

By Mr. CHEATHAM: Petition of James H. Holman of Washington, D. C., for relief—to the Committee on War Claims.

By Mr. COBURN: Petition of Augusta Schilling and others, against legislation by Congress relative to closing the World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. CRISP (by request): Memorial of the Knights of Labor, District of Columbia, asking that Senate resolution No. 46 be passed—to the Committee on Labor.

Also, memorial of 74 citizens connected with the Methodist Church of Bedford, Pa., against Sunday opening of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. DURBOROW: Petition of about 2,500 citizens of the United States, protesting against closing the gates of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. FUNSTON: Petition of Mrs. Celia A. Dayton for dependent mother's pension—to the Committee on Invalid Pensions.

By Mr. HALVORSON (by request): Petition of members of Cigarmakers' International Union, Duluth, Minn., protesting against the union of church and state as regards the closing of the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARRIES: Affidavit of O. S. Sesson, of West Salem, Wis., to support the claim of John W. McCann, to accompany House bill 7657—to the Committee on Military Affairs.

Also, petition of Thomas C. Armstrong, for an honorable discharge and affidavits and copies of affidavits to accompany House bill 9035—to the Committee on Military Affairs.

By Mr. HATCH: Two petitions, one of Morris and Green Counties, Ills., and the other of Bancroft Grange, Bancroft, Mo., for the passage of pure-food and anti-option bills—to the Committee on Agriculture.

By Mr. HENDERSON of Iowa: Papers in the case of John R. Caldwell, respecting bill of Edwin W. Runce, Company F, Twenty-eighth Iowa Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. HERBERT: Petition of E. Q. Horton, E. H. Horton, and Henry A. Horton, of Daphne, Baldwin County, Ala., in favor of opening the World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. JOHNSON of Ohio: Affidavit of Alfred Burgess, of Cleveland, Ohio, in support of House bill 8063, to relieve Alfred Burgess from the charge of desertion—to the Committee on Naval Affairs.

Also, affidavit of Asa B. Cullings, of Boston, Mass., in support of House bill 8063, to relieve Alfred Burgess from the charge of desertion—to the Committee on Naval Affairs.

Also, affidavit of Charles H. Buttner, in support of House bill 9236 for his relief—to the Committee on Military Affairs.

Also, evidence in support of House bill 7836, for the relief of Thomas H. Buttner—to the Committee on Military Affairs.

By Mr. KRIBBS: Protest of the Presbyterian Church of Bedford, Pa., against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. LODGE: Remonstrance of 32 citizens of Boston, against action by Congress in regard to Sunday closing of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. MITCHELL: Petition and submission for information the statement of A. Washburn, late lieutenant of the Forty-ninth New York Volunteers, in relation to his dismissal for desertion by sentence of general court-martial—to the Committee on Military Affairs.

By Mr. MILLIKEN: Three petitions of citizens of Maine, as follows: Two petitions of citizens of Strong, county of Franklin, and one of Alexander Duncan and others of the State of Maine, asking for the suppression of the manufacture and sale of cigarettes—to the Committee on Ways and Means.

By Mr. OTIS: Petition of the Epworth League of Lowman Chapel, Topeka, Kans., asking to have the Columbian Exposition closed on Sunday and the sale of intoxicating liquors prohibited—to the Select Committee on the Columbian Exposition.

Also, petition of J. D. Hawes and 24 others of Coffee County, Kans., in favor of pure food and drugs—to the Committee on Agriculture.

By Mr. PAYNE: Petition of M. J. Cummings and others of Oswego, N. Y., asking a pension to Mary McCarthy, mother of William McCarthy, of the United States ship Saratoga, to accompany bill—to the Committee on Pensions.

Also, two petitions of citizens of New York, as follows: One of the Woman's Christian Temperance Union of Olean, Cattaraugus County, and the other of citizens of Hudson County, asking for the enactment of a law forbidding the sale, manufacture, and importation of cigarettes—to the Committee on Ways and Means.

Also, petition of A. L. Vant and others of Volney, Oswego

County, asking that mail facilities be extended to every post-office in the settled portions of the country, with free collection of letters—to the Committee on the Post-Office and Post-Roads.

By Mr. RANDALL: Petition of the Religious Society of Friends of Vermont and New York, for the protection of the colored people of the South—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

Also, petition of the Religious Society of Friends of Vermont and New York, for the closing of the World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. JOSEPH D. TAYLOR: Resolutions of the Eastern Ohio Classis, Synod of Ohio, Reformed Church in the United States, officially signed, protesting against the opening of the World's Fair on the Sabbath and the sale of intoxicating liquors on the grounds during the Exposition—to the Select Committee on the Columbian Exposition.

By Mr. TOWNSEND: Protest of citizens of Denver, Colo., against legislation in favor of either keeping open or closing the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WEADOCK: Petition of Hannah M. Cahoon and others, against the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

SENATE.

TUESDAY, July 12, 1892.

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

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

HOUSE BILLS REFERRED.

The bill (H. R. 6996) for the relief of Thomas Moonlight was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 8582) to provide for the publication of the Eleventh Census was read twice by its title, and referred to the Committee on the Census.

MESSAGE FROM THE HOUSE.

A message from the House, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had receded from its disagreement to the amendment of the Senate numbered 43 to the bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893.

The message also announced that the House further insisted upon its disagreement to the amendment of the Senate numbered 144 to the bill (H. R. 6746) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes; agreed to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DOCKERY, Mr. COMPTON, and Mr. HENDERSON of Iowa managers at the conference on the part of the House.

The message further announced that the House insisted upon its disagreement to the amendment of the Senate numbered 23 to the bill (H. R. 6923) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. OUTHWAITE, Mr. MITCHELL, and Mr. BINGHAM managers at the further conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the following bills:

A bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia; and

A bill (H. R. 5119) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMPHILL, Mr. HEARD, and Mr. HARMER managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 1741) to vest the title of public square 1102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes, with amendments; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 5499) to amend an act entitled "An act approving

with amendments the funding act of Arizona," approved June 25, 1890.

A bill (H. R. 5974) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1893, and for other purposes; and

A bill (H. R. 6875) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1893, and for other purposes.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions of the Erminie Club, of Brooklyn, N. Y., and of the Palisade Hose Company, No. 4, of Yonkers, N. Y., in regard to the arrest in England of Dr. Thomas Gallagher, of Brooklyn, N. Y., and praying that steps be taken for his release from imprisonment; which were referred to the Committee on Foreign Relations.

He also presented a communication from Rev. E. F. Kluckholm, of Grandview, Iowa, stating that the four Sunday schools of that place are unanimously in favor of closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BLODGETT presented a petition of citizens of Rahway, N. J., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. SHERMAN presented the memorial of Mrs. M. D. Sperra and 11 other members of the Seventh-Day Adventist Church of Randolph, Ohio, and a memorial of 6 citizens of Mercer County, Ohio, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 11 citizens of Ohio, praying for the passage of the antioption bill; which was ordered to lie on the table.

Mr. JONES of Nevada presented a petition of citizens of Reno, Nev., and a petition of citizens of Carson City, Nev., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented the petition of Elliott F. Shepard, president of the American Sabbath Union, of New York, praying that no appropriation of Government money be made for the World's Columbian Exposition unless the exhibition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented a petition of 55 citizens of Cannonsburg, Pa.; a petition of 24 citizens of Independence, Pa., and a petition of 24 citizens of Van Buren, Pa., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

He also presented a petition of 109 citizens of Pennsylvania, praying that compensation be granted Jonas K. Shimp for his services as a scout during the war; which was referred to the Committee on Claims.

He also presented a petition of the Grace Presbyterian Sabbath school of Twenty-second and Federal streets, Philadelphia, Pa., praying that an appropriation of \$5,000,000 be made for the World's Columbian Exposition, on condition that the gates be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Northwest Branch of the Young Men's Christian Association of Philadelphia, Pa., remonstrating against any appropriation being made by Congress for the World's Columbian Exposition except on condition that the exhibition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented the petition of Harper S. Cunningham and 189 other ex-soldiers of the late war, citizens of Kansas, praying that an allotment be made of 80 acres to each of them of the public lands in the Cherokee Outlet be granted upon such condition and payments as may be determined upon; which was referred to the Committee on Public Lands.

He also presented the memorial of James Hackett and 132 other citizens of Galena, Kans., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BRICE presented a memorial of the Congregational Association of Ohio, representing 250 churches, remonstrating against the recently enacted Chinese exclusion bill in its present form; which was ordered to lie on the table.

He also presented the petition of Sarah E. Alltop, of Gore, Ohio, praying that a pension be granted her; which was referred to the Committee on Pensions.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Ross County, Ohio, praying for the free delivery of rural mails; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 20 prominent business men of Toledo, Ohio, praying for the defeat of the Hatch antioption bill; which was referred to the Committee on the Judiciary.

He also presented a petition of 43 citizens of Geauga County, Ohio, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

He also presented a petition of 51 citizens of Stark County, Ohio, praying for the passage of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

He also presented petitions collected by the National Woman's Christian Temperance Union of Ohio, containing 112 signatures; resolutions adopted by the Central Ohio Yearly Meeting of Free Baptists, of Ohio, representing 1,636 members, and a petition of the Young People's Society of Christian Endeavor of the First Presbyterian Church of Middletown, Ohio, praying that no exposition of exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of sundry churches of Canfield, Ohio; a memorial of four Methodist churches of Oak Harbor, Ohio; a memorial of the Independent Order of Good Templars of Findlay, Ohio; a memorial of the Ohio Christian Endeavor Union, of Akron, Ohio; a memorial of the Presbyterian Church of Hamden, Ohio; a memorial of the Congregational Association of Cleveland, Ohio; a memorial of the Young People's Society of Christian Endeavor of Clyde, Ohio, and a memorial of the Young People's Society of the United Presbyterian Church of Northfield, Ohio, remonstrating against the opening of the World's Columbian Exposition on Sunday, and praying that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of Typographical Union No. 63, of Toledo, Ohio, remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of Aggie B. Olds and 50 other members of the Seventh-Day Adventist Church of Waldo, Ohio, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the General Assembly of the Presbyterian Church of the United States, praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented the memorial of Thomas Thornton and 23 other members of the Seventh-Day Adventist Church of Fayette County, Ohio; the memorial of 61 members of the Seventh-Day Adventist Church of Delaware County, Ohio; the memorial of 63 members of the Seventh-Day Adventist Church of Cuyahoga County, Ohio, and the memorial of Dexter Parker and 30 other members of the Seventh-Day Adventist Church of Huron County, Ohio, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of District Grand Lodge, No. 2, of the Independent Order B'nai Brith, adopted at a meeting held in the city of Cleveland, Ohio, remonstrating against all governments having treaty relations with the United States whereby any citizens are discriminated against because of their religious faith, and demanding the enforcement accorded by right to all American citizens, etc.; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Union Veteran Legion, Encampment No. 31, of Newark, Ohio, remonstrating against the removal of charges of desertion except upon evidence that the case is a just and meritorious one, and when the person so charged had returned to duty after the charge of desertion had been recorded; which was referred to the Committee on Military Affairs.

He also presented a memorial of Encampment No. 16, Union

Veteran Legion, of Steubenville, Ohio, and a memorial of Encampment No. 55, Union Veteran Legion, of Mount Vernon, Ohio, remonstrating against the removal of charges of desertion except on evidence that the case is a just and meritorious one; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on Finance, to whom was referred the bill (H. R. 4270) for the relief of D. P. Abbott, A. S. Keeves, and T. E. Smith, reported it without amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 2398) for the relief of Henry W. Lee, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3147) to authorize the Gulf, Colorado, and Santa Fe Railway Company to purchase certain lands for station purposes in the Chickasaw Nation, Indian Territory, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1948) to authorize the Southern Kansas Railway Company to construct and maintain a pipe line from the North Fork of the Canadian River, Indian Territory, to said railroad, reported it without amendment.

Mr. VOORHEES, from the Committee on the Library, to whom was referred the bill (S. 330) for the relief of Theophilus Fisk Mills, reported it with an amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the joint resolution (S. R. 94) providing for the printing of the report of the Commissioner of Education for 1889-'90, asked to be discharged from its further consideration and that it be referred to the Committee on Printing, which was agreed to.

Mr. MANDERSON subsequently said: I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 94) providing for the printing of the report of the Commissioner of Education for 1889-'90, to report it back adversely. The joint resolution is reported adversely for the reason that the Committee on Printing have already acted upon a concurrent resolution of like import, and it has passed the Senate. I am at a loss to know how the joint resolution obtained the reference it did.

The VICE-PRESIDENT. The joint resolution will be postponed indefinitely.

Mr. MANDERSON. I am directed by the Committee on Printing to report an amendment intended to be proposed to the general deficiency appropriation bill. I ask that the amendment, with the accompanying petition, be printed and referred to the Committee on Appropriations. It refers to the compensation of a number of printers who are employed upon the CONGRESSIONAL RECORD, who believe—and I think properly—that they are entitled to consideration for a large amount of time they have been compelled to be idle when they were ready to work. I move that the proposed amendment be printed and referred, with the accompanying petition, to the Committee on Appropriations.

The motion was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom the subject was referred, reported a bill (S. 3406) to accept a bequest made by Gen. George W. Cullum for the erection of a memorial hall at West Point, N. Y., and to carry the terms and conditions of the same into execution; which was read twice by its title.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2772) for the relief of Seaton Norman, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 9144) to establish a railroad bridge across the Black River, in Arkansas, reported it without amendment.

Mr. PLATT, from the Committee on Indian Affairs, to whom was referred Miscellaneous Document No. 46, findings filed by the Court of Claims in the case of the New York Indians against the United States, submitted a report thereon, accompanied by a bill (S. 3407) to authorize the Court of Claims to hear and determine the claims of certain New York Indians against the United States; which was read twice by its title.

UMATILLA INDIAN RESERVATION.

Mr. VILAS. From the Committee on Indian Affairs I report back favorably with amendments the bill (S. 3048) granting to the Blue Mountain Irrigation and Improvement Company a right of way for reservoir and canals through the Umatilla Indian Reservation, in the State of Oregon.

Mr. MITCHELL. I ask unanimous consent that that bill be placed on its passage. It is a local measure of considerable importance, and is very brief.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ALLISON. I shall not object if it leads to no debate.

Mr. MITCHELL. If it leads to debate I shall not insist on it.

Mr. ALLISON. If it leads to debate I reserve the right to object.

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

The first amendment of the Committee on Indian Affairs was to strike out section 1 and insert in lieu thereof:

That the Blue Mountain Irrigation and Improvement Company, a corporation organized and existing under the laws of the State of Oregon, may purchase so much of sections 1 and 2 in township 1 south, of range 33 east, Willamette meridian, in the Umatilla Indian Reservation in the State of Oregon, as may be required by said company for the purpose of a reservoir, dam and grounds accompanying, out of lands allotted to, or which may have been selected for allotment by any Indians, if said company shall be able to agree with the Indian owners or allottees thereof upon the terms of such sale, and the Secretary of the Interior shall approve and ratify the same; but the said company shall have no right to compel the sale by any Indian owner or allottee of any lands for the purposes of a reservoir or dam or accompanying grounds. And said company may also take of the lands in said sections 1 and 2 in said reservation which have not yet been allotted so much additional land as shall be required for the purposes of a reservoir and dam and necessary grounds appurtenant thereto, upon making payment as hereafter provided in respect to the right of way. And upon and after acquiring by purchase as aforesaid, with the approval of the Secretary of the Interior, the necessary grounds for reservoir and dam, the right of way is hereby granted to said Blue Mountain Irrigation and Improvement Company for a main ditch or canal to commence at a point on McKay Creek north 6° west of corner to sections 1, 2, 11, and 12, township 1 south, range 33 east, Willamette meridian, thence running across said Indian reservation to the city of Pendleton, and to Umatilla River, with the right to divert the waters of McKay Creek and its tributaries and for such other purposes to construct and maintain reservoirs, dams, flumes, ditches, and such other structures and devices as may be necessary for storing, conveying, and distributing water at such points as said company may desire to use the same. But all the rights herein granted are upon the express condition that during their continuance the grantees or their assigns shall furnish to occupants of said lands on said reservation, so situated as to be capable of irrigation from any ditch constructed by them hereunder, water sufficient for purposes of agricultural and domestic uses and irrigation under such rules and regulations and on such terms as the Secretary of the Interior shall prescribe, and shall not divert or diminish the volume of water in said streams or exhaust either of them so far as to impair vested rights, or to hinder or prevent the occupants of lands on said reservation the full enjoyment of said streams, either for power, irrigation, or domestic purposes.

For the purpose of determining the fairness of any agreement of sale negotiated with any of said Indian owners or allottees, and the wisdom of their making such sale to said company, the Secretary of the Interior shall appoint such commissioners, not exceeding three in number, as he shall think fit, to personally inquire into and report to him the facts in respect to said matter, and he shall approve and ratify or disapprove any such agreement as he shall think the best interests of the Indians may require; and all expenses attending such inquiry shall be paid by the said Blue Mountain Irrigation and Improvement Company, security for the payment of which may be required in advance by the Secretary of the Interior.

The amendment was agreed to.

The next amendment was to add to section 2 the following:

But no land belonging to any Indian owner in severalty, or which shall have been selected for allotment by any Indian, shall be taken by the said company, nor shall the company have a right to take therefrom any material, stone, earth, or timber except by agreement with the said Indian owner approved by the Secretary of the Interior, or by first making compensation for the same, and any injury thereby caused to other lands of such Indian owner or allottee, to be determined by the Secretary of the Interior, after appraisal in the manner provided in section 1 of this act.

The amendment was agreed to.

The next amendment was to strike out section 3, and in lieu thereof to insert:

SEC. 3. That the Secretary of the Interior may appoint three commissioners to fix the amount of compensation to be paid the Indian owners or allottees for right of way for the said main ditch or canal of the said company, which shall include the value of the land taken therefor and all damages to other lands of such owner or allottee caused by such taking; and also to fix the amount of compensation to be paid for any lands of the tribe not allotted or selected for allotment by individuals which may be required by the said company for reservoir and dam and adjacent grounds, or for right of way, or for distributing ditches, which shall be fixed upon the same principle; and such compensation and damages shall be ascertained and adjusted and all surveys made pursuant to such regulations as the Secretary of the Interior shall prescribe, and shall be in all cases subject to his approval. In case of inability or refusal of any commissioner to act or continue in service after appointment the Secretary of the Interior shall by appointment supply such vacancy or vacancies so caused. The Secretary of the Interior shall fix the compensation of such commissioners, not exceeding that allowed to the commissioners appointed under the provisions of an act of Congress entitled "An act providing for the allotment of lands in severalty to the Indians residing upon the Umatilla Indian Reservation, in the State of Oregon, and granting patents therefor, and for other purposes," approved March 3, 1885, and the same shall be paid by the said Blue Mountain Irrigation and Improvement Company, and the Secretary of the Interior may require security for the payment thereof in advance of their appointment. The consent of the Indians upon said reservation to the granting of this right of way and the diversion of the water necessary to the accomplishment of the purposes of said company shall be obtained by said company in such manner as the Secretary of the Interior shall prescribe, before any right of way under this act shall accrue to this company. In all cases all lands which have been selected by any individual Indians upon said reservation for allotment shall be treated and regarded for the purposes of this act as belonging to such Indian allottee; but the Secretary of the Interior may hold any moneys agreed to be paid, or awarded to him, in compensation for lands sold or taken, or injuries resulting, until the approval by him of the allotment and the issuance of patent therefor; but the same shall then be paid over to, or invested for, such Indian owner, as the Secretary of the Interior in his discretion may see fit. Payment for land in said reservation held by

the Indians of said tribe in common, and of all damages awarded to them by reason of the construction of the dam and reservoir, ditch, or canal, are to be made to the confederated tribe in common occupying the reservation under the direction of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was to strike out section 5, and in lieu thereof to insert:

That the right of immediate entry upon the lands of said reservation for the purpose of making surveys of the line of the ditch or canal of said company is hereby granted, but no right of any kind in or to any part of the right of way or other grounds above mentioned shall vest in said company until plats thereof, made upon actual survey for the definite location of said ditch or canal, including the points for dams, reservoirs, and distributing ditches, with the amount of ground requisite for such purposes, shall be filed with the Secretary of the Interior, and until the compensation for said lands and for the services of said commissioners has been fixed and paid.

The amendment was 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.

Mr. MITCHELL. I ask that the bill be printed as amended and passed.

The VICE-PRESIDENT. It will be so ordered.

INDIAN AFFAIRS INVESTIGATION.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. MORGAN July 5, 1892, reported it without amendment:

Resolved, That the Committee on Indian Affairs be instructed, either by full committee or subcommittee or committees, as may be appointed by the chairman thereof, with the full power of such committee, to continue during the recess of Congress the investigations authorized by the resolutions of May 13, 1890, and February 27, 1891, with the authority and in the manner and to the extent provided in said resolution, and in the pursuance of such investigations to visit the several Indian reservations, Indian schools supported in whole or in part by the Government, and the five nations in the Indian Territory, or any reservation where, in the opinion of said committee, it may be necessary to extend their investigations.

2. That said committee, or subcommittee, shall have power to send for persons and papers, and to examine witnesses under oath touching the matters which they are hereby empowered to investigate, and may hold their sessions during the recess of the Senate at such place as they may determine; and the necessary and proper expense incurred in the execution of this order shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of said committee.

Mr. JONES of Nevada. I ask for the present consideration of the resolution.

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

Mr. HARRIS. I suggest to the Senator that he should give authority to administer oaths. The authority given in the resolution as read is to examine witnesses under oath, but I apprehend that it will be necessary that the committee should be clothed with power to administer oaths to witnesses.

Mr. MORGAN. I move to amend the resolution by inserting at the right place the power to administer oaths and to examine witnesses under oath.

Mr. HARRIS. The power to examine witnesses under oath is already in the resolution.

The VICE-PRESIDENT. The amendment proposed by the Senator from Alabama will be stated.

The CHIEF CLERK. In part 2 of the resolution, line 2, after the word "papers," strike out "and;" in the same line, after the word "to," strike out the words "examine witnesses under" and insert "administer;" in the same line strike out the word "oath" and insert "oaths;" and in line 3, before the word "touchings," insert "and to examine witnesses under oath."

The amendment was agreed to.

The resolution as amended was agreed to.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. MORGAN, April 11, 1892, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Indian Affairs have authority for the employment of a stenographer to report the hearings of March 5 and March 19, 1892, relative to allotments of lands in severalty to certain Indian tribes before a subcommittee of said committee, the compensation of said stenographer to be paid from the contingent fund of the Senate.

INVESTIGATION BY COMMITTEE ON MINES AND MINING.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. STEWART, June 27, 1892, reported it without amendment, and asked for its present consideration. The resolution was read, as follows:

Resolved, That the Committee on Mines and Mining, be, and it is hereby, authorized and directed, to investigate and report the average cost of the production of gold and silver bullion in the United States; and for that purpose the committee is hereby authorized to sit during the recess of the Senate, to employ a clerk, and the necessary expenses to be paid from the con-

tingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. VEST. I should like to inquire whether that information is not contained in the official reports of the Director of the Mint. I am under the impression that we have reports annually showing the amount of gold and silver produced in this country and in the different States and Territories from which the metals come. I am at a loss to understand how any committee of the Senate could add to that information.

Mr. JONES of Nevada. I can not hear what the Senator from Missouri says.

Mr. SHERMAN. I object to the consideration of the resolution now. It is a matter that should go over until to-morrow.

The VICE-PRESIDENT. Objection being made, the resolution will be placed on the Calendar.

REPORT ON COMMERCE WITH EUROPE.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following resolution, submitted by him June 30, 1892, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring therein), That there shall be printed 6,000 copies of the special report of the Chief of the Bureau of Statistics of the Treasury Department in regard to our commerce with the countries of Europe from 1870 to 1890, 1,000 copies for the use of members of the Senate, 2,000 copies for the use of the members of the House of Representatives, and 3,000 copies for distribution by the Bureau of Statistics.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3408) granting an honorable discharge to Decatur Dakin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HUNTON (by request) introduced a bill (S. 3409) to extend the jurisdiction of justices of the peace in the District of Columbia, and to regulate the proceedings before them; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. WHITE (by request) introduced a bill (S. 3410) to provide for the location and satisfaction of outstanding military bounty land warrants and certificates of location, under section 3 of the act approved June 2, 1858; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PETTIGREW introduced a bill (S. 3411) to increase the pensions of soldiers and sailors who have been totally disabled from performing any manual labor, and having one or more additional diseases resulting from the pensionable cause, who have to be under regular medical attendance at least one-half of the time, and that have drawn \$30 per month for the past five years; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GRAY introduced a bill (S. 3412) to remove the charge of desertion from the military record of John C. Carroll, alias John T. Johnson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. MORGAN (by request) introduced a bill (S. 3413) to incorporate the Washington, Deanwood and Benning Railway Company in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PASCO introduced a bill (S. 3414) to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola, Fla.; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO BILLS.

Mr. FRYE (by request) submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GEORGE submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the bill (H. R. 6005) to place binding-twine on the free list; which was referred to the Committee on Finance, and ordered to be printed.

FOURTH OF JULY CLAIMS.

Mr. MITCHELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 649) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Sen-

ate and agree to the same with an amendment as follows: In lieu of the paragraph proposed insert the following:

"Also to pay the heirs of H. Clothes, deceased, of Ballard County, Ky., on account of a claim heretofore audited by the Quartermaster-General in pursuance of an act of Congress approved March 2, 1891, §1,130: *Provided*, That the same shall be paid to the widow and heirs of H. Clothes, deceased, according to their respective interests as specified in House Executive Document No. 246, first session Fifty-first Congress."

And the Senate agree to the same.

JOHN H. MITCHELL,
JOHN B. ALLEN,
WM. F. VILAS,
Managers on the part of the Senate.

W. J. STONE,
JOHN C. HOUK,
B. J. ENLOE,
Managers on the part of the House.

The report was concurred in.

LYDIA A. MAGILL.

Mr. MITCHELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2401) for the relief of Lydia A. Magill, administratrix, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed, insert the following:

"*Provided*, That the Secretary of the Treasury shall be satisfied that the claim hereby appropriated for belongs wholly to the said Lydia A. Magill, as administratrix of the estate of John C. Magill, deceased, and that no other person is interested in the same."

And the Senate agree to the same.

JOHN H. MITCHELL,
W. A. PEPPER,
WM. F. VILAS,
Managers on the part of the Senate.

W. J. STONE,
JOHN C. HOUK,
B. A. ENLOE,
Managers on the part of the House.

The report was concurred in.

SILVER COINAGE.

Mr. PALMER. I ask consent to lay before the Senate for publication in the RECORD a very brief correspondence with the Secretary of the Treasury and the Director of the Mint in reference to silver. I ask that the correspondence be read and printed in the RECORD. It is very brief.

The VICE-PRESIDENT. The correspondence will be read. The Chief Clerk read as follows:

UNITED STATES SENATE, Washington, D. C., July 2, 1892.

SIR: I have the honor to request information upon the following points: First. What number of standard silver dollars of the coinage of the United States are, according to the Treasury estimates, now in circulation?

Second. What number of standard silver dollars of the coinage of the United States are now in the Treasury?

Third. What number of Troy ounces, or avoirdupois pounds of "silver bullion purchased with silver or coin certificates," are now in the Treasury?

Fourth. What length of time would it require with the present facilities of the mints of the United States to coin all the silver bullion in the Treasury, purchased with silver or coin certificates, into standard silver dollars?

Fifth. What number of standard silver dollars, at the present legal ratio, would the silver bullion in the Treasury, purchased with the silver or coin certificates, produce if coined?

I am aware that information upon some of the points presented by the foregoing questions is now in possession of the public, but I desire an official statement from the Treasury Department which will cover the points in the order above stated.

Respectfully,

JOHN M. PALMER.

HON. CHARLES FOSTER,
Secretary of the Treasury.

TREASURY DEPARTMENT, BUREAU OF THE MINT,
Washington, D. C., July 11, 1892.

SIR: I have to reply to the queries contained in your letter of the 2d instant, as follows:

1. The number of standard silver dollars in circulation July 1 was 56,779,484.

2. The number of silver dollars in United States Treasury July 1 was 387,189,251.

3. The amount of silver bullion purchased under the act of July 14, 1890, in the Treasury July 1, was 78,933,000 troy ounces of fine silver, or 5,412,548 avoirdupois pounds.

4. With the present facilities of the mints of the United States, it would require nearly two and one-half years to convert this bullion into silver dollars, doing no other coinage.

The bullion now in the Treasury purchased under the act of July 14, 1890, would coin 102,055,000 standard silver dollars.

Respectfully yours,

E. O. LEECH,
Director of the Mint.

HON. JOHN M. PALMER,
United States Senate.

Mr. MORGAN. What is the question on that paper?

Mr. CULLOM. None. It is going into the RECORD.

The VICE-PRESIDENT. The Senator from Illinois requests that the correspondence, which has been read, be printed in the RECORD.

Mr. MORGAN. I object to its going into the RECORD unattended with any explanatory remarks.

Mr. SHERMAN. Having been read, it has to go into the RECORD.

The VICE-PRESIDENT. It has already been read, and it will therefore appear in the RECORD.

Mr. MORGAN. No; it will go along with some remarks. If necessary, I will move to lay it on the table until to-morrow.

That is an argument, Mr. President, upon the silver question, concocted between the Senator from Illinois and the Secretary of the Treasury. It is an unfair argument, and the deductions that are sought to be drawn from it are untrue. I do not care about its going out to the country in that shape without being attended with some explanatory observations.

Those silver dollars that are mentioned there by the Secretary of the Treasury are none of them a legal tender for debt, and upon that proposition I will ask the honorable Senator from Illinois to reply when he gets the floor. I affirm again, that under the act of 1890 and under existing legislation none of those silver dollars are legal tenders for debts in the United States. They are made legal tenders provided the contract does not otherwise stipulate. When that bill was in committee of conference, I think, at all events when it came back to the Senate after it had been acted upon here and voted upon, this provision was found in the bill, that all of the money covered by the provisions of the act of 1890 should be legal tender for the payment of all debts, public and private, unless otherwise expressly stipulated in the contract.

Mr. President, that abandoned the people of the United States to the power of the holders of gold, which remained the only full legal-tender money in the United States, by contract, and deprived them of the privilege of paying their debts in anything except gold. The object of that provision was to resolve all of the indebtedness of the United States to a gold standard, if the parties chose so to stipulate.

Following up that idea you will scarcely find a bond issued by a corporation or to a corporation, you will scarcely find any large monetary transaction, no matter what the basis of the transaction may be, whether it is a loan of greenbacks or national-bank notes, or a loan of credit, or the sale of property, or anything else in which the stipulation is not found that the contract is payable in gold. The whole country is becoming filled up and will soon be entirely filled up in all transactions of an extensive nature, with the stipulation that the contracts shall be payable only in gold. So far as the United States Government is concerned, we have been informed recently by the Senator from Ohio [Mr. SHERMAN] that this Government has in its Treasury \$137,000,000, or thereabouts, of gold coin, and, out of that, \$100,000,000 is pledged for the redemption of the greenbacks, leaving \$37,000,000 of legal-tender coin, and only \$37,000,000 of legal-tender coin.

Mr. STEWART. Less than that. That was some time ago.

Mr. MORGAN. It is continually reducing. I have not kept up with the figures. You have to examine the subject day by day to keep up with the shrinkage. At all events, there is not exceeding now, independently of the money set apart for the redemption of the greenbacks in the Treasury, \$37,000,000 for the redemption of all the promises in paper of the United States, including national-bank notes, which we have ultimately to redeem, silver certificates, coin certificates, and any other form of currency except gold certificates.

Then the contracts of the people of the United States, under the invitation of Congress and under the assurance that there shall be no money received except gold as a legal tender, are running into that description rapidly, and it is scarcely beyond the bounds of reality to say to-day that more than one-half of the large transactions in the United States, including the bonds which have been issued in the last three years, are payable in gold coin. A pay-day has got to arrive upon these obligations sooner or later, and upon many of them it will arrive very soon. When that day arrives how are these people going to pay their debts? If the Senator from Ohio, for instance, has got a contract for a million dollars payable in gold, and you offer him a million dollars in legal-tender coin, he will refuse to receive it. So he would in greenbacks, and so he would in national-bank notes.

Mr. SHERMAN. I hope the Senator will not use me as an object-lesson, because I have no such contract at all.

Mr. MORGAN. The Senator will have such contracts if he has not got them now. I dare say his partners in business have many of them.

Mr. SHERMAN. I have none at all.

Mr. MORGAN. He can not deny that fact. The corporations, the banks with which the Senator is connected, have contracts of that sort, and will not take any other kind. The Senator does not deny it.

Mr. SHERMAN. Is this in order, or are there any rules of order in the Senate?

The VICE-PRESIDENT. There is no pending question before the Senate. Debate can only continue by unanimous consent.

Mr. MORGAN. I have unanimous consent. Nobody has objected yet.

The VICE-PRESIDENT. Is there objection to the Senator from Alabama continuing his remarks? The Chair hears none. The Chair will state that the papers which have been read without objection will be printed in the RECORD unless the Senate otherwise orders.

Mr. MORGAN. Now, Mr. President, I desire to say—and I am going to be very brief about this, but I want to be as plain as I can speak in the English language—that the people of the United States have been corralled by these laws and have been forced into a position from which there is no possible escape unless we improve our legal-tender laws. We have got to make the creditor class of this country receive the greenbacks, for instance, and all other legal tenders which are declared legal tender by the Supreme Court, in full satisfaction of a debt when tendered to the proper amount, without reference to the contract which may ascertain the sum of money that is due from the one party to the other.

I take occasion here to repeat what I said the other day on this floor, that there is no civilized country in this world, nor even a semicivilized country, which has left its people without the advantages and the protection of a legal-tender law. I mentioned this subject to the honorable Senator from Indiana, who is now giving me his attention [Mr. TURPIE], and he said it was of part and parcel with the writ of habeas corpus, and touched the personal liberties of the people, touched the protection of their property. We have brought our people to that terrible condition where they will find all of their own personal debts and the debts of the Government maturing with great rapidity, and we have not given them the protection of any law by which they can pay any debt except in gold coin. If I go to one of these capitalists, being a poor man, to borrow money for any necessity which the providence of God may devolve upon me, and he says, "Here are greenbacks, here are Treasury notes, and the like, but you must give me a gold note in place of them," I ask, "Why do you want a gold note?" "Because when that debt matures I can put the screws upon you, I can put the power of gold upon you, and I can compel you to sacrifice twice or thrice or four times the amount of property in the payment of this debt, which you would be compelled to do if the Government of the United States had provided in its laws that every dollar which it called a legal tender should be in fact a legal tender."

Mr. President, there is not such a lie written on any statute book on earth as that which pretends to call the money described in the act of 1890 a legal tender. It is false all the way from heaven to hell, undeniably and wickedly false, deceiving the people and putting them upon a precipice, over which they must suddenly tumble whenever the debts become matured. We put our people deliberately in the power of the men who hold gold in this country, and say to them "demand of your debtor, no matter who he may be or what the circumstances may be that occasioned the debt, or be the amount of the debt great or small—demand of your debtor a gold contract; and when you have done that, and operating upon the leverage of his necessities, you have compelled him to subscribe it, he is in your hands for such mercy only as you personally may choose to show him."

Mr. President, a country which has no different law from that, is not republican in form, certainly it is not democratic. When the Democratic party in its convention at Chicago recently demanded the repeal of this law of 1890, that, sir, was the chief feature at which that great convention struck. Take out of that law that lie, take out of it that false pretense, take out of it that encouragement and protection to the holders of gold which enables them to demand of their debtors gold for every contract they may make, otherwise business must stop and money must be withheld from trade. We talk about silver bills, the remonetization of silver, and the like. Sir, that is one of the things which are necessary in order to get a substantial coin legal-tender basis for our promises, but the free coinage of silver, the remonetization of silver, or the recoinage of silver is a mere bagatelle when compared with the removal of this odious feature from the act of 1890.

With a view of keeping it there, that correspondence has taken place; with a view of obstructing and overthrowing that demand of the convention in Chicago that the act of 1890 should be repealed, that correspondence has taken place. That is the only argument which can be deduced from it with any degree of rationality; and I stand here to protest against the argument and to say that it is intended to bolster up the most iniquitous surrender which ever was made in a law of the people who belong to the debtor and buying classes to those who hold credit and money stored up to be used at their pleasure.

Mr. ALLISON obtained the floor.

Mr. STEWART. Mr. President, I ask unanimous consent to make some remarks. I do not want to indulge in any extended debate.

The VICE-PRESIDENT. The Chair has recognized the Senator from Iowa [Mr. ALLISON].

Mr. VOORHEES. I request that this matter may be passed over for the transaction of morning business.

Mr. STEWART. I merely want to make a remark.

Mr. VOORHEES. I do not object to the Senator from Nevada making his remark, but there is some morning business yet to be presented, and it is unfair to morning business that an extended debate should occur at this time.

Mr. STEWART. I do not want to address the Senate at any length.

Mr. ALLISON. I desire to say one word in respect to morning business. If we can proceed in the usual way, I shall not object; but if we are to have discussion continued upon various topics, I desire to move now to proceed to the consideration of the sundry civil appropriation bill, and test the sense of the Senate whether or not we expect to finish the appropriation bills.

Mr. SHERMAN. I have some morning business.

Mr. ALLISON. I will yield for morning business.

SHIPMENTS OF RUM TO AFRICA.

Mr. SHERMAN. I submit a resolution, which I ask to have considered at this time, to which I think there will be no objection.

Mr. COCKRELL. Let it be read for information.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Secretary of the Treasury is directed to communicate to the Senate a statement of the several shipments of rum from Boston to Africa, together with the names of the consignors, during the fiscal year ending June 30, 1892.

Mr. CHANDLER. I suggest to the Senator to say "and other ports of the United States."

Mr. SHERMAN. I have no objection to that.

Mr. ALLISON. I suggest a further modification there by inserting "and all the ports of the United States."

Mr. SHERMAN. I am told that the shipments are mainly from the port of Boston, but still I have no objection to saying "and all the ports of the United States."

The VICE-PRESIDENT. The modification will be stated.

The CHIEF CLERK. After the word "Boston" it is proposed to insert "and all the ports of the United States."

Mr. HAWLEY. Why not say "from the United States," and be done with it? Why select one particular city?

Mr. SHERMAN. This resolution refers to a matter pending in the Committee on Foreign Relations in regard to the traffic in rum with Africa, and I am informed that there are large shipments from Boston. The committee would like to have the information.

Mr. HAWLEY. Why instance any particular port? Boston may send more than any other port; but why not ask for all of the information from all ports?

Mr. SHERMAN. Instead of saying "Boston" I will say "from all ports of the United States."

The VICE-PRESIDENT. The resolution will be read as now proposed to be modified.

The Chief Clerk read as follows:

Resolved, That the Secretary of the Treasury is directed to communicate to the Senate a statement of the several shipments of rum from all ports of the United States to Africa, together with the names of the consignors, during the fiscal year ending June 30, 1892.

The VICE-PRESIDENT. The question is on the resolution as modified.

The resolution as modified was agreed to.

ARBITRATION LABOR COMMISSION.

Mr. VOORHEES. I ask leave to submit resolutions, which I ask to have read and considered at the present time if they do not lead to debate. If they do lead to debate I shall ask to have them go over until to-morrow.

The VICE-PRESIDENT. The resolutions will be read.

The Chief Clerk read as follows:

Resolved, That in all disagreements and controversies between employed laborers and the owners of capital who employ them, the principle of prompt and peaceful arbitration should be embraced by both parties and put into practical operation for a settlement of difficulties; that a refusal to arbitrate the differences and conflicting interests between labor and capital, and a resort to force, violence, and bloodshed for their solution and adjustment are methods inconsistent with the principles and the existence of free government; at war with the enlightened and Christian spirit of the age in which we live, and fraught with extreme danger to social order and to all the rights of persons and the security of property.

Resolved, That the Committee on Education and Labor be, and is hereby, instructed to inquire into the expediency and propriety of preparing and reporting to the Senate a bill making provision for a commission of labor in accordance with the special message and recommendation of the President of the United States, dated April 22, 1886; a copy of which said message is herewith appended and made a part of these resolutions, as follows:

To the Senate and House of Representatives:

The Constitution imposes upon the President the duty of recommending to the consideration of Congress from time to time such measures as he shall judge necessary and expedient.

I am so deeply impressed with the importance of immediately and thoughtfully meeting the problem which recent events and a present condition have

thrust upon us, involving the settlement of disputes arising between our laboring men and their employers, that I am constrained to recommend to Congress legislation upon this serious and pressing subject.

Under our form of government the value of labor as an element of national prosperity should be distinctly recognized, and the welfare of the laboring man should be regarded as especially entitled to legislative care. In a country which offers to all its citizens the highest attainment of social and political distinction, its workmen can not justly or safely be considered as irrevocably consigned to the limits of a class and entitled to no attention and allowed no protest against neglect.

The laboring man bearing in his hand an indispensable contribution to our growth and progress may well insist with manly courage and as a right upon the same recognition from those who make our laws as is accorded to any other citizen having a valuable interest in charge; and his reasonable demands should be met in such a spirit of appreciation and fairness as to induce a contented and patriotic cooperation in the achievement of a grand national destiny.

While the real interests of labor are not promoted by a resort to threats and violent manifestations, and while those who, under the pretexts of an advocacy of the claims of labor, wantonly attack the rights of capital, and for selfish purposes or the love of disorder sow seeds of violence and discontent should neither be encouraged nor conciliated, all legislation on the subject should be calmly and deliberately undertaken with no purpose of satisfying unreasonable demands or gaining partisan advantage.

The present condition of the relations between labor and capital is far from satisfactory. The discontent of the employed is due in a large degree to the grasping and heedless exactions of employers and the alleged discrimination in favor of capital as an object of governmental attention. It must also be conceded that the laboring men are not always careful to avoid causeless and unjustifiable disturbance.

Though the importance of a better accord between these interests is apparent, it must be borne in mind that any effort in that direction by the Federal Government must be greatly limited by constitutional restrictions. There are many grievances which legislation by Congress can not redress, and many conditions which can not by such means be reformed.

I am satisfied, however, that something may be done under Federal authority to prevent the disturbances which so often arise from disputes between employers and the employed, and which at times seriously threaten the business interests of the country; and in my opinion the proper theory upon which to proceed is that of voluntary arbitration as the means of settling these difficulties.

But I suggest that instead of arbitrators chosen in the heat of conflicting claims, and after each dispute shall arise, for the purpose of determining the same, there be created a commission of labor, consisting of three members, who shall be regular officers of the Government, charged among other duties with the consideration and settlement, when possible, of all controversies between labor and capital.

A commission thus organized would have the advantage of being a stable body, and its members, as they gained experience, would constantly improve in their ability to deal intelligently and usefully with the questions which might be submitted to them. If arbitrators are chosen for temporary service as each case of dispute arises, experience and familiarity with much that is involved in the question will be lacking, extreme partisanship and bias will be the qualifications sought on either side, and frequent complaints of unfairness and partiality will be inevitable. The imposition upon a Federal court of a duty so foreign to the judicial function as the selection of an arbitrator in such cases, is at least of doubtful propriety.

The establishment by Federal authority of such a bureau would be a just and sensible recognition of the value of labor, and of its right to be represented in the departments of the Government. So far as its conciliatory offices shall have relation to disturbances which interfered with transit and commerce between the States, its existence would be justified, under the provisions of the Constitution, which gives to Congress the power "to regulate commerce with foreign nations and among the several States." And in the frequent disputes between the laboring men and their employers, of less extent and the consequences of which are confined within State limits and threaten domestic violence, the interposition of such a commission might be tendered, upon the application of the Legislature or executive of a State, under the constitutional provision which requires the General Government to "protect" each of the States "against domestic violence."

If such a commission were fairly organized, the risk of a loss of popular support and sympathy resulting from a refusal to submit to so peaceful an instrumentality would constrain both parties to such disputes to invoke its interference and abide by its decisions. There would also be good reason to hope that the very existence of such an agency would invite application to it for advice and counsel, frequently resulting in the avoidance of contention and misunderstanding.

If the usefulness of such a commission is doubted because it might lack power to enforce its decisions, much encouragement is derived from the conceded good that has been accomplished by the railroad commissions which have been organized in many of the States, which, having little more than advisory power, have exerted a most salutary influence in the settlement of disputes between conflicting interests.

In July, 1884, by a law of Congress, a Bureau of Labor was established and placed in charge of a Commissioner of Labor, who is required to "collect information upon the subject of labor, its relations to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity."

The commission which I suggest could easily be ingrafted upon the Bureau thus already organized, by the addition of two more commissioners and by supplementing the duties now imposed upon it by such other powers and functions as would permit the commissioners to act as arbitrators when necessary between labor and capital under such limitations and upon such occasions as should be deemed proper and useful.

Power should also be distinctly conferred upon this Bureau to investigate the causes of all disputes as they occur, whether submitted for arbitration or not, so that information may always be at hand to aid legislation on the subject when necessary and desirable.

GROVER CLEVELAND.

EXECUTIVE MANSION, April 22, 1886.

Mr. HALE. I ask that the resolutions may lie over a day. I wish to examine them and see how much further they go than the arbitration which is provided for in the act of October 1, 1888.

The VICE-PRESIDENT. The resolutions will lie over and be printed.

PAYMENT OF SIOUX INDIAN SCOUTS.

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

Resolved, That the Secretary of the Interior be directed to report what disposition he has made of the moneys appropriated under section 27, page 1038,

volume 26, Statutes at Large, Fifty-first Congress, to pay the scouts and soldiers of the Sisseton, Wahpeton, Medawakanton, and Wapakoota bands of Sioux Indians, the amount paid each scout, the amount paid any attorney, and the authority in each case for deducting the sum paid to any attorney from the amount due said scouts.

PAYMENT TO ATTORNEYS FROM INDIAN FUNDS.

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

Resolved, That the Secretary of the Interior be directed to report what sums of money, if any, have been paid to attorneys by his direction out of any appropriations made by the Fifty-first Congress for any Indian tribe, and the authority on which such payment, if any, has been made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had appointed Mr. ROCKWELL a manager at the conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 23 to the bill (H. R. 6923) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes, in place of Mr. MITCHELL, excused.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5746) to refund certain revenue taxes to Bonner & Merriman.

The message further announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 144 to the bill (H. R. 6746) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 402) to establish a division line between land of the United States and the Pittsburg, Fort Wayne and Chicago Railroad Company, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. AMERMAN, Mr. MCRAE, and Mr. TOWNSEND managers at the conference on the part of the House.

The message further announced that the House insisted upon its amendments to the bill (S. 2137) to amend an act entitled "An act amending the pension laws so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States, and have become disabled," approved March 3, 1877, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN, Mr. HARRIS, and Mr. JOLLEY managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 2022) granting the right of way to The Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting United States military reservation in the city of Columbus, Ohio, in which it requested the concurrence of the Senate.

EXCLUSION OF CHINESE.

Mr. ALLISON. Is the morning business concluded?

Mr. DOLPH. I ask the Senator from Iowa to allow me to call up a bill which will only take a moment. It is a very brief bill, and as I shall be compelled to leave the city for a couple of days, I should like to have it disposed of now. It is Order of Business 921. If it leads to any discussion whatever or takes any time, I shall let it pass over. It is simply to change a word in a section of the law in regard to the exclusion of Chinese.

Mr. ALLISON. Provided it does not lead to debate, as I understand it is a bill of public importance, I will yield to the Senator.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3360) to amend section 6 of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892.

It proposes to amend section 6 of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, so as to read as follows:

SEC. 6. That it shall be the duty of all Chinese laborers within the limits of the United States at the time of the passage of this act, and who are entitled to remain in the United States, to apply to the collector of internal revenue of their respective districts, within one year after the passage of this act, for a certificate of residence, and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act, or who, after one year from the passage hereof, shall be found within the jurisdiction of the United States without such certificate of resi-

dence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs official, collector of internal revenue or his deputies, United States marshal or his deputies, and taken before a United States judge, whose duty it shall be to order that he be deported from the United States, as hereinbefore provided, unless he shall establish clearly to the satisfaction of said judge that by reason of accident, sickness, or other unavoidable cause he has been unable to procure his certificate, and to the satisfaction of the court, and by at least one credible witness, not a Chinese person or person of Chinese descent, that he was a resident of the United States at the time of the passage of this act; and if upon the hearing it shall appear that he is so entitled to a certificate, it shall be granted upon his paying the cost. Should it appear that said Chinaman had procured a certificate which has been lost or destroyed, he shall be detained and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the cost of said arrest and trial shall be in the discretion of the court. And any Chinese person other than a Chinese laborer, having a right to be and remain in the United States, desiring such certificate as evidence of such right, may apply for and receive the same without charge.

Mr. GALLINGER. I should like to inquire of the Senator from Oregon what change the bill makes?

Mr. DOLPH. The only change is in the clause of the Chinese exclusion act where it provides that Chinamen shall prove certain facts by at least one credible white witness, to strike out the word "white" and make it read "one credible witness, not a Chinese person or person of Chinese descent." That was the intention of the committee; but by inadvertence the word "white" was inserted, which was criticised on the floor when the conference report was under consideration, but there was no time then to amend the bill.

Mr. GALLINGER. The law now requires, as I understand, that the witness shall be a "white" person and it is proposed to change that.

Mr. DOLPH. The only change made in the law is to strike out the word "white" before the word "witness;" so as to read "one credible witness, not a Chinese person or a person of Chinese descent."

Mr. PALMER. Is the bill before the Senate for consideration now?

The VICE-PRESIDENT. It is.

Mr. KENNA. How?

The VICE-PRESIDENT. It was taken up by unanimous consent of the Senate.

Mr. PALMER. If the bill is before the Senate, I desire to move to strike out that portion of it which renders a Chinaman incompetent to testify. I desire very much to take the sense of the Senate upon the question.

Mr. DOLPH. There is no provision which renders Chinese incompetent to testify. The license may be obtained during the year under the old law, and under this proposed law upon Chinese testimony entirely; but if after a year the Chinese laborer has neglected or refused to obtain the certificate, in addition to showing that he is entitled to the certificate he must show by one white witness, the old law read, and the amendment provides for one witness, not a Chinese person, that he was here at the time the act was passed. That is all there is of it.

Mr. PALMER. I understand that.

Mr. DOLPH. It is to get rid of the word "white" before the word "witness" in the original act.

Mr. PALMER. I was surprised when the bill to which this amendment is proposed passed, that its author should have sought to make incompetent to testify men of all other colors than white. It is not for me to suggest to gentlemen who have the interests of other people of other colors under their special charge, that it was going back a long time to revive an old rule; but this bill presents the simple question whether Chinese persons shall be allowed to testify under the circumstances. The provision is that their testimony shall not be taken. I protest that the principle is wrong, and it would surprise me very much if this Senate should now consent to the rule that men are prohibited from testifying in courts of justice on account of their race or descent.

I protest that it is contrary to the spirit of the age, it is contrary to the principles of sound and honest investigation. The bill is sufficiently barbarous, but this is adding to it and making it still more so by providing that the testimony of certain persons shall not be received upon an issue which is important to a party whose rights are on trial. I move to strike out that portion of the bill to which I refer.

Mr. ALLISON. This bill will lead to debate, and I object to its further consideration.

The VICE-PRESIDENT. Objection being made the bill will go over.

ARMY APPROPRIATION BILL.

The VICE-PRESIDENT. The Chair lays before the Senate a conference report, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 23 to the bill (H. R. 6923) "making appropriations for the support of the Army for the fiscal year ending

June 30, 1893, and for other purposes," having met, after full and free conference have been unable to agree.

WM. M. STEWART,
W. B. ALLISON,
JO. C. S. BLACKBURN,
Managers on the part of the Senate.
JOS. N. OUTHWAITE,
JNO. L. MITCHELL,
Managers on the part of the House.

Mr. PLATT. What is the character of that amendment?

Mr. STEWART. It has reference to compensation for the transportation of troops and Army supplies over the non-bonded lines of railroad.

I move that the Senate still further insist on its amendment and consent to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. ALLISON, and Mr. BLACKBURN were appointed.

DISTRICT APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the conference report on the District of Columbia appropriation bill.

The VICE-PRESIDENT. The Chair lays before the Senate the conference report referred to, by the House of Representatives, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 144 to the bill (H. R. 6746) "making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 144 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following:

"For the proper and legitimate expenses attending the reception and entertainment of such honorably discharged Union soldiers, sailors, and marines who served in the war of the rebellion, as may attend, as delegates or otherwise, the twenty-sixth national encampment of the Grand Army of the Republic in the city of Washington, in the District of Columbia, and attending the preparation for such reception and entertainment, \$80,000, or so much thereof as may be necessary, to be paid wholly from the revenues of the District of Columbia, after a fund of \$50,000 subscribed by the citizens of the District of Columbia for the foregoing purposes shall have been paid and exhausted under such regulations as may be prescribed by the Secretary of War. The sum hereby appropriated shall be paid to and be disbursed by the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War, who shall report to Congress at its next session in detail the purposes for which said sum was expended; and the Secretary of War is hereby authorized to grant permits for the use of any reservation or other public space in the city of Washington for reunion or camp purposes connected with such encampment, and which in his opinion will inflict no serious or permanent injury upon such reservation or other public space; and the Commissioners of the District of Columbia may designate for such or other purposes such streets, avenues, and sidewalks in the District as they may deem proper and necessary therefor."

And the Senate agree to the same.

W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.
ALEXANDER M. DOCKERY,
BARNES COMPTON,
D. B. HENDERSON,
Managers on the part of the House.

The report was concurred in.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

Mr. ALLISON. Mr. President, when the Senate adjourned yesterday the amendment of the Senator from Pennsylvania [Mr. QUAY] to the amendment of the Committee on Appropriations was under consideration, and I made some criticisms respecting its phraseology. I suggest to him whether it will not be satisfactory to modify his amendment by inserting after the words "has been" the words "or will be;" so as to read:

And that provision has been or will be made by the proper authority for the closing of the Exposition on the first day of the week, commonly called Sunday.

That will obviate my objection to the phraseology.

Mr. QUAY. If that relieves the difficulty of the Senator from Iowa, I will agree to it, but it seems to me it is vesting a very large discretion in the Secretary of the Treasury and imposing a very grave responsibility upon him, but I have no doubt he is accustomed to such discretion, and will properly carry out what is the manifest intention of Congress.

The VICE-PRESIDENT. The amendment of the Senator

from Pennsylvania to the amendment of the committee will be read as proposed to be modified.

The SECRETARY. On page 122, line 13, in the amendment of the committee, after the word "act," it is proposed to insert:

And that provision has been or will be made by the proper authority for the closing of the Exposition on the first day of the week, commonly called Sunday.

The VICE-PRESIDENT. The question is on the amendment to the amendment as modified.

Mr. HAWLEY. If the Senator from Iowa is really satisfied that that will remove all the objections he urged to the amendment yesterday, I should be disposed to concur with him; but it seems to me that that does not meet the objection. Will the effect of this amendment be to close the Exposition on Sunday?

Mr. QUAY. The effect, as I understand will be to prevent the payment of any money from the Treasury until the Secretary of the Treasury is satisfied that arrangements have been made or will be made by the proper authorities for the closing of the Exposition on Sunday. I think that is the way the section will read if the amendment as modified is agreed to. That is my understanding, at least.

Mr. HAWLEY. That, after all, does not entirely clear the responsibility of the United States Government. There has been a very large sum of money already given to the Exposition, and I hope that more will be given. I want everything done that is necessary to make it entirely successful. We are committed to it, and honorably committed to it, and can not retreat; and, as I have said, a large sum of money has been already given.

Now, suppose that the Commission decline to receive this contribution and open the Exposition on Sunday, then we are committed to a course which might easily be prevented and that which is asked for by 3,000,000 petitioners and I have no doubt is desired by more than 40,000,000 of the people of the United States, which is a simple declaration, relieving everybody from embarrassment and clearing away all doubt, that the Exposition shall be closed on Sunday. We shall then have done with it. That is what the Senator from Pennsylvania desires, I know.

Mr. QUAY. I do not understand that the adoption of the modified amendment will prevent the insertion of a clause such as the Senator from Connecticut describes. If he moves an amendment of that character, and the amendment I have proposed as modified will dispose of the objection of the Senator from Iowa [Mr. ALLISON], it will enable the money, as I understand, to be paid immediately from the Treasury if the Secretary of the Treasury can be satisfied by the proper authorities that the Exposition will be closed on Sundays and then at any other point in the bill the Senator from Connecticut can move the amendment which he suggests, either at the close of this section or at the close of the previous paragraph on page 41, where it would come in properly.

Mr. HAWLEY. I understand that the Senator from Pennsylvania intended to follow this up with an amendment of the provision on page 41 to which he refers.

Mr. QUAY. I understood that motion was made by the Senator from Connecticut [Mr. HAWLEY], but I am perfectly willing to make it.

Mr. HAWLEY. I would prefer that it should be settled directly here. The Senator will find, if this amendment is adopted, when he comes to propose the other one, which is an absolute prohibition, that he will be met with the answer that we have already taken care of it sufficiently on page 122.

Mr. HISCOCK. I desire to inquire of the Senator from Connecticut [Mr. HAWLEY] and the Senator from Iowa [Mr. ALLISON] if the amendment the Senator proposes—

Mr. HAWLEY. I have not proposed any.

Mr. HISCOCK. Then the amendment the Senator has stated—if there is anything in this bill in the form in which it stands which creates a condition precedent as to the payment of the money, or in any way prohibits the corporation organized under the laws of the State of Illinois from opening the Exposition on what day it pleases or closing it on what day it pleases? My understanding is that the corporation, under their corporate power, have the absolute control of that question. It is true, however, that in respect to the contribution of money such a condition may be imposed by Congress as a condition precedent to the payment of that money as would render it impossible for that corporation to open the Exposition on Sunday.

I do not regard the question as presented as purely a religious one, certainly it is not a sectarian one as is manifest. There is a very large body of people in the United States who are opposed to the Exposition being opened on Sunday, so large that, in my judgment, deference should be paid to them.

I said this is not absolutely a religious question, certainly it is not a sectarian question, for the reason that the United States Government is practically at the bottom of this Exposition. As I

understand the Senator from Connecticut to say, certainly when the Government puts this \$5,000,000 into the Exhibition in addition to what it has already done, it is one of the principal promoters of the Exposition, it is one of the operators of it, or ought to be.

I do not speak of it as a show in any sense that would condemn it, but the fact is that the United States is furnishing the money and engaging in the great business of a World's Fair.

Mr. President, the Government is engaged in the business of this Exposition, and Congress finds itself the primary manager. The question is, on this line of business in which we are embarking, or are embarking the Government, do we propose to limit the Exposition to six days in the week? That is the question before us?

I believe that incorporating into this bill a provision—and I call the attention of the Senator from Connecticut [Mr. HAWLEY] to it—that the Exposition shall be closed on Sunday would have no effect whatsoever, not the slightest, except so far as the Illinois corporation should see fit to recognize and accept it. In my judgment there is but one way to absolutely enforce the closing of the Exposition on Sunday, and that is to make in some form or other the payment of this money to depend upon guaranties from the Illinois corporation that the Exposition shall be closed upon Sunday or that arrangements have been made insuring it being closed on Sunday.

As I said earlier, the question is whether or not the Government of the United States in this matter shall enter into the business of having the Exposition open on Sunday and collecting pay for it to reimburse it for the money it has paid, to recover back or receive back or to enable itself to receive back the money which it has expended there. Does it desire, as a business proposition, to keep this business running upon Sundays? That is the question. I believe there are no corporations, unless in case of great emergency, that demand it or engage in business on that line. Private individuals certainly do not. Shall the Government set the example and say, We will run an exposition, we will have an exposition which shall be open on Sunday, and we will collect money to reimburse our Treasury for money that has been paid for the plant for the establishment; that to accomplish that we will have this Exposition open on Sunday? I am opposed to it in that line.

I confess, Mr. President, that I like the proposition of the Senator from Pennsylvania [Mr. QUAY], and certainly, if it can be strengthened in that particular, I should desire that it be strengthened, that there should be given either an absolute guaranty or assurances that will not be violated, in one form or the other, before the money is paid. I care more for that than I do for the amendment suggested by the Senator from Connecticut [Mr. HAWLEY], which, in my judgment, would have no binding effect, except, perhaps, in the way of sentiment, on the corporation that is to manage the affairs of this Exposition and determine when it shall be open and when it shall be closed.

