To Mr. MEYER, for one week, on account of important business.

To Mr. GILLETT of New York, for one week, on account of sickness in his family.

To Mr. GOLDZIER, until October 10, on account of important business.

To Mr. HUNTER, for five days.

To Mr. RICHARDSON of Michigan, indefinitely, on account of contested-election case.

To Mr. SIMPSON, for three days, on account of important business.

To Mr. WILLIAM A. STONE, indefinitely, on account of sickness in his family.

To Mr. WRIGHT of Pennsylvania, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. CHARLES W. STONE to withdraw from the files of the House papers in the case of Julius M. Bates, Fifty-first Congress.

And then, on motion of Mr. DOCKERY (at 3 o'clock and 30 minutes p. m.), the House adjourned.

BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RICHARDSON of Michigan: A bill (H. R. 3608) to provide for the purchase of a site and the erection of a public building thereon at Grand Haven, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. HITT: A bill (H. R. 3609) to revise and amend the laws regulating intercourse and relations with the British provinces in North America and the Republic of Mexico—to the Committee on Foreign Affairs.

By Mr. FLYNN: A bill (H. R. 3610) to authorize the governor of Oklahoma Territory to lease certain lands, and for other purposes—to the Committee on the Public Lands.

By Mr. CAMPBELL: A bill (H. R. 3611) to revive the grade of lieutenant-general in the Army of the United States—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 3612) providing for an exposition to commemorate the beginning of the twentieth century of the existence of the Christian religion—to the Committee on the Library.

By Mr. SOMERS: A joint resolution (H. Res. 62) authorizing the State of Wisconsin to place in Statuary Hall at the Capitol the statue of Père Marquette—to the Committee on the Library.

By Mr. COOPER of Texas: A joint resolution (H. Res. 63) requesting the governors of the several States to cause an election to be held in their respective States on the first Tuesday in November next to ascertain the will of the people upon the question of the coinage of money by the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. McCLEARY of Minnesota: A memorial of the Legislature of the State of Minnesota favoring the election of United States Senators by a vote of the people—to the Committee on Election of President, Vice-President and Representatives in Congress.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BRAWLEY: A bill (H. R. 3613) for relief of James B. McElhose—to the Committee on War Claims.

By Mr. CAMINETTI: A bill (H. R. 3614) for the relief of Maurice G. Griffith—to the Committee on Claims.

Also, a bill (H. R. 3615) for the relief of B. F. Meyres—to the Committee on Claims.

By Mr. MEYER: A bill (H. R. 3616) for the relief of Charles T. Eastlin, administrator of the estate of Robert Wilson Eastlin, deceased, of New Orleans, La.—to the Committee on War Claims.

Also, a bill (H. R. 3617) for the relief of the estate of Paul Choppin, of the parish of Orleans, La.—to the Committee on War Claims.

By Mr. RAYNER: A bill (H. R. 3618) for the relief of the estate of Alexander F. Dulin, deceased, late of Baltimore, Md.—to the Committee on War Claims.

By Mr. CHARLES W. STONE: A bill (H. R. 3619) for the relief of the heirs of A. Lawrence Foster, deceased—to the Committee on War Claims.

By Mr. WILLIAMS of Mississippi (by request): A bill (H. R. 3620) for the relief of Thomas J. McMullen, Newton County, Miss.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CRISP (by request): Petition of the Detroit Annual Conference of the Methodist Church, praying for the repeal of the Geary law—to the Committee on Foreign Affairs.

By Mr. STRONG: Petition of the Central Ohio Annual Conference of the Methodist Episcopal Church, for the repeal of the act of May 5, 1892, known as the Geary law—to the Committee on Foreign Affairs.

By Mr. WILSON of Washington: Petition of 917 citizens of Spokane County, Wash., in opposition to the repeal of the Sherman act unless said repeal shall provide for the continued coinage of silver on terms more favorable to silver—to the Committee on Coinage, Weights, and Measures.

SENATE.

MONDAY, *October 2, 1893.*

The Senate met at 11 o'clock a. m.

The Journal of the proceedings of Saturday last was read and approved.

Prayer by Rev. GEORGE ELLIOTT, D. D., of Georgetown, D. C.

