralty were steamers of such high speed as would in all probability be used for the conveyance of mails under contract with his department.

The opportunity of practically developing the scheme has been offered by the negotiations in progress for the conveyance of the mails between the United Kingdom and New York, with the approval of the postmaster-general. Their lordships have had communications with the steam-ship companies which have made proposals for the conveyance of these mails. The negotiations carried on with these companies have been conducted so as not to interfere with the terms as regards the conveyance of mails, but rather to enter into agreements supplemental or subsidiary to the contracts for the mail service.

My lords would desire to state that the experience derived from the events of 1855 has led them to believe that true economy and real efficiency would be best promoted by securing the use to the admiralty in times of peace of the fastest and most serviceable mercantile vessels.

Their lordships consider that subventions or annual payments for pre-emption in the use or purchase of these steamers should only be made with those vessels already existing which have an exceptionally high sea-going speed, or for vessels which may be built possessing great speed and adaptable in their construction as armed cruisers.

The retention of a fleet of "royal naval reserve cruisers" would be obviously of great national advantage. In a pecuniary sense they would serve to limit the necessity felt by their lordships for the construction of fast war-vessels to protect the commerce of the country. Not only would the nation be a pecuniary gainer in respect to the first cost of such vessels, but their annual maintenance, which amounts to a large sum, would be saved were such vessels maintained while not required for admiralty purposes in mercantile trading.

Their lordships have not formed a definite view as to the number of vessels that should be retained in the manner indicated, but as such steamers are not likely to be constructed in any considerable numbers, it is thought that probably ten would be the maximum number at all likely to be placed at the disposition of the admiralty within the next five years at a maximum annual charge of 50,000*l*.

The services of these vessels will be secured to the admiralty upon fair terms as to cost of hire, by the payment of 15*s*. per gross register ton per annum so long as they continue to have the American mail contract, or 20*s*. per ton per annum if the contract be withdrawn from them; such subvention to be continued for a period of five years, or thereafter until notice of termination has been given. These vessels will be completed in about eighteen months, and the subvention will be an annual charge of about 6,500*l*. for each vessel so long as they carry the mails, or 8,500*l*. should the mails be withdrawn from them. Their lordships believe that this sum will be considered reasonable when regard is had to the fact that the special adaptation of the ships will involve considerable first cost to the owners and will in a measure limit their earning power.

Mr. VEST. Mr. President, in the published controversy between Mr. Blaine and the honorable William E. Gladstone an assertion was made, which was repeated here to-day by the Senator from Maine, to the effect that the supremacy of Great Britain in the carrying trade of the world was due to subsidies. That charge has been made in every sort of shape, at every sort of time, and in every sort of place.

Great Britain possesses seven-twelfths of the carrying trade of the entire world and with her enormous merchant marine, comprising, as I have said, more than one-half of that of the entire world, less than 2 per cent. is subsidized—I mean 2 per cent. of her steam transportation, and less than 1 per cent. of her whole transportation if you count sailing vessels with steam vessels—less than 1 per cent. of all her enormous shipping trade is subsidized in any way, directly or indirectly; and when Mr. Blaine and the Senator from Maine to-day and all the lesser lights of the subsidy party claim that we should imitate her in order to recover our old superiority on the ocean, I should like them to tell me how the subsidizing of less than 1 per cent. of the whole shipping trade of Great Britain keeps up the balance of that shipping trade and gives it its superiority on all the oceans of

the world. I should like for any gentleman, from Mr. Blaine down to the smallest yelping subsidist who infests this Capitol, to tell me how that proportion of less than 2 per cent. of the steam transportation and 1 per cent. of all the transportation, counting sailing vessels, keeps up the balance of the shipping trade of the United Kingdom.

Mr. President, there is no intelligent man who does not know that the effect of subsidizing any particular line is to discourage all the others. It is true upon the land and it is true upon the ocean that whenever you give special privileges to an individual or to a company you handicap the rest of the community to that extent. If I have a rival in business, and he receives governmental assistance to the amount of 1, or 5, or 20 per cent., I am forced to meet that advantage upon his part and I am injured to just that extent. That doctrine is true as to a cattle-raiser upon the prairies of Missouri, and a ship-owner in New York, or Boston, or Philadelphia. The very minute the Government steps in and becomes a partner with the citizen, either upon the land or the ocean, and gives to him a subsidy, it injures and discourages to that extent his rivals in business.

There is one plain question at the very threshold of this whole debate that never has been answered and never will be. If we could build the ships with which to control the commerce of the world why have we not done it? I should like to see the Senator who will stand here and say it is the want of ingenuity and enterprise on the part of our people. I should like to see the Senator, no matter how audacious he may be as a public man, who will rise up and say it was the want of capital. I should like to see the Senator who will say it was through any fault upon the part of the American people that to-day we have lost our supremacy upon the sea. It was not the war that did it, for the decline commenced in 1855, before the Confederacy was ever heard of.

Mr. EDMUNDS. It dropped pretty fast during the war.

Mr. VEST. As a matter of course, everything dropped during the war, men included. Everything dropped during the war except the price of gold, and that went up.

Mr. EDMUNDS. And the price of wheat rose.

Mr. VEST. As a matter of course, everything was disarranged. That is no fair illustration. Everything was in a phenomenal and abnormal condition during the war. Peace is the normal condition and war is an abnormal condition; and disarranges and kills industries as well as soldiers. But I assert that the decline in the American shipping commenced in 1855, before the war.

Mr. FRYE. Under a low tariff.

Mr. VEST. Under a low tariff. I will concede that much, and I have never pretended that the tariff alone brought about the decay in American shipping interests. It was more than that. It was not only the tariff, but other things which have brought it about and which continue that disastrous condition of affairs now.

The Democratic party is frequently taunted as the party of the past; that it never advances; that it was camped one year where the Republicans camped the year before, and all that sort of rot. Why, Mr. President, the Republican party to-day is hanging on to the old traditions of 1789 in regard to the exclusion of all foreign vessels from the registry of the United States.

Mr. EDMUNDS. If the Senator will allow me—not about the Republican party, for that can take care of itself—I wish to ask him to tell us (and I am perfectly sincere in the question) what he thinks was the cause of starting the decline of American shipping in 1855 besides the low tariff to which he has already referred.

Mr. VEST. I do not think the low tariff did it, because the shipping trade of the United States increased steadily under the Walker tariff up to 1855. The controlling reason, in my judgment, and not the only one—and I have studied it as thoroughly and as accurately as it was possible for me to do—was the fact that Great Britain, with her enterprise and foresight and energy, saw that she was dropping behind in the ocean trade of the world; that the United States was pressing upon her, as the great Napoleon said it would when he sold us the Louisiana purchase in order to create a rival to Great Britain in the commerce of the world; and when Great Britain saw it, she immediately commenced hunting for some remedy for the existing state of things, and she found it in steel and iron vessels.

The fatal mistake that was made by us, and which we continue to-day, is that we, like the Bourbons, refuse to learn. Instead of seizing, as Germany has done, upon the discovery of Great Britain and constructing in her own ship-yards, commencing with repair-shops and afterwards with the construction of ships, iron and steel vessels that are now threatening the supremacy of Great Britain upon the ocean, we sat down stolidly, blindly, and almost brutally and said we would shut out the ships of the whole world from our registry, and refused to avail ourselves of what should be the opportunity of every American citizen, to buy the best ship at the lowest price wherever he could.

Mr. EDMUNDS. But I do not quite understand the answer to my question. In 1855, when the decline had begun, as it was said, there was a low tariff and the opportunity to buy ship materials and the American ship-building system of home ships had existed all the time and we had a great supremacy and England was afraid and alarmed and went to doing something else, which I understand the Senator to say was the building of iron and steel vessels. Was it that which made the change?

Mr. VEST. I think that was one of the principal causes, but not the only one.

Mr. EDMUNDS. What was the other one?

Mr. VEST. Permit me to say that this decline did not commence absolutely in 1855. That is the year in which it became most marked and distinct. It really commenced a number of years before that. In 1837 Great Britain commenced building her steam-vessels. Although the discovery was made in the United States of the screw propeller, it was immediately adopted by Great Britain, and from 1837 she commenced the construction of vessels of iron, propelled by steam, and ran them across the oceans, and she continued to improve. The English discovered that they had the iron, the coal, and the ocean in close proximity, and, with the imperial instinct of that great people, they immediately seized upon the advantages offered by nature. They saw that it was to their interest in 1849 to throw open their registry to vessels all over the world.

One of the great complaints made by our fathers in the Revolution was the registry laws of Great Britain, and we retaliated by adopting the same thing; but the difference was that when Great Britain found her supremacy was endangered by these old and barbarous enactments, she repealed them and said to the whole world, "Here I am at my best; grapple with me for the domination of the ocean."

Mr. FRYE. When did she say that?

Mr. VEST. In 1849.

Mr. FRYE. And we the same.

Mr. VEST. We have never done it. We opened our ports under treaties with Great Britain and with the Netherlands, Norway, and Sweden; that is to say, we said to them "If you allow our vessels to go into your ports free of tonnage duties, etc., or at certain rates of tonnage, then we will allow yours to come into ours;" but we have never repealed that old and barbarous enactment that an American citizen shall not buy a ship in a foreign country. What we ought to have done was, when we found for any reason, I do not care what it was, that Great Britain was making iron and steel ships that were superior to any we could make, immediately to have said to our people "Go and buy them; bring them here;" do as the Germans did; build up repair shops first, and finally construction shops, and the ingenuity and skill and courage of our people will finally grapple successfully with that of England.

As a matter of course there are other causes, the opening of our vast extent of territory to the West, the construction of railroads which called the young men of New England and the sailors of the East away from the ocean to the land. They found it more profitable to go out West, take 160 acres of land as a homestead, and in the pursuit of agriculture or cattle-raising accumulate larger profits than they could upon the ships of New England. But the great mistake we made was in not permitting our people to avail themselves of the opportunity to purchase cheaper vessels wherever they could, whether in Germany, France, Norway, Sweden, or England.

On the other hand, we have, with a blind fatuity which is unequalled in the history of the commercial world, said to our people, "You shall not buy where you can buy best and cheapest;" and year after year Mr. John Roach, now dead, and now Mr. Cramp, and now Mr. Thurber at the head of this South American coast line which they call the United States and Brazilian Steam-Ship Company are haunting these lobbies like the daughters of the horse-leech, crying "Give! give! give!"

Mr. President, I again ask the question, how does the subsidy of less than 2 per cent. on her steam-ships and less than 1 per cent. on her whole shipping enable England to dominate the oceans of the world? The Senator from Maine said when on his "tower"—I believe that is the modern pronunciation—around the world he never saw an American flag. God help him and the flag! Why have we been driven from the ocean? It is because we have refused to profit by the discoveries of others, by the opportunities that were offered to us. We laugh at the Chinese for erecting a wall around them. We have erected a wall in the shape of this old retaliatory legislation that was made for a purpose, and that purpose has long ago ceased to exist.

Mr. FRYE. I simply wish to correct one impression which might be gathered from the Senator's remarks about these steam-ship men lobbying around the Capitol, by saying to him that there has been no steam-ship man and no ship-owner around the Senate Committee on Commerce or around the Senate Chamber within my knowledge, or in the lobbies of the Senate Chamber within my knowledge or information, during this entire session of Congress, except two gentlemen, one Mr. Hughes and, I think, one Mr. Clyde, for whom I sent to assist me in draughting what we called the postal subsidy bill.

Mr. VEST. Mr. President, I have had no intercourse with these persons. I simply know what has been stated in the public press and what I have heard repeatedly, that there was a persistent effort being made, as I know has been made during my term of service here, on the part of the existing steam-ship companies, to secure these subsidies. I know that I have been—coming from what source I do not know—flooded persistently and consistently with written and printed circulars urging me to vote for subsidies. I do not think they fell from the moon. I do not think they sprang from the earth spontaneously. I do not think they came from the people. I come from the people, and

I have not heard any cry for subsidy in my part of the country. I have been here long enough to believe when this sort of effort is systematically made that there is an object behind it, some purpose, some interest to be subserved.

Mr. FRYE. The Senator from Missouri, I think, knows that in the Committee on Commerce I have been the most persistent lobbyist ever since I have been in the Senate that has been found around the Capitol anywhere.

Mr. VEST. Oh, Mr. President, my friend is not a lobbyist. He represents his people in their interest. He represents a ship-building people. Take away the ship building from Maine and "Othello's occupation's gone." As a matter of course, if this bill is passed it is better than a gold mine in Maine.

Mr. FRYE. One moment as to that. The Senator also knows that what I have been seeking more persistently than anything else is the postal subsidy bill, in which the people of Maine have no earthly interest except as American citizens.

Mr. VEST. Oh, Mr. President, that will not do. It is not the mail service, permit me to say to my friend, that he is so solicitous about, but it is the tools and the instrumentalities to be used in that service. If you can pay \$6 a ton to a vessel for carrying the mails of the United States, you then make that vessel so much more valuable to owner and builder. The interest of Maine, as shown in all the conduct of her representatives, is not so much in the carrying trade upon the ocean as in building the ships. That has been the profit of these people, and this subsidy would inure directly to their benefit just as much as a subsidy upon cattle-raising would inure to the benefit of my people in the West if I had the audacity to come and ask it. The principle is just the same, no matter where you apply it.

Mr. FRYE. Does the Senator know that there was never an iron ship built in Maine? The postal subsidy to which I referred does not go to anything but iron and steel ships.

Mr. VEST. Take the whole statement of the Senator, and he knows that the construction of wooden ships can be supplemented by the manufacture of iron and steel vessels, and that the two are dovetailed and intertwined absolutely together. The two bills are here before the Senate together. One of them is a subsidy, pure, simple, and unadulterated, and I admire the courage of the Senator from Maine. He stands by his guns. He wants subsidy, and he makes no disguise about it.

All this thing of increased mail subsidies is "leather and prunella." It is the subsidy at last. The very minute you pay a man one cent for an article that he wants to sell, more than the labor or merchandise is worth, you enter upon the domain of subsidy. As Erastus Wiman pertinently put it upon the subsidies for the South American trade, it is simply a proposition to "dead-head dear goods to a foreign country." If they will not go there without a subsidy, you can not get them there unless you pay some one to take them, and whenever you pay a man one cent for carrying the mail more than it is worth, it is subsidy, a bounty, a subvention. The name may be changed, but the substance remains.

Now, the Senator from Maine seems to be a little sensitive about these gentlemen who appear here. I notice in this book (which seems to be printed, "Washington, Government Printing Office, 1889, Trade and Transportation between the United States and Spanish America, William Ellery Curtis"—what connection he had with the Government does not appear, and I have diligently searched to see whether it was a Government publication and find nothing except that it came from the Government Printing Office) that Mr. Curtis, who took charge of the Spanish-American or Pan-American Congress, and he was also secretary of the South American commission, states that a certain gentleman named Lachlan, I think, Captain Lachlan, of the Brazilian Steam-Ship Company, manager of that company, figures very conspicuously in all these subsidy arrangements.

He appeared before the House committee in connection with Mr. Cramp, and testified in behalf of subsidies and corroborated this book, which is nothing else but an unfair argument and a tissue of unfair statements in behalf of subsidies. They say it came from the State Department. I suppose it was the premonitory symptom of the official communication we had here the other day from that Department. But I happened to notice in the Washington Post some time ago, in January, this item. To a Washington Post reporter Captain Lachlan, of the Brazilian Steam-Ship Company, said:

We have on three vessels and will add more. Since 1885 in domestic cottons our line has increased its freight from 3 bales of 800 yards each to 816 bales containing 652,800 yards in one shipment on October 2. We can beat all countries in meat exports, flour, hardware, and furniture, and are now cutting into Manchester's trade in cottons. The English do not like it, but they can not help it.

That was Captain Lachlan to the reporter. Then says this paper:

Then he went before a committee of Congress and insisted that the business would not support a steam-ship line; that his line had made nothing in seven years, and instead of putting on more steamers, as he told the Post, would stop running unless it got a subsidy, and finally confessed that his line had refused \$43,000 offered it by the Government for carrying the mails because it wanted more, and would go without anything rather than take less than the fancy price it asked. This company never got for any freight or express matter that it carried anything like the compensation that the Government offered it for carrying the mails. Steam-ships that will not take \$43,000 do not appeal very strongly to the sympathies of the public.

Mr. President, in reply to the pathetic and melancholy picture of oppression upon these steam-ship lines which was drawn here by the Senator from Maine, I should like to read, if I can find it, a letter from this same Captain Lachlan, the manager of that line, in regard to the expense of delivering the United States mails. This was at the time he refused to receive the \$43,000. Here is the statement of Captain Lachlan published by Mr. Curtis in his book from the State Department:

Seventh query. What expenses are you subjected to in receiving and delivering the mails; and after deducting this amount from your gross receipts from the Post-Office Department, what is your net compensation, both annually, per voyage, and per mile?

I want to call the attention of the Senator from Maine to this pauper line that he says has never declared a dividend and that has lost money for the last six years.

This question has been partially answered—

Says Mr. Lachlan—

in reply to query fifth, and under the supposition that we had accepted the amounts tendered by the Post-Office Department quarterly. I can only give you the actual cash outlay that is incurred and paid by this company, taken from the books and vouchers of this company, and herewith show the cost of handling United States mails, and think it better to give you a detailed statement that will show on its face the actual items.

Newport News, Va.:

Use of engine and flat car to transfer mails from pier 2 to 1.....	\$5.00	
Use of tug-boat in winter (5 months), \$100, or per trip.....	8.00	
Detention, say 7 hours on average, at \$23.52 per hour.....	164.00	
		\$177.64

St. Thomas, Dutch West Indies:

Boat-hire and portorage.....		12.00
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Barbadoes:

Boat-hire and portorage.....		6.00
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Pará, Brazil:

Steam-launch.....	R. 40,000.00	
Purser and one man in charge of mail.....	40,000.00	
Portorage.....	30,000.00	
		110,000.00

At 53.....

		60.50
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Maranhão, Brazil:

Landing mail, and portorage.....	20,000.00	
Use of tug-boat part of time, average per trip.....	60,000.00	
		80,000.00

Pernambuco, Brazil:

Boat-hire.....	32,000.00	
Portorage.....	15,000.00	
Purser and one man in charge of mail.....	30,000.00	
		77,000.00

Bahia, Brazil:

Boat-hire and portorage.....	72,000.00	39.60
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Rio de Janeiro:

Steam-launch.....	46,000.00	
Portorage and boat-hire.....	115,460.00	
		161,460.00

Santos, Brazil:

Steam-launch.....	23,000.00	
Portorage.....	37,730.00	
Boat-hire.....	20,000.00	
		80,730.00

New York, United States of America:

Cartage to post-office.....	\$2.50	
One man to post-office.....	3.50	
Labor, landing mails.....	2.50	
		7.00

Mail-room:

Lined with iron, capable of carrying 250 cubic feet, at 35 cents two ways.....		364.00
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Per trip, total.....

		886.29
--	--	--------

Four years, sixty-four trips, at \$86.29.....

		56,722.56
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Amount tendered by United States Post-Office Department for four years, transportation of United States mails, ending June 30, 1889, but not accepted.....

		43,117.66
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Balance.....

		13,604.90
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That was the whole bill made out by himself, \$13,604.90 balance, and because he did not get that he refused to take from this Government \$43,117.66.

Mr. FRYE. That was made out as the actual cost?

Mr. VEST. Yes, the actual cost. He says that that is the actual cost, with \$13,604.90 balance, and he show the items.

Mr. FRYE. Does the Senator think he ought to have taken less than it actually cost him?

Mr. VEST. Look at the items in the account that he made out himself, an *ex parte* statement made without cross-examination. He puts down "portorage \$37.73, boat-hire \$20"—

Mr. FRYE. What does the Senator know about the correctness of those figures?

Mr. VEST:

Cartage to post-office.....	\$2.50
One man to post-office.....	3.50
Labor handling mails.....	2.50
Mail room, lined with iron, capable of carrying 250 cubic feet, at 35 cents, two ways.....	364.00

Mr. FRYE. Is it not worth it?

Mr. VEST. I do not believe it is worth it. I believe those charges are extravagant. They bear upon their face the proof that they are

made out for a specific purpose. But if we listened simply to the statements of the Senator from Maine without reading this, it would be supposed that this line was getting nothing for its services.

I find in another statement here that last year they accepted from the Department about \$12,000, notwithstanding the refusal of this \$43,000 when it was offered to them by Postmaster-General Vilas for four years' service.

Mr. FRYE. Does not the Senator know that Postmaster-General Vilas admitted that it was not what they ought to receive, and advised them to go to the House for compensation that was fair?

Mr. VEST. I know that Postmaster-General Vilas told them he had gone to the limit of his authority and if they wanted more money they must go to Congress, and he could not say anything else to them. He did not make the law. We made it, and we declared the amount to be paid and offered it to them, and they refused \$43,000 for four years, from 1885 to 1889. I read in this same book, published by Mr. Curtis, that last year they took eleven thousand seven hundred and seventy odd dollars for the same service, which would be at a rate for four years of some \$46,000.

Mr. FRYE. Does the Senator think that that is adequate pay for carrying the United States mails?

Mr. VEST. I think it is a fair, honest, just pay, and I will give my reason for it. The line of steam-ships which is called here "the United States and Brazilian Steam-ship Company" is composed of three old tugs—tubs, I should say. They are coast steamers. They are required by their contract with the Brazilian Government, for which they receive \$105,000 in Brazilian money and \$95,000 in our money by the year, to touch at certain Brazilian ports, and it takes them from Rio de Janeiro to New York from twenty-one to twenty-four days; you can send a letter by the way of England to Rio de Janeiro in one week's shorter time; and that is the mail service for which they demand us to pay them these enormous prices. You can now mail a letter and send it upon a tramp or send it by the regular English line from New York to Southampton and then to Rio de Janeiro and save seven days in the transportation.

Mr. FRYE. I should like to ask the Senator if he has ever seen the Alliance, or the Finance, or the Advance. He calls them old tubs.

Mr. VEST. I speak about the time occupied. I say, compared with the fast lines, the mail lines of the English Government, they are tubs.

Mr. FRYE. They are fine iron steamers.

Mr. VEST. The time they make shows that they can not belong to the fast steamers that come under the subventions of the British Government. In the contracts which the British Government make with steam-ship lines they require the fastest steamers, because they can be used as commerce-destroyers in time of war.

Brazil pays these people in round numbers \$105,000 a year, and now they come to the United States and want us to pay them, as this gentleman says in his letter here published in this book, two hundred and sixty odd thousand dollars more, as a subsidy, and under the bill which has been introduced by the Senator from Maine, I suppose they will receive a much larger amount.

Mr. President, any one would suppose who had never investigated this subject that subsidy was a new thing in the United States; that it had never been attempted. I have before me "A History of Subsidies in the United States," and it is not a pleasant one.

The United States gave still larger sums in the way of subsidies, in the aggregate \$4,700,000, to the Pacific Mail Steam-Ship Company, and \$1,812,000 to the line between the United States and Brazil.

We have already tried that; we have, since the war, paid this enormous amount in the way of subsidies, and what was the result? Did it bring back our commercial marine? Did it enable us successfully to compete with Great Britain for the supremacy of the ocean?

That is not the only subsidy we are paying. We were told by the people of New England that if we would put a tax upon fish and give them free salt for preserving fish they would themselves preserve the great nursery of American seamen in the fishing trade, so that in the event of a naval war the same men could carry our flag to victory who had done so in two wars upon the ocean. We did put a tax on fish; we did give them free salt, and denied it to the beef-packers and the pork-packers of the West, and what is the result? Have we that nursery of hardy American seamen of which we were told so much?

Why, Mr. President, the official reports show that less than one-third of the men in the fishing trade are natives of the United States. They are Canadians, Norwegians, Swedes, Italians. What has become of this nursery? We have to-day, and I have got the official report here, a decline in the tonnage of vessels engaged in the fishing trade of many thousands, from 1861 to 1888, and the decline has been even more rapid in the last few years than for some years before; and yet we have subsidized that particular interest; we have given them a protective duty upon fish; we have given them free salt to preserve their fish in; and has it given us that nursery which we were told it would?

Mr. FRYE. Is there any duty on fresh fish?

Mr. VEST. No, but there is another duty on fish.

Mr. FRYE. Does not the Senator know that the demand for fresh fish is greater than for salt fish, with modern contrivances?

Mr. VEST. I was in New York City the day before yesterday, and

the papers were filled with accounts of 10,000 bluefish being taken and pitched into the ocean because there was no market for them. They have got a fish trust in New York now and they control the entire market, and the papers of Sunday morning contained an account of fishing vessels coming in loaded with fresh fish that could find no purchaser at all.

Mr. FRYE. That trust is not on account of the tariff on fresh fish. There is not any tariff on fresh fish.

Mr. VEST. I do not know where it comes from, but I know the papers say it exists. I know one thing—that salt is furnished free to the people of the Senator from Maine and denied to my people.

Mr. FRYE. On fresh fish?

Mr. VEST. I know it is furnished to you for the purpose of preserving your fish, but it is denied to the cattle-raisers and pork-raisers of Missouri, Illinois, and Iowa. If that is not a subsidy, I should like to know what subsidy means.

We have tried subsidy in this country and it has been a failure. We are asked now to go into this uncertain and nebulous domain again, and that, too, directly in the teeth of the experience of France, to which I propose now to refer.

If any Senator will take the trouble he will find that the experiment as to bounties in France has failed, and the Senator from Maine says that this bill is framed exactly on the model of the French bounty bill.

I quote from an article by Capt. John Codman:

Going further into the field of experience, we find that France, Spain, Germany, Austria, and Italy and other nations have all, within the last few years, spent immense sums of public funds for the development of their sea-going tonnage; and still not one of them can present results which justify their expenditures. As an example, we will take France, which adopted one of the most liberal and undisguised bounty systems ever introduced. After six years' trial of bounties, based upon construction, tonnage, and mileage, that Government now finds its merchant marine in a deplorable condition. It accomplished the purpose of increasing her tonnage so perfectly that the supply is now largely beyond requirements, and the newly gained tonnage is proving a burden to French taxpayers, instead of even an indirect profit; and this at a time when British shipping has been earning unusual profits. Previous to the adoption of this system by France, one of the strongest arguments in its favor was that these bounties would open French trade with new markets.

That is what we hear now.

It signally failed in this object, as the following table, giving the value of imports and exports in millions of dollars, at the rate of 5 francs to the dollar, will show:

Then comes a table from 1883 to 1888, showing a steady decline under the bounty system.

Year.	Imports.	Exports.	Total.
1883.....	\$1,177	\$912	\$2,089
1884.....	1,048	814	1,862
1885.....	986	791	1,777
1886.....	1,023	849	1,872
1887.....	984	848	1,832
1888.....	1,037	850	1,887

These figures show that, whilst there has been a recovery since 1885, the total value of the foreign trade of France was less in 1888 than in 1883 by \$202,000,000—a falling off of over 9½ per cent. As it may be asserted that a comparison of values is not a fair test of the position, the rise or fall of prices of commodities affecting the figures from year to year, we give the imports and exports in thousands of tons, as follows.

Then follows a table giving the tonnage from 1883 to 1888.

Year.	Imports.	Exports.	Total.
1883.....	24,770	6,228	30,998
1884.....	24,120	6,054	30,174
1885.....	22,316	5,834	28,150
1886.....	21,682	6,019	27,701
1887.....	22,462	6,895	29,357
1888.....	23,657	7,139	30,796

The decrease is thus not only in values, as the falling off in volume between the two limits of comparison is 202,000 tons, or 6½ per cent.

The French bounty law was passed early in 1881, and subsidies were in full swing by 1883.

In 1883 the registry tonnage entering and leaving French ports was, native 8,546,000, and foreign 13,447,000, and in 1888, native 9,283,000, and foreign 13,609,000. Here, it is true, there is an increase of 737,000 native tonnage; but as foreign also increased 132,000 tons it can scarcely have been said to have been gained at the expense of the latter. Even if it had been it would have proved a poor return for an expenditure of bounties and subsidies over nearly a decade, the *regium donum* in 1888 alone, according to Trade and Transportation, amounting to \$6,792,778.

This clearly demonstrates that the effect of French bounties has been to give more ships than were needed, without in any degree expanding the nation's commerce; in other words, many more tools and less work.

In corroboration of this I desire to read the official report of Mr. Mason, who was consul to Marseilles under the Administrations of both Mr. Arthur and Mr. Cleveland. Here is his statement in regard to the condition of affairs as to the French shipping:

The French shipping bounty and subsidy law was passed in 1881. Five years afterwards Mr. Mason, our consul at Marseilles, who was retained in the service by President Cleveland on account of his excellent record, made a report to the State Department on its effects as observed at his port, one of the principal ports of France. In this report he said—

Now, this is after five years' fair test of the system, and it is identical with the bill which is offered here in the Senate. It gives 30 cents a ton to French ships—ships constructed in France—and 15 cents on foreign ships bought abroad, because France, like Germany and every other country in the world but this, permits her people to buy where they can buy cheapest. Says Mr. Mason:

Shipping and sea-faring men of all classes at Marseilles begin to complain of the present season as one of almost unprecedented dullness and depression in all that relates to marine transportation and the values of shipping. Not even during the lowest period of the cholera epidemics of 1884 and 1-85 was the lethargy in marine freights and vessel property so extreme and so apparently hopeless as now.

Of the ocean-going steam-ships belonging to this port, thirty-eight are now laid up for want of profitable business. Twelve sailing vessels belonging to Marseilles, fifteen under the Italian flag, and twelve of Austrian nationality are likewise tied up in this port, awaiting the return of more prosperous times.

There was sold yesterday by the tribunal of commerce a wooden bark of 596 tons register, recently arrived from Pensacola, thoroughly equipped and in good condition. The vessel is Italian and has been eighteen years in service, but has been in the mean time kept in good repair. The pressure of hard times brought this bark to the block and she was sold for \$199.52.

There are now offered for sale here two English-built iron steamers of 840 tons register, which have been in service twelve years, but have recently received new boilers, water ballast, and steam steering-gear, and are regarded thoroughly sound, capable vessels. Three years ago they were bought for \$58,392 each. Now, with all their repairs and improvements, they are vainly offered at half that price.