Mr. ALLISON. Mr. President, I only desire one word in response to the Senator from New York [Mr. HISCOCK]. Either I misunderstand or misapprehend the general scheme of organization of the World's Exposition, or the Senator from New York is mistaken as respects the power of this local board.

As I understand it, this is a sort of dual corporation, or double-headed corporation, if you please, wherein the consent of two different corporations or authorities is necessary in order to accomplish the purpose, especially the purpose indicated by the Senator. As I understand it, this local corporation makes rules and regulations for exhibitors and for the public, which rules and regulations are subjected to the scrutiny and care of the other corporation, which latter corporation can modify, change, or reject entirely these rules of the local corporation.

Then, so far as the general management of this Exposition is concerned, it is practically under the control of the United States. All exhibitors at this Fair are under the control of the Commission created by us. All the awards and everything relating to exhibitors are under the control of the National Commission which was organized by the law reported from the committee of which the Senator from New York [Mr. HISCOCK], I believe, was chairman.

So then under section 7, to which the Senator alluded last evening, the control of this Exposition—

Mr. HISCOCK. Right there, may I ask the Senator who owns the property?

Mr. ALLISON. Of this Exposition?

Mr. HISCOCK. Yes.

Mr. ALLISON. It is owned by the corporation which will have control of that property after the Exposition closes. But if these amendments which are proposed here shall be adopted and incorporated into the law respecting this subject the United States will own this property, or one-third of it, and will have control of its disposition after the Exposition shall be closed. It

will have the control of the regulation of admission of people to this Exposition, as it has now.

But under these amendments, taken altogether, there must be a monthly return to the Secretary of the Treasury of every receipt on account of this Exposition, of every expenditure made on its account, so that the limited partnership which we have had with this Exposition heretofore will be enlarged and amplified, and we shall have as much control over the general expenditure of the money as will the local directors.

Mr. HISCOCK. Where is the clause in this bill that gives the Government control of one-third of this property?

Mr. ALLISON. I speak of one-third in a general way, because the subscribers have subscribed \$10,500,000—

Mr. HISCOCK. My question is, where is the title to this real estate? Where is the title to the land upon which these buildings are erected? Where is the title to the buildings, except under some arrangement made by the various States for which they have been erected?

Mr. ALLISON. Where a State owns a building I presume the State controls it.

Mr. HISCOCK. What I intended to say was this: That practically the corporation created under the laws of the State of Illinois has the control of this Exposition. Now the General Government has contributed money to assist that corporation in carrying on this Exposition.

Mr. ALLISON. It has not yet done it.

Mr. HISCOCK. It proposes to do it. We can put into this bill provisions which make those contributions dependent upon certain regulations being observed. Unless that is done I say to the Senator that, in my judgment—which I would not put against his judgment—the absolute control of the Exposition will be in the hands or in the power of the Illinois corporation. They have the title to the property.

I do not mean to say that that corporation in that case would be a "wicked partner" of the United States. I am not making that argument. I am simply suggesting that if it is our intention to see that this Exposition is closed on Sunday it would be better to put it in the bill or in the law in that way. That is always proper.

Mr. ALLISON. Mr. President, I am not controverting the suggestions made by the Senator from New York at this moment. I am simply controverting the suggestion on his part that this is purely and solely a local corporation. If it is, then we are not absolutely secure unless we accept a bond from this local corporation providing that if they keep this Exposition open on Sunday they shall pay us back this money.

We have put in various clauses in the bill with reference to the management of this Exposition. One is that vouchers should be returned to the Secretary of the Treasury in regard to every expenditure, and that a monthly report shall be made of receipts from all sources before and during the progress of the Exposition. Another is that within thirty days after the close of the Exposition, as now provided by law, a statement of all the receipts and disbursements by the World's Columbian Exposition shall be made, and a copy shall be filed with the Secretary of the Treasury. The real estate is not owned by the Commission; it is simply erecting its buildings in a park which is owned by the city of Chicago, as I understand it; and there is a provision that all property shall be sold within a reasonable time, to be fixed by the Secretary of the Treasury, and upon due ascertainment thereof there shall be paid to the Secretary of the Treasury of the United States such proportion, etc. So that this bill is full of clauses and conditions.

Mr. GEORGE. I desire to ask the Senator a question for information. I confess I have not yet become as familiar with the literature on this subject as perhaps I ought to be, but I would like to know whether this corporation is organized under a charter granted by the State of Illinois.

Mr. ALLISON. I so understand it.

Mr. GEORGE. And no other charter?

Mr. ALLISON. That is the way the Columbian Exposition is organized. The World's Columbian Commission is organized under an act of Congress.

Mr. GEORGE. The Commission?

Mr. ALLISON. That is another corporation having control of this whole Fair.

Mr. GEORGE. Which corporation controls, the Illinois corporation or the other?

Mr. ALLISON. I maintain that the final control rests in the Commission. The Senator from New York [Mr. HISCOCK] does not think so. That is our contention. In my judgment we have a right to make regulations or to alter regulations for the control of this Exposition. We, through this Commission of one hundred and six men—two from each State and Territory—can say that the admission fee shall be 25 cents, or we can say that the Exposition shall not be open on Tuesday night or Wednesday morning, if you please.

Mr. VEST. May I ask the Senator from Iowa a question?

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

Mr. ALLISON. Yes.

Mr. VEST. Suppose the World's Columbian Exposition, organized under the law of Illinois, be guilty of wasteful extravagance and throws away its assets, what remedy is there in the United States?

Mr. ALLISON. There is that remedy which comes always from the power to examine into the accounts.

Mr. VEST. What good will such examination do? Here is their exhibit, which I happen to have before me, showing that that corporation spent \$90,674.96 to secure the location of the Fair at Chicago. That was taken out of the assets of that corporation.

Mr. ALLISON. We have expressly provided in this clause that that shall not be included in the expenditure made by the corporation in any accounting with the United States.

Mr. VEST. But they have spent the money.

Mr. ALLISON. Very well; they have spent it out of their capital of \$10,000,000, and we have provided that in creating a proportionate sum that sum shall not be included.

Mr. VEST. Still the fact remains that they have created the necessity for large appropriations on the part of the General Government by these expenditures, to one of which I have alluded, an expenditure for lodging and expenses of agents and lobbyists here in the city of Washington to secure the location of the Fair in Chicago, and the money is gone.

Mr. ALLISON. The increased expenditures of this Exposition have been made largely by our own Commission.

Mr. VEST. That was not made by our Commission.

Mr. ALLISON. Those were the preliminary expenses made by this local corporation.

Mr. VEST. Exactly.

Mr. ALLISON. And that \$90,000 which was reported in the Dockery report is especially excluded and exempted from any accounting or prorating between the Government of the United States and the subscribers to this corporation.

Mr. VEST. Mr. President, I may be obtuse, but I can not see, with all deference to the Senator from Iowa, what good any accounting does to us after the money has been expended and after we have advanced this \$5,000,000 to this local corporation. We have a right to go over their books; we have a right to criticize their expenditures. But still they go on and expend the money as they have done.

Mr. ALLISON. This money that the Senator alludes to was expended before the national corporation was organized.

Mr. VEST. Yes; and in their exhibit to the committee they give themselves credit by that amount out of the assets of the corporation. Of course it is their own money, and that is the point I am coming to, that I am trying to get some explanation of.

Mr. ALLISON. Mr. President, if the Senator will allow me, the conditions of the act of Congress were that \$10,000,000 should be paid into this treasury. They have put in \$10,500,000, so that they have paid in \$500,000 more than they promised to pay under the act by which they were created.

Now the Senator says that because they expended \$90,000 before that limitation was put upon them we have no right to an accounting. We have a right to call them to account for every expenditure that they make after this act of Congress shall pass.

Mr. VEST. If the Senator will permit me, I made no such statement. What I said was that we had a right to bring them to account. But because we have the right to bring them to account it does not help us after the money is gone. Here is what I asked an explanation of: Here in the report of the committee of the coordinate branch of Congress is given the committee's estimate of income and expenditure based upon the report made by the local corporation, and the income foots up to \$29,275,481.99.

Mr. ALLISON. What page is the Senator reading from?

Mr. VEST. From page ix of the committee's report. On page x will be found their Exhibit A, which is the amount of credit to which the local corporation is entitled, according to that report of the committee, and in that is the fifth item, for "preliminary organization, \$90,674.97."

Mr. GEORGE. Organization of what?

Mr. VEST. That is, for the payment of wine bills, hotel bills, lobbyists, and all that.

MEXICAN GULF, PACIFIC AND PUGET SOUND RAILROAD.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2022) granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida, which was,

on page 1, line 27, to strike out the word "his" and insert "their."

Mr. CALL. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

FOURTH STREET METHODIST EPISCOPAL CHURCH.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1741) to vest the title of public square 102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes.

The amendments of the House of Representatives were read, as follows:

Page 1, line 1, after the word "that," insert:
"Whenever there shall have been a full compliance with the provisions of section 2 of this act, as evidenced by the certificate of the Commissioners of the District of Columbia."

Page 1, line 24, after the word "authorized," insert "and required."
Page 1, line 25, after the word "remove," insert "within twelve months from the approval of this act."

Mr. FAULKNER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

DAVIS ISLAND DAM.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 402) to establish a division line between land of the United States and the Pittsburg, Fort Wayne and Chicago Railroad Company, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CAMERON. I move that the Senate insist on its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. QUAY, Mr. PERKINS, and Mr. FAULKNER were appointed.

ALLEYS IN THE CITY OF WASHINGTON.

The PRESIDING OFFICER (Mr. HARRIS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the following bills and asking a conference with the Senate on the disagreeing votes of the two Houses thereon:

A bill (H. R. 5119) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes; and
A bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia.

Mr. McMILLAN. I move that the Senate insist upon its amendments to the respective bills and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. WOLCOTT, Mr. McMILLAN, and Mr. FAULKNER were appointed.

JUDGMENTS AGAINST THE UNITED STATES.

The PRESIDING OFFICER laid before the Senate a communication from the Attorney-General, transmitting, in compliance with a resolution of July 9, 1892, a list of all judgments rendered in the circuit and district courts of the United States under the act of March 3, 1887, in which the findings were adverse to the Government, and which had not heretofore been reported to Congress; which was referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Mr. COCKRELL. I move that the order changing the reference of the bill (H. R. 4270) for the relief of D. P. Abbott, A. S. Keeves, and T. E. Smith from the Committee on Finance to the Committee on Claims, made on April 27, 1892, at my request, may be revoked. It was a mistake in having the order made at the time.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting United States military reservation in the city of Columbus, Ohio, was read twice by its title, and referred to the Committee on Military Affairs.

ENCOURAGEMENT OF SILK CULTURE.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. The bill (S. 979) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture.

Mr. WASHBURN. I ask unanimous consent that House bill 7845 be taken up for immediate consideration, and that the present unfinished business shall take its place next thereto; in other words, that it shall not lose its place, but shall follow the bill I desire to get before the Senate.

Mr. WHITE. What is the bill?

Mr. WASHBURN. It is the antioption bill.

Mr. WHITE. I object.

Mr. WASHBURN. Then I ask that the pending bill be displaced, and that the Senate take up for present consideration House bill 7845, which is the antioption bill.

Mr. GEORGE. I desire to make an explanation.

Mr. ALLISON. I object to debate.

DEALING IN "OPTIONS" AND "FUTURES."

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota [Mr. WASHBURN], that the Senate proceed to the consideration of House bill 7845. The Chief Clerk will read the title of the bill.

The CHIEF CLERK. A bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. PADDOCK. I do not think the Senator means a permanent displacement.

Mr. ALLISON. I object to debate.

The VICE-PRESIDENT. Debate is not in order. The question is on the motion made by the Senator from Minnesota.

Mr. GEORGE. I should like to have the question stated before I vote.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Minnesota [Mr. WASHBURN] that the Senate proceed to the consideration of the bill, the title of which has just been read.

Mr. WASHBURN. The present unfinished business to take its place next to it.

The PRESIDING OFFICER put the question, and declared that the yeas appeared to prevail.

Mr. ALLISON. I call for the yeas and nays.

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

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were here I should vote "yea."

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

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Arkansas [Mr. BERRY] is paired with the Senator from Colorado [Mr. TELLER]. If agreeable to the Senator from Arkansas our pairs will be transferred, so that the Senator from Texas and the Senator from Colorado will stand paired, and the Senator from Arkansas and myself will vote. I vote "yea."

The PRESIDING OFFICER (when Mr. HARRIS's name was called). The occupant of the chair is paired with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS (when his name was called). I am paired generally with the senior Senator from New Jersey [Mr. MCPHERSON]. I do not know how he would vote, and in his absence I withhold my vote. If I were at liberty to vote I should vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Understanding that he is in favor of taking up this bill, I vote "yea."

Mr. MITCHELL (when his name was called). On this question I am paired with junior Senator from New York [Mr. HILL]. I do not know how he would vote if present. If I were at liberty to vote I should vote "yea."

Mr. PUGH (when his name was called). If I were not paired with the Senator from Massachusetts [Mr. HOAR] I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the junior Senator from West Virginia [Mr. FAULKNER].

Mr. RANSOM (when Mr. VANCE's name was called). My colleague [Mr. VANCE] is absent. I am satisfied he would vote "yea" if he were present.

Mr. VEST (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. I should vote "nay" if he were present.

Mr. VILAS (when his name was called). On this bill I am paired with the Senator from Minnesota [Mr. DAVIS]. If he were present he would vote "yea" and I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired

with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

The roll-call was concluded.

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. On consultation with his colleague I am told that he would vote yea on this question, and I record my vote in the affirmative.

Mr. COLQUITT. I am paired generally with the Senator from Iowa [Mr. WILSON], but I understand his views would concur with my own on this question, and hence I feel at liberty to vote. I vote "yea."

Mr. PUGH. I suggest to the Senator from Wisconsin [Mr. VILAS] that we transfer our pairs so that the Senator from Massachusetts [Mr. HOAR] will stand paired with the Senator from Minnesota [Mr. DAVIS], and the Senator from Wisconsin and myself may vote.

Mr. VILAS. Very well.

Mr. PUGH. I vote "yea."

Mr. VILAS. I vote "nay."

Mr. MORGAN. I am paired with the Senator from Massachusetts [Mr. DAWES], but I am told that he would vote "yea" if he were here, and as my vote is "yea," I will record it. I vote "yea."

Mr. MANDERSON. I desire to know whether the Senator from Kentucky [Mr. BLACKBURN] has voted on this question.

The PRESIDING OFFICER. He is not recorded.

Mr. MANDERSON. I am paired with that Senator, and therefore will abstain from voting. I should vote "yea" if he were present.

Mr. HAWLEY (after having voted in the negative). I have been paired with the Senator from Georgia [Mr. GORDON], and voted without announcing that my pair has been transferred to the junior Senator from Rhode Island [Mr. DIXON], and therefore I was at liberty to vote. The Senator from Rhode Island has been previously paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. ALDRICH. The Senator from Mississippi [Mr. WALTHALL] announced his pair with my colleague [Mr. DIXON].

Mr. HAWLEY. We are correcting that now. I have voted, and the Senator from Mississippi is quite at liberty to vote, inasmuch as the Senator from Rhode Island [Mr. DIXON] and the Senator from Georgia [Mr. GORDON] are paired.

Mr. WALTHALL. The Senator from Rhode Island and the Senator from Georgia stand paired on this question, I understand, and I vote "yea."

Mr. CAMERON. Has the Senator from South Carolina [Mr. BUTLER] voted?

The PRESIDING OFFICER. He is not recorded.

Mr. CAMERON. I am paired with that Senator and withhold my vote.

The result was announced; yeas 33, nays 15, as follows:

YEAS—33.

| | | | |
|-----------|-------------|------------|--------------|
| Allen, | Dolph, | Kenna, | Ransom, |
| Allison, | Felton, | McMillan, | Sherman, |
| Berry, | Frye, | Morgan, | Stockbridge, |
| Blodgett, | Gallinger, | Paddock, | Turpie, |
| Carey, | George, | Pasco, | Walthall, |
| Cockrell, | Hale, | Peffer, | Washburn, |
| Coke, | Hansbrough, | Perkins, | |
| Colquitt, | Jones, Ark. | Pettigrew, | |
| Cullom, | Jones, Nev. | Pugh, | |

NAYS—15.

| | | | |
|-------------|----------|----------|----------|
| Aldrich, | Gray, | Power, | Vilas, |
| Chandler, | Hawley, | Sanders, | White, |
| Daniel, | Hiscock, | Sawyer, | Wolcott. |
| Gibson, Md. | Platt, | Stewart, | |

NOT VOTING—40.

| | | | |
|------------|-------------|------------|-----------|
| Bate, | Dixon, | Hunton, | Quay, |
| Blackburn, | Dubois, | Irby, | Shoup, |
| Brice, | Faulkner, | Kyle, | Squire, |
| Butler, | Gibson, La. | McPherson, | Stanford. |
| Call, | Gordon, | Manderson, | Teller, |
| Cameron, | Gorman, | Mills, | Vance, |
| Carlisle, | Harris, | Mitchell, | Vest, |
| Casey, | Higgins, | Morrill, | Voorhees, |
| Davis, | Hill, | Palmer, | Warren, |
| Dawes, | Hoar, | Proctor, | Wilson. |

So the motion to proceed to the consideration of House bill 7845 was agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and will be read.

Mr. ALLISON. I ask unanimous consent that the bill may be laid aside in order that—

Mr. PADDOCK. That it be laid aside informally.

Mr. ALLISON. Yes; that it be laid aside informally, in order that we may go on with the appropriation bill.

Mr. PADDOCK. This bill remaining as the unfinished business.

The PRESIDING OFFICER. The Senator from Iowa asks the unanimous consent of the Senate that the unfinished business

be informally laid aside in order that the Senate may proceed with the consideration of the appropriation bill.

Mr. WOLCOTT. I can not understand what the purpose was in asking the Senate to vote by yeas and nays on taking up the bill when unanimous consent is asked that it go over for the consideration of something else. If we are to dispose of the antioption bill I suppose we had better dispose of it at this time. I do not presume there is any objection to it. I do not know why we should not dispose of it. It seems to me a perfect farce that we should solemnly vote to take it up and then be asked to unanimously agree that we shall not take it up.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa?

Mr. WOLCOTT. I object.

The PRESIDING OFFICER. Objection being made, the bill just taken up will be read as in Committee of the Whole.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 7520.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate proceed to the consideration of the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

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

Mr. HAWLEY. Mr. President—

The PRESIDING OFFICER. The Senate will be in order. When Senators resume their seats and cease conversation the business of the Senate will proceed. The Chair will recognize the Senator from Connecticut when order is restored.

Mr. HAWLEY. I do not know that it is a matter of any consequence, but I mistook the question just put and voted in the negative, and I voted rather emphatically and made perhaps all the noise that was made. I intended to vote "aye."

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Pennsylvania [Mr. QUAY] to the amendment of the committee.

Mr. HISCOCK. Mr. President, I understand that the provisions in the appropriation bill to which the Senator from Iowa has referred are in the nature of a contract with what is known as the World's Columbian Exposition, that the Government undertakes to pay to the World's Columbian Exposition a certain sum of money under certain conditions, and the Exposition undertakes to make certain reports and do certain things. I understand further that the World's Columbian Exposition is a corporation under the laws of the State of Illinois, and that no corporation and no commission have been created by the act of Congress authorized to receive money or to which the Senator from Iowa proposes to pay money.

Mr. GRAY. May I ask the Senator from New York for information whether the bill does not propose to pay this appropriation when made to the Illinois corporation known as the World's Columbian Exposition?

Mr. HISCOCK. I said so.

Mr. GRAY. I thought the Senator said there was no corporation to which it could be paid.

Mr. HISCOCK. I said no corporation had been created by act of Congress to which the money could be paid.

Now, I am in favor of this appropriation. I am in favor of the Exposition having the money. However, since the Government of the United States is a silent partner in this transaction and furnishes the capital, if the people of the United States desire the Government to conduct this business upon the plan of closing it on Sunday, and I believe they do that, I am in favor of providing for that in this bill.

I repeat what I have said before, that there is no condition precedent to the closing of the Exposition on Sunday that would enforce such closure. I would not have any doubt but that it would be closed on Sunday except for the earnest struggle that is being made to prevent legislation which will insure such closing.

I repeat what I think I have said or argued, notwithstanding the judgment and opinion of my distinguished friend from Iowa, that an affirmative provision in this bill, of which he has charge, that the Exposition should be closed on Sunday would have no more effect than an attempt to "whistle down the wind." The Columbian Exposition to which the bill proposes to pay this money can disregard it the day after they have received the money, even if there is put in the bill a provision that the Exposition shall be closed on Sunday. I repeat that your Commission have no control over this property whatever. I hope the Senator from Pennsylvania will hold his proposition in such form that either a guaranty shall be taken from the Illinois corporation that the Exposition shall be closed on Sunday, or that

in some language which he may adopt, the Treasury Department shall be satisfied that this condition imposed by the Government shall be observed, and that the people will have precisely what they want; and I believe they want a closure of the Exposition on Sunday.

Mr. GRAY. I desire to offer an amendment, if an amendment is in order.

The PRESIDING OFFICER. An amendment is not now in order.

Mr. GRAY. I shall at the proper time offer as a substitute for the amendment of the Senator from Pennsylvania, or as an original amendment, what I will read, to be inserted in line 13, after the word "act:"

And it is hereby declared that the said appropriation—

I ask the attention of the Senator from New York to this proposed amendment, for I think it is in the line of what he has been saying—

And it is hereby declared that the said appropriation is made upon the condition that the said Exposition shall not be opened to the public on the first day of the week, commonly called Sunday; and if the said appropriation be accepted by the corporation of the State of Illinois, known as the World's Columbian Exposition it shall be, and it is hereby, made the duty of the World's Columbian Commission, created by the act of Congress of April 25, 1890, to make such modification of the rules of said corporation as shall require and enforce the closing of the Exposition on the said first day of the week, commonly called Sunday.

Mr. President, I think there has become apparent during this discussion what perhaps was not apparent to all of us before, that we are dealing here with two bodies, one a corporation of the State of Illinois and the other a Commission created by the act of Congress of April, 1890. The Illinois corporation does own the land and the buildings, and is the responsible owner of the Exposition. There is also a Commission called the World's Columbian Commission, created by the act of Congress, to cooperate with the management of the World's Columbian Exposition, with certain powers and duties prescribed by that act, and which is now in existence and in active operation. To that of course Congress can prescribe such rules for its government as it pleases, and it can impose upon it such duties as shall seem to Congress in its wisdom fit to be prescribed.

I have therefore suggested this amendment in order that Congress might take cognizance of these two bodies and effectually carry out the purpose intended by the amendment of the Senator from Pennsylvania, and make it obligatory upon the Commission created by the act of Congress to require and enforce the closing of the World's Columbian Exposition on Sunday, if this appropriation shall be accepted by the Illinois corporation to whom it is proposed to make it payable.

Section 7 of the act of Congress to which I have referred, creating this Commission, is as follows:

SEC. 7. That after the plans for said Exposition shall be prepared by said corporation and approved by said Commission, the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors or of the public, shall be fixed or established by said corporation, subject, however, to such modification, if any, as may be imposed by a majority of said commissioners.

This Commission and the Illinois corporation are acting in harmony and understand their relative rights and duties. There can be no question that if this amendment be adopted in this shape it will not only impose upon the corporation and the Commission the moral obligation to close the Fair on Sunday, but by the requirements we make of our Commission this purpose of Congress, in the action we have taken, will be carried into execution. For that purpose I shall at the proper time offer the amendment which I have read.

Mr. KENNA. Mr. President, I regard it as unfortunate that the issue now under discussion should be complicated by any question of Congressional jurisdiction. Under any and all ordinary conditions I should be the last member of this body to interpose a vote between the State of Illinois and her absolute control of her own affairs. Indeed, if this were her "own affair"—if the Columbian Exposition were a State enterprise, confined to the domain of State autonomy, I would acknowledge both her power and her political right to control this subject in her own way.

But this Columbian Exposition is essentially a national undertaking. It is on this theory that we are approached, and on this theory that we respond favorably to the demand for large appropriations out of the public Treasury. There are none, moreover, to gainsay the proposition that in making the appropriation we may attach any condition to its acceptance and use that may seem proper to us.

This brings us to the simple question whether Congress shall appropriate large sums of money out of the public Treasury, to establish, to conduct, to maintain, to advertise and to exploit, and all this for pay and for profit, the biggest show in the history

of the world, not only on Sunday but on every Sunday from the beginning to the end of the mammoth bazaar.

There is no disguising or evading this issue. If we say no, the Exposition will be closed; if we say yes, or if we say nothing, the Exposition will be open.

Now, Mr. President, there are many things that might be done, there are many things that might be exhibited in this Exposition which would involve in my opinion no violation of the law to keep holy the Sabbath day—the Sunday of which we speak. Opinions would differ as to details the country over. But, sir, the observance of Sunday is impressed as firmly as the civilization of our race upon the institutions of this country. As far as I know there is not a public institution in the United States, national or State, that is not closed on Sunday. We close the Capitol in which we stand to the constituencies at our doors. There is not a State, a Territory, or a city, nay, not a highway in the Union where you may open your eyes to the sunlight of the morning that you are not made aware by that mysterious something in the changed relations of the life that surrounds you that this is Sunday. It has always seemed to me as a beautiful reflection that there is a suspension of things that are human and an aspiration to the things that are God's in the very atmosphere of the day that we call Sunday. The principle of its observance is indelibly impressed upon our institutions. The practice of its observance is universally respected.

Upon that principle and on that practice I regard the opening of the Columbian Exposition not only as a national but an international assault. It is not a question of individual conscience, but a question of public innovation. It is dangerous, it is far-reaching; and in my judgment it is fraught with untold mischief. It is against the spirit of our institutions. It is against the cherished customs of our people of every class and every condition. And without regard to church or state, religion or paganism, belief or unbelief, it is against the experience, the morality and the elevated standard of our civilization.

I am opposed to the national countenance by the aid of my vote of the organized desecration of the Sabbath.

Mr. PALMER. Mr. President, I do not mean to be understood as addressing the Senate as the representative of the local corporation of Illinois. My present purpose is to speak as the representative of what I believe to be the best sentiment of the State of which I am a citizen.

I understand very well that this being a national enterprise, as has been said by the Senator from West Virginia [Mr. KENNA] the appropriation made by Congress must be made upon just such terms as Congress chooses to prescribe. It is for each member of the Senate to determine what shall be done with the money appropriated by his vote, and if it shall be the sense of the Senate that the appropriation shall be coupled with conditions such as have been proposed, I have nothing to say in opposition to it.

But I confess I had hoped that the Senate would be content to vote this money to the agents of the Government and the large number of men who have been appointed to represent the States and Territories. I had hoped that they would be regarded as sufficiently representing the sentiment of the country in regard to this important subject and that the appropriation would have been made leaving it to them to determine what was the proper line of national duty in this respect, and I was disposed to hope beyond that that the Senate would be content to make this appropriation subject to the laws of the State of Illinois.

Mr. President, we do not affect in the West to keep the Christian Sabbath, as it is termed, according to the ancient ideas that prevail in some portions of the Union. Our views of the duty of the State in regard to the Sabbath are expressed in the statutes of Illinois, a single section of which I will read:

Whoever disturbs the peace and good order of society by labor (works of necessity and charity excepted), or by any amusement or diversion on Sunday, shall be fined not exceeding \$25.

Mr. FRYE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Maine?

Mr. PALMER. With pleasure.

Mr. FRYE. I am informed that the theaters of Chicago are open on Sunday night. Is that true?

Mr. PALMER. I think it is.

Mr. FRYE. And yet the Senator proposes to rely upon the statutes of Illinois to prevent amusements on Sunday?

Mr. PALMER. Yes, sir; I do. The State of Illinois has never assumed to require the actual observance of any of the Sabbaths, either the Jewish or the Christian Sabbath. The people of the State of Illinois, so far as I know their opinions, and they are best expressed in their statutes, treat the observance of the Sabbath as a personal duty to be determined by each individual for himself. The theory upon which our laws rest is that men are responsible to the Supreme Being for their own con-

duct, and that the State is in no wise responsible for them; that the State has no right to control the personal opinions or conduct of men on any day, subject to this limitation:

Whoever disturbs the peace and good order of society by labor * * * shall be fined, etc.

It has been held in Illinois, and, I think, it has been held in most of the States, that the State has no right to determine that men shall observe the first day of the week in any particular method; but the object and function of the State, as we maintain, is that each citizen shall have the right without disturbance to observe the Sabbath in such manner as seems to him in point of conscience to be his duty, and that no person shall disturb him in the exercise of his conscientious right. I know that is the theory which has been enforced by judicial decision. It has been held that the State has no right to prescribe obedience to any mere moral requirement that does not disturb others, leaving each man to determine to discharge his own duty to that Infinite Being who rules the universe, regarding each man as his own priest, and to this extent his own king. We have never recognized the authority of the States to prescribe moral duty. We simply understand that the obligation of the State is to protect us, every one of us, in the exercise of our own rights, leaving it to each individual to determine the matter of conscience according to his own degree of enlightenment or according to his own sense of obligation.

I venture to say that whatever may be said to the contrary that is the practical law of every State in the Union. There may be vestiges yet of ancient requirements, but the courts have modified them, and to-day in New England, where at one time the Sunday was regarded with great reverence and where Sunday laws were enforced with despotic force, it is no longer the case. Illinois is like the other States in that respect.

Still in respect to this matter I should hope that the Senate would be satisfied with the rule of the Illinois Legislature, that each man should be left undisturbed to serve God in his own way, to keep the Sabbath in his own way, free from disturbance. The Senator from Maine says that there are theaters open in Chicago on Sunday; I have no doubt it is true; but I had not supposed when they were not disturbing others that it was a ground of legal censure, whatever might be said, I agree, in moral censure of acts like that. But in Maine, in populous cities, I have no doubt amusements are indulged in, not perhaps to the same extent; but amusements are no doubt permissible on Sunday according to the customs of the Senator's own State.

However, there is another view of this case. Mr. President, this is to be an international exhibition. We speak of it as a mere show. It is to be a great national event. Do I say national? It is an event that is to be far more than national. The word "international" does not express it. It is to be the celebration of an event which has had a larger influence upon the destinies of mankind than any other which has occurred within the history of our race since the resurrection of the Lord on the Sabbath—the discovery of this vast continent, now inhabited by perhaps nearly a hundred millions of inhabitants—and we are inviting men from all countries on earth. There will be at Chicago the representatives, I was about to say, of every civilized government; there will be representatives at the Exposition of men of noncivilized races, the Mohammedans, with their peculiar observances, and the continental nations of Europe, and England, and Scotland, and the islands of the sea, and the Indians. It is to be a gathering of all the races of the earth at one spot celebrating the grandest event in the earth's history.

I maintain that therefore the law that each man shall be allowed to pursue his own views of duty, being compelled to be respectful of the rights of others is a proper law applied to this subject. In reverence for the Sunday of the Christians I do not mean to allow it to be believed that I have no sufficient regard for that holy day, but I have never yet felt that it was my right to impose my opinions upon other people. I have insisted that you shall on this day leave me undisturbed and leave Christian men undisturbed; that you shall leave the sanctuary undisturbed; that wherever men assemble themselves together for devotion, or I may say amusement, on that day they shall be undisturbed. What more can be asked? If I could be clothed with any portion of the power of the Almighty perhaps I might do otherwise, but I do not believe myself authorized to denounce all that may be deemed enemies according to the law of the Supreme Being.

Let that occasion be national, international, universal. I think the narrow rule insisted upon here is unwise; but if it shall be the sense of the Senate that it shall be done, it is the business of the country, not mine. I want it understood distinctly that I do not speak by the authority of the management or the managers of this enterprise, but I am stating what I would do if I had my way about it. I hope nobody will hold the Illinois managers of

this institution or the national managers responsible for my opinion; I am responsible for it; and I believe on that day there should be a cessation of labor, but I believe that the hundreds and the thousands of those who toil, who have no other day, should have an opportunity of witnessing the marvelous things that will be brought to Chicago for exhibition from all parts of the world. I believe they would go home better Christians, that they would go home enlightened and be made better men and women and children by the instruction to be afforded them by what may be seen and heard there on those occasions.

Mr. WOLCOTT. Will the Senator from Illinois permit me to ask him a question?

Mr. PALMER. With great pleasure.

Mr. WOLCOTT. If no provision shall be put in the bill regulating the opening of the World's Fair on Sunday, and it should be so opened, can the Senator inform me whether the managers of the Fair, in this sanctuary and ceremony by which they propose to Christianize and educate the people within the limits of the grounds, will charge their regular admission fee?

Mr. PALMER. I did not hear the last part of the Senator's remark.

Mr. WOLCOTT. I ask if the management of the Fair would charge the usual admission fee to people entering the grounds on Sunday?

Mr. PALMER. I have no doubt they would do it, and I have no doubt that those who paid it would receive abundantly the worth of their money. I know no reason by which that which is sold for less than its value may not be sold on Sunday as well as on any other day.

But I do say that there are thousands of people in Chicago alone who will never enter the gates of the Exhibition unless they are allowed to do so on Sunday, simply because they toil six days in the week. They are chained to the oar. Their necessities compel them to struggle six days in the week. There are thousands of them there, and a change of employment is rest. Is there a Senator here who does not know that the mere change of employment is of itself the most effective method of rest? These poor people, these laborers, these children would have an opportunity of admission on Sunday to these elevating exhibitions that would do them vast good. I believe that the more intelligent the man is the better Christian he is. I have known some most devout and good people who were ignorant, but I have supposed it true that culture, that education made men better citizens as well as better Christians, or to reverse it, better Christians as well as better citizens.

Senators talk about this being a show when there are to be these marvelous exhibitions, and those who witness them will have opportunities that have not been afforded heretofore in the history of mankind and will never be afforded again. There will be collected within the inclosure at the Fair grounds more that is beautiful, more that is in the direction of the cultivation of the mind and the heart and the affections, more to ennoble than has ever been collected on the same space since the beginning of time. Such will be this Exhibition. Why should not the men and women and children who are chained to the oar for six days in the week be allowed on that day to go quietly along and witness these marvelous things, to go and educate themselves there?

I have been told, and I have no doubt it is true, that many of the Christian people of Chicago resist this proposition; but not all of them. There are a large number of Seventh-Day people who believe that Sunday is not the holy day. There are a great many people who agree with me that the Legislature has no right to dictate to others what day shall be kept as the holy one. There are many who think that way. There are thousands again who think that this opportunity afforded to the laborer, to the toiler, and to his wife and his children, ought not to be thrown away.

But I am told that there is another element who are quite as earnest as the good people. I understand that all the saloon-keepers in Chicago are in favor of closing this institution on the Sabbath day. I can understand why it should be so. The multitudes that will go to Chicago at that time, instead of going into the Fair and witnessing the Exhibition, being there alone, strangers, will go about the saloons and places of that sort on Sunday. I understand that there is a perfect agreement on that point, and that the whisky-sellers are in favor of closing the Fair on the Sabbath.

Mr. FRYE. I wish to ask the Senator from Illinois whether the laws of that State allow the saloons of Chicago to be opened on Sunday?

Mr. PALMER. No, sir.

Mr. FRYE. They do not?

Mr. PALMER. They do not.

Mr. FRYE. The laws of Illinois seem to be very powerless in the city of Chicago.

Mr. PALMER. It seems to me that I have heard of Maine legislation in regard to prohibition.

Mr. FRYE. I hope the Senator has.

Mr. PALMER. And it seems to me I have heard that the Maine law, the great parental, first law, is hardly obeyed in that State.

Mr. FRYE. I can say to the Senator for his information that over three-quarters of the State there is not such a thing as a saloon known, and that in two or three counties of the State there is not a jail which has been inhabited for the last six years by a human being.

Mr. PALMER. I congratulate the Senator from Maine. I can say—

Mr. FRYE. And another thing. No saloon can be found open on Sunday in the State of Maine.

Mr. PALMER. I can say that there are thirty counties in the State of Illinois in which there is no license for the sale of liquors. But I venture to say that in the great cities of Maine the Maine law is very imperfectly executed. It is suggested to me that I ask the Senator how many Federal licenses are granted in the State of Maine for the sale of liquor?

Mr. FRYE. I have heard that suggestion made a great many times, but it amounts to nothing whatever. Our law does not permit druggists to sell any kind of intoxicating liquors. Many of their medicines being made up with alcohol, they deem it safe and wise to obtain a Federal license, but in no sense are they liquor-sellers.

Mr. PALMER. When I was a boy, in the early temperance times, the temperance movement in Illinois or Kentucky began by the publication of the sermons of the famous Lyman Beecher on intemperance. I recollect being told of a good Baptist man who belonged to the same church with my father, and who told a friend he thought the use of liquor as a beverage was a crime; but, said he, "I do like to take it by way of medicine." [Laughter.] Down in Maine, while the sale of liquor as a beverage may be prohibited, according to the statement of the Senator from Maine, I apprehend there are a great many there who do like to take it by way of medicine. [Laughter.]

Mr. FRYE. The Senator is not justified from anything that I said in making that reply. It is no reply at all. I simply stated that many of the medicines in a common druggist's store have alcohol in them for their preservation, and that the druggists, in order to protect themselves, obtain this license. I said nothing at all about the people of Maine buying liquor to take for medicine.

Mr. PALMER. I did not say it was not necessary in the preparation of medicines to use alcohol in Maine. I apprehend that the necessity exists in Chicago and elsewhere.

Mr. President, I reply seriously to the Senator from Maine, the laws of the State of Illinois prohibit the opening of saloons on Sunday. It must be remembered that Chicago, like all very large cities, is cosmopolitan. It has not been found possible to enforce the laws against the sale of liquor on Sunday. I do believe, however, that in that State, where we have local option, the laws forbidding the sale of liquors are as general and as well enforced as they are in the State of Maine. I believe it to be true that they are enforced as well as they are in the State of Kansas, or in the State of Iowa. In Chicago, I confess, the laws against the sale of liquors have not been enforced, and they will not be enforced probably until the regeneration of human nature. If the Sunday laws could be enforced in Chicago against the sale of liquor, there might be less to be said in support of my views. I believe that it would be advisable, that it would promote morality, to open the Exposition on Sunday, so as to allow persons to enter there and to see and enjoy all that is to be seen.

I have one thing to say in conclusion. There are gentlemen who talk about the American Sabbath. Mr. President, I reverence American institution. I have no sympathy with the foreign sentiment; I have no eagerness to adopt anything foreign; but I do believe that American sentiment has undergone a change under the influence of broader views of individual rights. New England sentiment at one time actually required a very close observance of Sunday, but that was the despotism not of God, but of church, and it is a remarkable fact that in another portion of the Union, where more liberal views were indulged in, the morality of the people was as complete and as perfect as it was in New England.

It is said by a late writer that it is very remarkable that in New England where theoretically popular rights were most regarded the Government was most despotic, while in another quarter, where aristocratic ideas were to some extent recognized, actual, personal liberty was better protected than in New England. The change has taken place and we cannot resist it. We may talk about it, we may speak of the American Sabbath, and it deserves reverence, but it is for me to revere the Sabbath and it is not for me to impose upon another that obligation. There is

the distinction I make, and hence the law of Illinois, I maintain, is right in principle and right in its application, that—

Whoever disturbs the peace and good order of society by labor (works of necessity and charity excepted), or by any amusement or diversion on Sunday, shall be fined not exceeding \$25.

Whoever shall be guilty of any noise, rout, or amusement on the first day of the week, called Sunday, whereby the peace of any private family may be disturbed, shall be fined not exceeding \$25.

That I maintain to be the just limit of the power of the State to enforce Sunday laws.

Mr. COLQUITT. Mr. President—

Mr. ALLISON. I ask the Senator from Georgia to yield to me that I may ask unanimous consent that in an hour and a half from this time we may take a vote without further debate upon all amendments relating to closing the Exposition on Sunday.

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

Mr. COLQUITT. I yield.

The PRESIDING OFFICER. The Senator from Iowa asks the unanimous consent of the Senate that debate close upon this particular question—

Mr. ALLISON. At half past 4 o'clock.

The PRESIDING OFFICER. At half past 4 o'clock to-day.

Mr. CALL. I object, Mr. President.

The PRESIDING OFFICER. Objection being interposed, the Senator from Georgia is recognized.

Mr. ALLISON. Then, if the Senator from Georgia will allow me a moment, I will ask the Senator from Florida whether he will not allow me to say a quarter before 5?

Mr. CALL. I will state to the Senator from Iowa that quite a number of Senators over here desire on this amendment, which they regard as very important, that the debate shall be unrestricted. There are quite a number of Senators here who have expressed that opinion.

Mr. ALLISON. Very well, Mr. President; I can endure it as well as the rest.

The PRESIDING OFFICER. The Senator from Georgia will proceed.

Mr. COLQUITT. Mr. President, I was rejoiced to hear the Senator from West Virginia [Mr. KENNA] in the very emphatic declarations which he made concerning this question. I was rejoiced because he is a Democrat. I do not wish that it shall be understood that upon every moral and religious question the Republicans stand upon the one side and the Democrats upon the other. Yesterday when we had several very effective and eloquent speeches upon this subject there passed in the atmosphere here congratulations, "that is sound doctrine," "sound Democratic doctrine;" and my friend from Alabama [Mr. MORGAN] and others who took the view of the question that he did were taken by the hand and encouraged in the belief and in the declaration that this was sound Democratic doctrine.

I have never thought that Democracy and intemperance were synonymous. I have never thought that Democracy and barbarism were synonymous. I have never thought that Democracy and the violation of the Sabbath ordinances were synonymous. Yet it passed from mouth to ear yesterday that the declarations made here in favor of opening this Exposition upon the Sabbath day was sound Democratic doctrine. It is not in the platform, and I have not so observed it.

Mr. MORGAN. If the Senator will allow me, I insisted that if the Exposition was opened at all on Sunday it ought to be as a Sabbath school. Does the Senator object to that?

Mr. COLQUITT. Oh, no; I am not objecting to anything.

Mr. MORGAN. That is as far as I went.

Mr. COLQUITT. One of the strongest illustrations of the poverty of the argument in favoring the opening of the Exposition on the Sabbath day is in the instance of my distinguished and beloved friend, I may say, from Alabama. When he with his abounding genius, with his fertile imagination, with his ready discourse, is driven to fall back upon the sophistries and the platitudes of the saloon-keepers and the harlots and the drunkards by proclaiming that he is in favor of liberty, and that this is the union of church and state, the question is poverty stricken, and that is the whole of it.

Liberty is a sweet word; it is an enchanting word. It is emblazoned upon our national emblems; it is hailed with shouts; it is greeted with applause wherever it is announced. Liberty, liberty, liberty; and yet in ninety-nine cases out of a hundred what is liberty is never analyzed or thought of. Is freedom from restraint liberty? Are the penalties of the law that bind men to the observance of that which is right and proper in their own behavior and in its relations to other people a violation of liberty? Yet we have here ejaculation and exclamation and rhetorical exaggeration about the liberty of the individual, as though we were to infringe his very lifeblood, and it is all the liberty of the lawbreaker, it is the liberty of the immoral, it is the liberty of the debauchee that is claimed. But there ought to

be some liberty to the 13,000,000 Christian people in this country. Let them have some liberty, the liberty to enjoy the Sabbath as they want to do it.

Is it the union of church and state? No, but it is the state in its effort to suppress the church. It is hostility to the church by the supreme power and domination of the force and power which rest in the General Government.

I believe in liberty. I believe in the severance of church and state; but there is a very great mistake when people argue in the general terms that we have here. The Constitution provides that there shall be no establishment of any religion or union of any church and state. That has been the whole argument here upon this question from the beginning to the end of it. It is true that there is no union of church and state, but there has been from the foundation of the Government to the present in our laws, in our institutions, in our social organizations, in our political organizations there has been a universal recognition of religion as the basis of our civilization. It is not church and state. You could not have church and state in this country. What church? The innumerable denominations here would prevent it, to begin with, and there is no possibility of it.

Yet with a view to frighten off men who have conscientious convictions upon this question in a moral way this scarecrow is held up, that it is a political affinity between the church and state. If we were to state parallel cases you would sever the penalties of your laws from every offense that is ever committed. I will venture the assertion that there is hardly a page of the United States statutes, there is hardly a page in the varied codes of the different States in this country, where there is not an express, emphatic recognition of the Sabbath day and penalties annexed for its violation, and yet are we to understand that that is in violation of the spirit of the Constitution, and that that is establishing the relation of church and state, against which we are rebelling so much?

But I do not intend to go into all the merits of this question. These are the things that lie upon the surface, and they have been drummed and talked about here with very great seriousness, really as though they were more than utter sophistries.

The Senator from Illinois, who has just preceded me, is a gentleman for whom I have very high respect and veneration, but there is not an argument, there is not a reason which he has given to-day that would not have justified the opening of Barnum's circus on Sunday when it visited Washington City for its exhibition. He could have stood up before the people and he could have talked about the hard toiler six days in the week who could not go to the circus. Here are animals, and exhibitions of athletics and all kinds of display of the power of man and exhibitions of curious objects in nature. All these would educate the people, the hard toiling people for six days in the week. Open Barnum's circus on Sunday and give a chance to the toiling people. There is no argument that is offered that would not justify the violation of the Sabbath in the case of any exhibition and in opening the theaters of the country on that day.

I will read something here that is much better than I can say it. I know that it is irksome to listen to anything that is read, but it is so eloquent that I have no doubt it will fall pleasantly upon the ears of all, if you will hear it. It is from the lips of one whom I consider to be the most eloquent man of this generation. I refer to Father Hyacinthe. I want it to be understood and comprehended that what he says in relation to the observance of the Sabbath day is as applicable to this country as to any other, and especially with regard to the workingmen of the country. If it was not disrespectful I would say the argument that a Sunday opening would afford an opportunity to the workingmen of the country is paltry. It will be confined to a few, but in the running of trains, in the conducting of the minutiae of the proceedings of the day, it would require more work and more labor than would be given up in amusement. Will Senators bear with me a moment and hear this eloquent divine in speaking of this day in relation to workingmen?

Therefore the first, the most necessary, of all the elements of popular liberty is the liberty of the Lord's day.

Christian people have some rights. Christian people have liberty. Christian people love the sanctuary. Christian people love the silence of the Sabbath day. Christian people love to assemble around their own hearthstones and worship God about their own altars, without having a thundering noise up and down the streets or along the highways. They have some rights.

There are those who do not understand this need of rest to soul and body. Commonly they are among those who employ labor, not among those that do it—those who receive its profits without knowing its weariness. They are not among those who have torn their hands on the thorns and briars of the workshop—on the hard asperities of matter, or who have been bending for six days over the earth cursed for man's sake, the brow bathed in sweat, the soul exhausted with toil. Ah! I can conceive the nature of their objections to the law of rest—I see through their repugnance to the liberty of the Lord's day! But the workingman, whenever he is not under the pressure of physical or moral violence—whenever he is left to his own instincts—the

workingman claims as his dearest and most sacred right the enjoyment of that day, which makes him indeed a free man, indeed a husband and a father, indeed a child of God. It is demanded in his behalf by the sense of the dignity of human nature—by the exigencies of family life—by the religious wants of the soul—by the voice of whatever is noblest and most commanding in our nature.

If this reverend man had never uttered another word to the consciences and to the judgment of the civilized earth these sentiments would have rendered him immortal, not only as a man of eloquence, but of unbounded philanthropy.

Bear with me a moment or two longer as I recite what he says of the soul:

And yet this is the day which certain "friends of the people," forsooth, would wish to extort from them. False friends, that think only of their bodies, that see in them nothing but their material wants, the toll and enjoyments of the beast of burden! O ye courtiers of democracy, who flatter the people while you despise them, have some faith in the people's souls, *crede anima*; and that you may have, do begin by having a little faith in your own!

Yes, this law of Sabbath rest, so religiously democratic, is nowadays misapprehended on every hand. Patriotism imposes on me something more than an ordinary consideration for my own country when I am speaking on another soil than hers. No, no! I mistake; my country asks of me nothing but justice, and I know that if men may say much in censure of contemporary France, they are bound in justice to say much in praise of her. I will speak, then, without constraint, and make my complaint of the violation of the Lord's day in the great manufacturing towns of France. It happens, now and then, that I have occasion to pass through their streets on my way to the church to preach the word of God. I am revolving in my heart the lessons of the Gospel, and all along the street there are the visions of hell, the ponderous carts, the shrieking axes, the smoking pavements, the clouds of dust that shut me out from the sight of the sun and of God! I hide my eyes with my hands and groan, "O France, this is thy doing!"

* * * * *

But someone will answer me, "To be sure; but it is liberty."

We have heard that before. That was the sentiment of the infidels, the anarchists, the socialists, and the revolutionists of France, and Father Hyacinthe knew it.

But someone will answer me, "To be sure; but it is liberty. You must respect the liberty of France! You must respect the conscience of your fellow-citizens!"

"Conscience!"

No, we have no disposition to trench upon liberty. We would not interfere with the advantage of the workman, nor the exigencies of the manufacturing interest. What contemptible sophistries are these! Have you never heard of two great embodiments of liberty—

Mark this:

two great organizations of industry, which are as good as your own, if not better—England and the United States?

I bless God that we belong to that noble Anglo-Saxon race that stands in the annals of the world's morals as the standard, deserving this encomium from this distinguished Frenchman. Now listen:

I have had the pleasure of visiting London. I never shall forget the emotion which filled me at the sight of that city, like the ancient metropolis of the seas of which the prophet speaks—"the woman that sitteth upon many waters." And in those mighty floods I saw no vision as of the abyss, but only a vast a solemn equilibrium, as it had been the majesty of a throne rocking and yet stable. There she sat, the great empress of the seas, giving laws to isles and continents, stretching afar over kings and peoples, not like them of old, the rod of oppression, but the beneficent scepter of her riches and her liberty. And I heard the din of her vast industry, and through the streets there poured the living sea of men and vehicles. Then, by and by, there dawned a day which was like the days of my childhood, a day such as public life in my own land has not now to show, a day which was not like other days.

Poor France! How this man loved her! He was ready to buckle on the saber and go to the front. Yet he weeps and mourns over her fallen moral condition!

No noisy wagons now in the streets, no throngs hurrying to business. The giant machine that had been roaring and thundering the day before had suddenly stood still as if before the vision of God. The great movement of British industry was hushed, and in the streets I saw naught but families going their way, calm and cheerful, to the place of prayer, I heard naught but the sweet chiming of Protestant bells, that remember that they once were Catholic, and wait the day when they shall be Catholic again.

Now, with regard to ourselves. Did he forget this Republic, new born in the history of ages? No; England and America, in the upholding of this institution, stand side by side.

Let no one say, "England is an aristocratic and feudal power; her Sabbath rest is one of those relics of the modern ages which the breath of modern progress will soon have swept away." I look across the ocean and there I find this same Anglo-Saxon race clad in like grandeur under forms the most unlike. This time there is neither medievalism nor aristocracy. It is the foremost prow of modern civilization under full headway on her glorious and daring course toward an unknown future. It is, I love to think, the people chosen of God to renew the face of the earth, and to prepare for those old truths and institutions which can not pass away, newer and more enduring garments. Now, the United States keeps holy the Lord's day, just like England, and sends back to us, across the ocean, that same answer of God's silence to man's profanations.

These grand sentiments are met in this day by rationalism, when it is supposed that the only word known to the nineteenth century is that of "progress," that the only education is that of science, and that if you have a metaphysical training in mental philosophy you will have developed manhood in its grandeur.

Let us go back to our old faith, to our old traditions, to our old institutions. Without them the home is not only demoralized but broken up, for the homes of this country, the hearthstones

of the family, are, after all, the corner-stone of this Republic, and you can not preserve it with a violated Sabbath.

There is a sentiment here which I ought to read with a view to revive the recollections of the soldiers of the Union, at any rate to convince any of those who are doubting, that the providence of Almighty God has been recognized from the days of Washington in the orders which he issued, and especially in this famous order, as familiar almost as the Lord's prayer, issued by Abraham Lincoln calling upon the soldiers to abstain from all work except works of absolute necessity that the emergencies of war required, that body and soul might be refreshed and ready for the week's campaign that was to follow.

EXECUTIVE MANSION,
Washington, November 15, 1862.

The President, Commander-in-Chief of the Army and Navy, desires and enjoins the orderly observance of the Sabbath by the officers and men in the military and naval service. The importance for man and beast of the prescribed weekly rest, the sacred rights of Christian soldiers and sailors, a becoming deference to the best sentiment of a Christian people, and a due regard for the Divine will demand that Sunday labor in the Army and Navy be reduced to the measure of strict necessity. The discipline and character of the national forces should not suffer, nor the cause they defend be imperilled, by the profanation of the day or name of the Most High. At this time of public distress, adopting the words of Washington in 1776, "men may find enough to do in the service of God and their country without abandoning themselves to vice and immorality." The first general order issued by the father of his country, after the Declaration of Independence, indicates the spirit in which our institutions were founded and should ever be defended:

"The general hopes and trusts that every officer and man will endeavor to live and act as becomes a Christian soldier, defending the dearest rights and liberties of his country."

Inasmuch as we tend in our modern ethics to progress, education, and science, we are too prone to think that the best and highest evidence of a man's superior ability in these days is for him to stand forth and say that he has cut loose from his mother's apron strings; that he has no superstitious notions about God or religion; that he is a man; that he has been reared in the school of science; that he knows how to think for himself; that we must not talk to him about old women's faith or the prayers of long-haired men or short-haired women and ministers; that he would have you understand that he lives in modern times. That is progress in the nineteenth century! Grand development! If there is anything that is equal to barbarism, worse than barbarism, it is a trained intellect without the restraining influence of moral education.

There has been a great deal said about France, liberty, and the like. But let me give you a sentiment from a distinguished Frenchman, the Count Montalembert, one of the most eminent French statesmen. Mark this:

Men are surprised sometimes by the ease with which the immense city of London is kept in order by a garrison of three small battalions and two squadrons; while to control the capital of France, which is half the size, forty thousand troops of the line and sixty thousand national guards are necessary. But the stranger who arrives in London on a Sunday morning, when he sees everything of commerce suspended in that gigantic capital in obedience to God; when, in the center of that colossal business, he finds silence and repose scarcely interrupted by the bells which call to prayer, and the immense crowd on their way to church, then his astonishment ceases. He understands that there is another curb for a Christian people besides that of bayonets, and that where the law of God is fulfilled with such a solemn submissiveness, God himself, if I dare use the words, charges himself with the police arrangements.

I could quote other sentiments of a similar character from men who love their country. Frenchmen always love theirs with a degree of ardor and enthusiasm not equalled in this liberty-loving country of ours. But I shall continue this no farther, Mr. President, for it may to some sound like cant, like preaching, as though we were undertaking to clothe ourselves in overrighteous habiliments and pretend to be better than other men. Without legislation relating to the great contests that are going on in this country, without the interference of bayonets, without calling upon the militia, without the marshaling of armed forces, if there is one palliative, if there is one preventive, if there is one check, if there is one remedy that is going to cure all of these discordant elements of strife and bloodshed, it is the observance of the Sabbath day and the observance of the restraints of our home in addition.

Mr. President, if I had a voice of power and had the influence to speak to the people of this vast country, I would stand upon the summit of the highest mountain between this and the western waves of the Pacific, and with trumpet of the apocalyptic angel I would cry "Righteousness, righteousness, righteousness exalteth the nation."

Mr. HISCOCK. Mr. President, I am heartily in favor of appropriating the sum of money provided for in the amendment to the bill reported by the Committee on Appropriations. I am heartily in favor of Congress making such ample provision that there will be no doubt about the success of the World's Fair. For that reason I have favored the closure of the Fair on Sunday.

I do not mean to say that I have not been influenced by the moral considerations involved, but I have been disposed to look at this question somewhat as a business one. I regret to discover any

opposition to that proposition, and I regret especially that when the Committee on Appropriations brought in the amendment, they did not provide affirmatively for it. Doubtless they were wiser than I in leaving out such a provision. I regret that both of the Senators from Illinois question, I understand, the propriety of this amendment.

Mr. CULLOM. Which amendment?

Mr. HISCOCK. The one providing that the Exposition shall be closed on Sunday.

Mr. CULLOM. I am ready to vote for that amendment.

Mr. HISCOCK. I am glad to hear it, and I hope the Senator and his colleague will conclude to vote for a stringent provision that beyond any question will insure the closure of the Exposition on Sunday.

Now let us look at the situation of this proposed legislation. We have the amendment here reported to an appropriation bill. I understand the other House declined to take any action in the direction of putting such a provision on an appropriation bill. I believe I am right in that statement. But if this appropriation is secured it must be concurred in by the other House as an amendment to an appropriation bill. We have not the right to refer to what takes place at the other end of the Capitol, but it is fair to suppose that there is decided opposition there to this appropriation. I think we may fairly suppose there is opposition enough there, so that in whatever form you put this amendment the appropriation will be in danger.

If I had charge of this amendment in the interest of the Columbian Exposition I would write the provision for the closure in any form that the religious sentiment of the country demands, and not stand here hesitating and quibbling about it. Rather than let the public sentiment against the Exposition being opened on Sunday be reinforced by the opposition in the other House against any legislation of this kind in the interest of the Exposition I say to the junior Senator from Illinois [Mr. PALMER] he had better yield to this sentiment and not let it go out to the country that there is the slightest doubt that if this money shall be appropriated the Exposition will be closed on Sunday.

In my judgment, Mr. President, if it becomes the fact that the Senate of the United States is advertised as having hesitated about this business, if it be said that we are questioning the propriety of the Government of the United States engaging in a great business enterprise and collecting money for the Exposition of the world's products in order to reimburse the Treasury; if it be said that the Senate of the United States is hesitating, is almost in favor, if you please, or at least has only a narrow majority, and then a closure amendment be carried, but in such doubtful form that the provision may be evaded, I suggest to the Senators from Illinois and to the chairman of the Committee on Appropriations that the amendment which has been offered to this bill will not be strengthened in the House of Representatives.

If I were interested in this measure, as I might be interested if it were to be located in my own State, I should make this closure provision satisfactory to those petitioners who have memorialized us against the desecration of the Lord's day. I would see to it that when this amendment went back to the House of Representatives, in that forum it should not be attacked because it proposed that the Government should be engaged in business upon the Sabbath day. I would not leave it uncertain whether the Government might engage in business or not upon the Sabbath day. In my judgment, doubt upon this question carries with it more peril to your appropriation than it can encounter from any cause whatever.

I have nothing more to say.

Mr. MORGAN. Mr. President, after the impassioned address of the Senator from Georgia [Mr. COLQUITT] upon the subject of this Sunday amendment proposed by the Senator from Pennsylvania [Mr. QUAY]—and I think the argument naturally arises out of the excitement and feeling, to say nothing of the animosity, which have been excited here towards certain classes of people—that Congress ought to be very careful not to interfere in those matters of legislation which have reference entirely to church affairs.

I thought, when I called the attention of the Senate to the fact that the Constitution of the United States separated church and state, that I had pretty good ground to stand on to justify myself in obeying what I conceive to be my duty under that instrument and to oppose on this floor the connection of church and state.

Here is a measure which originates entirely with the Senate, a Republican body, with a Republican committee, with a Republican chairman, and a Republican majority throughout. They brought in this bill for the purpose of assisting the World's Fair, and certain other Republicans who thought that there might be a good chance to make political capital out of this business proposed to amend this bill by inserting a provision against open-

ing the gates on Sunday. The most astute politician in this Chamber, or perhaps in the United States, originated that amendment, and the last one who was on the floor, the Senator from New York [Mr. HISCOCK], referred to the Democratic majority of the House of Representatives and said that this amendment would not be welcomed over there.

Thus the things which belong to the law are taken and perverted to the basest of all political uses, and the Senator from Georgia falls into it as innocently as a babe into its mother's arms. Nobody can fail to admire the zeal of that Senator, and yet sometimes we are surprised at it.

That Senator has sat here by me for months and years, and no man in the United States has been more alert in all legislation that respected morality and the preservation of the peace and the proper conduct of government than that Senator; and yet Sunday night after Sunday night in the city of Washington, when the greatest orator, perhaps the finest thinker, the best equipped debator in the whole United States, has opened a theater here on Sunday night, and taken in a dollar a head for lecturing, and lectured against Christ and all His ordinances and brought religion into contempt, the Senator from Georgia never even got excited about it.