Still another incident of the same character will illustrate the extraordinary contingencies which may overtake ship-owners in times like these. A merchant with \$7,720 to invest purchased last autumn an iron steamer of 1,500 tons burden for \$17,370, paying what money he had and borrowing the remainder (\$9,650) from a bank to which he gave as security a mortgage on the vessel, which he was thought to have purchased at a great bargain, less than half her value a year or two ago. One of this steamer's boilers being somewhat burned, she was taken to her English builder to have that fixture renewed. There the new owner was persuaded that in order to have a really first-class modern steam-ship he should add steam steering-gear, steam-winch, and water-ballast apparatus.

To this he agreed, supposing that his French banker would not hesitate to loan the cost of these repairs on a new mortgage, since the entire sum would be invested in improvement of the vessel. But the bank had become suspicious of floating collateral, and refused all further loans. The steamer was therefore seized by the builder and sold at auction to meet his account for repairs. The price realized was less by \$900 than the bill for repairs. The bank lost its loan and the owner his \$7,720, his entire fortune, and gained only a highly conclusive experience.

When in the light of facts like these—

Says Mr. Mason—

one reads that the ship-building of Great Britain has declined from 1,250,000 tons in 1883 to 540,000 in 1885, and that one firm in London now offers for sale 222 screw steamers of all classes and dimensions, from 7,000 tons each downwards, the effect is to console the patriotic American citizen who has of late years been lamenting his country's want of a competent merchant marine adapted to international commerce.

LATER TESTIMONY TO THE SAME EFFECT.

Two years later than this the French law had been in operation more than six years, over half of the period for which the law was enacted. Its effects were then analyzed and published by M. Arthur Raffalovich in the Journal des Economistes. He showed that while there had been an immense increase of the French steam tonnage, an increase of fourfold since 1880, the increase in German steam tonnage, without bounties, was still more rapid, while between 1873 and 1880 the French steam tonnage had not only increased in a most marked manner without any bounty, but had increased faster than the German.

Mr. Raffalovich also showed that, while the French carrying trade had increased as the result of bounties and subsidies, the total French exports had not increased. This is a most important point for the consideration of people who imagine that increasing American shipping will necessarily increase American exports.

Mr. President, we may put all the steam-ship lines we can build on the ocean and send them to the South American ports, and they will not bring us commerce. It may, for a time, cause activity in the ship-building yards of the United States. It may put money into the pocket of Mr. Cramp; it may put money into the pocket of Mr. Thurber; but it will not bring us commerce. Mr. Blaine may wine and dine and carry the representatives of the South American states from one end of this Union to the other, and they will go home and they and their people will buy where they can buy cheapest. All this talk about sister republics, all these platitudes about a great American Zollverein, will melt like snow before the sun when you come to self-interest. Commerce is based on self-interest.

Mr. HIGGINS. Will the Senator yield for a question?

Mr. VEST. Certainly.

Mr. HIGGINS. I should like to ask the Senator if the people of South America can buy grain or its products from any other country cheaper than they can from us.

Mr. VEST. If they can buy grain cheaper from us than from any other country, they will do it without a subsidy. That is my answer.

Mr. HIGGINS. I understood the proposition of the Secretary of State to be that their tariff against our grain should be taken off. That was all.

Mr. VEST. It makes no sort of difference about the tariff against our grain being taken off. They will take that tariff off without a subsidy to steam-ships if it is to their interest to do it.

The proposition here is now that we shall not only make a reciprocity treaty as to tariff duties, but that we shall subsidize steam-ship lines. Mr. Blaine and Mr. Curtis do not content themselves with a reciprocity treaty, but they want in addition to that to subsidize steam-ship lines.

Now I will undertake to show that instead of there being a scarcity of transportation to the South American states, there is a superfluity. Here is a statement absolutely correct, and I have got it in several other

shapes, but it amounts to the same thing, showing the number of American vessels and of foreign vessels that touch in the United States and go to the different South American states. I will ask that it be inserted in my remarks without reading, because I do not care to exhaust my strength and weary the Senate by reading it in detail.

Below we present a statement showing the number and tonnage of steam-vessels engaged in the trade between countries south of us and the United States. It hardly bears out the often heard complaint, lack of communication. Properly speaking, it is lack of trade rather than transportation that gives reason for complaints of that sort:

AMERICAN VESSELS.			
Line.	Tonnage.	Line.	Tonnage.
Pacific Mail	26,026	United States and Brazil...	8,400
N. Y. and Cuba S. S. Co	14,927	New Orleans and Colom- bia	1,800
Clyde West India	4,000	Plant	1,625
Red "D"	9,270		
Royal Mail	1,790	Total	79,775
Morgan	11,242		
Oteri's Pioneer (Ameri- can steamers)	695		

FOREIGN VESSELS.			
Quebec Steamship Co.....	4,875	Sloman's	5,200
Direct Line to Trinidad.....	2,870	New York and Yucatan...	2,290
Red Cross	3,000	Oteri's Pioneer (foreign vessels)	1,400
Atlantic and West India	1,082	New York and Porto Rico	1,600
Honduras and Central American	2,013	Taurus	622
Booth	7,694	Royal Dutch and W. I.	5,250
New York and Jamaica.....	3,000	Compañía Transatlantica Española	9,000
Atlas	22,600	People's Line to Hayti	1,500
Winchester & Co. : Porto Rico	2,000	Anchor Line, W. I. route ..	6,000
Brazil, etc	1,000		
Earn	3,000	Total	85,996

From the above it will be seen that there are thirty lines in the trade, with an approximate tonnage of 165,771, nearly one-half of which is American. Three of the American lines, the Thurber, Ward, and Red D companies, have nine new vessels on the stocks, or just completed, of about 5,000 aggregate tonnage. In addition there is a large "tramp" tonnage not taken into account in the above statement.

Now, this does not look like a lack of tonnage. The principal appeals for subsidies have come from shipping men in the South American trade, the very direction in which the bulk of our foreign tonnage is engaged, and their chief argument was that we needed transportation. Do these facts bear them out? We have not yet heard American merchants or exporters complain of insufficiency of transportation. No doubt they would be willing to let the Government pay part or whole of the freight, if this is what our steam-ship men really want; but if the truth were correctly understood, it is more the lack of trade than the lack of transportation that affords reason for complaint. The one-sided character of our South American trade needs little commentary. The total values of our trade with Mexico, Central America, West India, and South America are as follows:

Year.	Exports.	Imports.
1879	\$59,870,000	\$145,607,000
1889	82,043,000	199,961,000
Increase	*22,173,000	†54,354,000

* 22 per cent.

† 30 per cent.

Our exports are thus increasing more slowly than imports and in spite of sufficient transportation. What is the reason that we sell these countries less than one-half we buy? Give us the trade, and transportation will soon be forthcoming. Instead of the "trade following the flag," the truth is the flag follows trade, and the sooner we comprehend that fact the better.

In addition to that, here are foreign vessels, the Quebec Steam-ship Company, etc., amounting to 85,996 tons, and all this in addition to tramps—not the tramps we have on land that are a nuisance—

Mr. FRYE. These are a bigger one.

Mr. VEST. The Senator says these are a bigger nuisance. If you would stop to-morrow, you would stop the commerce of the world. If you were to take from the ocean to-morrow the tramps, as they are called, the vessels that belong to no regular line, that go wherever they can get a load, that accommodate themselves to all climates and commercial conditions, you would stop the commercial intercourse of the whole world. They are called tramps because they are in the way of these subsidy-grabbers like Thurber and other men who come here and demand that the United States shall give them money to keep up a line already in existence. What would become of the cattle-raisers of the West if it were not for the tramps? The monopolists have got all the regular cattle-vessels that go to England. If one of my constituents goes to New York to-morrow with a load of cattle and asks to put them on board a steam-ship, he is told the whole line is engaged for six months or a year and his only chance for reaching a foreign market is in a tramp.

What is there disreputable about these tramps? This man Lachlan abuses them, and another one of these subsidy gentlemen said he would shut out not only foreign, but domestic competition. He is frank enough and brutal enough to say he wants a monopoly. He wants this

Government to pay him enough to hold the whole thing and put the entire sum of money in his own pocket.

Mr. President, the Senator from Maine, in every discussion we have had, always winds up in a halo of exultation and glory over the coastwise trade, and says "There is the effect of shutting out foreign shipping; there is the result of excluding foreign-built ships from American registry." I will tell you the secret of the prosperity of the coastwise trade, the internal trade of the United States. It is in free trade. If there were not free trade to-day between the States, if Pennsylvania could tax the products of New York and New York the products of Massachusetts, and so on, your coastwise shipping would be in the same condition as your foreign shipping.

You can not shut out the competition on the broad ocean of foreign-built vessels. Your laws can not reach outside of your own territorial domain, and you refuse to allow your people to go abroad and buy their vessels where they can buy them cheapest, and because you have free trade between the States established by the Constitution, where you can not reach it, thank God, and above any party. You say our prosperous coastwise trade is on account of your obsolete and semi-civilized code in regard to shipping. I deny it. Whenever we point to a great evil and abuse in this country, no matter where it exists, crystallized for party purposes, we are pointed to the prosperity of the country. Mr. Blaine winds up his argument with Gladstone and says, "Look at the United States. It had a great war and lost billions of dollars' worth of property, and look at its prosperity to-day!"

Why, Mr. President, this country would prosper if ten Congresses should enact all the laws they possibly could against it. It would still prosper in a degree. Its energies, resources, and courage are such that it could prosper in spite of any legislation no matter how vicious, just as we see a man who can violate all sanitary rules and still live to be a hundred years old. Every one, especially in the West, has seen these phenomenal men who have been drinking alcohol for forty years, and who are pointed at as being living examples of the fact that alcohol is the finest food in the world and conducive to health. As I have had occasion to say, if they had lived on milk and water, we should have had to shoot them on the day of judgment. [Laughter.] This country prospers in spite of the laws, no thanks to the Republican party for what they are doing for it. This country to-day, like a young giant, tears to pieces the iron fetters that you have put upon it and strides on, weighted down by bad legislation, but it still goes on.

Mr. President, I was very much interested in the statement of my friend from Maine as to the cost of these pet bills of his. He puts one, I believe, at \$6,000,000 a year. Not much! Six millions a year! I made a little calculation on the first bill, which is a subsidy bill pure and simple, intended for the general public, and under the provisions of that bill, as I foot it up in my old-fashioned arithmetic, a vessel of 3,000 tons running 3,000 miles would get \$6,000 subsidy for every voyage, a pure and simple subsidy, and for every mile that she ran besides she would get more, and if she could concoct a voyage to the uttermost parts of the earth her subsidy would be that much greater.

Now under the mail-carrying bill, the postal subsidy, the Senator gives to each vessel \$6 for each ton. That would give to a vessel running between Liverpool and New York \$18,000 for every voyage.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 26th ultimo approved and signed the act (S. 575) for the erection of a public building at Salina, Kans.

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

An act (S. 2403) to provide for the purchase of a site and the erection of a public building thereon at Beaver Falls, in the State of Pennsylvania; and

An act (S. 1) to protect trade and commerce against unlawful restraints and monopolies.

EXECUTIVE SESSION.

Mr. CULLOM. I ask the Senator from Missouri whether it would be agreeable to him to postpone his remarks this evening, as it is very warm and he has been speaking for some time. If he yields, I should like to move an executive session.

Mr. VEST. It is very warm and I should like to stop.

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

Mr. FRYE. If I may be pardoned for saying it, I am very anxious to get a vote on these bills to-morrow.

Mr. VEST. I do not wish to delay them.

Mr. FRYE. I desire the bills acted upon to-morrow, for I shall try to have the Senate proceed to the consideration of the river and harbor bill on Monday next.

The PRESIDENT *pro tempore*. The Senator from Illinois [Mr. CULLOM] moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p.

m.) the Senate adjourned until to-morrow, Thursday, July 3, 1890, at 12 o'clock, meridian.

NOMINATIONS.

Executive nominations received by the Senate the 2d day of July, 1890.

GENERAL APPRAISERS OF MERCHANDISE.

Charles H. Ham, of Illinois, to be general appraiser of merchandise. James A. Jewell, of New York, to be general appraiser of merchandise.

George H. Sharpe, of New York, to be general appraiser of merchandise.

George C. Tichenor, of the District of Columbia, to be general appraiser of merchandise.

Joseph B. Wilkinson, jr., of Louisiana, to be general appraiser of merchandise.

ASSISTANT TREASURER.

Louis R. Walters, of Pennsylvania, to be assistant treasurer of the United States at Philadelphia, in the State of Pennsylvania, to succeed S. Davis Page, whose term of office will expire by limitation August 2, 1890.

SURVEYOR OF CUSTOMS.

Charles Willner, of Iowa, to be surveyor of customs for the port of Burlington, in the State of Iowa, in place of John M. Mercer, to be removed.

INDIAN AGENT.

Andrew Paul Dixon, of Canton, S. Dak., to be agent for the Indians of the Crow Creek and Lower Brulé agency in South Dakota, *vice* William W. Anderson, whose term of office will expire August 3, 1890.

PROMOTIONS IN THE ARMY.

Fourteenth Regiment of Infantry.

Second Lieut. Frank E. Eastman, to be first lieutenant, July 1, 1890, *vice* Lovell, resigned.

Twenty-fifth Regiment of Infantry.

Second Lieut. James O. Green, to be first lieutenant, June 30, 1890, *vice* Reed, resigned.

PROMOTIONS IN THE NAVY.

Assistant Engineer Frank W. Bartlett, to be a passed assistant engineer in the Navy, from the 19th June, 1890, *vice* Passed Assistant Engineers W. A. H. Allen and H. F. Frick, retired.

Second Lieut. Henry C. Haines, United States Marine Corps, to be a first lieutenant in that corps, from the 25th June, 1890, *vice* First Lieut. H. G. Ellsworth, Marine Corps, deceased.

Second Lieut. James E. Mahoney, United States Marine Corps, to be a first lieutenant in that corps, from the 1st July, 1890, *vice* First Lieut. Carroll Mercer, Marine Corps, resigned.

POSTMASTERS.

Asa E. S. Bush, to be postmaster at Niantic, in the county of New London and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Joseph B. Eldridge, to be postmaster at Norfolk, in the county of Litchfield and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Carmi G. Hubbell, to be postmaster at Norwalk, in the county of Fairfield and State of Connecticut, in the place of Augustus C. Golding, whose commission expires August 2, 1890.

George W. Randall, to be postmaster at Rockville, in the county of Tolland and State of Connecticut, in the place of Wilbur B. Foster, whose commission expires July 26, 1890.

Henry L. Glos, to be postmaster at Elmhurst, in the county of Du Page and State of Illinois, in the place of Frederick H. Bates, whose commission expires August 2, 1890.

James D. Caswell, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Hermon C. Coolbaugh, to be postmaster at Hamburgh, in the county of Fremont and State of Iowa, in the place of Samuel Jacobs, whose commission expires August 3, 1890.

John Barret, to be postmaster at Louisville, in the county of Jefferson and State of Kentucky, in the place of Mrs. Virginia C. Thompson, whose commission expired May 17, 1890.

Frederick Gillmor, to be postmaster at Lee, in the county of Berkshire and State of Massachusetts, in the place of Theodore H. Fenn, whose commission expired May 21, 1890.

Lewis G. Holt, to be postmaster at Lawrence, in the county of Essex and State of Massachusetts, in the place of Patrick Murphy, whose commission expires August 2, 1890.

Charles H. Odell, to be postmaster at Beverly, in the county of Es-

sex and State of Massachusetts, in the place of Jeremiah Murphy, whose commission expires August 2, 1890.

Alexander Smart, to be postmaster at Merrimac, in the county of Essex and State of Massachusetts, in the place of George S. Prescott, whose commission expires August 2, 1890.

Joshua S. Smith, to be postmaster at Rockland, in the county of Plymouth and State of Massachusetts, in the place of Henry A. Baker, whose commission expires August 2, 1890.

Anson Withey, to be postmaster at Greenfield, in the county of Franklin and State of Massachusetts, in the place of Charles Keith, whose commission expires August 2, 1890.

Luther Wait, to be postmaster at Ipswich, in the county of Essex and State of Massachusetts, in the place of Edward P. Kimball, whose commission expires August 2, 1890.

Charles E. Bardwell, to be postmaster at Tekamah, in the county of Burt and State of Nebraska, in the place of William B. Beck, whose commission expired June 7, 1890.

Victor Adams, to be postmaster at Little Falls, in the county of Herkimer and State of New York, in the place of W. R. Chapple, whose commission expires August 13, 1890.

Fred C. Allen, to be postmaster at Jordan, in the county of Onondaga and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

William T. Chapman, to be postmaster at Pawling, in the county of Dutchess and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Thomas Cunningham, to be postmaster at Mohawk, in the county of Herkimer and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Henry F. Herrick, to be postmaster at Southampton, in the county of Suffolk and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

William Joesbury, to be postmaster at Catskill, in the county of Greene and State of New York, in the place of George S. Stevens, whose commission expires August 2, 1890.

William F. Roberts, to be postmaster at Saranac Lake, in the county of Franklin and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Charles H. Wood, to be postmaster at Cornwall-on-the-Hudson, in the county of Orange and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Charles H. Wood, to be postmaster at Hamburg, in the county of Erie and State of New York; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

John M. Bentley, to be postmaster at Ada, in the county of Hardin and State of Ohio, in the place of Samuel C. Clayton, whose commission expires July 26, 1890.

Clinton F. Bonham, to be postmaster at Harrison, in the county of Hamilton and State of Ohio; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

James M. Brown, to be postmaster at Toledo, in the county of Lucas and State of Ohio, in the place of George E. Lorenz, whose commission expires August 3, 1890.

John Hopley, to be postmaster at Bucyrus, in the county of Crawford and State of Ohio, in the place of Shannon Clements, whose commission expired May 28, 1890.

Charles B. Martin, to be postmaster at Lancaster, in the county of Fairfield and State of Ohio, in the place of Jonas M. Shallenberger, whose commission expires August 2, 1890.

George A. Beidler, to be postmaster at Oklahoma, in the Territory of Oklahoma; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Dennis T. Flynn, to be postmaster at Guthrie, in the Territory of Oklahoma; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Jacob W. Mills, to be postmaster at Kingfisher, in the Territory of Oklahoma; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

William P. Bach, to be postmaster at Pottstown, in the county of Montgomery and State of Pennsylvania, in the place of M. S. Longaker, whose commission expired January 20, 1890.

Miles G. Bulger, to be postmaster at Brownsville, in the county of Fayette and State of Pennsylvania, in the place of J. Holmes Patton, whose commission expired May 18, 1890.

Orrin H. Hollister, to be postmaster at Meadville, in the county of Crawford and State of Pennsylvania, in the place of Emmet W. McArthur, whose commission expired April 6, 1890.

William H. Pennell, to be postmaster at Duncannon, in the county

of Perry and State of Pennsylvania; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Theodore F. Ramsey, to be postmaster at Wayne, in the county of Delaware and State of Pennsylvania; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Frank M. Cameron, to be postmaster at Cameron, in the county of Milam and State of Texas; the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1890.

Margaret A. Shirley, to be postmaster at Logan, in the county of Cache and Territory of Utah, whose commission expired June 21, 1890.

Henry Bradley, to be postmaster at Elkhorn, in the county of Walworth and State of Wisconsin, in the place of Wilson D. Lyon, whose commission expired June 21, 1890.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, July 2, 1890.

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

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

REPRINT OF A BILL.

Mr. REED, of Iowa. Mr. Speaker, on behalf of the Committee on the Judiciary, I ask unanimous consent that double the usual number of copies of the bill (S. 398) subjecting imported liquors to the provisions of the laws of the several States be printed, together with the accompanying report.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

APPOINTMENT OF CONFEREES.

The SPEAKER announced the appointment of Mr. WILLIAMS of Ohio, Mr. KINSEY, and Mr. ROBERTSON as managers at the conference on the part of the House on the disagreeing votes of the two Houses on the amendments to the Senate to the bill (H. R. 9104) granting to the Jackson, St. Augustine and Halifax River Railway Company a right of way, etc.

FEDERAL ELECTION LAW.

The SPEAKER. The House resumes consideration of the bill H. R. 11045, and the question is on agreeing to the amendment of the gentleman from Virginia [Mr. TUCKER].

Mr. HEMPHILL. I wish to say, Mr. Speaker, that unless there is a desire on the part of the other side to discuss the amendment we will be glad to take a vote on it at once, as we have some other amendments which we regard as more important.

Mr. LODGE. One or two gentlemen on this side desire to speak—the gentleman from Missouri [Mr. FRANK]—

Mr. HEMPHILL. Will not the gentleman speak on some other amendment and let us take a vote on this?

Mr. LODGE. The gentleman desires to speak to this amendment. I should like to say a few words myself.

Mr. HEMPHILL. How much time does the gentleman think will be required?

Mr. LODGE. I should say fifteen minutes on a side.

Mr. HEMPHILL. We do not care to discuss the question—

Mr. LODGE. Let fifteen minutes on a side be accorded; and if gentlemen on that side do not care to consume the time, the vote can be taken immediately after the discussion on this side.

Mr. HEMPHILL. We have other amendments which we regard as more important, and prefer to proceed to the consideration of them.

The SPEAKER. The Chair will state that gentlemen supporting the amendment have already consumed twenty minutes.

Mr. LODGE. It is understood that we are to have fifteen minutes on a side; and, of course, if gentlemen on the other side do not care to occupy it the vote can then be taken.

The SPEAKER. Is there objection to limiting the debate to fifteen minutes on each side?

There was no objection.

Mr. TAYLOR, of Illinois. I ask that the amendment be again read. The amendment of Mr. TUCKER was again reported.

During the reading of the amendment the following occurred:

Mr. BUCHANAN, of New Jersey. Mr. Speaker, a parliamentary inquiry. Is this being read for the information of the House? If so, I ask that the House be in order.

The SPEAKER. The House seems to be in perfect order. [Laughter.]

Mr. KERR, of Iowa. I desire to offer an amendment to this resolution, to insert near the bottom, after the word "that," the words "there is danger of," so that it shall read "and if upon such hearing the court shall be of the opinion that there is danger that a free and fair registration and election will not be held," etc.

Mr. WHEELER, of Alabama. Mr. Speaker, in the few minutes I have to discuss this matter I want to say one word in reply to the remarks of the gentleman from Illinois [Mr. MASON] on yesterday. He stated that before he came to Congress he was convinced that the Southern people, all the Southern people, would steal ballots, and that any man who would steal ballots would steal a horse or any other property. He said he had now modified his opinion, and while he did not believe they would steal property, he believed every one of them would be guilty of the theft of a ballot.

The above was the substance of the gentleman's statement.

He has withheld his remarks from the RECORD and I can not give his exact words, and others have given expression to feelings almost as discreditable.

Is it possible, Mr. Speaker, that people who confess themselves so ignorant as to the condition of the people of such a vast section of the country should venture to cast their votes upon a matter of such great importance to the whole country, to the whole people of the South, and to the integrity of our free institutions? [Applause.]

Mr. Speaker, I also wish to reply to the statements made by many gentlemen on that side of the House, and repeated by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] last night.

This speech also has been withheld and does not appear in the RECORD of this morning, and I state his remarks as I recall them. The purpose of his speech was, or seemed to be, an effort to convince this House that the people of the North could not go South and be received there with the courtesy due to gentlemen. I deny such statements *in toto*, and I call upon any intelligent gentleman upon that side of the House, Republicans as they all are, to state in this House if he has ever in his intercourse with Southern people, at their homes or elsewhere, received anything but the courtesy, and every courtesy, which he could possibly receive at his own home. [Applause.]

I here upon this floor protest that there is no truth in any such allegations. And I assert this, that for the last twenty-five years no gentleman of the North ever visited the South without being treated with all the kindness and courtesy that he would have received at any locality in the North or that he would have received in his own home.

I freely admit that it is possible for a man who is devoid of the attributes of a gentleman and who seeks a quarrel in the South may succeed in his purposes in that country as well as in any other section of the land, but I utterly deny the statement that a Republican can not go all over the South as a Republican and expressing the principles of a Republican. I wish now to quote from a speech by General Warner, and I call upon my friend from Tennessee [Mr. EVANS], who heard this speech, to state if all he said is not true in every respect.

Mr. EVANS ought to be a good witness for you. He has lived in the South for twenty-five years and has been known all that time as an ex-Union soldier and an outspoken Republican. Mr. EVANS has never told me what he would answer, but I know he will state what is true, and the truth is all the vindication we desire. General Warner was a man from Ohio who had the most abundant opportunities for knowledge upon this subject. This speech was made at a reunion of the Army of the Cumberland in the city of my distinguished friend, Mr. EVANS. The speech was made to Federal soldiers.

General Willard Warner had been a gallant soldier, had fought under General Sherman, and, as I have stated, was once a Senator of the United States. He addressed the Society of the Army of the Cumberland on September 14, 1880. I hold in my hand a book containing his speech, a paragraph from which I will read:

General Garfield said right when he said that if the soldiers had all these difficult questions to settle they would have been settled happily long ago. I have lived here in the South.

There are men here who know me as a radical Republican of the worst kind. I have lived here for sixteen years of the prime of my life, and I say it here, with pride and thankfulness, that I have yet to receive the first word or the first act of unkindness from a Confederate soldier, and I never expect to as long as I may live here.

These are words spoken by an ex-Federal general, raised in Ohio, and who as a Republican was elected to the Senate of the United States from Alabama.

He was a friend and associate of Lincoln and Garfield. He continued his speech, and emphasized his view regarding soldiers in these words:

The harsh words and language and insults come from those gentlemen, largely professional politicians, * * * who talk now, but who shirked in the fight when fighting men were in sharp demand. And now I say confusion to them. Confounded confusion to them—to the men who now, sixteen years after we fighting soldiers have laid down our arms, would wave their red flag in the face of this sorrowing nation. Their time has gone by, and the soldiers should everywhere be heard as they are being heard to-day.

There was nothing in this speech about lack of courtesy. The people all over the South appreciate and desire the society of gentlemen, and they always give evidence of their appreciation by seeking the acquaintance and association of gentlemen whenever they are met without a thought as to their political views or whence they came. [Applause.]

Mr. OUTHWAITE. Mr. Speaker, I rise to a point of order. I desire to say that there is so much disorder upon the floor that it is impossible to hear the gentleman, sitting even as close to him as I am sitting, less than 10 feet from him.

The SPEAKER. The gentleman from Alabama will be kind enough to suspend for a moment. The Chair turned over the House to the

gentleman in a good condition of order. Will the House please be in order?

Mr. OUTHWAITE. I am in the midst of the disorder and I differ with the Speaker as to its being a good condition of order.

The SPEAKER. The gentleman from Ohio [Mr. OUTHWAITE] is only a short distance from the gentleman who is addressing the House. If gentlemen in the vicinity of the member addressing the House will have the kindness to cease conversation, and if gentlemen will have the kindness to take their seats, there will be no difficulty in hearing what the gentleman from Alabama [Mr. WHEELER] has to say. The Chair desires the attention of the House for a moment. It is utterly unjust that the Chair should take up one-half the time in keeping order for the other half. If each gentleman will bear in mind that his own conversation increases the disorder, and especially if those in the immediate vicinity of the gentleman addressing the House will bear this in mind, the Chair thinks the gentleman can be heard.

Mr. WHEELER. I call upon you, gentlemen, to remember the appeals made to you by the Southern Republicans on that side of the House. I refer to the words of warning from the gentleman from North Carolina [Mr. EWART] and the admonitions uttered by the gentleman from Louisiana [Mr. COLEMAN]. I also call attention to what was said by the gentleman from Tennessee [Mr. HOUK]. All of them told us that elections in the South were fair and honest. At least, all said they were fair and honest so far as their knowledge extended. The gentleman from Tennessee [Mr. HOUK] told you they were perfectly fair in his district.

Mr. HOUK. Will the gentleman allow me? I said that the elections were fair as far as my locality was concerned, but I did not say, and I would not say, that they were fair in all parts of the South, because I know the contrary to be the fact.

Mr. WHEELER, of Alabama. I call upon any gentleman from the South to say that elections are not fair in his district, at least as far as Democrats are connected with them. I call upon any Southern Republican to say if Democrats do not conduct elections with perfect fairness in his district; if every one, black or white, can not cast his vote with perfect freedom, and if Democratic inspectors do not count them precisely as they are cast.

I call upon the gentleman from Tennessee [Mr. EVANS] to speak out and tell his Republican associates whether their accusations against the South are true. Tell them if Democrats conduct elections fairly in his district. Tell us who is right in his statements on that subject, Mr. MASON or myself. Tell them who is right, General Warner or the gentleman from Ohio [Mr. TAYLOR] as to the deportment of Southern people towards strangers. I see the gentleman is standing and ready to reply.

The SPEAKER. There were two minutes, and the Chair did not take that out of the gentleman's time. It took more than two minutes to secure some order in the neighborhood of the gentleman.

Mr. WHEELER, of Alabama. Then I will take the two minutes. I want the gentleman from Tennessee [Mr. EVANS] to inform his party associates upon these two subjects.

The SPEAKER. The gentleman has had seven minutes, including the time consumed in the effort of the Chair to keep gentlemen still in his immediate vicinity.

Mr. EVANS. I would like to answer the gentleman's inquiry.

The SPEAKER. The gentleman's time has expired.

MESSAGE FROM THE PRESIDENT.

Messages in writing from the President of the United States were communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed acts of the following titles:

An act (H. R. 401) to provide for the purchase of a site and the erection of a public building thereon at Alexandria, in the State of Louisiana;

An act (H. R. 3940) to amend an act entitled "An act to extend the fees of certain officers over the Territories of New Mexico and Arizona;" and

An act (H. R. 9289) to provide for a term of court at Danville, Ill.

ENROLLED BILL SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 4562) to provide for the admission of the State of Idaho into the Union. [Applause.]

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. MCOMAS. Mr. Speaker, I have a privileged motion, the presentation of a conference report, but I do not want to take the time of the House by any explanation. I submit the report of the conference committee upon the District appropriation bill, and move its adoption. I will then ask leave for gentlemen desiring to print remarks upon the bill to do so, as I desire to avail myself of that privilege.

Mr. BLOUNT. Is it a unanimous report?

Mr. MCOMAS. It is a unanimous report.

Mr. McMILLIN. Would it not be better for the gentleman to withhold that report until after the special order is disposed of?

Mr. McCOMAS. It will only take a moment.

Mr. McMILLIN. I know that the order embraces it, but I think it is safer to take up time for the consideration of this bill when it will not be delayed more than an hour or two.

Mr. MAISH. There may be matters to which there is objection.

Mr. McCOMAS. It has been unanimously reported; the report of the committee of conference has been printed in the proceedings of the Senate; it has been discussed, and it is also in a public document. I therefore ask unanimous consent to dispense with the reading of the report and move its adoption.

Mr. HOLMAN. I think the statement at least should be read.

The SPEAKER. The gentleman from Indiana demands the reading of the statement.

Mr. McMILLIN. Will not the gentleman kindly withdraw this? I know that the resolution embraces that business, but it will not take long for this special order now to be disposed of.

Mr. McCOMAS. This would take but a moment. I will say to the gentleman that the report is unanimous, and the only thing that has been in dispute has been discussed in the Senate.

Mr. HEMPHILL. Can not the gentleman from Maryland take it up after 2 o'clock?

Mr. OUTHWAITE. There is absolutely no occasion for bringing it up now, as the fiscal year is over and the appropriations have been extended.

Mr. McCOMAS. The fiscal year is ended, but it is important that the appropriation bill should be passed.

Mr. DOCKERY. I think, Mr. Speaker, in view of the fact that in December last this House passed that bill the gentleman can very well afford to let it go over for two or three hours.

Mr. MAISH. Some things in it may be objected to.

Mr. HEMPHILL. What difference would there be between two or three hours hence and now?

Mr. McCOMAS. In deference to the request of the gentleman, although I had hoped that this report would be adopted at this time, I will withdraw it for the present and bring it up immediately after the vote on the election bill.

Mr. TAYLOR, of Illinois. You can bring it up immediately after the debate is closed.

Mr. McCOMAS. I will renew the request as soon as the bill has been voted on.

FEDERAL ELECTION BILL.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, the gentleman from Alabama [Mr. WHEELER] charges me with doing injustice to the State of South Carolina, in calling in question the courtesy and hospitality of the people of that State. The gentleman is mistaken; I only stated a fact. I arrived in the city of Charleston on a Saturday night, in the last Presidential campaign, and my friend from Chicago [Mr. MASON] came a little later. We were to speak there on Monday night. I said that during our stay in the city, which lasted till the following Tuesday, that we never met or shook the hand of a single white man in the city of Charleston. No white man in the city of Charleston spoke to us or paid the slightest attention to either Mr. MASON or myself during that time, except a persevering newspaper reporter. I made no complaint of this and make no complaint now. I only mentioned it to show the feeling of the people of Charleston. During this same campaign I visited several other Southern States, where I found a very different feeling.

In all the States except South Carolina I met white men and black men, Republicans and Democrats; met them at their homes and at the hotels, on the platform and in the audience; but our stay in Charleston seemed unlike our stay in any other State. It seemed as if we were in a foreign country, under a foreign flag. They knew we were Republicans and had come there to speak, and consequently they seemed to regard us as enemies. They showed this feeling in various ways. I felt it in the atmosphere. We spoke to a very large audience from the steps of the city hall; but no white men were on the platform nor in our audience. The colored people were willing to hear us, but the white people were not.

Mr. WHEELER, of Alabama. Will the gentleman allow me to ask him a question?

Mr. JOSEPH D. TAYLOR. I have not time now. As I said before, we only met one white man in Charleston who talked to us, and that man was a newspaper correspondent. He interviewed us closely as to our mission in that State. Our arrival and departure were noted in the daily newspapers. We were spoken of courteously in the newspapers, but we were shunned and avoided on every hand by the people of Charleston. We were shown the city and the public buildings erected there by the Government, but this was done by colored men. They furnished the carriage and accompanied us (to the horror of the Charleston white people); they pointed out the places of interest; but no white man did anything of this kind. The newspapers stated, for foreign use no doubt, that the mayor and council had called upon us and offered us the freedom of the city, but they did nothing of the sort.

Mr. WHEELER, of Alabama. Will the gentleman allow me a question?

Mr. JOSEPH D. TAYLOR. Not now. We spoke from the steps of the city hall, where they are accustomed to hold their public meetings, but they put the lights out in the city hall and barred the doors. The hall was as dark as Egyptian night when we made our speeches on the steps, and every door was closed and locked. I suppose they were afraid we would steal the city records. If a few lights had been left burning it would have seemed more courteous, but the city hall was dark and deserted.

Mr. WHEELER, of Alabama. Your Republican friends were very discourteous to you when no white man spoke to you. Democrats would have treated you courteously.

Mr. JOSEPH D. TAYLOR. Democrats in some localities would, but no man, be he a Republican or Democrat, can live in Charleston and do otherwise and keep out of the poor-house, unless he has some fixed income. I had the pleasure of meeting a little later some gentlemen who are white men, and who are Democrats, who live in Charleston. They are men of wealth and have large business interests in that city, but I did not meet them in Charleston. I met them elsewhere and later, and they explained why they had not called upon us. They said that they wanted to come to the hotel and call upon us; that they wanted to show us the courtesy that members of Congress are entitled to under such circumstances, but they said they did not dare to do so. They said: "We live here, our families are here, we are in business here, and we dare not ignore the sentiment of our people. The North has no idea what Southern ostracism is. If we had called upon you or invited you into our homes, or shown our sympathy for the cause you are advocating, it would be very uncomfortable for us in this locality. The Charleston people would ostracize us in our business, and we would be ostracized, and our families would be ostracized in the church, on the streets, and in the public schools, so fatal is ostracism in the city of Charleston."

I have met some of these gentlemen from Charleston this winter in the corridors of this Capitol, and they still say what they said then, that their people are standing in their own light in depriving the colored man of his right to vote. They expressed the belief that the fraud and perjury which are now justified in maintaining white supremacy will prove a curse to their children and their children's children in the years to come.

One of those men said: "I do not care anything about politics. We all know that there is no such thing as an honest election in South Carolina, and while the methods employed defeat the Republican party and keep the Democratic party in power, this corruption that now receives our sanction will demoralize our children and bring a curse upon the rising generation."

This view was expressed by a leading citizen of Charleston, who calls himself a Democrat and who was in the Confederate army. His ancestors were Whigs and he believes in a protective tariff, as all of the gentlemen do to whom I refer, and they also believe in fair elections, and look forward with intense anxiety to the day when the shackles of Democracy will be broken in South Carolina. [Applause on the Republican side.]

Mr. HEMPHILL. I do not desire to make any reply to such stuff as that. The gentleman went down there to see the negroes and I suppose he saw them.

Mr. FRANK. Mr. Speaker, I desire to direct my attention and the attention of the House to the pending amendment of my colleague from Virginia [Mr. TUCKER]. I do not wish to direct attention to South Carolina or to Ohio, or to the black man or to the white man as such, but I desire to bring the attention of the fair-minded men of the House back to the pending amendment. As is well known I am in favor of this proposed legislation so far as its scope and purpose are to extend the operations of the supervisors' act and enlarge and strengthen it, while I am opposed to any purpose there may be in this bill to take Federal control of the elections. But I am opposed to this amendment of the gentleman from Virginia, which not only contravenes the extension of the supervisor system, but seeks to weaken the law already upon the statute-book.

The act of 1871 provides that that law shall be put in operation in any city having 20,000 inhabitants or upward upon the application of two citizens thereof, and in other places upon the application of ten citizens, and that provision of the law is mandatory. There is no discretion about it. The court is obliged to put in operation the provisions of the law whenever two citizens of a city of 20,000 inhabitants or upward apply for it. I do not know what gentlemen upon either side of this aisle mean when they say that no supervision is required in their districts. I am perfectly frank to say that supervision is absolutely necessary in the city which I have the honor to represent in part upon this floor, and I do not propose, if I can help it, to permit this amendment of the gentleman from Virginia to prevail, because, as I say, it weakens the provisions of the law already upon the statute-book. It permits a hearing upon the application before the circuit judge and the district judge sitting in banc. It permits a prolonged controversy about the matter and then a judicial decision. I very much doubt our power to vest this authority in the judiciary. Mr.

Speaker, the measure now pending before the House provides that upon the application of fifty citizens in certain Congressional districts and upon the application of one hundred citizens in certain other portions of the country (as set out in section 2) this supervision shall be put in operation. As I said before, the existing statute permits it upon the application of two citizens.

I do not believe there is wisdom in the amendment of the gentleman from Virginia, and I trust that those who are in favor, as I am, of strengthening the existing law and extending its operation, believing in its fairness and equity, will oppose the adoption of the amendment.

Mr. HEMPHILL. Mr. Speaker, if the time on the other side is exhausted, or if there is no desire to use it further, I will ask for a vote on the pending amendment.

Mr. KERR, of Iowa. One word. Another objection is that it vests a discretion in the court which makes it necessary for that court ultimately to pass upon its own action. Now, I think there would be a tendency in the mind of the judge, if he permitted supervision to be made, to decide in favor of any contest that might be made to invalidate the State count, and that, it seems to me, is a very serious objection to the proposition.

Mr. BOUTELLE. Mr. Speaker, I have listened with a great deal of interest and with a great deal more of surprise to the course of the debate upon this bill, and the reflection that has come to my mind more forcibly than any other has been that probably the history of the world presents no greater anomaly than the fact that a legislative body in a representative government should actually be devoting hours and days of its time to a discussion of the question whether there should be an equal distribution of political rights and political power throughout the constituencies of a common country.

Mr. OUTHWAITE. You propose to make it "equal" by putting it all in the hands of one party.

Mr. BOUTELLE. Mr. Speaker, the American people are an intelligent people and they understand this situation and this question. They know that, underneath all the embroidery of discussion and legal and constitutional technicality, the bare and naked question submitted to this body to-day is whether people who are by the Constitution and the laws of this Government entitled to the exercise of the right of suffrage shall be permitted and guaranteed the exercise of that right in every part of the country untrammelled and without fear or reproach. That is the precise question before the people and before this House. The talk of gentlemen who undertake to explain away the circumstances under which the gentleman from South Carolina [Mr. HEMPHILL] comes here with some 9,500 votes for him and only 27 against him, as being merely the result of an indisposition on the part of the voters to go to the polls is mere froth in this debate, when they know and we know, and the gentleman from South Carolina [Mr. HEMPHILL] himself has distinctly stated, that the question now before us is that of either permitting a majority of the people to vote or preventing them from voting, as they have been prevented in the past.

Mr. HEMPHILL. I beg the gentleman's pardon—

Mr. BOUTELLE. Do not interrupt me. You have had plenty of time.

Mr. HEMPHILL. I merely want to say that I made no such statement.

Mr. BOUTELLE. The gentleman from South Carolina distinctly stated—and I hope he will adhere to it and show the courage of his convictions for which he has been given so much credit all over the country—he distinctly stated that either the condition which now exists in South Carolina shall continue, that the conditions under which great masses of people who are entitled to vote, but who have black skins and who have been manumitted from bondage have been prevented from voting shall continue, or else the people of South Carolina whom he represents will have to leave the State, and he swears before God they will not leave the State.

Mr. HEMPHILL. I only desire to say that I made no such statement.

Mr. BOUTELLE. The gentleman can explain hereafter.

Mr. HEMPHILL. I do not want to explain, only to deny.

Mr. BOUTELLE. I want to say in this connection that we understand this question just as the gentleman has stated it. For twenty-five years it has been a part of the creed of the Republican party that every man who is a citizen of the United States should have the privilege of going to the ballot-box and expressing his will on public questions. We have been unable to carry out that doctrine; we have been unable to accomplish that great result, and why? Largely because certain gentlemen of the North have wanted us to wait and allow this question to work out its own solution.

[Here the hammer fell.]

Mr. BOUTELLE. I would like permission to say a few words more. [Cries of "Regular order!" on the Democratic side.]

Mr. MCKINLEY. I ask unanimous consent that the gentleman from Maine [Mr. BOUTELLE] may have five minutes more, to be charged to this side of the House.

Mr. OUTHWAITE. But there are not five minutes remaining to that side of the House under the agreement made a few minutes ago, there are only two minutes and a half remaining.

Mr. FRANK. We will yield the gentleman from Maine the balance of our time.

Mr. MCKINLEY. I ask unanimous consent that whatever time remains to our side may be given to the gentleman from Maine.

The SPEAKER. The gentleman from Ohio [Mr. MCKINLEY] asks unanimous consent that the gentleman from Maine—

Mr. BUCKALEW. I object.

Mr. BOUTELLE. All right; I will meet the gentleman at Philippi on some other occasion. [Laughter.]

Mr. LODGE. Mr. Speaker, is there any time left upon this side?

The SPEAKER. The time is exhausted. The first question is upon the amendment offered by the gentleman from Iowa [Mr. KERR] to the amendment of the gentleman from Virginia [Mr. TUCKER].

Mr. MILLIKEN. What is that amendment?

Mr. OUTHWAITE. Let it be reported.

The Clerk read as follows:

Amend the amendment by inserting after the word "opinion" the words "that there is danger," making it read "and if upon such hearing the court shall be of the opinion that there is danger that a free and fair registration and election will not be held," etc.

The question being taken, the amendment to the amendment was rejected.

The question recurring on the amendment of Mr. TUCKER, it was rejected.

Mr. ROWELL. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add the following as a new section, to be section 38:
It shall be the duty of the circuit judge or judges of the United States in each circuit, within one month after the passage of this act, to open a special term of the circuit court in and for such judicial district in their respective circuits as shall be most convenient to him or them; and the said courts so opened and held by said circuit judge or judges shall appoint for each judicial district in their respective circuits three discreet persons of good character and standing, who shall be residents of the judicial district in and for which they are named, who shall be known as United States juror commissioners. It shall be the duty of said commissioners to organize as a board by the selection of one of their number as chairman, whose duty it shall be to preside over their meetings and to give notice from time to time to his associates of the time and place of all meetings of said board. The said board may act by a majority vote, and shall from time to time make from the qualified voters in their judicial districts a list of persons who under the laws of the United States and of the State in which they act shall be eligible for jury duty, without respect to race or color. And hereafter all panels for jurors, grand and petit, shall be drawn by said board in the presence of a district or circuit judge. All provisions of law in relation to making jury lists, or the drawing of jurors, inconsistent with the provisions of this section are hereby repealed. All vacancies which shall from any cause arise in said board shall be filled by the court making the original appointments, which court shall be held as provided herein for its holding for the making of such original appointments.

Mr. SPRINGER. I desire to ask my colleague [Mr. ROWELL] whether this amendment provides that one of these officers shall be of opposite political party to the others.

Mr. ROWELL. No, sir; there is not any politics in it. [Derisive laughter on the Democratic side.]

Mr. SPRINGER. It is all politics.

The SPEAKER. The question is on agreeing to the amendment.

Mr. SPRINGER. I desire to be heard on this amendment.

Mr. HEMPHILL. I trust we may agree upon some time during which this amendment shall be discussed.

Mr. LODGE. What time do you propose?

Mr. SPRINGER. I suggest ten minutes on each side.

Mr. HOOKER. Let us have more time than that.

Mr. BLOUNT. We have other things to discuss and vote upon.

Mr. HOOKER. Some gentlemen who desired to speak have been excluded under the arrangements heretofore. I give notice that I want to be included in any arrangement which may now be made.

Mr. HEMPHILL. I will say to the gentleman from Mississippi [Mr. HOOKER] that it is not the fault of our side that he has been excluded. We are obliged to vote on this bill to-day at 2 o'clock.

Mr. HOOKER. I understand that.

Mr. HEMPHILL. We are not responsible for this limitation of time.

Mr. HOOKER. There ought to be at least twenty minutes' discussion on each side on this amendment, which is in my judgment one of the most important amendments offered to the bill.

Mr. LODGE. This strikes me as a very important proposition; and I think we ought to have discussion for half an hour on each side.

Mr. HEMPHILL. Well, that consumes one-half of the time between now and the final vote on the bill. The understanding was clear that gentlemen on the other side should offer their amendments and then we should offer ours. They have submitted two amendments already after exhausting their time, which has taken up a very considerable portion of the time we had, and if they are going to consume the balance of the time we had just as well give up all hope of submitting any amendments at all. I think the gentleman from Massachusetts will appreciate the fact that we are absolutely at the mercy of the majority in this respect. We certainly ought to have the time which was accorded to us.

Mr. LODGE. The gentleman suggested ten minutes, but I think that is too short a time.

Mr. HEMPHILL. Then say fifteen minutes on a side.

Mr. LODGE. Very well; that will be agreeable to me.

Mr. HEMPHILL. Then we will make it fifteen minutes, if agreeable to the House.

Mr. BRECKINRIDGE, of Kentucky. Before the debate begins I desire to submit a point of order on the amendment.

On yesterday the provision in the bill as to juries was stricken from it, so that now there is no provision at all embodied in the bill having reference to that subject. The point of order I submit is that the machinery of the jury, and the mode of fixing a jury, either legitimately or illegitimately, of packing a jury or legitimately making up a jury, is not germane to an election bill. It does not form any part of the election machinery; it is not germane to the election of members of Congress, and is not relevant in any way to the matter pending. I submit the point of order ought to be sustained; and that there is nothing in our rules or anything which governs us which makes the mode of fixing a jury, or selecting a jury, or obtaining a jury in the circuit courts of the United States a proper part of the machinery of the election of members to the House of Representatives.

The SPEAKER. The Chair overrules the point of order.

Several MEMBERS. Take an appeal.

Mr. BRECKINRIDGE, of Kentucky. I will not take an appeal from the decision, because I do not wish to consume the little time remaining.

The SPEAKER. The gentleman from Massachusetts and the gentleman from South Carolina ask unanimous consent that the debate be limited to fifteen minutes on each side. Is there objection?

There was no objection.

Mr. HEMPHILL. I desire now to yield five minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER. Mr. Speaker, I desire to say in continuation and conclusion of the remarks that I had begun last night, and did not then complete, after I had read extracts from the speech of Mr. Prentiss made on the occasion of his contested-election case in the Twenty-fifth Congress, advancing an argument in that connection which has never yet been answered and, in my judgment, never can be answered, that under the grant of powers to the Federal Congress to pass election laws the primary power in that regard had been conferred on the States, using imperatively the language that the States "shall" pass election laws or laws prescribing the time, place, and manner of choosing members of the House of Representatives. It was not a grant of power to the State, but it was the imposition of a duty on the State and the requisition of a certain duty from the State in that respect. It was not a grant of power, because that convention was acting by States upon the subject under discussion at the time, adopting the various articles of the Constitution submitted to it; and it was left to the States to pass upon the final adoption of the Constitution, nine of them having the power to adopt it, thus placing it entirely and absolutely within the control of four of the smallest States of the original thirteen to defeat it.

More than that, Mr. Speaker, when we come to scan the language of the provision of the Constitution of the United States the word "shall" is used in conferring this power upon the States or imposing this duty upon them; but when you come to look for the power conferred upon the Federal Government in that connection it uses the permissive word "may"—Congress "may" make, alter, or amend such regulations. Now, if it was the intention of the framers of the Constitution and of the States which adopted the Constitution to clothe Congress with the power to pass Federal election laws which should have binding force within the States they would have said so in plain words and not confused the question by granting absolute power primarily to the States and secondarily permissive power to the Congress of the United States.

What is meant by the word "alter" when the language used is "Congress may make, alter, or amend?" Alter what? Alter a law already in existence, passed by the several States? When they said "make" in the same connection what did they mean? They meant that if the States failed to obey the constitutional requirements to make laws, or if they made imperfect laws, Congress might make, alter, or amend, because the power is primarily granted, I insist, to the States, and Congress is given the power only in the event of the failure on the part of the States to exercise this power. It was not contemplated by the framers of the Constitution that Congress should exercise it, except to alter imperfect laws or to make a law where none had been made by the States.

That this plain and obvious meaning is manifest, I maintain is clearly established by a common-sense construction of that instrument and by the extracts from Mr. Prentiss's speech, to which I have already referred, in which he alludes to the power of Congress in that regard. Seven of the great States of the Union, a majority of the original thirteen, with New York, Pennsylvania, and Massachusetts at the head of them, ratified this Constitution solely on the ground that they protested against this particular phrase giving the Congress of the United States power to alter, change, or make the law. They ratified it under protest, and instructed their delegates to insist on the repeal of the power thus conceded, for fear it might be perverted to take away the power already given the States; and it never has been exercised up to this time. But when the proposition was made to make this law general in its application the honorable gentleman in charge of the bill, its reputed and supposed author, the gentleman from Massachusetts

[Mr. LODGE], did not dare to apply it to the great States of the North, including New York, Pennsylvania, and to his own Bay State (Massachusetts). He would have put his head into the lion's mouth rather than to undertake to apply this law to the people of his own State.

But, gentlemen, what are you doing? You are the Representatives of the people of the United States. You are their servants. They send you here, and you now propose to turn around and with the voice of masters say to the people who sent you here, "You have not adopted proper laws in the respective States under the Constitution; we, your servants, will establish new and different methods of choosing the Representatives of the people, other than those you have adopted. We direct you how you shall proceed; we speak to you, our masters, in the voice of a master, and direct the manner to be adopted within your respective States for choosing your own Representatives, and you shall have only such laws in that regard as we choose to make; and particularly the Southern States, where this law is to be applied, we will treat as provinces; we will send our satraps and supervisors there to direct the course of the elections, because we do not propose to trust the people there to control their own domestic affairs."

Why, therefore, are you attempting to make this change in the Constitution and in the laws of election? Because you hear the rumblings of the coming storm which will overtake you on the ides of November, when you will be called to account by the people for this effort to usurp the power of the States and centralize it in the Federal Government of the United States; and thus by a bold and defiant step perpetuate the power and permanency of the Republican party in this House. It is arranging the machinery of elections on a partisan basis, boldly and flagrantly announced by the advocates of this bill, with a view to set aside the elections held in November next for Representatives in this House and clothe the Republican members whose seats may not be contested with the power to organize the House and admit such members as their satraps and party tools may certify to be elected from the Southern States, for whom, and for whom alone, this bill is designed and intended.

Mr. ROWELL. Mr. Speaker, I have noticed that there are always compensations in nature. Our friends on the other side always rejoice over the elections before they are had, and we rejoice afterward, and so both sides get a good chance at rejoicing. [Laughter on the Republican side.]

Mr. OUTHWAITE. Oh, talk about your amendment, will you?

Mr. HEMPHILL. It will depend very much on whether you win or lose whether you rejoice after the next election, and I do not think you will do any rejoicing.

Mr. PEEL. You will rejoice over the certification after this if you rejoice at all.

Mr. ROWELL. I do not care to answer the gentleman who has just taken his seat further than to say that under the present law two citizens of any city of 20,000 inhabitants can put the supervisor system in operation. Ten citizens in any Congressional district can do it, North or South, in any Congressional district. Under this law which is now proposed to be passed it takes one hundred citizens in a city, one hundred citizens in a Congressional district, and fifty citizens in a county. But, Mr. Speaker, I desire to address myself to the amendment.

Mr. CRISP. Mr. Speaker—

Mr. ROWELL. I shall have to be excused.

Mr. CRISP. I only wish to ask my friend—

The SPEAKER. The gentleman from Illinois declines to yield.

Mr. CRISP. The gentleman from Illinois introduces an amendment and then says nothing about the amendment, but talks about other matters. We want to understand what he proposes by his amendment.

Mr. ROWELL. I desire to address myself to the amendment now pending. I said yesterday it ought to be the desire of every man on both sides of the House to get into the jury-box of the United States court an impartial jury, that would mete out equal and exact justice, under the instructions of the court, to all parties litigant. Therefore it was desirable that the elements of partisan politics should be eliminated from the matter of the selection of jurymen. I said that under the present statute, for the first time in our history, partisan politics was injected into the jury-box by the appointment of a jury commission one of whom should be the clerk of the court, the other a citizen appointed, of opposite political affiliations. So it has been since the enactment of that law an understood thing that jurymen when called to the United States court understand that they are called to represent the political parties to which they belong. Now, the proposition of this amendment is that the court shall appoint a jury commission of three discreet, honorable men, and that that commission shall be the jury commission for that court, to select in the presence of the court the men who are to be aids to that court in reaching correct conclusions of facts in all matters brought before the court. It is in accordance with the system of several of the States. It is absolutely as fair as it is possible to make a jury commission. The court is not restricted to one political party or another. He is simply required to appoint citizens whom he shall deem fit and proper for that purpose. And if there is any judge in the United States that does not know that upon his jury, their intelligence, their uprightness, and their impartiality

depends the success of any term of court, then that man is not fit to sit upon the bench. And I do hope that all men on both sides of the House—

Mr. OUTHWAITE. No, you don't.

Mr. ROWELL. And I do hope that all men on both sides of the House who desire that we may eliminate partisan politics from the jury-box will heartily and earnestly support this amendment that is offered, laying aside party predilections in the effort to get an honest and impartial jury system.

Mr. McMILLIN. Mr. Speaker, I would like to ask the gentleman, before he takes his seat, what hardship has grown out of the present system that he proposes to remedy by this change in the law.

Mr. ROWELL. I answered yesterday that it was the experience of all lawyers trying cases in the United States courts involving partisan questions that juries divide upon party lines, and that is the history of the operation of the present law.

Mr. McMILLIN. You want to convict, right or wrong, do you?

Mr. TUCKER. Yesterday your side of the House voted down a proposition that would remedy that.

Mr. HEMPHILL. I yield five minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, if anything could amaze an American citizen at such a time as this it would be such a proposition as this, submitted to the representatives of the American people for their approval. This proposition assumes that all the virtue, and all the intelligence, and all the honesty in the country abide with Republicans and the Republican party. And the gentleman who proposes it suggests that it is for the purpose of having an impartial jury, when he knows, and everybody knows who knows anything about this question, that the object of this amendment is to pack the juries of the country with Republican partisans. Under this bill the opportunities for fraud by Republican officials are unlimited. I have seen the operations of Federal supervisors and marshals in various parts of the country, and I know that if there is anything more than another that they need it is just this kind of a jury system, so that when they have committed outrages upon the people they can be protected by Republican courts and partisan juries.

Mr. Speaker, I can not understand why gentlemen upon the other side of this House can ask this Congress to indorse a proposition of this kind. My colleague says that the present system has been tried and proved a failure. To his remark I desire to say that a United States court meets in the town where I live, and that the present jury system has worked to the perfect satisfaction of every citizen, so far as I have heard, and it will always work to the satisfaction of the people. The commissioner appointed under the present law is of opposite politics to the clerk, is appointed by the judge, and if you assume that the judge will not appoint honest men for this work, you assume that there is not an honest man in the Democratic party who is capable of the work, nor an honest judge in the Republican party that could appoint such a commissioner.

Now, Mr. Speaker, this proposition is the culmination of the outrage contemplated in this bill, an outrage which will cause the blush of shame to come to every member of this House hereafter who supports it, when he shall look back at the fruit of his own efforts in behalf of this bill. [Applause on the Democratic side.]

I have no patience, Mr. Speaker, to speak of this measure. I have no patience to contemplate the stupendous wrong, oppression, and outrage which are contemplated and concealed in it. Gentlemen may suppose that they can commit all sorts of offenses against popular liberty and go unwhipped of justice; but I warn them that they but teach bloody instructions, which being taught will return to plague the inventors. [Loud applause on the Democratic side.]

This bill is an assault on popular government. It impeaches the intelligence, integrity, and the patriotism of the American people, and implies that the voters of this country are not capable of holding an honest election, and consequently Congress will send Federal satraps and officials to supervise, scrutinize, and control their elections, and pay all the expenses out of the Federal Treasury. [Loud applause on the Democratic side.] This bill, Mr. Speaker, is intended to perpetuate the ill-gotten power of the Republican party in this House and in the country. [Loud applause on the Democratic side.]

[Here the hammer fell.]

Mr. BOUTELLE. Mr. Speaker, when I was cut off a short time ago by a very characteristic exhibition of Democratic courtesy, I was about remarking that the people of this country have tacitly consented to a condition of things which is well known to have existed for nearly twenty-five years in one portion of our country in regard to the suppression of the suffrage. There has been a remarkable toleration, a suspension of the exercise of the power which the Government could exercise, and which I believe it should long ago have exercised in behalf of its citizens, and this delay has been largely based upon the idea that obtained in some portions of the North that time would bring a healing of these difficulties; that the Southern people, if left to themselves, would finally come to the conclusion that in a Republican Government it would be best for them, as well as best for the rest of the people, to recognize the authority of the Constitution and the laws of our country.

The most discouraging episode, Mr. Speaker, in the whole history of our dealing with this question, or rather of the failure to deal with it, was the illustration furnished at the very inception of this debate that we must wait longer than one generation for the people of the Southern States to rise to a just and proper recognition of the rights of American citizens at the polls. I could have some patience with gentlemen who, having thrown themselves into the vortex of rebellion and found themselves whirled along by its remorseless tide, have been unable to wrest themselves from the associations thus formed or to abandon doctrines and practices with which they have so long been associated; but, Mr. Speaker, we have been shown by this debate that the hopes held out to us that the rising generation of the South would reach a higher, a nobler, and a broader plane upon this question than the men who have been controlled by the traditions of the sorrowful past are no longer to be entertained. When in this debate the protest of that side of the House against the right of every citizen of the United States to have the privilege of a free ballot and a fair count was opened by the gentleman from South Carolina [Mr. HEMPHILL], who was only twelve years of age when the war broke out, who was skylarking with his darky playmates while I and others of my countrymen were keeping the weary vigils of the blockade, or patrolling the waters of South Carolina and Georgia, or guarding the flag and the perpetuity of the Union in Tennessee, Georgia, Louisiana, and elsewhere in order to preserve seats in this body to be occupied by the Representatives of the people of South Carolina; when we found that gentleman, representing the new generation of the South, standing here reiterating the old slogan, the old watchword, the old war-cry of John C. Calhoun; when we heard the representative of the young men of South Carolina to-day reaffirming the doctrine of nullification on the floor of this House and inviting witness of the eternal God, declaring in substance that whatever the American people in their majesty, that whatever the American Government in its power may attempt to do to secure to American citizens the rights guaranteed them by the organic law it shall stand for naught, so help him God, on the soil of South Carolina, I say, gentlemen of the North, the time for toleration has gone by! [Loud applause on the Republican side.] They have held out the word of promise to the ear and broken it to the hope. They have profited nothing by the lessons or the opportunities or the magnanimities of the days gone by. A generation has passed while we have permitted American citizens to be deprived of their rights in the South; it has been a disgrace to our own manhood every hour that we have tolerated this degradation of citizenship. To-day we are told we need not have any hope for a better condition of things at the hands of the young men in the South; and therefore I appeal to young and old in the North and wherever there is loyalty to the Constitution and the law to declare that this condition of things shall now come to an end! [Loud applause on the Republican side.]

[Here the hammer fell.]

Mr. HEMPHILL. I yield five minutes to the gentleman from Texas [Mr. CULBERSON].