Now, how does that all happen? It is because no politician, like the Senator from Pennsylvania [Mr. QUAY], had stirred up the question; it was because there was no pending election here to bring the question to the front, and nobody had the temerity to attack the Hon. Robert G. Ingersoll in lecturing here night after night of a Sunday night; nobody thought it was necessary. It was not necessary. That great intellect, that very accomplished genius, has lectured freely and openly and without stint or hindrance here from time to time, and laid his views boldly before the world; the men and the women and the girls and the boys of Washington City have read them whenever they desired to do so, and instead of Mr. Ingersoll's party or his clique growing it has diminished, and the church has grown all the time.

There could not be a stronger or a plainer illustration that there is no necessity for the Senator from Georgia invoking the powers of Congress to put down any supposed opposition to religion in any form than the one I have just quoted. It never occurred to the honorable Senator to do that or to any of the rest of us.

Almost every State in the American Union has made its contributions to the World's Fair; many of them, by acts of Legislature, have made contributions; they have required houses to be built there for exhibition purposes; and yet not one of them has ever said a word about Illinois not having the Sabbath preserved, where their money was put up, or about this great commission that we have organized here not having sufficient reverence for the institutions of religion to conduct it in a decent, becoming, and American way. When it gets into the Senate of the United States, and a political purpose is to be subserved by it, then those men who pretend that they are great advocates of the Sabbath, who suddenly have become the conservators of religion in this country, arise and offer amendments which make aggression. This amendment is entirely an aggressive amendment. The committee said nothing about it. Nobody has ever intimated that the great commission which controls the Exposition or the authorities of the State of Illinois intended to open this Exhibition on Sunday, or if there was an intent of that kind it was entirely for religious purposes. As was explained yesterday by the honorable Senator from Illinois [Mr. CULLOM], nobody pretends that a wheel is to turn or an employé is to be put to work there on Sunday or anything of that kind.

The question was asked whether or not a rate of admission would be charged. We do not know whether it will or not; but the junior Senator from Illinois [Mr. PALMER] said he hoped there would be, because the visitors would get more than the worth of their money. If they do, it is just as innocent to go there and hear a sermon as it would be in one of the churches in the city of Washington, and pay your assessment on Sunday when the plate goes around—just as innocent. There is no harm in it, and until it was thought this thing could be worked into some political advantage nobody cared anything about it. Here it is, a political trump card laid out, and the church comes and responds to it and says, "Yea and amen; protect the Sabbath and take care of it, you deacons of a new order; lead us in the paths which we have not heretofore trodden, and we will follow you blindfold."

I think there is a good deal of poverty of judgment in that position. It is not necessary; it is unusual; it is wrong; it is brought in for improper purposes. Illinois never threatened to open its gates on Sunday, nor did Chicago, nor did the Commission. They are just as good as the people of New Orleans, who keep their theaters open every Sabbath, and keep their market places open to sell what they want to sell. They are just as good as the people of Washington City, who keep their tobacco stores open and their drug stores open all day long on Sunday; they are just as good as those people who go out on excursions and

pay steamboat fares and railroad fares to get some little breath of the woods out in the neighboring country; they are just as good as those people who travel about amongst the beautiful open parks here every Sunday, and enjoy what God has made for man, not something that is made by machinery or by the arrangement of church ordinances or by the prescribed rules of what you shall do on Sunday and what you shall not do.

The Almighty never intended even the honorable Senator from Georgia to become the mentor of my conscience about how I should keep Sunday; and if I want to wander about the woods and enjoy the blessings of God's light and the beautiful things about me, which He has spread before me to my delectation on Sunday, and the Senator wants to sit up and read his prayer-book, he has no right to object to my doing that, nor have I any right to object to his taking the course he wants to take.

That is what I call liberty—let me alone and I will let you alone, until I do something to interfere with you or disturb you. Then I will quit or you can make me quit, and you ought to do it.

Those lakes around Chicago will swarm with excursion steamers on Sunday, the railroads will be burdened to haul the people out of that city into the country to look about, and millions of money will be made at that. Baseball games will be played, the saloons will be open, the beer gardens, the dance houses, and all of that will go in Chicago beyond your power to prevent it. It is a question whether or not the civilization of the age will tolerate it. Chicago can not have the power to prevent dissipation during this enormous collection of people within her borders. It is impossible to expect it.

Instead of allowing the gates to stand open as an invitation to the better-mannered and better-thinking and better-feeling people who are there to go and enjoy themselves in a rational and proper way, they are locked up and barred—barred by an act of Congress.

Is it any sin to look at these things on a week day? If not, why is it a sin to look at them on Sunday? It is very true you must not have your employés there compelled to keep this thing in operation. Nobody has ever contended for that, and in fact nobody contends for anything except that we shall allow the sentiment of the people of Chicago and of this great Commission to rule and control in this matter as persons who have delegated authority from the Government of the United States to manage the Exposition. If we can not trust them, let us turn them off and let us find men like the Senator from Georgia and the Senator from Pennsylvania. If we could get up a committee made up half-and-half of men like the Senator from Georgia and the Senator from Pennsylvania, I suppose we could have the "dead timber" on the Sabbath day in that Exposition. I judge we should.

Mr. President, this is not a subject which Senators have a right to draw conscientious lines upon; it is not a subject where they have the right to intimate that men are of loose morals because they do not think with them. That is the spirit of persecution; that is what the men who have almost burned people alive because they did not obey the Sabbath in the way they wanted them to do, have been heretofore doing; that is the spirit which animated them, the spirit of persecution. "You must think as I do; you must do as I do; and if you do not, you are anathema, you are condemned. You must follow the rules of life which I lay down to you, otherwise you can not possibly exist decently." That is the proposition.

Well, Mr. President, I can see a great deal more of pharisaism in that than I can in anything else, unless a man is really and truly a fanatic; but pharisaism, even fanaticism, is certainly to take hold of a crowd which undertakes to manage matters of this kind and control other people in the way they should serve God and behave themselves.

Mr. DANIEL. Mr. President, I am as much in favor of the observance of the Sabbath day as the Senator from Pennsylvania who offered this amendment, or as the Senator from Connecticut, or the Senators from New York, West Virginia, Georgia, or any of the other eloquent and distinguished gentleman who have favored it; and yet there is a view of this question which to my mind is clear, and which to my reason is satisfactory why I can not support it. In brief, it is simply because I do not think the care of the public morals of the people of the different States or of the Sabbath day in the city of Chicago and State of Illinois is a fair and appropriate subject for Federal legislation.

If it should be that in this bill the arm of the Federal Government should reach itself out to the city of Chicago, to a little spot in the State of Illinois, where this fair shall be conducted, and attempt to impress upon that spot the views of the Federal Congress as to how the Sabbath shall be conducted, it will be a curious thing that there is but that one spot in this great American Republic, outside of those small portions of it which are within the exclusive jurisdiction of the Government of the United States, in which Congress has undertaken to have anything whatsoever to do with the Sabbath day.

I do not derogate from the opinions and sentiments which have been so eloquently and ably expressed by Senators who advocate this amendment. Instead of depreciating them, I beg to say that I have profound respect for them, and in so far as those sentiments may reflect feeling and conviction I share in them, that the Sabbath day is an institution of our race and of our country, which in all fitting laws and on all proper occasions should be rigidly observed.

Mr. President, the Federal Government in no cognate legislation has ever attempted to obtrude the views of that class of gentlemen who may be transiently occupying seats in the Federal Congress upon Sunday legislation. Not long since it was held in the State of Virginia, and I believe similar decisions have been made in other States, that the municipal corporations did not have power by their ordinances, nor the State, indeed, by its act, to interrupt the passage of trains which were dedicated to the service of interstate commerce upon the Sabbath day; and while the Federal Government is therefore by these judicial decisions and by its control of the subject of interstate commerce, which is its especial prerogative under the Constitution, invested with the sole jurisdiction to control that great subject-matter, which is more vast than almost any other of public consideration, Congress has never yet undertaken in any degree to put its jurisdiction as to the Sabbath day upon that subject, although there is none other which can lay its hand upon it.

We have made appropriations for interstate railroads, railroads which traverse the continent. Has Congress ever undertaken to control them with respect to the Sabbath day, as to the running of their trains? We make appropriations and subsidies to shipping lines, and the distinguished Senator from Maine [Mr. FRYE] is one of the warmest advocates thereof. Did he undertake then in giving the money of the United States to these lines to follow the money with a catechism and to read his catechism to the sailors and the merchants who were sailing upon the high seas? We give premiums and bonuses to the cultivators of the soil, of beet-root sugar and the sugar of Louisiana, but do we prescribe conditions that they must not work on Sunday or that their crops shall not be garnered on that day? Do we not rather leave those things to the autonomy of our Government and the spirit of our Constitution, placed at the foundation of the Government, within those lines of local police and of religious observance which fitly take cognizance of such subjects?

Mr. President, I do not wish that aught I may say may be construed as in the least degree depreciative of the fact that the Federal Government itself recognizes Sunday. It is *dies non juridicus* in our courts; it is no legislative day here in the Senate or in the House of Representatives. Every executive, judicial, and legislative department closes its work upon that day as far as is compatible with the mere life of the Government, which must be sustained like that of man; but in all the States they are left to control that subject by their appropriate laws and their legislation, and it seems to me that it is intrusive and obtrusive for the Federal Government, through the back door of a condition, to attempt to transplant its power into the State of Illinois and the city of Chicago, and in that lone spot of all places to make itself the sovereign dictator of events upon the Sabbath day.

Mr. President, I believe that my vote will be cast upon this subject in the spirit of true constitutional interpretation and in the spirit of religion and humanity.

We had a great centennial exposition in this country in 1876. It was more distinctively the celebration of this Government of the anniversary of its birth, of the great event which had taken place in history one hundred years ago, than any other exposition we may ever hereafter hold. Congress made an appropriation to that exposition; and how truly and well was verified the efficiency of our Government in its State organizations to take care of those things which are near and dear to the hearts of a religious, God-fearing, and law-abiding people! It did not stretch its arm into the city of Philadelphia and undertake to assert its police power under the show-tent of a transient world's fair; it did not conceive that it was consistent with its dignity to part that little fragment of people who were coming together for a few days from the great body of the American people who had lived together for one hundred years, and enact special police regulations and Sunday laws for them.

It left to the ancient Commonwealth of Pennsylvania, whence comes the distinguished Senator who has offered this amendment—it left to the old American city of Philadelphia, than which there is no city in all this Union more thoroughly imbued with the American sentiment—and the commission, acting not by the dictate of Congress, but observing the public sentiment which rolled around them and respecting the spirit of the people, closed the Centennial Exposition on Sundays.

I would say to these gentlemen, who are so anxious just for the nonce to respond to a few petitions which have been laid upon

their desks, that your Government and your States and your people in their own homes may be well trusted to take care of those things which are appropriately under their observance and within their jurisdiction, and do not need the heavy hand of the Federal Government to obtrude upon them with police regulations.

Mr. HAWLEY. I wish to make a correction before the Senator goes further in his mistake. The Centennial Exposition of 1876 was closed by a Federal commission, appointed by the President of the United States under a law of Congress.

Mr. DANIEL. Mr. President, the information upon which I made my statement to the Senate had been but within a few minutes derived from the Senator from Connecticut [Mr. HAWLEY], whom I consulted on this subject before I ventured to make it, and his statement only corroborates my own, for here in this very bill is the same sort of Federal commission, invested with the same powers, and intrusted with the same duties, and if he, who was associated with the exposition of 1876, found that everything went on so satisfactorily to his religious and patriotic sentiments, why can he not trust the same agencies now which were trusted then?

Mr. President, this Exposition is to be near the great city of Chicago, which contains a population of a million souls. It has all the attractions and has all the incidents which are attendant upon a thickly crowded population in a great city of the sort. On Sunday it may be that, according to the laws of Illinois, as they have been shown to us by the distinguished Senator from that State, the bear gardens will be open, the theaters will be open, the parks will be open, the baseball games, as suggested by the Senator from Alabama [Mr. MORGAN], will be throwing out their enticements to the crowd, and there is no variety of amusements which spring up in great crowded populations, which will not be spreading forth their enticements for the wayfarer upon the Sabbath.

Out upon the border of the city of Chicago is a grand, moral, and intellectual spectacle. The architects of the world have exhausted their genius to display there the beauty of architecture and of household art, their groves, their parks, their drives, their trees, their still waters, and green shade. Does anyone suppose that the cause of humanity and religion is going to be subserved when the millions from a distance gather in this great city with all manner of things that are the concomitants of a crowded population, by closing the gates of the park, by denying to the eye the beautiful vista, which is grand and ennobling, by stripping away from the site the magnificent triumph of human genius and human art, and throwing this great, surging, idle crowd back upon all manner of temptations and amusements which are ever found in such populations?

In my humble judgment, Mr. President, we are paying here tribute to a religious sentiment if we shall adopt the amendment of the Senator from Pennsylvania, which has been deflected by its enthusiasm and by its earnestness from the true path in which it may subserve the things which it desires to subserve. We are taking our Government from out of its appropriate sphere in relation to the people of the United States in the form of a condition, which is the mere assertion of absolute power without any authority from the Constitution to impose it.

The care of the Sabbath day outside of that Territory, which is exclusively within the jurisdiction of the United States, is not one of the public cares which the people of this country have confided to the Congress of the United States. If this was an exposition by the Government of the United States, if it were held in the District of Columbia, which is solely within its jurisdiction, I should vote to close its doors on Sunday, just as I should close the doors of the Treasury, of the Interior, of the Attorney-General, and of all the Departments in Washington, and if any one questioned it I should say the Sabbath is recognized by every State of this Union, and every city and country, and by the great populace, and by the Government, and it is fitting for this Government in its appropriate affairs and in its fitting jurisdiction to justly interpret this sentiment of the people and to conform itself to their wishes and to their opinions.

But, Mr. President, this is not within the jurisdiction of the United States, and a jurisdiction is attempted to be asserted and claimed here, not exactly by a fiction of law, but by a figment of constitutional construction which evades the Constitution in its integrity and transplants the arm of Federal power into a place where it has no appropriate theatre of action.

Suppose that these conditions are violated, how can you prosecute them? In what court are they cognizable? They are cognizable in the municipal courts of the State of Illinois. If you have a Sunday law there and want the Government of the United States to enforce it, you have no court which can take cognizance of it, and you have no agent of the Federal Government who can in any way support what you have enacted by the arm of your power; in other words, you are obtruding yourselves by this

amendment into a business which does not belong to you, which the people of Illinois have confided to their own legislators and their own judges and their own policemen, and have shown to the present time that they are fully capable of taking care of it to the full satisfaction of themselves, they being the sole and final judges of their own local institutions.

It is not complimentary to the State of Illinois, it is not in keeping with that comity which this Government should show to the government of a sister State, that it should say to it "We do not think that your laws upon the subject of religion are such as you ought to have out of respect to the American people," which has none. In our code we can not find Sunday laws, because Sunday is outside of our jurisdiction, save within that little territory which belongs to the United States Government exclusively, and it is only by hook and by crook, by evasion and usurpation, that we attempt, under the garb of a religious sentiment, to transplant the arms of Federal power upon the soil of one of our sister Commonwealths.

Mr. President, I am not to be misguided or misled by these appeals to so widespread, so earnest, and so honest a sentiment as respect for the Sabbath day. We have a commission here to whom that matter has been confided. They are commissioners, two from each State of this Union, and eight from the country at large. Are they not competent? Can not this public sentiment exert itself upon them? Are they not the appropriate persons to whom it should be addressed? Enough as to the Sunday question. I shall vote as I have spoken upon that.

I ask the attention of the chairman of the Committee on Appropriations, who has charge of this bill, for a moment that I may call his attention to a little phraseology of it, which it seems to me needs amendment. The "World's Exposition of 1892" is the technical name of the corporation under whose auspices this Fair is to be held.

Mr. GRAY. May I interrupt the Senator from Virginia a moment?

Mr. DANIEL. Certainly.

Mr. GRAY. I am given to understand by the president of the commission that that corporate name of the Illinois corporation has been changed by a subsequent act of the Legislature of Illinois to "The World's Columbian Exposition," which is the phrase used in the statute.

Mr. DANIEL. In the act of 1890 it is otherwise. The corporation is termed "The World's Exposition of 1892." The World's Columbian Exposition is that body of gentlemen who are appointed by the President, two from each State, to have a certain supervisory relation to the Fair, and the World's Columbian Exposition in that identical phrase is sometimes referred to in the statutes as the Fair itself, the show which is to be exposed to the public view under the auspices recounted.

It is important, in respect of this amendment and to the interest of the Government in granting any manner of appropriation to this World's Exposition, that our relations to that Exposition should be clearly and legally defined. If they are to be defined, as is disclosed in this amendment to the appropriation bill, or as they may hereafter be defined by any amendment likely to be placed in that appropriation bill, I think it will become still more obvious that it is inappropriate for the United States Government in this way to take any cognizance of any Sunday legislation in this proposed statute.

Under this amendment as it stands the United States does not stand before the world as the propounder of this Exposition. It has a mere collateral, incidental relation to it, just as it has to any institution which has sprung up in our country, which, by reason of its location has a certain national character which the Government wishes to sanction, to dignify, to advertise, and to promote.

The Government of the United States will become not even a stockholder in the World's Exposition if the bill passes as it is now framed. Ten million five hundred thousand dollars of private capital have been put into this Fair. The Government has not yet put in a dollar except in certain little incidental expenses connected with it. It proposes now to contribute less than one-third, perhaps not more than a fourth, of the capital which will display the products of this country to the world and inaugurate and control that Fair; yet its jurisdiction is invited into the State of Illinois, and simply because it has got power to hold the money bag it is asked to go into that Commonwealth and enact Sunday laws for that people, when it is not yet even a minority stockholder in the corporation which it proposes thus to direct and to control.

Mr. President, it seems to me that this section needs amendment, though there is no amendment, which in any likelihood will be placed upon it, which will at all disagree with the force of the suggestion which I have made. It is proposed in this amendment that the United States shall appropriate \$5,000,000, to be paid by the Secretary of the Treasury to the World's Columbian Exposition. It is not provided that it shall make this

payment in consideration of stock which shall be furnished it. It is not provided that it shall take security as for a loan. It is an anomalous relation, not that of donor and donee, not that of stockholder and corporation, not that of lender and loanee, not that of mortgagee and mortgagor. It is a curious sort of provision, out of which I do not see that you could construct any legal relation which is known to the books, except that of the United States as a partner with a corporation. It seems to me that it would be better for the United States to loan this corporation the money necessary and require its obligations that they return to it the fund when the Exposition is over.

I make that suggestion for the consideration of those gentlemen who have given this matter more study and reflection than I have done; and will conclude by saying that no matter whether the relation shall be that of mortgagee and mortgagor, stockholder and corporation, partner or what not, it is inappropriate for one contributing so little of so vast a sum, to undertake to dictate how the Exposition shall be run, and inappropriate in the Government of the United States to invade the State of Illinois with any opinions on the religious subjects with which these gentlemen who are transiently in Congress may feel themselves surcharged.

Mr. HAWLEY. Mr. President, I overlooked some matters in making my brief remarks yesterday, and desire to place them on record now. But I must first address myself for a few moments to what the Senator from Virginia [Mr. DANIEL] has just been saying.

He is entirely mistaken as to the character, scope, and power of the World's Columbian Commission and the relation of the Exposition itself to the world. It is a national, a United States Exposition. The city of Chicago and the State of Illinois are utterly unknown to all the rest of the world in connection with this Exhibition, except historically and geographically.

The proclamation is made by the United States Government that there is an exhibition to be held; the United States Government sends its invitation to all the nations of the world to attend and exhibit; the United States creates a commission, composed of two gentlemen from each of the several States, who are to govern all those things in which the public at large is interested, and especially the foreign exhibitors. This is a Federal commission. This commission is charged with the duty of allotting space for exhibitors, preparing a classification of exhibits, determining the plan and scope of the Exhibition, appointing all judges and examiners, awarding all premiums, and generally having charge of all intercourse with the exhibitors and the representatives of foreign nations.

We are not intruding ourselves upon the State of Illinois; we are the creators and governors of that Exposition. A local corporation has been organized for the purpose of assisting in the executive work, the labor of creating buildings, collecting and disbursing money, etc., and every regulation made by that local commission must be approved by the national governing commission.

After the plans for said Exposition shall be prepared by said corporation—

That is, the local corporation—
and approved by said commission—

The national commission—

the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors or of the public, shall be fixed or established by said corporation, subject, however, to such modification, if any, as may be imposed by a majority of said commissioners.

The local corporation can not move one inch in its relations to the exhibitors or the world at large without the approval or direction of the National Commission. Our responsibility can not be evaded. It is a United States Exhibition, governed from top to bottom by our laws and our agents; otherwise nobody in the world would come here. It absolutely could not be a world's exhibition if it were not created and governed by the United States Government. We can not escape responsibility.

In preparation for the Centennial Exhibition nothing was said about detailed regulations in the first act of Congress, and the opening on Sundays did not become a live question for at least three years, and I affirm it was taken for granted that the United States would pursue the course which, from the foundation of the Government, ay, long before, in colonial days, it has without a solitary exception pursued. It has always observed Sunday—always. Every colony and every State, every President or governor or Cabinet officer or State officer, every Legislature, every Congress has observed the Sabbath; every branch of the Army and the Navy has observed the Sabbath or the Sunday.

It is true that the order that the gates should be closed on Sunday was finally made in the case of the Philadelphia Exposition by the commission itself; but it would have been far better, as it would be better in this case, in my judgment, to have put in that prohibition in the beginning, for it would have saved much agitation and annoyance.

The Senator says that Congress is claiming a jurisdiction here which it has not. I take it for granted that the State of Illinois, when it created its local corporation and accepted cooperation with the National Government, accepted the Federal jurisdiction for all the purposes of the Exhibition. I think you will find that in the Illinois legislative act. Such, at any rate, would be the construction given it by any court.

The United States Government has appropriated a million and a half dollars, if I recollect the figures aright, to conduct its share of the Exhibition, to build its splendid building, and to carry to it from Washington and elsewhere all things which exhibit the workings of the Government, and we retain the title to that building and all the articles in it. It is expressly provided that at the close the United States officials shall bring back those articles and shall account for the buildings, the Secretary of the Treasury being required to dispose of them or the material thereof, giving preference to the city of Chicago or to the assisting local corporation.

There is no use in endeavoring to escape responsibility. If the Senate to-day decides that it will not close that Exhibition on Sunday, the Exhibition will be opened on that day, and you will have offended more than 40,000,000 of people—seriously and solemnly offended them. No wise statesman or monarch of modern times, no satrap of Rome would have thought it wise to fly in the face of a profound conviction of the people he governed, no matter if he thought it was a profound error. It is not wise statesmanship to do it.

I intended to add yesterday something of the opinions of the leading clergymen of other churches, the Catholic Church and the Protestant Episcopal. I could read you a long series of expressions of opinion, terse, vigorous, decided, every one of them as clear as a bell, from distinguished men, bishops of the Methodist Episcopal Church North and the Methodist Episcopal Church South. Rev. Edward G. Andrews, D. D., bishop of the Methodist Episcopal Church North, says:

Believing that "the Sabbath was made for man," for his highest welfare through the cultivation of his religious nature, I am convinced that the opening of the National Exposition on Sundays would be a violation of the law of God, and would unspeakably damage the character and life of the American people.

So say Dr. H. W. Warren, bishop; Dr. Cyrus D. Foss, bishop; Dr. Hurst, bishop; Bishop Ninde, Bishop Mallalieu, Bishop Fowler, Bishop Newman, Bishop Vincent, Bishop Joyce, and others.

I could also quote, if necessary, from the bishops of the Methodist Episcopal Church South. I will not take the time to give them in full but will only give the first. Bishop J. C. Keener says:

As to the question, "whether the gates of the Columbian Exposition should be opened on Sunday," surely there can be but one answer. The marked contrast with other world-famed expositions would enable it to show, by the act itself, that the observance of the Christian Sabbath was the one true basis of our success as a nation, industrial and moral.

So say Bishops Wilson, Granberry, Hargrove, Duncan, Galloy, Hendrix, Key, Haygood, and Fitzgerald.

The Methodist Episcopal Church North, numbers 2,292,000 members. At its great General Conference held at Omaha, May 19, 1892, it thus declared itself:

Resolved, That the General Conference of the Methodist Episcopal Church assembled in Omaha, Nebr., representing 2,292,000 communicants and 10,000,000 of adherents, hereby places on record its hearty approval of the general purposes of the proposed Columbian Exposition, but couples with this expression, an emphatic protest against opening the Exposition on Sunday. It would shock the moral and religious sensibilities of millions both in this country and in foreign lands, misrepresent rather than exhibit the Christian advancement and civilization of the age in which we live, and disobey the plain requirements of God's law.

Resolved, That Congress should at once decide this question securely, by conditioning any further grant of public money on the entire closing of the Exposition on every Sunday.

The Methodist Episcopal Church South would doubtless heartily concur. It numbers 1,161,666. The sum of the two branches is 3,453,666, and they aggregate not less than fourteen or fifteen million adherents.

The Presbyterian Church, North, numbering 753,749 members, held its last General Assembly at Portland, Oregon, May 30, 1892, and resolved:

That this General Assembly respectfully memorialize the President and Congress of the United States to make it a condition for any appropriation of the Government's money to the Columbian Exposition that it shall be closed on Sunday.

The total membership of Protestant churches in this country is said to be 11,889,427. The Roman Catholics number over 6,000,000. Another estimate declares the total membership of religious organizations to be 22,000,000, and affirms that 30,000,000 in addition are believers in Christianity and desire the observance of Sunday as a day of rest.

There have been presented to the Senate petitions from some 22,000 people, differing somewhat from the others, because they do not care to have the first day of the week called the Sabbath. It is a mere technical difference. I do not understand that those petitioners like to have exhibitions open on what they call the true Sabbath.

Mr. President, there is no union of church and state in this

country. What there was resembling it has all been done away with long ago. The convictions of the people are as sound and as solid upon that question as they are upon the general question of religion. When I say "religion" I do not mean ecclesiasticism, I do not refer to creeds and denominational differences. I refer to that great sense of high moral obligation to some power superior to ourselves which prevades the whole people.

In the duskiest continents, anywhere where the slightest gleam of civilization and intelligence may have penetrated, everybody ranks the United States of America with the nations of Europe and South America as a Christian nation, and yet we have no union of church and state, and will not have any.

Now, if gentlemen repudiate this, if they desire to reject it, if they deny that this is in the true sense of the word a religious nation, I should like to see the disclaimer put in white and black and proposed by the Congress of the United States. Write it. How would you write it? How would you deny that from the foundation of the country through every fiber of their being this people has been a religious people? Word it, if you dare; advocate it, if you dare. How many who voted for it would ever come back here again? None, I hope.

No honest man can misunderstand me and no honest man will misrepresent me in what I say. The individual State, the national state has no church. Religious belief is as free as sunlight and air. The pervading sense of the Federal Constitution and the constitution of every solitary State and Territory is religious. They are founded on, and the common law is permeated with, the spirit of Christianity. Every statute book shows that it has been written by men who have a belief in the great universal doctrines of religion.

Benjamin Franklin was not a Puritan, nor a sectarian, nor a bigot; but in a gloomy, almost hopeless hour of the great Constitution convention he called a halt and moved that prayers be offered every morning before proceeding to business "imploping the assistance of Heaven." He was a religious man in the sense that he believed in a superior power, and he was not ashamed to stop the great business of legislation and ask them to pray God to remove the cloud of darkness and doubt. He said to the convention: "I have lived, sir, a long time; and the longer I live, the more convincing proofs I see of this truth: That God governs in the affairs of men."

Our much respected colleague from Alabama [Mr. MORGAN], always full of gracious and learned speech and nearly always full of sound doctrine, told us yesterday something about Thomas Jefferson's labors to prevent the union or to destroy any existing union between church and state. Certainly he was quite right. It is a dead question now. No man can get credit for making an eloquent speech upon that subject, for it is purely historical. But Thomas Jefferson is very much misunderstood, sir. It is a common belief that he was in no sense a religious man and had no belief. When he ran for the Presidency, it is said that ignorant people in New England feared that if he should be elected our Bibles would be burned. Yet he also believed in a Divine Providence which "governed in the affairs of men." Do you remember his very solemn language when he referred to the institution of slavery?

I tremble for my country when I remember that God is just and that his justice can not sleep forever.

No irreligious man said that. He had no doubt whatever about the duty of the country, of a great national Government to hold in high, immediate, and eternal regard the highest principles of religion.

A great nation once stirred up a bloody war by treating offensively a religious whim concerning cartridges lubricated with animal grease. It is not an error that will be repeated again by that nation. Here are statesmen lightly treating the profound, the solemn, and holy convictions of more than 40,000,000 of people.

In her wiser days Rome would never have so treated a conquered province; her satraps knew well how to consult the local sentiment and knew that the wisest thing to be done, if it could possibly be done, was to harmonize the rule of Rome with the religious belief of the conquered people.

The sentiment of this country is a great fact, sir. It is not an imagination of the poets; it is not a trifling and ornamental thing. It is an enormous fact, of illimitable strength, that no monarch would think for a moment of disregarding. You endanger yourselves by opposing it. You may cause this year to be regarded, perhaps for centuries, as a sad year and a mournful year, a year in which for the first time in near two hundred and fifty years the Government of the United States, the Senate of the United States was a coward!

Mr. President, that Exhibition is already opened on Sundays, and 25 cents is charged for admission. Let us not amuse ourselves by supposing that we can escape blame for the continuance of the practice during the year of the Exhibition by saying that Chicago only, or Illinois, bore the guilt.

Mr. CALL. Mr. President, I have had placed in my hands today a petition which I have been requested to present, which I desire to present now, as this is an opportune moment for it. It reads:

We, the undersigned citizens of the United States, hereby respectfully but decidedly protest against the Congress of the United States committing the United States Government to a union of religion and the State in the passage of any bill or resolution to close the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation.

This petition is signed by L. H. Crisler and others, members of the Seventh-Day Adventist Church, of Waldo and Spring Garden, Fla.

Mr. President, I feel it a duty to that class of citizens, who constitute a very considerable part of the population of the State of which I am one of the Senators, to say that there is no more religious, devoted, God-fearing people than these men upon the face of the earth. They are a model of integrity, of the performance of every obligation and of every duty which charity and religion impose. They are known everywhere as people whose word is their bond and in the largest and to the smallest degree they are faithful in the performance of every obligation. These people are sincerely of the belief that an imposition by law of an obligation to observe any particular day is in derogation of the Christian religion and of the teachings of Christ. They are not without some foundation for that opinion, and they cite constantly and repeatedly, being literal interpreters of the Divine Word, the declaration of St. Paul that every day is a day which should be observed in the estimation of some persons. This is the language.

One man esteemeth one day above another: another esteemeth every day alike. Let every man be fully persuaded in his own mind. He that regardeth the day, regardeth it unto the Lord; and he that regardeth not the day, to the Lord he doth not regard it. He that eateth, eateth to the Lord, for he giveth God thanks; and he that eateth not, to the Lord he eateth not, and giveth God thanks.

Mr. President, this is one class of religious opinion, and it is an extensive class of opinion. It is not the strongest in numbers, but it is a class of faithful followers of Christ and defenders of his religion, practicing in their lives his precepts, and here they protest against what they term legislation of any kind in favor of religion or any religious observance. Their theory is worthy of consideration. I do not propose that they shall be denounced as infidels, or as immoral, or insensible to the obligations of a sound public opinion, but they are of the opinion that if the Government legislates in favor of religion at all, the next question then will be, "What religion shall the Government support?" and the sect that is the strongest and most powerful will prescribe what religion, what religious sect, what branch of religious opinion shall be the object of the exercise of governmental power.

They believe there is danger in the exercise of this power to any extent by the National Government, and I confess, Mr. President, that while I am willing myself to vote in any manner in accordance with the religious opinion of this country, because I can excuse it to myself by saying that I am not giving this vote because Sunday is a religious day, or prescribed by religion, but because it is a civil institution, is it not true that if the Government in deference to public opinion shall exercise its power in aid of religion, that same public opinion may say what church or sect or branch of religion, and the same public opinion may say what religious worship shall be prohibited?

These simple and devout people believe another thing, and preach it, and preach it with great ability. They say that wherever religion relies upon the power of the State, upon legislation, it departs from the principle of Christ's Gospel, of His spiritual ministration, and that it is in derogation of the power of the Christian ministry and of the Great Communion under which they sever and of the teachings of the Divine Word.

I confess, Mr. President, that that idea addresses itself to me with force. As I read the history of the world, wherever religion has had the aid of civil power and not relied upon the Divine aid it has come to naught. It is not the power of State that makes the observance of Sunday and that impresses itself upon the institutions of this country. It is not the law saying that you shall be religious and respect Sunday as the day of the Lord. You can not by legislation make a man religious. It is not the scheme of Christ, and I think in that respect these people are wise. At all events, I desire to defend them against any imputation that may rest upon them in that respect.

Now, Mr. President, I will say just one word more and I shall not further detain the Senate. As a member of the Committee on Appropriations, when I gave my assent to this provision which has been so ably defended and so clearly stated by the chairman of the committee, the Senator from Iowa [Mr. ALLISON], I did not see then how we could make any legislation efficacious upon this bill. The Constitution of the United States contains this language:

The Congress shall have power * * * to exercise exclusive legislation in all cases whatsoever * * * over all places purchased by the consent of the Legislature of the State in which the same shall be.

It goes on to state for dockyards, and so on, and concludes, "and other needful buildings."

Now, Mr. President, the consent of the Legislature of the State is to be had. What is jurisdiction? Is it jurisdiction to say that in the State of Illinois no exhibition or fair or other act shall be done upon any particular day, or upon Sunday, because it is a religious day, or for any other reason? If it be an act of legislation can you by any indirection put it upon this amendment that power, that jurisdiction power shall be exercised in the State of Illinois? Can your commissioners do it by virtue of any authority from you? Can any corporation do it in the State of Illinois without the consent of the Legislature? It seems to me that they can not do so without the authority of that State.

I am of the opinion that it is not necessary that our people, in order to be a religious people, shall have placed in this bill a declaration that this money shall not be expended unless Sunday shall be respected by closing the World's Fair. I am of opinion that if this Congress were to decree that the religion of Jesus Christ should not prevail, and that Sunday should not be observed, that it would be like water poured out. The religion of this country does not depend upon the enactments of Congress; but it may be that we may violate these safeguards, which prevent the controlling public opinion of any church, or of any sect of the religious world from exercising political power in the interests of their own sect and their own branch of the church.

Mr. President, I am of the opinion that while Congress may express a desire, if they see fit to do so, that Sunday shall be respected in deference to the opinions of the people of our country, it is manifest that there is no power here even by putting a condition upon this appropriation to say, without the consent of the Legislature of the State of Illinois, to create a jurisdiction, that is, a power, to make effective that provision, and if the State of Illinois will have to make it effective, we can safely trust to her Legislature and to her Christian people to make such requirements as the moral and religious feeling of our people demand.

We can place in this law a condition that this money shall not be paid out until the local authorities of the Fair or the Commission shall agree that the Fair shall not be opened on Sunday, but what is the agreement or promise worth if it must have the consent or authority of the State of Illinois. If that State has given to the local corporation authority to open the Fair on Sunday, shall we say to them by a statute we will make a donation or a loan to this Fair if you will exercise this power in a manner conformable to the opinion of the religious people of the United States?"

There is a great body of religious opinion amongst our people that religion can not be aided by the State. That it is more powerful than law. That the great commission to go into all the world and teach is the greatest of all commissions; and its ministers and teachers the support and defense of all civil institutions; and that wherever the people are gathered together there is the opportunity to raise the cross of Christ and that hearers and willing hearts will be found open to their influence.

I thought it proper from me to say this much as a member of the Committee on Appropriations, the members of which desire to show all possible respect for the wishes of those who desire to have the Fair closed without either enacting such a measure as is prohibited by the Constitution, or as will seek to substitute the jurisdiction and power of the United States for that of the State of Illinois on the subject of the observance of Sunday within the limits of that State.

Mr. COLQUITT. Mr. President—
The VICE-PRESIDENT. The Senator from Georgia.

Mr. ALLISON. I ask the Senator from Georgia to yield to me just one moment. I am sorry to trouble him again, as I did before. I ask unanimous consent that at 2 o'clock to-morrow, or half past 2, the Senate proceed to vote upon the amendments relating to this subject, beginning on page 121, without further debate.

Mr. BUTLER. Without debate, I understand?

Mr. ALLISON. Without further debate after that time. I will say 2 o'clock, which will give us ample time, I think, to-morrow to discuss all questions that are involved in this amendment.

Mr. PASCO. At what time to-morrow does the Senator propose to call the bill up?

Mr. ALLISON. I should like to call it up immediately after the reading of the Journal. There is nothing so important as the passage of the pending bill.

Mr. DANIEL. I beg leave to say to the Senator from Iowa that I should like to offer an amendment as soon as the amendment of the Senator from Pennsylvania [Mr. QUAY] is disposed of. I hope this arrangement may not exclude that.

Mr. ALLISON. I do not propose to interfere with the adoption of any amendment that a Senator sees proper to propose to the bill.

Mr. DANIEL. I should like to have a brief opportunity to

explain and discuss the amendment. It has not been before the Senate.

Mr. WHITE. I have an amendment which I propose to offer.

Mr. ALLISON. Allow me to make another suggestion which just occurs to me—I do not know that it is practicable—that tomorrow morning during the consideration of this subject, all debate shall be under Rule VIII, confined to five minutes. Then there will be no curtailment of debate, and I think we can get on with the bill. I hope also we may proceed with the bill as soon as the Journal is read in the morning.

Mr. DANIEL. With the Senator's permission I will give notice of my amendment now.

Mr. ALLISON. I should be glad to have any amendment offered that may be in minds of the Senators, so as to have them printed.

Mr. WHITE. Do I understand the Senator's motion covers the entire section or only the particular subject-matter covered by the amendment of the Senator from Pennsylvania?

Mr. ALLISON. The difficulty in covering the particular matter is that we shall never get through with the bill until we get through with the entire section. If any Senator desires to speak further there will be time this evening, and my suggestion is that to-morrow, in the consideration of these sections, it being one amendment, the debate shall proceed under the five-minute rule until the matter is concluded.

Mr. JONES of Arkansas. That includes the appropriation for the Chicago Exhibition only?

Mr. ALLISON. Only the Chicago Exposition and nothing else. I desire to get rid of that.

Mr. HARRIS. As I understand the proposition of the Senator from Iowa, it is that the Senate shall, at the hour named by him, vote upon the amendment of the Senator from Pennsylvania without further debate, and that as to other amendments which may be offered, the debate shall be confined to five minutes for each Senator.

Mr. ALLISON. That is not precisely my proposition, but I think that is a very good suggestion, I would be willing to adopt that, but it seems to me—

Mr. BUTLER. Let me suggest to the Senator from Iowa that possibly a vote might be taken on the amendment of the Senator from Pennsylvania before 2 o'clock, and then the discussion on any subsequent amendments might be conducted under the five-minute rule.

Mr. ALLISON. I think we shall not get through with the bill to-morrow unless we adopt some such rule as that, and it is absolutely important that the bill shall be concluded to-morrow.

Mr. BUTLER. I am entirely agreeable to the five-minute rule. I should have been very glad to have had it adopted all day.

Mr. ALLISON. Then, I will submit the proposition which I should like to have agreed to; and that is, that to-morrow morning, after the reading of the Journal we proceed with the bill, and that the debate proceed under Rule VIII, which in the Senate is a perfectly familiar rule. I ask unanimous consent that that may be agreed to.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Iowa? The Chair hears none.

Mr. WHITE. I send up an amendment which I propose to offer. I ask that it be read and printed.

The VICE-PRESIDENT. The amendment will be read, and printed, if there be no objection.

The SECRETARY. On page 123, after the words "United States," in line 25, insert the following:

The sum of the money appropriated by this act by preference and priority over all sums except such sums as shall hereafter be subscribed and paid by the stockholders and the city of Chicago for the completion and conduct of said Exposition, up to \$3,000,000 and no more, which sum of \$3,000,000 to be hereafter subscribed, if subscribed and paid out shall share in proportion from the assets with the sums appropriated by this act.

Strike out the words beginning with "such," in line 25, on page 123, down to and including "Exposition" in line 6, page 124.

Mr. GRAY. I have an amendment which I wish to offer and have printed.

The VICE-PRESIDENT. The amendment proposed by the Senator from Delaware will be read.

Mr. PALMER. These various amendments will be printed, I suppose.

The VICE-PRESIDENT. They will all be printed. The amendment submitted by the Senator from Delaware [Mr. GRAY] will be read.

The SECRETARY. It is proposed to add, at the end of section 4, the following:

And it is hereby declared that all appropriations herein made for or pertaining to the World's Columbian Exposition are made upon the condition that the said Exposition shall not be opened to the public on the first day of the week, commonly called Sunday; and if the said appropriations be accepted by the corporation of the State of Illinois known as "The World's Columbian Exposition," it shall be, and it is hereby made, the duty of the World's Columbian Commission, created by act of Congress of April 25, 1890,

to make such modification of the rules of said corporation as shall require the closing of the Exposition on the said first day of the week, commonly called Sunday.

Mr. PEPPER. I desire to offer an amendment.

The VICE-PRESIDENT. The amendment submitted by the Senator from Virginia [Mr. DANIEL] will first be read.

The SECRETARY. It is proposed to strike out from line 24, on page 123, to line 9, inclusive, on page 124, and insert:

And the entire amount advanced by the United States shall be repaid to the Secretary of the Treasury of the United States before paying any dividends to any shareholder or the city of Chicago, or returning to them any amount of their contribution to the stock of the World's Columbian Exposition.

The Secretary of the Treasury shall, before paying out any money under this appropriation to the World's Columbian Exposition, take its obligation for the repayment thereof.

Mr. PEPPER. I desire to offer an amendment to the amendment, to be considered in connection with the pending amendment.

The VICE-PRESIDENT. Does the Senator from Kansas desire to have it read?

Mr. PEPPER. I do not care about having it read if it is printed.

The VICE-PRESIDENT. The proposed amendment to the amendment will be printed.

Mr. COLQUITT. Mr. President, I regret that the Senator from Alabama [Mr. MORGAN] is not in his seat. I have but a word or two to say, and that is in response to the remarks which he made, and the references which he made to the presentation of views that I have.

It is a bold thing, and I know an audacious thing, to enter into the arena of debate with the Senator from Alabama. Everybody knows his ready wit and his keen sarcasm; that he wields at all times a Damascus blade, and that you can not avoid wounds and blood when you come in contact with him; but in this contest he is not a giant. The cause he attempted to carry is too weighty for as broad, and strong, and able shoulders as his own; he sinks down under it, and a child may banter him.

He was so well convinced that all of his talk about liberty was a sham, and that this pretense of the honor of a union of church and state was a scarecrow that he had nothing more to say about it; but knowing by instinctive regard for Democracy and my readiness to join hands in any coöperative movement to defeat the Republicans, he adroitly abandoned the great basis upon which he had started out and says, in order to win our support, that this is a Republican trick; that the idea is a partisan triumph of the Republicans, and that it is likely innocent, and simple-hearted, and simple-minded men like myself may be beguiled; and therefore he stands up to warn us.

That is not the question. It is not a party question. It is not Republicanism or Democracy. I take my stand on it. The division is made upon the moral idea and not upon the political; and he will take his choice.

Here are two representative ideas that it seems to me divide the advocates and the opponents of this question, and when I have read them I will announce my allegiance to one or the other.

The one is the declaration of George Bancroft, a pattern of the noblest of American citizens. This great man, this statesman, this historian, says:

Certainly our great united commonwealth is the child of Christianity. It may with equal truth be asserted that under that modern civilization springs into life with our religion.

That is a good sentiment. It is not political. It is not Republicanism. It is not Democracy. It is a fine, exalted, religious sentiment.

Now, I agree to that. That is my politics. That is my Democratic religion. I side with George Bancroft. I am afraid that my distinguished friend from Alabama takes sides with the distinguished Voltaire, who says:

There is no hope of destroying the Christian religion so long as the Christian Sabbath is acknowledged and kept as a sacred day.

There are the two parties. It is not Republicanism upon the one side and Democracy upon the other. It is not the greater popularity of the one party in upholding a religious or moral idea and the odium and stigma that may rest upon the other by not upholding it, but it is a question whether we are going to take sides with George Bancroft or Voltaire.

I am with George Bancroft, the American Christian, the American statesman, who believed that in the observance of the holy religion of our Master rested the advances we have made in civilization and in progress. Let those who go with Voltaire stand up and quote Robert Ingersoll, and go to hear him on Sunday nights. I have never violated the Sabbath by going to hear God Almighty or Jesus Christ, our Saviour, vilified and abused. I say to my distinguished friend from Alabama that if we are to divide, I will go with George Bancroft, and with all of the Puritans of New England, if you so call them, and the 13,000,000 of Christian communicants in this country. I will go with them

rather than with Voltaire and Ingersoll, and all the debauched and abandoned who can be found in this country.

There is one thing that we lose sight of when we come to refer to this Exposition. It shows how it is that in this day of material civilization we are thinking of nothing in the world but what contributes to our daily comfort, our bread and meat. We lose sight of the higher essences of manhood and womanhood, and the great development of our institutions in bringing out men and women. That is forgotten and ignored.

In the Exposition that is to be held in Chicago we are not only to exhibit grand manufactures and plowshares and steam engines and models of architecture. These are very fine to look at, but what is the exhibition that America ought to make in vindication of her institutions? What is the proudest exhibition she can make? It is that highest and noblest of all machines, man. Let us see what manhood is in America, and let it be illustrated in the observance of that which is high, holy, and sanctified and exalting in its character.

We are so broken down in this day in our greed for money and material show and development, and after drum-beating and drum-sounding and flag-flying, that the men who lie at the bottom of the pyramid of society are forgotten. What I would have Chicago to exhibit when it exhibits the specimens of American genius and of American inventions is the highest example and the highest specimens of manhood. After all man is a machine that is far beyond in importance all the inventions of Arkwright, or from that day to this. Give us manhood, and let it be illustrated there by the observance of such laws as will let the world see and know and believe that here is a God-fearing and God-loving people, worshipping Him in truth and in sincerity, molding their homes and raising their children so that they may be patriots and Christians when they shall come to assume the responsibilities of manhood.

Mr. PETTIGREW. Mr. President, I have received several telegrams during the day bearing on the subject of the amendment under consideration by the Senate. I have concluded that they represent not only the religious sentiment of this country but also the interests of the laboring classes, and I desire that the Secretary read them, so that they may appear in the RECORD.

The VICE-PRESIDENT. The telegrams will be read by the Secretary.

The Secretary read as follows:

PITTSBURG, PA., July 12, 1892

Hon. R. F. PETTIGREW, *United States Senate:*

The Western Pennsylvania Sabbath Association earnestly protests against any appropriation unless on basis entire closing on the Sabbath. Any other action will be anti-Christian, as well as contrary to law.

D. F. MAGILL, *Secretary.*

PITTSBURG, PA., July 11, 1892.

Hon. R. F. PETTIGREW, *United States Senate:*

The Board of Publication of the United Presbyterian Church of North America, representing a membership of 110,000, this date resolved to request your support of the resolution pending before the United States Senate on the matter of closing the Columbian Exposition in its entirety on the Sabbath day.

J. D. SANDS, *President.*
S. H. GRAHAM, *Secretary.*

CHICAGO, ILL., July 12, 1892.

Hon. R. F. PETTIGREW, *United States Senate:*

Claims that saloons desire Sunday closing are untrue; they desire Sunday excursions. Business men generally are in favor of closing; they scorn the statement that they will not give employes opportunities to visit the Fair week days.

CHAS. H. HOWARD, *President,*
EDWARD F. CRAGIN,
Secretary Columbian Sunday Association.

CHICAGO, July 12, 1892.

Senator PETTIGREW,

United States Senate, 100 B Street, Northeast:

Locomotive engineers representing four hundred and twenty-five railroad divisions, thousands of wage-workers, laboring men of Chicago, voted unanimously for closed Fair Sunday. Stand fast. Secure the workingman's Sunday.

JOHN M. LOCKE.

PITTSBURG, PA., July 12, 1892.

Hon. R. F. PETTIGREW, *United States Senate:*

The Reform Bureau urges that complete closing on the Sabbath be insisted on as condition of appropriation, as required by divine and civil laws and requested by a vast majority of petitioners.

J. W. HOUSTON, *President.*

PITTSBURG, PA., July 12, 1892.

Hon. R. F. PETTIGREW, *United States Senate:*

The Law and Order League urges entire closing Columbian Exposition on the Sabbath as condition of appropriation. The great American nation should not countenance disobedience to law divine and civil.

A. LEGGATT, *Secretary.*

Mr. QUAY. Mr. President, in this connection I will send a few telegrams that I have received to the desk, and I ask that they be read.

The VICE-PRESIDENT. The telegrams will be read.

The Secretary read as follows:

NEW CASTLE, PA.

Senator M. S. QUAY:

Ministers have just asked me to wire requesting you to stand by your amendment to World's Fair bill. I join in the request.

T. W. PHILLIPS.

NEW CASTLE, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

With greeting urge you accept no compromise on your amendment.

W. R. LAIRD.

NEW CASTLE, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Please stand by your Sabbath amendment to the World's Fair bill.

REV. M. H. CALKINS.

PITTSBURG, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

The Board of Publication of the United Presbyterian Church of North America, representing a membership of 110,000, this date resolved to request your support of the resolution pending before the United States Senate on the matter of closing the Columbian Exposition in its entirety on the Sabbath day.

J. D. SANDS, *President.*
S. H. GRAHAM, *Secretary.*

NEW CASTLE, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

This whole Christian community sends greeting urging passage your amendment.

J. M. CLARK.

FALLSTON, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

We trust you will stand firm for Sabbath closing of World's Fair. Make no compromise.

FALLSTON POTTERY COMPANY,

FALLSTON, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Make no compromise. Stand firm for Sabbath closing World's Fair.

BRADY'S RUN FIRE CLAY COMPANY.

NEW BRIGHTON, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm for Sabbath closing of the Fair. Make no compromise. Our firm will not exhibit if Fair is open.

DOWNIE BROS. & NEVIN.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm for the Sabbath closing of the Fair. Make no compromise.

WESTERN FILE COMPANY.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

We trust you will make no compromise, but stand firm for the closing of the Fair on Sabbath.

KNOTT, PARKER & CO.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm, make no compromise. We can't exhibit if Fair is open on Sabbath.

PAISLEY STOVE WORKS.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

We ask you to stand firm for Sabbath closing of the World's Fair.

CHAMPION SAW WORKS.

NEW CASTLE, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand fast, we urge, to your amendment.

T. J. BLACKWOOD.

NEW CASTLE, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand by your amendment to the World's Fair bill.

J. Q. A. McDOWELL,
JOHN MCKINLEY,
L. M. WESTLAKE.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm, yet stand firm for closing the Fair on Sabbath.

H. MYERS COMPANY.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm for Sabbath closing of the World's Fair; make no compromise.

HARNOW & CO.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Use your best efforts to have Fair closed on Sabbath; accept no compromise.

H. M. MYERS.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Make no compromise. Stand firm for Sabbath closing of the World's Fair.

KEYSTONE WATER WORKS

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Stand firm for Sabbath closing. We can not exhibit at Fair unless closed on Sabbath.

KEYSTONE DRILLER COMPANY.

BEAVER FALLS, PA., July 11, 1892.

Hon. M. S. QUAY, *United States Senate:*

Hold fast for closing World's Fair on Sabbath. The Homestead riots are an outgrowth of Sunday labor.

GENEVA COLLEGE.

URBANA, OHIO, July 12, 1892.

Hon. M. S. QUAY, *United States Senate:*

Eleven million petitioners thank you for your amendment on Sunday closing.

J. B. HELWIG,
President Ohio Sabbath Association.

Mr. DANIEL. I should like to ask the Senator from Pennsylvania if he can explain the uniformity of these telegrams?

Mr. QUAY. I did not hear the interrogatory of the Senator from Virginia.

Mr. VEST. Does the Senator from Iowa propose to take up any other amendment?

Mr. ALLISON. I should like to pass upon some of the amendments that have been passed over. I suppose we can not take up any of the amendments that relate to the subject of the Exposition with a view to debate.

Mr. VEST. I was about to call the attention of the Senator to an amendment that was passed over, unless the Senator from Pennsylvania has some more telegrams to be read.

Mr. ALLISON. The Senator from Missouri has an amendment to offer, and I think we may dispose of that at this time.

Mr. VEST. It is on page 55.

Mr. ALLISON. On page 55, relating to improvement of steam heating, etc., for the Capitol. There is an amendment there that was passed over.

Mr. VEST. If the Senate will proceed to the consideration of that amendment I have an amendment to it which I propose to offer.

Mr. ALLISON. I ask that the amendment may be considered now.

The VICE-PRESIDENT. Commencing on line 18?

Mr. ALLISON. Commencing on line 18.

Mr. PLATT. These are amendments which were passed over when the bill was read?

Mr. ALLISON. Yes, they were passed over.

Mr. VEST. In line 22, on page 55, I move to insert, after the word "restaurant," the words:

And to coal and fuel bins on Senate wing.

So as to read:

Making improvements and addition to kitchen of Senate restaurant, and to coal and fuel bins on Senate wing.

The amendment to the amendment was agreed to.

Mr. VEST. I move to strike out, before word "thousand," in line 22, the word "one" and insert "seven;" so as to increase the appropriation from \$91,000 to \$97,000.

Mr. ALLISON. That I understand to be the estimate of the cost of the reproducing the coal bins.

Mr. VEST. That is the estimate, an addition of \$6,000. I have here a letter of the engineer in regard to it. If it is necessary to read it I will do so.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 55, line 22, before the word "thousand," it is proposed to strike out "one" and insert "seven;" so as to read "\$97,496.06."

The amendment to the amendment was agreed to.

Mr. ALLISON. Now I ask that the amendment as amended be agreed to.

Mr. VEST. It has already been read.

The amendment as amended was agreed to.

Mr. COCKRELL. I think that the letter my colleague has had better be inserted in the RECORD so that it can be used in conference.

Mr. ALLISON. Yes, I hope the Senator will have it inserted in the RECORD.

Mr. VEST. I will put it in the RECORD as part of my remarks:

If the change in the rearrangement of the Senate kitchen should be decided upon as recommended by Messrs. Waring & Billings, the capacity of the present coal vaults would necessarily be reduced at least 250 tons, as there must be a convenient passageway provided to reach the lift, which is of the utmost importance, as there is no other means of getting in material for the use of the folding room, restaurant, and mechanical department of the Senate, and also for the removal of all refuse matter, such as ashes and other necessary accumulation. The present capacity of the coal vaults is about 600 tons, while room should be provided for 1,500 tons coal and 800 cords of wood. To do this it will be necessary to excavate under the roadway, and to some extent under the grass plat, at a cost of probably not less than \$6,000. If this should be allowed, the necessity of taking in coal and wood during the sitting of the Senate could be avoided.

Respectfully,

T. A. JONES,
Chief Engineer, United States Senate.

Mr. ALLISON. I ask the Senate to return to page 18, line 24. On page 18, line 24, before the word "thousand," I move to strike out "sixty-three" and insert "seventy-eight;" so as to read "\$78,000." This relates to the appropriation for the Bureau

of Engraving and Printing. Since this bill has been reported the Senate and House have passed a bill allowing the employees of the Bureau of Engraving and Printing thirty days' leave of absence instead of fifteen, and in order to do so it will be necessary to increase this appropriation \$15,000.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 18, line 24, before the word "thousand," it is proposed to strike out "sixty-three" and insert "seventy-eight;" so as to read "three hundred and seventy-eight thousand dollars."

The amendment was agreed to.

Mr. ALLISON. On page 19, line 8, before the word "thousand," I move to strike out "fifty-two" and insert "sixty-nine;" so as to increase the appropriation for wages of plate-printers from \$452,000 to \$469,000. I move this amendment for the same reason as the preceding.

The amendment was agreed to.

The VICE-PRESIDENT. The Chair calls the attention of the Senator from Iowa to the amendment passed over on page 71 to strike out from line 6 to line 20, inclusive, the amendment relating to the Hot Springs Reservation.

Mr. ALLISON. I do not wish to call that up this evening. The Senator from Arkansas is absent. On page 4, after line 20, I move to insert:

For post-office at Minneapolis: For general repairs and painting, \$21,000.

The recommendation of this appropriation is found in Executive Document No. 132, and is dated July 2, after this bill was reported.

The amendment was agreed to.

Mr. ALLISON. On page 3, after line 18, I move to insert:

For repairs, alterations, and improvements of United States court-house and post-office at Atlanta, Ga., \$7,500.

Mr. QUAY. Do I understand that the Senator from Iowa is ready to receive general amendments to the bill?

Mr. HARRIS. These are committee amendments.

Mr. ALLISON. These are some amendments that the committee desire to have made.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. I ask leave to insert in the RECORD the following letter from the Secretary of the Treasury:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., July 11, 1892.

SIR: I have the honor to request an appropriation of \$7,500 for repairs, alterations, and improvements in the United States court-house and post-office at Atlanta, Ga.; and have also to request that said item be included in the sundry civil bill.

Respectfully yours,

CHARLES FOSTER, *Secretary.*

The Hon. PRESIDENT OF THE UNITED STATES SENATE.

Mr. ALLEN. I wish to offer an amendment after the word "necessary" in line 25, page 37. I move to insert:

Fish hatchery in the State of Washington: For investigation and report respecting the advisability of establishing a fish-hatching station at some suitable point in the State of Washington, \$1,000, or so much thereof as may be necessary.

Mr. ALLISON. Under the understanding we have, I trust the Senator from Washington will withhold that amendment. I want to keep, if I can, the amendments of the committee separate from those that are offered outside of the committee. The Senator will have an opportunity to offer his amendment later.

Mr. ALLEN. I shall be very glad to conform to the rule. I thought that general amendments were invited.

Mr. ALLISON. They are not invited at this moment. Unless some Senator now desires to speak a little more at length than can be enjoyed under the rule that we have established for to-morrow, I will move that the Senate adjourn.

Mr. PEPPER. If the Senator will withhold the motion just a moment I desire to make a personal statement which will be very brief. Saturday, upon an amendment proposed by the committee, on page 114, commencing at line 12 and continuing to line 20, proposing to appropriate certain moneys to the widows of deceased Justices of the Supreme Court, my vote was given and recorded in the affirmative. Hardly had the vote been announced when I became satisfied in my own mind that I had made a mistake. I simply desire now to make that statement in the presence of the Senate and the country. I believe that we have no right to appropriate the people's money for purposes of that kind. Public moneys ought not to be used for any but public purposes. The more I have thought about it the more I am satisfied that the mistake ought not to have been committed.

Mr. ALLISON. I very much regret that the Senator feels compelled to make that explanation.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by T. O. TOWLES, its Chief Clerk, announced that the Speaker of the

House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy Quartermaster-General United States Army;

A bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla.;

A bill (S. 1910) to establish an intermediate rate of pension between \$30 and \$72 per month;

A bill (S. 3273) authorizing St. Joseph's Church in the parish of East Baton Rouge, in the State of Louisiana, to use the land quitclaimed to it by the United States for school purposes;

A bill (S. 3299) to amend section 7 of the act approved June 22, 1888, entitled "An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.," and for other purposes;

A bill (H. R. 1216) for the relief of the First Methodist Church in the city of Jackson, Tenn.; and

A bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 13, 1892, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, July 12, 1892.

The House met at 11 o'clock a. m. Prayer by Rev. J. H. CUTHBERT, D. D.

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

JOSEPH DUNLAP.

The SPEAKER laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of Joseph Dunlap vs. The United States; which was referred to the Committee on Claims, and ordered to be printed.

BONNER & MERRIMAN.

The SPEAKER also laid before the House the bill (H. R. 5746) to refund certain revenue taxes to Bonner & Merriman.

The SPEAKER. This bill has been returned from the Senate with an amendment.

Mr. SNODGRASS. I ask that the House concur in the amendment of the Senate.

The amendment was read, as follows:

Strike out all after the word "cents," in line 7, down to and including "used," in line 15, and insert:
"In redemption of that amount of internal-revenue stamps issued to pay taxes on certain packages of apple brandy, which brandy was burned before the stamps were attached."

There being no objection, the amendment was concurred in. PITTSBURG, FORT WAYNE AND CHICAGO RAILROAD COMPANY.

The SPEAKER also laid before the House the bill (H. R. 402) to establish a division line between the land of the United States and the Pittsburg, Fort Wayne and Chicago Railroad Company.