Mr. CULBERSON, of Texas. Mr. Speaker, the amendment of the gentleman from Illinois [Mr. ROWELL], if I understand it, provides that the circuit court of the United States for each judicial district shall be open one month after this bill shall have become a law for the purpose of appointing jury commissioners. Now, I wish to submit to him and to the House that a circuit court of the United States may be held by a circuit justice, one of the judges of the Supreme Court, or by a circuit judge, or by a district judge, or by two of those judges sitting together. The amendment of the gentleman from Illinois provides that after the court is opened it shall appoint these jury commissioners for each judicial district.

I propose to offer an amendment inserting these words, "two judges concurring in the appointment," so that when the circuit judge, or the circuit justice, or the district judge opens the circuit court for the purpose of appointing jury commissioners two of the judges who compose the court shall be present and shall concur in the appointments. By this means we will have a circuit justice and a circuit judge concurring in the appointment, or a district judge and a circuit judge, or the district judge and a circuit justice. If the object is a fair one—and I do not question the gentleman's motives at all—if the object is a fair one, this amendment ought to be adopted, and when it is adopted the power will still remain under the gentleman's amendment to construct the jury in each district solely out of his own party friends, if such advantage is desirable. If this proposition is a party scheme to provide partisan jurors, my amendment will not prevent its execution, but will give it more dignity than the original amendment possesses.

Another thing. Under the laws, as they exist to-day, four-fifths of the judicial districts are divided into divisions. In some districts there are three divisions, and the jury for one division can not sit in the trial of a cause in another division of the same district; but the amendment of the gentleman from Illinois makes no provision to meet a case like that. I offer the amendment I have stated, to come in after the word "appoint," and I yield back the balance of my time to the gentleman from South Carolina. Let the amendment be read.

The amendment was read, as follows:

Insert after the word "appoint," the following: "two judges concurring in the appointment."

Mr. TAYLOR, of Tennessee, rose.

Mr. CULBERSON, of Texas. Mr. Speaker, has my time expired? The SPEAKER. The gentleman's time has expired.

Mr. HEMPHILL. Has the whole of the time on this side expired?

The SPEAKER. It has expired. The gentleman from Tennessee [Mr. TAYLOR] has the floor.

Mr. TAYLOR, of Tennessee. Mr. Speaker, I can not hope in the time allowed me under the rule to discuss as I would wish in detail the bill now pending before this House. I must be content, therefore, with the presentation of the few general observations I may be able to crowd into so short a time.

In all the history of legislation for the past twenty-five years I can not conceive of a measure of greater moment to the people of this country than the measure under consideration, involving as it does the sacred rights of American citizens and the safety and perpetuity of our republican institutions.

In the district I have the honor to represent on this floor, although in the South, fraud and intimidation in elections are unknown. [Applause.] There is no necessity for the passage of this bill so far as the First district of Tennessee is concerned.

The descendants of the sturdy mountaineers who, under the leadership of Sevier, Campbell, and Shelby, struck the death-blow to the British army at King's Mountain and turned the tide of the Revolution, my people are the sons and daughters of their fathers and the blood has never turned back in their veins. [Applause.] Fidelity to the American Union, love of liberty, reverence for the American flag, has ever been the prevailing sentiment among them, and they are as free to-day as the air they breathe, enjoying, in fullest measure, every blessing conferred by the Constitution of the United States. [Applause.]

But the question in my mind is whether it is fair, whether it is patriotic or statesmanlike to withhold a benefit from my fellow-citizens elsewhere, who need it, simply because it may not be a benefit to my district. I am prepared to answer in the negative. [Applause on the Republican side.] A contrary conclusion, it seems to me, would be illiberal, unfair, unpatriotic, and unstatesmanlike. Bribery in elections North and South, the perpetration of frauds, the rifling and stuffing of ballot-boxes, and the intimidating of voters in some of the Congressional districts in the Union are matters which have become so notorious that they are now known of all men, and their denial would be worse than folly.

The fact, as stated by my distinguished friend from Michigan [Mr. BURROWS], in his able and eloquent speech on this question, that the delegate from Dakota received more votes by 10,000 than twenty-five members from the South who voted against the admission of that Territory as States in the Union, is crowning evidence—irresistible and inexplicable—that there is something radically wrong somewhere.

The distinguished gentlemen on this side of the House who have been accorded the time to discuss these questions *in extenso* have shown from day to day during the progress of this debate, as clearly and forcibly as it is possible for language and figures to show, the frequency and enormity of these outrages; have shown to what depths of degradation and dishonor our boasted elective system has been ruthlessly dragged; have demonstrated the absolute necessity for this law or some other law, and their arguments stand unanswered to this good hour and their statements unassailed.

But the Democratic party, true to its history, ever ready in the past, under any and all circumstances, to array itself in opposition to all great measures of reform, as well as of finance, originated and proposed by Republican statesmen, comes forward now in solid phalanx to oppose and to attempt to defeat a bill the sole object of which is to secure honest elections wherever they are found to be dishonest, and to punish ballot-box thieves and bribe-givers and bribe-takers throughout the land.

These gentlemen on the other side of the House tell us that there is no necessity for the enactment of this bill into law, and yet they do not pretend to deny the existence of the evils complained of which the bill is intended to remedy. Past wrongs can not be righted, but a repetition of them in the future can be prevented. Whether this bill, if it shall become a law, will bring about the results hoped for or not is to be tested in the future.

It is not as perfect as some of us desired. It is not the bill some of us wanted. Some of us desired even a stronger law. But we yielded, not to the crack of the whip of our alleged masters, not to the party lash as charged, but in a spirit of concession, of compromise, we yielded and accepted this bill. It may not accomplish the purposes for which it is intended, but it can and will be made stronger and more effective in the future if it fails now. The American people are behind the movement, and a free ballot and a fair count they must and will have at all hazards and at any cost.

It is claimed on the other side that it is a partisan measure. Sir, I would not by any vote of mine pass a law in the interest of one class of our people as against another class. I would not for my right arm cast a vote here for a law that would tend to foist one race of our people over another in any part of this country. God forbid that I should be actuated by any such motive.

It is only the sanctity of the ballot-box I seek to preserve, the integ-

ity, dignity, and sovereignty of American citizenship I seek to maintain. Let us secure the accomplishment of this grand result and all other problems will work out their own solution as the God of nations may direct in His own good time. [Applause.]

Mr. Speaker, in view of the situation, what is the duty of the hour? The duty of the hour is for the representatives of the people to invoke by law the strong right arm of the Federal power and let it be wielded until every man in every city, town, township, parish, and precinct in every State, North, South, East, and West, be that man rich or poor, high or low, Republican or Democrat, white or black, shall be as free under the flag as the air which floats it, protected in the exercise and enjoyment of every privilege, immunity, and franchise guaranteed by the Constitution to every American citizen. [Applause on the Republican side.]

Do gentlemen on the other side tell us that this will cost money—millions of money—and that therefore it must not come to pass?

I say, in the name of liberty and of law, perish money, perish property, perish life itself! Save the sanctity of the ballot-box! Survive the Government of the people! Preserve the unity and sovereignty of the American Republic! [Prolonged applause on the Republican side.]

The SPEAKER. The question is upon agreeing to the amendment of the gentleman from Texas [Mr. CULBERSON] to the amendment of the gentleman from Illinois [Mr. ROWELL].

The amendment to the amendment was not agreed to; there being—ayes 134, noes 139.

The SPEAKER. The question is now upon agreeing to the amendment submitted by the gentleman from Illinois. [The question was put.] The ayes seem to have it.

Mr. BUCKALEW, Mr. TUCKER, and others called for tellers.

Tellers were ordered; and Mr. ROWELL and Mr. TUCKER were appointed.

The House again divided; and the tellers reported—ayes 146, noes 143.

The SPEAKER. On this question the ayes are 146, the noes 143; and the amendment is agreed to. [A pause.]

Mr. STRUBLE was recognized and addressed the Chair.

Mr. WHEELER, of Alabama. Yeas and nays.

The SPEAKER. The House will be in order.

Mr. SPRINGER. Yeas and nays.

Mr. HEMPHILL. There is a demand for the yeas and nays on this question.

Mr. SPRINGER. Let us have the yeas and nays.

The SPEAKER. The announcement was made, and the Chair thinks it is now too late to demand the yeas and nays.

Mr. WHEELER, of Alabama. I demanded the yeas and nays almost immediately upon the announcement.

Mr. LODGE. Oh, let us have the yeas and nays.

The SPEAKER. By unanimous consent, the yeas and nays can be ordered.

Mr. OUTHWAITE. Upon the demand of a constitutional number of members they must be ordered.

Mr. SPRINGER. Inasmuch as we have not proceeded with other business and as there was great confusion, a number of gentlemen having asked for the yeas and nays and the Speaker not having heard the demand, which I know the gentleman from Alabama and others made, I think we are entitled to the yeas and nays.

The SPEAKER. The Chair is obliged to decide this question in accordance with the rules.

Mr. OUTHWAITE. I ask that gentlemen in favor of ordering the yeas and nays stand up. [A number of members on the Democratic side rose.] Mr. Speaker, the gentlemen standing ask for the yeas and nays on this question.

The SPEAKER. The vote has already been declared.

Mr. SPRINGER. We want it declared according to the Constitution.

Mr. OUTHWAITE. We could not ask for the yeas and nays until the result was announced.

The SPEAKER. It can be done only by unanimous consent.

Mr. MCKINLEY. I hope there will be no objection if they want the yeas and nays.

The SPEAKER. Is there objection? The Chair hears none.

Mr. CRISP. We demand the yeas and nays as our right under the Constitution.

The SPEAKER (Mr. CRISP speaking at the same time). Under the unanimous consent of the House the Chair puts the question on ordering the yeas and nays. As many as are in favor of ordering the yeas and nays will rise in their places and stand until counted. [A pause.] In the opinion of the Chair a sufficient number have risen. The yeas and nays are ordered. The Clerk will call the roll. [Applause on the Democratic side.]

The question was taken; and it was decided in the affirmative—yeas 150, nays 144, not voting 34; as follows:

YEAS—150.

Adams,	Atkinson, Pa.	Bayne,	Bergen,
Allen, Mich.	Atkinson, W. Va.	Beckwith,	Bingham,
Anderson, Kans.	Banks,	Belden,	Bliss,
Arnold,	Bartine,	Belknap,	Boothman,

Boutelle,	Flick,	McComas,	Sawyer,
Bowden,	Flood,	McCord,	Seranton,
Brewer,	Funston,	McDuffie,	Seull,
Brosius,	Gear,	McKenna,	Smith, Ill.
Brower,	Gest,	McKinley,	Smith, W. Va.
Buchanan, N. J.	Gifford,	Miles,	Snider,
Burrows,	Greenhalge,	Milliken,	Spooner,
Burton,	Grosvenor,	Moffitt,	Stephenson,
Butterworth,	Groat,	Moore, N. H.	Stewart, Vt.
Caldwell,	Hall,	Morey,	Stockbridge,
Candler, Mass.	Hansbrough,	Morrill,	Struble,
Cannon,	Harmer,	Morrow,	Taylor, Ill.
Carter,	Haugen,	Morse,	Taylor, J. D.
Caswell,	Henderson, Ill.	Mudd,	Taylor, Tenn.
Cheadle,	Henderson, Iowa	Niedringhaus,	Thomas,
Cheatham,	Hermann,	Nute,	Thompson,
Cowstock,	Hill,	O'Donnell,	Townsend, Colo.
Conger,	Hitt,	O'Neill, Pa.	Townsend, Pa.
Connell,	Hopkins,	Osborne,	Turner, Kans.
Cooper, Ohio	Houk,	Payne,	Vandever,
Craig,	Kelley,	Perkins,	Van Schaick,
Culbertson, Pa.	Kennedy,	Peters,	Waddill,
Cutcheon,	Kerr, Iowa	Post,	Wade,
Daizell,	Ketcham,	Pugsley,	Walker, Mass.
Darlington,	Kinsey,	Quackenbush,	Wallace, Mass.
De Lano,	Knapp,	Raines,	Wallace, N. Y.
Dingley,	Lacey,	Randall,	Watson,
Dolliver,	La Follette,	Ray,	Wickham,
Dorsey,	Laidlaw,	Reed, Iowa	Williams, Ohio
Dunnell,	Lansing,	Rife,	Wilson, Ky.
Evans,	Laws,	Rockwell,	Wright,
Farquhar,	Lind,	Rowell,	Yardley.
Featherston,	Lodge,	Russell,	
Finley,	Mason,	Sanford,	

NAYS—144.

Abbott,	Cowles,	Lanham,	Quinn,
Alderson,	Crain,	Lawler,	Reilly,
Allen, Miss.	Crisp,	Lee,	Richardson,
Anderson, Miss.	Culbertson, Tex.	Lehbach,	Robertson,
Bankhead,	Cummings,	Lester, Ga.	Rogers,
Barnes,	Dargan,	Lester, Va.	Rowland,
Barwig,	Davidson,	Lewis,	Rusk,
Blanchard,	Dibble,	Magner,	Sayers,
Bland,	Dickerson,	Maish,	Shively,
Blount,	Dockery,	Mansur,	Skinner,
Boatner,	Dunphy,	Martin, Ind.	Springer,
Breckinridge, Ark.	Edmunds,	Martin, Tex.	Stahlnecker,
Breckinridge, Ky.	Ellis,	McAdoo,	Stewart, Tex.
Brickner,	Ellis,	McCarthy,	Stockdale,
Brookshire,	Enloe,	McClammy,	Stone, Ky.
Brown, J. B.	Fithian,	McClellan,	Stone, Mo.
Brunner,	Flower,	McCreary,	Stump,
Buchanan, Va.	Forman,	McMillin,	Tarsney,
Buckalew,	Forney,	McRae,	Tillman,
Bullock,	Fowler,	Mills,	Tracey,
Bunn,	Geissenhainer,	Montgomery,	Tucker,
Bynum,	Gibson,	Moore, Tex.	Turner, Ga.
Campbell,	Goodnight,	Morgan,	Turner, N. Y.
Candler, Ga.	Grimes,	Mutcher,	Vaux,
Carlton,	Hare,	Norton,	Venable,
Caruth,	Hatch,	O'Ferrall,	Washington,
Catchings,	Hayes,	O'Neill, Ind.	Wheeler, Ala.
Chipman,	Haynes,	Outhwaite,	Whiting,
Clancy,	Heard,	Owens, Ohio	Whitthorne,
Clarke, Ala.	Hemphill,	Parrett,	Wike,
Clements,	Henderson, N. C.	Paynter,	Wilkinson,
Clunie,	Herbert,	Peel,	Willcox,
Cobb,	Holman,	Pennington,	Williams, Ill.
Cooper, Ind.	Hooker,	Perry,	Wilson, Mo.
Cottrill,	Kilgore,	Pierce,	Wilson, W. Va.
Covert,	Lane,	Priece,	Yoder.

NOT VOTING—34.

Andrew,	Ewart,	Phelan,	Stivers,
Baker,	Fitch,	Pieker,	Sweney,
Biggs,	Frank,	Reyburn,	Taylor, E. B.
Browne, T. M.	Kerr, Pa.	Seney,	Walker, Mo.
Browne, Va.	McCormick,	Sherman,	Wheeler, Mich.
Clark, Wis.	Oates,	Simonds,	Wiley,
Cogswell,	O'Neil, Mass.	Smyser,	Wilson, Wash.
Coleman,	Owen, Ind.	Spinola,	
De Haven,	Payson,	Stewart, Ga.	

So the amendment of Mr. ROWELL was adopted.

Mr. SMYSER (during the roll-call). I am paired with my colleague, Judge SENY. If he were present, he would vote "no" and I should vote "ay."

The following-named members were announced as paired until further notice:

Mr. CLARK, of Wisconsin, with Mr. WALKER, of Missouri.
 Mr. EZRA B. TAYLOR with Mr. PHELAN.
 Mr. REYBURN with Mr. KERR, of Pennsylvania.
 Mr. McCORMICK with Mr. OATES.
 Mr. SMYSER with Mr. SENY.
 Mr. SHERMAN with Mr. WILEY, on the election bill. Mr. SHERMAN would vote for and Mr. WILEY against it.
 Mr. SIMONDS with Mr. EWART, on the election bill. Mr. SIMONDS is for and Mr. EWART against the bill.
 Mr. DE HAVEN with Mr. BIGGS.
 Mr. PAYSON with Mr. ANDREW, until 1.20 o'clock to-day.
 Mr. STIVERS with Mr. STEWART, of Georgia, until Thursday next.
 Mr. COGSWELL with Mr. O'NEIL, of Massachusetts, for one week from June 30.
 Mr. BAKER with Mr. SPINOLA, for three weeks.
 Mr. WALKER, of Missouri. Mr. Speaker, I desire to announce that I am paired with the gentleman from Wisconsin, Mr. CLARK. If he were present, I should vote "no."

Mr. CUMMINGS. I have just received a dispatch from my colleague, Mr. FITCH, saying that he is ill and unable to travel by rail; that he has been forbidden by his doctor to come to Washington to-day, which he greatly regrets. Mr. FITCH is paired with the gentleman from Michigan, Mr. WHEELER, but if present and voting, would vote "no" on this proposition.

Mr. FLOWER. My colleagues, Mr. WILEY and Mr. SPINOLA, are absent sick, both being paired.

Mr. ANDREW. I am paired with the gentleman from Illinois, Mr. PAYSON. If he were present, I should vote "no."

Mr. HEMPHILL. I ask unanimous consent to dispense with the reading of the names.

There was no objection.

The result of the vote was then announced as above recorded.

Mr. HEMPHILL. I desire to offer the amendment I send to the desk.

The Clerk read as follows:

On page 54, section 32, line 12, after the words "United States," insert "except section 1989 of the Revised Statutes of the United States."

Mr. HEMPHILL. I will state to the gentleman from Massachusetts that this relates to the use of the Army or Navy at the polls. This provision, as it is in the bill, proposes to give to the supervisors, as I understand it, the right and the power, heretofore conferred upon the President of the United States, to use the Army or the Navy of the United States at the polls, or in carrying out whatever instructions or orders they may give; and this is to eliminate from the section that one provision of the law, as you undertake to re-enact it here.

Mr. LODGE. I want to examine the section to which this refers, before answering the gentleman.

Mr. MCKINLEY. Does the gentleman propose to repeal this section?

Mr. HEMPHILL. No, sir. That section of the statutes provides that the President may use the troops of the United States in enforcing any warrant or executing any writ of a court.

Mr. LODGE. And your amendment repeals it?

Mr. HEMPHILL. Oh, no; it excepts it merely from the operation of this section.

Mr. LODGE. But, as I read it, it includes it in the repealed sections.

Mr. MCKINLEY. Let the amendment be again read.

The amendment was again reported.

Mr. HEMPHILL. Now, if the gentleman will read the section he will find that it re-enacts all of the United States statutes relating to civil rights, the elective franchise, etc., and among other things reference being made to this section 1989, which is intended and does authorize the President to use whatever power may be necessary to enforce the decrees of the courts. This section proposes to put it into this bill, so that the supervisors can do, in carrying out whatever instructions may be given to them, what the President of the United States has heretofore been authorized to do; that is, to carry out the mandate of the court by using the armed forces of the United States.

Mr. BLOUNT. If the gentleman from South Carolina will allow me?

Mr. HEMPHILL. Certainly.

Mr. BLOUNT. Let me suggest to the gentleman if it does not do this: make this section applicable to the provisions of this act, giving power to these Federal officials, and leading to the consequences indicated by my friend from South Carolina.

Mr. HEMPHILL. That is it.

The section as now embodied in the law provides:

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under any of the preceding provisions, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of this title.

Mr. ROWELL. This provision of the bill reads:

And all sections of Title XX of said Revised Statutes, entitled "The Elective Franchise"—

Mr. HEMPHILL. This comes under that title or under the title of "Civil Rights."

Mr. HERBERT. That section 1989 read by the gentleman from South Carolina refers in the latter part of it to such powers as shall be necessary—

to prevent the violation and enforce the due execution of the provisions of this title.

Now look at section 1980, which is a part of the provisions covered by this title, and you find these words:

Or if two or more persons conspire to prevent, by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a lawful manner toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President or as a member of Congress of the United States.

Section 1989 authorizes the use of troops to prevent any of the crimes denounced in this title, and one of the crimes denounced is a conspiracy to prevent any person from giving his support or advocacy in a lawful manner towards the election of any person as a member of Congress.

Taking the two sections together, then, they do give power to use

troops at the polls, because in no other way could you prevent the commission of the crimes denounced in this section.

Mark the use of these words in section 1989, "to prevent the violation"—that is, to anticipate and by the use of the Army to "prevent" conspiracies to intimidate voters or conspiracies of any kind to deprive voters of their rights. The Army, of course, can only be used to prevent crimes of this character by having it at the polls. It could not prevent such crimes unless it should be brought to the spot, and that of course is what is meant. The putting of this section into a bill regulating elections means that it is part of the election law, part of election machinery provided in the bill. The chief supervisor is the executive officer of this machinery, and it necessarily follows that he is the person to whom is to be delegated the power spoken of in section 1989 to use the Army and Navy of the United States.

Mr. OUTHWAITE. In other words, the present law provides that this authority shall rest in the President of the United States. This bill takes it from the discretionary power of the President and places it in the hands of the supervisors of election to use the Army or the Navy to enforce, in the election where members of Congress are to be chosen, the orders of the supervisors of election and endanger a conflict between the State troops and the United States troops. The President of the United States has been considered heretofore as having ample authority to issue any edict which was necessary in the premises. But this amends that power so as to place it in the hands of the supervisors of election to do as they please. They may simply issue their edict or arbitrary mandate and have it enforced.

Mr. MILLIKEN. Does the gentleman propose to nullify the law?

Mr. HEMPHILL. Before going into the debate let me see if we can not reach some understanding as to the time.

Mr. OUTHWAITE. Let me say in this connection that I am in favor of the President of the United States exercising this authority, and not some irresponsible Republican official.

Mr. MCKINLEY. Let me ask the gentleman from South Carolina—

Mr. HEMPHILL. I would rather, if the gentleman from Massachusetts is prepared, that we should agree on some time before proceeding.

Mr. LODGE. This is the introduction of an entirely new subject. The bill does not repeal this section or touch it, and it seems to be bringing something entirely new into the bill.

Mr. BLOUNT. But it does touch it.

Mr. LODGE. If gentlemen on the other side desire to debate it we ought to have ample time.

Mr. HEMPHILL. You re-enact this statute, you know—

Mr. LODGE. I suggest that gentlemen can go ahead and offer their arguments—

Mr. BLOUNT. Oh, well, we want to conform to the practice that has obtained all along in the consideration of these amendments. Let us agree upon some time.

Mr. LODGE. I am ready to. I have no desire to occupy time myself.

Mr. BLOUNT. I want to facilitate some agreement. Make it fifteen minutes on a side.

Mr. BUCKALEW. No; ten minutes. The time is getting very short.

Mr. BLOUNT. Make it ten minutes.

Mr. LODGE. Say twenty minutes on a side.

Mr. OUTHWAITE. Fifteen minutes on a side is enough, considering the other amendments we wish to offer and the limited time we have in which to do it.

Mr. BLOUNT. I submit that the gentleman from Massachusetts [Mr. LODGE] could well afford to do this, as very much of the time has been taken up in the consideration of his amendments.

Mr. LODGE. I have no objection to making it fifteen minutes on a side.

Mr. HEMPHILL. If the gentlemen on the other side desire to debate it a little longer I am willing that they shall do so, with the understanding that there be the privilege of offering another amendment on this side of the House.

Mr. LODGE. Let us make it fifteen minutes on a side and then go on as we have before.

Mr. CLUNIE. This is the most important amendment which is yet to be considered.

The SPEAKER. The gentleman from Massachusetts [Mr. LODGE] asks unanimous consent that debate be limited to fifteen minutes on a side on this amendment.

Mr. BUCKALEW. That will consume the whole time.

Mr. SPRINGER. Mr. Speaker, I rise to a parliamentary inquiry. If the Chair will remember, I asked the Chair to state when the general debate upon this bill would close under the order of the House that two days were to be given for the five-minute debate, and the Chair informed me then, and informed the House, that it would close at 3 o'clock, I being of the impression at that time, as the Chair was, that this order to begin voting on the bill was for 3 o'clock to-day instead of 2 o'clock.

The SPEAKER. Not at all. The gentleman is mistaken—

Mr. SPRINGER. The Chair so stated.

The SPEAKER. The Chair so stated in connection with another act which the gentleman from Illinois has forgotten.

Mr. SPRINGER. I asked the Chair to state when the two days for debate under the five-minute rule on this bill would begin and when the debate would be ended under the one-hour rule. The Chair stated that it would begin at 3 o'clock on Monday, and debate under the five-minute rule did begin at 3 o'clock on that day.

The SPEAKER. General debate continued until 3 o'clock at the request of the gentleman from Georgia [Mr. BLOUNT], and if the Chair answered at that time in that way the Chair had in mind the request of the gentleman from Georgia.

Mr. SPRINGER. That was not the order of the House, and in view of that fact I desire to ask unanimous consent that this time be prolonged until 3 o'clock.

Mr. BELDEN. I object.

The SPEAKER. Objection is made.

Mr. HEMPHILL. I would like to ask the gentleman from Massachusetts [Mr. LODGE], inasmuch as we have been pushed for time, if I can not offer another amendment and have it pending, to be voted upon without debate.

Mr. HOPKINS. I do not see how we can make any arrangement of that kind. We wish to understand what we are voting upon.

Mr. LODGE. It is not possible for me to make an agreement of that sort. There is an amendment now pending. Let us deal with it as rapidly as possible, and then go on to the next amendment.

Mr. McMILLIN. Let it be read now, so that gentlemen can understand what is offered.

Mr. HOPKINS. I object to that. [Cries of "Vote!" "Vote!"]

Mr. MCADOO addressed the Chair.

The SPEAKER. Does the gentleman from South Carolina [Mr. HEMPHILL] desire to be recognized?

Mr. HEMPHILL. I do not desire to be recognized if we can not agree as to time, further than to state that according to the reading of this bill as I read it, and according to the understanding of every gentleman upon this side, the plain effect of the measure is to put the control of the election machinery of the Government in the hands of the chief supervisor and of his deputies. That, I think, is manifest to every gentleman who has read the bill. The chief supervisor has the right to call upon the posse comitatus and all other persons around him to obey his instructions in reference to this matter, and under this thirty-second section, which undertakes to re-enact certain provisions of the Revised Statutes, the supervisor will have the right to call upon the Army and the Navy of the United States to support him in whatever he undertakes to do. If that is true, then this clear-cut question is to be voted upon by this House, whether or not things have come to that state that we will put it into the hands of any citizen to call upon the military forces of the United States to carry out his edicts at an election.

Mr. MILLIKEN. Let me ask the gentleman one question there. Can the law be carried out in your State without the Army of the United States to enforce the law? That is a simple question, and I hope the gentleman will answer it.

Mr. HEMPHILL. Why, sir, on the contrary, it can be carried out by my friend from Maine [Mr. MILLIKEN], or any other honest man who will go there and do his duty; but the difficulty has been that we in the South have heretofore been subjected, and I very much fear that we will be subjected again, if this law passes, to the rule of men who would not be tolerated for a moment in any other State in the Union. We have seen people brought there from New York to carry the election, and they were so bad that the man who brought them there bought tickets for them and put them on the ship and sent them back again, because he did not know whether they would kill us or kill him.

Mr. MILLIKEN. We allow to everybody his right to vote.

Mr. HEMPHILL. So do we.

Mr. MILLIKEN. And we not only allow him to vote, but count his vote.

Mr. HEMPHILL. Exactly; and so do we. If he wants to do that he has as much right to do that as myself or you.

Mr. MILLIKEN. I am exceedingly glad to hear it.

Mr. HEMPHILL. This is all theretofore of this. If this power is put into the hands of an unscrupulous man and he desires to carry the election, and to enable him to do so to use the troops, why then it gives him that power. There is no desire in the South to resist the law, and we could not resist it. All we want is that we shall have a fair chance to have honest men conduct the election, and that we shall not be overridden by people sent there to execute the law.

Mr. MILLIKEN. Will you allow me just a word there?

Mr. HEMPHILL. Yes.

Mr. MILLIKEN. I do not understand that there is anything in this bill which applies particularly to the South.

Mr. HEMPHILL. Oh, no!

Mr. MILLIKEN. Or to the State of New York; and yet gentlemen from the South and from the State of New York discussing it seem to talk as if the bill was intended for those places.

Mr. OUTHWAITE. Do not the gentlemen represent New York and the South?

Mr. MILLIKEN. Pardon me. If this medicine is not needed in New York for those who are sick and if there is no trouble in the South and they are not sick in this way down there, then they will not have any of it.

Mr. HEMPHILL. The trouble about that is the men who are to decide that. It is not a majority of the people who are to decide it; it is not anybody who is necessarily a man of character and responsibility; but it is left to fifty or one hundred men who may be scalawags; and they may not even be citizens of this country, as all that they need to do is to claim to be citizens.

Mr. MILLIKEN. Who are the people down in that section who are scalawags? That is a question of great importance.

Mr. HEMPHILL. The respectable people are the honest and responsible men of property; men who conduct business, obey the laws, pay taxes for the support of the Government; and the scalawags are the people who come from a distance to stir up strife and bad blood for purposes of their own.

Mr. MILLIKEN. And for purposes contrary to those of the Democratic party.

Mr. HEMPHILL. Oh, no; there are plenty of respectable people there who vote the other ticket.

Mr. FRANK. I would like the gentleman from South Carolina to let me ask him a question. Do you mean to say that the effect of this provision is to transfer the power now lodged in the President under section 1989 of the Revised Statutes to the Federal supervisors?

Mr. HEMPHILL. There is no doubt about it.

Mr. ANDREW. There is no question about that.

Mr. HEMPHILL. The supervisor has the same power to carry out his mandates as has the President of the United States to enforce the mandates of a court of justice.

Mr. ANDREW. And there is no Northern State that will submit to it.

Mr. CLUNIE. A ten-cent supervisor takes the place of the President of the United States.

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

Mr. ADAMS. Mr. Speaker—

Mr. HEMPHILL. I would like to know if it is practicable to agree upon some limit for this debate.

The SPEAKER. The gentleman from Illinois has been recognized.

Mr. ADAMS. I only want to occupy two minutes, or about that time.