Mr. McRAE. I ask that the House disagree to the amendment of the Senate and ask a conference.

Mr. DINGLEY. I ask that the amendment be read.

The Clerk read as follows:

Strike out all after the enacting clause, and insert—
"That the United States of America"—

Mr. DINGLEY. I understand now that this is an entirely new bill. I do not care to have the matter read further.

The SPEAKER. If there be no objection, the amendment of the Senate will be disagreed to, and the request for a conference granted.

There was no objection, and it was ordered accordingly.

The SPEAKER announced the appointment of Messrs. AMERMAN, McRAE, and TOWNSEND as conferees on the part of the House.

PENSIONS.

The SPEAKER laid before the House the bill (S. 2137) to amend an act entitled "An act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States and become disabled," approved March 3, 1877.

The SPEAKER. This is a Senate bill which was amended by the House; the Senate has disagreed to the House amendment, and asks a conference. In the absence of objection, the House amendment will be insisted upon, and the request of the Senate for a conference granted.

There was no objection, and it was ordered accordingly.

The SPEAKER subsequently announced the appointment of Mr. MARTIN, Mr. HARRIES, and Mr. JOLLEY as conferees on the part of the House.

UNITED STATES MILITARY RESERVATION, COLUMBUS, OHIO.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting United States military reservation in the city of Columbus, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Leonard Avenue Street Railway Company, a corporation duly organized under the laws of the State of Ohio, is hereby granted consent to construct a single or double track street railway on Cleveland avenue, and on Buckingham street, and on Jefferson avenue, in the city of Columbus, Ohio, wherever said avenues and street abut upon the military reservation now known as Columbus Barracks, and located in the said city of Columbus, Ohio. And the Secretary of War is hereby authorized to sign such consent as may be required by the laws of Ohio, on behalf of the Government of the United States, to authorize the construction of said street railroad in and upon said avenues and street.

Mr. HOPKINS of Illinois. Does this propose a right to pass along where private property abuts on the streets?

Mr. OUTHWAITE. Yes; it passes along the streets of the city.

Mr. HOPKINS of Illinois. Is there any provision made, where damage to private property is done, that there shall be compensation?

Mr. OUTHWAITE. Oh, there is no question of that kind. This is simply to meet a requirement of the statute of Ohio that street railways shall obtain the consent of abutting property-owners. It does not grant any right of way at all.

There being no objection, the bill was considered, ordered to be engrossed, and read a third time; and being engrossed, it was accordingly read the third time and passed.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid on the table.

REFERENCE OF SENATE BILLS, ETC.

The SPEAKER laid before the House the bill (S. 3311) to refer the claim of Jessie Benton Frémont to certain lands and improvements thereon in San Francisco, Cal., to the Court of Claims; which was referred to the Committee on Claims.

Also the Senate concurrent resolution providing for the printing of the report of the Commissioner of Education for 1889-'90—to the Committee on Printing.

CONFEE ON ARMY BILL.

The SPEAKER. The gentleman from Wisconsin [Mr. MITCHELL] asks to be excused from further service as a conferee on the Army bill, and the Chair will appoint in his stead the gentleman from New York [Mr. ROCKWELL].

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:
To Mr. BRECKINRIDGE of Kentucky, for the day, on account of sickness in his family.

To Mr. EZRA B. TAYLOR, indefinitely, on account of ill health.

To Mr. OATES, Mr. BYNUM, Mr. BOATNER, Mr. EZRA B. TAYLOR, and Mr. BRODERICK, indefinitely, on account of an investigation into the Homestead strike and labor troubles in Pennsylvania.

ORDER OF BUSINESS FOR TO-DAY.

Mr. CATCHINGS. Mr. Speaker, I desire to submit a report from the Committee on Rules.

The report was read, as follows:

Resolved, That this day, Tuesday, the 12th day of July, be set apart for the consideration of bills reported from the Committee on the Election of President and Vice-President and Members of Congress; bills to be considered in the order indicated by said committee, this order not to interfere with revenue, appropriation bills, or conference reports.

Mr. CATCHINGS. On that I ask the previous question.

The previous question was ordered, under the operation of which the resolution was adopted.

REPORTS OF COMMITTEES.

The following reports of committees were handed in at the Clerk's desk, referred to their appropriate calendars, and otherwise disposed of as indicated below:

TRANSPORTATION OF DUTIABLE MERCHANDISE, ETC.

Mr. CARUTH, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 8124) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Dunkirk, N. Y.: which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

TERMS OF UNITED STATES COURTS IN THE STATE OF SOUTH DAKOTA.

Mr. GOODNIGHT, from the Committee on the Judiciary, reported back favorably the bill (S. 3126) to regulate the times for

holding the terms of the United States courts in the State of South Dakota; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

METROPOLITAN RAILROAD COMPANY OF WASHINGTON, D. C.

Mr. GOODNIGHT also, from the same committee, reported back favorably the bill (H. R. 5398) to repeal the provisions of the act of Congress approved the 3d of March, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1881, and for prior years, and for other purposes," which provides for the forfeiture of the charter and the other rights of the Metropolitan Railroad Company, of Washington, D. C.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, ELMIRA, N. Y.

Mr. WARNER, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (H. R. 285) for the erection of a public building in the city of Elmira, N. Y.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, ALPENA, MICH.

Mr. TARSNEY, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (H. R. 630) for the erection of a public building at Alpena, Mich.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS CANE RIVER, LOUISIANA.

Mr. O'NEILL of Missouri, from the Committee on Interstate and Foreign Commerce, reported favorably the bill (H. R. 9487) to amend an act approved April 22, 1890, authorizing the Natchitoches Cane River Bridge Company to construct and maintain a bridge across Cane River, in Louisiana; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS RED RIVER, LOUISIANA.

Mr. O'NEILL of Missouri also, from the same committee, reported back favorably the bill (H. R. 9488) to amend an act approved March 2, 1891, authorizing the construction of a bridge across the Red River, Louisiana, by the Rapides Bridge Company, limited; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS THE COLUMBIA RIVER, IN THE STATE OF WASHINGTON.

Mr. O'NEILL of Missouri, from the same committee, reported back favorably the bill (S. 3029) authorizing the construction of a bridge across the Columbia River, in the State of Washington; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CODIFICATION OF PENSION LAWS.

Mr. PEARSON, from the Committee on Invalid Pensions, reported back with amendments the resolution relative to the codification of the pension laws; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

RIGHT OF WAY ACROSS THE YUMA DEPOT, QUARTERMASTER'S RESERVATION IN ARIZONA.

Mr. ENGLISH, from the Committee on Indian Affairs, reported back, in the nature of a substitute for House bill 8701, the bill (H. R. 9526) granting to the Yuma Pumping Irrigation Company the right of way for two ditches across that part of the Yuma Indian Reservation lying in Arizona; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

House bill 8701 was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bills of the following titles:

A bill (H. R. 2401) for the relief of Lydia A. Magill, administratrix;

A bill (H. R. 649) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; and

A bill (H. R. 6740) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes.

It also announced that the Senate further insisted upon amendment numbered 23 to the bill (H. R. 6923) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEWART, Mr. ALLISON, and Mr. BLACKBURN as the conferees on the part of the Senate.

It also announced that the Senate had passed the following concurrent resolution, in which concurrence was requested:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 6,000 copies of the Special Report of the Chief of the Bureau of Statistics of the Treasury Department in regard to our commerce with the countries of Europe from 1870 to 1890; 1,000 copies for the use of the members of the Senate, 2,000 copies for the use of the members of the House of Representatives, and 3,000 copies for distribution by the Bureau of Statistics.

ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army;

A bill (S. 1393) to amend an entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla.;

A bill (S. 1910) to establish an intermediate rate of pensions between \$30 and \$72 per month;

A bill (S. 3273) authorizing the Saint Joseph's Church, in the parish of East Baton Rouge, in the State of Louisiana, to use the land quitclaimed to it by the United States for school purposes;

A bill (S. 3299) to amend section 7 of the act approved June 22, 1888, entitled "An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.," and for other purposes;

A bill (H. R. 1216) for the relief of the First Methodist Church, in the city of Jackson, Tenn.; and

A bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893.

MEXICAN GULF, PACIFIC AND PUGET SOUND RAILROAD COMPANY.

Mr. STOUT. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 2022 granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida.

The bill was read, as follows:

Be it enacted, etc., That the Mexican Gulf, Pacific and Puget Sound Railroad Company, a company organized under the laws of the States of Florida and Alabama, is hereby granted the right of way, 100 feet in width, through the lands belonging to the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and through the reservations lying near Pensacola, in the State of Florida, known as the naval and military reservations. The said The Mexican Gulf, Pacific and Puget Sound Railroad Company is hereby granted also the privilege and authority to use such timber, gravel, stone, and all materials within the said right of way through lands belonging to the United States except said naval and military reservations, as may be necessary in the construction and operation of the said The Mexican Gulf, Pacific and Puget Sound Railroad.

SEC. 2. That the line and location of the right of way to the said The Mexican Gulf, Pacific and Puget Sound Railroad Company through the naval and military reservations near Pensacola, Fla., shall be subject to the approval and under the control of the Secretary of the Navy and the Secretary of War: *Provided*, That the said railroad company, on notification by the Secretaries of the Navy and War, shall, within a reasonable time thereafter, construct, maintain, and operate at its own expense a spur track or tracks to enter into and be located at such place or places within the present limits of the navy-yard inclosure on said reservation as may be designated by the Secretary of the Navy: *And provided further*, That the Secretaries of the Navy and War be, and are hereby, authorized to allow the use by the said company, in the accommodation of its general traffic and the maintenance of a coaling station, of so much of the land and water front of the said reservation lying west of and outside the present navy-yard inclosure as in his judgment will not be required for naval or army purposes, and as will not be a hindrance to the public defense nor prejudicial to the health of those residing on the Government reservation and not to exceed in any one case 300 feet of water front, which width may extend back along the line of said road not more than 1,000 feet; the value of the use of land to be appraised by a board of naval officers, to be appointed by the Secretary of the Navy: *And provided further*, That said company shall reimburse the residents of said reservation for any damages to their property or tenements caused by the construction, excavation, or operation of said road, such damage in all cases to be fixed by the said board: *And provided further*, That the right of way and other privileges granted in this section shall be subject to the regulation and control of the said Secretaries, and shall be inoperative, null, and void unless the said railroad company shall complete the construction of and have in use its tracks within two years from the date of the passage of this act.

SEC. 3. That the Secretaries of the Navy and War may, at any time they shall deem it necessary for the public good, cause to be removed or destroyed all or any of the structures hereby permitted on the naval and military reservations near Pensacola, Fla., without liability for damages; and the said company shall not erect or allow the use of any residences on said reservation, nor shall it erect any structures of any kind thereon, except

such as the Secretaries of the Navy and War shall approve; and all approvals in this act required shall be in writing.

SEC. 4. That Congress expressly reserves the right to alter, amend, or repeal this act, in whole or in part, without any liability on the part of the United States for any damages or losses sustained by said company.

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

Mr. TAYLOR of Illinois. Reserving the right to object, I wish to ask a question of the author of this bill.

The SPEAKER. The gentleman from Michigan has asked consent for the present consideration of this bill.

Mr. TAYLOR of Illinois. I would like to ask first if this is recommended by the Secretary of War?

Mr. STOUT. It has been.

Mr. TAYLOR of Illinois. Was there a report accompanying it?

Mr. STOUT. I have not the report in my possession, but I understand that a report was submitted with the Senate bill. I will state to the gentleman that this is a Senate bill, and in the Senate report there is a recommendation from the Acting Secretary of War, the Secretary of the Navy, and the Chief of Engineers in regard to it.

Mr. TAYLOR of Illinois. Is there a House bill on this subject?

Mr. STOUT. None has been reported, but the House committee has reported this bill favorably.

Mr. TAYLOR of Illinois. If the report is not lengthy I should like to have it read.

The SPEAKER. The report will be read subject to objection. The report (by Mr. STOUT) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (S. 2022) granting to the Mexican Gulf, Pacific and Puget Sound Railroad Company the right of way through any of the public lands in the States of Florida, Alabama, Mississippi, and Tennessee; also to grant the use of certain portions of the United States military and naval reservations near Pensacola, Fla., beg leave to report:

Inasmuch as it has always been the policy of the Government to grant rights of way to railroads through any of the public lands, the only question involved is in regard to leasing to a railroad company a way across the Government reservations to tide water at Pensacola.

The amount of land required is 300 feet in width on Pensacola Bay, and running back not to exceed 1,000 feet, and thence 100 feet wide to the northerly line of the reservations. The locality of the proposed line is to be west of the inclosure of the naval reservation and east of the part occupied by Fort Barrancas and the buildings belonging thereto, and entirely outside of any part of the reservation occupied for Government purposes.

Upon this portion of the reservation it has been the custom of the commandant at the naval station to grant permits to various persons to make temporary improvements, but these permits are in all cases terminable on notice, and no one acquires any permanent rights by virtue of the permit.

In case the line of the proposed railway should cross any improvement belonging to private persons, the bill provides that the railway company shall reimburse any such persons the full amount of damages sustained, which damages shall be ascertained by a board to be appointed by the Secretary of the Navy.

It is provided by the terms of the bill that all privileges granted shall be forfeited unless the road shall be constructed within two years, and it is further provided that at any time that the interests of the Government shall require, the company shall construct a spur line to the navy-yard and maintain and operate the same at its own expense.

Inasmuch as all rights proposed to be conferred upon the railway company are subject to the direction and approval of the Secretaries of War and of the Navy and are terminable on notice, it would seem that all rights of the Government or of individuals would be amply protected.

By the terms of the bill Congress reserves the right at any time to alter, amend, or repeal this bill without in any manner subjecting the Government to damages therefor.

The committee therefore recommend the passage of the bill with one verbal amendment.

Amend line 15 of section 2 by substituting the word "their" for the word "his" in said line.

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

Mr. TAYLOR of Illinois. I wish to ask if it is intended to use this ground for anything except to lay the tracks?

Mr. STOUT. The railway company will have no right to construct anything but the tracks over the right of way granted, and are prohibited from placing any buildings thereon except for the necessary traffic on the road.

Mr. TAYLOR of Illinois. Then why do they ask that 300 feet?

Mr. STOUT. The 300 feet is only for the frontage on the Pensacola Bay. This runs back not exceeding 1,000 feet, and beyond that it is only 100 feet in width. But this I will state to the gentleman is all terminable at the discretion of the Government at any time—terminable by the Secretary of the Navy in his discretion.

Mr. TAYLOR of Illinois. That would not amount to very much when they once get hold on such property.

Mr. STOUT. I will say further that Senate bill 2021, which was passed recently, granted to this railroad company the right to construct bridges over three or four rivers in the States through which the road is to pass.

This bill contemplates granting a right of way across the wild public lands, and also the granting of the use under terms to be prescribed by the Secretary of War and the Secretary of the Navy, across the Government reservation. This right of way does not come within the inclosure proper of the naval reservation, and is also east of the part of the reservation occupied for

military purposes, and it is terminable at any time at the will of the Government.

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

Mr. WATSON. Mr. Speaker, I would like to ask the gentleman a question. In the reading of the bill I could not quite make out whether the taking of timber, gravel, and so forth was restricted to the right of way only. Does the bill do that?

Mr. STOUT. The timber may be taken on the right of way through the public land, but not on the Government reservation.

Mr. McRAE. No timber off the public lands except on the right of way?

Mr. STOUT. Simply on right of way.

Mr. WATSON. I could not understand, but I got the impression from the reading of the bill, that the company was not to be restricted at all in the taking of timber, to the right of way.

Mr. STOUT. It may take the timber on the right of way where it crosses wild lands, but on the Government reservations it can have nothing but the bare right of way.

Mr. WATSON. Will the gentleman have any objection to the Clerk's reading that part again, or will the gentleman consent to an amendment making it plainly apparent that the taking of the timber shall be restricted to the right of way granted, and not that the company shall have the general right to go on the public lands and take this timber?

Mr. STOUT. There is no such provision in the bill.

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

There was no objection.

The amendment recommended by the committee was agreed to.

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

On motion of Mr. STOUT, a motion to reconsider the last vote was laid on the table.

SOUTHERN UTE INDIANS IN COLORADO.

Mr. TOWNSEND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 67) to ratify and confirm an agreement with the Southern Ute Indians in Colorado, and to make the necessary appropriation for carrying the same into effect.

Mr. TUCKER. I call for the regular order.

Mr. DINGLEY. I hope the gentleman will not do that. There has been no recognition of any gentleman on this side, while three gentlemen have been recognized on the other side.

The SPEAKER. The gentleman from Colorado asks unanimous consent for the present consideration of a bill, which the Clerk will report, after which the Chair will ask if there be objection.

The Clerk read as follows:

Be it enacted, etc., That a certain agreement, made by J. Montgomery Smith, Thomas S. Childs, and R. B. Weaver, commissioners on the part of the United States, with the Southern Ute Indians in Colorado, be, and the same is hereby, accepted, ratified, and confirmed. Said agreement is in words and figures as follows:

The SPEAKER. The Chair will state that this is a bill respecting a treaty. The Clerk has now reached the treaty, which is set forth at length in the bill.

Mr. TOWNSEND. I ask that the reading of the treaty be omitted.

The SPEAKER. Without objection, the reading of the treaty itself will be omitted.

Mr. HOLMAN. I think it ought to be read.

The SPEAKER. It is made up mainly of signatures of Indians.

Mr. HOLMAN. I think the treaty ought to be read.

The SPEAKER. The Clerk will read it.

Mr. LIVINGSTON. I move to dispense with the reading of that.

The SPEAKER. It can only be done by unanimous consent.

Mr. LIVINGSTON. I ask unanimous consent.

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] has objected.

Mr. HOLMAN. I do not object to omitting the reading of the names, but the treaty itself, I think, ought to be read.

The SPEAKER. The Clerk will read the bill as it is.

Mr. TUCKER. Mr. Speaker, I demand the regular order.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DOCKERY. Mr. Speaker, I wish to present a conference report on the District of Columbia appropriation bill.

The SPEAKER. The regular order is demanded, which is equivalent to an objection to the request of the gentleman from Colorado [Mr. TOWNSEND]. The gentleman from Missouri [Mr. DOCKERY] presents a conference report, which is in order at this time, and which the Clerk will read.

The conference report was read.

The SPEAKER. The amendment on which there was a disagreement is set forth in the statement, which the Clerk will now report.

The statement of the managers on the part of the House was read as follows:

The conference committee on the disagreeing votes of the two Houses on the amendment of the Senate numbered 144 to the District of Columbia appropriation bill, H. R. 6746, recommended the following as a substitute for said amendment:

"For the proper and legitimate expenses attending the reception and entertainment of such honorably discharged Union soldiers, sailors, and marines who served in the war of the rebellion, as may attend, as delegates or otherwise, the twenty-sixth national encampment of the Grand Army of the Republic in the city of Washington, in the District of Columbia, and attending the preparation for such reception and entertainment, \$90,000, or so much thereof as may be necessary, to be paid wholly from the revenues of the District of Columbia, after a fund of \$50,000 subscribed by the citizens of the District of Columbia for the foregoing purposes shall have been paid and exhausted, under such regulations as may be prescribed by the Secretary of War. The sum hereby appropriated shall be paid to, and be disbursed by, the citizens' executive committee of Washington, having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War, who shall report to Congress at its next session, in detail, the purposes for which said sum was expended; and the Secretary of War is hereby authorized to grant permits for the use of any reservation, or other public space, in the city of Washington, for reunion or camp purposes connected with such encampment, and which in his opinion will inflict no serious or permanent injury upon such reservation or other public space; and the Commissioners of the District of Columbia may designate for such or other purposes such streets, avenues, and sidewalks in the District as they may deem proper and necessary therefor."

| | |
|---|----------------|
| The bill, as it passed the House, appropriated..... | \$4,987,580.27 |
| Reduction under the law for 1892..... | 809,544.90 |
| Reduction under the law for 1891..... | 781,968.88 |
| As agreed on in conference, it appropriates..... | 5,325,414.27 |
| Reduction under law for 1892..... | 273,710.90 |
| Reduction under law for 1891..... | 445,129.88 |
| Reduction under bill as passed by the Senate..... | 588,570.00 |
| Increase over bill as passed by the House..... | 335,534.00 |
| Reduction under estimates recommended by the Commissioners..... | 1,394,451.16 |

| | |
|--|------------|
| Reduction under estimates approved by the Secretary of the Treasury..... | 278,710.90 |
|--|------------|

ALEX. M. DOCKERY,
BARNES COMPTON,
D. B. HENDERSON,
Managers on the part of the House.

Mr. DOCKERY. I ask the previous question on the adoption of the report. That will give fifteen minutes' debate on each side.

The previous question was ordered.

Mr. DOCKERY. Mr. Speaker, I have heretofore fully expressed my views upon this whole question, and have but little to add to the statements of the report of the managers on the part of the House. The bill now provides \$90,000 for the entertainment of the Grand Army, to be paid entirely from the revenues of the District. The House will remember that the contention was first as to the amount, and second as to the fund from which it should be paid, the Senate insisting that the entire appropriation should be made from the Federal Treasury and should be fixed at \$100,000. The Senate has yielded the contention as to the fund from which the appropriation should be made, and the House conferees have agreed to the recommendation of \$90,000 for the entertainment of the Grand Army. It will be remembered that on a former occasion I stated that \$75,000, in my judgment, would be ample for the entertainment, and I am of that opinion still. Mr. Hatton, of the Post, and the chairman of the executive committee, however, both accomplished business men, have been before us and presented the case, and after hearing them fully we have reached the compromise conclusion as stated in the report now pending.

I yield to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON of Iowa. Mr. Speaker, I simply desire to add to what has been said by the gentleman from Missouri [Mr. DOCKERY] that I have reluctantly yielded the proposition that the appropriation shall entirely come out of the funds of the District, and I have reluctantly yielded to a reduction of \$10,000, from the \$100,000, which I believe will be needed. But believing that that is all that can be secured, I have signed and concurred in the report of the committee of conference; and this is all I desire to say. [Cries of "Vote!" "Vote!"]

Mr. DOCKERY. I reserve the balance of my time.

Mr. DE ARMOND. Mr. Speaker—

The SPEAKER. The gentleman from Missouri [Mr. DOCKERY] reserves the remainder of his time. The Chair recognizes the gentleman from Missouri [Mr. DE ARMOND] in opposition to the conference report.

Mr. DE ARMOND. Mr. Speaker, I do not care to detain the House on the main proposition involved. That was considered before, and the judgment of the House, I take it, made up upon the matter erroneously, as seems clear to me. I only wish now to direct attention to one peculiarity of this appropriation, which

I think will tend to emphasize its character. This is an appropriation of \$90,000, to be handed over to some private citizens. Not an officer of the Government is to have anything to do with the distribution of this money, except so far as the Secretary of War may control in general arrangements. The money is to be handed to the citizens' committee here in Washington; the old soldiers, even, can not touch it. That is a most extraordinary proceeding, for the public money is to be appropriated by Congress and disbursed by persons not officers of the United States, but simply private citizens.

Now, if this appropriation is to be made, ought it not to be clothed at least with that form of regularity which would exist if the funds were to be distributed by some public officer?

The citizens' committee! Who appointed the citizens' committee? Where does the citizens' committee get its authority and power to act? They are the same citizens precisely who extended this invitation; the same citizens who have prevailed to the extent of getting the Congress of the United States to appropriate the necessary funds out of the revenues of this district, to enable them to escape the obligations of their own contract. If the appropriation is for the old soldiers, why give it to the civilian invitation givers?

I yield five minutes, Mr. Speaker, to the gentleman from Nebraska [Mr. MCKEIGHAN].

Mr. MCKEIGHAN. Mr. Speaker, it strikes me that this would be a proceeding which, while it might gratify the citizens' committee, would find no warrant in justice. I am here representing in a measure the organization who are expecting to assemble in this city; and acting under instructions from a very large number of men who wear the Grand Army button in my State, and who are comrades of mine in that organization, I am instructed to oppose the appropriation of money for this purpose. I should oppose it upon the ground that it is an unjust thing for us to lay our hands upon the taxes that are paid by the laboring people of this District, and appropriate them for such a purpose.

When it was proposed to locate the national encampment of the Grand Army of the Republic in Washington City, the capital city of my own State was a contestant. I am not here to oppose this appropriation because I feel disappointed or jealous. I am here to oppose it because it was expressly promised by the people who represented this District that if the encampment was located in this city they would take care of the expense of it themselves. And I am here now, in behalf of the poor classes of this city, to say that those men who own the street-car lines and the hotels, and who expect to be benefited by this great gathering here ought to put their hands in their pockets and pay the money.

Mr. HENDERSON of Iowa. Will my friend allow me to ask him a question?

Mr. MCKEIGHAN. Yes, sir.

Mr. HENDERSON of Iowa. Suppose the city of Lincoln, instead of the city of Washington, had secured the national encampment. In that event does my friend doubt for a moment that the city of Lincoln would have made an appropriation to aid in the entertainment?

Mr. MCKEIGHAN. I care nothing about what the city of Lincoln would have done.

Mr. COBB of Alabama. They could not have done it legally.

Mr. MCKEIGHAN. Let me take care of it myself. We already see that gentlemen are here favoring legislation to affect the distribution of wealth, and there is quite a tendency in that way, but I have never voted for it. To say that the city of Lincoln would do a wrong does not prove, and is no argument to us that this piece of legislation would be right. I am here to influence only my own vote, and I trust that no member of this House will be influenced in casting his vote because the city of Lincoln might have done so and so. The question with me is, and it seems to me that the question with the members of this House should be, simply this: Have we the right to put our hands into the pockets of the people of this District and appropriate money in order that a certain class of people may have a good time entertaining men that they promised to entertain at their own expense. More than this I do not care to say, and less than this I can not say and perform my duty to the people I represent. [Applause.]

The SPEAKER. The question is on agreeing to the report of the committee of conference.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. O'NEILL of Missouri and others. Division.

Mr. HENDERSON of Iowa. Mr. Speaker, we may as well have the yeas and nays at once, as it will save time. [Cries of "No!"] Then I withdraw the request.

Mr. SNODGRASS. I renew the demand.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 77, not voting 98; as follows:

YEAS—153.

| | | | |
|--------------------|-----------------|------------------|----------------|
| Amerman, | Daniell, | Hooker, Miss. | Quackenbush, |
| Arnold, | De Forest, | Hooker, N. Y. | Raines, |
| Atkinson, | Dingley, | Hopkins, Pa. | Ray, |
| Barwig, | Dixon, | Hopkins, Ill. | Rayner, |
| Bentley, | Dockery, | Houk, Ohio | Reed, |
| Bergen, | Dolliver, | Johnson, N. Dak. | Robertson, La. |
| Bingham, | Donovan, | Jolley, | Robinson, Pa. |
| Bowers, | Dungan, | Ketcham, | Rockwell, |
| Bowman, | Durborow, | Kribbs, | Scott, |
| Breckinridge, Ark. | English, | Lane, | Scull, |
| Bretz, | Enochs, | Lapham, | Seerley, |
| Brickner, | Fitch, | Layton, | Shively, |
| Brookshire, | Fithian, | Lind, | Shonk, |
| Brosius, | Flick, | Little, | Snow, |
| Brunner, | Forman, | Lodge, | Sperry, |
| Bullock, | Fowler, | Loud, | Stephenson, |
| Bunting, | Fyan, | Lynch, | Stevens, |
| Burrows, | Gantz, | Mansur, | Steward, Ill. |
| Bushnell, | Geessenhainer, | Martin, | Stone, C. W. |
| Byrns, | Gillespie, | McAleer, | Stone, W. A. |
| Cadmus, | Gorman, | McClellan, | Stout, |
| Caldwell, | Greenleaf, | McDonald, | Stump, |
| Camineti, | Groat, | McKaig, | Tarsney, |
| Castle, | Hallowell, | McKinney, | Taylor, Ill. |
| Cheatham, | Hamilton, | Meyer, | Taylor, Tenn. |
| Chipman, | Hare, | Milliken, | Townsend, |
| Clancy, | Harmer, | O'Neil, Mass. | Tracey, |
| Clark, Wyo. | Harries, | O'Neill, Pa. | Van Horn, |
| Cobb, Mo. | Harter, | Outhwaite, | Walker, |
| Coburn, | Hatch, | Owens, | Warner, |
| Cogswell, | Haugen, | Page, R. I. | Weadock, |
| Compton, | Hayes, Iowa | Farrett, | Wike, |
| Coolidge, | Haynes, Ohio | Patton, | Williams, Ill. |
| Cooper, | Heard, | Payne, | Wilson, Mo. |
| Covert, | Henderson, Iowa | Pearson, | Wright, |
| Cox, N. Y. | Hermann, | Pendleton, | Youmans. |
| Cummings, | Hitt, | Perkins, | |
| Curtis, | Hoar, | Post, | |
| Dalzell, | Holman, | Powers, | |

NAYS—77.

| | | | |
|---------------|------------------|------------------|-----------------|
| Abbott, | Clarke, Ala. | Kem, | Sayers, |
| Alexander, | Clover, | Kilgore, | Shell, |
| Babbitt, | Cobb, Ala. | Kyle, | Simpson, |
| Bailey, | Cowles, | Lanham, | Snodgrass, |
| Baker, | Cox, Tenn. | Lawson, Va. | Stewart, Tex. |
| Bankhead, | Crawford, | Lester, Va. | Stone, Ky. |
| Beltzhoover, | Culbertson, | Lester, Ga. | Terry, |
| Blanchard, | Davis, | Livingston, | Tillman, |
| Bland, | De Armond, | Long, | Tucker, |
| Blount, | Dickerson, | Mallory, | Turner, |
| Branch, | Edmunds, | McKeighan, | Watson, |
| Brawley, | Epes, | McRae, | Wheeler, Ala. |
| Bryan, | Everett, | Meredith, | Wheeler, Mich. |
| Buchanan, Va. | Forney, | Moore, | Whiting, |
| Bunn, | Goodnight, | Moses, | Williams, N. C. |
| Busby, | Grady, | O'Ferrall, | Winn, |
| Butler, | Halvorson, | O'Neill, Mo. | Wise. |
| Caruth, | Henderson, N. C. | Otis, | |
| Catchings, | Johnstone, S. C. | Patterson, Tenn. | |
| Cate, | Jones, | Paynter, | |

NOT VOTING—98.

| | | | |
|-------------------|-----------------|----------------|-----------------|
| Alderson, | Cutting, | McCreary, | Sanford, |
| Allen, | Doan, | McGann, | Smith, |
| Andrew, | Dunphy, | McMillin, | Springer, |
| Bacon, | Elliott, | Miller, | Stahnecker, |
| Bartine, | Ellis, | Mitchell, | Stockdale, |
| Beeman, | Enloe, | Montgomery, | Storer, |
| Belden, | Fellows, | Morse, | Sweet, |
| Belknap, | Funston, | Mutchler, | Taylor, E. B. |
| Boatner, | Geary, | Newberry, | Taylor, J. D. |
| Boutelle, | Griswold, | Norton, | Taylor, V. A. |
| Breckinridge, Ky. | Hall, | Oates, | Turpin, |
| Broderick, | Hemphill, | O'Donnell, | Wadsworth, |
| Brown, | Henderson, Ill. | Page, Md. | Warwick, |
| Buchanan, N. J. | Herbert, | Pattison, Ohio | Washington, |
| Bynum, | Houk, Tenn. | Peel, | Waugh, |
| Cable, | Huff, | Pickler, | Wever, |
| Campbell, | Hull, | Pierce, | White, |
| Capehart, | Johnson, Ind. | Price, | Willcox, |
| Causey, | Johnson, Ohio | Randall, | Williams, Mass. |
| Chapin, | Kendall, | Reilly, | Wilson, Ky. |
| Cockran, | Lagan, | Reyburn, | Wilson, Wash. |
| Coombs, | Lawson, Ga. | Richardson, | Wilson, W. Va. |
| Craig, Pa. | Lewis, | Rife, | Wolverton. |
| Crain, Tex. | Lockwood, | Rusk, | |
| Crosby, | Magner, | Russell, | |

The following-named members were announced as paired until further notice:

- Mr. RICHARDSON with Mr. MORSE.
- Mr. NORTON with Mr. BELKNAP.
- Mr. PEEL with Mr. WILSON of Washington.
- Mr. HERBERT with Mr. BOUTELLE.
- Mr. CRAIG of Pennsylvania with Mr. BELDEN.
- Mr. CAUSEY with Mr. SHONK.
- Mr. LEWIS with Mr. GRISWOLD.
- Mr. GEARY with Mr. SANFORD.
- Mr. OATES with Mr. EZRA B. TAYLOR.

The following until further notice, except on the silver question:

- Mr. STOCKDALE with Mr. BRODERICK.
 - Mr. ALLEN with Mr. WILSON of Kentucky.
- The following for this day:

- Mr. ALDERSON with Mr. O'DONNELL.
- Mr. McMILLIN with Mr. CUTTING.
- Mr. ELLIOTT with Mr. RUSSELL.
- Mr. SPRINGER with Mr. WADSWORTH.
- Mr. MAGNER with Mr. REYBURN.
- Mr. MCCREARY with Mr. PICKLER.
- Mr. WARWICK with Mr. RANDALL.
- Mr. CRAIN of Texas with Mr. STORER.

The result of the vote was then announced as above recorded. Mr. DOCKERY moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. CHIPMAN. Mr. Speaker, I call for the regular order. The SPEAKER. The regular order is the call of committees for reports.

Mr. CHIPMAN. I ask unanimous consent that the call of committees be dispensed with, and that gentlemen having reports to present have leave to file them with the Clerk.

There was no objection, and it was so ordered.

ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

Mr. CHIPMAN. Mr. Speaker, I call up House joint resolution No. 90, proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1 of section 4 of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

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

"When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Mr. CHIPMAN. Mr. Speaker, I give notice that at quarter past 4 o'clock to-day I shall call for the previous question upon this joint resolution, and also upon the one reported by the minority of the committee. I now yield the floor to my colleague on the committee, the gentleman from Virginia [Mr. TUCKER], who has charge of this measure. Before doing that, however, I ask unanimous consent that the previous question be ordered at quarter past 4 o'clock to-day.

Mr. DINGLEY. I think, Mr. Speaker, that had better not be done. The gentleman can move the previous question at any time.

Mr. CHIPMAN. Well, I give notice that I shall demand the previous question at a quarter past 4 o'clock.

The SPEAKER. The gentleman from Virginia [Mr. TUCKER] is recognized.

Mr. DUNGAN. Mr. Speaker, I have not heard any arrangement as to the division of time in the discussion of this measure.

The SPEAKER. There is no arrangement. The Chair recognizes the gentleman from Virginia [Mr. TUCKER] who is entitled to an hour.

Mr. BUSHNELL. I think we ought to have some arrangement with reference to the time. Perhaps the gentleman from Virginia [Mr. TUCKER] will signify what division he thinks proper.

Mr. TUCKER. Does the gentleman mean a division of time between those who represent the majority report and those who represent the minority?

Mr. BUSHNELL. That is the usual basis of division.

The SPEAKER. The Chair would ask the gentleman from Virginia whether there is a minority report.

Mr. TUCKER. There is.

The SPEAKER. Filed by whom?

Mr. TUCKER. By the gentleman from Wisconsin [Mr. BUSHNELL] and the gentleman from Ohio [Mr. DOAN] I suggest to the gentleman from Wisconsin that after I get through we can arrange about the time.

Mr. BUSHNELL. Very well.

The SPEAKER. The gentleman who filed the minority report will be recognized.

Mr. TAYLOR of Illinois. Mr. Speaker, we have been unable in this part of the Hall to hear what has been going on. Has any agreement been made as to the time?

The SPEAKER. There has been no agreement. There has been simply an announcement by the gentleman from Michigan [Mr. CHIPMAN] that at 4 o'clock and 15 minutes this afternoon he will demand the previous question.

Mr. DINGLEY. I will ask the gentleman from Virginia whether the members of the select committee on this side of the House have been informed that this measure was to come up to-day?

Mr. TUCKER. Two of them have been. The gentleman from Ohio, [Mr. DOAN] I think has not been informed, and it is a matter of regret to me that he is not present. We have been anticipating this matter coming up any day for two weeks past, and while notice has not been given formally to the gentleman from Ohio, other members of the committee on that side of the House have been informed that it was to come up to-day.

Mr. HEARD. It was set expressly for to-day.

Mr. TUCKER. Mr. Speaker, the pending joint resolution, reported from the Committee on the Election of President and Vice-President and Representatives in Congress, proposing an amendment to the Constitution, provides for a change in three articles of the Constitution. Article I, section 3, paragraph 1, provides that—

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years, and each Senator shall have one vote.

The only change proposed here is a change from election "by the Legislature" to election by the people; and adding thereto the qualifications of electors, providing that they shall be the same as for Representatives in Congress.

Article I, section 4, paragraph 1, is as follows:

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

It is proposed to abrogate and annul the above in so far as it gives to Congress any control, absolute or remote and contingent, over the election of United States Senators by substituting the following language, which shall be in lieu of said Article I, section 4, paragraph 1, in so far as the same relates to the election of Senators:

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

The other provision in which a change is proposed is found in paragraph 2, section 3, of Article I, and relates to the filling of vacancies. This provision as changed will give to the executive of the State the power to fill a Senatorial vacancy, but at the same time confers upon the Legislature of each State the power of providing for such elections by the people if the Legislature shall so desire.

I am aware, Mr. Speaker, that in proposing any amendment we are amenable to the charge of "tinkering" with the Constitution, and of attempting changes which, though called for by popular desire, might, if adopted, be hurtful rather than beneficial to the people and destructive of the original symmetry of that great instrument. But I believe there is such a demand on the part of the people of the country for the change proposed in this instance that when the subject is fairly presented to the country there can be but one view about it—that the original plan of electing by the Legislatures, in the changed condition of our country, does not properly meet the necessities of the hour.

Nor are we to be deterred from proposing a proper measure of relief for the people simply because it involves a change. A conservatism that rejects the good because it is new and involves a change, is as censurable as the radicalism which uproots all that is good because it is old. This principle has been well stated by an early commentator on the Constitution, as follows:

The design of a machine may appear correct, the model perfect and adapted to all the purposes which the original inventor proposed, yet a thousand defects may be discovered when the actual application of its powers is made, and many useful improvements, in time, become obvious to the eyes of a far less skillful mechanic. Their success and perfection must, however, still depend upon actual experiment, and that experiment may suggest still further improvement. Are we to reject these because they did not occur to the first projector, though evidently growing out of his original design? Or, if on the other hand we have unwarily adopted that as an improvement which experiment shall evince to be a defect, shall we be so wedded to error as to persist in the practice of it, for no better reason than that we have once fallen into it?—*Tucker's Blackstone*, volume 1, part 1, page 190.

I will now refer very briefly to the several plans which were originally suggested in the Constitutional Convention for the election of Senators. It will be recalled by members of this House that Mr. Edmund Randolph, Mr. Charles Pinckney, of South Carolina, Mr. Alexander Hamilton, Mr. Gerry, and Mr. Wilson, of Pennsylvania, all proposed different methods for the election of Senators. Mr. Randolph proposed in his plan "that

members of the second branch [the Senate] of the National Legislature ought to be elected by those of the first, out of a proper number of persons nominated by the individual Legislature." Mr. Pinckney proposed that the Senate should be chosen by the House of Representatives; and in the draft submitted by Mr. Hamilton it was proposed to elect Senators to hold during good behavior, their election to be made by electors chosen for that purpose by the people.

The plans of Mr. Randolph, Mr. Hamilton, and Mr. Pinckney were very similar in many respects. They all aimed at taking the election of Senators as far away from the people as it was possible to do so, while Mr. Gerry proposed that the Senators should be appointed by the executives of the several States, and Mr. Wilson, of Pennsylvania, and Mr. George Mason, of Virginia, advocated the adoption of the principle for which we contend to-day, the election of Senators by the people. On Mr. Wilson's proposition to elect by the people ten States voted "nay," and Pennsylvania alone voted "yea," and on the proposition to elect by the Legislatures two States only voted "nay," Virginia and Pennsylvania.

It is evident, Mr. Speaker, that those who believed in the theories of Mr. Hamilton, Mr. Randolph, and Mr. Pinckney, as submitted by them, desired that the Senate of the United States should be an oligarchy, an aristocratic oligarchy, some even going to the extent of advocating their appointment or selection for life.

Now, I beg to refer briefly to the views on this subject of some of the prominent members of the great convention that framed the Constitution:

Mr. Madison considered the popular election of one branch of the National Legislature as essential to every plan of free government. He observed that in some States one branch of the Legislature was composed of men already removed from the people by an intervening body of electors; that if the first branch of the General Legislature—

House of Representatives—

should be elected by the State Legislatures, the second branch—

The Senate—

elects by the first, the executive by the second together with the first, and other appointments made for subordinate purposes by the Executive, the people would be lost sight of altogether, and the necessary sympathy between them and their rulers and their officers too little felt.

He was an advocate for the policy of refining the popular appointments by successive filtration, but thought it might be pushed too far. He wished the expedient to be resorted to only in the appointment of the second branch of the Legislature and in the executive and judiciary branches of the Government. He thought, too, that the great fabric to be raised would be more stable and durable if it should rest on the solid foundation of the people themselves than if it should stand merely on the pillars of the Legislature.—*Madison Papers*, Vol. II, pages 755, 756.

Again he says:

The true question was in what mode the best choice would be made. If an election by the people or through any other channel than the State Legislatures promised as uncorrupt and impartial a preference of merit, there could surely be no necessity for an appointment by those Legislatures. Nor was it apparent that a more useful check would be derived through that channel than from the people through some other.—*Id.*, page 818.

It remains for us to see whether as pure and uncorrupt Senators can be elected by the people as by the Legislatures.

See also for Mr. Madison's views, No. 52 of the *Federalist*, page 284.

Experience—

Said Mr. Gerry—

had shown that the State Legislatures drawn immediately from the people did not always possess their confidence. He had no objection, however, to an election by the people if it was so qualified—

Mark the language—

if it was so qualified that men of honor and character might not be unwilling to be joined in the appointment. He seemed to think the people might nominate a certain number out of which the State Legislatures should be bound to choose.

Mr. Gerry entertained some other views which I desire to give to the House, and to which I call special attention:

Four modes of appointing the Senate have been mentioned. First, by the first branch of the national Legislature. This would create a dependence contrary to the end proposed. Secondly, by the national Executive. This is a stride towards monarchy what few will think of. Thirdly, by the people—

I beg the House to hear this as the reason given by this great man for the plan which he advocated of electing Senators by the Legislature—

Thirdly, by the people. The people have two great interests; the landed interest and the commercial, including the stockholders. To draw both branches from the people will leave no security to the latter interest (the commercial and stockholders), the people being chiefly composed of the landed interest and erroneously supposing that the other interests are adverse to it. Fourthly, by the individual Legislature. The elections being carried through this refinement will be most likely to provide some check in favor of the commercial interest against the landed interest, without which oppression will take place; and no free government can last long where that is the case.

I ask gentlemen here on this floor who represent the farming interests of this land, whether or not the landed interests of the country have in recent years "usurped the powers of the Gov-

ernment" and "put down the commercial and the stockholders' interests of the land?"

Mr. SCOTT. Not quite.

Mr. TUCKER. Mr. Gerry says at another time, and it is an interesting point as bearing upon this question:

The commercial and moneyed interest would be more secure in the hands of the State Legislatures than of the people at large. The former have more sense of character and will be restrained by that from injustice. The people are for paper money when the Legislatures are against it. In Massachusetts—

And I beg pardon, in the absence of the gentleman from Worcester, for reading this:

In Massachusetts the county conventions had declared a wish for a depreciating paper that would sink itself. Besides in some States there are two branches in the Legislature, one of which is somewhat aristocratic. There would, therefore, be so far a better chance of refinement in the choice.

Mr. Pinckney thought—

That the second branch ought to be permanent and independent, and that the members of it would be rendered more so by receiving their appointments from the State Legislatures.

I ask the attention of the House especially to the views of Mr. Dickerson.

Mr. Dickinson "had two reasons for his motion," which was to elect by the Legislature: "First, because the sense of the States would be better collected through their governments than immediately from the people at large; secondly, because he wished the Senate to consist of the most distinguished characters, distinguished for their rank in life and their weight of property, and bearing as strong a likeness to the British House of Lords as was possible."

A MEMBER. Just as we have it here.

Mr. TUCKER (continuing):

And he thought such characters more likely to be selected by the State Legislatures than in any other mode.

And I agree with him.

Mr. Wilson of Pennsylvania held the view—

If we are to establish a national government that government ought to flow from the people at large.

If one branch of it should be chosen by the Legislatures and the other by the people, the two branches will rest on different foundations and dissensions will naturally arise between them. He wished the Senate to be elected by the people as well as the other branch, etc. (See also Madison Papers, vol. II, page 891.)

Mr. Morris thought—

The second branch—

The Senate—

ought to be composed of men of great and established property, an aristocracy. Men who from pride will support consistency and permanency, and to make them completely independent they must be chosen for life or they will be a useless body. Such an aristocratic body will keep down the turbulency of democracy; but if you elect them for a shorter period they will be only a name, and we had better be without them. Thus constituted, I hope they will show us the might of aristocracy.

History proves, I admit, that the men of large property will uniformly endeavor to establish tyranny. How, then, shall we ward off this evil. Give them the second branch—

The Senate—

and you secure their weight for the public good.

That is, give the money power what it asks, and it will be satisfied. So will the highway robber.

They become responsible for their conduct, and this lust of power will ever be checked by the Democratic branch, and they form a stability in your Government.—*Debates in convention*, volume IV, pages 125, 126.

Now, Mr. Speaker, I ask the attention of the House for a few moments to the views of a very distinguished Virginian in that convention, no less a person than George Mason, views expressed by him in the Federal convention, and afterwards in the Virginia convention.

The Senators are chosen for six years; they are not recallable for these six years and are reeligible at the end of the six years. It stands on a very different ground from the Confederation. By that system they were only elected for one year, might be recalled, and were incapable of reflection. But in the new Constitution instead of being elected for one, they are chosen for six years. They can not be recalled in all that time for any misconduct; and at the end of that long term may again be elected. What will be the operation of this?

Now mark his prediction:

Is it not probable that these gentlemen who will be elected Senators, will fix themselves in the Federal town and become citizens of that town more than of our State? They will purchase a good seat in or near the town and become inhabitants of that place. Will it not be then in the power of the Senate to worry the House of Representatives into anything? They will be a continually existing body. They will exercise those machinations and contrivances which the many have always to fear from the few. The House of Representatives is the only check on the Senate, with their enormous powers. But by that clause you give them the power of worrying the House of Representatives into a compliance with any measure.

Mr. HOLMAN. Who is the author of that?

Mr. TUCKER. George Mason, of Virginia. Has my honorable friend from Indiana who sits in front of me witnessed any realization in the past twenty years of the truthfulness of that statement?

Mr. HOLMAN. Unquestionably.

Mr. TUCKER. He continues:

The Senators living on the spot will feel no inconvenience from long sessions, as they will vote themselves handsome pay without incurring any additional expense.

Did he see in the future the much needed investigations of the Alaska seals or the arid lands of the West or the naval stations of the East, etc., that would burden them during the summer solstice.

Your Representatives are on a different ground, from their shorter continuance in office. The gentlemen from Georgia are six or seven hundred miles from home and wish to go home. The Senate, taking advantage of this by stopping the other House from adjourning, may worry them into anything. These are my views, and I think the provision not consistent with the usual parliamentary modes.

These extracts develop the fact that there were many in the convention who sought to create in the Senate an aristocratic oligarchy amenable to no power and answerable to no authority.

Two parties were quickly developed in the convention, one led by Mr. Hamilton, favoring a strong monarchical government, and the other, led by those who believed that the Government should be strong enough to protect the commercial interests of all, but leaving all other powers to the States. The party led by Mr. Hamilton was striving for a strong national, if not a monarchical government, the other seeking the establishment of a federal union, giving it sufficient strength only for the common defense of each and the regulation and extension of the commercial interests of the whole.

The former was composed of those who were naturally inclined to monarchy and the "pomp of power." The latter were the advocates of the confederation of the States into a union for purposes essential to the existence of each, and the enlargement of the commercial interests of all. The former sought to merge the people of the States into one people; the latter strove to reserve the sovereignty of each State, preserving each State as a separate, sovereign entity, while granting to the a federal head all powers necessary for the common defense and general welfare of all. The one tended to monarchy, the other to a federal republic. A compromise of these two ideas resulted in the foundation of a government partly national and partly federal, national as to all powers specifically granted, but powerless as to all others, for they were "reserved to the States or the people respectively."

The struggle, therefore, in the convention was not as to the mode or the manner of election, but whether or not the larger States, with the large populations, should have the power of taxing to death the small States; and on the other hand the small States, who were sovereign and independent, feared that the large States, if given representation according to population, might tax them out of existence. There was, Mr. Speaker, an equity in the claim of each. The small States did not feel that they ought to be at the mercy of the large, any more than the large States felt that they ought give themselves up into the hands of the smaller.

Mr. Madison, in discussing this question, said that if he yielded the point, two-thirds of the people of the country would be governed by one-third, and that therefore the taxing power over the two-thirds would be wielded by the one-third. It was at this juncture that gentlemen will recall the memorable scene when the venerable Benjamin Franklin came into the convention, when it seemed to those who were interested in its welfare that it was on the eve of dissolution, and gave utterance to these remarkable words:

I have lived, sir, a long time, and the longer I live the more convincing proofs I see of this truth, that God governs in the affairs of men, and if a sparrow can not fall to the ground without his notice, is it probable that an empire can rise without His aid?

With that observation he asked that the convention be opened with prayer every morning. From that moment, Mr. Speaker, the victory was won. The convention agreed to the compromise which yielded to the smaller States the equal representation in the Senate and gave to the Constitution that provision which has been sometimes disregarded in the past, that this House alone, as the representative of the people, shall originate all revenue bills for the taxation of the people.

In the equality of representation in the Senate, the triumph of the sovereignty of the States was complete; it was intended that in the Senate at least—for the protection of the small States, the States as such, were to be represented. Just as in the House, the States are represented according to population, so in the Senate the States—as political entities were to be represented; that as they were each independent and sovereign, the smallest was to be equal to the largest, and in the Senate, at least they were to deal with each other as equals. Sovereignty could not be measured by geographical limits nor arithmetical proportions.

Now, Mr. Speaker, since it has been determined that the States as such are to be represented in the Senate, how and by what methods can this be best effected? Can any agency so well represent the organized political society called a State as that which expresses the sovereign will of that State? Is the Legislature, the creature of that sovereignty, the creature of the sovereign will of the State, above the sovereign that made it? Is the Executive, a mere creature of sovereignty, or the judiciary equal

to the sovereign power that resides alone in the people in the States? Surely the creature can not be above the creator; and if you look for the sovereign power in the State as a political organization it can only be found, not in the creature of sovereignty, but in the original sovereign power which rests with the people themselves. Some gentlemen have said to me, in discussing this matter, "Are you not giving up the great doctrine of the representation of the States in the Senate?" Why, on the contrary, we are intensifying and emphasizing the doctrine that in the Senate of the United States the sovereign power of the States shall be represented, and not the creature of that sovereignty, as represented by the Legislature.

Now, Mr. Speaker, if the States are to be represented in the Senate as sovereign entities; if they are to be the units of representation, and the sovereignty of the States not only preserved but strengthened and enlarged by an election by the people, then I ask why should not this change be made. The reasons which have induced us to recommend the change are numerous. A few only can be discussed in a limited time. We hold that the change would greatly lessen the opportunity for corruption in the election of Senators.

I say that it would tend to lessen the corruption in the election of Senators. I hold in my hand a prayer offered by a chaplain in the Legislature of one of the greatest States in the Union, during its session last winter, that I think has some bearing upon the subject under discussion. He invoked the divine blessing on that body in the following words:

Remember, O Lord, the welfare of these, thy servants, gathered here in this maelstrom of iniquity, fraud, and corruption.

[Laughter.]

Thou knowest with what suspicion this Legislature is looked on by the people of this great State.

[Laughter.]

Lord, deliver us from the bribes, bribers, and bribe-takers in our midst and keep them from the ways of temptation which surround them on every hand, and may their acts be righteous and not corrupt.

Mr. TAYLOR of Illinois. It would seem that the gentleman has mistaken his calling.

Mr. JOHNSON of Indiana. What State Legislature was that?

Mr. TUCKER. I have thought it wisest not to particularize in this discussion. It was Mrs. Malaprop, I believe, who said that "caparisons is odorous." [Laughter.] While I do not desire to mention the State, yet if I am forced under a cloture rule, Mr. Speaker, I will give the name. [Laughter.]

Mr. JOHNSON of Indiana. The gentleman need not be apprehensive. This Democratic House will not report and pass a cloture rule.

Mr. TUCKER. The gentleman need have no uneasiness about our adopting such as were forced on the minority in the last House.

The intrigue of the wire-puller with the Legislature, and where this is lacking, the lavish use of money, sometimes called "undue influence," or both, are the most fruitful sources of corruption in the election of Senators. In proportion as the body of electors is enlarged is the danger of corruption lessened. Take 150 as the average size of the State Legislature—76 of this number constitutes a majority of the Legislature necessary to control it; 38 may be a majority of the caucus that controls the Legislature. If the candidate has any original strength, 15 or 20 are all that may be needed by him. Surely to the bad man (if I may use such an expression as to any gentleman who aspires to the Senatorship), bent on securing his great prize the opportunity, for securing it, by intrigue and artifice, by open purchase or concealed bribery, or by the promise of "fat things" as found in the "green pastures" of the dominant Administration at Washington is greatly enlarged.

The past thirty years has witnessed the enormous increase of individual and corporate fortunes in this country, until the millionaire is no longer a rarity. This fact has served to develop the insolence and arrogance of wealth, until intellectual endowments are dwarfed in its sordid presence, and moral character lies prostrate in its ruthless path. [Applause.] The power to rule men by intellectual and moral force, the test of a statesmanship of a former day, is fast passing away. While wealth, the uncrowned king, oftentimes lacking both, and coveting neither, arrogantly seeks to rule in a domain where it is only fitted to serve; its altar has been erected in every community, and its votaries are found in every household. Patriotism has given place to material expediency, and the love of country is supplanted by the love of money. An aptness for percentages and the successful manipulation of railroads and stock boards are often regarded as the most essential of Senatorial equipments.

But there is another element more dangerous to the liberties of the people than that of individual wealth in its influence on the election of Senators. The wonderful growth of our country has been greatly accelerated by the combinations of wealth in

corporate forms. These in their proper spheres are to be encouraged rather than condemned; but when they leave their legitimate fields of operation and seek to control, against the interests of the people, the legislation of the country, whether they be banks or railroads, corporations or trusts, or combines, they will meet with the indignant protests of all true friends of the people. The number of employes in their control, the concentration of great wealth in their treasuries, and the "parliamentary favors" which they are able and most willing to bestow render their advances most enticing and their approaches most insinuating. Their interests are guarded by the ablest men of each community, and, if public rumor be true, they can lay their hands on representatives of the people in many of the Legislatures in the land and claim them as their own.

If the people dare seek relief from their exactions they are met by the agents of the corporations, who attempt to thwart them at every step. All that shrewdness, audacity, and money can suggest is readily at their command. The Legislature is invaded, and the rights of the people give place to the exactions of corporate power; while he who can serve the corporations by his control of a Legislature, by intrigue, artifice, or persuasion, against the demands of the people, is regarded in modern days as "more terrible than an army with banners," and as fully equipped himself for service in the Senate, where in that enlarged field his powers can be utilized for the benefit of the corporations he serves.

The standard for the exalted position of United States Senator is thus debased by corporate influence. The wire-puller and the intriguer are often preferred to the statesman and the patriot; and the proud title of United States Senator has lost much of its power in the suspicions which lurk in the public mind as to the mode, conditions, and requirements of their selection.

Hence, Mr. Speaker—

If you have a son, I would advise,
Lest his fair prospects you perchance may spoil,
If you would have him in the state to rise,
Instead of Grotius let him study Hoyle!
And if he show * * *
A turn for petty tricks, indulge the bent,
A dextrous cut may rule some great event,
And a stocked pack may make a President.

[Laughter.]

In this connection, I beg to quote the language of one of the most distinguished men of our land, Judge Gresham, who, speaking of the use of money in elections, has said:

The control of elections and legislation by the corrupt use of money more than anything else menaces popular government and the public peace. If these abuses are not speedily checked the consequences are likely to be disastrous. * * * The most insidious of all forms of tyranny is that of plutocracy. Thoughtful men see and admit that our country is becoming less and less democratic and more and more plutocratic. The ambition and self-love of some men are so great that they are incapable of loving their country.

But, the objector will say just here, "Do you think you can do away with the use of money in elections? Will not the rich and powerful still buy and corrupt the people?" I reply that until the millennium comes we shall not have entirely pure elections. But this I do say, that when corruption seeks in a State convention to buy from an unwilling people a nomination for Senator, that is not the end of it. A man who buys a vote in the Legislature to elect himself to the Senate does it, most probably, the night before the election, and when the vote has been taken in the Legislature there is no appeal, for the election has been completed.

But if a man goes to a State convention and buys a nomination there is an appeal from that convention to the unbought people of the State by whom the Senator is to be elected at the polls. A man may buy the nomination in a State convention, but where is the man that would dare face the people of that State and go before them asking to be elected after having purchased his nomination in the convention?

I do not claim that the use of money will be entirely eliminated; but, gentlemen, it will be minimized; it will be brought down to the lowest point to which it is possible to bring it. Nor do I forget that there is in the history of the Roman people a lesson that we should take to heart. If I recall the facts of history correctly, the Roman eagle was never lowered in the presence of an enemy of the eternal city, nor the Roman legion denied the mastery of the world until the Senate of Rome had ceased to be responsible to the people, had gathered in its rapacious hands all of the revenues of the Government—enriching themselves, impoverishing the masses, and debauching the suffrages of the Roman people. [Applause.]

But the use of money in the election of Senators has a most vicious effect in another respect. The Legislatures, under the present system, possess the electoral function in the selection of Senators. The money which corrupts, by purchase, the member of the Legislature for Senatorial elections has debauched him as a servant of the people he is sworn to serve in local legislation. The corporation that can enter the halls of a Legisla-

ture and lay its unholy hands upon the members, claiming them as its own in the selection of a Senator, has already destroyed the hope of a pure administration of the local affairs of the people of that State by polluting the source from which such administration is derived. Under the specious guise of interest merely in the Senatorial election, Legislatures are debauched and the purchased member in the Senatorial election can hardly pose as the unbought and unpurchasable tribune of the people's local rights. If the charges of corruption in Senatorial elections are true, the reflex action on the legislation in the States, incident to such corruption, must be immeasurable in its destruction of the rights and liberties of the people of the States.

We find also the Senate of the United States, under the treaty-making power of the Constitution, is arrogating to itself the power to lay taxes. That power has been given by the Constitution of this land to the Congress, but we find now that, under this power, the President and the Senate are not only making treaties, which they have a right to make, but they are making treaties which, in effect, levy taxes upon the people without the consent of this House, a coordinate branch of Congress, and which alone under the Constitution has the power to originate tax bills.

If this House alone can originate a tax bill, how can this consist with the power claimed and exercised by the Senate to make treaties which impose taxes without the consent of this House?

How can the exclusive power of the House to originate stand with the exclusion of the House, even from the consideration of the treaty which levies taxes.

Congress alone has power to declare war. Could the President, by and with the consent of the Senate, enter into a treaty with England, conditioned upon the fact that if England at any time during its pendency, should become engaged in war with France, the United States should declare war against France? Clearly not; and yet such act on the part of the President and Senate would not be more subversive of the powers of this House than the power claimed and exercised frequently in the ratification of treaties by the Senate which levy taxes upon the people.

It marks the gradual absorption of the taxing power of the Government by the Senate, without responsibility to the people for its exercise.

Mr. Speaker, it is not only proper but a pleasure (having spoken of the dangers of corruption in the election of Senators) to state at this point that, so far as my own State is concerned, and many of the States of this Union, there has never been any ground for a charge of corruption in the election of Senators. Not only have I never heard of it in my own State, but I have never heard even a suspicion of it. Of most if not of all the New England States and of all the Southern States the same may be said. But, gentlemen, it is not what has been, but the trend of public events that shows us the dangers in our path and induces us to advocate this amendment.

I come, now, Mr. Speaker, to a point in this discussion which with me weighs with more force than any other, and it is this. I claim, and you will all agree with me, that political power and political responsibility should go together; that under a system of Government such as ours there is no safety to the people unless there is responsibility for the use of power. And it must be not only responsive but sensitive; there must be direct responsibility. Now, will any gentleman tell me to whom a Senator is responsible? Is he responsible to the Legislature that elected him? That expires in two years—to whom is he responsible after it expires?

Take the distinguished Senator from Ohio who was recently reelected. I venture the assertion that not ten men in the Legislature that reelected him last winter were in the Legislature that elected him six years before. Or take the case of the recent reelection of the distinguished senior Senator from my own State, I doubt very much whether there were half a dozen men in the Legislature that reelected him who were in the one that elected him originally. Is that such responsibility as under our system of government should exist? It is shifting, uncertain, changing.

If a man in the present Legislature attempts to hold him to positions assumed or promises made to the Legislature by which he was originally elected, the Senator can claim that the obligation is *nudum pactum*, that the man was not a party to the original contract. What I claim, gentlemen, is that there should be in the representative a responsibility which is direct, sensitive, and continuing. That is not the case with regard to the United States Senator.

Why, this is no new principle for which I plead. There is nothing truer, gentlemen, than the fact that in proportion as responsibility is put on a man, and he is made to feel the pressure of it, in that proportion will he be guarded in his action. Gentlemen say, "Do you believe a Senator of the United States, with his ambition and pride, will not be governed by what his people want?" I say, gentlemen, it is not a question of whether or not

this man or that man will or will not be governed by conscience or pride or ambition; but it is whether we shall follow here a principle which we recognize in the business, the moral and the social world. It was Burns who said:

I'll no say, men are villains a';
The real, harden'd wicked,
Wha hae nae cheek but human law,
Are to a few restricted;
But Och! mankind are unco weak,
An' little to be trusted;
If self the wavering balance shake,
It's rarely right adjusted!

The obligations to society and family often fail to restrain the passions, when the fear of the lockup is sufficient. Men must be brought to feel whether in public office or as employes of a business firm that their failure to perform their duty faithfully and properly is to be visited by a penalty for such failure, and if the authority to enforce the penalty be wanting, of what use is the penalty? A derelict Senator can snap his fingers defiantly in the faces of a defunct Legislature.

The question is not whether or not you ought to make a law against stealing to keep any one of my honorable friends here from stealing. It would be useless as to them. A law to punish embezzlement in public office is not necessary to restrain the man who believes that "public office is a public trust." But we adopt such legislation because humanity is weak; because there are bad men in the country; because we are bound to take humanity as we find it. Thus it is shown universally that the only way to keep a man responsive to his obligations is to make him feel them.

Do you read the papers? Here is a case that appears frequently in our morning dailies. A very respectable, decent, intelligent man is taken up on the street drunk and carried to the police station—some man from Maryland possibly, not from Virginia. [Laughter.] When he makes his explanation in the morning, what do you find? That he is a perfectly good, square, moral man at home with a loving wife and affectionate family. He has gotten down to Washington where the restraints of morality and obligations to those ever before his eyes at home are for the moment suspended and forgotten. That man who would go the stake for the wife of his bosom and the children that he loves sooner than disgrace them, when he fails to feel the presence of his obligations to them falls by the wayside and is taken in charge of by the officers of the law. Yet you might ask, Would not his pride keep him up?

Look at the officers of the Government. I find in the Constitution that the President and the heads of Departments may appoint the subordinate officers of the Government. Does the Secretary of the Treasury appoint the subordinate officers in the Interior Department? No. Why not? Because the Secretary of the Interior when he makes an appointment wants to know his man; he wants to be able to hold that man up to the obligations which he is to take to him; he wants to make his responsibility sensitive and direct, so that the man will have no doubt as to where his obligation rests. Put it stronger. Suppose the Secretary of Treasury could appoint to office in the Interior Department and yet the Secretary of the Interior could not remove for inefficiency what would necessarily be the effect on the public service? It is the fear of removal by the authority which has the power that makes the employé most sensitive to his duty.

Gentlemen, can you doubt this principle? When you find a man who believes that for his every thought, his every word, his every action, he is responsible to a Supreme Being, you have the man whose life will be an example to all about him. Once bring a man to the belief that his responsibility as a human being is fixed and that every act of his is subject to the scrutiny of the Almighty—show me that man, and I will show you a man who walks the ways of life in perfect peace—a perfect man because he feels his responsibility directly to his Maker and realizes the penalty for a breach of His laws.

But, again, the authority or person to whom the responsibility is due must have power to discipline the possessor of political power for its abuse. A man elected Senator is responsible, of course, originally to the members of the Legislature who elected him. But suppose these men are not members of the succeeding Legislature when the Senator comes up for reelection. Some one will say, "Is he not responsible to them at any rate?" Yes; but it is a responsibility to the member of a defunct Legislature who has not the power to discipline the Senator when he has violated his obligation.

[Here the hammer fell.]

Mr. HOLMAN. I hope there will be no objection to permitting the gentleman to complete his remarks.

The SPEAKER *pro tempore* (Mr. TARSNEY). What is the request of the gentleman from Indiana [Mr. HOLMAN]?

Mr. HOLMAN. I make the request that the gentleman be permitted to proceed with his remarks without limit.

The SPEAKER *pro tempore*. Unanimous consent is asked that the gentleman from Virginia be allowed to proceed without limit. There was no objection.

Mr. TUCKER. Thanking my friend from Indiana and the House for their kindness, I proceed with the argument. I say, Mr. Speaker, it is absurd to assume that I can be responsible to a man for my acts, and yet the man to whom I am supposed to be responsible have no power to punish me if I abuse my obligation. It is absurd to say that I can be responsible to God for my acts, and yet the Almighty have no power to punish me. It is absurd to say that I can be responsible to my friend here for a hundred dollars, and yet he have no power to enforce the payment of that sum from me. So that responsibility must be direct, and sensitive, and accompanied with the means of correcting any abuse of power of which the possessor may be guilty.

To sum up this whole question of responsibility, I put it in this form: Wed power to responsibility and liberty is safe; divorce them and liberty dies. The *nexus* between responsibility and power is through representation, and to be responsive it must be sensitive, direct, specific, and accompanied with the authority to enforce the obligation resting upon the possessor of it.

Now I take another view of this matter—that wherever it is possible we ought to divorce Federal and State affairs. In our marvelously complex system of government it is not possible to divorce them entirely.

But surely it is of importance that the power given to the Legislature of the State to legislate on local matters for the interests of the people should not be interfered with or diverted by electoral functions in Federal matters forced upon it under the Constitution. Let me illustrate this point: Take the State of Iowa, for instance, represented by my friend who sits in front of me [Mr. DOLLIVER]. That State may be greatly interested in the matter of local option. The political parties of the State may be divided on that subject, and yet the people of the State in which my friend lives may be largely in favor of such a law.

But as there is a United States Senator to be elected in the Legislature, which is to be chosen at the time that the local-option bill is sought to be passed, the men that are in favor of the measure divide their votes between the Democratic, the Republican, and possibly the third party people. Why? In order to elect a United States Senator, when the matter which they regard as of vital importance at their door is suffered to go down because of the injection of the Federal matter into the election of the local State officers. It is only necessary to suggest the point. It can be enlarged in the minds of everyone, and its application made to many subjects. I would divorce as far as possible the Federal power from the State, and I would take away the power which is given under the present system which may defeat the local demands of the people because of the electoral functions in Federal matters conferred upon State Legislatures by this provision of the Constitution for the betterment of neither and to the injury of both.

There is another matter to which I feel it necessary to refer briefly. Under the terms of this resolution there is a provision that the times, places, and manner of holding elections for Senators shall be as prescribed by the Legislatures of each State.

Mr. TURNER. Will the gentleman allow me to interrupt him for a question just here?

Mr. TUCKER. Certainly.

Mr. TURNER. Under the provisions of the amendment which the gentleman proposes would it not be possible for each State to divide the State into two districts for the election of its Senators?

Mr. TUCKER. I would state to my friend from Georgia, in answer to his inquiry, that I think he is entirely right on that point, and without disclosing the "secrets of my prison house," or rather the secrets of the committee, I would state that the matter was under consideration in committee, and I believe I had the honor to suggest an amendment at that point to the resolution, but it was not thought by the committee of sufficient importance to be inserted. The words I suggested were "from the State at large," which would have covered that point. But it was thought to be of so little practical bearing that it was not inserted.

Now, Mr. Speaker, we come to the last point in this discussion to which I have just referred, which is, "that the times, places, and manner of holding elections for Senators shall be as prescribed in each State by the Legislature thereof." That means simply this, that the fourth clause of the first article of the Constitution of the United States shall be amended to the extent that in the election of Senators by the people the Federal Government shall not have the power to interfere.

Mr. DOLLIVER. Will the gentleman allow me a question?

Mr. TUCKER. Certainly.

Mr. DOLLIVER. What is the object of taking from the Federal Government the power given under clause 4 of the first

article of the Constitution as to Senators, and leaving it in force as regards the election of members of the House?

Mr. TUCKER. I will say in answer to the gentleman from Iowa that as we were reporting merely a resolution providing for the election of United States Senators, it was thought proper that our amendment to that section should apply only to the elections which we were then specially considering, that is to say, to the election of Senators. But I will go further, if my friend is anxious on that subject—I will go further and abolish the whole fourth section. I will be glad to have his cooperation. But this is simply a notice to the world and the country that so far as the election of United States Senators is concerned, the Federal Government can not interfere when they are elected by the people under this resolution.

It is a notice to the country, sir, that we are no longer to have the fears of a Force bill thrust into this House. It is notice to the country that when the President of the United States has declared in his annual message for the resurrection of that defunct bill; that when the National Republican Convention at Minneapolis reasserts that as a dogma of its faith, this declaration is a declaration of peace, in the face of these assertions, that the country will not be disturbed by any such bills in the election of United States Senators in future. And I will say to my friend further that there is a distinction between the election of Senators representing the sovereignty of the State and of Representatives. And if the time should ever come when it would be both constitutional and proper to apply Federal power to the election of Representatives that is a very different thing from its application in the election of men who are to represent the several States of the Union in the Senate of the United States. I say, then, that if this resolution is passed there can be no bill brought here with power in it to disfranchise a citizen of a State by the mere act of a Federal officer in denying him the right to register under State laws, by challenging his vote at the polls, or worse than all by sending him against his will to another county than his own to conduct the election as supervisor or marshal for a people who are strangers to him, and to whom he may be entirely unknown, and thereby depriving him of his right to vote. There can be no bill brought here giving to the chief supervisor of elections the power to hold office for life.

There can be no bill brought here giving him power to punish all under his command if they refuse to obey his instructions, and giving him the power to appoint deputy marshals without limit of numbers to carry out his partisan schemes. Those powers, Mr. Speaker, given to that chief supervisor in the original Force bill are powers that I verily believe, if exercised by Her Majesty, the Queen of England, to all of their extent, hideosity, and enormity, would cause her, powerful as she is, unless the English people have lost the spirit of freedom, to lose her head before night.

It is a declaration to the country that there can be no bill brought into this House giving to the Federal Government the power to send an official satrap to my house and to yours, not for purposes which are legitimate under the Constitution, but of domiciliary visits for the benefit of the then party in power. And, as was said, when that bill was under discussion in the other end of the Capitol, by one of the noblest men in it, he only prayed to God that if any Federal officer came to his house under the provisions of that bill, that he might be at home when he arrived.

It is a declaration to the world and to the country that no bill can be brought in here in the future providing that State officers, receiving their powers and commissions from the great States of this Union, can be jerked up and punished, not for the violation of a State law but for the refusal to obey a Federal official.

It is a declaration to the world and to the country that no bill can be brought here providing for packed juries in Federal courts.

It is a declaration to the world that no bill can be brought in here to interfere with the election of Senators that has in it a provision that no man who was in the Confederate army; who sympathized with the late rebellion; who went with his people and stayed with his State, sympathizing with the so-called rebellion, can sit as a juror in a Federal court.

It is a declaration to the world and to the country that when a juror is summoned, and when he raises his hand to high heaven in attestation of the truthfulness of his answers in court, if he declares that he was in the Confederate army, or gave a cup of cold water to his dying, suffering son, or bound up the wounds of those who were dear to him, that he shall not be compelled, under the power of the Federal Government, to stand aside as being unfit for jury service.

It is a declaration to the world and to the country that as for our people, as for this country, we are not going to permit, in the election of Senators, armed troops at the polls to terrify and debauch the suffrages of the people.

Now, Mr. Speaker, I want to say in conclusion that this is a

matter that has in favor of it a strong public sentiment. Eleven States of the Union have declared in favor of it. The States of Oregon, California, Idaho, Iowa, Wisconsin, Indiana, Kansas, Kentucky, New York, Louisiana, and Illinois have all indorsed this principle of the election of United States Senators by the people. This measure has the sanction of a strong popular demand. This is not conclusive of the propriety of the proposed change, but is strongly persuasive of the inadequacy of the present plan. And therefore we have sought, after days and weeks of labor, to bring to this House a measure that would commend itself to the majority of this House as being what the people of the country wanted within constitutional limits.

It is not a radical measure. It is conservative. The changes proposed are not organic, but functional. They are not fundamental, but structural.

I admit, Mr. Speaker, that in proposing amendments to this great Instrument great care should be had that no fundamental, granitic principle upon which it has rested securely since the foundation of the Government should be disturbed; but if perchance some stone of the superstructure was originally improperly placed, or if, properly laid, has become worn by abuse or corroded by certain occult processes unforeseen by the student of governmental architecture at the time of its building, surely the hand must not be deemed impious that is reverently lifted to adjust the misplaced stone, or that seeks with loving touch to apply some life-giving lotion to the wasting portion of this "ark of the covenant" of our future hopes and ambitions. [Prolonged applause.]

APPENDIX.

[H. Res. 90, Fifty-second Congress, first session. Report No. 368.]

IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 16, 1892.—Referred to the House Calendar and ordered to be printed.

Mr. TUCKER, from the Select Committee on Election of President and Vice-President and Representatives in Congress, reported the following joint resolution as a substitute for various bills:

Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1 of section 4 of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

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

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Mr. BUSHNELL. Mr. Speaker, the last Legislature of the State of Wisconsin passed a resolution favoring the election of United States Senators by a direct vote of the people. In following out what I deemed to be the instructions of that Legislature, I have felt it my duty not to oppose or place myself in the attitude of hostility to the amendment to the Constitution proposed by the majority of the committee, but to submit to the House a modification of the method by which it is sought to attain that object.

The amendment proposed by the majority of the committee would compel the election of United States Senators in every State by a direct vote of the people. The substitute which I propose in the minority report would permit such election by a direct vote of the people, in each State where the people desired to adopt that method, and would leave them to continue the election of Senators by their State Legislature in the States where the people preferred that method.

The method is following out, and in accordance with, a joint resolution introduced early in the session by the gentleman from Nebraska [Mr. BRYAN], and is substantially the adoption of the constitutional amendment proposed by him in that joint resolution.

In the minority report which I had the honor to submit to the House upon the election of United States Senators, and which was joined in by the gentleman from Ohio [Mr. DOAN], a member of the Committee upon the Election of President and Vice-President of the United States, Senators and Representatives in Congress, I endeavored to present to the House the reasons why I thought that method was best. I believed that amendment

proposed by the majority of the committee much less likely to be adopted by a two-thirds vote of the two Houses of Congress, and by the Legislatures of three-fourths of the States, than one which will leave each State free to make choice between this method and the present method of electing Senators by the State Legislatures.

All desirable reforms ought to advance along the lines upon which they will meet with the least resistance. That is good tactics in legislative matters as well as in military movements, and in every project of life.

The purpose of the minority of the committee was to report a constitutional amendment that will permit the election of United States Senators by a direct vote of the people, when the people of any State shall so desire, and not compel such method of election in any State, unless the people of that State shall see fit to adopt that method.

To that end, a substitute for the resolution reported by the majority is recommended by the minority of the committee, to this effect: That at the end of the first paragraph of section 3, of Article I of the Constitution of the United States, these words be added:

Provided, That such Senators may be elected by a direct vote of all of the electors of any State qualified to vote for members of the most numerous branch of the State Legislature, whenever such State shall, by law, so provide; and when so elected a plurality shall elect, and if vacancies happen the executive of the State may make temporary appointments until an election can be held for the rest of the term.

So that as amended, the whole paragraph will read:

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

Provided, That such Senators may be elected by a direct vote of all of the electors of any State qualified to vote for members of the most numerous branch of the State Legislature, whenever such State shall by law, so provide; and when so elected a plurality shall elect, and if vacancies happen the executive of the State may make temporary appointments until an election can be held for the rest of the term.

This would leave people of every State free to provide, by constitutional or legislative enactment, for the election of their United States Senators by a direct vote of the people, if they so desired, and do nothing else.

This would accomplish just exactly what I think would be most desirable, and what would be most likely to be adopted by this House, by the Senate, and by the Legislatures of three-fourths of the several States.

It is very evident that there is an increasing sentiment in this country in favor of the election of United States Senators by a direct vote of the people. I will attempt to submit some reasons for it in addition to the reasons given in the eloquent remarks of the gentleman from Virginia [Mr. TUCKER] who has just taken his seat.

It is generally believed, whether true or false, that in some States United States Senators have been elected by the bribery and corruption of members of the Legislatures electing them; and that thereby men have gained seats in the Senate of the United States whom the people of their State would never have chosen to go there, and who never would have gone there but for the corrupt use of money to secure their election.

Yet seldom has an investigation been had by that body as to the methods used by any Senator to secure his election. There is a growing tendency toward Senators becoming representatives in that body of their own wealth, or the wealth that placed them there, rather than of the people of their State. This high office ought to be the people's reward for great public services rendered, noble patriotism, high ability, and true statesmanship, and not a means of profit, or the prize of the highest bidder.

Such elections of Senators by direct vote of the people will do away with the legislative gerrymandering of the States to secure the election of United States Senators by the party happening to be in power when each new legislative apportionment is made. That this has long been a common practice no fair-minded, intelligent man will deny. That it will continue until the temptation to it is removed or our fundamental law otherwise changed is to be reasonably expected. The law of retaliation, to some extent, will always be applied.

The gerrymandering used by a struggling people who have at last come into power to break the bonds imposed on them by its use creates no surprise and little just recrimination.

Our Government ought to be made more sensitive to the will of the people. It is now less so than are some constitutional monarchies.

The Government of Great Britain to-day is more sensitive to the will of the people than is the Government of this great Republic. The Queen, in that Government, is a mere figurehead. The prime minister is the real person responsible for the administrative policy of the Government and the conduct of public affairs. That prime minister, it is true, is chosen by the Queen, but it is well known that in the history of Great Britain for some

centuries the majority of the House of Commons has dictated the appointment of the prime minister, and he chooses the cabinet. If in the House of Commons, the branch of Parliament nearest to the people, there is a majority against the prime minister, that brings a change of the administration.

There is, then, but one of two things that can be done under their system of government. One is for the prime minister, the head of the administration, to at once resign, and for the Queen to call upon the leader of the opposition to form a new cabinet; and the other is for Parliament to be prorogued, and the question sent before the people of Great Britain for the election of a new House of Commons; and if in that new House of Commons selected there shall be found a majority against the administration, the prime minister and his cabinet must resign, and the Queen calls upon the leader of the opposition to act as prime minister and form a new cabinet to direct the policy of the Government.

That is just what is being done in Great Britain to-day. That grand old man, Gladstone, favors home rule for Ireland. The question has recently gone before the people as to whether the present prime minister, Lord Salisbury, shall continue in power, or he shall resign and William E. Gladstone be appointed prime minister to choose a new cabinet and take charge of the administration of that Government, and the reports from England indicate that if there is not to be, in the new House of Commons, an absolute working majority in favor of home rule for Ireland, that Gladstone will be prime minister and the great cause of home rule for that oppressed country will be largely advanced. The administration of that Government will at once become favorable to home rule for Ireland.

But here under our Government how is it? A more than two-thirds majority in this House, which answers to the British House of Commons, works no change of administration, or of any governmental policy; and it has been elected for nearly two years.

Some of the framers of our Constitution sought to guard against what they thought might prove too great power in the hands of the people. They were afraid of trusting them too far. The Republic was an experiment. There was some leaning towards monarchism. They provided safeguards against what they feared might be the impulsive, inconsiderate, and unreasonable demands of the uneducated masses of the people, and sought to prevent too sudden changes of policy in the administration of the Government.

They fixed the Presidential term at four years, and provided for the election of the President, not directly by a vote of the people, but by an electoral college. They fixed the Senatorial term at six years, and required Senators to be elected, not by a direct vote of the people, but by the State Legislatures. They made the term of Representatives in Congress two years; and a little later, it was provided that this House of Congress, which stands nearest to the people, and is the most responsive to their will, should not meet and begin to have a voice in the making of our laws, or as to any matter of public policy, for more than a year after their election; and when met they are powerless to change any law, or enact a new one, without the consent of the Senate and President.

For a hundred years this distrust of the people, as embodied in our national Constitution, has stood congealed, fixed, and immovable.

The cause of free government in the several States has steadily advanced until now, in the best governed among them, the will of the intelligent masses of the people is truly sovereign.

The idea that all governments derive "their just powers from the consent of the governed;" that the will of the people shall rule, upon which the fathers of the Republic, cautiously and fearfully, founded our Government, exemplified and expanded, tried, tested, and not found wanting, as it has been in the several States, has spread triumphant over the whole western hemisphere. It has crossed the Atlantic and swept over Europe. Thrones have crumbled before it, and out of their wrecks or upon their ruins have been builded governments whose administration is immediately responsible and responsive to the popular will through the elected lawmakers of the people.

And wherever, among the civilized nations of the earth, the true sovereignty of the people is denied, or sought to be suppressed or abridged, may be observed the ominous mutterings of discontent, constant dread of nihilistic bombs, signs of socialistic upheaval, or the earnest voice of protest and respectful prayer for relief, which those charged with the execution of the sovereign will, of right, servants, and not masters of the people, will do well to heed.

The right given to elect United States Senators by a direct vote of the people, will be a step in advance for the great Republic; a step toward making our national Government more directly responsible, and more quickly responsive to the will of the people. It is but a short step in that direction. We owe it

to ourselves, we owe it to the world, to take at least that constitutional step.

Mr. TUCKER. Mr. Speaker, I ask unanimous consent that the time be divided equally between the advocates of the majority and the minority reports, the gentleman from Wisconsin [Mr. BUSHNELL] controlling the time in favor of the minority, and I controlling the time in favor of the report of the committee.

The SPEAKER *pro tempore* (Mr. TARSNEY). Is there objection to the request of the gentleman from Virginia?

Mr. DUNGAN. I must object, Mr. Speaker, unless it be understood that gentlemen who are opposed to both these propositions can have some time for debate. The gentleman from Alabama [Mr. OATES] intended to speak against both, but I understand that he is absent on committee duty.

Mr. BUSHNELL. So far as I can control the matter I am willing that time shall be given to gentlemen who are opposed to the general proposition.

Mr. DUNGAN. I would like to have ten minutes at some time in the course of the discussion.

Mr. BUSHNELL. I will yield that time to the gentleman from Ohio.

Mr. DINGLEY. What is the division of time that is proposed?

Mr. TUCKER. There is a division in the committee, as the gentleman from Maine understands.

Mr. DINGLEY. But that division is only as to the form of the joint resolution. There is still another side here, the side which is opposed to the proposition generally.

Mr. TUCKER. Of course my friend from Maine, holding that view, does not object to the proposed division of time.

The SPEAKER *pro tempore*. Does the Chair understand the gentleman from Maine to object?

Mr. DINGLEY. No; I do not object. I merely suggest that there are gentlemen who desire to oppose both these propositions, and the presumption is that they will be allowed a share of the time.

Mr. TUCKER. I yield to the gentleman from Ohio [Mr. GANTZ].

Mr. GANTZ. Mr. Speaker, I have refrained from participating in the discussion of the important measures heretofore considered by this House, but I ask your indulgence now, in view of the significance of the bill, and because I am a member of the committee to which it was referred, and by which it has been reported to this House.

I am not satisfied to forward this measure by my vote only, but I desire to assume my full share of responsibility for the passage and adoption of it, and for the majority report thereon, made by the Committee on Election of President and Vice-President and Representatives in Congress, of which committee I have the honor to be a member. I am opposed to needless legislation, but I am zealously in favor of all wholesome measures that are required to cure apparent defects, and to remedy existing evils.

The organic law of the land should not be disturbed, unless a menacing danger threatens the rights and liberties of the people, and in my judgment, Mr. Speaker, the corrupt use of money in politics has become so prevalent and public as to be a real menace to our free institutions, and to the blessings and privileges which we enjoy as citizens of this Republic.

The amendment recommended in the majority report is as follows:

Joint resolution proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section 3, of Article I, of the Constitution of the United States, and in lieu of so much of paragraph 2, of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1, of section 4, of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

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

"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the Legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

During the debates in the constitutional convention it was asserted, and it was urged as the most serious objection, that—

Senators would be too far removed from the control of the people, and to keep them in proper dependence they should be chosen annually.

The evil alluded to there will be remedied by the adoption of this amendment, without increasing the number of elections, to the injury of the commercial interests of the country, and without altering the permanency of the office. Nor does this bill seek in any manner to change the representation of States.

Section 3 of Article I, of the Constitution, says:

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.

The proposed amendment affects this section only in the manner of choosing Senators, and I do not believe that any member of this House will pretend that the manner of election alone determines whether Senators are the representatives of States or of individuals. So if the proposed amendment is adopted the States will have the same representation as they have under the Constitution now. If any invasion of the rights of the States is threatened the Senators representing the sovereignty of the several States by the provisions of the Constitution will be no less ready and no less willing to defend the rights of the States.

It is not my purpose to make any specific charges of bribery or corruption in the election of United States Senators, but I confess that I believe that such pernicious methods have been employed to secure a seat in that magisterial assemblage, and I am fully convinced that the people universally believe it. The deleterious effect of such contamination is not confined to the immediate participants, but is so far-reaching as to be the worst method of bribery under our form of government. The extent to which money is employed as a factor in contests for political supremacy is positively alarming, and unless the growth of this system is checked, it will ultimately result in the stifling of the will of the people, the blighting of the spirit of true patriotism, and the enslaving of the people of America.

The proposed amendment will have a tendency to discourage the use of money in the election of members of the State Legislature, and in the election of United States Senators. The constitutional mode of electing United States Senators by the Legislature of the States is in itself a great temptation to men of wealth and ambition. Observe the evil effect of the present system.

First, the candidate for the Legislature, especially if his election is doubtful, is persuaded to accept a sum of money to be used in promoting his own election by bribing those electors who are devoid of honor, who never have imbibed the spirit of true patriotism and who are unworthy to exercise the sacred rights of American citizenship. The member of the Legislature whose election was secured by means of the money he was persuaded to take for that purpose feels under obligations to his wealthy benefactor from whom the money was received, who is now a candidate for United States Senator, and who is not reticent about reminding the member of the material aid given at a critical time, in return for which he asks, and generally gets, the member's vote for United States Senator, which should be an untrammelled vote, cast without fear or favor.

The next step is the organization of the Legislature by controlling the caucus of the dominant party, for thereby this wealthy candidate for United States Senator controls the patronage, and secures for his friends and supporters the chairmanships of the various committees, without regard to qualifications or experience. This is an additional means of bribery to accomplish his purpose, namely, to secure his election as United States Senator.

To procure the vote of a member of the Legislature for a wealthy and undeserving candidate for United States Senator, a still bolder method is often resorted to, and that is the direct purchase of the member's vote. To all who are conversant with modern political methods it is apparent that men are sometimes elected as members of the Legislature who are as corrupt as the most disreputable of their constituents, and under the present system such a man is empowered to cast the vote of a whole legislative district in the important matter of selecting a United States Senator, and thereby misrepresent the people and vote them for a candidate to whom they are opposed and who may be entirely incompetent to discharge the duties of that high office. All these difficulties would be obviated by the adoption of this amendment.

There are doubtless in each county and district some electors who are open to bribery, yet as a whole I have an abiding faith in the people, and I firmly believe that if the amendment is adopted no man can secure a seat in the United States Senate by bribery. The patriotism of the American people is not for sale and can not be purchased, so let us see to it that their rights and liberties are not stolen.

The selection of officers in the Legislature, and the formation of committees thereof, should be made in the interests of the people and of good government, and with a view to obtaining the best possible results in the way of wholesome and necessary

legislation, and not in the interests of some wealthy candidate for United States Senator, whose only claim is the fact that he possesses money and spends it to secure an office to which he is a disgrace instead of an honor. I do not refer to this matter in a partisan sense, nor do I assert that there were bribery and corruption in the recent Senatorial election in the State of which I am proud to be a citizen; and even conceding that there were not, it is a sad commentary on the present mode of election, to say, without the chance of truthful denial, that when the distinguished Senator from Ohio was elected the sixth time to a seat in the United States Senate members of the Legislature were charged with having sold their votes, and were put in the unenviable position of being investigated upon such charge.

It is indeed a shame that such a blot should be upon the fair name of that State, or that such a stigma should fall like a pall over the honored head of her illustrious son, who has grown gray in the service of his country, and in my judgment this is due largely, if not solely, to the present undemocratic mode of election.

The substitute recommended in the minority report is as follows:

Joint resolution proposing an amendment to the Constitution so as to permit the choosing of United States Senators by a direct vote of the people when any State shall so prefer.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That this Fifty-second Congress hereby proposes to the Legislatures of the several States the following amendment to the Constitution of these United States, in addition to the existing provisions thereof, as to the manner of choosing United States Senators and filling Senatorial vacancies, that is to say:

At the end of the first paragraph of section 3, of Article I, the words, "Provided, That such Senators may be elected by a direct vote of all of the electors of any State qualified to vote for members of the most numerous branch of the State Legislature, whenever such State shall, by law, so provide; and when so elected a plurality shall elect, and if vacancies happen the executive of the State may make temporary appointments until an election can be held for the rest of the term," so that as amended said paragraph will read as follows:

"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote: *Provided*, That such Senators may be elected by a direct vote of all of the electors of any State qualified to vote for members of the most numerous branch of the State Legislature, whenever such State shall by law so provide; and when so elected a plurality shall elect, and if vacancies happen the executive of the State may make temporary appointments until an election can be held for the rest of the term."

Upon the adoption of this resolution the President shall cause the same to be submitted to the Legislatures of the several States, as soon as may be, for their ratification or rejection; and if ratified by three-fourths of such Legislatures, the same shall be of full force and effect, and the President shall make due proclamation thereof.

Mr. Speaker, I am opposed to the amendment recommended in the minority report on this bill, because it provides that—

Senators may be elected by a direct vote of all the electors of any State, etc., whenever such a State shall by law so provide.

Now, Mr. Speaker, the adoption of an amendment with such provisions incorporated therein would result in a lack of uniformity in the mode of election, and would occasion interminable dissensions and frequent changes in States in which the political parties are of nearly equal strength. The party in power, if such amendment should be adopted, would take such action under this optional provision as would inure to its benefit, and when the opposite party would get control of the Legislature the law would be changed at once, so as to be in the interest of the party then in power. Under this provision the statutes of the States, pertaining to election of United States Senator, would be subject to frequent changes according to the vicissitudes of fortune of the political parties of the States.

Permit me to illustrate by reference to the State of Ohio, where members of the Legislature are chosen in odd years. Under this optional plan Senators in that State would be elected in even years, so that if the Legislature should pass a law providing for the election of the United States Senators by a direct vote of the people, the next succeeding Legislature during its first session could repeal the law providing for the election by the people and proceed itself to choose the United States Senator.

Nor does the proposed amendment discourage the use of money; for a wealthy individual who believed that he possessed the necessary qualifications for a seat in the United States Senate might by his persuasive eloquence and other means induce a majority of the members of the Legislature to agree with him, and at once the law providing for the election of Senators by the people would be repealed and the Legislature would proceed to elect the wealthy candidate to a seat in the United States Senate, just as they may do now under the present system.

And as an additional reason why the amendment recommended in the minority report should not be adopted—and I desire to call the attention of the gentleman from Wisconsin to the fact—that while the force bill can not apply to an election held under the amendment recommended in the majority re-

port, there might be Federal interference in an election held under the amendment recommended in the minority report.

For these potent reasons, Mr. Speaker, I am emphatically and unalterably opposed to the minority report on this measure.

The adoption of the amendment recommended in the majority report discourages the use of money in elections; it means that the Legislatures of the States will be true to the interests of the States and to the rights and liberties of the people; it means that the Senate will not be so remote from the people; who are the only source of legitimate authority, and will be more responsive to their demands; and under its wise and beneficent provisions, pregnant with democratic principle, all men will be equal, none barred on account of wealth or poverty. [Applause.]

Mr. BUSHNELL. I now yield fifteen minutes to the gentleman from Ohio [Mr. DOAN].

Mr. DOAN. Mr. Speaker, we have been taught, many of us, to venerate the Constitution of the United States and to look with suspicion upon any attempt to change or modify its provisions.

For the first time in the history of the world in a broad and comprehensive sense was it proclaimed that all men are created equal and endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.

Here in the New World, after seven long years of exhaustive war, our forefathers proposed to reverse the old doctrine, that the people had no rights, that all power was vested in a king or czar, and they were supposed to obtain it from the clouds—from some power from on high. This was the old doctrine, "the king can do no wrong." He could tax and rob at pleasure the toiling millions, who had no power to gainsay or deny the right. This the Revolutionary fathers reversed. They denied the divine right of kings. They denied that the power came from above. They affirmed that all power was inherent in the people; that these kings, these rulers, were but the servants of the people, possessing alone what power they delegated, what authority they gave, no more, no less. So they formed this grand Government, the grandest and the best on God's footstool to-day—a Government "of the people, by the people, and for the people."

Under God and the Christian virtues and patriotism of this enlightened people, it will live and burn and glow in the hearts of the children of men as long as liberty has a votary and the name of America has a record on earth.

So I say we have been educated to look upon the Constitution, the supreme law of the land, as a sacred instrument, and that all changes, all amendments to that charter of our liberties are looked upon with distrust and doubt. But times change, men change, circumstances change; this is a world of change, and we must meet the requirements of the hour, the necessities upon us.

I believe we have reached the time when not only the United States Senators but the President and Vice-President of the United States should be selected by a direct vote of the people. I believe the people, the sovereigns of this nation, have a right, without the intervention of political machinery, without the intervention of Legislatures, without the intervention of Presidential electors to vote direct for the man of their choice. They have a right to bring him nearer to the source of power, and hold him directly responsible for the correct administration of the trust reposed in him. This is right—this is democratic in its broad sense, and no man who loves our institutions, who has at heart the good of our people, will ever shrink from keeping in touch with the American people, and walking in harmony with every interest for the betterment of all, high or low, rich or poor, black or white.

Grave questions confront the American people to-day.

We have passed the milestone of the first century under our Constitution. What a marvelous growth and development we have made in our first century. It stands without a parallel, the pride and admiration of the world. What can, and what will be said of our second century? Macaulay, the great historian, said in 1857, that this nation by virtue of its vast and varied resources would live through its first century, but that it would fall and crumble into fragments—hostile sections—during its second century. His belief was that no government could exist long where the low, the poor, the vicious, the depraved people had the same political power that the intelligent, the moral, the good possessed. While there may be some force in his statements, I think he overlooked the very foundation upon which this Government was established.

Here we have planted the school-house and the church side by side. We educate the brain, the heart, the conscience, the higher and better qualities of man. We place no caste, no barriers, no artificial weights upon our citizens, but leave all free to rise to any position in the gift of the people through their own merits and intrinsic worth. These levelers level up to a higher, grander, and purer civilization for our people. The second sober thought of the people, as a rule, is correct. That

sober thought of the sovereign people is demanding attention at this time, and woe to the party that fails to heed it.

We are rapidly I fear, approaching the period when the man with the largest purse and the least conscience obtains the office and enjoys the usufruct. We are on the border land of the period when if a man is a United States Senator it will go without saying, "he's a millionaire." We are living in the storm center of a money-grasping age, and the power of gold "that fools admired and called a god," is too often used to corrupt the ballot, debauch the rights of men, and wither industries affecting the bread and butter of millions of poor men struggling for existence.

While I have stated the tendency, the drift of the money power in politics—the exception to the rule of the high and honorable gentlemen who hold position and power under the Government—I have stated facts and conditions that must now be met. While conventions may nominate and give political sanction to this man or that man, to this platform of principles or the other, nevertheless the ten million sovereign voters, after a full, fair, and complete discussion of the men and methods, their tendencies and surroundings, would like to have the direct right to set their seal of approbation or their unqualified condemnation, as their best judgments after full and free argument might determine.

I give it as my deliberate judgment that you will never stifle corruption and fraud; you will never compel the money power to take a back seat; you will never give merit and worth a fair show, until you settle once for all that corruption and fraud, the purchase of offices by the rich, shall receive, as they justly merit, the unqualified condemnation of all good citizens.

This, Mr. Speaker, can only be done by bringing those who seek the offices directly in contact with the great body of the wage-workers of the land, they who do the work, make the money in the sweat of their own faces. These men with great honest hearts, men who love their own firesides, love their own wives, love their children—the olive branches that surround their tables—these millions constituting the unit of government are demanding recognition at our hands, and woe be to the party that fails to respond to the voice of the people. *Vox populi, vox Dei.*

Mr. Speaker, allow me to digress a moment from the line of thought I have been pursuing. I believe, and believe conscientiously, whether right or wrong, that whatever amendment may be adopted the States should be left to determine for themselves whether the election of Senators should be made through the State Legislature as now, or whether their election should be submitted to the people. The measure as reported by the majority leaves no discretion on this point in any shape or form. If three-fourths of the Legislatures should ratify this proposition it will be binding whether in accord with the best interests of the people of my State or your State or any other State. I believe it is hard to lay down any rule to which there may not be exceptions. I believe that any constitutional amendment on this subject, if ratified and made a part of the Constitution, should allow to each State the absolute right of deciding, from the character of its people and the surrounding circumstances, whether Senators should be elected by direct vote of the people or through their representatives in the Legislature.

Here I want to digress for a moment. On the line of the common people, true Americans, with American simplicity, American manners and American customs, original in action as they are independent in thought and expression, I desire to say one word touching the silk gowns worn by the judges of the Supreme Court of the United States. Upon this subject I may stand isolated and alone. If so, be it so. I admire the learned judges upon the Supreme bench. I love the profession of the law.

But I have a supreme contempt for the English aping of the unsightly gown. It is un-American; it is priestly; it is not in accord with the spirit and genius of our free institutions. It is so much borrowed from an English aristocracy; from the glittering trappings of monarchy. It belongs to the dead past, and should receive, as it justly merits, the unqualified condemnation of the American people.

Is it less dignified for statesmen to make the laws of our country, than it is for American judges (who are simply appointed by the agents of the people) to expound them? If not, why should these statesmen I see around me, be permitted to assemble in this upper Chamber, in solemn session, and having first invoked the Divine blessing, proceed to make laws for the people, laws second only in power and authority to the Constitution itself, with no vests on, a black belt around them, and \$2.65 seersucker coats on their backs, looking so much like the average American that it is hard to tell one from the other, when they are mixed up.

Is it any more saintly, is it any more priestly for men in authority in the judicial branch of the Government, to tell the people what the people's representatives mean by the laws they

enact? If so, why so? If it is good for our fellow-citizens who are judges of the Supreme Court, why not extend it to the highest office in the gift of the people? Give the President a rod endowed with the wonderful powers and marvelous qualities of Aaron's rod. Preserve the dignity of the American Senate, that great conservative body, the balance wheel of hasty and vicious legislation. Give them a helmet, emblematical of salvation, crown the millionaire with the golden calf, that all who run may see; and then say to the honest poor of the land, the great wage-earners, the lifeblood of the nation, the toiling millions, we have no crowns for you; you can—

Look in the banks, where Mammon has told
His hundreds and thousands of silver and gold,
Where, safe from the hands of the starving and poor,
Lies pile upon pile of the glittering ore;
Walk up to the counter—ah, there you may stay
'Till your limbs grow old and your hairs turn gray—
And you'll find at the bank not one of the clan
With money to lend to a moneyless man!

- Go look to you judge in dark flowing gown
With the scales wherein laws weigheth equity down;
Where he frowns on the weak and smiles on the strong,
And punishes right, while he justifies wrong;
Where jurors their lips on the Bible have laid,
To render a verdict they've already made;
Go there in the court room, and find if you can,
Any law for the cause of moneyless man!

Wealth is power, and power unrestrained is dangerous. The people of this mighty nation should see to it at once that all distinctions on account of position or wealth drifting to caste and social ostracism, should have no standing place in this Government of Washington and Jefferson. Going back to our judges; if it is more than a borrowed whim of the past, if it is the silk gown and not the man that is to give dignity and solemnity to the bench, what earthly reason could exist why it should not be adopted at once in this House, so that the Fifty-second Congress might go down in history as the silk-gown Congress, and thus leave to posterity an individuality as clearly and distinctly defined as the "billion-dollar Congress." This is the last hope left us. The time of our departure is near at hand. It will make us immortal!

[When Mr. DOAN's fifteen minutes had expired his time was, by unanimous consent, extended to permit him to conclude his remarks, during the delivery of which the following proceedings took place:]

Mr. TUCKER. At this point, Mr. Speaker, I ask unanimous consent, as the time for debate is limited, that all gentlemen who speak on this subject may be permitted to extend their remarks in the RECORD.

The SPEAKER *pro tempore* (Mr. TARSNEY). The gentleman from Virginia asks unanimous consent that members addressing the House upon this measure have leave to extend their remarks in the RECORD. Is there objection?

Mr. DINGLEY. It is understood the remarks are to be confined to this subject?

The SPEAKER *pro tempore*. This subject. Is there objection? The Chair hears none.

Mr. DINGLEY. I desire to inquire when opportunity will be offered for proposing any amendment?

Mr. TUCKER. The gentleman knows that the previous question has been ordered for quarter past 4 o'clock.

Mr. DINGLEY. It has not been ordered. There has been no agreement yet as to the previous question. I do not wish to interfere with the arrangement for this general debate, but at the proper time I desire to offer an amendment.

Mr. TUCKER. Will the gentleman indicate the amendment he wishes to offer?

Mr. DINGLEY. I wish to offer an amendment—

The SPEAKER *pro tempore*. The Chair will state that the gentleman from Ohio [Mr. DOAN] is clearly entitled to the floor to conclude his remarks.

Mr. DINGLEY. The gentleman will excuse me. I will renew my inquiry hereafter.

[Mr. DOAN resumed and concluded his remarks as already given.]

Mr. TUCKER. I now yield ten minutes to the gentleman from Vermont [Mr. POWERS].

Mr. POWERS. I would prefer that the gentleman from Maine [Mr. DINGLEY] should now offer his amendment, so that we may know before the discussion is further continued what is proposed in the way of amendment.

Mr. DINGLEY. The gentleman from California [Mr. LOUD] desires to offer the amendment.

The Clerk read as follows:

Strike out lines 21, 22, and 23, and insert:
"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations."

The SPEAKER *pro tempore*. The gentleman from Vermont will proceed.

Mr. CHIPMAN. Is that amendment read for information?

The SPEAKER *pro tempore*. The purpose was not stated.

Mr. CHIPMAN. Well, I object, for the present, to its being received except for information. I reserve all points of order on it.

Mr. DINGLEY. No point of order can be made against it.

The SPEAKER *pro tempore*. It does not appear to be subject to any point of order.

Mr. LODGE. The amendment is perfectly in order.

Mr. CHIPMAN. I think a point of order can be made against it—

Mr. LODGE. Why?

Mr. CHIPMAN. But I am willing to take the decision of the Chair. There is nothing in this bill in regard to Representatives.

The SPEAKER *pro tempore*. The gentleman from Vermont will proceed.

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

Mr. LANHAM. Mr. Speaker, we shall confine ourselves and this Government more closely to the ancient moorings and essential principles of republican polity by lodging, retaining, and maintaining all necessary power as near to the people as it is possible to do. The central idea of our institutions is that the people rule. The popular will is the substraction of our entire system of Government. Anything which is not willed or consented to by the people is foreign to that system. It is competent for the sovereign people of these United States to recover and reclaim any power which they have permitted to depart from them whenever they discover that such power is being exercised injuriously to the common interest or inconsistently with the popular purpose.

In the youth of the Republic and amid the environments that then obtained it was deemed expedient that United States Senators should be elected by the Legislatures of the respective States. This practice has prevailed without interruption until the present time—until forty-four States constitute the American Union. However wise it may have been in the beginning, or whatever necessities may have then existed for the establishment of this rule, it does not follow that its perpetuation should be enforced. This country, its development, its facilities, its achievements, its expansions in resources and culture, its magnitude among the full-grown nations of the earth, have far transcended every conception of possibility indulged by the fathers.

Were it possible for any of the framers of the Constitution to revisit incarnate the land and the Government they gave us, the recognition of this gigantic nation as the outgrowth of the infant of their day and generation would be impossible. They would be constrained to observe that the reason for some of their rules had ceased and the rules themselves should cease. The primitive conditions which obtained a century ago have been supplanted by the phenomena of modern progress and improvement. The thoughts of men have been widened by the processes of the years that have gone by, and the mighty solicitations to scientific ingenuity and educational extension which everywhere abound are working marvelous results in the enlightenment and advancement of the people of the present day.

The capacity for self-government and the auxiliaries for intelligent general and popular appreciation of political questions and public measures, as well as the aptitude of particular men for official trust and responsibility, are being constantly enlarged. In this era of air lines and transcontinentals, when the forces of electricity are utilized, when rapid transportation conquers distance, when the morning daily press in the uttermost parts of the country furnishes the average citizen all the current information of the preceding day, when well-equipped schools and colleges are training and qualifying the youth of our land for a proper comprehension of all the duties and demands of citizenship, when the population of different States exceeds the total number of all the people in the United States at the inception of our Government, there exists no substantial reason why the people are unprepared to exercise directly every function of selecting their United States Senators which is now and has heretofore been delegated to those whom they choose for legislative duties in the respective States.

If they are wise enough to nominate and constitute agents to transact their business, they surely ought to be capable to do that business without the assistance of intermediaries. If they can impress their preference and desire upon their representatives in State Legislatures, why should they not signify their choice for United States Senators by their own immediate, primary action? Will the distinctive objects for the existence of the Senate of the United States, and the original and essential purpose had in view by the framers of the Constitution when they provided for the election of Senators by the Legislatures, be in

any degree impaired or frustrated by the substitution of the method of election as proposed in the pending joint resolution?

Without any extensive inquiry into the reasons which actuated the adoption of the existing rule, or elaborate discussion of the merits of the arguments which characterized the debates in the convention which formulated it, let us examine the subject from the present standpoint and discover if we can the propriety and necessity of submitting the proposed change of the Constitution to the action of the several States. A strong popular demand has arisen from different sections of the Union for this submission. It is desired by a large and respectable number of the people that an opportunity be afforded in which it may be determined whether such an order of things now exists as to warrant and require the proposed alteration of the Constitution.

It being borne in mind that the passage of this joint resolution simply confers upon the State Legislatures the authority to determine and announce the judgment and will of the people upon the proposition therein contained; that no change can be wrought except by the action of the constitutional number of the States; that the matter is merely remitted for decision to the sovereignty of the country, in whose discretion and conservatism there must always be reliance, it would seem that no reasonable apprehension of impairing our organic law need be indulged; that no possible harm or detriment can come to our institutions by a compliance with the desire of the people to be permitted to pass upon the question. It would simply be the manifestation of a decent regard to popular sentiment to respond to their wish.

While it is true that no step looking to an amendment of the Constitution should be taken except for reasons clearly sufficient, while it is conceded that public policy is adverse to frequent interference with fundamental law, and public opinion ordinarily discourages the agitation of constitutional amendments, it must be admitted that there exists a very large if not a general popular dissatisfaction with the existing method of choosing United States Senators, and that a substantial occasion has occurred in our history which justifies Congress in the practical application of that provision in the Constitution, wisely incorporated, which contemplates the submission, from time to time, of amendments essential to changed conditions.

The thought has taken deep root in the public mind that the popular choice of United States Senators is not reflected in the action of State Legislatures; that abuses and perversions of the present method have become so flagrant as to require correction; that the Senate of the United States has become estranged from the hearts of the people; that sympathy with them has been driven from its appropriate place; that the servant has become greater than his lord; that tendencies and results un-American, undemocratic, and un-republican are being fostered and gaining sway through the operation of the present system.

The masses of the people have become accustomed to distrust the Senatorial title. They have heard of bribery and corruption. They have begun to believe that it is easier to influence the members of a State Legislature to choose unwisely; that compassings of infinite variety can be more successfully operated upon their agents than it would be possible to exert on the real source of power; that the fountain is cleaner and purer than the stream.

The conviction has taken shape that the United States Senate is too far away from the people, too little in touch with them, if not to absolutely antagonistic to their interest and well-being.

The people have reached the conclusion that they are the state, and that the state is properly represented only when their rights are considered and conserved, and that responsibility to them, immediate, direct, and proximate, ought to attach to each and all their lawmakers. Whatever qualifications it was originally deemed necessary for United States Senators to possess, however "most distinguished characters, distinguished for their rank in life and their weight of property," they were expected to be, however "more coolness, more system, and more wisdom, than the popular branch," it was expected they would exhibit, it can not be denied that the people of the last decade of the nineteenth century are fully capable of determining for themselves the best exponents of these elements of Senatorial capability and fitness.

From the foundation of our Government there has been a ceaseless contention for supremacy by organized political parties. Changes of administration, State and national, have marked our history. Partisanship may have absorbed patriotism in many of these changes, and the inducements to prolong mere party control may so continue to increase as to imperil that official selection which is truly representative of the real preference of a majority of the people. If a State be Democratic in politics it is entitled to have Democrats in the Senate of the United States; if a majority of its voters be Republican, there is no reason why their choice should not be reflected in that body. It ought not to be within the power of a State Legisla-

ture representing a minority of the voters of a State, to defeat the will and desire of the majority.

Acquiescence in the popular will and a well-regulated and wisely administered rule of the majority are the basic principles of our system of government. Once establish the rule that the qualified voters of a State may cast their ballots at the polls for United States Senators without the intervention of State Legislatures, and you remove in a great degree the partisan temptation to unfair apportionment and such a construction of legislative districts as will render it possible to prevent the execution of the popular purposes. The harmony, the symmetry, the genius of our institutions all combine in the requirement that such a system of election of United States Senators shall prevail as to secure public respect for and confidence in the result of such elections.

When it is known and understood throughout the Union that the sovereign people of the different States, in their own way and of their own motion, have chosen their Senators, it will be a guaranty of the integrity of their title to that distinguished office, and if there should be an injudicious selection, the responsibility will rest upon the people making it. After all the people of our country are much alike, and actuated by a community of feeling and motive, no matter in what part of the Union they may reside. Though separated by State lines, they are really homogeneous, having common wants and kindred purposes. They can safely be trusted, if our institutions are to endure.

It is well for every American citizen to feel that he is a factor in his Government and entitled to exercise every function that appertains to a free man in a free country; that his individual vote is as potential in the selection of all officers as that of any other man. It behooves us to contribute all we can to the establishment of popular confidence and the promotion of public satisfaction. Relying on the people, their wisdom and patriotism, "Let us never despair of the American Republic." [Applause.]

Mr. BRYAN. Mr. Speaker, I do not desire to consume the time of this House in the discussion of the merits of the original proposition. So far as the election of Senators by the people is concerned, I am in favor of it in whatever form it may come, and I can see no reason that can be urged against the proposition, except a distrust of the people themselves. But I do earnestly desire to call the attention of the members of the House to a difference between the majority and minority reports.

About three months ago I took the liberty of sending to each member of this House a circular letter, calling attention to the minority report and to the reasons why it was presented, in order that the matter might be calmly considered, and I beg the members of this House at this time in considering this very important question to take up these two reports and to adopt the resolutions which are most likely to meet with general approval.

The amendment which has been proposed by the gentleman from Wisconsin [Mr. BUSHNELL], representing the minority, instead of making the election of Senators compulsory upon all the States, leaves it optional with each State to adopt or reject the plan as it sees fit. In other words, it is acting in the line of the least resistance. We are attempting to change the Constitution of the United States. While I believe that there is a great public demand for this change among the people, yet I know that it will be combated. I know there will be opposing influences and forces, and I am anxious that we shall adopt that proposition which will have the most chance of being accepted by the people. The optional feature ought to be most acceptable to both sides of this House, whether they favor the election of Senators by the people or not. If you are opposed to it, if you believe that your State does not favor it, then you should favor the optional feature, because it leaves your State free to accept it or reject it.

If, on the other hand, you are in favor of the election of Senators by the people, as I am, then you ought to have confidence that, if it is left to the people to say, they are wise enough to decide for themselves. You simply give them the privilege in each State of adopting this method if they see fit, and I believe the result of such a proposition would be that in a short time every State in the Union would be electing its United States Senators directly by the people.

Mr. DICKERSON. Will the gentleman allow me to ask him a question?

Mr. BRYAN. Certainly.

Mr. DICKERSON. Would it not be subject to all sorts of political caprice; and as parties change might not the law be repealed, and reenacted?

Mr. BRYAN. I will speak of that in a moment. I think that you can safely trust the people to do this, if you put it in their power. It can be done either by a constitutional amendment or by legislative enactment. I believe the result would be that in a

great majority of the States it would be put in their constitutions, where it could not be changed by the Legislature.

But, Mr. Speaker, if you once give the people of this country or the people of a State the right to elect their Senators, I do not think that you can ever take that right from them. The people do not yield up the rights that you put in their hands, and you can safely depend upon it that neither caprice nor chance will change the form of election.

But, Mr. Speaker, I call the attention of the members of this House to another feature, and I beg them to consider it. If we adopt the majority report as against the minority report what is going to be the gain? The gentleman from California [Mr. LOUD] has proposed an amendment that gives the Federal Government supervision over these State elections, and you are asked to depart from the real question involved, whether we shall elect our Senators by the people or not, and turn to a side issue, as to whether the Federal Government shall control these elections or not. The resolutions reported by the majority will necessarily raise the same question. The amendment which we propose gives to both sides a fair chance. It does not take from the South and from those who fear a force bill any safeguard which they have now. If a force bill should come and an attempt be made to apply it to the election of United States Senators they are free under this amendment to go back to the election of Senators by their State Legislatures and have every security that they have to-day.

And if, on the other hand, there are those who are in favor of Government controlling elections in the States, I say to them that in this measure they are not yielding up a single right they have to-day. If you adopt this measure, it gives to each State the right to determine for itself how it will elect; and I ask you if it is not proper that a State whose representatives are sent here to represent the State as a whole, should not have the right to say in what manner it will elect the Senators who represent it? It is not at all like the election of Presidential electors, because you may have such a condition as that a few States will elect electors by Congressional districts, and other States elect them by the State at large, and the action of one State may affect the general result. But there can be no such operation here.

What difference can it make to the State of Nebraska whether the State of Virginia or Vermont elects her Senators directly or by the Legislature? It will not, probably, change the political complexion. It simply changes the character of the men whom they send to the Senate, and it leaves the State free to do what it pleases, without imposing any obligation on other States or subjecting them to any disadvantages.

This proposition, in order to become a law, must first pass by a vote of two-thirds of both Houses, and then be ratified by three-fourths of the States of this Union. If twelve States object to a compulsory law, then the other States are denied the privilege of electing their Senators by the people, if they wish. But if you will put it in this optional form, a State will not put itself in the attitude of denying to other States the right to do as they choose.

If Maine, New Hampshire, or New York does not want to elect Senators by the people, her Legislature will certainly not object to Nebraska, Missouri, or Kansas electing by the people; and it seems to me if you will adopt this optional plan, you will gain in time all the advantage that you will gain under the compulsory plan, and will be more certain to have the resolutions passed by both Houses of Congress and ratified by three-fourths of the States. Then, Mr. Speaker, if the experience of the people demonstrates, as I believe experience will demonstrate, that this is a wise change, you can depend upon the merit of the plan to commend itself to other people; and if the change should prove unwise, which is very improbable, we will have reason to thank Congress for leaving it in our power to return to the present system.

But, I beg you, fellow-members, to permit this amendment, and so shape this proposition that you will get the views of the people upon the one single proposition. Do not combine with it other side issues that will distract attention and take the discussion away from the real question.

Mr. HERMANN. If the gentleman will permit me, as I understand, aside from this optional feature, the minority amendment is substantially like that of the majority.

Mr. BRYAN. This simply leaves it optional with a State to adopt it or to reject it, as it pleases, and it is put in this form for the reason that in this form we believe you can pass it through these two Houses and have it ratified by three-fourths of the States.

Mr. HERMANN. In other respects both amendments are alike, as I understand it.

Mr. BRYAN. In other respects they are alike. It does not take away, as I have said, from the States that fear a "force bill" a single safeguard they have to-day, nor does it take away from those people who would want a force bill, if they could get it, a single one of the constitutional provisions which they have to-day.

It brings it down to the bald and naked question as to whether you will elect your Senators by the people or not. You go forth to the people with that single proposition.

I believe that ten years from to-day, if the optional feature is adopted, States which would now oppose the compulsory plan, would be electing their Senators by the direct vote of the people. And when you get it, I do not think there is any danger of taking a backward step.

I simply call attention, Mr. Speaker, to this matter in order that the members of this House may vote intelligently.

Having said this, and having emphasized as best I could the value of the optional feature I yield the remainder of my time to my colleague from Nebraska [Mr. KEM].

Mr. KEM. Mr. Chairman, in speaking to the resolution that is before the House for its consideration at this time, I do not do so believing it a cure for all the evils complained of by the people. But I regard it as a step in the direction of popular government, in which the voice of the whole people will not only be heard, but heeded. In it lies a principle of justice and equality that should be better established by the Constitution—a principle that must be well established and maintained or we can not hope to preserve that perfect liberty given by the Creator as the birthright of man.

The disposition of man to take advantage of the misfortunes and prey upon the weaknesses of his fellow-men, made government a necessity, the true function of which is to protect the weak against the strong, and secure to all citizens regardless of their station in society, the right of life, liberty, and the privilege of pursuing happiness in their own way so long as that way does not conflict with the same right of others.

Since the day our first parents were driven from Eden, this disposition of one man to steal from another his birthright has followed the human race like a curse; it is the underlying principle that has demoralized and destroyed every government that has gone down in past ages, and will destroy every government now existing, unless carefully guarded against by wise, just, and wholesome laws, righteously administered.

Man's greatest enemy is man, and I know of nothing against which he needs protection so much as against his fellow-men. This is not a new thought, but is as old as history, and every government that has and does exist, was and is a monument to its truth; and it is evident to my mind that the fathers of our own government realized this with perhaps greater force than we do; the evidence of which appears in the following words of the preamble to the Constitution: "We, the people of the United States, in order to form a more perfect union, establish justice." Let us pause here for a moment to consider the significance of these words, "form a union to establish justice." It signifies, sir, that Justice had been dethroned and the time come when it was absolutely necessary for the people to unite and raise her up, that domestic tranquility might prevail, the common defense be provided for, the general welfare promoted, and the blessings of liberty secured not only to themselves but to their posterity.

Can anything be more significant or fraught with greater meaning than the above? It explains to even him who is a stranger to our country's history, the condition of our people at that time, which justified subsequent events. The Government was completely in the hands of the plutocracy; Justice had been dethroned, the righteous demands of the common people ignored, their liberties trampled under foot, and insult added to injury till they were compelled to unite and form a more perfect government as a means of self-protection. At the time these words were written, another period of human progress was about rounded out, and the adoption of the instrument known as the Constitution was the ushering in of a new. Old things passed away and behold many things pertaining to government became new. The change from that to which men by long usage had become accustomed was so radical that even its friends looked upon the new Government in the light of an experiment; while its enemies unanimously condemned it and predicted certain failure.

Time has proven those predictions to have been but the croakings of prejudice; for out of that new system in the short period of a century has been evolved, one of the greatest nations on earth; and under it, greater progress and advancement has been made than in any similar period in the history of man.

This being true, say the extremely conservative, is it not the part of wisdom to let well enough alone? I ask is it well enough? and answer no. Nothing is well enough that can be made better; and he who conforms to the idea of well enough, has not only ceased to advance but has actually turned the wheels of progress backward.