I believe the construction placed upon this section by the gentleman from South Carolina [Mr. HEMPHILL], and, as I understood, by the gentleman from Ohio [Mr. OUTHWAITE], is incorrect. I understand him to say that under the section of the Revised Statutes referred to a certain power, namely, the power to use the Army and Navy to enforce judicial process, can be exercised by the President.

Mr. OUTHWAITE. I say so. It is the law.

Mr. ADAMS. I understood him to say in addition that that power could be exercised under this bill by another official, namely, the chief supervisor.

Mr. OUTHWAITE. Yes; by this official.

Mr. ADAMS. That if this bill should pass, then the same power exercised by one official, namely, the President, may be exercised by another official, to wit, the chief supervisor.

Mr. OUTHWAITE. That is my position.

Mr. ADAMS. Now, the section itself says what the President may do; and this bill says that that section shall be enforced and shall be part of this bill.

Mr. OUTHWAITE. Part of this bill.

Mr. ADAMS. Yes; but is it a logical inference from that to say that the power exercised in execution of the existing law by the President shall be exercised under this act by the supervisor?

Mr. OUTHWAITE. Will you tell me why it is necessary to make it part of this bill if it is not to be put into execution?

Mr. ADAMS. Is it not fairer to say that the power exercised by the President of the United States under section 1989, for the purposes of that section, shall be exercised by the same official, to wit, the President of the United States, under this act for the purposes of this act?

Mr. OUTHWAITE. If the act said so I could not object to that feature. I should have no objection to that. It would create no new powers.

Mr. ADAMS. Then, if your construction is not correct you would have no objection?

Mr. OUTHWAITE. Exactly so.

Mr. ADAMS. I have a very strong opinion about the matter, but of course that can not make an opinion for the gentleman, nor can I have him conform to my opinion, but the logical construction of this is that the power exercised by the President under that act shall be exercised by the President under this act.

Mr. OUTHWAITE. Answer me this question: Why is it necessary to use that expression, putting the section of the Revised Statutes in as a part of this act?

Mr. ADAMS. What expression?

Mr. OUTHWAITE. In the law that you have just read.

Mr. ADAMS. For the reason that under that section the President has certain power to use certain forces, including the militia of the States, for certain purposes, but these are other purposes.

Mr. OUTHWAITE. If you will look on the other side of the page you will see that he has the power to use them for just purposes; but you propose to place the Army and the Navy under the command of a politician appointed to carry the elections against the people.

Mr. HOPKINS. The bill is not susceptible of that construction.

Mr. ADAMS. I simply wanted to correct what I thought was an incorrect statement of the effect of the bill.

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

Mr. ADAMS. Certainly; but I may save the gentleman's time by saying that I simply rose to correct what I regarded as an incorrect construction of the bill.

Mr. CRISP. I do not think the section is understood by the House now. It needs to be explained, and I want to ask a question which may aid in the explanation. The—

Mr. ADAMS. I will yield.

Mr. CRISP. The present Revised Statutes of the United States permit the use of troops by the President to enforce judicial process and to prevent the violation of certain laws referred to in the chapter. This bill seeks, by making that section of the statutes a part of it, to give to the President the right, by himself or through another, to send troops to any State in the Union where, in his judgment, it is necessary to prevent the violation of the election laws. That is what it means.

Mr. ADAMS. Is that a question or a statement?

Mr. CRISP. Now, my question is, whether the gentleman is willing, in a time of profound peace, to lodge that power specifically by this act in the hands of the President in the absence of any necessity for it.

Mr. ADAMS. I have no question about that. I am willing to have the judicial process of the United States courts enforced in the one case as in the other.

Mr. CRISP. You are willing?

Mr. ADAMS. I am willing. It is the existing law for one purpose. Why not make it existing law for another purpose?

Mr. CRISP. Does my friend draw no distinction between the power to enforce judicial process and the power to send troops to a State in anticipation of the violation of a law?

Mr. ADAMS. The gentleman must not draw that inference from what I have said.

Mr. CRISP. That is the distinction to which I wish to call attention.

Mr. BLOUNT. Mr. Speaker, the section to which this amendment relates makes section 1989 of the Revised Statutes a part of this act. Section 1989 is in the following language:

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under any of the preceding provisions, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of this title.

This title relates to civil rights. Hitherto it has never been held to relate to elections, but a provision in this bill declares that this section, hitherto confined in its operation to the matters enumerated in the chapter relating to civil rights, shall hereafter be made to apply to the subject of this bill. The language of the bill (section 32) is that "each and every" of the several sections of the Revised Statutes enumerated (this being one of them), and their provisions, are made to refer and apply to this act with the same force and effect as if it was specifically mentioned or referred to therein, save as the same shall be changed or modified by the terms of this act.

You place a body of supervisors at the polls, and any interference with their authority on the part of any person is declared to be unlawful and subjects the person or persons interfering to arrest and punishment, and here you provide for troops to be under the direction of these supervisors. You had before, and you have now, on your statute-book section 2002 of the Revised Statutes, which provides that—

No military or naval officer, or other person engaged in the civil, military, or naval service of the United States, shall order, bring, keep, or have under his authority or control any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States or to keep the peace at the polls.

You already have the power to use the Army for the purpose of keeping the peace at the polls. You have used it in the past. You have terrorized voters in the past, but you are not content with that. You propose now to arm these supervisors everywhere with the power to use the Army. That is the wicked purpose of this provision. How can the gentleman escape from this conclusion? He can not say that the use of the Army is required to keep the peace. That is already provided for by law. But he goes further and injects into this bill this section of the Revised Statutes, which until this moment has never been invoked in relation to the elective franchise.

Mr. Speaker, you have arranged for partisan supervisors in this bill. You have arranged for partisan returning boards. You have organized your courts for these wicked purposes; and, expecting that all this may produce discontent and disorder on the part of the people, you now

propose to surround these supervisors of election with soldiers to come and go at their beck and call. For what purpose? To make the voters feel that they are under the terrors of military authority, as you have done in the past. Not that the soldiers are necessarily to use their weapons, but that they are to terrorize the voters; just as an important Republican of South Carolina once said that the object in disarming the whites and organizing and arming the negroes was to cow the weak and poor and humble white men of that section and keep them from the polls. This provision is intended to have a moral effect upon the voters throughout the Southern section of the country, to make them feel the uncertainty of their liberties, and it is your hope that by means of this terrorism you shall triumph in the elections. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. ROWELL. Mr. Speaker, the section of the statutes involved in this amendment is that section which authorizes the use of the Army and Navy of the United States to enforce the judicial judgments of the United States courts, without which there could be no power on the part of the courts of the United States. The effect of the amendment, if adopted, would be that any judicial process against anybody indicted or convicted under the penal clauses of this statute could not be enforced by the use of all the power of the United States. Adopt the amendment of the gentleman from South Carolina, and then, if an indictment were found against a ballot-box-stuffer or a ballot-box thief, or against the murderer of a voter at the polls, and if the county where this indicted person resided should rise up in rebellion against the authority of the court when it undertook to bring that man to justice, then the court would be without armed power to enforce its authority. The language of the existing law is not changed. The President of the United States may use the Army and the Navy to enforce judicial process; that is the substance of the provision.

Mr. OUTHWAITE. Then why do you not say so?

Mr. ROWELL. The existing statute is not changed. No power is given for anybody to use this armed force, except the authority designated in the provision itself. The supervisors of election are not under the direction of the President of the United States and have no possible connection with him. The bill simply provides that the courts of the United States, when seeking to enforce the penal clauses of this statute, shall have the same power behind them that they have to enforce any other of their judgments.

Mr. HERBERT. What is the meaning of this language, "to prevent violations of the provisions of this title?" Do not other provisions of the title refer to crimes against the suffrage, and how can the Army be used to prevent these crimes without having it present?

Mr. ROWELL. The power in the existing law applies to the President of the United States, and nobody else.

Mr. HERBERT. Authority is given to call out troops in anticipation—

Mr. ROWELL. What for?

Mr. HERBERT. To prevent any crimes against the suffrage—expressly for that purpose. If the language does not mean that, if it does not mean that there is a right to use the Army beforehand by sending it out in anticipation of violation of the law, it means nothing at all. And when this section is re-enacted as, or made part of, the election law the meaning must be that the chief supervisor of elections is the person to whom the section authorizes the President to delegate his authority to use the Army for the purposes designated.

The SPEAKER. Does the gentleman from Illinois [Mr. ROWELL] yield the floor?

Mr. ROWELL. I yield the balance of my time to the gentleman from Ohio [Mr. MCKINLEY].

Mr. MCKINLEY. Mr. Speaker, I believe there is no limit now to debate, and therefore I will take the floor in my own right.

Mr. McMILLIN. The gentleman should not rest under the impression that there is no limit to debate. I believe the five-minute rule still prevails; and in common fairness there ought to be a recognition on this side, as the gentleman from Illinois [Mr. ROWELL] has just spoken.

Mr. MCKINLEY. I will yield now for a recognition on the other side, and will then take the floor for five minutes. I do not desire more than five minutes.

Mr. ALLEN, of Mississippi. Mr. Speaker, this discussion is about to close and this is the first opportunity I have had to say a word in this debate. If this were still a deliberative body, a body in which the freedom of debate still existed as it does in the other end of the Capitol, and where I am glad to see a prominent Republican Senator says it must continue, I would like an opportunity to discuss this bill and to answer and resent some of the aspersions on my State and my section which have been thrown in this discussion.

Sir, to be cut off in this way so irritates me and makes me so mad that sometimes I am almost willing to go to the other end of the Capitol [laughter], if you do not succeed, Mr. Speaker, in abolishing the Senate, which is, as I understand, your next pet scheme after you pass this bill. I suppose you hope to accomplish it by a resolution from the Committee on Rules. [Laughter.]

But, Mr. Speaker, it may be well that I have not had an opportu-

nity to express my opinion of this measure and of some of the speakers and the speeches they have made in favoring it, for I know of no parliamentary language and no language consistent with my position in the church that would enable me to characterize it as I believe it justly deserves to be characterized. [Laughter.]

Mr. Speaker, I wish to say a word to those gentlemen on the other side of this Chamber who are in the habit of beginning their speeches by informing us that their hearts are the repositories of love and goodwill, and how utterly devoid they are of all the meaner and baser traits that belong to human nature generally.

If those gentlemen who get up here and tell us how their hearts swell towards me and my people, call us their friends, and tell us that we are a brave and honorable set of thieves, cut-throats, and assassins, that their hearts are so full of love and affection for us that they want to send a killing bullet with every one of our ballots, I want to tell them that they might eliminate these professions from their speeches, for they do not fool anybody with them, but only leave on them the impress of insincerity and hypocrisy. [Applause on the Democratic side.]

I heard the gentleman from Illinois [Mr. CANNON] on this floor the other day say that the majority in this House had the power to do anything. Yes, Mr. Speaker, but it was not always so. There used to be constitutional limitations which restrained the majority. There was a time when the rights of the minority had consideration at the hands of the majority, but I am sorry to say those times have passed. Yes, the majority can do anything as it now interprets its powers, but I will say to the gentlemen on the other side—

It is excellent
To have a giant's strength; but it is tyrannous
To use it like a giant.

It was not the power to do anything with the remnant of Lee's serried veteran legions that made Grant great, but it was the magnanimity with which he used that power that made him great. [Applause on the Democratic side.]

I heard the gentleman from Iowa [Mr. DOLLIVER] on yesterday say that the people and the Representatives of the people were all behind this measure. Ah, Mr. Speaker, if I had the power to appeal to gentlemen on that side of the House whose judgments and consciences do not approve of this measure, to rise to the full height of their manhood and vote against it, we would beat it by fully two-thirds majority. [Applause on the Democratic side]. And you represent constituencies that are not behind you in this measure; because I have talked with many of them, and if they are to be believed, if they are behind you, then they are the greatest set of hypocrites on earth. Go ask some of the great men of your party. The truth of the matter is they are not behind it; the press of the country is not behind this infamous measure, and the people of the United States will condemn it. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. MCKINLEY. Mr. Speaker, I rise only to say that, in my judgment, it will not do to adopt the amendment proposed by the gentleman from South Carolina [Mr. HEMPHILL]; nor is the interpretation he places upon the section justified by its language. If his amendment is passed by this House it will take from the President of the United States all the power he would have, under section 1989, to enforce judicial processes under the provisions of the bill now being considered by the House. And it must be remembered that in the bill we are now considering the judiciary has very much to do with its administration; and judicial processes will be constantly and ever recurring in the course of the administration of this law. Therefore I say if we should pass this amendment to-day, we deprive the President of the United States of a power which he has held since the foundation of the Government to use the Army and the Navy to execute the judicial processes of the Federal courts of the land. You might just as well destroy this bill at once if you deprive the United States Government, through its Chief Executive, of the authority to use the entire Federal force of the Government to execute the judicial processes under the proposed measure. We must not take from the Government the power to execute the judicial decrees and processes of its own courts, and this amendment should be voted down.

And now, Mr. Speaker, having said that, I want to add that this bill ought to be passed. I have not indulged in this discussion heretofore. This bill may not be, in all of its provisions, what I would like to have it, but it is a bill looking to an honest representation on the floor of the American House of Representatives and to honest voting and the fair counting of votes in every part and section of the American Republic. [Applause on the Republican side.] That is all of the bill, and no honest man can object to it and no lover of fair play can afford to oppose it.

Ah, but they say this measure is harsh. This measure will rest heavily upon districts and upon States which violate the laws and the Constitution of our common country. Let every citizen of this Republic vote and then see to it that his vote is counted as it is cast and returned as counted, and you never need invoke any of the provisions of the bill or subject yourselves to what you term its harsh provisions. [Applause on the Republican side.]

Ah, but you say that it is expensive; that it will cost \$10,000,000, to be taken out of the Public Treasury. That assumes that the three hundred and thirty districts of this country will invoke the operation of the law. But there is not a man on this floor who does not know that not a hundred districts in the United States will invoke its operation when it goes into effect. It will not be required even in that number.

Mr. HEMPHILL. Do not depend on that.

Mr. MCKINLEY. And let me remind gentlemen on the other side of this Chamber, as well as my friends on this side of the Chamber, that you will diminish the cost of the administration of this bill in the ratio that you diminish fraudulent voting, false counting, stuffing of ballot-boxes, and suppressing the voice of the Republicans in the South. [Applause on the Republican side.] It will cost nothing if it is not used, and it will not be used if there is no need for it. Honest elections will make the law unnecessary; dishonest ones should be stopped by the strong arm of the law.

My friend from Mississippi [Mr. ALLEN] quotes from General Grant. Let me quote from an utterance of his, made in speaking of the condition of affairs in Mississippi, the gentleman's own State. Said Grant:

How long these things are to continue or what is to be the final remedy the great Ruler of the universe only knows, but I have an abiding faith that the remedy will come, and come speedily, and earnestly hope it will come peacefully.

Let me quote from him another utterance made two years before his death. Speaking of this very question of the suffrage, he said it would never be settled until every man who counts, or represents those who do count, shall cast one ballot and have that ballot counted precisely as he cast it. [Applause on the Republican side.]

Now, I want to say here to-day, for I have but a few moments, that this question will not rest until justice is done, and the consciences of the American people will not be permitted to slumber until this great constitutional right, the equality of the suffrage, equality of opportunity, freedom of political action and political thought, shall be not the mere cold formalities of constitutional enactment as now, but a living birthright which the poorest and the humblest, white or black, native-born or naturalized citizen, may confidently enjoy, and which the richest and most powerful dare not deny. [Prolonged applause on the Republican side.]

Mr. Speaker and gentlemen of the House, remember that God puts no nation in supreme place which will not do supreme duty. [Applause on the Republican side.] God keeps no nation in supreme place which will not perform the supreme duty of the hour [renewed applause], and He will not long prosper that nation which will not protect and defend its weakest citizens. It is our supreme duty to enforce the Constitution and laws of the United States "and dare to be strong for the weak." Gentlemen on the other side, I appeal to you to obey the laws and Constitution; obey them as we obey and observe them; for I tell you the people of the North will not continue to permit two votes in the South to count as much as five votes in the North. [Prolonged applause on the Republican side.]

Mr. McMILLIN. Mr. Speaker, the leader of the House [Mr. MCKINLEY] has seen fit to keep his silence unbroken until the question came up as to whether or not troops should be sent to the polls. It would have been better for him if he had not supported that proposition. Since the pretorian guard stood upon the ramparts of the Eternal City and proclaimed that the whole Roman world would be sold at auction there has never been presented to the world so dangerous a proposition as that which is presented now by the representatives of the free American people coming here and proclaiming that they are willing to go voluntarily under a despotism and to be governed by military satraps and unscrupulous deputy marshals. [Applause on the Democratic side.] And since Didius Julianus, urged on by the aspirations of his wife and an ambitious daughter, bought at that sale the Mistress of the World and had the Roman Government delivered to him for cash there never has been presented so sad a spectacle as that wherein the old ship of state is to be scuttled on the anniversary of her first sailing. [Applause on Democratic side.]

Sir, is it possible that free and happy America is to follow all the older republics down to the darkness and despair of despotism? Was it for this our fathers fought and died? Did they rebel against foreign kings to cower before domestic despots? Have we so degenerated as to surrender our liberties at a less price than Esau obtained for his birthright and heritage?

It took five hundred years to enslave Rome. It required eleven hundred to destroy the republic of Venice. Even then she did not go down till the foreign invaders marched upon them the French legions before whom cities, countries, and continents had alike fallen.

Sir, will we, after the sacrifices that have been made for us, after the hopes that have centered on us, cross our hands to be tied? Will we turn loose on our people by this bill either soldiers or marshals of the Federal courts to drive them from the polls? Will we kennel around our halls of justice a lot of hell-hounds to hound down our free men and run them from the voting places? After more than eighteen centuries of christianity have cheered and enlightened the world, will we inaugurate a slavery which would disgrace the dark ages? May Heaven forbid it!

The gentleman from Ohio [Mr. MCKINLEY] has said, Mr. Speaker, that the North will not tolerate the existing manner of conducting elections in the South. "Who art thou that judgest another man's servant?"

I want to announce to the gentleman from Ohio and to the country the fact that the time has come when there can not be in the American Republic an enslaved South and a free North. [Applause on the Democratic side.] You may, like the madmen that you are, grasp the pillars of the Constitution and pull down the State, but like poor, enraged, blind Samson, you will perish in its wreck. [Renewed applause on the Democratic side.]

Mr. Speaker, gentlemen seem to forget—the gentleman from Ohio [Mr. MCKINLEY] forgets—that General Grant's power over his party in this country was broken by his efforts to pass the force bill. This is a more infamous and incomparably damnable bill. The gentleman from Massachusetts [Mr. LODGE], the author of the bill, forgets that when troops went into the state-house of Louisiana in 1875 and drove out the Legislature at the point of the bayonet the citizens of Boston, be it said to their everlasting credit, rose as one man and proclaimed that military rule in this country was not to be tolerated. They rose as their fathers had to throw the tea overboard and to defy the usurper. [Applause on the Democratic side.]

Gentlemen, you mistake the spirit of the American people. Republics, it is true, have arisen, have flourished for a time, and have fallen. You are making an effort to produce the most signal failure of free government recorded in the history of all time. You can not do it. The American people, born free, living free, will die free. They will send you down into your political graves for this attempt to destroy their freedom. [Applause on the Democratic side.]

Sir, it is said that when Ulysses, the hero of the Trojan war, was returning to Ithaca, his home, he was shipwrecked on the Isle of Ogygia. Calypso, the nymph of the isle, entreated him to remain, and promised him eternal youth if he would do so. Although his home was an island in the ocean, only 44 square miles in extent, he preferred age and death with his country to eternal youth without it. He declined the offer, and leaving Calypso dying of grief set sail for his loved Ithaca. If such was his love for this small barren spot, a mere hawk's nest on the rocks of ocean, what love should not characterize the citizens of proud and glorious America for this great land which an all-wise Providence has given us.

Mr. Speaker, so great do I conceive our perils to be that, if I could make a wish, which, being recorded in heaven, would be fulfilled as occasion arises, I would ask, not for the extension of our boundaries or the multiplicity of our territories, although these would give us greater dominion; I would not ask for the widening of our harbors or the deepening of our rivers, although these would give us greater commerce; I would not ask for finer furnaces and factories or more fertile fields, although these would increase our wealth; but better far than this, than these, than all, I would ask for the perpetuity of the liberties of my countrymen, and I would pray that he who lays violent hands upon the Constitution of my country for the purpose of destroying our liberties might drop dead, as did the disobedient Jew who laid his sacrilegious hands without authority on the ark of the covenant of the living God. [Great applause on the Democratic side.]

[Here the hammer fell.]

Mr. McMILLIN. My time does not seem to have been as long as the time of the gentleman from Ohio.

The SPEAKER. The Chair desires the House to understand that the gentleman from Ohio [Mr. MCKINLEY] had three minutes yielded to him by the gentleman from Illinois.

Mr. PERKINS addressed the Chair.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I desire to offer an amendment—

Mr. McMILLIN. I hope the gentleman will be allowed to offer his amendment.

Mr. BRECKINRIDGE, of Kentucky. I rise to offer an amendment to the amendment of the gentleman from South Carolina [Mr. HEMPHILL].

The SPEAKER. The gentleman from Kansas [Mr. PERKINS] is recognized.

Mr. PERKINS. Mr. Speaker, it has been charged in the course of this debate that this is a Republican measure. I desire to admit it. [Derisive laughter on the Democratic side.] It has been charged also that this was a partisan bill. In the sense that it is intended to give to every honest voter the opportunity of casting an honest vote, I admit that it is partisan. For more than twenty-five years it has been the doctrine of the Republican party that every qualified voter under the laws and Constitution of our country should be permitted to cast one honest ballot and to have that ballot honestly counted, and in that sense this is a partisan measure. This demand for honest elections is no new-born zeal with Republicans. In the platform adopted in Chicago, in 1888, our party declared its position upon this question as follows:

We reaffirm our unswerving devotion to the national Constitution and to the indissoluble union of the States; to the autonomy reserved to the States under the Constitution; to the personal rights and liberties of citizens in all the States and Territories in the Union, and especially to the supreme and sovereign right of every lawful citizen, rich or poor, native or foreign-born, white

or black, to cast one free ballot in the public elections and to have that ballot duly counted. We hold a free and honest, popular, and just and equal representation of all the people to be the foundation of our republican government, and demand effective legislation to secure the integrity and purity of our elections, which are the fountain of all public authority.

Mr. Speaker, we meant that then; and now, with the opportunity and privilege given us, we ought to meet it and meet it manfully and courageously.

For more than twenty-five years we have insisted that every man, no matter what the color of his skin, no matter what his nationality or creed, if he was qualified as an elector under the law and under the Constitution, should be permitted, unchallenged and unrestricted, to cast a ballot representing his convictions and his thoughts. Mr. Speaker, since 1861, when the Democratic party waged war upon the Government of the United States because Abraham Lincoln was honestly elected President, it has been opposed to honest elections, and Democratic opposition to this bill but emphasizes Democratic opposition to honest elections. And every man who occupies a seat upon this side of the House ought to stand by the declarations of his party in convention assembled, and stand by the efforts that his party is making to protect the humblest citizen in the enjoyment of his constitutional rights and privileges. [Applause on the Republican side].

That is all there is in this issue; that is the only question that we tender to the American Congress in connection with this proposed legislation. I know that the gentlemen who occupy seats upon the opposite side of this House are opposed to this bill; I know those who believe in midnight raiders are opposed to this bill; I know that those who believe in shotguns and bludgeons, who believe in assassination and intimidation to prevent honest elections, are opposed to this bill; that those who believe in tissue ballots, in false registration, in repeating, in ballot-boxes with false slots, and in the red-shirted mounted companies that terrorize and murder, are opposed to this bill. [Applause on the Republican side.] I know that every man who is opposed to the Government of the United States, who is opposed to law and order, who is opposed to the courts and to decency and right, is opposed to this bill and would defeat it if he could.

I know that every man who sustains and justifies the lawlessness and crime of the Southern communities that have governed and controlled Presidential elections, and returned as elected to seats in this House candidates who were beaten at the polls, and who had no claims that would entitle them to favorable consideration with honest men, are opposed to this bill.

And I desire, Mr. Speaker, in the minute that remains to me, to call attention to another class that are opposed to this bill; I refer to the class who indorse the sentiment found in the poem published in the Journal, a Democratic paper published at New Berne, N. C., in connection with the late Lee decoration services in Richmond, which is as follows:

Three hundred thousand Yankees
Are still in Southern dust;
We got three hundred thousand
Before they conquered us.
They died of Southern fever,
And Southern steel and shot,
I wish there were three million
Instead of what we got.

These men, Mr. Speaker, are opposed to this bill without exception, and in this fact the patriot who loves his country and who loves justice and right should find the most conclusive and convincing argument to sustain him in his support of this bill. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Kansas has expired.

[Mr. LA FOLLETTE withholds his remarks for revision. See Appendix.]

The SPEAKER. The time having arrived at which under the rule of the House the previous question has been ordered, the first question is upon the amendment offered by the gentleman from South Carolina [Mr. HEMPHILL].

Mr. SPRINGER. Mr. Speaker—
Mr. BRECKINRIDGE, of Kentucky. I rise to request unanimous consent that the time for offering amendments be extended one hour, to 3 o'clock—

Mr. LODGE and others. I object.
Mr. BRECKINRIDGE, of Kentucky. As an hour was taken from the time for offering amendments on Monday. [Renewed cries of "I object!" and "Regular order!"] Of course it will be remembered that the time to offer amendments was to commence at 2 o'clock on Monday, but that hour was taken.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the time for offering amendments be extended until 3 o'clock.

Mr. ROWELL. I object.
Mr. BRECKINRIDGE, of Kentucky. I thank the gentleman. It ought to come from him who in bad faith has taken so much of the time.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had receded from its amendments numbered 2, 21, 22, 23, 24, and 25 to the bill (H. R. 9066) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes.

FEDERAL ELECTION BILL.

The SPEAKER. The question is on agreeing to the amendment proposed by the gentleman from South Carolina [Mr. HEMPHILL].

Mr. SPRINGER. I move to lay this bill and all amendments to it on the table.

The question was put, and the Speaker announced that the "noes" seemed to have it.

Mr. SPRINGER. Division.
Mr. MCOMAS and Mr. KERR, of Iowa. Yeas and nays.
The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 148, nays 156, not voting 24; as follows:

YEAS—148.

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|--------------------|------------------|---------------|----------------|
| Abbott, | Covert, | Lane, | Price, |
| Alderson, | Cowles, | Lanham, | Quinn, |
| Allen, Miss. | Crain, | Lawler, | Reilly, |
| Anderson, Miss. | Crisp, | Lee, | Richardson, |
| Andrew, | Culberson, Tex. | Lehbach, | Robertson, |
| Bankhead, | Cummings, | Lester, Ga. | Rogers, |
| Barnes, | Dargan, | Lester, Va. | Rowland, |
| Barwig, | Davidson, | Lewis, | Rusk, |
| Blanchard, | Dibble, | Magner, | Sayers, |
| Bland, | Dickerson, | Maish, | Shively, |
| Blount, | Dockery, | Mansur, | Skinner, |
| Boatner, | Dunphy, | Martin, Ind. | Stahnecker, |
| Breckinridge, Ark. | Edmunds, | Martin, Tex. | Stewart, Tex. |
| Breckinridge, Ky. | Elliott, | McAdoo, | Stockdale, |
| Briekner, | Ellis, | McCarthy, | Stone, Ky. |
| Brookshire, | Enloe, | McClammy, | Stone, Mo. |
| Brown, J. B. | Fithian, | McClellan, | Stump, |
| Brunner, | Flower, | McCreary, | Tarsney, |
| Buchanan, Va. | Forman, | McMillin, | Tillman, |
| Buckalew, | Forney, | McRae, | Tracey, |
| Bullock, | Fowler, | Mills, | Tucker, |
| Bunn, | Geissenhainer, | Montgomery, | Turner, Ga. |
| Bynum, | Gibson, | Moore, Tex. | Turner, N. Y. |
| Campbell, | Goodnight, | Morgan, | Vaux, |
| Candler, Ga. | Grimes, | Mutcher, | Yenable, |
| Carlton, | Hare, | Norton, | Walker, Mo. |
| Caruth, | Hatch, | Oates, | Washington, |
| Catchings, | Hayes, | O'Ferrall, | Wheeler, Ala. |
| Chipman, | Haynes, | O'Neill, Ind. | Whiting, |
| Clancy, | Heard, | Othwaite, | Whithorne, |
| Clarke, Ala. | Hemphill, | Owens, Ohio | Wike, |
| Clements, | Henderson, N. C. | Parrett, | Wilkinson, |
| Clunie, | Herbert, | Paynter, | Willcox, |
| Cobb, | Holman, | Peel, | Williams, Ill. |
| Coleman, | Hooker, | Pennington, | Wilson, Mo. |
| Cooper, Ind. | Kerr, Pa. | Perry, | Wilson, W. Va. |
| Cothran, | Kilgore, | Pierce, | Yoder. |

NAYS—156.

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|------------------|-----------------|---------------|-----------------|
| Adams, | Dalzell, | Laidlaw, | Rockwell, |
| Allen, Mich. | Darlington, | Lansing, | Rowell, |
| Anderson, Kans. | De Lano, | Laws, | Russell, |
| Arnold, | Dingley, | Lind, | Sanford, |
| Atkinson, Pa. | Dolliver, | Lodge, | Sawyer, |
| Atkinson, W. Va. | Dorsey, | Mason, | Seranton, |
| Banks, | Dunnell, | McComas, | Seull, |
| Bartine, | Evans, | McCord, | Smith, Ill. |
| Bayne, | Farquhar, | McCormick, | Smith, W. Va. |
| Beckwith, | Featherston, | McDuffie, | Snider, |
| Belden, | Finley, | McKenna, | Spooner, |
| Belknap, | Flick, | McKinley, | Springer, |
| Bergen, | Flood, | Miles, | Stephenson, |
| Bingham, | Funston, | Milliken, | Stewart, Vt. |
| Bliss, | Gear, | Moffitt, | Stockbridge, |
| Boothman, | Gest, | Moore, N. H. | Struble, |
| Boutelle, | Gifford, | Morey, | Sweeney, |
| Bowden, | Greenhalge, | Morrill, | Taylor, Ill. |
| Brewer, | Grosvenor, | Morrow, | Taylor, J. D. |
| Brosius, | Grout, | Morse, | Taylor, Tenn. |
| Brower, | Hall, | Mudd, | Thomas, |
| Buchanan, N. J. | Hansbrough, | Niedringhaus, | Thompson, |
| Burrows, | Harmer, | Nute, | Townsend, Colo. |
| Burton, | Haugen, | O'Donnell, | Townsend, Pa. |
| Butterworth, | Henderson, Ill. | O'Neill, Pa. | Turner, Kans. |
| Caldwell, | Henderson, Iowa | Osborne, | Vandever, |
| Candler, Mass. | Hermann, | Payne, | Van Schalk, |
| Cannon, | Hill, | Payson, | Waddill, |
| Carter, | Hitt, | Perkins, | Wade, |
| Caswell, | Hopkins, | Peters, | Walker, Mass. |
| Cheadle, | Houk, | Post, | Wallace, Mass. |
| Cheatham, | Kelley, | Pugsley, | Wallace, N. Y. |
| Comstock, | Kennedy, | Quackenbush, | Watson, |
| Conger, | Kerr, Iowa | Raines, | Wickham, |
| Connell, | Ketcham, | Randall, | Williams, Ohio |
| Cooper, Ohio | Kinsey, | Ray, | Wilson, Ky. |
| Craig, | Knapp, | Reed, Iowa | Wilson, Wash. |
| Culbertson, Pa. | Lacey, | Reyburn, | Wright, |
| Cutcheon, | La Follette, | Rife, | Yardley. |

NOT VOTING—24.