That it is not well enough with us as a nation is established by the fact that general discontent prevails throughout our land among those who produce its wealth. The result, as we believe, Mr. Chairman, of false and evil systems that have crept in through defects in the Constitution, by which the natural rights of the people have been taken from them, resulting in an unequal

distribution of the wealth of the country, by which it is fast becoming aggregated in the hands of the few, and, if continued, must inevitably result in wiping out the great middle class entirely and the establishment of the two extremes; the extremely poor and extremely wealthy, landlord and tenant, aristocrat, and plebian.

Mr. Chairman, I presume that those who eat bread in the sweat of other men's faces, and their mouth pieces, may look upon and designate the foregoing as the rantings of a calamity howler; but let me say to these gentlemen that this old stereotyped cry of stop thief, that for the last four years has never ceased to come up from the subsidized press, stump, and rostrum, like the wails of the lost souls of the damned, has lost its power to scare or deceive, and will fool no one longer but themselves.

The people, the highest court in this land, are sitting in judgment; they have properly located the real thieves, and if I mistake not the signs of the times the day is coming speedily when those who have been the instrument of subverting the principles upon which our Government was founded, will be brought to a strict account of their stewardship and even-handed justice meted out. These false systems we have referred to and which are looked upon by a certain class as simply the vaporings of cranks, and have no existence other than in the diseased minds of a few calamity howlers, are fast being recognized by the best minds of our country as problems of the gravest nature that must be met fairly and solved properly or the dissolution of this Government will follow as surely as the night follows the day.

These evils we believe if not wholly are in part at least the result of defects in our organic law; one of which this resolution seeks to remedy; but, exclaim some with hands uplifted in holy horror and eyes cast heavenward, you seek to tamper with the Constitution, evidently looking upon that instrument as something sacred; and upon he who would seek to amend it as a vandal guilty of sacrilege. Just why this is so would be difficult to explain, except it be a sickly sentiment born of superstition, that looks well in print and is safe enough when the rights of the citizen is not in jeopardy. But when those rights are at stake, that which is higher than any instrument of man, it should be stripped of all sentiment, viewed only in its true light, that of a creation of the people, designed by them as an instrument under which justice to all may be secured, and before which every citizen, high or low, may stand on a perfect equality.

Therefore, Mr. Chairman, if time has developed the fact, as I believe it has, that because of defects in its construction the Constitution no longer gives that protection it was designed to give, it is not only the privilege, but the absolute duty of every citizen who loves his country, to use all honorable means to remedy those defects and make it as perfect an instrument of justice as it is possible to make. It goes without saying that the Constitution as constructed by the fathers was the greatest instrument of civil government devised by man, and met perfectly perhaps the requirements of the day and date that brought it forth; but if it was sufficient unto the evils of that day it is no evidence that it is sufficient unto the evils of these degenerate days.

The fathers themselves saw the impossibility of a fixed organic law, and wisely made provisions for its amendment from time to time as experience might show to be necessary. The first two years after its adoption it was amended ten times, since which time more than a century has elapsed and it has been thought necessary to amend it but five times. And in my opinion, Mr. Chairman, five other amendments will carry us safely through another century, provided they are of the right kind and properly observed. This idea of sacredness that attaches to the organic law in the minds of some seemingly did not conform to the ideas of our fathers respecting that instrument. They not only held the right to alter or amend the Constitution, but if necessary to abolish the Government; for the proof of which I cite the Declaration of Independence, as follows. After defining in a general way the natural rights of man, they use the following remarkable and pertinent language:

That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles and organizing its power in such form as to them shall seem most likely to effect their safety and happiness.

Thus the fathers expressed their ideas of true liberty, the natural rights of man, and the functions of government. Holding those rights as sacred, and the Government simply as a machine created by the people to establish, protect, and maintain them; and when it failed to accomplish its purpose, to be altered and improved, by the power that made it, till it would do its work, they reasoning that nothing should stand between the people and the enjoyment of their rights. And, I think, no man will stand on this floor to-day and say this is not true.

Mr. Chairman, if there was no higher authority for these ex-

pressions of true liberty, and the method men have the right to adopt to maintain that liberty, than your humble servant, I doubt not but the tools of plutocracy would not only raise the cry of calamity howler but would add to it that of a bloody-handed anarchist, fit only for the hangman's noose.

But, thank God, these words fell from the lips of men tried and true, who loved liberty better than life; men who forsook houses, lands, wives, children, and went forth with their lives in their hands to defend and establish it. This principle of liberty that was true of that day is none the less true of this; just as sacred, just as necessary as it was then, and should be as jealously guarded and maintained as it was valiantly and stubbornly fought to establish. And the time has come, Mr. Chairman, in my opinion, when the Constitution should be so amended as to conform more nearly to the principles set forth in the Declaration of Liberty and its own preamble. That Declaration in its expression of the rights of the governed is sublime, and while time shall last nothing superior will perhaps ever emanate from the mind of man.

But the expression of principles of perfect equality and justice by word of mouth is one thing, and the construction of and placing in operation the machinery to make it effective is quite another. The Constitution was the governor designed to place in position and control the machinery of an ideal government, that was to secure to every citizen alike the enjoyment of the rights for which our fathers fought the bloody battles of the Revolution. It was to be a popular government by, of, and for the people, returning to them all the rights and privileges they had lost under the monarchy from which they had suffered by the discrimination of that government in favor of the few, by which that few had power to dictate the terms upon which the many were allowed to exist, resulting, as it always must result, in the absolute slavery of the masses.

It was this evil of concentrating the power to govern in the hands of the few that the fathers sought to guard against in framing the Constitution, and while it was a most radical measure for that period, we find a spirit of conservatism cropping out here and there, showing most clearly that they were not certain in their own minds that the people were wholly able to govern themselves. This fear manifests itself perhaps with no greater force than in the provisions for electing the President of the United States, which has at different times in the history of our country resulted in defeating the popular will by placing in the executive chair a man whom the majority did not want and for whom they did not vote, thus defeating the very principles sought to be maintained.

In 1876 the American people were brought to see the danger of an electoral system, which made it necessary to provide an Electoral Commission in order to preserve the peace, and that placed the judges of the Supreme Court in a position that caused many people to feel that the decision rendered was not free from party prejudice. Mr. Chairman, if I had the power I would go much farther than this resolution seeks to go: I would remedy this defect in the Constitution in order to guard the people against the dangers that threatened the peace and safety of the Republic during the continuation of the electoral contest referred to, by making the President elective by the popular vote. I would allow no middle man, as member of an electoral college, to stand between the people and the consummation of their desires as expressed at the polls and defeat the popular will, as they have done in the past. The evil of this defect is so apparent and the necessity for a remedy so plain that all sickly sentimentality should be thrust aside and a fair amount of American common sense applied to the blotting out of this remnant of British monarchical misrule.

Mr. Chairman, the resolution now pending embodies a question of vital importance, and it ought to receive the earnest, unbiased better thought of every member on this floor, for in it is the principle that will alone secure the perpetuity of the Government itself. The right of the majority to rule, is the chief corner stone of the structure of our Government, and yet, strange to say, concealed in its organic law are the elements of its own destruction, and by which, this principle has time and again been trampled under the feet of the heartless, soulless, partizan, office seeker, the desires of the people disregarded, and their expressed will outraged.

Therefore I believe the time has fully come when the people should be allowed to say in the method provided for in the resolution whether the present manner of electing United States Senators shall continue, or whether they shall be elected as the members of the House are elected, and compelled to give an account of their stewardship directly to the people whom they are supposed to serve. The only reason I know for the existence of a United States Senator at all is that he was designed by the fathers as a kind of check upon the wild and dangerous ideas they feared would emanate in the shape of law from the House

of Representatives, the only body that is from and responsible to the people; yet I will venture to say that as many wild and dangerous measures have emanated from that end of the Hall as ever came from this.

As I have remarked, the fathers were so thoroughly imbued with the ideas of a monarchical government they could not quite believe that the interests of the people would be safe in their own hands, hence established the American house of lords, known as the United States Senate, to act in the capacity of a guardian, and see that the representatives of the people do not go astray. We believe to say the least, that the present mode of electing Senators is not only unnecessary, unwise, undemocratic, and un-American, but it is absolutely dangerous, the tendency being to centralize the power to govern in the hands of the few, a practice that if continued will destroy any government, and if the time ever existed when it was necessary, it has long since passed, and the time come when the evil should be remedied and the people allowed to rule themselves.

But, says Senator CHANDLER of New Hampshire, in a speech delivered recently on the floor of the Senate, in reference to this matter, if you make this "change it will be certain to result in the adoption of a Federal election law;" and he continues, "in my judgment, just as soon as it comes to be seen that Representatives and Senators both are to be elected by the people, there will be a demand for the enactment of a Federal election law which it will be impossible to resist." Just why this would be the inevitable result of the proposed amendment, the Senator fails to make plain, and I am free to confess, that I am unable of myself to understand why there should be a greater demand for a Federal election law when both branches of Congress are selected by the people, than when but one is to be selected; but if the Senator's prediction should prove true, and an overwhelming demand by the people for a Federal election law be made, I can say consistently, with my whole argument on this question, that they ought to have it.

It is time, sir, when the expressed will of a majority of the people should be respected, and when the majority demands that law I am ready to acquiesce. But, sir, I have no fears that any such demand would follow.

The people are seeking to free themselves from the yoke of concentrated power, and not to fasten it tighter—a fact the Senator seems to have lost sight of entirely. He also objects to the change because he believes it just as easy to bribe a nominating convention as a State Legislature, and expresses himself on this point as follows: "I am entirely certain that a system of that sort will not give us any better Senators than come here under the existing system." I find the idea expressed in a paragraph in the *St. Louis Globe-Democrat*, published in the *Chicago Inter Ocean* of February 21, 1892, as follows:

A State convention can be bribed as readily as a Legislature, and can be made to do the bidding of the hoodlums. Indeed, the convention offers less difficulty than does the other body to this sort of work, for the members of the convention are in the public eye for a day or two only, and consequently are under less restraint than are the individual legislators, whose service lasts a year or two.

Admitting, for the sake of argument, this to be true, it does not follow that because a man has procured a nomination by bribery that he will be Senator. Under the proposed amendment, in addition to a nomination, he must have a majority of the popular votes over any other candidate, a matter in which the people would have a voice, and if there was suspicion of a bribed nominee they could, and in all probability would, elect him to stay at home.

Under the proposed system there would be but one opportunity for bribery, and that a very meager one, at the nominating convention, with a chance for the people to repudiate even that; while under the present system they have the same opportunity, with the additional one of bribing State legislators, and the people have no protection whatever. The Senator argues farther that the resolution discriminates against the rich men, expressing himself in the following language:

It is a great deal better to go the whole figure and just grapple directly with these rich men, take their excessive wealth away from them, and make a good use of it, and not deal with them in a cowardly way by saying we mean at least to keep them out of the United States Senate by providing for Senatorial elections by the people.

Mr. Chairman, this seems to me the weakest argument, if argument it can be called, the Senator has yet offered. No man under the resolution would be discriminated against; it would leave the whole matter in the hands of the people to say who they wished to serve them. And if they desire to reject a man because he is wealthy they should have the opportunity to do it.

No man should be allowed to sit as a representative of the people whom for any reason they do not want. And all this resolution seeks to do is to give them the exclusive right to say who shall serve them in that capacity. He also claims that at least some of the present wealthy Senators are the popular choice of

the people under the present system, and produces tables to prove it. We will say in reply that if this be true the Senator ought not to object to the change, for there is certainly nothing in the resolution to prevent them from remaining the popular choice, and if the people want them they will have every opportunity to return them.

We believe the Senator's argument throughout smacks too much of the principles of plutocracy to suit the masses. We believe the relation between the people and their legislators should be the same as that existing between employer and employes on farm or in shop; that of a servant of the people, and no intervening body should be empowered to employ the one to act in that capacity, but they should employ their own servants, and hold them directly responsible for their work. These views were held by a strong element of the Federal convention that adopted the Constitution, and at one time threatened to disrupt it, and they continued to be advocated at intervals by leading statesmen up to 1850, prior to which time Senator Benton, in a speech supporting a joint resolution to make the President elective by a popular vote, said it is to do away with the machinery of all intermediate bodies to guide, control, or defeat the popular choice, whether a Congress caucus or a national convention, to dictate the selection of candidates, or a body of electors to receive and deliver their votes, or a House of Representatives to sanction or frustrate their choice.

Mr. Benton held as a fundamental truth to which there was no exception, "that liberty would be ruined by providing any kind of substitute for popular election;" asserting that all elections would degenerate into fraud and violence as the result of intermediate elective bodies. He showed further that it was the law of the few to disregard the will of the many when they got power into their hands, and that liberty had been destroyed whenever intermediate bodies obtained the direction of the popular will; he reasoned both from history, the philosophy of government, and the nature of man, and referred to the period of direct voting in Greece and Rome as the "grand and glorious periods of popular government," when the people were more prosperous than at any other period in the history of those governments, and wound up with these words:

I believe in the capacity of the people for self-government, but they must have fair play, fair play at the elections on which all depends.

Mr. Benton summed up the whole matter in the last few words, when he makes the ability of the people to govern themselves rest on a fair expression of their will. This is the secret of the whole matter, and unless we can secure and maintain free and fair elections that shall not only express the will of the whole people, but shall be respected as such, history will repeat itself, and this Government is doomed just as every other one has been that failed to guard properly the franchise of its people. The ballot is the American's only safeguard, the only medium through which he may quietly and legally express his desires as a citizen, the only peaceable means by which necessary and harmless revolution may be brought, upon which rests the honor and life of the nation.

Therefore the franchise should be held sacred and jealously guarded by every device calculated to make it the medium that shall indeed register and maintain a freeman's will. Is this the result of the present mode of electing United States Senators? History answers no; from all over this fair land, from this State and that, like foul reports blackening the fair name of virtue, comes the evidence of the subversion of the popular will, of fraud and intrigue, the result of concentrating the vote of the whole State in the hands of a few individuals comprising an intermediate body of which one or two may, and often do, hold the balance of power and actually elect.

Thus we see clearly the great danger arising from the present system in the opportunities offered the bribe-taker, who does not hesitate to sacrifice all honor or friendship for money or political position. To show further the danger of our present method of electing Senators allow me to illustrate. In a legislative body composed of 100 members 51 votes will elect. There are three candidates in the field; one has 49 or 50 votes, the balance are divided between the other two. Here we have the votes of millions of so-called freemen, in a land where it is said every man is a sovereign, concentrated into one or two ballots; the sovereign will of the millions gathered into the sovereign will of two individuals who are but human, governed perhaps, as often is the case, by selfish, sordid motives, holding the absolute power to make another man, who is equally human, United States Senator for six years; the result, a deadlock of the Legislature for days; the people's business neglected and their money squandered while a selfish contest is waged between two individuals, to end perhaps in defeating the will of the people, smirching the reputation of the man elected, and blackening the fair name of those holding the balance of power.

This may seem to some as a statement merely of fiction which

the facts will not warrant. To such I say I have dealt in no fiction, but have outlined in a general way facts as experienced by many States of this Union, and by some more than once; and I call your attention to Kansas as one of these. In 1873, in the Senatorial contest in that State, a member of the Legislature received \$7,000 as an inducement to vote for a certain individual for United States Senator—afterwards laid the money on the speaker's desk, refusing to keep it.

This was followed six years later in the same State by a contest no less disgraceful and notorious; and from the West, North, South, and East come tidings from time to time of like unsavory elections, by which the birthright of the people is filched from them through bribery and fraud.

Benton's predictions that all elections would degenerate into fraud, as the result of intermediate elective bodies, is not only borne out by the history of other governments, but has been fulfilled time and again from every part of our own land since the above words were uttered on the floor of the Senate Chamber, and from that day to this the contest between the man and the dollar as to who should govern this country has gone steadily on, with the odds at this time decidedly in favor of the dollar, and daily becoming more so.

Mr. Chairman, I am on the side of the people in this unequal contest. I therefore support this resolution that seeks to change a system that is unquestionably on the side of the dollar and against the people by permitting a few to cast the votes of the millions, thereby making it possible for the wealthy corporations and trusts to purchase votes sufficient to place an unscrupulous, pliant tool in the United States Senate that would do their bidding and seek to influence legislation in their interests, giving them privileges and advantages over others that no one can have without violating the first principles of government.

It is my opinion that if this principle had not been violated by unjust class legislation in years gone by there would not be so many wealthy corporations to influence legislation.

It is quite possible for those who have their millions to bribe one, five, ten, or twenty votes even in order to accomplish their ends, but it is not possible to bribe a whole State, hence the wisdom of adopting the popular vote in electing all legislative officers. The fear entertained by our revolutionary fathers that it would not be safe to give the universal franchise to the masses unrestricted may be excused when viewed in the light of the knowledge they had at that time, or rather did not have, of a popular form of Government, and it may have been a wise thing to do in that day and date to set forth in glowing words that it was the God-given right of the people to rule themselves, and then adopt a Constitution that curtails that right and has deceived millions of people into believing they were helping to elect a national President, when in fact they had little or nothing to do with it.

It not only abridges the popular will but, after allowing an expression of that will, it places in the hands of a few individuals not only the power to abridge but to frustrate entirely the consummation of that will as expressed at the polls, without even the poor privilege of holding the guilty parties responsible for their acts. I repeat it may have been considered wise in that day, with their lack of experience, and I presume perhaps it was the best they could do at that time, but after a hundred years of practical experience in the direction of popular government, we certainly can take this one step toward a higher and better government, as proposed by the pending resolution. The question of universal suffrage was discussed long and earnestly in the Federal convention, and the present method of electing United States Senators was a compromise between the two extremes, one side holding for direct popular suffrage without any restrictions, and the other contending for a property qualification.

Mr. Madison, in commenting on the above situation, held that while at that time a majority of the nation were freeholders, that the time would come when the majority would be without landed or other equivalent property, and called attention to the danger of property holders allowing that kind of a majority unrestricted suffrage. Mr. Madison's prediction as to the diminution of numbers of property holders of the nation is only too true, and becoming more apparent every day, but he in his reasoning did not seem to grasp the idea that legislation would or could have anything to do with bringing about this result or that restricting the popular franchise would or could in any degree be responsible for the aggregation of the property of the country in the hands of the few. Nevertheless, we are firmly convinced that if it had not been for the legislation that gave 191,000,000 acres of the people's land to the railroad corporations more of the people would have homes; if it had not been for the wicked, vicious financial legislation in the last twenty-five years more people would own the property of our country. If it was not for the unjust tariff laws of the past and present by which

certain classes engaged in certain occupations are guaranteed a profit while all other classes have not only to run their chances on profits, but must also pay the other fellows profits, there would undoubtedly be more property owners.

But for the unjust, discriminating legislation of the past that gave special privileges in the way of subsidies and grants of different kinds to a favored few, by which wealthy corporations have builded up and become possessed of the necessities of the people, thereby enabling them to charge extortionate prices for the same, there would be many more home owners in this fair land. In short, Mr. Chairman, if all classes of our people in the years gone by could have been represented in the halls of Congress fairly and alike, no class receiving any advantage over another, millions of people would have good, comfortable, happy homes to-day who are eking out a miserable existence and paying tribute to some landlord or corporation for the privilege of doing it. This state of affairs is not conducive to the well-being or happiness of humanity. Hence general discontent prevails, and the people are earnestly seeking the cause and remedy, and the day of reckoning is coming.

If, then, legislation is so largely responsible for the welfare and happiness of the people, and we think it can not be successfully disputed, is it not time they were watching with jealous eye their lawmakers, and taking the necessary steps to secure that equal representation to which the very humblest citizen is entitled. This can not be done successfully till we change our present method of electing our legislative, executive, and judicial officers; and I look upon the pending resolution as a wise, conservative, and necessary step in the direction of reform along this line, that I hope in time may result in a complete revolution in the exercise of the elective franchise by the people, through which every man, woman, and child who is honest and willing to work may have a comfortable home and the necessities of life. Sir, when that can be done, we have solved the problem of self-government, fixed it on a sure foundation, established the spirit of the Declaration of Independence, and so long as maintained no power on earth can overthrow it. [Applause.]

Mr. DUNGAN. Mr. Speaker, it is passing strange that this Constitution of the United States, which has served us so long and so well, is all at once discovered by every gentleman who has spoken on this occasion to be so fatally defective that it needs amendment. For one, even if I shall be the only one, I want to protest against a change in this particular, on the ground that no change should be made in our organic law unless it is clearly and conclusively shown to be necessary. And what necessity exists for a change in this case?

Does any gentleman upon this floor dare to say that the decadence in ability of members of the other House of Congress is so marked that this reform is necessary? What comparison in point of ability with the great men of the past can be made as to the members of the Senate that can not be just as strongly urged as to the membership of this House? And remember that those giants of the past were selected by the very system you now seek to destroy. But, Mr. Speaker, it is said that it is only rich men who can now be elected Senators of the United States. Is it true, sir, that corruption and venality are filling seats in that body? Who were the last Senators elected?

Senator MILLS of Texas is among the last, and does any man dare to impute dishonesty or venality or corruption in that selection? A great, big-hearted man, but rich only in intellect and in devotion to an overtaxed people. And just before that, Senator HILL of New York, a poor man, whom even the malignant, hypocritical Mugwump press has not ventured to charge with venality or corruption in the obtaining of his well-won Senatorial seat.

Mr. SIMPSON. How about Ohio?

Mr. DUNGAN. My friend on the other side of the aisle—I think the voice is the voice of a Republican [laughter]—objects to the fact that SHERMAN has been returned from Ohio. Mr. Speaker, I am not ashamed of SHERMAN if I do not agree with him in politics, and I do not believe that he bought his seat. And as to the junior Senator, if the gentleman refers to Senator BRICE, I know that he did not buy his seat, because I was on the ground with a contingent trying to elect John A. McMahon and I know that there was not a member of the Legislature who was accused or even suspected of receiving one dollar for his vote. Mr. BRICE may be a rich man, but he is a Democrat and his sympathies are with poor men, and his life shows it.

Mr. LOUD. That question about Ohio came from a Farmers' Alliance man, not a Republican. [Laughter.]

Mr. DUNGAN. Oh! Now, Mr. Speaker, the Senate was intended to be a conservative body, and if we want to change that and we desire to be consistent, let us abolish the Senate. We sometimes need a conservative body to save the people from their own passions. How often has it happened in the history of the

country that a conservative Senate, feeling themselves safe by their longer term of office and by the more thoughtful character of their constituency, have by their action saved the people from disgracing themselves. If it had not been for that fact the Senate would have responded to the passing passion of the people, and the eternal infamy of the impeachment of Andrew Johnson would have been consummated. And at a later date, if it had not been for the conservative feeling of the Senate, we would have had the force bill fastened upon the country.

I am not afraid to say that I feel safe in trusting the conservative Senate, for in its very conservatism sometimes lies its highest safety. And how do you propose to remove the evils supposed to exist? I have not heard a man who has spoken against our present Constitution say how either of these amendments will prevent corruption. How much better will popular election make the Senate? Is a partisan convention safer and wiser than a Legislature? The Legislature chosen for a term of years, sworn, watched daily by its constituents, desirous of being re-elected, either to that or some other office, and therefore anxious to please the better judgment of his people, and mostly men of considerable acquaintance with the probable aspirants for the Senate. That is our present system. But what do you propose instead?

Popular election means party selection by the partisan machine called "a convention." The party convention of delegates that come to-day and are gone to-morrow, with no record of their proceedings, no responsibility save to their own conscience, subject to no punishment for bribery; liable to be gotten into combination for nominations for State office, liable to be stampeded by statements made by enthusiasts or worse, to support men, without time for safe information. This is your remedy for the reformation of the American Senate whose growing inferiority you think must be checked. If corruption is what you fear, and the selection of rich men, which is most easily corrupted, sworn members of a Legislature elected for a term of years, with records kept of all proceedings, or the ephemeral irresponsible convention that lives but a day, keeps no record, and is subject to no law.

The people are governed now almost entirely by party machinery, and parties are almost as strongly organized as the Government itself. Parties act through their conventions, and do you expect the party bosses, who largely control conventions, to have more trustworthiness, more unselfish disinterestedness and honesty than a Legislature? We do not want to follow France, that amends her constitutions oftener than we amend our statutes. But it is said that the Senate is filling up with rich men, but it is doubtful if the richest Senators now are any richer relatively than the rich Senators of the past; but if they are, may I ask are the rich members of the Senate against the interest of the people? The very richest of them are for free coinage, which is in the interest of the people, and against the selfish interest of capital.

But, Mr. Speaker, how will either of these proposed changes prevent a rich man who desires to buy himself into the Senate from corrupting a convention as easily as a Legislature? So I am opposed to either of these amendments, because I believe our Constitution in that regard is good enough. I do not believe that the men occupying seats at the other end of this Capitol have grown so corrupt or so unfit for their trust that we are called upon to amend the Constitution to elevate the tone of the Senate. Any amendment to our Constitution presumes that in that regard our Constitution has proven a failure; and the United States Senate to-day compared intellectually with the Senates of the past, compared with the patriotism of the past, compared in their ability to meet and solve all questions of the present, do not show that our Constitution has been a failure in this regard.

We can still trust the men whom the people continue to trust by electing them to the several Legislatures for this purpose; for the power held by the Legislature of the State at the hands of the people is, in many other directions, greater and more important than the choice of a Senator, the power of internal taxation, of eminent domain, and of countless matters of home management are fully as important as the power of electing a Senator. So, that to amend our Federal Constitution in this wise, is to distrust the capacity of the people for wise and honest selection of members of the Legislature. This amendment is at once a reflection against the intelligence, integrity, and patriotism of the United States Senators of to-day, and against the honor and honesty of the Legislature of every State. Do the people want to put into the power of convention selection the choice of—

Mr. TUCKER. I yield five minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON of Iowa. Mr. Speaker, years ago on the floor of this House I declared my belief in the leading doctrine of this bill—the election of Senators by a direct vote of the people. Time, observation, and reflection have confirmed the judgment

I then formed and declared. When the "fathers," whom we all respect, threw off the yoke of England, there were still left here many influences emanating from the mother country, and one of these was the controlling idea with regard to the constitution of the two branches of Parliament—one to be conservative, the House of Lords; the other to be radical, the Commons. When the constitutional convention at Philadelphia organized the American Congress, the retention of this idea was in my judgment a mistake; but it was pardonable from the standpoint of the experience of those men and the relation they had borne to the mother country.

I believe that the safety of this Republic is to be attained by giving the masses of the people control over legislation. And he who says this is radical or extreme must remember that it only appeals to that highest of our tribunals, the one which stands over us all—the American people. If there is danger in it, the danger lies in the source of all our power—the masses. Are you afraid of that tribunal? I, for one, am not.

There are defects in this bill, some that are covered by amendments pending and amendments that may yet be offered. Still, Mr. Speaker, even if those amendments do not prevail, I will support this measure with its imperfections, trusting that in the combined judgment of the two Houses we may establish the foundation doctrine of this bill, that both branches of the national Congress may be elected by the American people.

I do not here refer to charges of corruption. Corruption obtains in all forms of elections, I am sorry to say. This may not remedy the whole evil, but one thing is certain, the masses of the people will be better contented, will feel safer, if they themselves control these elections. If you want conservatism in one of the legislative branches, you will still have it in the Senate by virtue of the Senatorial term. Senators who have a six-years term can stand the shock of some passing misunderstanding among the people. That element which obtained in the formation of the British Parliament will still obtain in a sufficient degree in the American Congress.

I have no prepared speech. I did not know this question was coming up to-day. But this much, Mr. Speaker, I desired to say without equivocation and without reserve. [Applause.]

Mr. BUSHNELL. I yield five minutes to the gentleman from Oregon [Mr. HERMANN].

[Mr. HERMANN addressed the House. See Appendix.]

Mr. BUSHNELL. I yield three minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, there can be no question as to the propriety of this bill. The surprise should be not that it is before us now, but that it has not long since been enacted into a law. The reasons for its enactment are so manifest that nothing but the hope of some partisan advantage could induce any member to vote against it. So it seems to me. The Senators jointly represent the States as we represent our Congressional districts. Like our districts, the States compose the body of the people whom the Senators represent. Why should not the people choose them directly, as they do us? Why should not the same rule prevail in respect to both Houses?

Everybody knows that States are often represented by Senators differing essentially on public questions from the people of the States from which they come. Can there be any question but that this contravenes the popular principle which we so much laud? Why should not the people choose their Senators direct without intervention? Are they incompetent? Does it mend the matter to go through the cumbersome operation of employing agents?

The evils and the dangers of the present system are manifest. I say nothing of the corrupting of State Legislatures. I will say, however, that no Senator from New York, who desired to retain his place or so escape public reprehension, would dare to vote for such a measure as the force bill if he held his commission directly from the people; yet in the last Congress both Senators from New York strenuously advocated and voted for that odious party scheme.

Illinois, with a popular majority of over 30,000, as demonstrated in Congressional elections, had a protracted and terrible struggle to get a United States Senator whose views were in accordance with the popular sentiment.

These are abominable examples. The proposed bill will prevent a repetition of them. If the people can be trusted the bill should pass. To say they can not be trusted condemns our whole plan of government.

I do not care further to discuss the subject, but I should like to see the Representative who would dare to appear before his constituents to justify a vote against this bill. The whole question resolves itself into this: "Can the people be trusted in affairs of

government?" Until otherwise instructed, I shall certainly vote that they can.

Both branches of the Legislature of my State have asked its Representatives in Congress to vote for this bill. Their request has been echoed by various organizations of workingmen in that State. In accordance with their wishes and in accordance with my convictions I shall vote. [Applause.]

Mr. BUSHNELL. I yield two minutes to the gentleman from Wisconsin [Mr. BABBITT].

Mr. BABBITT. Mr. Speaker, among the illustrious names that have figured in the history of this country, none stands out more prominently than that of Stephen A. Douglas, who announced the doctrine that the people of the United States have the right to settle their own domestic institutions in their own way subject only to the Constitution. My State, through its Legislature, has instructed its entire delegation to vote for this proposed change in the Constitution; and I have pleasure in saying that Wisconsin is unanimous in favor of the minority report represented by my colleague [Mr. BUSHNELL].

I trust, gentlemen, that you will observe one thing in the history of Douglas. I recollect hearing his last speech. I stood in Chicago and watched him at the time he gave that great utterance: "In this war there is no half-way ground; we must either be for the Union or against the Union." That is what the proposition before the House means. We are interposing a measure of protection between capital and the people of the United States; and with the people of the United States I am willing to rest this cause.

Mr. TUCKER. I yield five minutes to the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. Is that all the time the gentleman can yield me? I think I will not take it. I would like ten minutes at least.

Mr. BUSHNELL. I yield eight minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, the time allotted for the discussion of this proposed constitutional amendment is so nearly exhausted that perhaps one ought not to detain the House longer upon it. I do not wish to address myself to the main question for want of time, and besides that has been sufficiently discussed. I presume every gentleman in this House has determined in his own mind whether he is in favor of the election of United States Senators by a direct vote of the people, or whether he prefers the present method of election by State Legislatures.

As to the relative merit of uniformity, found in the amendment of the committee, and variety, commended by the minority, I shall say nothing. If it is desirable to tempt partisanship in the Legislature to repeal a law committing the election of Senators to the people whenever a Senatorial seat can be secured by recurring to the old method of election by the Legislature, the minority are to be congratulated upon the double-action feature of the amendment offered by them.

That any Legislature, opposed to clothing the people with power to elect Senators by their own direct vote, will ratify a constitutional amendment merely to please the people of some distant State is beyond the range of argument, and barely within the misty realm of credulity, childlike and bland.

There are now before us three propositions. One is the resolution reported by the committee; then there is an amendment in the way of a substitute, offered by the minority of the committee, and also an amendment, offered by the gentleman from California [Mr. LOUD]. I wish for a moment, Mr. Speaker, to address myself to the issue involved in the differences appearing in these various propositions.

The proposed change in the method of electing Senators, the change from election by the Legislatures of the States to elections by the people themselves, is sound under our theory of government. If properly framed, the amendment would give the people greater and more direct control of the election of those who make the laws.

However much may be said on one side or the other, the argument in favor of the election of Senators by direct vote of the people rests upon the cardinal principle that, this being a government of the people, the more power you give to or leave with the people, individually and directly, the better will the Government be in its make-up and in its administration; the more nearly will it be held to the true theory and true philosophy on which it was founded, and on which alone it can be perpetuated. Assuming that it is safe and sound policy to trust the people, let us see what else is involved in the propositions which these various amendments present. What is to be gained by providing that the people shall elect, by a direct vote, their Senators, if at the same time we invite Federal legislation to control and to nullify their votes?

I will assume, too, that all here are familiar with the Constitution; yet to make assurance doubly sure I will call especial at-

tention to the first paragraph of section 4 of the first article of that immortal charter. It is in these words:

ART. I. SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress may interfere except as to the places of choosing Senators. But this interference would be barren so far as the choosing of Senators is concerned, for the Legislature would have to be operated upon in a field too small for maneuvering troops to advantage. But when you change from election by the Legislature to election by the people, then, if you would leave the people free to conduct their own elections and choose their own Senators in the several States, you must incorporate into your amendment something which will forever exclude the possibility of Federal interference at the polls. Such necessary exclusion, in my judgment, the amendment, reported by the majority of the committee will effectually accomplish.

This proposed amendment would put into the Constitution, "in lieu of all of paragraph 1 of section 4 of said Article I, in so far as the same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators," the following:

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

Surely in this clear, explicit language could lurk no danger of a force bill.

The substitute reported by the minority of the committee, that which is advocated by the gentleman from Nebraska [Mr. BRYAN], does not contain anything to shut out the force bill; while the amendment offered by the gentleman on the other side [Mr. LOUD] opens and prepares the way for that outrageous measure. It is idle to say that the people are not endangered in their dearest rights if we multiply the temptation for Federal interference, so that officials here in Washington may control the results of elections in the States. It is idle to say that the temptation is as great now, or that the mischief can be as great by Federal interference with the State Legislatures as through Federal interference with the people in their elective capacity at the polls.

We know that we have been menaced and are menaced again with the despotism of troops at the polls; with deputy marshals clothed with Federal power to superintend the elections in the States. Shall we deliberately, on the plea that we are offering more power to the people themselves; that we are trying to give the control more directly to them in the election of their Senators, shall we deliberately propose to double the premium for Federal interference, and strike down instead of adding to the safeguards which surround the elections of Senators? Let no gentleman be misled when he comes to vote upon this question. The substitute has, by omission, and the motion of the gentleman from California, to strike out and insert, has boldly declared, the vice of force-bill inducements and dangers.

The proposed substitute and the proposed amendment to strike out and insert simply offer an additional premium for those who would prostitute the machinery of the Federal Government to assume control of the elections. Each is a direct invitation to any party that may be strong enough and reckless enough, and which may have little enough regard for the rights and liberties of the people, to supplement elections by the people with elections by deputy marshals, appointed from headquarters and sustained, if necessary, by the military power, to control and nullify the voice of the people at the polls. This is involved in the propositions which are presented here in opposition to the resolution reported by the committee, and let gentlemen take thought before they give their assent to it.

If we are really in favor of making our elections more truly elections by the people, by having the people vote directly for their Senators, do not couple with the provision for extending popular control the grave danger that the people will be deprived of all control of these elections. Do not invite the people to consider a proposition to amend their Constitution so that whenever a party desiring to do so comes into power they will be subjected in the election of their Senators to the very conditions of interference, fraud, violence, and tyranny which have threatened them and yet threaten them in the election of their Representatives. The people wish to choose their Senators by their own direct votes, untouched by Federal interference or Federal supervision, uncontaminated by the presence of deputy marshals at the polling places or of returning boards at the count of ballots.

The people all over the country, by their State laws, are seeking to throw additional safeguards about the ballot box and about those who cast the ballots. They are introducing the Australian system in its entirety or with desirable modifications, the object being to secure to the elector his own natural

choice, uninfluenced except by his judgment and his conscience, with no one to supervise or interfere. They are clearing the way for him to cast his ballot as he pleases to cast it, to be counted by his neighbors, selected as election officers on account of their fitness and adherence to different political parties. The people need no lessons in the doctrine of a free ballot and a fair count. They will not tolerate any party or any law which will send spies into their homes or thugs into their polling booths. We are considering the propriety of proposing for ratification an amendment to a constitution justly regarded as the wisest and best known of men.

Let us not stamp this proposed amendment with folly and vice. If we send it to the people in its purity, as an enlargement of popular control in the affairs of government, the people will hail it with delight. But if we propose an amendment to open another road for deputy marshals and political assassins, the people's prayers will turn to curses.

By all means let the people elect their own Senators by their own direct votes, but put up the bars against the political jobber in Washington and his tools, the Federal spies and thugs, who would insult and harass the people and uproot and destroy the American institution of elections by the people. Submit an amendment out of which good may come, instead of one which could but serve to increase dangers and multiply evils.

Mr. CHIPMAN. Mr. Speaker, after the very able argument by my colleague on the committee, the gentleman from Virginia [Mr. TUCKER], I do not deem it necessary in closing this debate to go into this question at great length. I assume, and that seems to be the prevailing opinion in this House without regard to party or locality, that the sentiment of the country is that there is something wrong about the manner of the election of Senators, and I feel perfectly justified in saying that as at present constituted, as at present elected, that of all the parts of the machinery of our Government the Senate of the United States is the greatest failure.

That, Mr. Speaker, I think is the universal sentiment. The feeling is that they are removed from the people, that they have no sympathy with the people, that they are extravagant, and that the methods of their election are such that they have no responsibility to the people; and I feel justified in further saying that I believe that the history of that body will demonstrate that of those men who have distinguished themselves in it, and who have been useful to their country, far the greater number have graduated into the Senate from this House, and through the machinery of election to this House have had the popular selection and the popular approbation before they were chosen to the Senate. This, sir, is a significant fact.

There is a class of Senators who have never been in touch with the people, who never have submitted themselves at any point in their career to the test of popular election. That class of Senators, as a rule, are mere jobbers in politics, speculators in statesmanship, and rather the servants of private corporations and of private interests than of the general interest of the people. Understand that I am not making this as a general accusation. There are men of both parties in that body who are entitled to the highest respect, and through the glorious history of its past some of the greatest names in American history have flashed forth to adorn their country and to make us proud that we are Americans; but I am sorry to say that that day is past, and the people feel that it is past, and hence we find State Legislature after State Legislature, political organization after political organization, private civic body after private civic body, demanding at the hands of Congress an amendment to the Constitution by which Senators shall be made responsible to the people through a popular ballot.

Now, Mr. Speaker, there are three propositions before the House. One of those, of which I am strongly in favor, places the election of Senators absolutely in the hands of the people. It makes a uniform rule for all the States, so that no exigency of party, no political cunning, will be tempted to make a change on the eve of the election of Senators, by departing from one system and going back to the other. Beyond all that—and I say it most emphatically—this majority resolution cuts off remorselessly, irrevocably, all control of Congress over the election of Senators when that election is to be made by the people. In other words, if the Senators are to be elected by a popular vote, Congress, under this resolution, will have no power to interfere, will have no power to do those things which the people instinctively are afraid of, and which in the great cities of the North and throughout the great States of the South, are apprehended with a feeling amounting almost to terror and to despair.

I would not vote for any bill which did not contain these two features, the one of uniformity, the other of leaving the people, who are the electors, to determine the time, place, and manner of the election in their own way. That is the majority proposi-

tion. That is the proposition for which I invite the support of the members of this House. The other proposition of the minority of the committee does not insist on a uniform rule. It provides that States may adopt the system of voting by the people if they choose, and if they do not choose, that Senators shall be elected in the same way in which they are now elected. It leaves in force in all its power the fourth section of Article I, that section under which and by virtue of which the force bill legislation, which has caused such apprehension in this country, is sought to be justified.

I would not vote for that, because it does not provide a uniform rule, and because it leaves that power of interference in Congress concerning which so many of the States and so many of our people have such apprehension. Those two propositions come from the committee, the first from the majority, the second from the minority.

There is a third proposition here introduced by a gentleman upon the other side of the House. That proposition is in language as follows:

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

If the first part of this proposition stood by itself, I should consider it an improvement, perhaps, upon our present situation. It is not so great an improvement as I would wish, because it does not make an election by the people imperative; because it does not prescribe that a popular vote shall be the only manner in which a Senator may be elected; but it goes further than that. It retains the full power of Congress over the subject. It does more. It gives Congress an added power to that which it possesses at present over the election of Senators, because it gives Congress the power to prescribe not only the time and the manner, as the Constitution permits now, but also gives the power to prescribe the place which, under the Constitution, Congress does not now possess.

I object then, sir, to this third proposition, for the reason that it assimilates with the proposition of the minority in that it leaves it discretionary with the people of the State to adopt the method of election of Senators by the people; but that, over and above that, it reserves to Congress the right to alter that measure, and so leaves us exactly where we are now.

I shall, when I ask the previous question upon these propositions, ask for a division of these resolutions, so that the first proposition may be separated from the second, so that we may in that way ascertain the wishes and desires of the House upon that subject.

I am also directed by the committee to ask for an amendment of the bill, offered by the majority, so that the words "from the State at large" shall be inserted in line 16 on the second page, between the word "elected" and the word "by." So that instead of reading—

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years—

It will read—

The Senate of the United States shall be composed of two Senators from each State, elected from the State at large by the people thereof, etc.

I shall ask that that amendment be adopted.

With this explanation of the nature of the propositions before us, I urge the adoption of the majority report.

Mr. REED. Mr. Speaker, I desire to make a privileged motion.

Mr. CHIPMAN. I will now yield to the gentleman from Illinois [Mr. SCOTT].

Mr. REED. I desire to rise for the purpose of making a privileged motion as soon as it shall be in order.

Mr. SCOTT. Mr. Speaker, our peculiar form and theory of government are ever emphasizing the potency, even sovereignty, of the people. Other systems recognize the power of a regnant sovereign or the supremacy of a controlling aristocracy. This Republic is based upon the sovereignty of the individual. The Government itself is but an aggregate of individuals. When these units, possessing natural and inalienable rights and supreme power, are allowed to act upon public questions untrammelled and uncoerced, the best results attainable in government of, by, and for the people are secured. Senators, Representatives, and other public officials are but citizens, called for the moment to exercise certain legally defined powers for the constituency represented. That "public office is a public trust" needs but to be formulated to be recognized as an axiom of sound representative government.

The man in public office, whether exalted or lowly, who keeps close to the masses of the people in his public acts and doings, can not fail to accomplish amply his share in public affairs, and will reflect credit no less upon his constituency than upon himself.

GREATER RESPONSIBILITY NEEDED.

It is well known that those persons called upon to act in a representative capacity are most likely to perform well the duties assigned when held to a rigid accountability. This principle prevails in business. A close scrutiny, and constant, rigid responsibility will secure faithful and industrious discharge of duty. If the bank should relax its demand that accounts should balance every day, inaccuracy and dishonesty would supplant perfect system and almost unbroken success.

The railroad is inexorable in its requirements of accountability. Life and property are at stake. The supervision by those holding the right to discipline for careless or willful neglect of duty secures the most miraculous system of safety and rapidity of movement known in the affairs of the world. Millions of lives are daily in security from disaster, because every one, from president to trackman, is held to the most direct, rigid, and constant responsibility.

Senators are but men, and not all are even great men. The fortunes of politics, under the present system of their election, sometimes bring to the surface persons scarcely of the mold or manner to be designed as more than "grave and reverend seniors." Hoary locks, arched brows, and an air of wisdom are quite frequently mistaken for Senatorial greatness. The want of direct and constant dependence upon the people tends to make men deaf to the appeals of the oppressed for relief from grievous wrongs and galling burdens.

Reelection does not come from the people. A skillful movement on the political chessboard of the State secures the nomination of men for the Legislature, who, influenced by motives selfish, often mercenary, will be willing to vote to return the Senator who has neglected and ignored the just demands of the people.

The constant shifting of the membership of State Legislatures removes any possibility of accountability to the body which elects. A Senator having completed his six years' service goes for reelection to a body made up almost wholly of new men. In view of these considerations there is very little vital and forceful responsibility felt by members of the "American House of Lords" for the opinions and wishes of the people of the State they represent.

Take the power to elect from members of State Legislatures and give it to the individual voters of each commonwealth, and a care for the interests of the masses will be awakened in the Senate that has never existed. Instead of being a retiring ground for wealthy and influential men to enjoy the ease and luxury that come from rank and station, men of brains and of sterling worth will more often be chosen by the people to fight their battles for right and justice. The rapid growth of sentiment in favor of popular election of Senators has come largely from an evident tendency of the upper branch to ignore the demands of the people.

THE PEOPLE CAN NOT EASILY BE CORRUPTED.

Mr. Speaker, the need of holding to a stricter responsibility is not the only reason for the change proposed in this amendment to the Federal Constitution. Respect for and confidence in the Senate has been largely discounted in the last few decades by frequent charges of corruption in Senatorial elections.

In many cases the impression exists that bribery, by the payment of money or promise of Federal appointment, has been omnipotent in Senatorial contests. Whether these charges are true or false does not in the least change the fact of loss of confidence by the people. No such condition could exist if by direct vote they were chosen. Oftentimes the change of a single vote in a Legislature will determine the contest. It will be easily seen that with unscrupulous or even weak men this presents a terrible temptation. Even when the balance of power is lodged with a dozen men, a millionaire aspirant for the Senatorship need not fear the poorhouse, even though he put financial inducements in the way of these legislators.

The growing tendency to elect vastly rich men to the Senate has given much color to popular suspicions of legislative corruption. Our Government can not afford to preserve a system of election which gives the country a tainted or suspected Senate. To poison the spring is to impregnate the stream below. When the upper branch of the supreme legislative body of the land is believed to contain those who, but for corruption and bribery, could not have been elected, the stream of political ambition is poisoned and the public conscience is blunted. When this condition exists our nation has taken the first essentially dangerous step toward its downfall. A man may buy the votes of a few, but it is impossible to corrupt the many. It is believed therefore to be of vital importance that our system of government be changed and perfected that we may escape even the appearance of this evil in public affairs.

BUSINESS DEMORALIZED IN LEGISLATURES.

In sessions of Legislatures which elect Senators the business

of the State is demoralized. For months the work for which legislators are primarily chosen remains undone in the excitement attending a Senatorial contest. At great expense the State maintains the session, and for days, weeks, and months almost nothing is done. That which is accomplished is so colored and influenced by the pending struggle that it were perhaps better left undone. In Illinois, in the memorable contest when Senator Logan was elected for the last time, the result only came after many months waiting, the death of a member, and a sharp political trick, which gave a district a representative which in no sense reflected the real sentiment of his people.

Had this contest been by direct vote, the same result would have been accomplished. Gen. Logan would have been elected in November. Five months of useless legislative struggle would have been saved. Large expense to the people would have been avoided. Public business relating to the growth and prosperity of our magnificent Empire State would have had careful and thoughtful attention. On the whole it seems that not one advantage can be claimed for denying to the people of the State the right to elect their Senators as they elect their governors, members of Congress, and other officers. Every consideration seems to favor the change except the custom of doing otherwise, which has so long prevailed. I was so impressed with the importance of this measure that early in the session I prepared and introduced the following joint resolution, which is now reported by the committee in the form, substantially, as I introduced it:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment be proposed to the Legislatures of the several States, which, when ratified by three-fourths of said Legislatures, shall become and be a part of the Constitution of the United States, namely:

That section 3 of Article I be so amended that the same shall be as follows:

"ARTICLE I.

"SEC. 3. That the Senate of the United States shall be composed of two Senators from each State, who shall be chosen by a direct vote of the people of the several States, for six years; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures; and each Senator shall have one vote."

THE PROPOSED AMENDMENT INVOLVES NO CHANGE OF ANY FUNDAMENTAL PRINCIPLE.

Mr. Speaker, this change does not involve any fundamental principle. It was the policy of the makers of the Constitution to put large and small States on an absolute equality in the upper House of Congress. The wisdom or unwisdom of this is not to be considered here. The question now is simply as to the method of electing Senators.

That each State shall choose two Senators is not to be disturbed. It is simply proposed that the people in their sovereign right shall vote directly for their servants in the Federal Senate, and not intrust this to the intermediate agency of State Legislatures.

So long, then, as there is simply a change from a cumbrous and unsatisfactory method of doing this to one which more fully recognizes the fundamental principle of this Republic that before the law "All men are created equal," it is to be hoped that this House and Senate will speedily adopt this joint resolution, sending the constitutional amendment to the States for ratification.

When it shall become operative Senators will be representatives of the people. They will no longer stand for kaleidoscopic legislative constituencies.

Charges of improper influences will be heard no more. The Senate will be restored to old-time confidence, power, and influence. The people will be sovereign in both Houses of Congress. Their wishes will be more carefully regarded and their interests protected by those who are directly and constantly responsible to them. [Applause.]

Mr. CHIPMAN. I now move the previous question to the third reading of the measure, including the two resolutions and the amendment offered by the gentleman from California.

Mr. DINGLEY. There is another amendment pending, and it would not be in order.

Mr. REED. Mr. Speaker, I gave notice that I would rise to a privileged motion, which is that the House take a recess.

The SPEAKER. That is not now in order; but as soon as the gentleman gets the floor he can make that motion.

Mr. REED. I desire to say to the Chair that I am entitled to the floor to make a privileged motion.

The SPEAKER. Not when a member has the floor, and is making a motion for the previous question.

Mr. REED. The gentleman had the floor for a speech. But I simply want to call the Speaker's attention to this, because I am quite satisfied that the Speaker may make an error in regard to it, which, upon reflection, he would not make. The gentleman from Michigan was on the floor for the purpose of addressing the House. He could be recognized by the Chair to make a particular motion undoubtedly, and the recognition would rest with the Chair, provided the motion which he proposed to make

was a motion of equal precedence with a motion which is in opposition to it.

Now, a motion to take a recess, under our system of rules, is a privileged motion, and therefore the Chair is bound to recognize a member who purposes to make a motion which is of the same privilege as the other.

The SPEAKER. The Chair thinks that the rule is well established, that where a gentleman having charge of a bill is on the floor for debate, he is on the floor for all purposes when he is on the floor of his own right.

Mr. REED. Let me give the Chair one example. On a motion to reconsider, a motion to lay that motion to reconsider on the table would take him off the floor. He would not have the right of debate on that. Under ordinary circumstances he would have the right of debate. It is the priority, not of the individual, but of the motion; and, if the Chair will examine, I have no doubt he will feel I am undoubtedly right.

The SPEAKER. Now, the gentleman from Maine will see in the case just put, where a gentleman moves to reconsider, that no other gentleman can move to lay that motion on the table until he is recognized; and he can not be recognized until the gentleman who had recognition is off the floor.

Mr. REED. And then the Chair says that debate can not be cut off?

The SPEAKER. The Chair does not. The Chair says the motion may cut off debate; but the gentleman must have the floor to make the motion to lay on the table.

Mr. REED. But the motion to lay on the table gives him the floor. It is the motion that gives me the right, not the recognition by the Chair, but under the rules of the House; and the Chair is bound to give me priority of recognition, not as an individual, but as the proposer of a motion which of itself has priority.

The SPEAKER. The Chair thinks that the gentleman is entitled to have the priority of his motion, so far as the consideration thereof by the House is concerned, but not necessarily in offering his motion. For instance, take this case. The gentleman from Michigan is on the floor in charge of a bill. At the end of his remarks he demands the previous question. The gentleman from Maine rises and tells the Chair beforehand that he intends to rise to make a privileged motion. It seems to the Chair that he can not take the gentleman from Michigan off the floor for that purpose; but the moment the gentleman from Michigan makes his motion for the previous question he is off the floor, and then the gentleman from Maine can take the floor; and if he makes the motion, it has priority over the motion of the gentleman from Michigan. The Chair will put the question, then, on the motion offered by the gentleman from Maine.

Mr. REED. If the Chair will permit me still further—

The SPEAKER. Certainly, the Chair will be glad to hear any suggestions upon the point.

Mr. REED. I desire to suggest to the Chair that the gentleman from Michigan [Mr. CHIPMAN] had the floor solely for the purpose of making observations, and it required a new recognition on the part of the Chair for him to get the floor to move the previous question. That being the case, and notice having been given of a superior motion, that motion takes precedence and is entitled to be heard first.

The SPEAKER. The Chair would ask the gentleman from Maine where he gets the idea that the gentleman from Michigan has the floor only for the purpose of debate? Under the rules he has the floor for any purpose.

Mr. REED (reading):

It is in order at any time, even when a member is on the floor, to move a reconsideration and to have it entered on the Journal, but it can not be taken up and considered while another question is before the House.

This was handed to me just now, but it does not seem to bear upon this question.

The SPEAKER. You can of course enter the motion at any time—

Mr. REED. I do not make that argument; I simply read what was handed to me. But the argument that I do make is a very sound one. A privileged motion has its right of way, and it can not be stopped by the right of recognition on the part of the Chair. The right of recognition on the part of the Chair is indisputable when the question is between several individuals making motions of equal value and equal precedence, but not against a privileged motion.

The SPEAKER. The Chair thinks there can be no doubt as to the practice or as to the rule, and the Chair can not see that the position taken by the gentleman from Maine would protect or further privileged motions more than the rule as administered by the Chair. If the gentleman in charge of a bill is on the floor and demands the previous question, as soon as he makes that demand he necessarily leaves the floor, because that is the question which the Chair then puts to the House, unless some other

gentleman makes a motion which has priority, to wit, to fix the day to which the House shall adjourn, to take a recess, or to adjourn. If the gentleman from Maine, or any other gentleman, makes one of these motions, then the Chair states the question as being the gentleman from Michigan moving the previous question, and, pending that, the gentleman from Maine moving to take a recess, or whatever the motion may be.

Mr. REED. The point I contend for is my right to make a motion for a recess, or an adjournment, or to fix the time of adjournment, prior to the submitting to the House of the motion for the previous question. That, I think, is my right under the rules of the House.

The SPEAKER. The Chair thinks that under the rules any gentleman has the right to make either of the motions indicated by the gentleman from Maine whenever he gets the floor.

Mr. REED. But it was my right under the rules to have the floor for that purpose.

The SPEAKER. The Chair thinks that he could not properly take another gentleman off the floor to give it to the gentleman from Maine. The Chair thinks also that when another gentleman is not on the floor the Chair ought to give the floor to the gentleman from Maine to make either of the motions indicated by him. But the gentleman from Michigan [Mr. CHIPMAN] being on the floor and demanding the previous question, the Chair entertains that motion, and then, pending that, recognizes the gentleman from Maine to make his motion. Pending the demand for the previous question, the gentleman from Maine [Mr. REED] moves that the House take a recess until five minutes to 5 o'clock.

Mr. MCCREARY. Mr. Speaker, I ask unanimous consent that the pending amendment may be read.

Several MEMBERS. Oh, no.

The SPEAKER. The motion is to take a recess. The first question is on that motion.

Mr. BURROWS. Mr. Speaker, I understand that we are to take a recess at 5 o'clock anyway under the special rule adopted yesterday.

The SPEAKER. Yes; under the rule the House will at 5 o'clock take a recess until 8 o'clock this evening.

Mr. BURROWS. Then I move to amend the motion of the gentleman from Maine so as to take a recess from now until 5 o'clock.

The SPEAKER. The gentleman from Maine [Mr. REED] moves that the House take a recess until five minutes of 5 o'clock, and the gentleman from Michigan [Mr. BURROWS] moves to amend that so as to take the recess until 5 o'clock. The Chair understands both motions to contemplate leaving the evening session undisturbed.

The question was taken on Mr. BURROWS'S motion and, the Speaker declared that the yeas seemed to have it.

A division was demanded.

The House divided; and there were—ayes 0, yeas 144.

Mr. BURROWS. No quorum.

Tellers were ordered, and Mr. CHIPMAN and Mr. BURROWS were appointed.

The SPEAKER. The question is on the motion of the gentleman from Michigan [Mr. BURROWS] to amend the motion of the gentleman from Maine [Mr. REED] so that the House now take a recess until 5 o'clock.

Mr. CHIPMAN. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. COBB of Alabama. Mr. Speaker, I rise to a parliamentary inquiry. If we should not take a recess until 5 o'clock, in what attitude will it leave the bill?

The SPEAKER. If a recess should now be taken, the Chair, when the House meets at 5 o'clock, will declare it in recess until 8 o'clock.

Mr. COBB of Alabama. And what will be the condition of this bill?

The SPEAKER. It will retain its place on the Calendar.

The question was taken; and there were—yeas 5, nays 222, not voting 101; as follows:

| YEAS—5. | | | |
|--------------|--------------------|--------------|---------------|
| Bowers, | Hooker, N. Y. | Taylor, Ill. | Taylor, J. D. |
| Enochs, | | | |
| NAYS—222. | | | |
| Abbott, | Blount, | Busey, | Chipman |
| Alexander, | Bowman, | Bushnell, | Clancy, |
| Amerman, | Branch, | Butler, | Clarke, A1 |
| Arnold, | Breckinridge, Ark. | Byrns, | Clover, |
| Babbitt, | Bretz, | Cable, | Cobb, Ala. |
| Bailey, | Brookshire, | Cadmus, | Cobb, Mo. |
| Baker, | Brunner, | Caminetti, | Coburn, |
| Bankhead, | Bryan, | Campbell, | Compton, |
| Barwig, | Buchanan, Va. | Capehart, | Coolidge, |
| Beltzhoover, | Bullock, | Caruth, | Cooper, |
| Bentley, | Bunn, | Castle, | Covett, |
| Blanchard, | Bunting, | Catchings, | Cowles, |
| Bland, | Burrows. | Cate, | Cox, N. Y. |

| | | | |
|----------------|------------------|------------------|-----------------|
| Cox, Tenn. | Harter, | McCreary, | Simpson, |
| Crawford, | Hatch, | McDonald, | Smith, |
| Culberson, | Hayes, Iowa | McGann, | Snodgrass, |
| Cummings, | Haynes, Ohio | McKaig, | Snow, |
| Dazell, | Heard, | McKelghan, | Sperry, |
| Daniell, | Henderson, Iowa | McMillin, | Stephenson, |
| Davis, | Henderson, N. C. | McRae, | Steward, Ill. |
| De Armond, | Henderson, Ill. | Meredith, | Stewart, Tex. |
| De Forest, | Hermann, | Meyer, | Stone, C. W. |
| Dickerson, | Hitt, | Milliken, | Stone, Ky. |
| Dingley, | Holman, | Montgomery, | Stout, |
| Dixon, | Hooker, Miss. | Moore, | Sweet, |
| Doan, | Hopkins, Ill. | Moses, | Tarsney, |
| Dockery, | Houk, Ohio | O'Ferrall, | Taylor, Tenn. |
| Dolliver, | Houk, Tenn. | O'Neill, Mass. | Terry, |
| Donovan, | Huff, | O'Neill, Pa. | Tillman, |
| Dungan, | Johnson, N. Dak. | Otis, | Townsend, |
| Durborow, | Johnstone, S. C. | Outhwaite, | Tracey, |
| Edmunds, | Jolley, | Owens, | Tucker, |
| Ellis, | Jones, | Page, R. I. | Turner, |
| English, | Ketcham, | Parrett, | Turpin, |
| Epes, | Kilgore, | Patterson, Tenn. | Van Horn, |
| Everett, | Kribbs, | Patton, | Walker, |
| Fellows, | Kyle, | Payne, | Warner, |
| Fitch, | Lane, | Paynter, | Warwick, |
| Fithian, | Lanham, | Pearson, | Watson, |
| Flick, | Lapham, | Pendleton, | Weadock, |
| Forney, | Lawson, Va. | Perkins, | Wheeler, Ala. |
| Fowler, | Lawson, Ga. | Pierce, | White, |
| Fyan, | Layton, | Post, | Whiting, |
| Gantz, | Lester, Va. | Powers, | White, |
| Geissenhainer, | Lester, Ga. | Price, | Wike, |
| Gillespie, | Little, | Raines, | Willcox, |
| Goodnight, | Livingston, | Ray, | Williams, Mass. |
| Gorman, | Lodge, | Rayner, | Williams, N. C. |
| Grady, | Long, | Robertson, La. | Williams, Ill. |
| Greenleaf, | Loud, | Rockwell, | Wilson, Mo. |
| Hall, | Lynch, | Russell, | Wilson, W. Va. |
| Mallowell, | Mallory, | Sayers, | Winn, |
| Malvorson, | Mansur, | Scott, | Wise, |
| Hamilton, | Martin, | Seerley, | Youmans. |
| Hare, | McAleer, | Shell, | |
| Harries, | McClellan, | Shively, | |

NOT VOTING—101.

| | | | |
|-------------------|---------------|----------------|---------------|
| Alderson, | Cockran, | Kendall, | Rife, |
| Allen, | Cogswell, | Lagan, | Robinson, Pa. |
| Andrew, | Coombs, | Lewis, | Rusk, |
| Atkinson, | Craig, Pa. | Lind, | Sanford, |
| Bacon, | Crain, Tex. | Lockwood, | Scull, |
| Bartine, | Crosby, | Magner, | Shonk, |
| Beeman, | Curtis, | McKinney, | Springer, |
| Belden, | Cutting, | Miller, | Stahnecker, |
| Belknap, | Dunphy, | Mitchell, | Stevens, |
| Bergen, | Elliott, | Morse, | Stockdale, |
| Bingham, | Enloe, | Mutchler, | Stone, W. A. |
| Boatner, | Forman, | Newberry, | Storer, |
| Boutelle, | Funston, | Norton, | Stump, |
| Brawley, | Geary, | Oates, | Taylor, E. B. |
| Breckinridge, Ky. | Griswold, | O'Donnell, | Taylor, V. A. |
| Brickner, | Groat, | O'Neill, Mo. | Wadsworth, |
| Broderick, | Harmer, | Page, Md. | Washington, |
| Brosius, | Haugen, | Pattison, Ohio | Waugh, |
| Brown, | Hemphill, | Peel, | Wever, |
| Buchanan, N. J. | Herbert, | Pickler, | Wilson, Ky. |
| Bynum, | Hoar, | Quackenbush, | Wilson, Wash. |
| Caldwell, | Hopkins, Pa. | Randall, | Wolverton, |
| Causey, | Hull, | Reed, | Wright. |
| Ceatham, | Johnson, Ind. | Relly, | |
| Chapin, | Johnson, Ohio | Reyburn, | |
| Clark, Wyo. | Kem, | Richardson, | |

So the motion of Mr. BURROWS was rejected.
 The following additional pairs were announced:
 For this day:
 Mr. HOAR with Mr. BINGHAM.
 Mr. MITCHELL with Mr. HAUGEN.
 Mr. FORMAN with Mr. GROUT.
 Mr. REED. I think we had better have a recapitulation of the vote. We want to be certain about this matter.
 The SPEAKER. The Clerk will recapitulate the vote.
 The vote having been recapitulated,
 The result was announced as above stated.
 The SPEAKER. The question now recurs on the motion of the gentleman from Maine, that the House take a recess until five minutes before 5 o'clock.
 Mr. MARTIN. Mr. Speaker, I desire to make a point of order. I suggest to the Chair, and to the gentleman from Maine, that this motion can hardly now be in order, as it is past the time named in the motion.
 Mr. REED. But the question can be taken *nunc pro tunc*. [Laughter.]
 Mr. MARTIN. I ask unanimous consent that the House now take a recess until 8 o'clock this evening.
 Mr. REED. That is right.
 The SPEAKER. If there be no objection, it being now within two or three minutes of 5 o'clock, the Chair will declare the House in recess until 8 o'clock, the evening session to be devoted to the consideration of business under the rule. The Chair hears no objection, and the House is in recess.