- | | | | |
|---------------|---------------|----------|----------------|
| Baker, | De Haven, | Phelan, | Spinola, |
| Biggs, | Ewart, | Pickler, | Stewart, Ga. |
| Browne, T. M. | Fitch, | Seney, | Stivers, |
| Browne, Va. | Frank, | Sherman, | Taylor, E. B. |
| Clark, Wis. | O'Neil, Mass. | Simonds, | Wheeler, Mich. |
| Cogswell, | Owen, Ind. | Smyser, | Wiley. |

So the motion to lay the bill and amendments on the table was rejected.

The following additional pair was announced:

Mr. CLARK, of Wisconsin, with Mr. FITCH, until further notice. Mr. ROWELL. I ask unanimous consent to dispense with the recapitulation of the vote.

Objection was made. The vote was recapitulated.

Mr. SPRINGER. Mr. Speaker, I desire to change my vote. I voted in the affirmative, and I desire to vote in the negative.

The name of Mr. SPRINGER was called and he voted "no." The result of the vote was then announced as above recorded.

Mr. SPRINGER. I move to reconsider the vote by which the House refused to lay the bill and amendments on the table.

Mr. ROWELL. I move to lay that motion on the table. The question was put; and the Speaker announced that the "ayes" seemed to have it.

Mr. SPRINGER. Divide. Mr. ROWELL. Yeas and nays, Mr. Speaker. The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 153, nays 148, not voting 27; as follows:

YEAS—153.

- Adams, Mich. Dalzell, Darlington, De Lano, Dingley, Dolliver, Dorsey, Dunnell, Evans, Farquhar, Featherston, Finley, Flick, Flood, Funston, Gear, Gest, Gifford, Greenhalge, Grosvenor, Grout, Harner, Haugen, Henderson, Ill., Henderson, Iowa, Hermann, Hill, Hitt, Hopkins, Houk, Kelley, Kennedy, Kerr, Iowa, Ketcham, Kinsey, Knapp, Lacey, La Follette, Laidlaw, Lansing, Laws, Lind, Lodge, Mason, McComas, McCord, McCormick, McDuffie, McKenna, McKinley, Moffitt, Moore, N. H., Morey, Morrill, Morrow, Morse, Mudd, Niedringhaus, Nute, O'Donnell, O'Neill, Pa., Payne, Payson, Perkins, Peters, Post, Pugsley, Quackenbush, Raines, Randall, Ray, Reed, Iowa, Rife, Rockwell, Rowell, Russell, Sanford, Sawyer, Scranton, Scull, Smith, Ill., Smith, W. Va., Snider, Spooner, Stephenson, Stewart, Vt., Stockbridge, Struble, Sweney, Taylor, Ill., Taylor, J. D., Taylor, Tenn., Thomas, Thompson, Townsend, Colo., Townsend, Pa., Turner, Kans., Vandever, Van Schaick, Waddill, Wade, Walker, Mass., Wallace, Mass., Wallace, N. Y., Watson, Wickham, Williams, Ohio, Wilson, Ky., Wilson, Wash., Wright, Yardley, Allen, Mich., Anderson, Kans., Arnold, Atkinson, Pa., Atkinson, W. Va., Banks, Bartine, Bayne, Beckwith, Belden, Belknap, Bergen, Bingham, Bliss, Boothman, Boutelle, Bowden, Brewer, Brosius, Brower, Buchanan, N. J., Burrows, Hurton, Sutterworth, Caldwell, Chandler, Mass., Cannon, Carter, Caswell, Cheadle, Cheatham, Comstock, Conger, Connell, Cooper, Ohio, Craig, Culbertson, Pa., Cutcheon,

NAYS—148.

- Abbott, Alderson, Allen, Miss., Anderson, Miss., Andrew, Bankhead, Barnes, Barwig, Blanchard, Bland, Blount, Boatner, Breckinridge, Ark., Breckinridge, Ky., Brickner, Brookshire, Brown, J. B., Brunner, Buchanan, Va., Buckalew, Bullock, Bunn, Bynum, Campbell, Candler, Ga., Carlton, Caruth, Chipman, Clancy, Clarke, Ala., Clements, Clunie, Cobb, Coleman, Cooper, Ind., Cothran, Covert, Cowles, Crain, Crisp, Culbertson, Tex., Cummings, Dargan, Davidson, Dibble, Dickerson, Dockery, Dunphy, Edmunds, Elliott, Ellis, Enloe, Fithian, Flower, Brown, J. B., Forner, Forney, Fowler, Geissenhainer, Gibson, Goodnight, Grimes, Hare, Hatch, Hayes, Haynes, Heard, Hemphill, Henderson, N. C., Herbert, Holman, Hooker, Kerr, Pa., Kilgore, Lane, Lanham, Lawler, Lee, Lehlbach, Lester, Ga., Lester, Va., Lewis, Magner, Maish, Mansur, Martin, Ind., Martin, Tex., McAduo, McCarthy, McClammy, McClellan, McCreary, McMillin, McRae, Mills, Montgomery, Moore, Tex., Morgan, Mutchler, Norton, Oates, O'Ferrall, O'Neill, Ind., Outhwaite, Owens, Ohio, Parrett, Paynter, Peel, Pennington, Perry, Pierce, Price, Quinn, Reilly, Richardson, Robertson, Rogers, Rowland, Rusk, Sayers, Shively, Skinner, Stahlnecker, Stewart, Tex., Stockdale, Stone, Ky., Stone, Mo., Stump, Tarsney, Tillman, Tracey, Tucker, Turner, Ga., Turner, N. Y., Vaux, Venable, Walker, Mo., Washington, Wheeler, Ala., Whiting, Whitthorne, Wike, Wilkinson, Wilcox, Williams, Ill., Wilson, Mo., Wilson, W. Va., Yoder, Quinn, Dickerson, Dockery, Dunphy, Edmunds, Elliott, Ellis, Enloe, Fithian, Flower, Brown, J. B., Forner, Forney, Fowler, Geissenhainer, Gibson, Goodnight, Grimes, Hare, Hatch, Hayes, Haynes, Heard, Hemphill, Henderson, N. C., Herbert, Holman, Hooker, Kerr, Pa., Kilgore, Lane, Lanham, Lawler, Lee, Lehlbach, Lester, Ga., Lester, Va., Lewis, Magner, Maish, Mansur, Martin, Ind., Martin, Tex., McAduo, McCarthy, McClammy, McClellan, McCreary, McMillin, McRae, Mills, Montgomery, Moore, Tex., Morgan, Mutchler, Norton, Oates, O'Ferrall, O'Neill, Ind., Outhwaite, Owens, Ohio, Parrett, Paynter, Peel, Pennington, Perry, Pierce, Price, Quinn, Reilly, Richardson, Robertson, Rogers, Rowland, Rusk, Sayers, Shively, Skinner, Stahlnecker, Stewart, Tex., Stockdale, Stone, Ky., Stone, Mo., Stump, Tarsney, Tillman, Tracey, Tucker, Turner, Ga., Turner, N. Y., Vaux, Venable, Walker, Mo., Washington, Wheeler, Ala., Whiting, Whitthorne, Wike, Wilkinson, Wilcox, Williams, Ill., Wilson, Mo., Wilson, W. Va., Yoder,

NOT VOTING—27.

- Baker, Biggs, Brown, T. M., Browne, Va., Cogswell, De Haven, Ewart, Fitch, Frank, Milliken,

- O'Neil, Mass., Owen, Ind., Phelan, Pickler, Reayburn, Seney, Sherman, Simonds, Smyser, Spinola, Stewart, Ga., Stevens, Taylor, E. B., Wheeler, Mich., Wiley,

So the motion to lay the motion to reconsider on the table was agreed to.

The following additional pair was announced:

Mr. REYBURN with Mr. CATCHINGS, on this vote.

Mr. LA FOLLETTE. Mr. Speaker, my colleague [Mr. CLARK, of Wisconsin], who was announced as paired on the last vote with Mr. FITCH, of New York, paired before he left Washington, on account of ill health, with Mr. WALKER, of Missouri. He left the pair in my charge in his absence, and asked me to see that it was kept alive. Before the last vote I said to the gentleman from Missouri [Mr. WALKER] that I should have to enter a protest against the transfer of that pair to an absent member on the other side. Mr. CLARK was telegraphed to know if he could return to Washington. He replied that although in ill health he would return if he could vote when he reached here, but that his pair with Mr. WALKER was one which would prevent him from voting even if he were here, and he therefore decided not to return.

Mr. WALKER, of Missouri. Mr. Speaker, I desire to read that pair, and also to make a statement. The pair reads:

Mr. CLARK, of Wisconsin, is paired with Mr. WALKER, of Missouri, until further notice.

That is signed by both Mr. CLARK and myself. I left here before Mr. CLARK did, and his duty was to see that I was paired with an absent Republican, which he did. If I got back before he did, I was to protect him in his pair, which I have done by pairing him with another Democrat. I consider that I have discharged my duty to Mr. CLARK, and I have talked to several members on both sides of the House, who take the same view. It will be observed that this is not one of the pairs that are "not transferable."

The SPEAKER. It is a matter entirely for the gentleman's own decision.

The result of the vote was then announced as above recorded.

The question was taken on the amendment of Mr. HEMPHILL; and the Speaker declared that the yeas seemed to have it.

Mr. SPRINGER. I ask for a division. The House divided; and there were—ayes 121, noes 129.

Mr. SPRINGER. I demand tellers. Mr. LODGE. Let us have the yeas and nays. The yeas and nays were ordered.

Several MEMBERS. Let the amendment be read. The amendment was again read, as follows:

Page 54, section 32, line 12, after the words "United States," insert the following words: "except section 1989 of the Revised Statutes of the United States."

The question was taken; and there were—yeas 146, nays 156, not voting 26; as follows:

YEAS—146.

- Abbott, Alderson, Allen, Miss., Anderson, Miss., Andrew, Bankhead, Barnes, Barwig, Blanchard, Bland, Blount, Boatner, Breckinridge, Ark., Breckinridge, Ky., Brickner, Brookshire, Brown, J. B., Brunner, Buchanan, Va., Buckalew, Bullock, Bunn, Bynum, Campbell, Candler, Ga., Carlton, Caruth, Chipman, Clancy, Clarke, Ala., Clements, Clunie, Cobb, Coleman, Cooper, Ind., Cothran, Covert, Cowles, Crain, Crisp, Culbertson, Tex., Cummings, Dargan, Davidson, Dibble, Dickerson, Dockery, Dunphy, Edmunds, Elliott, Ellis, Enloe, Fithian, Flower, Brown, J. B., Forner, Forney, Fowler, Geissenhainer, Gibson, Goodnight, Grimes, Hare, Hatch, Hayes, Haynes, Heard, Hemphill, Henderson, N. C., Herbert, Holman, Hooker, Kerr, Pa., Kilgore, Lane, Lanham, Lawler, Lee, Lehlbach, Lester, Ga., Lester, Va., Lewis, Magner, Maish, Mansur, Martin, Ind., Martin, Tex., McAduo, McCarthy, McClammy, McClellan, McCreary, McMillin, McRae, Mills, Montgomery, Moore, Tex., Morgan, Mutchler, Norton, Oates, O'Ferrall, O'Neill, Ind., Outhwaite, Owens, Ohio, Parrett, Paynter, Peel, Pennington, Perry, Pierce, Price, Quinn, Reilly, Richardson, Robertson, Rogers, Rowland, Rusk, Sayers, Shively, Skinner, Stahlnecker, Stewart, Tex., Stockdale, Stone, Ky., Stone, Mo., Stump, Tarsney, Tillman, Tracey, Tucker, Turner, Ga., Turner, N. Y., Vaux, Venable, Walker, Mo., Washington, Wheeler, Ala., Whiting, Whitthorne, Wike, Wilkinson, Wilcox, Williams, Ill., Wilson, Mo., Wilson, W. Va., Yoder,

NAYS—156.

- Adams, Allen, Mich., Anderson, Kans., Arnold, Atkinson, Pa., Atkinson, W. Va., Banks, Bartine, Bayne, Beckwith, Belden, Belknap, Bergen, Bingham, Bliss, Boothman, Boutelle, Bowden, Brewer, Brosius, Brower, Buchanan, N. J., Burrows, Burton, Butterworth, Caldwell, Candler, Mass., Cannon, Carter, Caswell, Cheadle, Cheatham, Comstock, Conger, Connell, Cooper, Ohio, Craig, Culbertson, Pa., Cutcheon, Dalzell,

Darlington,	Houk,	Mudd,	Spooher,
De Lano,	Kelley,	Niedringhaus,	Springer,
Dingley,	Kennedy,	Nute,	Stephenson,
Dolliver,	Kerr, Iowa	O'Donnell,	Stewart, Vt.
Dorsey,	Ketcham,	O'Neill, Pa.	Stockbridge,
Dunnell,	Kinsey,	Osborne,	Struble,
Evans,	Knapp,	Payne,	Sweeney,
Farquhar,	Lacey,	Payson,	Taylor, Ill.
Fentherston,	La Follette,	Perkins,	Taylor, J. D.
Finley,	Laidlaw,	Peters,	Taylor, Tenn.
Flick,	Lansing,	Post,	Thomas,
Flood,	Lodge,	Pugsley,	Thompson,
Fuuston,	Lind,	Quackenbush,	Townsend, Colo.
Gear,	Lodge,	Raines,	Turner, Pa.
Gest,	Mason,	Randall,	Turner, Kans.
Gifford,	McComas,	Reed, Iowa	Van dever,
Greenhalge,	McCord,	Reyburn,	Van Schaick,
Grosvenor,	McCormick,	Rife,	Waddill,
Grout,	McDuffie,	Rockwell,	Wade,
Hall,	McKenna,	Rowell,	Walker, Mass.
Hansbrough,	McKinley,	Russell,	Wallace, Mass.
Harmer,	Miles,	Sanford,	Wallace, N. Y.
Haugen,	Milliken,	Sawyer,	Watson,
Henderson, Ill.	Moffitt,	Wickham,	Wickham,
Henderson, Iowa	Moore, N. H.	Williams, Ohio	Williams, Ohio
Herrmann,	Morcy,	Wilson, Ky.	Wilson, Ky.
Hill,	Morrill,	Wilson, Wash.	Wright,
Hitt,	Morrow,	Yardley,	
Hopkins,	Morse,		

NOT VOTING—26.

Baker,	De Haven,	Phelan,
Biggs,	Dibble,	Pickler,
Browne, T. M.	Ewart,	Seney,
Browne, Va.	Fitch,	Sherman,
Clark, Wis.	Frank,	Simonds,
Cogswell,	O'Neill, Mass.	Smyser,
Coleman,	Owen, Ind.	Spinola,

So the amendment was disagreed to.

Mr. ROWELL. I ask unanimous consent that the recapitulation of the names be dispensed with.

Mr. SPRINGER. I object.

The result of the vote was then announced as above recorded.

Mr. SPRINGER. I move to reconsider the vote by which the amendment is disagreed to.

Mr. ROWELL. I move to lay that motion on the table.

The question was taken on the motion of Mr. ROWELL to lay the motion to reconsider on the table; and the Speaker declared that the ayes seemed to have it.

Mr. SPRINGER. I ask for a division.

Mr. MOFFITT. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 147, not voting 26; as follows:

YEAS—155.

Adams,	Darlington,	Lansing,	Rowell,
Allen, Mich.	De Lano,	Laws,	Russell,
Anderson, Kans.	Dingley,	Lind,	Sanford,
Arnold,	Dolliver,	Lodge,	Sawyer,
Atkinson, Pa.	Dorsey,	Mason,	Scranton,
Atkinson, W. Va.	Dunnell,	McComas,	Seull,
Banks,	Evans,	McCord,	Smith, Ill.
Bartine,	Farquhar,	McCormick,	Smith, W. Va.
Bayne,	Featherston,	McDuffie,	Spider,
Beck with,	Finley,	McKenna,	Spooher,
Belden,	Flick,	McKinley,	Springer,
Belknap,	Flood,	Miles,	Stephenson,
Bergen,	Fuuston,	Milliken,	Stewart, Vt.
Bingham,	Gear,	Moffitt,	Stockbridge,
Bliss,	Gest,	Moore, N. H.	Struble,
Boothman,	Gifford,	Morey,	Sweeney,
Boutelle,	Greenhalge,	Morrill,	Taylor, Ill.
Bowden,	Grosvenor,	Morrow,	Taylor, J. D.
Brewer,	Grout,	Morse,	Taylor, Tenn.
Brosius,	Hall,	Mudd,	Thomas,
Brower,	Hansbrough,	Niedringhaus,	Thompson,
Buchanan, N. J.	Harmer,	Nute,	Townsend, Colo.
Burton,	Haugen,	O'Donnell,	Turner, Pa.
Butterworth,	Henderson, Ill.	O'Neill, Pa.	Turner, Kans.
Caldwell,	Henderson, Iowa	Osborne,	Van dever,
Candler, Mass.	Herrmann,	Payne,	Van Schaick,
Cannon,	Hill,	Payson,	Waddill,
Carter,	Hitt,	Perkins,	Wade,
Caswell,	Hopkins,	Peters,	Walker, Mass.
Cheadle,	Houk,	Post,	Wallace, Mass.
Cheatam,	Kelley,	Pugsley,	Wallace, N. Y.
Comstock,	Kennedy,	Quackenbush,	Watson,
Conger,	Kerr, Iowa	Raines,	Wickham,
Connell,	Ketcham,	Randall,	Williams, Ohio
Cooper, Ohio	Kinsey,	Ray,	Wilson, Ky.
Craig,	Knapp,	Reed, Iowa	Wilson, Wash.
Culbertson, Pa.	Lacey,	Reyburn,	Wright,
Cutcheon,	La Follette,	Rife,	Yardley.
Dalzell,	Laidlaw,	Rockwell,	

NAYS—147.

Abbott,	Breckinridge, Ky.	Caruth,	Crisp,
Alderson,	Brickner,	Catchings,	Culbertson, Tex.
Allen, Miss.	Brookshire,	Chipman,	Cummings,
Anderson, Miss.	Brown, J. B.	Clancy,	Dargan,
Andrew,	Brunner,	Clarke, Ala.	Davidson,
Bankhead,	Buchanan, Va.	Clements,	Dibble,
Barnes,	Buckalew,	Clunie,	Dickerson,
Barwig,	Bullock,	Cobb,	Dockery,
Bianchard,	Bunn,	Cooper, Ind.	Dunphy,
Bland,	Bynum,	Cothran,	Edmunds,
Blount,	Campbell,	Covert,	Elliott,
Boatner,	Candler, Ga.	Cowles,	Ellis,
Breckinridge, Ark.	Carlton,	Crain,	Enloe,

Fithian,	Lee,	O'Ferrall,	Stone, Ky.
Flower,	Lehlbach,	O'Neill, Ind.	Stone, Mo.
Foran,	Lester, Ga.	Outhwaite,	Stump,
Forney,	Lester, Va.	Owens, Ohio	Starnes,
Fowler,	Lewis,	Parret,	Tillman,
Geissenhainer,	Magner,	Paynter,	Tracey,
Gibson,	Maish,	Peel,	Tucker,
Goodnight,	Mansur,	Peirington,	Turner, Ga.
Grimes,	Martin, Ind.	Perry,	Turner, N. Y.
Hare,	Martin, Tex.	Pierce,	Vaux,
Hatch,	McAdoo,	Price,	Venable,
Hayes,	McCarthy,	Quinn,	Walker, Mo.
Haynes,	McClammy,	Reilly,	Washington,
Heard,	McClellan,	Richardson,	Wheeler, Ala.
Hemphill,	McCreary,	Robertson,	Whiting,
Henderson, N. C.	McMillin,	Rogers,	Whitthorne,
Herbert,	McKee,	Rowland,	Wike,
Holman,	Mills,	Rusk,	Wilkinson,
Hooker,	Montgomery,	Sayers,	Willcox,
Kerr, Pa.	Moore, Tex.	Shively,	Williams, Ill.
Kilgore,	Morgan,	Skinner,	Wilson, Mo.
Lane,	Mutchler,	Stahlnecker,	Wilson, W. Va.
Lanham,	Norton,	Stewart, Tex.	Yoder.
Lawler,	Oates,	Stockdale,	

NOT VOTING—26.

Baker,	Coleman,	Phelan,	Stewart, Ga.
Biggs,	De Haven,	Pickler,	Stivers,
Browne, T. M.	Ewart,	Seney,	Taylor, E. B.
Browne, Va.	Fitch,	Sherman,	Wheeler, Mich.
Burrows,	Frank,	Simonds,	Wiley.
Clark, Wis.	O'Neill, Mass.	Smyser,	
Cogswell,	Owen, Ind.	Spinola,	

So the motion to reconsider was laid on the table.

When the roll-call was concluded, Mr. ROWELL moved to dispense with the recapitulation of the names.

Mr. SPRINGER objected.

The Clerk recapitulated the vote.

Mr. SPRINGER. I thought I heard the Clerk read among those who voted in the affirmative the names of the gentleman from Michigan [Mr. BURROWS] and the gentleman from Massachusetts [Mr. CANDLER]. Am I correct? The names of those gentlemen were both called on the second roll-call without any answer being made.

The SPEAKER. The gentleman from Massachusetts [Mr. CANDLER] voted.

Mr. SPRINGER. When his name was called?

The SPEAKER. On the second roll-call.

Mr. SPRINGER. How is it in regard to the gentleman from Michigan [Mr. BURROWS]?

The SPEAKER. The gentleman from Michigan is not recorded.

Mr. BURROWS. I would like to vote. I was present when my name was called, but was listening to conversation of gentlemen near me and not to the roll-call. [Laughter.]

The SPEAKER. Upon the statement of the gentleman, the Chair can not entertain his request.

The result of the vote was announced as above stated.

Mr. SPRINGER. I now move to lay this bill on the table. The motion I made before was to lay the bill and pending amendments on the table. This is an entirely different proposition.

The SPEAKER. The motion is not in order; it has already been passed upon by the House.

Mr. SPRINGER. I call the attention of the Chair to the Digest, page 413:

Where a motion has already been made and negatived to lay a bill on the table, and no change or alteration has been made in the bill, or no proceeding directly touching its merits has since taken place, the motion to lie on the table can not be repeated. But under the uniform practice the motion may be entertained at every new stage of the bill or proposition, and upon any proceeding having been had touching its merits.

The motion I made before was a motion to lay on the table the bill and pending amendments. That was negatived. Then the amendment which was pending was voted down; it is not a part of the proposition any longer. This is now an entirely new proposition—a motion to lay on the table the naked bill.

The SPEAKER. The question pending before the House is on the engrossment and third reading of the bill.

Mr. SPRINGER. I make a motion to lay the bill on the table.

The SPEAKER. The Chair rules the motion out of order.

Mr. SPRINGER. From that decision I respectfully appeal.

Mr. ROWELL. I move to lay the appeal on the table.

The SPEAKER. The gentleman from Illinois [Mr. ROWELL] moves to lay the appeal on the table.

The question having been put,

The SPEAKER said: The ayes seem to have it.

Mr. GEAR and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was determined in the affirmative—yeas 157, nays 147, not voting 24; as follows:

YEAS—157.

Adams,	Banks,	Bergen,	Brewer,
Allen, Mich.	Bartine,	Bingham,	Brosius,
Anderson, Kans.	Bayne,	Bliss,	Brower,
Arnold,	Beckwith,	Boothman,	Buchanan, N. J.
Atkinson, Pa.	Belden,	Boutelle,	Burrows,
Atkinson, W. Va.	Belknap,	Bowden,	Burton,

Butterworth, Greenhalge, McKinley, Scull,
Caldwell, Grosvenor, Miles, Smith, Ill.
Candler, Mass. Grout, Milliken, Smith, W. Va.
Cannon, Hall, Moffitt, Snider,
Carter, Hansbrough, Moore, N. H. Spooner,
Caswell, Harmer, Morey, Stephenson,
Cheadle, Haugen, Morrill, Stewart, Vt.
Cheatham, Henderson, Ill. Morrow, Stockbridge,
Coleman, Henderson, Iowa Morse, Struble,
Comstock, Hermann, Mudd, Sweeney,
Conger, Hill, Niedringhaus, Taylor, Ill.
Connell, Hitt, Nute, Taylor, J. D.
Cooper, Ohio Hopkins, O'Donnell, Taylor, Tenn.
Craig, Houk, O'Neill, Pa. Thomas,
Culbertson, Pa. Kelley, Osborne, Thompson,
Cutcheon, Kennedy, Townsend, Colo. Townsend, Pa.
Dalzell, Kerr, Iowa Payne, Van Dever,
Darlington, Ketcham, Perkins, Van Schaick,
De Lano, Kinsey, Peters, Waddill,
Dingley, Knapp, Post, Wade,
Dolliver, Lacey, Quackenbush, Walker, Mass.
Dorsey, La Follette, Raines, Wallace, Mass.
Dunnell, Laidlaw, Randall, Wallace, N. Y.
Evans, Lansing, Ray, Watson,
Farquhar, Laws, Reed, Iowa Wickham,
Featherston, Lehibach, Reynolds, Williams, Ohio
Finley, Lind, Rife, Wilson, Ky.
Flick, Lodge, Rockwell, Wilson, Wash.
Flood, Mason, Rowell, Wright,
Frank, McComas, Russell, Yardley.
Funston, McCord, Sanford,
Gear, McDuffie, Sawyer,
Gest, McKenna, Scranton,
Gifford, McKenna, Scranton,

NAYS—147.

Abbott, Cowles, Lanham, Reilly,
Alderson, Crain, Lawler, Richardson,
Allen, Miss. Crisp, Lee, Robertson,
Anderson, Miss. Culbertson, Tex. Lester, Va. Rogers,
Andrew, Cummings, Dargan, Rowland,
Bankhead, Dargan, Lewis, Rusk,
Barnes, Davidson, Maish, Sayers,
Barwig, Dibble, Mansur, Shively,
Blanchard, Dickerson, Martin, Ind. Skinner,
Bland, Dockery, Dunphy, Springer,
Blount, Edmunds, Elliott, Stahlnecker,
Boatner, Breckinridge, Ark. Elliott, Breckinridge, Ky. Ellis, Breckinridge, Ky. Ellis,
Brickner, Enloe, Brookshire, Brown, J. B. Brunner, Buchanan, Va. Buckalew, Bullock, Bunn, Bynum, Campbell, Candler, Ga. Carlton, Caruth, Catchings, Chipman, Clancy, Clarke, Ala. Clements, Clunie, Cobb, Cooper, Ind. Cothran, Covert,

NOT VOTING—24.

Baker, De Haven, Pickler, Stewart, Ga.
Biggs, Ewart, Seney, Stivers,
Browne, T. M. Fitch, Sherman, Taylor, E. B.
Browne, Va. O'Neil, Mass. Simonds, Turner, Kans.
Clark, Wis. Owen, Ind. Smysler, Wheeler, Mich.
Cogswell, Phelan, Spinola, Wiley,

So the appeal from the decision of the Speaker was laid on the table. The vote having been recapitulated,

Mr. WILKINSON said: Mr. Speaker, I was in my seat when my name was called and I voted "no." I did not hear my name read on the recapitulation.

The SPEAKER. The gentleman's vote is not recorded.

Mr. WILKINSON. I have already stated that fact; but I stated the additional fact that I was in my seat and when my name was called voted "no." I ask to have my vote recorded as it was given.

The SPEAKER. The gentleman will be recorded as voting in the negative.

Mr. CARTER. I observe that on the recapitulation my name does not appear. I was in my place and voted "ay" on the first roll-call. I wish to have my vote so recorded.

The SPEAKER. The gentleman will be so recorded.

Mr. SPRINGER. I desire to change my vote. I voted "no;" I desire now to vote "ay."

The SPEAKER. The gentleman's name will be again called.

The Clerk called the name of Mr. SPRINGER; and he voted in the affirmative.

The SPEAKER. On this question the yeas are 157, the nays 147; and the appeal is laid on the table.

Mr. SPRINGER. I move to reconsider the vote by which the appeal was laid on the table.

Mr. GROSVENOR. I make the point that this motion is necessa-

rily dilatory, and that the Chair has no right to recognize it under the rules.

The SPEAKER. The Chair sustains the point of order.

Mr. SPRINGER. I take an appeal from that decision.

The SPEAKER. The Chair declines to entertain the appeal.

Mr. SPRINGER. This is the first time in the history of this Government that a motion to reconsider has been declared dilatory and ruled out of order. [Cries of "Regular order!"]

The SPEAKER. The next question is on the engrossment and third reading of the bill. As many as are in favor—

Mr. SPRINGER. I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn. [The question was put.] The yeas seem to have it.

Mr. ROWELL. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 157, not voting 24; as follows:

YEAS—147.