EVENING SESSION.

The recess having expired, the House at 8 o'clock p. m., was called to order by the Speaker.

Mr. MARTIN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House, for the purpose of considering bills on the Private Calendar under the rule.

The motion was agreed to.
 The House accordingly resolved itself into Committee of the Whole, Mr. TARSNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole to consider bills under the rule, and the Clerk will report the first bill on the Calendar.

JAMES CORRIDON.

The first business on the Private Calendar was the bill (H. R. 3156) to correct the military record of James Corridon, Fourth United States Infantry.

The bill was read, as follows:
Be it enacted, etc., That the military record of James Corridon be corrected, that the charge of desertion be removed, that his name be restored to the status of honorable service, and that he be granted an honorable discharge.

Mr. MARTIN. I ask for the reading of the report in each of these cases called up to-night.

The report (by Mr. PATTON) was read, as follows:
 The Committee on Military Affairs, to whom was referred the bill (H. R. 3156) to correct the military record of James Corridon, has had the same under consideration and beg leave to submit the following report, with the accompanying evidence:

It appears that James F. Corridon enlisted July 5, 1860, aged 16 years, in Company K, Fourth United States Infantry; that he is reported as deserting on January 24, 1862, and remained a deserter until December 31, 1873, when he surrendered in person, reporting to the office of the Adjutant-General of the Army, at Washington, D. C., and was, by special order from that department, granted a discharge to date January 9, 1874.

In view of these facts, your committee think the charge of desertion should also be removed. We therefore recommend that the bill be amended by adding the following: "Provided, That no bounty, pay, or allowance of any nature accrue from this act;" and as so amended it do pass.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
 Washington, February 3, 1892.

SIR: I have the honor to return herewith bill to correct the military record of James Corridon, Fourth United States Infantry (H. R. 3156), and in compliance with request of the chairman Committee on Military Affairs, House of Representatives, to report as follows:

Musician James F. Corridon, Company K, Fourth United States Infantry, enlisted July 5, 1860, aged 16 years, consent in case of minor given by his father, James Corridon. He deserted January 24, 1862, in Washington, D. C., and remained a deserter at large until December 31, 1873, when he surrendered in person at this office and was discharged January 9, 1874, to date January 5, 1874, by special orders from this office.

The charge of desertion has not been removed, nor has the Department any power to remove the charge of desertion under act of March 2, 1889, the only law on the subject now in force.

Application for removal of charge of desertion was denied by this office, as affidavits filed in the case show that the soldier was able to travel about and not prevented by sickness, etc., from reporting to the military authorities.

Very respectfully,
 J. C. KELTON, Adjutant-General.

The SECRETARY OF WAR.

PETITION.

WASHINGTON, D. C., January —, 1892.

Hon. Joseph H. Outhwaite, chairman Committee on Military Affairs, and the members having charge of bills pertaining to military record in United States Army, House of Representatives, Fifty-second Congress.

GENTLEMEN: I have the honor to request the consideration by your committee of the bill (H. R. 3156) to correct the military record of James Corridon, Fourth United States Infantry, introduced in my behalf by the Hon. William S. Holman, of Indiana, January 11, 1892.

The inclosed certificate of discharge from the Army of the United States shows that I enlisted as a private at the age of 16 years, on the 5th day of July, 1860, and received a discharge in consequence of Special Orders, No. 2, paragraph 21, Adjutant-General's Office, Washington, D. C., January 5, 1874—minor's discharge—and which exempted me from completing my enlistment under any proclamation relating to deserters.

The special discharge was given me by order of the honorable Secretary of War, upon the personal claim of my father (who was accompanied by counsel), on the ground that I had enlisted under age and without the consent of parents.

My inclosed affidavit of October 2, 1890, states that my absence from my regiment was not on account of desertion, but with the consent of the officers, on account of sickness. The inclosed affidavits of Michael Nash and John Hayes, respectively, neighbors, show that it was impossible for me to return to my regiment within a year after separation therefrom on account of sickness at home in this city.

My inclosed honorable discharge from the United States Marine Corps, is for an enlistment from July 24, 1863, until June 1, 1869, an intervening period between the time of leaving the Fourth Infantry without a discharge and the date upon which I was given a special discharge, January 5, 1874, from same regiment.

All of the facts in connection with my service in the Army and Marine Corps were thoroughly investigated by the Bureau of Pensions, and nothing was found to militate against my record as an applicant for a pension, a pension being granted me for disabilities incurred in line of duty (in Fourth Infantry and Marine Corps), by inclosed certificate No. 428756.

The inclosed letter of December 10, 1890, to the honorable Secretary of War gives my statement of my enlistment, circumstances of my absence, and discovery of the charge of desertion against me in October, 1890—twenty-eight years after my separation from the regiment—and refers my case for adjustment to public act No. 133, of March 2, 1889, a copy of which act is inclosed. The reply of the War Department in this connection is also inclosed, which reply states that the charge of desertion can not be removed under aforesaid act of March 2, 1889, and gives reasons, with my reply to them, I especially ask your honorable committee to notice (see my letter inclosed of March 2, 1891). Finally, however, the War Department letter, inclosed, of March 10, 1891, states literally as follows: "The Department has no power under existing laws to take favorable action in this case."

Now, gentlemen, permit me to state that the circumstances of my case make it of a peculiar kind, which is claimed by the War Department to exclude it from favorable action, under the law, and as the facts connected with it, as understood by the honorable gentleman who introduced the bill, and impliedly by the War Department, call for special relief, your humble petitioner respectfully prays that your honorable committee will make a favorable report to the House and recommend the passage of the bill.

Most respectfully and obediently,

JAMES CORRIDON,
313 First street NW., Washington, D. C.

DISTRICT OF COLUMBIA:

On this 21st day of January, A. D. 1891, personally appeared before me, a notary public for the District of Columbia, Michael Nash, and made oath that he is well acquainted with James Corridon, and that he was boarding and residing with his brother, John Corridon, in the winter and spring and summer, A. D. 1892, and while there James Corridon was there at the same time, and that said James Corridon was sick and always complaining with diarrhea and chills, I think.

The father and brother of said James Corridon are now both dead.

his
MICHAEL X NASH,
mark.

Missouri avenue, between Third and Four-and-a-half streets NW.,
Washington, D. C.

Subscribed and sworn to before me.

CHARLES WALTER,
Notary Public, District of Columbia.

The amendment recommended by the committee was adopted. The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SUSANNAH CHADWICK.

Mr. CHARLES W. STONE. Mr. Chairman, there is a bill on the Calendar, Calendar number 494, which was passed over in the Committee of the Whole in the last meeting, without prejudice, for the purpose of having some inquiry made in regard to it.

The CHAIRMAN. The Clerk will report the bill to which the gentleman from Pennsylvania refers.

The Clerk read as follows:

A bill (H. R. 4955) granting a pension to Susannah Chadwick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susannah Chadwick, now 78 years of age, dependent daughter of Elihu Chadwick, who served as a lieutenant in the Revolutionary army, and pay her a pension at the rate of \$25 per month from the passage of this act.

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

The Committee on Pensions, to whom was referred the bill (H. R. 4955) granting a pension to Susannah Chadwick, have considered the same and report as follows:

The claimant is the daughter of Elihu Chadwick, whose service in the war of the Revolution is certified to by the adjutant-general of New Jersey, as follows:

"Elihu Chadwick was commissioned as an ensign in the Second Regiment Hunterdon County (N. J.) Militia; was promoted lieutenant in the same regiment, afterwards transferred as lieutenant to the First Regiment Monmouth County (N. J.) Militia, and in these offices served in the Revolutionary war."

In her petition the claimant states she is 78 years old, wholly without means of support, and entirely dependent upon relatives for food and clothing.

Maynard Ingalsby and B. H. Freeman corroborate under oath the above statements of the claimant.

Your committee find there are several precedents for the proposed legislation, and in view of the claimant's great age and necessitous circumstances the passage of the bill is recommended.

The CHAIRMAN. The question is on laying aside the bill with a favorable recommendation.

Mr. BUTLER. Mr. Chairman, I dislike very much to interpose an objection to anything of this kind, but I do not know of any reason why the daughter of a Revolutionary soldier should be pensioned, and I should like, if someone can do so, to have it explained more fully. If it be proper legislation to grant a pension in such a case, then the daughters of the soldiers of any war, years and years to come, will come in under this precedent. If there is any real reason why the daughter of the soldier in this case should be pensioned, I should be glad to hear it.

Mr. CHARLES W. STONE. Mr. Chairman, perhaps it is a little late now, a hundred years after the close of the Revolutionary war, to ask that question in view of the fact that we have been doing exactly this thing in every Congress, perhaps with hardly an exception, from that time to this.

At the last meeting of the committee some doubt was expressed in relation to the fact of there having been any recent precedents. I took the trouble to look up the list of pensions granted in the last Congress of this character, and I find that on the 14th day of February, 1891, an act was approved granting a pension to Mary Ann Reid, daughter of Andrew Cannon, a Revolutionary soldier, and she was granted a pension at the rate of \$30 per month.

I have the report in that case at hand, if any gentleman desires to investigate more fully. During the same Congress also a pension was granted to Lucy Hale, daughter of Nathaniel Wallace, a Revolutionary soldier, and she was granted a pension at the

rate of \$20 per month. In the same Congress I find the case of Sarah C. Hurlbutt, daughter of Elijah Weeks, a Revolutionary soldier, who was granted a pension at the rate of \$12 per month, and in the same Congress a pension was granted to Miss Frances Thatcher, daughter of a soldier of the war of 1812 and granddaughter of a Revolutionary soldier.

Now, in connection with and corroborating the statement of the committee in relation to precedents, I desire to call the attention of the committee to the statements which were made by the last Congress in the case of Miss Frances Thatcher in the report of the committee accompanying the bill for her relief.

The committee say:

In a number of similar cases Congress has granted relief to the aged and destitute daughters of soldiers of the wars of the Revolution and of 1812, as well as the helpless children of deceased soldiers of later wars.

In the case of Miss Betsey Lockwood, to whom a pension was also granted, as I have shown, the committee use this language—this pension I will say was granted in the Fiftieth Congress, at its first session, and there were three others granted in the same Congress:

There are numerous precedents to support the granting of pensions to the infirm and crippled children of brave soldiers when such children are in destitute circumstances.

The committee of the Fiftieth Congress in the case of the pension of Sarah C. Hurlbutt, which I have already mentioned, say:

Congress has repeatedly granted relief in similar cases, two of which passed the last Congress.

That is, the Fiftieth Congress and they quote the reports in two cases, one being the case of the daughter of Joseph Mather, which I have not cited, and in regard to which the committee use this language:

There are numerous precedents to support the granting of pensions to the infirm and crippled children of brave soldiers, when such children are in destitute circumstances.

And they quote the case of Marie A. Salisbury and Almira Morgan, the surviving children of Maj. Abner Morgan.

I find also in looking at the report of the Commissioner of Pensions that he refers to these pensions, as a class, in the following language:

With a feeling of reverence I invite your attention to the list of Revolutionary pensioners, consisting of twenty widows and three daughters of soldiers of the Revolution. These venerable persons represent the dead heroes of that great struggle which established constitutional liberty in America; and their names, with the survivors of the war for the Union, connect the two great events in the history of the Republic—its creation and preservation. In 1870 there were seven hundred and twenty-seven widows of Revolutionary soldiers on the pension rolls. In a few years more the small remnant remaining will have passed away.

In the list appended to the report the names of all the remaining children of the Revolutionary soldiers are given, and they number only three, although we have been passing private bills of this kind at the rate of about three at each Congress. We have placed upon the pension rolls the names of children of the soldiers of the later wars without question. I could cite, gentlemen, if it was necessary, dozens of cases where the daughters and children of the soldiers of later wars have been granted pensions. I have before me, for instance, a bill passed in 1890 granting a pension to the daughter of Admiral Stewart of \$50 a month.

I merely refer to these to answer the questions which were asked at the late session, as to whether there have been previous precedents for this kind of legislation. As to the principle of the thing, it seems to me that there can be no question. Attention was properly called to a little imperfection or inaccuracy in phraseology. We used the term "dependent." It should be "helpless," and in some of the laws that has been the expression used; but it is a mere matter of description, and, following the previous precedents, and on principle, I can see no reason why the bill should not pass.

Mr. BUTLER. Mr. Chairman, I do not desire to take up the time of the House, and will not therefore speak more than one or two minutes, because I think we ought to proceed as fast as possible; but I wish to say that the precedents that have been referred to in regard to the children of soldiers of the late war are all based upon the idea of the helplessness of the child, which has made the pension necessary, because the father who would have been supporting that child at the present time has been taken away. But when we apply that rule to those who are helpless on account of old age, in such cases the father died long ago, and they are not deprived of any help that would have been given them had it not been for the war. The principle is different.

Now, if it is right upon principle to give a pension to the daughter or the son of a soldier of the Revolutionary or other wars, when they get to be old, so that they are dependent upon somebody, then there is no end to the pensions that will be given. There is no limit. I believe it to be wrong. I shall not interpose such an objection as to call for a quorum, or anything of that kind. I shall insist upon a vote, and a division, in order

that those who wish to express themselves may at least be able to do so. I think it is entirely wrong to grant pensions in this class of cases.

Mr. ROCKWELL. Mr. Chairman, I move that the bill be laid aside with the recommendation that it lie on the table.

Mr. RAY. Mr. Chairman, is it in order to say a word upon that subject?

The CHAIRMAN. The Chair thinks it is.

Mr. RAY. Mr. Chairman and gentlemen of the committee, I desire to say a word on this subject before any such action is taken. The gentleman says it is wrong to grant pensions to the daughters of Revolutionary soldiers, that it is wrong in principle and that it can not be justified. He said further that if we enter upon that course of conduct here in this House that there will be no limit to it. Now, his figures and his calculations seem to be out of order in some shape or other. He should remember that the Revolutionary war was fought more than a hundred years ago.

Mr. BUTLER. Will you permit a question, to show its applicability?

Mr. RAY. Yes, sir.

Mr. BUTLER. Is there any difference in principle between allowing a pension to the daughter of a Revolutionary soldier and to the daughter of a soldier of the war of 1861?

Mr. RAY. To my mind there is a wide difference, a wide distinction. I am in favor of this bill and in favor of the granting of this pension provided this daughter of this old revolutionary soldier is poor, needy, in want, and I understand that those conditions exist. As I said before, the Revolutionary war was fought more than a hundred years ago and it was fought by our little population of 3,000,000 of people to establish our liberties. That war was carried on in blood and in suffering. Our soldiers marched over frozen ground, barefooted, poor, and needy. They succeeded in establishing this nation, conceded by all to be the grandest and the best on the face of the globe. Now, such having been the character of the work done by those revolutionary soldiers their children ought to be remembered. We never will have any more revolutionary soldiers in this country of ours. Long ago they passed away.

Mr. BUTLER. I admit the time.

Mr. RAY. We will have no more daughters of revolutionary soldiers. The surviving daughters of revolutionary soldiers are few. Their numbers are small. They form a distinct class, and their claims to recognition rest upon a different basis than those of any other class of citizens. By remembering them we shall attest the fact that we still keep in mind the glorious deeds of valor performed by their fathers in that struggle against British tyranny and oppression.

In a few years more they will be gone, and I say that this great nation of 65,000,000 people, rich, free, and independent, owing its existence, its character, its glory, its wealth, its power to these revolutionary soldiers can not do a better thing, a more glorious thing, a more worthy act, than to give a pension to the surviving daughters of revolutionary soldiers, old as they must be, when found poor and needy. I trust that no man who believes in the character, the dignity, the power, and the honor of this nation, will vote against granting a pension to such a woman. I trust this motion will not prevail; but in place of it that this bill will be laid aside with a favorable recommendation. I know that an hundred years from now, if we have any surviving daughter of the war of 1861, and I am here in this House [laughter] and I would be glad to be, I would most gladly vote to give her a pension if poor and needy. [Cries of "Vote!" "Vote!"]

Mr. EVERETT. Mr. Chairman, this is one instance at least in which I can oppose granting a pension without being accused of sectionalism. I believe I have about as much interest in the Revolutionary war as any gentleman here. The simple fact that it has been one hundred and nine years since the war closed in which the service was rendered of which this applicant wishes to become the beneficiary is a strong argument against granting it, instead of one in favor of it. If the daughter of this soldier is entitled to a pension, the daughter of all the soldiers of the war of 1812 are entitled to pensions. If the daughters of the soldiers of the war of 1812 are entitled to pensions, the same rule must apply to the soldiers of the wars of 1832 to 1845. The same must apply to the soldiers of the war of 1861 to 1865, and hence, instead of there being a diminution of the pensions of this country, there will be an increase which will last beyond the length of time that any member on this floor will live.

The pension roll to-day is beyond the conception of what any man had twelve or fifteen years ago. When the pension system was introduced at about \$38,000,000, it was stated on the floor of this House that it had then reached its maximum and never would be greater. Look at it to-day. In round numbers, at least \$140,000,000 per annum; I might say \$150,000,000 without going beyond the truth; and every day new expenses are attached.

Thirty thousand certificates per month going out from the Pension Office; and yet, not satisfied with that profligate expenditure of the money of the people, you have gone outside of all reason and asked us to pension the daughter of a party who fought for his country one hundred and nine years ago.

Mr. BUTLER. And she was born twenty-five years after the war had closed.

Mr. EVERETT. And the daughter of this Revolutionary soldier, for whom this pension is asked, was born twenty-five years after the war had closed at that. There are meritorious cases, no doubt, Mr. Chairman, on the Calendar. I have no disposition to delay the House, but I want to put you on notice now, and the House on notice, that it will take a quorum to pass this bill.

Mr. MARTIN. Mr. Chairman—

Mr. CHARLES W. STONE. Mr. Chairman—

Mr. MOSES. I ask unanimous consent, in view of the fact—

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. MARTIN. Mr. Chairman, I do not desire to insist on closing debate, and yet it seems to me that this matter is so well understood now that unless the gentleman from Pennsylvania desires to say something further, I will ask unanimous consent that debate on this bill be now closed.

Mr. CHARLES W. STONE. I desire to say a few words now.

In view of the fact that this bill has been before the House once, and the objections to it seem to be changing in character and appearance, I wish to say just one word or two.

The gentleman from Georgia [Mr. EVERETT] seems to felicitate himself that he has finally found one bill upon which he can make an attack and express what is his feeling in general and sentiment on all pension bills and not be charged with sectionalism; and yet, sir, but a few weeks ago a proposition was made in this House to grant a pension to the widow of a Revolutionary soldier from the State of Georgia—a widow that had married the soldier long after the war, as I understand it, and the husbands of some of these widows have been dead fifty years before they were pensioned, and there was not a word said about it.

Mr. EVERETT. Nobody objects to pensioning widows of Revolutionary soldiers.

Mr. MOSES. There has been no bill introduced by a member from Georgia to pension the widow of a Revolutionary soldier.

Mr. CHARLES W. STONE. No bill introduced to pension a widow of a Revolutionary soldier!

Mr. MOSES. The general law pensions them already, and the gentleman knows it.

Mr. CHARLES W. STONE. Was not a bill introduced by you increasing a pension of a Revolutionary soldier?

Mr. MOSES. That is another thing.

Mr. CHARLES W. STONE. Increasing the pension and making it \$30 per month. That is what it was. It was broadly hinted on this floor at the former session that this is a political matter and that there were likely to be ten thousand claims. It was insinuated that there was politics in this, when the old woman has not a vote, and has no friends who have votes. It is simply an excuse velling the disposition to assail the principle and general policy of the pension laws, and not anything against this particular case. I have no personal interest in this case. You can vote it up or down; but if it is going to be voted down I would like to hear some good reason for it. You have been passing this kind of bills during the last Congress, the Congress before that, and other Congresses have been doing it in recognition of the debt of gratitude which this great nation owes to the people who made it.

It is true that it is one hundred and nine years since this nation was formed. It is true that we have been observing the centennial anniversary of the great events of that period, and observing them with a respect and a reverence that did credit to the American people, and I do not think it would be creditable to them now to cease—not to establish a new precedent—but to cease to follow the precedents which have been followed here for years and years. If there was anything in the particular provisions of this bill that made it different from the three bills passed by the last Congress, or that made it different from the three bills passed by the Congress before that, or that made it different from the very many bills that have been passed here granting pensions to helpless children of the soldiers of the Revolutionary war, I would not say one word.

But it is not different. It is simply one of the few cases that remain. Why, sir, one of the daughters of a Revolutionary soldier pensioned by the last Congress died within a month after the bill passed, and it is probable that this bill could have been passed and put into operation and the pension paid as long as it would have to be paid, at a less cost to the Government than the money that is wasted during the time that has been occupied by discussion of it on these two occasions.

The question was taken on laying the bill aside with a favora-

ble recommendation, and the Chairman declared that the noes seemed to have it.

Mr. CHARLES W. STONE. I ask for a division.

The committee divided; and there were—ayes 34, noes 46.

Mr. EVERETT. No quorum, Mr. Chairman.

Mr. CHARLES W. STONE rose.

Mr. BUTLER. Mr. Chairman, perhaps the gentleman from Pennsylvania has risen to make the same suggestion that I was about to make. I was going to ask that the point of no quorum be withdrawn in order that a request may be made to withdraw this bill without prejudice.

Mr. CHARLES W. STONE. Mr. Chairman, while I have already done that at a previous meeting, and feel that it is getting a little monotonous, yet as I do not wish to prevent the consideration of other meritorious bills which perhaps may not encounter like objections, I ask unanimous consent that this bill be passed over without prejudice.

The CHAIRMAN. Is the point of no quorum withdrawn?

Mr. EVERETT. I withdraw the point for the purpose of permitting that request to be made.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection, and it was so ordered.

ELLIS P. PHIPPS.

Mr. ROBINSON of Pennsylvania. Mr. Chairman, there is a bill (H. R. 6212) which was passed over without prejudice some time ago while I was absent on sick leave, and I ask that it now be taken up and considered.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Ellis P. Phipps, late lieutenant Company A, Twelfth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$100 per month in lieu of that he is now receiving.

An amendment, recommended by the Committee on Invalid Pensions, was read, as follows:

Line 7, strike out "one hundred," before the word "dollars," and insert "seventy-two."

The CHAIRMAN. The question is upon agreeing to the amendment.

Mr. LIVINGSTON. Let the gentleman who introduced the bill state some reason why this increase should be made.

Mr. LANE. Let the report be read.

The report (by Mr. ROBINSON of Pennsylvania) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6212) granting an increase of pension to Ellis P. Phipps, submit the following report:

Ellis P. Phipps was enrolled as first lieutenant of Company A, Twelfth New Jersey Volunteers, September 1, 1862, and was honorably discharged September 29, 1864. He was wounded in left arm May 12, 1864, at Spotsylvania, Va., and among others receives honorable mention for gallant conduct at the battle of Gettysburg in the final report of the Gettysburg battle-field commission of New Jersey. He was pensioned for said wound and for inguinal hernia, which was increased from time to time until the limit was reached. A special act for his relief was passed March 3, 1891, fixing the rate of his pension at \$45 per month. Since that time his disabilities have increased to such a degree as to require the regular personal aid and attendance of another person, as shown by medical and other evidence on file.

His condition is shown by the report of the board of medical examiners, as follows:

"Arm covered with numerous scars; integument around elbow joint is red and inflamed; now discharging pus from two sinuses leading to necrosed bone; 1½ inches radius has been removed; end of radius is prominent and pushes out the inflamed skin below elbow; motion of proximal and of radius can be plainly seen when forearm is rotated. A portion of external condyle of humerus is gone; joint firmly ankylosed at an angle somewhat more obtuse than a right angle; hand carried in a sling; totally disabled for purposes of manual labor."

Dr. P. D. Rockwell, ex-secretary of pension board, in an affidavit, says: "I consider the arm useless and a nuisance. The arm requires constant attention. I find a rupture most difficult of retention. The truss worn has a powerful pressure. Applicant can not possibly apply the truss with the present condition of this arm. I have known the applicant for over six months and know him to be a great sufferer. I know him to need the constant aid and attention of another person."

Dr. D. D. Richardson makes affidavit that he has been acquainted with the claimant twenty-one years, and on frequent occasions has treated him professionally for a very aggravated case of inguinal hernia, one of the most obstinate he ever saw, which has constantly grown worse.

"On one occasion [he states] the bowel came down and for six weeks or more it could not be returned and the worst results were feared. * * * He is helpless to aid himself and must have aid of another. His arm is utterly useless, having been disabled by a gunshot wound and partial resection of the elbow joint. The frequent abscesses and constant attention required for his disabilities make it simply impossible for him to get along without the constant aid and attention of another person."

J. William White, professor of chemical surgery in the University of Pennsylvania, testifies as follows:

"I have personally known Ellis P. Phipps for eighteen years, and have attended him from time to time during all that period. He has an ankylosed left elbow, with serious bone disease, accompanied by profuse suppuration, which seriously threatens his general health, and which without constant attention by a competent attendant would jeopardize his life, the direct result of a gunshot wound received in service. The arm is worse than useless, as its care involves the continual attendance of another person. He has also a right-sided inguinal hernia, which is one of the most aggravated and troublesome I have ever seen. It is extremely difficult of retention, re-

quiring a special apparatus, and by its frequent descent and incarceration becomes a source of danger to life. It is always and invariably the cause of much pain and inconvenience, and of itself would seriously cripple a strong man. I regard all these troubles of Maj. Phipps as of great gravity."

Drs. Hayes Agnew, Murser, Baker, and Richardson all make affidavit to the existence of the same degree of disability testified to by Dr. White and others in the foregoing extracts.

The committee believe that this is a meritorious case, and, after striking out of line 7 the words "one hundred" and inserting in lieu thereof "seventy-two," recommend the passage of the bill.

Mr. MARTIN. Mr. Chairman, on the motion that now comes regularly in order, that the bill be laid aside to be reported to the House with a favorable recommendation, I desire to offer a very few remarks. While there is no minority report, this bill was recommended by a majority of a committee which at the time was not nearly full. In saying this I mean no reflection upon any gentleman who joined in the report of the committee. But a little further investigation on the part of some of the members of the committee led them to feel that the amount recommended, \$72 a month, was too much, and a motion was adopted recommending that I, on behalf of the committee, should make a motion here that this bill be reported back to the House to be re-referred to the Committee on Invalid Pensions.

However, after further consultation upon the subject to-day, it was resolved not to press that motion, but I now desire to make a motion in relation to this bill, and I make it in the best faith in the world and in the belief that it is just about right. I move that the report of the committee be amended by striking out \$72 and inserting in lieu thereof \$50.

Mr. SCOTT. How much does this man get now?

Mr. MARTIN. Forty-five dollars a month.

Mr. LIVINGSTON. Does the gentleman think that \$5 a month more will avail him to procure the assistance that he requires?

Mr. MARTIN. Let me make one suggestion on that point. Here is a soldier suffering from a gunshot wound. He is in very straitened circumstances, and the gentleman from Georgia [Mr. LIVINGSTON] knows as well as I do that \$5 a month to a man who is poor and crippled and unable to care for himself is a considerable sum, and will at least be sufficient to buy his clothes during the entire year.

Now, I ask you, gentlemen of the committee, in the best of faith, not to violate your notions of what you think right; but at the same time I ask you, if you possibly can, to support the amendment which I have proposed; for I candidly believe that the amount named is just about what is right and will not be too much.

Mr. O'NEILL of Missouri. Mr. Chairman, the last Congress increased this soldier's pension to \$45 per month. While he is badly disabled, he is receiving the full amount that the law allows for the injury to his arm. I believe the soldiers of this country will consider that he is receiving ample pension. On this Calendar are the claims of hundreds of poor unfortunate soldiers who are receiving nothing. I think the proper course is to recommit this bill; and I make that motion.

Mr. EVERETT. I would like to submit an amendment, if it is in order.

The CHAIRMAN. An amendment is now pending, and also an amendment to the amendment. The amendment reported by the committee is to reduce the amount named in the bill to \$72 a month. The chairman of the committee moves an amendment to that amendment reducing the amount to \$50 a month. The gentleman from Missouri [Mr. O'NEILL] moves that the bill be reported to the House with the recommendation that it be re-committed to the Committee on Invalid Pensions. The vote will first be taken on the latter motion.

Mr. ROBINSON of Pennsylvania. Mr. Chairman, I hope the motion to recommit will not prevail. I believe I assert nothing which the record will not sustain when I say that the report on this case is supported by stronger medical testimony than any case of the same character which has been submitted here. I ask gentlemen to read the reports of the physicians who testified in regard to the condition of this claimant, the character of his wound and his disease, and the necessity for his having a regular attendant. This testimony shows him to be almost a helpless man. Let me say to gentlemen on the other side that only a few weeks ago there was passed in this House a bill similar in character to this—on all fours with it. The claimant in that case was Col. William Colvill, of Minnesota, the bill having been introduced, I believe, by the gentleman from Minnesota [Mr. HARRIES], a member of the committee. The amount of pension proposed in the bill was the same, \$72 per month.

The amendment which was offered fixing the pension at \$50 per month prevailed, and in that form the bill passed. That was a very meritorious case. Col. Colvill was a very gallant soldier, having been carried wounded off the field at Gettysburg. But this case is a stronger one than that. This soldier was mentioned for gallant conduct before Gettysburg; he was wounded

at Spottsylvania and in two or three other battles. This is a stronger case than Col. Colvill's in this: When the question was asked the gentleman from Minnesota [Mr. HARRIES] on the floor of the House whether the report showed that Col. Colvill required constantly the attendance of another person it appeared the report did not so show, but it was stated by the gentleman who introduced the bill and by another gentleman on the floor of the House on their own personal knowledge—which I was perfectly ready to accept—that the claimant did require such attendance.

But here we have sworn testimony; we have the affidavits of three or four physicians, among them Dr. J. William White, of the University of Pennsylvania, who stands at the head of his profession, as every medical practitioner in the House knows; and we have also the affidavit of Dr. Hayes Agnew, who recently passed away, and who was the greatest surgeon in this country with the exception perhaps of the late Dr. Gross.

Mr. EVERETT. Will the gentleman allow me to ask him a question?

Mr. ROBINSON of Pennsylvania. Certainly.

Mr. EVERETT. It was stated, as I distinctly recollect, in the case of Col. Colvill, that he could not walk; that he could not carry himself about; that he had to be moved in a carriage, chair, or some other vehicle arranged for the purpose. Will the gentleman from Pennsylvania state in his place on this floor to-night that this man can not walk?

Mr. ROBINSON of Pennsylvania. Certainly I will not. He can walk; but he requires every morning of his life a person to bind upon him his truss, and he can not get his clothes on without the assistance of another person, or eat his food.

Mr. EVERETT. I propose to show to the House from the testimony of the board that last examined this man that he can do it.

Mr. ROBINSON of Pennsylvania. That he can walk?

Mr. EVERETT. Yes, sir.

Mr. ROBINSON of Pennsylvania. I say he can walk.

Mr. EVERETT. And that he can wait on himself.

Mr. ROBINSON of Pennsylvania. He can not. Does not the gentleman believe the sworn testimony of the physicians given in the record?

Mr. EVERETT. I propose to read from the report, and nothing else.

Mr. ROBINSON of Pennsylvania. Let the gentleman read from the report. He will find several eminent physicians testifying to this man's condition.

Mr. EVERETT. Will you allow me to read—

Mr. ROBINSON of Pennsylvania. Read the report. I say this case is far stronger than that of Col. Colvill, and if gentlemen here will not accept the amendment proposed by the chairman of their own committee, who recognizes this as a highly meritorious case, they will accept nothing.

Mr. SCOTT. Will the gentleman from Pennsylvania permit a question? Is it true that this claimant sits here in the galleries night after night when these pension proceedings are going on?

Mr. ROBINSON of Pennsylvania. He is here occasionally, interested in his claim, as every other claimant is. That does not stultify the report of the Pension Committee because he is here.

Mr. SCOTT. Is he here to-night?

Mr. ROBINSON of Pennsylvania. No, sir; he is not. He is sick at his home, I believe.

Mr. SCOTT. I did not ask the question for the purpose of detracting from the merits of the claim, but simply for information.

Mr. YOUMANS. Why can not he go to the Pension Office and get the increase of pension if he is entitled to it?

Mr. ROBINSON of Pennsylvania. Because the case does not come technically within the law. He went to the Department and got a pension, and then came before the Fifty-first Congress and received an increase of \$45 per month. He now comes here on that report of your committee, which presents a more meritorious case than the Colville case which you favorably acted upon a few days ago, and asks this increase. I take the testimony of your own chairman as to the merits of the case.

Mr. MOSES. You say the Committee on Pensions recommends this case as especially meritorious?

Mr. ROBINSON of Pennsylvania. It did; by a report of five to four it recommended the bill to the House.

Mr. MOSES. There seems to be a sort of begging it through here to-night, at all events.

Mr. ROBINSON of Pennsylvania. How could the bill possibly come here if there had been no report from the committee?

Mr. MOSES. I think the gentleman ought to be satisfied if his claimant is allowed to remain on the roll at \$45 a month.

Mr. ROBINSON of Pennsylvania. Your chairman, a Democratic chairman, has advocated the increase to \$50 per month.

Mr. MEREDITH. That is not the question. The Democrats have nothing to do with it.

Mr. ROBINSON of Pennsylvania. Well, it seems they have. Col. Colville was a Democrat and his case went through. This man is a Republican.

Mr. EVERETT. I did not know that, and I am sorry that you told me.

Mr. MEREDITH. It has nothing whatever to do with the case anyway. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The Chair is informed that the gentleman from Missouri withdraws the motion to recommit the bill to the committee; and the pending question is on the amendment of the gentleman from Indiana to fix the rate of pension in the bill at \$50 per month.

The question was taken, and the amendment was rejected.

Mr. MCALEER. Mr. Chairman—

Mr. MEREDITH. I ask for a division. [Cries of "Too late!"]

Mr. MCALEER. Is it in order to be heard on this amendment?

The CHAIRMAN. The pending question is on the amendment offered by the committee to reduce the amount to \$72 per month.

Mr. MEREDITH. I withdraw the demand for a division.

Mr. MCALEER. I would like to be heard for a few moments if in order.

The CHAIRMAN. It is in order.

Mr. MCALEER. Mr. Chairman, I desire to say in regard to this amount—

Mr. LIVINGSTON. Is not the proposition pending to reduce the amount to \$50 per month; the amendment offered by the chairman of the committee?

The CHAIRMAN. That question was put to the House and rejected.

Mr. LIVINGSTON. I understood the question submitted to the House was on the motion to recommit the bill?

The CHAIRMAN. The Chair stated for the information of the committee that that motion was withdrawn, and then submitted the amendment of the gentleman from Indiana, which was rejected.

Mr. POST. That vote was entirely misunderstood, I think.

Mr. SCOTT. I rise to a parliamentary inquiry. I wish to ask whether the motion of the gentleman from Indiana to amend the bill by fixing the amount at \$50 per month does not take precedence, and whether that is not the pending question?

The CHAIRMAN. The Chair will again state, as he has endeavored to do several times, that that motion was submitted to the committee, was acted upon, and rejected.

Mr. SCOTT. Then it was not understood.

Mr. LIVINGSTON. Clearly not.

Mr. POST. I ask unanimous consent that the vote be taken over again. It was clearly a misunderstanding. The supposition was that the vote was being taken on the motion to recommit.

The CHAIRMAN. If there be no objection the Chair will again submit the proposition of the gentleman from Indiana. Is there objection? The Chair hears none.

The proposition, then, is the amendment of the gentleman from Indiana, fixing the amount at \$50 per month.

Mr. MCALEER. Now, I desire to say that I have been personally acquainted with the applicant for this increase of pension for about fifteen years, and to my personal knowledge I have known him to lie upon his bed for weeks, suffering from the wounds he had received, and at that time very few people believed that he would ever recover.

Mr. MEREDITH. Permit me for information to ask just one question. Was he wounded in the war in any place except in his arm? I understand that he is suffering from two injuries.

Mr. MCALEER. My information was that he received numerous wounds, and he has also suffered severely from hernia.

Mr. MEREDITH. Was the hernia caused by his service in the Army?

Mr. MCALEER. As a matter of fact that I can not say. The report will show.

Mr. LIVINGSTON. What does the report say in that regard?

Mr. MCALEER. That he is suffering from a disabled arm—a stiff arm, and can not adjust his truss.

The CHAIRMAN. The question is on striking out the words "seventy-two" in the amendment offered by the committee and inserting therein the word "fifty."

Mr. ROBINSON of Pennsylvania. Mr. Chairman, I am willing to accept the amendment of the gentleman from Indiana, not because I do not think the claimant ought not to have \$72 a month, for I do think he ought to have it, and Col. Colvill ought to have had it instead of \$50 a month; but I am willing to accept it because I think it is all the spirit of this House seems to be willing to grant a meritorious case. The gentleman from Georgia [Mr. LIVINGSTON] asked for a meritorious case. I would like

anybody to bring in a more meritorious case than the record shows this case to be.

Mr. LIVINGSTON. I would like to ask the gentleman a question. Have we not soldiers' homes into which that man can go, and there be provided for without any trouble, and at the same time draw his pension?

Mr. ROBINSON of Pennsylvania. If all the pensioners of the country went into soldiers' homes you would have to incur the expense of keeping them there instead of in the way of paying the necessary pensions.

Mr. LIVINGSTON. You must remember that we have just appropriated over a hundred and twenty millions of dollars to pay the pensioners of this country for the next year.

Mr. ROBINSON of Pennsylvania. It does not make any difference to me if we had expended \$500,000,000. It was these soldiers, Democratic and Republican soldiers, who kept those stars in that flag, and we ought to pay the money. We owe it to them as a debt of honor. [Applause.]

Mr. EVERETT. Do you owe them such a debt as to justify you in bankrupting the country?

Mr. ROBINSON of Pennsylvania. We owe them such a debt that I would spend every dollar in the Treasury and bond the Government to pay them if it was necessary.

I want to take back what I said in regard to Democratic opposition to these bills. There are some Democrats on the floor of this House who will go as far as I will in support of the meritorious claim of a soldier who was wounded, and who was honorably mentioned for gallant conduct in the service of his country; but it seems to me there is a spirit among some gentlemen on that side of the House which is adverse to granting pensions; even in the most meritorious cases.

Mr. MEREDITH. I want to make the statement that the gentleman is mistaken about one thing. This bill will be defeated by the gentleman's speech here to-night and nothing else.

Mr. ROBINSON of Pennsylvania. Let it be defeated by my speech—

Mr. MCALEER. I hope we will act upon this case in accordance with its merits, and not upon any such ground as that.

Mr. ROBINSON of Pennsylvania. Let it be defeated. Let the gentleman carry out his threat. He does not own this House, one side or the other.

Mr. MEREDITH. If I owned you, I would not keep you very long.

Mr. ROBINSON of Pennsylvania. Let the gentleman carry out his threat. I have faith in the Democratic party, even if it does extend over a dark continent on that side. There are members here who, when a meritorious claim comes in, will support it on its merits.

Mr. MOSES. And we are going to smash your bill, too.

Mr. ROBINSON of Pennsylvania. You can smash my bill if you choose; and I want to say to you that in 1888 the Democratic soldiers, to my personal knowledge, smashed Cleveland for his action against the soldiers in vetoing pension bills. [Prolonged applause on the Republican side.] You can carry out your threat if you wish to. You can raise the point of no quorum when you want to defeat these bills.

Mr. DUNGAN. May I ask the gentleman one question? Can he name one single bill that Cleveland vetoed that the succeeding Republican Congress passed?

Mr. POST. I can.

Mr. ROBINSON of Pennsylvania. He vetoed almost every pension bill he could that came before him. [Manifestations of derision on the Democratic side.]

Mr. LIVINGSTON. I want to suggest to the gentleman that he had better get a flag of truce.

Mr. ROBINSON of Pennsylvania. I need no flag of truce. I am not here to raise any question of sectionalism upon any of these bills. I am one of the gentlemen in the North who believe that the day will come, and it is not far distant, when the civil war will be remembered as an example of the courage of the American citizen, North as well as South, and I want to say to gentlemen who are threatening to vote this bill down that when we bring in a meritorious case like this it ought not to be voted down, and I defy any man to show that there is any more meritorious case, and if you vote it down, you will not vote it down upon its merits.

Mr. LIVINGSTON. I want to ask the gentleman one question, and I ask him to answer it honestly.

Mr. ROBINSON of Pennsylvania. I can not answer it in any other way.

Mr. LIVINGSTON. When we had the claim from a Southern State—a Southern claim—in favor of the heirs of a man who fought on the other side of the question, how did you vote on that proposition?

Mr. ROBINSON of Pennsylvania. What was the bill?

Mr. LIVINGSTON. The Sibley bill.

Mr. ROBINSON of Pennsylvania. If it was a meritorious case it would make no difference with me where he lived.

Mr. LIVINGSTON. How did you vote on the Sibley bill?

Mr. ROBINSON of Pennsylvania. The Sibley bill! I do not recollect. I do not think I was here. I have been sick in the hospital myself much of the session.

Mr. BERGEN. The gentleman certainly does not put the Sibley bill in line with a pension bill.

Mr. LIVINGSTON. It was a Southern claim.

Mr. BERGEN. But this is a very different matter to a Southern claim, is it not?

The CHAIRMAN. Will the gentleman from Pennsylvania suspend for a moment? The committee will please be in order, and gentlemen will resume their seats.

Mr. ROBINSON of Pennsylvania. Mr. Chairman—

Mr. SEERLEY. Mr. Chairman, I desire to ask the gentleman from Pennsylvania [Mr. ROBINSON] a question.

The CHAIRMAN. Will the gentleman from Pennsylvania yield to the gentleman from Iowa for a question?

Mr. ROBINSON of Pennsylvania. Certainly.

Mr. SEERLEY. You talked here about pensioning soldiers—

Mr. ROBINSON of Pennsylvania. I can not hear the gentleman.

Mr. SEERLEY. You talked about pensioning soldiers. I will ask you why it is that this is the first night you have attended the session for passing these bills?

Mr. ROBINSON of Pennsylvania. I have attended a good many meetings. I want to say to the gentleman that I am not responsible to him for my attendance. I am responsible to my constituency.

Mr. SEERLEY. You attended just two meetings of the committee.

Mr. ROBINSON of Pennsylvania. You are not my custodian.

A MEMBER. Were you in the war?

Mr. ROBINSON of Pennsylvania. I was in the Army and Navy during the war, although very young.

A MEMBER. In what regiment?

Mr. FUNSTON. You were not in the Confederate service?

Mr. ROBINSON of Pennsylvania. If I had been in the South I might have been. Now, I want to say in all candor and frankness to the House, that the bill in favor of Col. Colvill, that was introduced by the gentleman from Minnesota [Mr. HARRIES], sitting in his seat there, is on all fours with this bill of mine, only the medical testimony in this bill of mine is five to one more favorable to the claimant than that in the bill of Col. Colvill.

When the bill of the gentleman from Minnesota came into the House, upon a motion or suggestion from a gentleman on the other side an amendment to that bill was offered making the amount \$50, and the bill went through swimmingly. Now the chairman of the Committee on Invalid Pensions, himself a soldier, says this has merit in it, and asks me to accept an amendment; and he, being the directing power of the committee, asking that, I accept that amendment, although I think the claimant should have \$72; and I will leave the case in the hands of the House.

Mr. HARRIES. Mr. Chairman, I desire simply to make a correction in the statement of the gentleman from Pennsylvania, with his permission. I did not introduce the bill, but my colleague [Mr. HALL] introduced it, and I had something to say about it when it was brought up in the House. It was not a bill I had introduced myself.

Mr. MOSES. You indorsed the bill.

Mr. HARRIES. I indorse every word of it.

Mr. ROBINSON of Pennsylvania. The gentleman will recollect that when the matter was up on the floor of the House, they asked him whether there was anything in the record to support—

The CHAIRMAN. The Chair will call attention of the gentleman from Pennsylvania to the fact that he had relinquished the floor.

Mr. ROBINSON of Pennsylvania. I thought I yielded only for a question.

Mr. BUTLER. Mr. Chairman, I am not moved at all by any charges that may be made against the Democratic party as to pension matters. This is a question that ought to be decided upon its merits, and I think I understand what the merits of the case are. But first let me say that if there are merits in this case at all, the bill which was recently passed in this House and agreed to by the Senate with an amendment, and in very few days probably to be signed by the President, provides an intermediary rate that will give to this man \$50 a month if he has any merits in his case at all, because that bill gives to a man who is so disabled as to require regular or periodical although not constant attendance a fifty-dollar rate. Now, if there be merits in the case he can get that rate of pension under that bill.

But an examination of it was made and the case went before the Pension Bureau—

Mr. ROBINSON of Pennsylvania. Will the gentleman yield for question?

Mr. BUTLER. As soon as I finish this sentence I will. [Laughter.] I was about to say, and was saying, that this case went before the Pension Bureau, and it was there decided that it was not a \$72 case, that it was only a \$30 case, and this pension is now \$45 a month by the will of this House and by no other means.

Mr. ROBINSON of Pennsylvania. The gentleman has spoken of this case hypothetically, saying, "If there be merit in it." The gentleman is a member of the committee; has he examined the bill?

Mr. BUTLER. As a member of the committee I have examined the bill and every bit of the evidence, and I have come to the conclusion that there is not one iota of merit in the bill.

Mr. ROBINSON of Pennsylvania. How did the gentleman vote on the Colvill case?

Mr. BUTLER. I voted against it in the committee as well as out of it.

Mr. ROBINSON of Pennsylvania. The gentleman voted in the committee against the Colvill bill and he votes in the committee against every bill, and he opposes every bill on the floor of the House.

Mr. MOSES. How do you know? You have not been here to see. [Laughter.]

Mr. BUTLER. Mr. Chairman, I care nothing about the charges which the gentleman makes, because the members of the committee will bear me out in saying that I have voted for more pension bills in committee than any other one man, unless it be the gentleman from New York [Gen. CURTIS], and he has not been present as often as I have; so that on the whole I think I even equal him. [Laughter.] I want to say further that since I have been in Congress I have never missed but one of these pension night sessions, and I have never opposed but three bills.

Those I opposed on principle, and every one who knows anything about it will bear me out in saying that I have voted consistently for nearly all the pension bills that have been considered here. I did vote against this case in the committee and it was voted down at one meeting. I am willing to disclose a few points of our committee proceedings now, seeing that I am challenged. [Laughter.] This bill was voted down at one meeting and it was laid over by request until another meeting, and then it got through by only one majority. I tell you the case has no merit, and now gentleman may vote it up or down as they think proper.

Mr. LIVINGSTON. Mr. Chairman, I want to say to my friend from Pennsylvania [Mr. ROBINSON] that there are those of us in this House who fought on the other side, and we did our best, and we have no regrets and no apologies to offer. But at the same time there are some of us on the Democratic side of this body who have never refused to vote a pension for any case that we believed to be meritorious. Very recently we voted for a bill that will average all these cases, that will let the applicants go to the Pension Bureau, presided over by a Republican, controlled entirely by Republicans, and we knew when we voted for that measure that every meritorious case would go there and that they could be averaged up to \$50 per capita.

And I want to say another thing, and that is that some of us do oppose some pension cases that come up in this House and with good reason. This very case illustrates the point I am making. The Committee on Invalid Pensions itself refused to pass this case, and when it was finally passed by the committee it was by only one majority. And now, Mr. Chairman, and gentlemen of this House, when we Southern Democrats, who fought under the rebel flag, come into this hall sworn as members of Congress and undertake to look into the merits of pension applications that are presented here, we do not want to have it flaunted in our faces that we are opposed to the flag of our country.

Mr. ROBINSON of Pennsylvania. I did not say that. I said there seemed to be a spirit—

Mr. LIVINGSTON. I want to say further that when the time comes again, if the time ever comes to test the question, we will show you whether the men who fought for the gray, who fought under the rebel flag, will stand to their colors or not.

Mr. ROBINSON of Pennsylvania. I am not questioning the courage of any Southern soldier, and never did. I questioned their loyalty, not their courage.

Mr. CURTIS. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. CURTIS. These evening sessions are intended for the consideration of bills on the Private Calendar, but we have been listening here for some time to a display of talent on both sides, North and South, upon an entirely different subject. It is very interesting, but I do not think it is in order.

Mr. LIVINGSTON. We did not begin it on this side.

Mr. CURTIS. My point applies to both sides.

Mr. LIVINGSTON. Well, we are tired of that sort of thing, and we do not want to hear any more of it.

Mr. ROBINSON of Pennsylvania. Well, you will hear just as much of it as I choose to give you when I have the floor.

Mr. LIVINGSTON. Then you will get it back.

Mr. ROBINSON of Pennsylvania. No; I will not take it back. I represent the district that John Hickman represented, and he never took anything back. [Laughter.]

Mr. LIVINGSTON. And you have got to stop these insinuations on this floor.

Mr. ROBINSON of Pennsylvania. Never, never.

Mr. LIVINGSTON. Or you will never get another pension through this House.

Mr. ROBINSON of Pennsylvania. Well, I will put you on record.

Mr. LIVINGSTON. Well, I am ready to go on record.

Mr. ROBINSON of Pennsylvania. All right. [Cries of "Vote!" "Vote!"]

Mr. MEREDITH. Mr. Chairman, I shall detain the House only a few moments. Gentlemen will very soon have an opportunity to vote.

I desire to say as a Democrat that, in my judgment, the Democratic party is as fully alive to the responsibility of taking care of these people who are entitled to pensions as is the party represented by my friend who has made this intemperate speech. I desire to say, sir, that in the discussion of these questions we should be controlled by but one idea, the idea of justice and of merit. We should not be controlled by the excitement of the moment; we should not be influenced by any such intemperate speech as my friend here, in his advocacy of this claim, has made to-night, throwing out insinuations against the party to which I belong and to which these other gentlemen on this side of the House belong. I deny the insinuations which he has made; and I am here to assert without fear of contradiction that the Democratic party of this country has done as much towards pensioning the meritorious soldiers as has the Republican party. [Derisive cries on the Republican side.]

Yes, sir, I repeat it; they have done as much toward pensioning the true soldiers as has ever been done by the Republican party. All that we ask is that when you present a case it shall be one of merit, and that no man shall be asked to vote for a case unless it does have such merit as to entitle the applicant to the bounty of the Government.

Now, I am satisfied that the gentleman from Pennsylvania did not mean what in the heat of this debate he sought to insinuate to-night. If he did, I am satisfied that after reflection he will most cheerfully take it back.

Mr. ROBINSON of Pennsylvania. To what do you allude?

Mr. MEREDITH. To the insinuation that members of this House who are Democrats are here for the purpose of defeating these pension bills.

Mr. ROBINSON of Pennsylvania. Did I not qualify that?

Mr. MEREDITH. Your qualification, sir, did not come up to what I think it ought to have been; and I was led to say that if this bill had merit in it, and was defeated, it would be by reason of the language which had fallen from your lips.

I deny, sir, that my people, I deny that gentlemen on this side of the House, have any purpose of defeating any pension legislation if it has any merit; if it is such a bill as should be passed by any House, whether the majority be Republican or Democratic. What I assert is that when you present a bill to be considered in a fair, manly way (if I may say so) it shall be supported by such facts, by such medical or expert testimony, as to show the absolute propriety of the granting or the increase of the pension by the Government.

Now, I understand that if this gentleman had lost an arm he would have been entitled to only \$36 a month. Is not that true?

Mr. ROBINSON of Pennsylvania. But he has other disabilities.

Mr. MEREDITH. When I ask the gentleman a question for information he is unable to answer it.

Mr. ROBINSON of Pennsylvania. I have answered yes; but I say he has other disabilities.

Mr. MEREDITH. But when it was asked whether those other disabilities were caused by service in the Army you stood mute; you were unable to answer.

Mr. BERGEN. The board answered that question.

Mr. MEREDITH. I want an answer to that question.

Mr. ROBINSON of Pennsylvania. Why do you not read the report?

Mr. MEREDITH. I have read the report; but there is not one word or syllable in it going to show that this case of hernia which you have described was caused by service in the Army.

Mr. BERGEN. There are other disabilities set forth in the report.

Mr. MEREDITH. I have nothing more to say. I simply rose for the purpose of repelling the insinuation made by the gentleman from Pennsylvania that the Democratic party was arrayed against these pensions for a purpose. I repel that insinuation with all the force with which I am capable.

Mr. BERGEN. May I ask the gentleman a question?

The CHAIRMAN. The gentleman from Virginia has relinquished the floor. The gentleman from Indiana [Mr. MARTIN] is recognized.

Mr. BERGEN. Will the gentleman submit to a question? [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The gentleman from Indiana has been recognized.

Mr. MARTIN. Mr. Speaker, I beg the attention of the committee for just one minute. This soldier was pensioned not only for the wounded arm, but for the hernia. It was incurred in the service. I speak of this simply for the purpose of setting that question entirely at rest. Without any reflection upon the opinions of my colleagues on the committee or any member of this House, it seems to me under all the circumstances I have a right, and it is my duty, to appeal to the House regardless of political divisions or political notions (things that ought never to enter into a discussion of this kind) to accept the amendment I have offered, giving this man \$50 a month. You may talk as you want to about it. Here is a man who did gallant service, who did lay down a good part of his life for his country, and has suffered for all of the years since that time, and his sufferings will never cease until his poor dazed eyes are closed forever on the light of day. [Cries of "Vote!" "Vote!"]

Mr. ROBINSON of Pennsylvania. I merely want to be straight on the record. What has fallen from the lips of the gentleman from Indiana carries out exactly what I said in my remarks.

Now, I do not want to make any insinuations that would be insulting to the other side of the House, and I did not make them. I wish simply to state this, that I said there were Democrats on the floor of this House who would go as far as I would go in granting pensions in meritorious cases. But I did say this, also, that it would seem to me there was a spirit amongst some of the majority side of the House opposed to this thing, and that is all I said; and I do not want to be put in a false position by anything gentlemen may assume on the other side as to my remarks.

I thank the gentleman from Indiana, in behalf of the claimant, for his defense of this meritorious claim.

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana to strike out "seventy-two" and insert "fifty."

The amendment was adopted.

The question recurred on the amendment as amended, and on a division there were—ayes 96, noes 11.

So the amendment as amended was adopted.

The CHAIRMAN. The question recurs on laying aside the bill with a favorable recommendation.

Mr. MOSES. I wish to amend that motion by moving to report this bill to the House with the recommendation that it do lie upon the table.

The question was taken; and on a division there were—ayes 15, noes 88.

Mr. LONG. No quorum.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. LONG and Mr. MARTIN were appointed tellers.

The committee proceeded to divide. Pending the division

Mr. LONG said: I withdraw the point of no quorum.

So (no further count being demanded) the bill was laid aside to be reported to the House with the recommendation that it do pass as amended.

ELLEN MILES BROWN.

The next business on the Private Calendar was the bill (H. R. 4376) granting a pension to Ellen Miles Brown.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$30 per month, the name of Ellen Miles Brown, widow of Dan L. Miles, late lieutenant-colonel of the Forty-seventh Illinois Volunteers.

The report (by Mr. SNOW) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4376) granting a restoration of pension to Mrs. Ellen Miles Brown, submit the following report:

This claimant was formerly the widow of Daniel L. Miles, who was lieutenant-colonel of the Forty-seventh Illinois Volunteer Infantry, and who was killed in action May 9, 1862. The widow was pensioned at \$30 per month, from the date of his death until January 2, 1868, when she remarried. From that date until February 15, 1887, when the youngest child became 16 years of age, a similar rate of pension was paid to the children of the soldier, or rather to this present claimant, as their guardian. The widow married Thomas Otley Brown, who was himself a soldier; he has since died, and she is now in receipt of a pension of \$12 per month as his widow. These facts duly appear from papers now on file. It is also shown that she has no means of support, except her pension, and that she is in poor health, which she attributes to care and nervous shock, due to the death of Col. Miles and her subsequent efforts to earn a livelihood.

It is within the personal knowledge of H. W. Snow, Member of Congress, that Mrs. Brown is an excellent lady of culture and refinement, and also of great liberality when she was possessed of means, and that since she last became a widow she has been in poor health and has been forced to work in a hotel for a maintenance when she was able to labor at all, being unable to maintain herself on her pension of \$12 per month. Col. Miles was one of the most gallant of the commanders of Illinois regiments and met an untimely death early in the war.

In view of these facts and in recognition of the worth of Col. Miles and of his widow, and in order that she may be in some degree restored, in her old age and infirmity, to the station in life, opportunities, and comforts to which she has been accustomed, your committee recommend that this bill do pass after being amended by striking out the words "at the rate," in line 4, and "of thirty dollars per month," in line 5, and inserting in lieu thereof the words "subject to the limitations and provisions of the pension laws," and in the beginning of line 6, before the word "widow," insert the word "as."

Mr. SEERLEY. I would like to ask a question of the gentleman who reported this bill, or of some other person who knows the facts in the case, whether there is any other reason for the increase in this allowance than the mere fact that this applicant is the widow of an officer. If no other reason is given I am opposed to the bill.

Mr. SNOW. Mr. Chairman, I will say in response to the gentleman from Iowa that the report accompanying the bill recites the facts of the case absolutely; and while I should be exceedingly glad to have this bill passed, yet I do say as a member of the House, and as a member of the Committee on Invalid Pensions, that I do not want any bill to pass that is not founded on absolute justice. I will not appeal to the members of this House to pass anything through the House simply because of the fact that I represent it.