Abbott, Cowles, Lanham, Reilly,
Alderson, Crain, Lawler, Richardson,
Allen, Miss. Crisp, Lee, Robertson,
Anderson, Miss. Culbertson, Tex. Lester, Va. Rogers,
Andrew, Cummings, Dargan, Rowland,
Bankhead, Dargan, Lewis, Rusk,
Barnes, Davidson, Maish, Sayers,
Barwig, Dibble, Mansur, Shively,
Blanchard, Dickerson, Martin, Ind. Skinner,
Bland, Dockery, Dunphy, Springer,
Blount, Edmunds, Elliott, Stahlnecker,
Boatner, Breckinridge, Ark. Elliott, Breckinridge, Ky. Ellis, Breckinridge, Ky. Ellis,
Brickner, Enloe, Brookshire, Brown, J. B. Brunner, Buchanan, Va. Buckalew, Bullock, Bunn, Bynum, Campbell, Candler, Ga. Carlton, Caruth, Catchings, Chipman, Clancy, Clarke, Ala. Clements, Clunie, Cobb, Cooper, Ind. Cothran, Covert,

NAYS—157.

Adams, Dalzell, Laidlaw, Rowell,
Allen, Mich. Darlington, Lansing, Russell,
Anderson, Kans. De Lano, Laws, Sanford,
Arnold, Dingley, Lehibach, Sawyer,
Atkinson, Pa. Dolliver, Lind, Scranton,
Atkinson, W. Va. Dorsey, Lodge, Smith, Ill.
Banks, Mason, McCord, Snider,
Bayne, Farquhar, McCormick, Spooner,
Beckwith, Featherston, McDuffie, Stephenson,
Beiden, Finley, McKenna, Stewart, Vt.
Belknap, Flick, McKinley, Stockbridge,
Bergen, Flood, McKinley, Struble,
Bingham, Frank, Miles, Sweeney,
Bliss, Funston, Moffitt, Moore, N. H.
Boothman, Gear, Morey, Taylor, Ill.
Boutelle, Gest, Morrill, Taylor, Tenn.
Bowden, Gifford, Morrow, Taylor, J. D.
Brewer, Greenhalge, Grosvenor, Morse, Thompson,
Brower, Grout, Mudd, Townsend, Colo.
Buchanan, N. J. Hall, Niedringhaus, Townsend, Pa.
Burrows, Harmer, Nute, Turner, Kans.
Burton, Hansbrough, O'Donnell, Van Dever,
Butterworth, Caldwell, O'Neill, Pa. Van Schaick,
Caldwell, Candler, Mass. Henderson, Ill. Osborne, Waddill,
Cannon, Henderson, Iowa, Payne, Wade,
Carter, Hill, Hermon, Walker, Mass.
Caswell, Hitt, Perkins, Wallace, Mass.
Cheadle, Hopkins, Post, Wallace, N. Y.
Cheatham, Houk, Pugsley, Watson,
Coleman, Kelley, Quackenbush, Wickham,
Comstock, Kennedy, Raines, Williams, Ohio
Conger, Kerr, Iowa, Randall, Wilson, Ky.
Connell, Ketcham, Ray, Wilson, Wash.
Cooper, Ohio Kinsey, Reed, Iowa Wright,
Craig, Knapp, Reynolds, Yardley,
Culbertson, Pa. Lacey, Rife,
Cutcheon, La Follette, Rockwell,

NOT VOTING—24.

Baker, De Haven, Phelan, Spinola,
Biggs, Ewart, Pickler, Stewart, Ga.
Browne, T. M. Fitch, Sherman, Stivers,
Browne, Va. Milliken, Taylor, E. B.
Clark, Wis. O'Neil, Mass. Simonds, Wheeler, Mich.
Cogswell, Owen, Ind. Smysler, Wiley.

So the House refused to adjourn.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken.

Mr. SPRINGER. I demand a division.

Mr. LODGE. We may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 148, not voting 25; as follows:

YEAS—155.

Adams,	Dalzell,	Laidlaw,	Rockwell,
Allen, Mich.	Darlington,	Lansing,	Rowell,
Anderson, Kans.	De Lano,	Laws,	Russell,
Arnold,	Dingley,	Lind,	Sanford,
Atkinson, Pa.	Dolliver,	Lodge,	Sawyer,
Atkinson, W. Va.	Dorsey,	Mason,	Scranton,
Banks,	Dunnell,	McComas,	Scull,
Bartine,	Evans,	McCord,	Smith, Ill.
Bayne,	Farquhar,	McCormick,	Smith, W. Va.
Beckwith,	Featherston,	McDuffie,	Snider,
Belden,	Finley,	McKenna,	Spooner,
Belknap,	Flick,	McKinley,	Stephenson,
Bergen,	Flood,	Miles,	Stewart, Vt.
Bingham,	Funston,	Milliken,	Stockbridge,
Bliss,	Gear,	Moffitt,	Struble,
Boothman,	Gest,	Moore, N. H.	Sweeney,
Boutelle,	Gifford,	Morey,	Taylor, Ill.
Bowden,	Greenhalge,	Morrill,	Taylor, J. D.
Brewer,	Grosvenor,	Morrow,	Taylor, Tenn.
Brosius,	Grout,	Morse,	Thomas,
Brower,	Hall,	Mudd,	Thompson,
Buchanan, N. J.	Hansbrough,	Niedringhaus,	Townsend, Colo.
Burrows,	Harmer,	Nute,	Townsend, Pa.
Burton,	Haugen,	O'Donnell,	Turner, Kans.
Butterworth,	Henderson, Iowa	O'Neill, Pa.	Vandever,
Caldwell,	Henderson, Ill.	Osborne,	Van Schaick,
Candler, Mass.	Hermann,	Payne,	Waddill,
Cannon,	Hill,	Payson,	Wade,
Carter,	Hitt,	Perkins,	Walker, Mass.
Caswell,	Hopkins,	Peters,	Wallace, Mass.
Cheadle,	Houk,	Post,	Wallace, N. Y.
Cheatham,	Kelley,	Pugsley,	Watson,
Comstock,	Kennedy,	Quackenbush,	Wickham,
Conger,	Kerr, Iowa	Raines,	Williams, Ohio
Connell,	Ketcham,	Randall,	Wilson, Ky.
Cooper, Ohio	Kinsey,	Ray,	Wilson, Wash.
Craig,	Knapp,	Reed, Iowa	Wright,
Culbertson, Pa.	Lacey,	Reyburn,	Yardley.
Cutcheon,	La Follette,	Rife,	

NAYS—148.

Abbott,	Cowles,	Lanham,	Quinn,
Alderson,	Crain,	Lawler,	Reilly,
Anderson, Miss.	Crisp,	Lee,	Richardson,
Andrew,	Culbertson, Tex.	Lehibach,	Robertson,
Bankhead,	Cummings,	Lester, Ga.	Rogers,
Barnes,	Dargan,	Lester, Va.	Row and,
Barwig,	Davidson,	Lewis,	Rusk,
Blanchard,	Dibble,	Magner,	Sayers,
Bland,	Dickerson,	Maish,	Shively,
Blount,	Dockery,	Mansur,	Skinner,
Boatner,	Dunphy,	Martin, Ind.	Springer,
Breckinridge, Ark.	Edmunds,	Martin, Tex.	Stahlnecker,
Breckinridge, Ky.	Elliott,	McAdoo,	Stewart, Tex.
Brickner,	Ellis,	Stockdale,	Stewart, Pa.
Brookshire,	Enloe,	Stone, Ky.	Stump,
Brown, J. B.	Fithian,	Stone, Mo.	Tarsney,
Brunner,	Flower,	Stump,	Tillman,
Buchanan, Va.	Forman,	Tarsney,	Tillman,
Buckalew,	Forney,	Tracey,	Tucker,
Bullock,	Fowler,	Mills,	Tucker,
Bunn,	Geissenhainer,	Montgomery,	Turner, Ga.
Bynum,	Gibson,	Moore, Tex.	Turner, N. Y.
Campbell,	Goodnight,	Morgan,	Vaux,
Candler, Ga.	Grimes,	Mutchler,	Venable,
Carlton,	Hare,	Norton,	Walker, Mo.
Caruth,	Hatch,	Oates,	Washington,
Catchings,	Hayes,	O'Ferrall,	Washington,
Chipman,	Haynes,	O'Neill, Ind.	Wheeler, Ala.
Clancy,	Heard,	Outhwaite,	Whiting,
Clarke, Ala.	Hemphill,	Owens, Ohio	Whitthorne,
Clements,	Henderson, N. C.	Parrett,	Wike,
Clunie,	Herbert,	Paynter,	Wilkinson,
Cobb,	Holman,	Peel,	Willcox,
Coleman,	Hooker,	Pennington,	Williams, Ill.
Cooper, Ind.	Kerr, Pa.	Perry,	Wilson, Mo.
Cottrhan,	Kilgore,	Pierce,	Wilson, W. Va.
Covert,	Lane,	Price,	Yoder.

NOT VOTING—25.

Allen, Miss.	De Haven,	Pickler,	Stivers,
Baker,	Ewart,	Seney,	Taylor, E. B.
Biggs,	Fitch,	Sherman,	Wheeler, Mich.
Browne, T. M.	Frank,	Simonds,	Wiley.
Browne, Va.	O'Neill, Mass.	Smyser,	
Clark, Wis.	Owen, Ind.	Spinola,	
Cogswell,	Phelan,	Stewart, Ga.	

So the bill was ordered to be engrossed and read the third time.

Mr. ALLEN, of Mississippi. Mr. Speaker, I was in the Hall when my name was called, but my attention was diverted for the moment by some one talking to me and I did not hear it. I desire to state that I should have voted "no" on this question.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

FEDERAL ELECTION LAW.

Mr. HEMPHILL. I desire to move that the bill be recommitted to

the committee from which it was reported, the Select Committee on the Election of President and Vice-President, etc.

The SPEAKER. The bill will be considered as having been read a third time.

Mr. SPRINGER. No; I object to that.

Mr. HEMPHILL. Let it be read in the usual way, by the title.

The SPEAKER. The question is on the motion of the gentleman from South Carolina to recommit the bill.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. SPRINGER demanded a division.

Mr. ROWELL. I ask the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 148, nays 155, not voting 25; as follows:

YEAS—148.

Abbott,	Covert,	Lane,	Price,
Alderson,	Cowles,	Lanham,	Quinn,
Allen, Miss.	Crain,	Lawler,	Reilly,
Anderson, Miss.	Crisp,	Lee,	Richardson,
Andrew,	Culbertson, Tex.	Lehibach,	Robertson,
Bankhead,	Cummings,	Lester, Ga.	Rogers,
Barnes,	Dargan,	Lester, Va.	Rowland,
Barwig,	Davidson,	Lewis,	Rusk,
Blanchard,	Dibble,	Magner,	Sayers,
Bland,	Dickerson,	Maish,	Shively,
Blount,	Dockery,	Mansur,	Skinner,
Boatner,	Dunphy,	Martin, Ind.	Stahlnecker,
Breckinridge, Ark.	Edmunds,	Martin, Tex.	Stewart, Tex.
Breckinridge, Ky.	Elliott,	McAdoo,	Stockdale,
Brickner,	Ellis,	McCarthy,	Stone, Ky.
Brookshire,	Enloe,	McClammy,	Stone, Mo.
Brown, J. B.	Fithian,	McClellan,	Stump,
Brunner,	Flower,	McCreary,	Tarsney,
Buchanan, Va.	Forman,	McMillin,	Tillman,
Buckalew,	Forney,	McRae,	Tracey,
Bullock,	Fowler,	Mills,	Tucker,
Bunn,	Geissenhainer,	Montgomery,	Turner, Ga.
Bynum,	Gibson,	Moore, Tex.	Turner, N. Y.
Campbell,	Goodnight,	Morgan,	Vaux,
Candler, Ga.	Grimes,	Mutchler,	Venable,
Carlton,	Hare,	Norton,	Walker, Mo.
Caruth,	Hatch,	Oates,	Washington,
Catchings,	Hayes,	O'Ferrall,	Washington,
Chipman,	Haynes,	O'Neill, Ind.	Wheeler, Ala.
Clancy,	Heard,	Outhwaite,	Whiting,
Clarke, Ala.	Hemphill,	Owens, Ohio	Whitthorne,
Clements,	Henderson, N. C.	Parrett,	Wike,
Clunie,	Herbert,	Paynter,	Wilkinson,
Cobb,	Holman,	Peel,	Willcox,
Coleman,	Hooker,	Pennington,	Williams, Ill.
Cooper, Ind.	Kerr, Pa.	Perry,	Wilson, Mo.
Cottrhan,	Kilgore,	Pierce,	Wilson, W. Va.
Covert,	Lane,	Price,	Yoder.

NAYS—155.

Adams,	Dalzell,	Laidlaw,	Rockwell,
Allen, Mich.	Darlington,	Lansing,	Rowell,
Anderson, Kans.	De Lano,	Laws,	Russell,
Arnold,	Dingley,	Lind,	Sanford,
Atkinson, Pa.	Dolliver,	Lodge,	Sawyer,
Atkinson, W. Va.	Dorsey,	Mason,	Scranton,
Banks,	Dunnell,	McComas,	Scull,
Bartine,	Evans,	McCord,	Smith, Ill.
Bayne,	Farquhar,	McCormick,	Smith, W. Va.
Beckwith,	Featherston,	McDuffie,	Snider,
Belden,	Finley,	McKenna,	Spooner,
Belknap,	Flick,	McKinley,	Springer,
Bergen,	Flood,	Miles,	Stephenson,
Bingham,	Funston,	Milliken,	Stewart, Vt.
Bliss,	Gear,	Moffitt,	Stockbridge,
Boothman,	Gest,	Moore, N. H.	Struble,
Boutelle,	Gifford,	Morey,	Sweeney,
Bowden,	Greenhalge,	Morrill,	Taylor, Ill.
Brewer,	Grosvenor,	Morrow,	Taylor, Tenn.
Brosius,	Grout,	Morse,	Taylor, J. D.
Brower,	Hall,	Mudd,	Thomas,
Buchanan, N. J.	Hansbrough,	Niedringhaus,	Thompson,
Burrows,	Harmer,	Nute,	Townsend, Colo.
Burton,	Haugen,	O'Donnell,	Townsend, Pa.
Butterworth,	Henderson, Ill.	O'Neill, Pa.	Vandever,
Caldwell,	Henderson, Iowa	Osborne,	Van Schaick,
Candler, Mass.	Hermann,	Payne,	Waddill,
Cannon,	Hill,	Payson,	Wade,
Carter,	Hitt,	Perkins,	Walker, Mass.
Caswell,	Hopkins,	Peters,	Wallace, Mass.
Cheadle,	Houk,	Post,	Wallace, N. Y.
Cheatham,	Kelley,	Pugsley,	Watson,
Comstock,	Kennedy,	Quackenbush,	Wickham,
Conger,	Kerr, Iowa	Raines,	Williams, Ohio
Connell,	Ketcham,	Randall,	Wilson, Ky.
Cooper, Ohio	Kinsey,	Ray,	Wilson, Wash.
Craig,	Knapp,	Reed, Iowa	Wright,
Culbertson, Pa.	Lacey,	Reyburn,	Yardley.
Cutcheon,	La Follette,	Rife,	

NOT VOTING—25.

Baker,	Ewart,	Seney,	Taylor, E. B.
Biggs,	Fitch,	Sherman,	Turner, Kans.
Browne, T. M.	Frank,	Simonds,	Wheeler, Mich.
Browne, Va.	O'Neill, Mass.	Smyser,	Wiley.
Clark, Wis.	Owen, Ind.	Spinola,	
Cogswell,	Phelan,	Stewart, Ga.	
De Haven,	Pickler,	Stivers,	

So the motion to recommit was lost.

The Clerk recapitulated the names of those voting.

Mr. SPRINGER. I desire to change my vote. I voted "ay" and I wish to vote "no."

The Clerk called Mr. SPRINGER's name, and he voted "no." The result of the vote was then announced as above recorded. Mr. SPRINGER. I move to reconsider the vote by which the House refused to recommit the bill.

Mr. ROWELL. I move to lay that motion on the table, and on that I demand the yeas and nays.

Mr. BRECKINRIDGE, of Kentucky. I move that we take a recess until 8 o'clock. It is now a quarter to 6, and if we take a recess until 8 o'clock we can get our dinner.

The SPEAKER. That motion is not now in order. The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 156, nays 149, not voting 23; as follows:

YEAS—156.

Adams,	Dalzell,	La Follette,	Rife,
Allen, Mich.	Darlington,	Laidlaw,	Rockwell,
Anderson, Kans.	De Lano,	Lansing,	Rowell,
Arnold,	Dingley,	Laws,	Russell,
Atkinson, Pa.	Dolliver,	Lind,	Sanford,
Atkinson, W. Va.	Dorsey,	Lodge,	Sawyer,
Banks,	Dunnell,	Mason,	Scranton,
Bartine,	Evans,	McComas,	Scully,
Bayne,	Farquhar,	McCord,	Smith, Ill.
Beckwith,	Featherston,	McCormick,	Smith, W. Va.
Belden,	Finley,	McDuffie,	Snider,
Belknap,	Flick,	McKenna,	Spooner,
Bergen,	Flood,	McKinley,	Stephenson,
Bingham,	Frank,	Miles,	Stewart, Vt.
Bliss,	Funston,	Milliken,	Stockbridge,
Boothman,	Gear,	Moffitt,	Struble,
Boutelle,	Gest,	Moore, N. H.	Swaney,
Bowden,	Gifford,	Morey,	Taylor, Ill.
Brewer,	Greenhalge,	Morrill,	Taylor, J. D.
Brosius,	Grosvenor,	Morrow,	Taylor, Tenn.
Brower,	Groat,	Morse,	Thomas,
Buchanan, N. J.	Hall,	Mudd,	Thompson,
Burrows,	Hansbrough,	Niedringhaus,	Townsend, Colo.
Burton,	Harmer,	Nute,	Townsend, Pa.
Butterworth,	Haugen,	O'Donnell,	Turner, Kans.
Caldwell,	Henderson, Ill.	O'Neill, Pa.	Vandever,
Candler, Mass.	Henderson, Iowa	Osborne,	Van Schaick,
Cannon,	Hermann,	Payne,	Waddill,
Carter,	Hill,	Payson,	Wade,
Caswell,	Hitt,	Perkins,	Walker, Mass.
Cheadle,	Hopkins,	Peters,	Wallace, Mass.
Cheatham,	Houk,	Post,	Wallace, N. Y.
Comstock,	Kelley,	Pugsley,	Watson,
Conger,	Kennedy,	Quackenbush,	Wickham,
Connell,	Kerr, Iowa	Raines, Ohio	Williams, Ohio
Cooper, Ohio	Ketcham,	Randall,	Wilson, Ky.
Craig,	Kinsey,	Ray,	Wilson, Wash.
Culbertson, Pa.	Knapp,	Reed, Iowa	Wright,
Cutcheon,	Lacey,	Reyburn,	Yardley.

NAYS—149.

Abbott,	Cowles,	Lawler,	Richardson,
Alderson,	Crain,	Lee,	Robertson,
Allen, Miss.	Crisp,	Lehbach,	Rogers,
Anderson, Miss.	Culbertson, Tex.	Lester, Ga.	Rowland,
Andrew,	Cummings,	Lester, Va.	Rusk,
Bankhead,	Dargan,	Lewis,	Sayers,
Barnes,	Davidson,	Magner,	Shively,
Barwig,	Dibble,	Maish,	Skinner,
Blanchard,	Dickerson,	Mansur,	Springer,
Bland,	Dockery,	Martin, Ind.	Stahnecker,
Bloom,	Dunphy,	Martin, Tex.	Stewart, Tex.
Boatner,	Edmunds,	McAdoo,	Stockdale,
Breckinridge, Ark.	Elliott,	McCarthy,	Stone, Ky.
Breckinridge, Ky.	Ellis,	McClellan,	Stone, Mo.
Brickner,	Enloe,	McClellan,	Stump,
Brookshire,	Fithian,	McCreary,	Tarsney,
Brown, J. B.	Flower,	McMillin,	Tillman,
Brunner,	Forman,	McRae,	Tracey,
Buchanan, Va.	Forney,	Mills,	Tucker,
Buckalew,	Fowler,	Montgomery,	Turner, Ga.
Bullock,	Geissenhainer,	Moore, Tex.	Turner, N. Y.
Bunn,	Gibson,	Morgan,	Vaux,
Bynum,	Goodnight,	Mutchler,	Venable,
Campbell,	Grimes,	Norton,	Walker, Mo.
Candler, Ga.	Hare,	Oates,	Washington,
Carlton,	Hatch,	O'Ferrall,	Wheeler, Ala.
Caruth,	Hayes,	O'Neill, Ind.	Whiting,
Catchings,	Haynes,	Outhwaite,	Whitthorne,
Chipman,	Head,	Owens, Ohio	Wike,
Cianey,	Hemphill,	Parrett,	Wilkinson,
Clarke, Ala.	Henderson, N. C.	Paynter,	Willcox,
Clements,	Herbert,	Peel,	Williams, Ill.
Clunie,	Holman,	Pennington,	Wilson, Mo.
Cobb,	Hooker,	Perry,	Wilson, W. Va.
Coleman,	Kerr, Pa.	Pierce,	Yoder.
Cooper, Ind.	Kilgore,	Price,	
Cothran,	Lane,	Quinn,	
Covert,	Lanham,	Reilly,	

NOT VOTING—23.

Baker,	De Haven,	Pickler,	Stewart, Ga.
Biggs,	Ewart,	Seney,	Stivers,
Browne, T. M.	Fitch,	Sherman,	Taylor, E. B.
Browne, Va.	O'Neil, Mass.	Simonds,	Wheeler, Mich.
Clark, Wis.	Owen, Ind.	Smyser,	Wiley.
Cogswell,	Phelan,	Spinola,	

So the motion to lay on the table the motion to reconsider was agreed to.

The Clerk recapitulated the names of those voting. The result was then announced as above recorded.

Mr. OUTHWAITE. I move that the House do now adjourn.

Mr. MCKINLEY. I make the point of order that that is a dilatory motion.

The SPEAKER. The Chair sustains the point of order.

The question recurred on the passage of the bill.

Mr. SPRINGER. I demand the reading of the bill.

The SPEAKER. The Clerk will read the engrossed bill. [Applause on the Republican side.]

Mr. SPRINGER. I see that the bill is engrossed. I want the engrossed copy read.

The SPEAKER. The gentleman need give himself no uneasiness. The rules of the House will be complied with.

Mr. ROGERS. We are glad of the assurance.

The engrossed bill was then read.

During the reading of the engrossed bill, Mr. BUCKALEW rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. BUCKALEW. I rise for the purpose of asking unanimous consent that the reading of the engrossed bill be dispensed with.

Mr. SPRINGER. I object.

Mr. COWLES. The bill never has been read, and it ought to be read once.

The SPEAKER. Objection is made. The Clerk will continue.

During the further reading of the bill the following occurred:

Mr. SPRINGER. I demand order in the House. I can not hear the Clerk.

Mr. CULBERSON, of Texas. Mr. Speaker, the Clerk is reading so fast we can not follow him.

Mr. SPRINGER. I can not hear.

Mr. WILLIAMS, of Ohio. I ask unanimous consent that the gentleman from Illinois may stand by the side of the Clerk as he reads.

Mr. CUTCHEON. I think if the House would be in order we could hear the bill.

The SPEAKER. The House will be in order.

Mr. MILLIKEN. I think everybody can hear the bill who wants to hear the reading of it.

After the reading of section 2, the following occurred:

Mr. SPRINGER. Mr. Speaker, the clause of that section from the word "petitioning" down to "residents" was stricken out when this bill was before the House, and it seems to be retained as a part of the bill.

The SPEAKER. The Clerk will continue.

Mr. SPRINGER. I make the point of order that this is not the bill that has been considered.

The SPEAKER. The Clerk will read.

During the reading of section 6, the following occurred:

Mr. COWLES. Mr. Speaker, I rise to a point of order. There is no quorum present while this important bill is being read. There should be a quorum here.

Mr. CANNON. There is no way to raise that point except upon a vote.

The SPEAKER. The Clerk will continue.

Mr. COWLES. Mr. Speaker, I demand that the Chair shall rule upon my point of order.

Mr. MCKINLEY. How does the gentleman know there is no quorum present?

Mr. COWLES. I appeal from the decision which the Chair declines to make. [Laughter.]

During the reading of section 22:

Mr. WHEELER, of Alabama. Mr. Speaker, I rise to the point of order that there is not a quorum present, and that therefore the bill is not being read in the presence of a quorum.

Mr. MCKINLEY. How do you know?

The Clerk continued reading.

Mr. WHEELER, of Alabama. I insist upon the point that no quorum is here.

The SPEAKER *pro tempore* (Mr. BURROWS in the chair). The reading of the engrossed bill can not be interrupted.

Mr. WHEELER, of Alabama. I want to know of the Speaker if it is in order to read the bill in the absence of a quorum.

Mr. CANNON. Oh, there is a quorum here.

The reading of the bill was resumed and concluded.

The SPEAKER. The question is upon the passage of the bill.

The question was put; and the Speaker announced the "ayes" seemed to have it.

Mr. HOLMAN. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 155, nays 149, not voting 24; as follows:

YEAS—155.

Adams,	Bingham,	Candler, Mass.	Dalzell,
Allen, Mich.	Bliss,	Cannon,	Darlington,
Anderson, Kans.	Boothman,	Carter,	De Lano,
Arnold,	Boutelle,	Caswell,	Dingley,
Atkinson, Pa.	Bowden,	Cheadle,	Dolliver,
Atkinson, W. Va.	Brewer,	Cheatham,	Dorsey,
Banks,	Brosius,	Comstock,	Dunnell,
Bartine,	Brower,	Conger,	Evans,
Bayne,	Buchanan, N. J.	Connell,	Farquhar,
Beckwith,	Burrows,	Cooper, Ohio	Featherston,
Belden,	Burton,	Craig,	Finley,
Belknap,	Butterworth,	Culbertson, Pa.	Flick,
Bergen,	Caldwell,	Cutcheon,	Flood,

Funston,	Laidlaw,	Payne,	Stockbridge,
Gear,	Lansing,	Payson,	Struble,
Gest,	Laws,	Perkins,	Sweeney,
Gifford,	Lind,	Peters,	Taylor, Ill.
Greenhalge,	Lodge,	Post,	Taylor, J. D.
Grosvenor,	Mason,	Pugsley,	Taylor, Tenn.
Gront,	McComas,	Quackenbush,	Thomas,
Hall,	McCord,	Raines,	Thompson,
Hansbrough,	McCormick,	Randall,	Townsend, Colo.
Harmer,	McDuffie,	Ray,	Townsend, Pa.
Haugen,	McKenna,	Reed, Iowa	Turner, Kans.
Henderson, Ill.	McKinley,	Reyburn,	Vandever,
Henderson, Iowa	McKenna,	Rife,	Van Schaick,
Hermann,	Milliken,	Rockwell,	Waddill,
Hill,	Moffitt,	Rowell,	Wade,
Hitt,	Moore, N. H.	Russell,	Walker, Mass.
Hopkins,	Morey,	Sanford,	Wallace, Mass.
Houk,	Morrill,	Sawyer,	Wallace, N. Y.
Keiley,	Morrow,	Seranton,	Watson,
Kennedy,	Morse,	Seull,	Wickham,
Kerr, Iowa	Mudd,	Smith, Ill.	Williams, Ohio
Ketcham,	Niedringhaus,	Smith, W. Va.	Wilson, Ky.
Kinsey,	Nute,	Snider,	Wilson, Wash.
Knapp,	O'Donnell,	Spooner,	Wright,
Lacey,	O'Neill, Pa.	Stephenson,	Yardley.
La Follette,	Osborne,	Stewart, Vt.	

NAYS—149.

Abbott,	Cowles,	Lawler,	Richardson,
Alderson,	Crain,	Lee,	Robertson,
Allen, Miss.	Crisp,	Lehlbach,	Rogers,
Anderson, Miss.	Culberson, Tex.	Lester, Ga.	Roland,
Andrew,	Cummings,	Lester, Va.	Rusk,
Bankhead,	Dargan,	Lewis,	Sayers,
Barnes,	Davidson,	Magner,	Shively,
Barwig,	Dibble,	Maish,	Skinner,
Blanchard,	Dickerson,	Mansur,	Springer,
Bland,	Dockery,	Martin, Ind.	Stahlnecker,
Blount,	Dunphy,	Martin, Tex.	Stewart, Tex.
Boatner,	Edmunds,	McAdoo,	Stockdale,
Breckinridge, Ark.	Elliot,	McCarthy,	Stone, Ky.
Breckinridge, Ky.	Ellis,	McClammy,	Stone, Mo.
Brickner,	Enloe,	McClellan,	Stump,
Brookshire,	Fithian,	McCreary,	Tarsney,
Brown, J. B.	Flower,	McMillin,	Tillman,
Brunner,	Forman,	McRae,	Tracey,
Buchanan, Va.	Forney,	Mills,	Tucker,
Buckalew,	Fowler,	Montgomery,	Turner, Ga.
Bullock,	Geissenhainer,	Moore, Tex.	Turner, N. Y.
Bunn,	Gibson,	Morgan,	Vaux,
Bynum,	Goodnight,	Mutchler,	Venable,
Campbell,	Grimes,	Norton,	Walker, Mo.
Candler, Ga.	Hare,	Oates,	Washington,
Carlton,	Hatch,	O'Ferrall,	Wheeler, Ala.
Caruth,	Hayes,	O'Neill, Ind.	Whiting,
Catchings,	Haynes,	Outhwaite,	Whitthorne,
Chipman,	Heard,	Owens, Ohio	Wike,
Clancy,	Hemphill,	Parrett,	Wilkinson,
Clarke, Ala.	Henderson, N. C.	Paynter,	Willecox,
Clements,	Herbert,	Peel,	Williams, Ill.
Clunie,	Holman,	Pennington,	Wilson, Mo.
Cobb,	Hooker,	Perry,	Wilson, W. Va.
Coleman,	Kerr, Pa.	Pierce,	Yoder.
Cooper, Ind.	Kilgore,	Price,	
Cottran,	Lane,	Quinn,	
Covert,	Lanham,	Reilly,	

NOT VOTING—24.

Baker,	De Haven,	Phelan,	Spinola,
Biggs,	Ewart,	Pickler,	Stewart, Ga.
Brown, T. M.	Fitch,	Seney,	Stivers,
Browne, Va.	Frank,	Sherman,	Taylor, E. B.
Clark, Wis.	O'Neill, Mass.	Simonds,	Wheeler, Mich.
Cogswell,	Owen, Ind.	Smyser,	Wiley.

So the bill was passed.

The vote was recapitulated.

The SPEAKER. On this question the yeas are 155, the nays 149, and the bill is passed. [Loud applause on the Republican side.]

Mr. LODGE 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 SPEAKER. Without objection, it will be so ordered. The Chair hears no objection.

Mr. OUTHWAITE. Would a motion to adjourn now be in order?