I will state that what the report sets forth is correct. That this lady is the widow of Lieut. Col. Miles, who was killed in action in 1862. She received a pension at the rate of \$30 per month, but in 1877 she remarried a private soldier, and in doing so I may say virtually that she married a doctor's bill; that is to say, the private soldier was himself an invalid, and she had to take care of him the greater portion of the time. After his death when she herself had lost her health, and she still is in poor health, she was compelled to labor for her own subsistence; and the last time I saw this lady, who is one of culture and refinement, I saw her washing dishes in a hotel, trying to earn a subsistence, she having spent all of the little property she had in good works. She is a lady of the most estimable character, and now asks to be reinstated to the pension to which she was formerly entitled as the widow of Col. Miles, being unable to support herself.

Mr. BUSHNELL. When did her second husband die?

Mr. SNOW. Some five years after her marriage, which was in 1877.

Mr. SEERLEY. I desire to say right here that there are widows of private soldiers of culture and refinement who can only draw a pension of \$12 a month. And I do not propose, as long as I am in Congress, that the widows of officers shall be treated any differently than the widows of private soldiers, and if this bill passes it must pass in some other manner, and you must have a quorum to pass it.

Mr. DOCKERY. Mr. Chairman, in view of the statement of the gentleman from Iowa, I ask unanimous consent that this bill be laid aside without prejudice.

Mr. MARTIN. I want to make just one statement that I think may remove the objection in the mind of the gentleman from Iowa. The Committee on Invalid Pensions have adhered, without departing from it once, to this proposition, that no officer's widow's pension should be increased above the amount allowed by the general law; but here is a distinction made in the general law already, and we have felt, when it came to the mere matter of restoration, giving her that which she once had, inasmuch as it is already the general law, that it was not a violation of that principle which my friend supports. The committee agrees with him entirely upon that line; but when it comes to recognizing the rates fixed by the general law we did not feel like departing from them.

Mr. SEERLEY. She is on the list already at \$12.

Mr. MOSES. Mr. Chairman, I wish to address a few words to the House, but not directly upon the bill before us. The Democratic members have been abused because they did not see proper to vote for a bill to increase a pension from \$45 to \$72 per month. There are many old soldiers in this country who are yet without any pensions at all.

I wish to call the attention of the House to the fact that there is a class of old soldiers in this country of the average age of 84 years, men who fought for our homes sixty years ago, and who have never received one dollar in pensions, while the soldiers of all other wars have been liberally provided for. I refer to the veterans of the Indian wars of 1832 to 1842. This Democratic House has passed a bill to grant the paltry sum of \$8 a month to these veterans or their widows, and we sent it to the Senate three months ago. It has been buried there ever since.

I ask you gentlemen who talk to us so much about pensions for your soldiers, who abuse us for not doing more for them—I ask

how many of you have gone before the members of the Committee on Pensions of the Senate and have asked them to pass that bill to pension these old men? Too long already have they been left to grapple with penury and want, while younger soldiers have been amply provided for. The great majority of them will not live to see the Fifty-third Congress. If we act at once, we can only sustain them in their last faltering step upon the verge of the grave. To-day I had an engagement to go before that Committee on Pensions of the Senate, and when I went there the committee was not in session, and it is probable that they will not have another meeting during this session of Congress. This measure has been before Congress for years, and men of 84 to 90 years of age can not wait always upon the gratuity, if such you call it, of the magnanimous Republican Senate.

I say here and now that I do not propose to block anything that any member of this House may bring here; you have acted fairly; but I put the Republican Senate on notice that I shall exhaust every means of obstruction before one pension bill that they send here shall pass this body until they mete out justice to these veterans of the Indian wars of our country. As a rule the Senate expedites the passage of pension bills, but as soon as this bill went to the Senate what did they do? After letting it sleep for months in committee they put on amendments that they knew not only Democrats but even Republicans in the House would not vote for. They brought in an amendment to give service pensions to men who were soldiers in 1862, men thirty years younger than the soldiers provided for in the original bill. They knew that this House has not been committed to service pensions except in cases where the age of the beneficiaries rendered them incapable of self-support.

What does this course on the part of the Senate committee mean? They knew we could not pass the bill with these amendments upon it. What did they do it for? I charge it here, you men who talk to us Southern men about not pensioning your soldiers—who charge us with sectionalism—I assert upon this floor before the American people that they seek to defeat this bill because two-thirds of the beneficiaries live in the Southern States. You know that is true, and they know that such amendments will defeat the passage of the bill. They have always defeated it in that way.

Mr. RAY. What bill are you referring to?

Mr. MOSES. The gentleman has not been listening or he would know.

Mr. RAY. I have been listening.

Mr. MOSES. I refer to the bill passed by the House and now in the Senate to pension soldiers of the Indian wars of 1832 to 1842, including the Black Hawk war in the West, and their idea has been from the beginning, as it has always been in former years, to load the bill down with amendments which they knew would crush the life out of it. Now, I ask you as honorable and fair-minded men, is it fair? Just the other day this House passed a bill pensioning the army nurses of your army. I ask, is it fair to these old men, as they descend the wintry hillside of life, when they come here in their extreme old age and ask you to recognize them upon an equal footing with other soldiers of the Republic—is it fair to put upon their bill amendments that can have no other effect than to defeat it? The "army-nurse bill" was judged upon its own merits. Why not let this bill stand upon its merits?

Now, Mr. Chairman, I have deemed it my duty to say this because I have waited and waited until Congress is almost ready to adjourn. I have received from these old men and their widows heart-rending letters telling me for God's sake, if Congress ever expects to pass the bill, to pass it this year, because to a man 85 years of age time is an important consideration.

You know that the Senate expects to adjourn within the next ten days, and the committee will not probably meet again.

Now, what does it mean? What can this delay mean? I ask Republicans what does it mean? I do not wish to obstruct legislation; but I believe in reciprocity in this business, my friends. [Laughter.] I am a farmer when I am at home; and I do not like, when I feed hogs, to see one great big hog get into the trough and keep everything else out of it. [Laughter.] I do not accuse you of being hoggish. [Cries of "Vote!" "Vote!"] Oh, you may cry "vote;" but you will never cry me down by crying "vote." We are tired of "voting," when it is all one way. The golden stream flows ever to the North. There are five thousand old men in the South and West who are anxiously watching the fate of this measure. Why not cry "vote" for them? Are they unworthy? It is the only hope of a decent living left to many of them. Your infamous laws have robbed them of their earnings in former years, and now you would repudiate the debt you owe them.

The South contributes one-half of her cotton crop to the taxes of the country, one-fourth of which goes for pensions, and yet when these old veterans, our grandfathers, come and ask for a crumb you say, in effect, "Depart from me; I never knew you."

Mr. ENOCHS. I rise to a parliamentary inquiry.

Mr. MOSES. I just want to say a few words in conclusion.

Mr. ENOCHS. I do not want to oppose your bill.

Mr. MOSES. But I want to put the Republican Senate on notice. [Cries of "Vote!" "Vote!"]

Mr. ENOCHS. I simply want to ask a question, not of the gentleman but of the Chair. As I understand, that is a general bill for certain soldiers. As I further understand, under the rules of the House, to-night is set apart specially for the consideration of private bills. If that is so, we certainly have no jurisdiction to pass a general pension bill here to-night. Now, I do not want to oppose the bill the gentleman speaks of.

Mr. MOSES. I have not said that I was in order about this. I am speaking by the grace of the House. Still these men have a right to be heard, and as it is my only chance, I have availed myself of it.

Mr. DAVIS. You can state that this bill has already passed the House.

Mr. MOSES. It has already passed the House, and is smothered in the Senate.

Mr. BOWERS. Then what are you talking to us fellows for?

Mr. MOSES. Because I want you to go with me to your Republican Senators and ask them in the name of common honesty to pass this bill. Let them refuse, and they alone will be responsible for the failure of many of their own bills.

Mr. POST. Mr. Chairman, I am as much in favor of pensioning the soldiers of the Indian wars as the gentleman who has just spoken, and I will go with him to the Senate committee and do as much as he will to induce the Senate to report and pass the bill. But the question now before us is entirely a different thing. It is simply a question whether you will restore this lady the pension which was given her under the general law, and which was forfeited by her remarrying, her husband now being dead and she being in need. Now, I do not propose to continue this discussion, but I simply wished to state this, and will not revive the discussion which has taken place this evening. [Cries of "Vote!" "Vote!"]

The amendments reported by the committee were again read.

Mr. CAPEHART. I move to amend by striking out "thirty" and inserting "twelve."

Mr. POST. "Thirty" is already stricken out.

The CHAIRMAN. The amendment is to strike out "thirty" and to leave the bill limited to the general provisions of the law. Is there objection to the adoption of these amendments?

Mr. BUTLER. How will the bill then read?

The amendments were again reported.

Mr. YOUNG. I understand this widow is getting \$12 a month now.

The CHAIRMAN. Is there objection to agreeing to these amendments in gross?

Mr. SEERLEY. I object.

Mr. POST. I move that they be adopted.

The CHAIRMAN. The question is upon the adoption of the amendments.

Mr. HENDERSON of Illinois. Mr. Chairman, I regret exceedingly to hear my friend from Iowa object to the passage of this bill when it simply puts this woman upon an equality with the widows of other officers and soldiers. Her husband was a brave and gallant man. He went out from the State of Illinois and gave his life to his country.

Mr. SEERLEY. Will the gentleman allow me to ask him a question?

Mr. HENDERSON of Illinois. Certainly.

Mr. SEERLEY. Did you not have a great many brave soldiers who went out with you who left widows who are only getting \$12 a month?

Mr. HENDERSON of Illinois. Certainly; but I say, what is the objection to putting her on an equality with the widows of other officers and soldiers?

Mr. SEERLEY. Because I do not believe that the widows of the officers are entitled to a particle more than the widows of the privates.

Mr. HENDERSON of Illinois. Well, Mr. Chairman, that is a distinction that has always existed and, I believe, with very great propriety. If we were able to give every widow throughout the length and breadth of the land an equal pension I would be glad to do it, but we can not do that, and we can sometimes reward exceptional bravery and gallantry by making some distinctions, and I believe in recognitions of special merit and services in this country of ours, and would like to encourage them. I would like to encourage my children to grow up to be useful citizens of their country, and I believe that the higher their ambition the better citizens they will probably be. My friend would abolish all distinctions, and the effect of that policy would be to level down instead of leveling up.

Mr. LIVINGSTON. The gentleman speaks of this lady as the widow of an officer; is she not the widow of Mr. Brown?

Mr. HENDERSON of Illinois. She is; but if you propose to put her back upon the pension roll at all, why not put her upon an equality with other widows?

Mr. LIVINGSTON. But is she not the widow of Mr. Brown?

Mr. HENDERSON of Illinois. Yes, sir; but she was the widow of Col. Miles.

Mr. LIVINGSTON. And is she not drawing \$12 a month?

Mr. HENDERSON of Illinois. Yes, sir.

Mr. LIVINGSTON. If she is the widow of Mr. Brown, how can she be the widow of Col. Miles?

Mr. HENDERSON of Illinois. If that is an argument, why put her on the pension roll at all?

Mr. LIVINGSTON. How can she be the widow of Col. Miles when she married another man?

Mr. HENDERSON of Illinois. She was the widow of Col. Miles. She married again, and her husband is dead, and now the Committee on Invalid Pensions propose to put her back on the pension roll, and if they do that I say they ought to put her on an equality with the widows of other officers.

Mr. SNOW. Mr. Chairman, I ask unanimous consent that this bill be passed over without prejudice.

Several members objected.

The amendments recommended by the committee were agreed to.

The question was taken on laying the bill as amended aside to be reported to the House with a favorable recommendation; and there were—ayes 60, noes 15.

Mr. SEERLEY. No quorum, Mr. Chairman.

Mr. MARTIN. Mr. Chairman, I ask unanimous consent that this bill be withdrawn from the consideration of the committee.

Mr. POST. I hope the point of no quorum will not be made on this bill.

Mr. SEERLEY. I told you I would make that point and I will stand by what I said.

Mr. POST. Well, I think it is very unfair that one member should block the action of the House.

Mr. SEERLEY. Well, if you want to pass bills of this kind you will have to have a quorum.

The CHAIRMAN. The gentleman from Iowa makes the point of no quorum.

Mr. DOCKERY. But there is a request pending that the bill be laid aside without prejudice.

The CHAIRMAN. Is there objection to the request that this bill be laid aside without prejudice? [A pause.] The Chair hears none. The Chair understands the point of no quorum to be withdrawn.

Mr. DOCKERY. Mr. Chairman, I send up a bill that I am sure will pass. I ask that it be now considered.

The CHAIRMAN. The bill will be read, after which the Chair will ask for objection.

JOSEPH J. GRANBERRY.

The bill (H. R. 9332) was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph J. Granberry, a soldier of the Indian war of 1836, and pay him a pension at the rate of \$20 per month from and after the passage of this act.

Mr. SCOTT. Mr. Chairman, by what right is this bill called up out of its order?

Mr. CURTIS. By unanimous consent.

Mr. SCOTT. Unanimous consent was not given.

Mr. DOCKERY. Yes, it was.

The CHAIRMAN. The gentleman from Missouri [Mr. DOCKERY] asked unanimous consent, and the Chair directed the bill to be read, pending objection. Is there objection to the present consideration of this bill?

There was no objection.

The report was read.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

ANNA M. HOLSTEIN.

Mr. HALLOWELL. I ask unanimous consent for the present consideration of the bill (H. R. 8316) granting a pension to Anna M. Holstein, a hospital nurse during the war of the rebellion.

Several members objected.

Mr. WILSON of Missouri. Let the bills be taken up in their regular order.

ELIZABETH CARPENTER.

The next business was the bill (H. R. 5958) for the relief of Elizabeth Carpenter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Carpenter, widow of Jesse Carpenter, late private in Company A, One hundred and twenty-sixth Regiment West Virginia State Militia, who was killed while in line of duty in the late war.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5958) for the relief of Elizabeth Carpenter, submit the following report:

The soldier was a private in Company A, One hundred and twenty-sixth Regiment West Virginia State Militia, and while reconnoitering, in obedience to the orders of the captain of his company, was taken prisoner and killed November 19, 1861. The claim was rejected by the Pension Department on the ground that the soldier was not in the service of the United States.

It is shown by the evidence that the claimant is the widow of the deceased soldier; that there are no children under the age of 16 years; and it is also shown by the affidavit of Capt. King that the said soldier was regularly enlisted in said company and regiment, and by evidence that he was killed as stated.

The committee submit a favorable report and recommend the passage of the bill with the following amendment:

In line 9, after the word "war," insert "and pay her a pension at the rate of \$12 per month from the approval of this act."

The amendment recommended in the last paragraph of the report was read and agreed to.

The bill as amended was laid aside to be reported favorably to the House.

MARTHA A. BEERBOWER.

The next business was the bill (H. R. 5477) to pension Martha A. Beerbower.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha A. Beerbower, of West Virginia, widow of Jesse Beerbower, assistant surgeon of Third Potomac Home Brigade, in the late war, with the same rate of pension and rights she had before her name was stricken from the pension roll.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5477) to pension Martha A. Beerbower, submit the following report:

The claimant was granted a pension as the widow of Jesse Beerbower, deceased, late assistant surgeon of Third Maryland Volunteers, Potomac Home Brigade, in June, 1874, from date of said officer's death at the rate of \$17 per month and \$2 per month additional for one minor child. As the result of evidence obtained by special investigation of her case she was dropped from the roll in November, 1876, upon the ground that the disease causing the officer's death did not originate in his military service, but existed prior to his enlistment. Claimant made application for restoration to the roll in May, 1889, and filed evidence in support thereof, which the Department deemed insufficient and the application was refused. An appeal was taken to the Secretary of the Interior, who affirmed the decision of rejection. In affirming the decision the Secretary of the Interior admits that the evidence upon which claimant was dropped from the rolls was obtained in 1876 under the *ex parte* system of conducting investigations in vogue in the Pension Bureau at that date.

The soldier was mustered into the service February 2, 1863, discharged for disability May 16, 1864, and died on December 26, 1865. The records of the Department do not disclose the nature of the disability for which he was discharged, but the medical evidence states it was from lung disease. On the special *ex parte* examination of witnesses by the Pension Department, upon which the claimant was stricken from the roll, Dr. William Frey, who testified on the original application, stated that he knew at the time soldier went into the Army and for some time previous that he was consumptive and his lungs were tuberculous; thinks said disease was hereditary. William H. McGibbon, Lydia Hetherington, and John H. Hoffman know that he had consumption prior to enlistment; how they came in possession of this fact is not stated.

In the original examination Dr. Henry C. Stewart testified that he met the soldier, Jesse Beerbower, in April, 1862, who was then performing the duties of assistant surgeon of his regiment. He appeared vigorous and in good health and did not complain, and says he is of the opinion that if Beerbower's health afterwards failed him it must have been caused by exposure while in the service of the United States, and that this information was obtained from daily intercourse with said Beerbower.

Dr. J. W. Ramsey testified as follows:

"I knew Dr. J. Beerbower intimately before the war, from 1857 to 1861. He then resided in Preston County, Va., and was in good health and was not subject to any predisposition that I was aware of. We were personal friends as well as professional intimates, ate and slept together, although he was not possessed of the power of endurance, physical strength, of myself. He was capable of performing all the duties of a soldier, or the indescribable and almost unendurable hardships of a surgeon or medical officer in active field service. Our paths diverged. I was a surgeon in the service of the Confederate States, and never met him nor knew of him since the first beginning of the war."

B. F. McKeehan, ex-surgeon, writes to the Commissioner of Pensions:

"I certify that I am acquainted with Dr. J. W. Ramsey and know that his professional standing is good, and any statement that he may make in regard to the case of Jesse Beerbower can be relied on as correct."

Richard B. Waddle, Samuel Fikey, Lucien A. Smith, Henry E. Cole, Samuel F. Darley, and James H. Manown, late surgeon Sixteenth Regiment West Virginia Infantry, neighbors, all testify that they knew and were well acquainted with Jesse Beerbower for from five to seven years prior to his enlistment; that he was the family physician of most of them, and they were in daily and weekly intercourse with him during those years, and knew him to be a strong, healthy man, free from disease of any nature, and never heard or knew of his being afflicted with lung disease prior to his enlistment in the United States service.

As stated by the Pension Department, the testimony upon which claimant was dropped from the pension roll was obtained under the *ex parte* system of investigating pension claims at that time. The claimant was not afforded an opportunity to meet the witnesses face to face, nor was she furnished with the names of the witnesses or otherwise advised as to the nature of the adverse evidence obtained. The soldier was accepted into the service as a sound, able-bodied man, and a large preponderance of the testimony now on file establishes the fact in the minds of the committee beyond a reasonable doubt that he was a sound, able-bodied man prior to enlistment, and that his death was due to his army service.

Believing that the relief asked for ought to be granted, your committee submit a favorable report and recommend the passage of the bill.

The amendment reported by the committee was read, as follows:

At the end of the bill strike out "with the same rate of pension and rights she had before her name was stricken from the pension roll," and insert, "and her pension shall commence with the approval of this act."

The amendment was agreed to.
The bill as amended was laid aside to be reported favorably to the House.

EMILY R. WEBSTER.

The next business was the bill (H. R. 5019) for the relief of Emily R. Webster.

The bill was read, as follows:
Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, at the rate of \$50 per month, the name of Amelia R. Webster, widow of the late Capt. John A. Webster, jr., United States Revenue Marine Service, and pay her a pension on and after the passage of this act.

The report (by Mr. WILSON of Missouri) was read, as follows:
The Committee on Pensions, to whom was referred the bill (H. R. 5019) granting a pension to Amelia R. Webster, have considered the same and respectfully report as follows:

The service of the claimant's late husband, Capt. John A. Webster, jr., in the Revenue Marine Service, is reported by the Treasury Department as follows:

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 6, 1892.

"SIR: Respectfully referring to the request for a report on the service in the Revenue Marine of the late Capt. John A. Webster, jr., for use of Committee on Pensions in its consideration of House bill No. 5019, I have the honor to state that the records show that John A. Webster, jr., was commissioned a third lieutenant in said service November 17, 1842. He was successively promoted to second and first lieutenant and captain. His commission to the last-named grade was dated July 27, 1860. He died April 6, 1875, at Ogdensburg, N. Y., while attached to the revenue steamer Chase.

"During the war with Mexico he was attached to the revenue steamer Spencer, which vessel was ordered by the President to cooperate with the Navy in the prosecution of said war.

"While in command of the revenue cutter Dobbin, stationed at Savannah, Ga., his vessel was boarded at 1:30 a. m., January 3, 1861, and taken possession of by a large armed force, and so held until on the following day, when, being released, he put to sea for Baltimore. Arriving at that port he was ordered to Norfolk with his command, where he remained until subsequent to the commencement of hostilities; and then, fearing detention or capture by the authorities of Norfolk, or the State of Virginia, and without awaiting orders from the Department, he proceeded to Wilmington, Del., and reported from that place. He thus, on two separate occasions, saved his vessel to the Government.

"Respectfully yours,

"O. L. SPAULDING,
Acting Secretary.

"Hon. R. P. C. WILSON,
Chairman Committee on Pensions, House of Representatives."

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 11, 1892.

"SIR: Respectfully referring to my letter, addressed to you on the 6th instant, in relation to the service in the Revenue Marine of Capt. John A. Webster, jr., for use of your committee in the consideration of House bill No. 5019, I have the honor to state the following in connection therewith with by inadvertence omitted.

"In December, 1863, the Confederate privateer Chesapeake made her appearance and was committing depredations along the New England coast. Capt. Webster, in command of the revenue-cutter Dobbin, stationed at Portland, Me., on the 9th of that month, by order of the collector of customs at that port, manned with his officers and crew the United States gunboat Agawan, just completed, and put to sea in search of the privateer, then supposed to be in the immediate vicinity of Portland, and made a cruise of eight days, but without overhauling the object of his search.

"Respectfully yours,

"O. L. SPAULDING,
Acting Secretary.

"Hon. R. P. C. WILSON,
Chairman Committee on Pensions, House of Representatives."

The claimant's statement in her own behalf is as follows:
"Capt. John A. Webster, jr., entered the United States Revenue Marine Service on November 17, 1842, when but 16 years of age, and served most faithfully and earnestly from that time until his death, which occurred April 6, 1875. While stationed at Savannah at the outbreak of the late war his vessel was seized before the State seceded and run aground under the guns of Fort Pulaski. After some delay he was allowed to communicate with Governor Brown, who wrote him that his vessel was seized by an unauthorized party, and that his manly appeal had been regarded, and that assistance would immediately be rendered him. But none arriving and delay being dangerous, he worked with his crew for hours, and succeeded in getting his vessel afloat.

"Reporting himself in the Chesapeake he was ordered to Hampton Roads. The State of Virginia soon seceded and his was the only Government vessel which escaped from that port. Two of his officers had resigned immediately upon their arrival. A letter from an ex-captain of the service, which reached Capt. Webster, stated that the Dobbin had a narrow escape, as 50 armed men in fully equipped boats arrived just in time to see, 'much to their chagrin, that the bird had flown.' Gen. Dix, then Secretary of the Treasury, sent his 'congratulations and unqualified approval of Capt. Webster's course.' Subsequently while on the Maine station, he succeeded by his promptness and energy in recapturing two Confederate-ex-naval officers who had escaped from Fort Warren.

"During the winter of 1864, while in command of the naval gunboat Agawan, searching for the captured steamer Chesapeake, he encountered a most disastrous gale and the vessel being in an unfinished state the suffering was severe and the peril great, and to Capt. Webster's calm and assiduous care was the safety of crew and ship ascribed. His humane services rendered British seamen in distress on our coast have been acknowledged by a valuable chronometer watch and chain presented from their Government. In 1870 he was ordered to the Alaska coast to cruise to the Bering Sea in a small and ill-ventilated schooner. After two years he returned to us so broken in health as to live but sixteen months. Up to this time he had never in his life had forty-eight hours' indisposition.

"During the Congress of 1877 an application for a pension for the widow of Capt. Webster was filed, but not presented upon the advice of Mr. HALE, who was of the opinion that the Revenue-Marine Service would be put upon a different basis, granting pensions to the widows of its officers. Since then the widow of Capt. James D. Usher, by special act, July 22, 1882, was granted a pension corresponding to that given the widows of officers of the same rank in the Navy. On February 25, 1891, a pension was granted the widow of Capt. David C. Constable of \$30 per month.

"AMELIA R. WEBSTER,
1412 I street."

The following correspondence will show the estimation in which the service of Capt. Webster was held:

"PORTLAND, November 27, 1877.

"MY DEAR MRS. WEBSTER: I was very glad to receive last evening your letter of the 23d, inclosing your petition for a pension. It states the case clearly and forcibly, and I hope will find a just response from Congress. If any man by long, faithful, and devoted service to his country, by prompt and cheerful compliance with every order and request by those under whom he served, was the creditor of the Government, it was your excellent and admirable husband. He was the very model of an officer and a man. No inconvenience, no illness, no storm, no danger ever held him from the performance, and the cheerful performance, of his duty for an instant.

"I well remember how he appeared, when in the fall or winter of 1863 (or 1864) at the time of the capture of the Chesapeake steamer, plying between New York and Portland, by the rebel Braine, I sent for him to know if he could take command of the new steamer, Agawan, which I wished to send to the East in pursuit of Braine. 'Yes, sir; whenever you want me to go, I am ready now.' The Agawan was a United States ship, a double-ender, built here by Mr. Lawrence for the Government, and at that time just about ready for sea. She was off in an unusually short time under the command of Capt. Webster, and with a hundred or more men as seamen, etc., volunteers for the occasion. I think you must remember the time. My son Henry was one of the party and can give you many facts in regard to the trip and the terrible storm that they encountered, and which only, I think, your husband's grand seamanship and moral power saved from being a fatal one. Gen. Casey, who was then in Portland, must have some recollection of this affair.

"Very respectfully and truly yours,

"I. WASHBURN, Jr."

"TREASURY DEPARTMENT, May 23, 1887.

"SIR: It is with much gratification that the Department transmits to you herewith copies of letters from the Department of State, and the British minister, Sir F. W. A. Bruce, accompanied by the gift of a gold chronometer presented to you, with the consent of Congress, by the Government of Great Britain, as a testimonial in acknowledgment of efficient aid rendered by you in command of the revenue steamer Mahoning to several British vessels in distress on our coast.

"In thus being the medium of conveying to you this valuable and useful present of the Queen's Government, this Department takes occasion to congratulate you that your service in the particular mentioned, prompted as it undoubtedly was by your zeal to perform your duty as an officer and to exercise your humanity as a man, should receive so distinguished a mark of favor from a foreign power.

"I am, very respectfully,

"H. McCULLOCH,
Secretary of the Treasury.

"Capt. I. A. WEBSTER, Jr.,
Revenue steamer Mahoning, Portland, Me."

Under date of October 22, 1887, Dr. J. H. Benton, of Ogdensburg, N. Y., certifies that he attended Capt. Webster for pneumonia, and that the captain died of that disease at Ogdensburg on the 7th of April, 1875. From the history of the case Dr. Benton was of the opinion that Capt. Webster's constitution was injured and impaired by exposure while on service at Alaska, so much so that when attacked with pneumonia he sank rapidly, his recuperative powers being gone.

If it were not for the valuable service rendered the country by Capt. Webster in time of war, by cooperating with the naval service, your committee would hesitate to follow precedents allowing pensions on account of service in the Revenue Marine, but in the light of his actual war services your committee believe that the relief prayed for by his widow can justly and properly be allowed.

The passage of the bill, with an amendment fixing the rate of pension at \$30 per month, is recommended.

The amendment reported by the committee was read, as follows:
Strike out "50" in line 5 and insert "23," so as to make the pension \$30 a month.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

PETER DONNELLY.

The next business was the bill (H. R. 4832) to pension Peter Donnelly for service in the Indian war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Peter Donnelly, of Mohawk, Herkimer County, N. Y., who enlisted on the 28th day of September, 1837, and served in Captain Dimick's company, First Regiment United States Artillery, Indian war, or in the Florida war with the Seminoles from 1835 to 1842, and pay him the same pension as is allowed by law for services in the war of 1812.

The report (by Mr. WILSON of Missouri) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4832) granting a pension to Peter Donnelly, have considered the same and report: The records of the War Department show that Mr. Donnelly was enlisted September 28, 1837; assigned to Battery D, First United States Artillery; subsequently transferred to Battery H, First Artillery, and discharged September 28, 1840, by expiration of term of service at Hancock Barracks, Me., a sergeant.

It is reliably shown (the gentleman who introduced the bill vouching for the facts) that the claimant is 73 years old and dependent upon his wages as a daily laborer for support. It is further shown that he is an honest, industrious, and worthy man.

The passage of the bill is recommended.

The bill was laid aside to be reported favorably to the House.

ANTHONY M. KENNEDY.

The next business was the bill (H. R. 3896) to pension Anthony M. Kennedy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, at the rate of \$12 a month, the name of Anthony M. Kennedy, late of the Richard Volunteer Rifle Company (Capt. Benjamin Elmore's company) in Col. Robert Goodwyn's regiment, in the Florida war of 1836.

The report (by Mr. WILSON of Missouri) was read, as follows:
The Committee on Pensions, to whom was referred the bill (H. R. 3896)

granting a pension to Anthony M. Kennedy, have considered the same and report:

The claimant was enrolled February 15, 1836, to serve three months, in Capt. Elmore's company, South Carolina militia, Florida war, and was mustered out of service with the company as a private, May 12, 1836.

The testimony shows that the claimant is 75 years old, without property or means of support, and incapacitated by the infirmities of age for the performance of labor.

There are many precedents for the allowance of the relief prayed for, and your committee therefore return the bill with a favorable recommendation. Amend by striking out the word "twelve," in line 5, and inserting in lieu thereof the word "eight;" also, by striking out the words "in Col. Robert Goodwyn's regiment," in lines 7 and 8.

The amendment recommended by the committee in the last paragraph of the report was read and agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ANNA M. HOLSTEIN.

Mr. HALLOWELL. I ask unanimous consent for the present consideration of the bill (H. R. 8316) granting a pension to Anna M. Holstein, a hospital nurse during the war of the rebellion.

There being no objection, the Committee of the Whole proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Anna M. Holstein, a hospital nurse during the war of the rebellion, on the pension list, and pay her a pension of \$40 per month from and after the passage of this bill.

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

The Committee on Invalid Pensions have considered the bill (H. R. 8316) granting a pension to Anna M. Holstein, an army nurse, and submit the following report:

The petitioner states that she served voluntarily and without compensation in the field hospitals of the Army of the Potomac from the battle of Antietam, September, 1862, until July 3, 1865. The records of the War Department show that Mrs. H. M. Holstein, who is unquestionably identical with this petitioner, was appointed matron in chief of the General Hospital, Camp Letterman, Gettysburg, Pa., August 11, 1863; the name of Mrs. Anna H. Holstein also appears of record as a nurse at City Point, Va., in July, 1864. Ex-Governor A. G. Curtin, of Pennsylvania, certifies that Mrs. Holstein served in connection with the hospitals from 1862 to 1865, and gave devoted and useful service to the care of the sick and wounded. The fact that she rendered exceptionally valuable services, extending over a long period of time, is shown by numerous original letters and documents written during the war, and also by innumerable letters and affidavits from officers and surgeons who had personal knowledge of the facts, among them being ex-Governor Beaver, Dr. Justice Darnelle, Col. Edward Jay Allen, Dr. J. E. West, Dr. H. C. May, Dr. T. O. Cornish, Capt. John C. Hilton, Dr. C. N. Chamberlain, and others.

It is also shown that Mrs. Holstein is in needy circumstances and without means of support.

Your committee recommend that the bill be amended by striking out the word "forty," in the sixth line, and inserting in lieu thereof the word "twelve," so that the amended bill shall read: "pay her a pension of \$12 per month," etc.

With this amendment your committee report the bill favorably with the recommendation that it do pass.

The amendment recommended by the committee, striking out "forty," in the sixth line of the bill, and inserting "twelve," so as to make the pension \$12 per month, was read and agreed to.

The bill as amended was laid aside to be favorably reported to the House.

CAROLINE A. SMITH.

The next business was the bill (H. R. 6108) granting a pension to Caroline A. Smith, widow of Philander Smith, of West Tisbury, Mass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls, subject to the provisions and limitations of the pension laws, the name of Caroline A. Smith, widow of Philander Smith, late of the ship Edward, Mexican war, and allow her a pension at the rate of \$8 per month.

The report (by Mr. WILSON of Missouri) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 6108) granting a pension to Mrs. Caroline A. Smith, have considered the same and report:

The claimant's deceased husband, Philander Smith, was one of the crew of the United States whaleship Edward, commanded by Capt. John S. Barker, which ship being on a cruise in the Pacific Ocean (during the progress of the war with Mexico) touched the shores of Mexico at a place called San Joseph, where they were spoken by a trading sloop to go to the rescue of the garrison at said place, which was in the possession of our American troops (twenty-eight men), but which was surrounded by several hundred Mexicans, cutting off the water front.

The whaling ship Magnolia dropped anchor near the Edward, and at the request of the garrison the forces of the two ships were combined, making a force of about 60 men, who landed, drove the enemy back, and remained there until the United States ship Relief relieved them. In order to perform the service above named the ships Edward and Magnolia were left in charge of two men each, and the landing force marched 14 miles to reach the garrison. After relief came the ship Edward took dispatches to Commodore Shubrick, who was stationed at Mazatlan with the squadron. Commodore Shubrick returned thanks in behalf of the Government for the service rendered by the Edward on that occasion, and at his request the Edward carried fixed ammunition, shells, etc., back to the garrison.

The official report of the United States Fish Commission for 1875-'76, contains at the bottom of page 113, the following statement:

"The London Mercantile Gazette of October 2, 1852, said: 'The number of American ships engaged in the southern whale fisheries alone would of themselves be nearly sufficient to man any ordinary fleet of ships of war which that country might require to send to sea. Instances are not wanting, indeed, where whalers have undertaken yeoman service for their country. Thus in November, 1846, Capt. Simmons, of the Magnolia, and Capt. John E. Baker, of the Edward, both of New Bedford, hearing that the garrison of San

Jose, Lower California, was in imminent danger, landed their crews and marched to its relief, etc.'"

On page 421 of the same volume a table showing returns of whaling vessels sailing from American ports has a marginal note mentioning the fact that Capt. Barker, of the Edward, marched with his crew to the relief of the garrison of San Jose in 1846.

The following certificate accompanies the bill:

"CUSTOM-HOUSE, NEW BEDFORD, MASS.
"Collector's Office, February 23, 1892.

"I certify the records of this office show that Philander Smith was second mate of ship Edward, of this port, on a whaling voyage to the Pacific Ocean, from July 15, 1845, to April 6, 1849.

"Given under my hand and seal of office on the day and year above written.

"[SEAL.] "JAMES C. HITCH,
"Deputy Collector."

Jared B. Vincent and David N. Looke testify to the claimant's identity as the lawful widow of Philander Smith, and that she is now 55 years old, in feeble health, and obliged to depend upon her labor for support.

Dr. B. Hillman testifies to the claimant's suffering from rheumatism and dropsy, and George James and Charles H. Perry testify to having served with the deceased sailor on board the Edward at the time above referred to.

Several of the survivors and the widows of participants in the above-named voyage and expedition have been granted pensions by special act of Congress, and your committee believe that this is also a case in which the relief prayed for can properly be granted.

The passage of the bill is therefore recommended.

The bill was laid aside to be favorably reported to the House.

MRS. MARY E. DONALDSON.

The next business on the Private Calendar was the bill (H. R. 929) granting a pension to Mrs. Mary E. Donaldson.

The bill was read, as follows:

Whereas Lieut. Charles V. Donaldson, of the Twenty-fourth United States Infantry, while on leave of absence from Fort Grant met his death near Santa Ana, Cal., on the 15th day of July, 1890, under circumstances as set forth in Orders No. 33, July 20, 1890, headquarters Twenty-fourth Infantry at Fort Bayard, N. M., as follows: "Two young ladies were swept out to sea while bathing in the surf, and Lieut. Donaldson swam out to save them. He succeeded in rescuing one, and after leaving her in safety returned to the succor of the other, but exhaustion overpowered him and both were lost;" and

Whereas in so giving up his own life in the struggle to save others, under circumstances in the highest degree honorable to his memory as a man and an officer of the United States Army: Therefore.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll the name of Mrs. Mary E. Donaldson, of Santa Ana, Cal., widow of the said Lieut. Charles V. Donaldson, and to pay her a pension at the rate of \$25 per month.

The report (by Mr. BOWERS) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 929) granting a pension to Mrs. Mary E. Donaldson, have considered the same and respectfully report as follows:

The following reports, orders, etc., fully show the service of the claimant's deceased husband, Charles V. Donaldson, and also the circumstances under which he lost his life:

"WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
"Washington, January 21, 1892.

"SIR: I have the honor to transmit to you herewith, in accordance with your verbal request of the 20th instant, a statement of the military record of the late Lieut. Charles V. Donaldson, Twenty-fourth Infantry.

"Very respectfully, your obedient servant,

"J. C. KELTON,
"Adjutant-General.

"Hon. W. W. BOWERS,
"Of Committee on Military Affairs,
"House of Representatives, Washington, D. C."

Statement of the military service of Charles V. Donaldson, of the United States Army, compiled from the records of this office.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January —, 1892.

He was a cadet at the United States Military Academy July 1, 1883, to June 11, 1888, when he was graduated and promoted in the Army to second lieutenant, Twenty-fourth Infantry, June 11, 1888.

He joined his regiment September 30, 1888, and served with it at San Carlos, Ariz., to March 12, 1889; at Fort Grant, Ariz., to July 9, 1890, when he availed himself of leave of absence for one month; "lost his life by drowning at Santa Ana, Cal., July 15, 1890, while trying to save the lives of others which were in danger."

J. C. KELTON, Adjutant-General.

HEADQUARTERS DEPARTMENT OF ARIZONA,
Los Angeles, Cal., July 16, 1890.

SIR: Referring to my telegram of this date, regarding the death of Second Lieut. C. V. Donaldson, Twenty-fourth Infantry, I have the honor to report that I went immediately to Santa Ana, where I saw the body of Lieut. Donaldson, and interviewed eye-witnesses of the occurrence.

From all I can ascertain the facts are these: Lieut. Donaldson was at Santa Ana on a brief leave of absence from Fort Grant to visit his wife, who was ill at her father's house at Santa Ana.

Lieut. Donaldson's sister was expected by steamer from San Francisco, and he went to meet her at the landing.

A surf-bathing party was formed and Lieut. Donaldson had been in the water but a few minutes when two young ladies were swept out to sea. Lieut. Donaldson swam out to save them. He rescued one and handed her to her father who had followed him, and then pushed out to rescue another, but both were overcome and perished.

Lieut. Donaldson's body was washed ashore by the undertow, and the lady's body was recovered by dragging from boats, which put out promptly when the cry for help was raised.

Lieut. Donaldson was a very efficient young officer, and although technically "on leave of absence" at the instant of his death, he surely died as a brave soldier, "in the discharge of duty" and in performing a sacred obligation to save human life.

The officers of the National Guard of California have taken charge of Lieut. Donaldson's body, have mounted an armed guard of honor over it,

and have arranged for interment with all military honors at Santa Ana, to-morrow, July 17.

Very respectfully, your obedient servant,

WM. J. VOLKMAR,
Assistant Adjutant-General.
(In absence of the department commander.)

The ADJUTANT-GENERAL, U. S. ARMY,
Washington, D. C.
(Through Headquarters Division of the Pacific.)

[Orders No. 165.]

FORT GRANT, ARIZ., July 19, 1890.

The painful duty devolves upon the commanding officer of announcing the death of Second Lieut. Charles V. Donaldson, Twenty-fourth Infantry, which occurred at Santa Ana, Cal., on the 15th instant.

Lieut. Donaldson nobly sacrificed his own life while saving the lives of others. Having saved one lady from death by drowning he bravely returned to the rescue of another and gave up his life in the attempt.

Charles V. Donaldson was graduated from the Military Academy and appointed second lieutenant Twenty-fourth Infantry July 11, 1888, joined his regiment the following October, and has served continuously with it since that date. Earnest and conscientious in the discharge of his duty, pure in his life, he won the respect of all who came in contact with him. The bereaved family of the deceased has the heartfelt sympathy of this garrison.

By order of Maj. Norvell.

JOHN LITTLE, Post Adjutant.

[Orders No. 33.]

HEADQUARTERS TWENTY-FOURTH INFANTRY,
Fort Bayard, N. Mex., July 20, 1890.

It devolves upon the colonel commanding to announce to the regiment the loss of a gallant young officer, Second Lieut. Charles V. Donaldson, who died on the 15th instant, at Santa Ana, Cal., under circumstances in the highest degree honorable to his memory.

Two young ladies were swept out to sea while bathing in the surf, and Lieut. Donaldson swam out to save them. He succeeded in rescuing one and, after leaving her in safety, returned to the succor of the other, but exhaustion overpowered him and both were lost.

Lieut. Donaldson was born in Sweden, January 11, 1864, entered the Military Academy July 1, 1883, was graduated June 11, 1888, and appointed second lieutenant Twenty-fourth Infantry on the same day. He joined his company at San Carlos, Ariz., on September 30, 1888, and served at his post and at Fort Grant until within a few days of his death, performing cheerfully and efficiently the field and garrison duties that were assigned to him. In March of the present year he was selected to command the guard in charge of a number of Apache prisoners from Fort Grant, Ariz., to Fort Union, N. Mex., and he fulfilled this duty to the entire satisfaction of his military superiors.

Lieut. Donaldson's service while living was in every way creditable, and in so nobly giving up his life to save another he has shed honor upon his own name and upon the regiment.

As a mark of respect for his memory officers will wear the prescribed badges of mourning for thirty days.

By order of Col. Bliss.

J. J. BRERETON,
First Lieutenant and Adjutant Twenty-fourth Infantry.

Official:

J. J. BRERETON,
First Lieutenant and Adjutant Twenty-fourth Infantry.

The gentleman who introduced the bill is authority for the statement that Mrs. Donaldson stands in great need of the pension, she having no property or means of support.

There are precedents for the allowance of pensions on account of injuries or death resulting from accidents incurred under circumstances similar to the above. One of these is the case of Thomas Shannon, who was pensioned by the Fifty-first Congress on account of wounds sustained by attempting to save others from injury while on pass.

In the light of all the facts your committee believe that as an act of justice and mercy the bill for the relief of this gallant officer's widow should be passed, and the same is therefore returned with a favorable recommendation.

Amend by fixing the rate of pension to be allowed at \$15 per month.

The amendment recommended by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE W. SCHACHLEITER.

Mr. ENOCHS. Mr. Chairman, I desire to ask unanimous consent for the present consideration of the bill (H. R. 4071) for the relief of George W. Schachleiter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove from the record of George W. Schachleiter, late of Company G, Seventy-fourth Regiment of Pennsylvania Volunteer Infantry, war of 1861, any charge of desertion that may exist against him as a member of said company and regiment, and to issue to him a certificate of honorable discharge therefrom, to date July 25, 1865.

The report (by Mr. BOWERS) is as follows:

The Committee on Military Affairs, to which was referred the bill (H. R. 4071) for the relief of George W. Schachleiter, having carefully considered the evidence, find this soldier enlisted in Company G, Fifty-fourth Pennsylvania Volunteers, October 1, 1861, aged between 17 and 18 years.

While in line of duty in 1862 he was badly wounded and ruptured, from which he was unable to perform military duty. Under verbal order from his lieutenant-colonel (John Hamm), then in command of said regiment, this soldier was ordered to take charge of sick and wounded of said regiment and conduct them to place of safety and remain until he was able to perform military duty. He obeyed said orders and went to the rear, after which his injuries grew worse, there being very poor arrangements for taking care of or treating his injuries; being wholly disabled from performing duty as a soldier and believing that he was acting under the orders of his commanding officer, went to his home, where he put himself under medical treatment.

The evidence shows clearly this soldier from that time received constant medical treatment for several years thereafter. His attending physician is now dead, but evidence is produced of reputable witnesses who saw and examined his wounds and rupture; testify as to these injuries from personal examination that they were such as to render him entirely unfit for the serv-

ice; that he so continued during the entire war; yet he was employed on a steamboat which was in Government service and performed light duty there until the close of the war. He swears positively to his having received the orders before mentioned from his commanding officer to remain in the rear until he was able to perform such duty after his injuries.

After considering all the facts and circumstances connected with this case, the committee report the bill back with a recommendation that it do pass with the following amendment:

Provided, That no pay, bounty, or emoluments shall become due by virtue of the provisions of this act.

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

Mr. BUTLER. I ask the regular order.

Mr. ENOCHS. Mr. Chairman, I hope the gentleman will not object. I have been here every night trying to get these bills through, and I may be at my home on next Friday evening. I simply ask this as a favor, as I will probably not be here at the next meeting.

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

Mr. SEERLEY. I object.

The CHAIRMAN. Objection is made.

Mr. ENOCHS. I hope, in view of the fact I have stated, that the gentleman will not insist upon the objection.

The CHAIRMAN. Is the objection insisted upon?

Mr. SEERLEY. I withdraw the objection.

Mr. BUTLER. Mr. Chairman, having objected and being about to withdraw the objection, I will state the reason I objected in the first instance was because I was not in favor of allowing these cases, for the removal of charges of desertion to come up ahead of simple pension cases. But owing to the statement of the gentleman from Ohio that he will probably not be here at the next meeting I withdraw the objection.

The CHAIRMAN. Is there further objection?

There being no further objection the bill was considered, the amendment recommended by the committee adopted, and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MARTHA J. GRIFFITH.

Mr. BRYAN. Mr. Chairman, I want to ask unanimous consent for the present consideration of a bill to which I think there will be no possible objection. It is simply for the restoration of a widow to the rolls who remarried and thereby lost her pension. The marriage was set aside or a divorce granted on the ground that the man whom she married had a wife living at the time.

The CHAIRMAN. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll the name of Martha J. Griffith, widow of Moses Griffith, late of Company A, Twentieth Regiment Pennsylvania Cavalry, at \$12 per month, pay to date from December, 1870.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 6752) granting a pension to Martha J. Griffith, and submit the following report:

Moses Griffith enlisted January 4, 1864, in Company A, Twentieth Pennsylvania Cavalry, and died in service November 6, 1864; his widow, Martha J. Griffith, drew a pension from that date to December 26, 1870, when she married J. B. Kast, and pension was subsequently paid to the children of the soldier, until November 19, 1875, when the youngest became 16 years of age, since which date no pension has been paid.

On May 16, 1881, a decree of divorce was granted the wife by the court of common pleas, Cumberland County, Pa., a certified copy of which is on file. The grounds on which the divorce was granted do not appear in the record. There is a quantity of evidence on file in the Pension Bureau to show that Mr. Kast had a living undivorced wife at the time of his so-called marriage to Mrs. Griffith; that she first learned this fact some two years afterward, and that she on that account left him and ceased to live with him on the ground that the so-called marriage was a nullity, and that this was the ground on which the decree of divorce was based.

The evidence is of such character and in such quantity as to leave no doubt that such was the case. The decree of the court was, however, simply a divorce and not a decree of nullity, and hence the Pension Bureau is unable to restore pension to the widow. She has, however, clearly an equitable title to have her name replaced on the rolls, and your committee therefore return the bill with the recommendation that it do pass after being amended as follows:

Strike out all of the bill after the word "month," in line 7, and insert in lieu thereof the words "subject to the limitations and provisions of the pension laws."

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

Mr. HAYES of Iowa. I demand the regular order.

The CHAIRMAN. Objection is made.

Mr. WILSON of Montana. I think the proper way to consider these bills is to call the Calendar as it is printed.

Mr. BRYAN. I hope my friend will not object. I have been here every night. I have not objected to any claim. I want them all to have fair consideration.

The CHAIRMAN. Objection is made, and the Clerk will report the next bill on the Calendar.

Some time subsequently, the objection having been withdrawn, the bill was considered, the amendment recommended by the committee adopted, and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS THOMPSON.

The next business on the Calendar was the bill (H. R. 7042) granting a pension to Thomas Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension roll the name of Thomas Thompson, dependent and crippled son of Cornelius Thompson, late a private in Company D, One hundred and ninety-second Ohio Volunteer Infantry, and pay him a pension of \$12 per month.

The amendment recommended by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ABRAHAM DALLY.

Mr. CUMMINGS. Mr. Chairman, I wish to ask unanimous consent for the present consideration of the bill (H. R. 8159) to increase the pension of Abraham Dally, late corporal of Capt. Andrew Bremner's company, Eleventh Regiment Heavy Artillery, commanded by Lieut. Col. Cornelius Harsen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Abraham Dally, late corporal in Capt. Andrew Bremner's company, in the Eleventh Regiment Heavy Artillery, commanded by Lieut. Col. Cornelius Harsen, to the sum of \$100 per month.

The report (by Mr. WILSON of Missouri) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8159) granting an increase of pension to Abraham Dally, have considered the same and report:

The claimant was a corporal in Capt. A. Bremner's company of New York militia, and served from September 2, 1814, to December 14, 1814, in the war of 1812. He is now in receipt of a pension of \$8 per month, provided by the act of February 14, 1871, for the survivors of said war.

The proof shows that his age is now 97 years and that he is in very feeble health. It is also shown that he has no property or income aside from his pension, and that he is largely dependent upon charity for the necessaries of life.

Your committee recommend the passage of the bill with an amendment fixing the rate of pension at \$25 per month.

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

There being no objection, the bill was considered; the amendment recommended by the committee was adopted, and the bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

JOHN D. PRATOR.

Mr. McRAE. Mr. Chairman, I ask unanimous consent for the present consideration of the bill (H. R. 4034) granting an increase of pension to John D. Prator.

Mr. HAYES of Iowa. I must object, Mr. Chairman, and call for the regular order.

The CHAIRMAN. The regular order is demanded, and the Clerk will report the next bill on the Calendar.

Mr. McRAE. I have a right to have the bill read before objection is made.

The CHAIRMAN. The regular order is demanded, and the regular order is to proceed with the Calendar.

Mr. McRAE. But when I am recognized to ask unanimous consent I certainly have the right to have the bill read before objection is made to its consideration.

The CHAIRMAN. The Chair thinks not, when the regular order is called.

Mr. McRAE. Then what am I recognized for?

The CHAIRMAN. The gentleman rose to ask unanimous consent for the consideration of a bill, but objection was made, the regular order being demanded.

Mr. McRAE. But before the consent that I had asked is refused have I not a right to have the bill read?

The CHAIRMAN. Not when the demand for the regular order is made, the Chair thinks.

Mr. HAYES of Iowa. I demand the regular order.

The CHAIRMAN. The regular order is to proceed with the Calendar, and the Clerk will report the next bill.

MARY A. SIPP.

The next business was the bill (H. R. 7235) granting a pension to Mary A. Sipp.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Sipp, widow of Andrew M. Johnson, late of Company F, Thirty-first Regiment of Iowa Infantry, and who as such widow was allowed a pension heretofore, and pay her at the rate of \$12 per month.

Mr. McRAE. I ask that the report be read.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7235) granting a pension to Mrs. Mary A. Sipp, having examined and considered the same, report the same back to the House with a recommendation that it do pass.

Mrs. Mary A. Sipp was the wife of Andrew M. Johnson, late of Company F, Thirty-first Regiment Iowa Infantry, and who died while in service. She

had by said soldier a family of seven children, and after his death was granted a pension on her own account and on the account of said children. In 1868 she married one Daniel Sipp, who was a widower with several children. After said marriage they did not agree, and she left him, on account of his refusing to allow her children to live in the same house with them. She claims that he was entirely worthless so far as property was concerned and so far as ability to make a living was concerned.

This separation took place about nineteen years ago, since which time she has received no provision from him toward her support, has not heard from him in nineteen years, and she believes that he is now dead. She has no property whatever outside of a few household goods, and has earned her own living by her own manual labor.

About nine years ago she was taken with a disease of the eyes; cataracts formed on both, one eye being entirely blind and the other nearly so; she is thus left in a condition where it is impossible for her to earn her living by her manual labor; her children are unable to provide for her support, and a son with whom she stays is poor, has a family of his own to support, and has no resources but his manual labor.

The circumstances seem to justify her restoration to the pension roll.

The CHAIRMAN. The question is on laying aside this bill to be reported favorably to the House.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. MARTIN. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TARSNEY, from the Committee of the Whole, reported that that committee had had under consideration sundry bills, and had directed him to report them back to the House with various recommendations.

The SPEAKER. The Clerk will report the title of the first bill.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered on the amendments and the engrossment and third reading of each of these bills.

The SPEAKER. The gentleman from Indiana [Mr. MARTIN] asks unanimous consent that the previous question be considered as ordered on these bills and pending amendments, and to their engrossment and third reading. Is there objection?

There was no objection, and it was so ordered.

Mr. MARTIN. I now ask unanimous consent that the previous question be considered as ordered on the bills reported from the Committee of the Whole at the Friday night meetings, which are now on the Calendar as unfinished business, to the final passage of the bills.

The SPEAKER. The gentleman from Indiana [Mr. MARTIN] asks unanimous consent that the previous question be considered as ordered on all bills reported from the committee to the House at Friday night sessions and that the previous question be considered as ordered on the final passage of the bills.

Mr. BAILEY. I shall have to object to that. I am perfectly willing that it shall be ordered on the engrossment and third reading of the bills.

The SPEAKER. That has already been done.

Mr. BAILEY. It has been done to-night I know, but I remember that one night it was not done.

Mr. CURTIS. You will have the usual opportunity for debate, of course.

Mr. BAILEY. With the distinct understanding that the chairman of the committee will agree that there shall be debate on each bill for ten or fifteen minutes, if desired, I have no objection to that.

Mr. MARTIN. Then I ask unanimous consent that the previous question be considered as ordered on the final passage of all these bills, with the right of fifteen minutes' debate on each side on each bill.

The SPEAKER. The Chair will suggest in that connection that perhaps there had better be an agreement also that they be taken up, say, on Saturday next. The Chair will submit the request. The gentleman from Indiana [Mr. MARTIN] asks unanimous consent that the previous question may be considered as ordered upon the final passage of all the bills that have been reported to-night and heretofore from the Committee of the Whole to the House at the Friday evening sessions, with the understanding that on each bill, if desired, there may be allowed fifteen minutes for debate on a side. Is there objection to that request?

There was no objection.

Mr. MARTIN. Now I ask that these bills be made a special order for Saturday next immediately after the reading of the Journal.

The SPEAKER. The gentleman from Indiana also asks unanimous consent that the bills may be considered on Saturday next after the reading of the Journal. Is there objection to that?

There was no objection.

And then (the hour of 10:30 o'clock p. m. having arrived) the House, under the rule, adjourned until to-morrow morning, at 11 o'clock a. m.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. COBB of Missouri, from the Committee on War Claims: A bill (H. R. 9513) for the relief of Josiah B. Orbison. (Report No. 1844.)

By Mr. CROSBY, from the Committee on Military Affairs: A bill (H. R. 3883) for the relief of the Rev. William J. Larkin. (Report No. 1854.)

By Mr. MCALEER, from the Committee on Naval Affairs, the bill (S. 848) for the relief of John L. Broome. (Report No. 1855.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Naval Affairs was discharged from the consideration of the bill (S. 262) for the relief of Jabez Burchard, and the same was referred to the Committee on Claims.

BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. STEWART of Texas (by request): A bill (H. R. 9514) to regulate assessments of real estate in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HERBERT: A bill (H. R. 9515) to provide for the detail of an assistant to the Bureau of Navigation in the Navy Department—to the Committee on Naval Affairs.

By Mr. OUTHWAITE: A joint resolution (H. Res. 150) granting permission to exhibit in the Capitol the portrait of Gen. Thomas, painted by Caroline L. Ransome—to the Committee on the Library.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BYRNS: A bill (H. R. 9516) granting a pension to Andrew Nixon, late private in Company A, First Oregon Volunteer Indian war—to the Committee on Pensions.

By Mr. HOOKER of New York: A bill (H. R. 9517) for the relief of John W. Daley—to the Committee on Military Affairs.

By Mr. JOHNSON of Ohio: A bill (H. R. 9518) granting a pension to Mrs. Eliza Fish—to the Committee on Pensions.

Also, a bill (H. R. 9519) for the relief of Henry Cavell—to the Committee on Military Affairs.

By Mr. MCCLELLAN: A bill (H. R. 9520) granting a pension to Eliza J. Gard, the blind daughter of late Aaron Gard, a private in Company D, Thirtieth Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. McKEIGHAN: A bill (H. R. 9521) granting a pension to George Willcock, late Company B, Fortieth Indiana Volunteer Infantry—to the Committee on Invalid Pensions.

By PARRETT: A bill (H. R. 9522) for the relief of Lewis Pelham—to the Committee on War Claims.

By Mr. RUSSELL. A bill (H. R. 9523) granting a pension to Eugene McDavid—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky (by request): A bill (H. R. 9524) for the relief of John C. Phillips—to the Committee on War Claims.

By Mr. WHEELER of Michigan: A bill (H. R. 9525) to amend the naval record of Thomas Flynn—to the Committee on Naval Affairs.

PETITIONS, ETC.

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

By Mr. ABBOTT: Protest of citizens of Ferris, Ellis County, Tex., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BOATNER: Petition of members of the Legislature of Louisiana praying for relief of overflowed sufferers—to the Committee on Appropriations.

By Mr. BOWERS: Petition of Sarah E. Haskell, widow of Leonidas Haskell, deceased, for reference of claim of property at Point San Jose, Cal., to the Court of Claims—to the Committee on Military Affairs.

By Mr. BRECKINRIDGE of Kentucky: Petition of Rev. H. G. Henderson and others, that a pension be granted to Samuel M. Curdy—to the Committee on Invalid Pensions.

By Mr. BRYAN: Petition of the Central United Presbyterian Church of Omaha, Nebr., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. C. Nitsch and others of Grand Island, Nebr., against Congressional action as to keeping open or closing on Sunday the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. BYRNS: Petition of C. L. Gough and 6 others, members of the Adventist's of Rock Spring, Mo., protesting against a union of church and state in closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CAPEHART: Petition of J. P. Davis and others, of Roane County, W. Va., against Sunday closing of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. CAMPBELL: Petition of citizens of New York City, against the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CLARKE of Alabama: Three petitions of citizens of Alabama, as follows: One by Ed. Marschal and 27 others, the second by D. W. Camp and 32 others, and the third by J. T. Pulham and 31 others, against Congressional legislation either as to keeping open or closing on Sundays the World's Columbian Exposition to be held in 1893—to the Select Committee on the Columbian Exposition.

By Mr. HERBERT: Petition of E. R. Ripford and others, for transfer of the Revenue Marine to the Navy Department—to the Committee on Naval Affairs.

By Mr. KENDALL: Petition of soldiers and citizens of Estell County, in behalf of Miss Mary Shearer—referred to the Committee on Pensions and re-referred by that committee to the Committee on Invalid Pensions.

By Mr. MCRAE: Petition of George K. Cracraft and 45 others, of Chicot County, Ark., asking an appropriation for the overflow sufferers—to the Committee on Appropriations.

By Mr. O'FERRALL: Petition of James H. Kennan, praying that his claim may be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WEADOCK: Two petitions of Methodist Episcopal churches, one of Pinconning, Mich., and the other of Oscoda and Au Sable, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of West Virginia: Petition of J. B. Ramsay and 24 others, members of the Seventh-Day Adventist Church of Kanawha, Wood County, W. Va., against Sabbath legislation—to the Select Committee on the Columbian Exposition.

Also, petition of David Allen and others, of the Second West Virginia district, in favor of the restriction of immigration—to the Select Committee on Immigration and Naturalization.

Also, petition of A. Cochran and others, of the Second West Virginia district, in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, July 13, 1892.

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

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT. Before laying before the Senate the sundry civil appropriation bill, under the agreement entered into by unanimous consent yesterday, the Chair will present two communications from the Secretary of the Treasury.

Mr. HALE. I ask that the communications, without being read or printed, be referred to the Committee on Appropriations. We do not wish to wait for the printing.

The communications, with the accompanying papers, were referred to the Committee on Appropriations, as follows:

A communication from the Secretary of the Treasury, transmitting a supplemental list of deficiencies submitted by the First Comptroller to cover amounts found due by him on account of appropriations for foreign intercourse.

A communication from the Secretary of the Treasury, in response to a resolution of the Senate of July 9, 1892, transmitting a list of claims allowed by the accounting officers of the Treasury Department.

A communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 9th instant, a supplemental list of judgments rendered by the Court of Claims that require an appropriation for their payment.

SUNDRY CIVIL APPROPRIATION BILL.

The VICE-PRESIDENT. The Chair lays the sundry civil appropriation bill before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7520) making appropriations for the