ADJOURNMENT OVER FROM THURSDAY TILL MONDAY.

Mr. MCKINLEY. Mr. Speaker, I move that when the House adjourns to-morrow it be to meet on Monday next, at 12 o'clock m.

The motion was agreed to.

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.

Mr. BUCHANAN, of New Jersey. I ask unanimous consent that the reading of the titles be dispensed with, and that they be printed in the RECORD.

There was no objection, and it was so ordered.

- A bill (S. 168) granting a pension to William Gardner;
- A bill (S. 448) granting a pension to Dobson Amick;
- A bill (S. 503) granting a pension to Ellen G. King;
- A bill (S. 513) granting a pension to Alfred Denny;
- A bill (S. 563) for the relief of Cornelia A. Stanley;
- A bill (S. 640) granting a pension to Annie D. Rundlett;
- A bill (S. 763) granting a pension to Martha F. Webster;

- A bill (S. 773) granting a pension to James E. Kabler;
- A bill (S. 776) granting a pension to John K. Evans;
- A bill (S. 779) granting a pension to Mary J. Foster;
- A bill (S. 786) granting a pension to Mrs. M. A. Hooper;
- A bill (S. 789) granting a pension to Henry G. Healy;
- A bill (S. 796) granting a pension to Maggie Stauffer;
- A bill (S. 797) granting a pension to Lucy I. Bissell;
- A bill (S. 798) granting a pension to Mariah L. Pool;
- A bill (S. 820) granting a pension to Mary Kinney;
- A bill (S. 1082) granting a pension to Frederick Kidwiler;
- A bill (S. 1103) granting a pension to Robert H. Stewart;
- A bill (S. 1269) granting a pension to James M. McKinney;
- A bill (S. 1282) granting a pension to Alice Nichols;
- A bill (S. 1302) granting a pension to John Beshen;
- A bill (S. 1304) granting an increase of pension to Stephen D. Redfield.

A bill (S. 1365) granting a pension to Annie E. Dixon;
 A bill (S. 1446) granting a pension to Elizabeth Wilson;
 A bill (S. 1546) granting an increase of pension to Mrs. Sallie H. Michler, widow of the late Bvt. Brig. Gen. Nathaniel Michler, United States Army;

A bill (S. 1577) granting a pension to Francis E. Smith;
 A bill (S. 1681) granting a pension to John Bridenback, late private Company L, Fourth Regiment Ohio Volunteer Cavalry;
 A bill (S. 1729) granting a pension to Lucy A. Coffield;
 A bill (S. 1735) granting a pension to J. M. Stevens;
 A bill (S. 1817) granting a pension to Mary F. Hopkins;
 A bill (S. 1902) granting a pension to Sarah C. Anderson and children under sixteen years of age;

A bill (S. 2076) granting an increase of pension to John E. Walton;
 A bill (S. 2197) to increase the pension of Ziba Yarnell;
 A bill (S. 2200) for the relief of Mary E. Johnson;
 A bill (S. 2309) for the relief of Joseph O. Cotton, dependent father of Gregory H. Cotton;

A bill (S. 2369) granting an increase of pension to Oscar S. Collins;
 A bill (S. 2411) granting a pension to Eugenia B. Tabler;
 A bill (S. 2420) granting a pension to Jane Wood, widow of Clayborne Wood, late of Company C, Thirty-third Ohio Infantry Volunteers;

A bill (S. 2733) granting a pension to Theodore Gardner;
 A bill (S. 2734) granting a pension to Ada Johnson;
 A bill (H. R. 11223) making an appropriation to supply a deficiency in the appropriation for compensation of members of the House of Representatives and Delegates from Territories;
 A bill (H. R. 9048) to confirm the title to certain lands in the city of Sault Ste. Marie and State of Michigan, and to release any reversionary right of the Government of the United States therein.

ORDER OF BUSINESS.

Mr. MCCOMAS. I now, pursuant to notice, move the adoption of the report of the committee of conference on the District of Columbia appropriation bill which has been agreed to by the conference.

Mr. SPRINGER. Let us adjourn, and do that to-morrow.

Mr. MCCOMAS. It will take no time.

Mr. BRECKINRIDGE, of Kentucky. I move that the House adjourn. [Cries of "Regular order!"]

Mr. MCKINLEY. I move that the House do now adjourn.

Mr. LODGE. I ask unanimous consent that the bill just passed may be reprinted. [Cries of "Regular order!" and "I object!"]

Mr. MCCOMAS. This conference report can be adopted in a few moments.

Mr. McMILLIN. Mr. Speaker, has not a motion to adjourn been made?

The SPEAKER. There has; but a conference report takes precedence over a motion to adjourn.

Mr. BLAND. I raise the question of consideration on the report.

Mr. MCCOMAS. I withdrew it upon the understanding that I should call it up after the vote on the bill which has just been passed.

The SPEAKER. The Chair thinks that was the understanding on the part of the House—that the gentleman from Maryland should withdraw it, and that it should be taken up after the vote upon the bill which has just passed.

Mr. McMILLIN. So far as I am concerned I have no objection to it; but I do not want it to go into the RECORD that an agreement entered into in that way could bind the House and prevent its adjournment.

The SPEAKER. The Chair does not mean to say that it was an agreement, but such an understanding existed.

Mr. MCCOMAS. I move that the reading of the report of the committee of conference be dispensed with.

Objection was made.

The SPEAKER. The report, then, must be read.

Mr. MCCOMAS. I hope the reading of the report will not be insisted upon. It has been debated in the Senate and, I understand, printed in the RECORD; it is agreed upon by the committee of confer-

ence unanimously, and therefore I ask that the report be not read. ["Cries of Regular order!"]

Mr. ENLOE. I move that the House do now adjourn.

Mr. GROSVENOR. A parliamentary inquiry. Under the order of the House, when an adjournment is taken to-night, will it be until 12 o'clock to-morrow or until 11 o'clock to-morrow?

The SPEAKER. Until 12 o'clock to-morrow.

Mr. ENLOE. I insist upon the motion to adjourn, and I say that the conference report can not take precedence.

The SPEAKER. The Clerk will read.

The Clerk proceeded to read the conference report.

Mr. CANNON. I rise to a question of order. I ask the gentleman from Maryland if he will not ask unanimous consent that the reading of the report be dispensed with.

Mr. McCOMAS. I will.

Mr. CANNON. And let the statement of the House conferees be read.

Mr. McCOMAS. I ask unanimous consent to dispense with the reading of the report, and that the statement of the House conferees be read.

Mr. GROUT. I object.

The Clerk resumed the reading of the report.

Mr. McCOMAS. Mr. Speaker, though I think this appropriation bill ought to be passed, as the conferees have agreed, yet as the House is very impatient to adjourn I will ask unanimous consent—

Mr. FITHIAN. I object.

Mr. McCREARY. Let the gentleman finish the statement of his request.

Mr. McCOMAS. I ask unanimous consent that the remainder of the report of the conferees be printed in the RECORD.

Mr. FITHIAN. I object.

The SPEAKER. Objection is made.

Mr. HEMPHILL. I would like to add a word to what the gentleman has said. There is some legislation in this report relating to the District which it is of importance to understand.

Mr. McKINLEY. I beg the gentleman from Maryland to withdraw his report. We have been in session ten hours, and certainly there can be nothing pressing about this report since the extension of the appropriations.

Mr. McCOMAS. I asked that it be printed in the RECORD and go over.

Mr. McKINLEY. There certainly ought to be no objection to the report being printed in the RECORD.

Mr. FITHIAN. I object.

The Clerk resumed the reading of the report.

Mr. KILGORE. Mr. Speaker, I ask unanimous consent to dispense with the reading of the numbers of these amendments, because they are utterly unintelligible.

Mr. FITHIAN. I object, Mr. Speaker.

The Clerk again resumed the reading.

Mr. McCOMAS. Now, Mr. Speaker, in deference to the wishes of a great many gentlemen round me who are tired and almost exhausted from the length of to-day's session, I will withdraw the report and yield to a motion to adjourn.

Mr. McKINLEY. I renew my motion to adjourn.

The question was put; and the Speaker announced that the "ayes" seemed to have it.

Mr. FITHIAN. Yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER (after counting). Thirty-eight gentlemen have arisen in support of the demand for the yeas and nays; not a sufficient number.

Mr. FITHIAN and Mr. BRECKINRIDGE, of Kentucky. The other side.

The SPEAKER (after counting the other side). Eighty-eight gentlemen have arisen against the demand for the yeas and nays; not a sufficient number; and the yeas and nays are ordered.

The question was taken; and it was decided in the affirmative—yeas 98, nays 11, not voting 219; as follows:

YEAS—98.

Abbott,	Burton,	Flood,	McClellan,
Adams,	Cannon,	Flower,	McComas,
Alderson,	Carter,	Forney,	McCreary,
Allen, Mich.	Clarke, Ala.	Goodnight,	McDuffie,
Anderson, Kans.	Clements,	Grimes,	McKinley,
Andrew,	Coleman,	Grosvenor,	McMillin,
Atkinson, Pa.	Connell,	Harmer,	Mudd,
Banks,	Cowles,	Heard,	O'Ferrall,
Bartine,	Culbertson, Tex.	Hemphill,	O'Neill, Pa.
Bellnap,	Cummings,	Henderson, Ill.	Payne,
Bergen,	Cutcheon,	Henderson, Iowa	Peters,
Bliss,	Davidson,	Houk,	Post,
Boutelle,	Dickerson,	Kennedy,	Price,
Breckinridge, Ark.	Dockery,	Kerr, Iowa	Reed, Iowa
Breckinridge, Ky.	Dolliver,	Lacey,	Reilly,
Brickner,	Dunnell,	Lind,	Rife,
Brookshire,	Dunphy,	Maish,	Sayers,
Brown, Va.	Enloe,	Martin, Ind.	Scranton,
Buckalew,	Evans,	McAdoo,	Skinner,
Burrows,	Featherston,	McCarthy,	Snider,

Springer,
Stephenson,
Stockdale,
Stone, Ky.
Struble,

Sweeney,
Tarsney,
Taylor, J. D.
Townsend, Colo.
Townsend, Pa.

Tracey,
Van Schaick,
Waddill,
Walker, Mass.
Walker, Mo.

Wheeler, Ala.
Wright,
Yardley.

NAYS—11.

Allen, Miss.
Cooper, Ind.
Covert,

Fithian,
Geissenhainer,
Kilgore,

McRae,
Rogers,
Stockbridge,

Stone, Mo.
Wilson, Mo.

NOT VOTING—219.

Anderson, Miss.
Arnold,
Atkinson, W. Va.
Baker,
Bankhead,
Barnes,
Barwig,
Bayne,
Beckwith,
Belden,
Biggs,
Bingham,
Blanchard,
Bland,
Blount,
Boatner,
Boothman,
Bowden,
Brewer,
Brosius,
Brower,
Brown, J. B.
Browne, T. M.
Brunner,
Buchanan, N. J.
Buchanan, Va.

Dargan,
Darlington,
De Haven,
De Lano,
Dibble,
Dingley,
Dorsey,
Edmunds,
Elliott,
Ellis,
Ewart,
Farquhar,
Finley,
Fitch,
Flick,
Forman,
Fowler,
Frank,
Funston,
Gear,
Gest,
Gibson,
Gifford,
Greenhalge,
Grout,
Hall,
Hansbrough,
Hare,
Hatch,
Haugen,
Hayes,
Haynes,
Henderson, N. C.
Herbert,
Hermann,
Hill,
Hitt,
Holman,
Hooker,
Hopkins,
Kelley,
Kerr, Pa.
Ketcham,
Kinsey,
Knapp,
La Follette,
Laidlaw,
Lane,
Lanham,
Lansing,
Lawler,
Laws,
Lee,
Lehbach,
Lester, Ga.

Lester, Va.
Lewis,
Lodge,
Magner,
Mansur,
Martin, Tex.
Mason,
McClammy,
McCord,
McCormick,
McKenna,
Miles,
Milliken,
Mills,
Moffitt,
Montgomery,
Moore, N. H.
Moore, Tex.
Morey,
Morgan,
Morrill,
Morrow,
Morse,
Mutchler,
Niedringhaus,
Norton,
Nute,
Oates,
O'Donnell,
O'Neill, Ind.
O'Neill, Mass.
Osborne,
Outhwaite,
Owen, Ind.
Owens, Ohio
Parrett,
Paynter,
Payson,
Peel,
Pennington,
Perkins,
Perry,
Phelan,
Pickler,
Pierce,
Pugsley,
Quackenbush,
Quinn,
Raines,
Randall,
Ray,
Reyburn,
Richardson,
Robertson,
Rockwell,

Rowell,
Rowland,
Rusk,
Russell,
Sanford,
Sawyer,
Scaull,
Seney,
Sherman,
Shively,
Simonds,
Smith, Ill.
Smith, W. Va.
Smyser,
Spinola,
Spooner,
Stahlnecker,
Stewart, Ga.
Stewart, Tex.
Stewart, Vt.
Stivers,
Stump,
Taylor, E. B.
Taylor, Ill.
Taylor, Tenn.
Thomas,
Thompson,
Tillman,
Tucker,
Turner, Ga.
Turner, Kans.
Turner, N. Y.
Vandever,
Vaux,
Venable,
Wade,
Wallace, Mass.
Wallace, N. Y.
Washington,
Walson,
Wheeler, Mich.
Whiting,
Whithorne,
Wickham,
Wike,
Wiley,
Wilkinson,
Willcox,
Williams, Ill.
Williams, Ohio
Wilson, Ky.
Wilson, Wash.
Wilson, W. Va.
Yoder.

So the motion to adjourn was agreed to.

LEAVE OF ABSENCE.

Pending the announcement of the result,

By unanimous consent leave of absence was granted as follows:

To Mr. ARNOLD, indefinitely, on account of important business.

To Mr. BELDEN, indefinitely, on account of important business.

To Mr. BOOTHMAN, for ten days from July 4, on account of important business.

To Mr. CANDLER, of Massachusetts, for one week, on account of important business.

To Mr. DE LANO, indefinitely, on account of important business.

To Mr. EWART, for ten days, on account of important business.

To Mr. GEISSENHAINER, indefinitely, on account of important business.

To Mr. HANSBROUGH, indefinitely, on account of important business.

To Mr. HARE, indefinitely, on account of important business.

To Mr. HILL, for one week, on account of important business.

To Mr. O'DONNELL, indefinitely, on account of important business.

To Mr. SAWYER, for ten days, on account of important business.

To Mr. SMYSER, for eight days, on account of important business.

To Mr. WALKER, of Missouri, indefinitely, on account of important business.

To Mr. YARDLEY, indefinitely, on account of important business.

To Mr. MOORE, of New Hampshire, for one week.

To Mr. CHIPMAN, for one week.

To Mr. GROUT, indefinitely, on account of sickness.

To Mr. FLOWER, indefinitely, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

Mr. ANDREW, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of E. H. Ottiwell.

REPRINT OF A REPORT.

On motion of Mr. CUTCHEON, by unanimous consent, House Report No. 1025, in relation to the purchase of Portage Lake and River Canal, etc., was ordered to be reprinted, the first print being exhausted. The result of the vote on the motion to adjourn was then announced; and accordingly (at 9 o'clock and 24 minutes p. m.) the House adjourned.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolutions were introduced and referred as follows:

By Mr. CUTCHEON:

Resolved, That Thursday, the 10th day of July, after the reading of the Journal, be set apart for the consideration of business reported from the Committee on Military Affairs upon the several calendars of the House in such order as they may be called up by said committee, not to interfere with appropriation bills, and this order shall be a continuing order from day to day until said committee shall have had one day for the consideration of its business;

to the Committee on Rules.

By Mr. O'DONNELL:

Resolved, That July 21 and July 22 be set apart for the consideration of House bill 634, to aid in the establishment and temporary support of common schools;

to the Committee on Rules.

By Mr. ANDERSON, of Kansas:

Resolved, That Rule XIV be amended by adding thereto the following: "8. When the Speaker is addressing the House or executing an order thereof or when a member who is entitled to the floor is addressing the House, he shall not be interrupted, except by his consent duly obtained through the Chair; and any statements or questions otherwise interjected into his remarks shall not be published in the Record, except by his permission. This rule shall apply to the proceedings of a Committee of the Whole;"

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. KETCHAM, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 6449) to limit the hours of work of clerks and employes in first, second, and third class post-offices, reported, as a substitute therefor, a bill (H. R. 11236) to limit the hours of work of clerks and employes in first and second class post-offices; which was read twice, and, accompanied by a report (No. 2606), referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR, of Tennessee, from the Committee on War Claims, reported favorably the bill of the House (H. R. 11196) for the relief of William M. Henry, accompanied by a report (No. 2607)—to the Committee of the Whole House.

Mr. DOLLIVER, from the Committee on War Claims, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (S. 1971) for the relief of William Clawson. (Report No. 2608.)
A bill (H. R. 10847) for the relief of Washington Galland. (Report No. 2609.)

Mr. STONE, of Kentucky, from the Committee on War Claims, reported favorably the following bills of the House; which were severally referred to the Committee of the Whole House:

A bill (H. R. 11031) for the relief of John S. Leary and Mathew N. Leary, jr., executors of Mathew N. Leary, deceased. (Report No. 2610.)

A bill (H. R. 4411) for the allowance of certain claims for stores and supplies taken and used by the Army of the United States, as reported by the Court of Claims under the provisions of the act of March 3, 1853, known as the Bowman act. (Report No. 2611.)

Mr. DOLLIVER, from the Committee on War Claims, reported with amendment the bill of the House (H. R. 4412) for the relief of Nathan J. Harris, accompanied by a report (No. 2612)—to the Committee of the Whole House.

Mr. TAYLOR, of Tennessee, from the Committee on War Claims, reported favorably the bill of the House (H. R. 8090) for the relief of Andrew C. Fondreu, of Washington County, Tennessee, accompanied by a report (No. 2613)—to the Committee of the Whole House.

Mr. TURNER, of Georgia, from the Committee on Commerce, to which was referred the bill of the House (H. R. 10836) to authorize the construction of bridges over the Savannah, Ocmulgee, and Oconee Rivers, reported, as a substitute therefor, a bill (H. R. 11240) to authorize the construction of bridges over the Savannah, Ocmulgee, and Oconee Rivers by the Macon and Atlantic Railway Company; which was read twice, and, accompanied by a report (No. 2614), referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9282) to authorize the Chicago, Henderson, Bowling Green and Chattanooga Railway Company to construct a bridge over Green and Barren Rivers, in the State of Kentucky, reported, as a substitute therefor, a bill (H. R. 11241) to authorize the Chicago, Henderson, Bowling Green and Chattanooga Railway Company to construct a bridge over Green and Barren Rivers, in the State of Kentucky; which was read twice, and, accompanied by a report (No. 2615), referred to the House Calendar.

Mr. GIFFORD, from the Committee on Indian Affairs, reported with amendment the bill of the Senate (S. 3271) to enable the Secretary of the Interior to carry out in part the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes, accompanied by a report (No. 2516)—to the Committee of the Whole House on the state of the Union.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills and joint resolutions of the following titles were introduced, severally read twice, and referred as follows:

By Mr. CUTCHEON: A bill (H. R. 11237) to amend sections 1346 and 1348 of the Revised Statutes of the United States, in reference to the visitation and inspection of the military prison, and examination of its accounts and government—to the Committee on Military Affairs.

By Mr. RICHARDSON: A bill (H. R. 11238) to authorize the acquisition of certain parcels of real estate embraced in square numbered 678, of the city of Washington, to provide an eligible site for a Government Printing Office, and to construct a suitable building thereon—to the Committee on Public Buildings and Grounds.

By Mr. ROGERS (by request): A bill (H. R. 11239) granting the right of way over West Mountain, in the Hot Springs reservation, in the State of Arkansas, to the West Mountain Inclined Railway and Improvement Company—to the Committee on Public Buildings and Grounds.

By Mr. TURNER, of Kansas: A joint resolution (H. Res. 187) increasing the Capitol police force—to the Committee on Expenditures on Public Buildings.

By Mr. FUNSTON: A joint resolution (H. Res. 188) to print the agricultural report for 1890—to the Committee on Printing.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BANKS: A bill (H. R. 11242) for the relief of Thomas Antisell—to the Committee on War Claims.

By Mr. BELKNAP: A bill (H. R. 11243) granting a pension to Sarah H. Philp—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 11244) for the relief of Frances T. Dana—to the Committee on Pensions.

By Mr. FRANK: A bill (H. R. 11245) for the relief of the Iron Mountain Bank of St. Louis, Mo.—to the Committee on Claims.

By Mr. MCCARTHY: A bill (H. R. 11246) for the relief of John McNeill—to the Committee on Military Affairs.

By Mr. MOREY: A bill (H. R. 11247) for the relief of William Behymer—to the Committee on Military Affairs.

Also, a bill (H. R. 11248) to authorize the Secretary of War to furnish condemned cannon for Bloom Rose Cemetery, Clermont County, Ohio—to the Committee on Military Affairs.

By Mr. PAYNE: A bill (H. R. 11249) granting a pension to Adelaide M. Parker, widow of Capt. Benjamin F. Foote—to the Committee on Invalid Pensions.

By Mr. PAYNTER: A bill (H. R. 11250) to increase the pension of Oliver P. Wallingford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11251) increasing the pension of Dr. M. H. Young—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 11252) for the relief of the executrix of R. A. Francis—to the Committee on Claims.

By Mr. TURNER, of Kansas: A bill (H. R. 11253) for the relief of Norman Wiard—to the Committee on Claims.

By Mr. WALLACE, of New York: A bill (H. R. 11254) for the relief of Capt. John T. Bruen, late of the Tenth Battery, New York Excelsior Volunteers—to the Committee on War Claims.

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. ALLEN, of Mississippi: Petition of J. W. Blakney, heir at law of Frederick Blakney, of Tishomingo County, Mississippi, asking reference of his claim for stores and supplies taken during the war to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. BLOUNT: Petition of Sarah V. Tanner, heir at law and next of kin of John C. Tanner, deceased, asking reference of her claim for stores and supplies taken during the war to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. ENLOE: Petition of Mrs. R. C. Williamson, administratrix of Anthony Williamson, deceased, of Madison County, Tennessee, asking the reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of James B. Guthrie, of Henry County, Tennessee, for a pension—to the Committee on Pensions.

By Mr. FLOWER: Petition of E. D. Long and others, in favor of present duty on fish—to the Committee on Ways and Means.

By Mr. HARE: Memorial of G. L. Giersa, a citizen of Denison, Tex., protesting against legislation by Congress compelling railroads to transport petroleum barrels free—to the Committee on Commerce.

By Mr. HENDERSON, of Iowa: Paper from 70 railroad employes of Marquette, Mich., petitioning for the passage of House bill 9682—to the Committee on Railways and Canals.

Also, paper from 73 railroad employes of Oakland, Cal., for same measure—to the Committee on Railways and Canals.

Also, paper from 47 railroad employes of Missoula, Mont., for same measure—to the Committee on Railways and Canals.

By Mr. McCORD: Petition of the Chickasaw Nation, for reimbursement of its general fund—to the Committee on Indian Affairs.

By Mr. MORRILL: Resolutions of the citizens of Washington, Kans., asking the passage of the Wilson bill, annulling the original-package decision of the Supreme Court—to the Committee on the Judiciary.

By Mr. ROGERS: Memorial by citizens of Logan County, Arkansas, for deep-water harbor at Galveston, Tex.—to the Committee on Rivers and Harbors.

Also, memorial of other citizens of same county for same purpose—to the Committee on Rivers and Harbors.

Also, petition of citizens of Johnson County, Arkansas, for same measure—to the Committee on Rivers and Harbors.

Also, petition of citizens of Crawford County, Arkansas, for same measure—to the Committee on Rivers and Harbors.

Also, memorial in relation to carrying obscene literature through the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. SANFORD: Petition of 54 citizens of the Twentieth Congressional district of New York, for the passage of laws for the perpetuation of the national-banking system under which the interest of depositors is protected by Government supervision—to the Committee on Banking and Currency.

By Mr. SKINNER: Petition of P. B. Picot, administrator of estate of Joseph J. Jordon, deceased, late of Hertford 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. SMITH, of Illinois: Memorial of 41 citizens of Cairo, Ill., protesting against legislation by Congress compelling railroads to transport petroleum barrels free—to the Committee on Commerce.

By Mr. SNIDER: Resolutions of the Washington Camp of Minnesota, of the Patriotic Order of Sons of America, favoring legislation to prevent desecration of the American flag—to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of St. Paul, Minn., favoring a permanent system to prevent overflow of the Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of Duluth, Minn., for same purpose—to the Committee on Rivers and Harbors.

By Mr. STAHLNECKER: Petition of the Woman's Christian Temperance Union and from a portion of the residents of White Plains, N. Y., in favor of House bill 5987—to the Committee on Commerce.

By Mr. TOWNSEND, of Colorado: Resolutions of the Commandery of the Loyal Legion of Denver, Colo., in favor of the speedy publication of the Records of the Rebellion—to the Committee on Printing.

By Mr. TURNER, of Georgia: Petition of James Brown and 34 others, of Worth County, Georgia, asking passage of House bill 7162—to the Committee on Ways and Means.

Also, resolutions of the Alliance of Baker County, Georgia, for same or similar measure—to the Committee on Ways and Means.

Also, petition of J. G. Wiggins and 19 others, of Calhoun County, Georgia, for an appropriation for the improvement of Galveston Harbor—to the Committee on Rivers and Harbors.

By Mr. TURNER, of Kansas: Petition of Rev. R. J. Phipps and 30 others, of Decatur County, Kansas, for the immediate passage of Wilson bill against importation of liquors into States where sale is prohibited—to the Committee on the Judiciary.

Also, petition of J. M. Cox and 136 others, of Mitchell County, Kansas, praying for passage of same measure—to the Committee on the Judiciary.

Also, petition of E. F. Koontz, E. M. Broughton, and 38 others, citizens of Reno County, Kansas, asking Congress for appropriation of money for complete system of levees on the Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Rivers and Harbors.

Also, petition of D. H. Dreisbach, Herbert Baker, and 16 others, citizens of Lincoln County, Kansas, for same measure—to the Committee on Rivers and Harbors.

Also, petition of C. A. Stanhope, J. E. McKee, and 26 others, citizens of Smith County, Kansas, for same measure—to the Committee on Rivers and Harbors.

Also, petition of A. B. Brown, J. H. Douskin, and 11 others, citizens of Marion County, Kansas, for same measure—to the Committee on Rivers and Harbors.

By Mr. VAUX: Petition of Charles Danielly, of Philadelphia, for a pension for his father—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, July 3, 1890.

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

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

AGREEMENT WITH SAC AND FOX INDIANS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 14 of the act of March 2, 1889, I transmit herewith, for the consideration of Congress, an agreement concluded between the commissioners appointed under that section, on behalf of the United States, commonly known as the Cherokee Commission, and the Sac and Fox Nation of Indians in the Indian Territory, on the 12th day of June last.

The Sac and Fox Nation have a national council, and the negotiation was conducted with that body, which undoubtedly had competent authority to contract on behalf of the tribe for the sale of these lands. The letter of the Secretary of the Interior and the accompanying papers, which are submitted herewith, furnish all the information necessary to the consideration of the questions to be determined by Congress.

The only serious question presented is as to that article of the agreement which limits the distribution of the funds to be paid by the United States, under it, to the Sac and Fox Indians now in the Indian Territory. I very gravely doubt whether the remnant or band of this tribe now living in Iowa has any interest in these lands in the Indian Territory. The reservation there was apparently given in consideration of improvements upon the lands of the tribe in Kansas. The band now resident in Iowa, upon lands purchased by their own means, as I am advised, left the Kansas reservation many years before the date of this treaty, and it would seem could have had no equitable interest in the improvements on the Kansas lands, which must have been the result of the labors of that portion of the tribe living upon them. The right of the Iowa band to a participation in the proceeds of the sale of the Kansas reservation was explicitly reserved in the treaty, but it seems to me, upon a somewhat hasty examination of the treaty, that the reservation in the Indian Territory was intended only for the benefit of those who should go there to reside. The Secretary of the Interior has expressed a somewhat different view of the effect of this treaty, but if the facts are, as I understand, that the Iowa band did not contribute to the improvements which were the consideration for the reservation and did not accept the invitation to settle upon the reservation lands in the Indian Territory, I do not well see how they have either an equitable or legal claim to participate in the proceeds of the sale of those lands.

The whole matter is submitted for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, July 2, 1890.

COMMUNICATION WITH CENTRAL AND SOUTH AMERICA.

The PRESIDENT *pro tempore* laid before the Senate the following message of the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing the recommendations of the International American Conference for the establishment of improved facilities for postal and cable communication between the United States and the several countries of Central and South America.

I can not too strongly urge upon Congress the necessity of giving this subject immediate and favorable consideration, and of making adequate appropriations to carry the recommendations into effect; and in this connection I beg leave to call attention to what was said on the subject in my annual message. The delegates of the seventeen neighboring Republics, who have so recently been assembled in Washington at the invitation of this Government, have expressed their wish and purpose to co-operate with the United States in the adoption of measures to improve the means of communication between the several Republics of America. They recognize the necessity of frequent, regular, and rapid steam-ship service, both for the purpose of maintaining friendly intercourse and for the convenience of commerce, and realize that without such facilities it is useless to attempt to extend the trade between their ports and ours.

BENJ. HARRISON.

EXECUTIVE MANSION, Washington, July 2, 1890.

ANNIVERSARY OF THE DISCOVERY OF AMERICA.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Select Committee on the Quadro-Centennial, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for your information, a letter from the Secretary of State, inclosing a copy of a resolution passed by the International American Conference, with reference to the celebration of the fourth centennial of the discovery of America.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, July 2, 1890.

AGREEMENT WITH IOWA INDIANS.

The PRESIDENT *pro tempore* laid before the Senate the following message of the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, as required by section 14 of the act of March 2, 1889, an agreement concluded on the 20th day of May last between the commissioners on behalf of the United States, commonly known as the Cherokee Commission, and the Iowa Indians residing in the Indian Territory.

A letter of the Secretary of the Interior, which is accompanied by communications from the Commissioner of Indian Affairs and the Assistant Attorney-General, is also submitted.

These papers present a full and clear statement of the matters of fact and questions of law which Congress will need to consider in passing upon the question of the ratification of the agreement which is submitted for its consideration and such action as may be deemed proper.

BENJ. HARRISON.

EXECUTIVE MANSION, July 2, 1890.