Mr. WOLCOTT. Mr. President, it is evident that there is not a quorum of the Senate present in the Chamber.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Dixon,	McMillan,	Sherman,
Allison,	Dolph,	McPherson,	Shoup,
Bate,	Dubois,	Manderson,	Stewart,
Berry,	Faulkner,	Martin,	Teller,
Butler,	Frye,	Mitchell, Oregon	Turpie,
Caffery,	Gallinger,	Morgan,	Vance,
Call,	George,	Peffer,	Voorhees,
Cameron,	Gorman,	Perkins,	Walthall,
Coke,	Hale,	Pettigrew,	Washburn,
Cullom,	Hawley,	Platt,	White, Cal.
Davis,	Kyle,	Roach,	Wolcott.

The VICE-PRESIDENT. Forty-four Senators have answered to their names. A quorum is present. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of the Cincinnati (Ohio) Annual Conference of the Methodist Episcopal Church, and a petition of the Central Ohio Annual Conference of the Methodist Episcopal Church of Delaware, Ohio, praying for the repeal of the so-called Geary Chinese law; which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Board of Trade of Massillon, Ohio, indorsing the resolutions of the National Sound Money Convention of Commercial Organizations, adopted September 12, 1893, at Washington, D. C., favoring the repeal of the silver-purchasing clause of the law of July 14, 1890; which were ordered to lie on the table.

Mr. STEWART presented a petition of citizens of Cleveland, Ohio, praying that an investigation be made as to whether members of Congress are interested in national-bank stock; which was ordered to lie on the table.

He also presented resolutions adopted by the Marlboro (Mass.) Labor Organization, favoring the free coinage of silver and denouncing the metropolitan press for misrepresenting the sentiment of the wage-earners of Massachusetts, which were ordered to lie on the table.

REPORT OF COMMITTEES.

Mr. MARTIN, from the Committee on the District of Columbia, to whom was referred the bill (S. 355) to prevent fraudulent divorces in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

SETTLERS IN OKLAHOMA TERRITORY.

Mr. PETTIGREW. From the Committee on Public Lands I report back favorably with amendments the bill (S. 824) granting settlers on certain lands in Oklahoma Territory the right to commute their homestead entries, and for other purposes. I ask unanimous consent for the immediate consideration of the bill.

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

Mr. TELLER. What is the bill?

The bill was read.

Mr. TELLER. I do not object to its consideration.

Mr. FRYE. Does it come from a committee.

Mr. PETTIGREW. It comes from the Committee on Public Lands.

Mr. FRYE. A unanimous report?

Mr. PETTIGREW. A unanimous report, and it is recommended by the Interior Department. It simply allows settlers on certain lands in Oklahoma another year in which to make the first payment on their land, their crops having been destroyed by drought the present season.

Mr. FAULKNER. I ask that the bill be again read for information. Several Senators on this side do not understand the purport of the measure.

The VICE-PRESIDENT. Senators will please refrain from audible conversation, and the Senate will be in order.

Mr. VOORHEES. I object to the present consideration of the bill. I know nothing about its terms; it may be entirely right; but a good many Senators on this side are not ready to act upon it.

Mr. BERRY. Will the Senator from Indiana yield to me one moment?

Mr. VOORHEES. Certainly.

Mr. BERRY. It is simply a bill to extend for one year the time for the payment of certain lands in Oklahoma. The Secretary of the Interior has temporarily held up the lands. All the crops of the settlers failed. The bill ought to pass. It will not lead to any debate.

Mr. VOORHEES. I will say, after the explanation of the Senator from Arkansas, that unless the bill leads to debate I shall not object. It ought to pass, and it ought to pass without debate.

Mr. BERRY. I do not think there will be any objection to it. It was unanimously reported.

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

The amendments of the Committee on Public Lands were, in section 1, line 6, to strike out "two years" and insert "one year," and in line 14, before the word "years," to strike out "four" and insert "three;" so as to make the section read:

That the homestead settlers on the Absentee Shawnee, Pottawatomie, and Cheyenne and Arapahoe Indian lands, in Oklahoma Territory, be, and they are hereby, granted an extension of one year within which to make the first payment provided for in section 16 of the act of Congress approved March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1892, and for other purposes," and such payment may be made at any time within three years from the date of the entry of such lands.

The amendments were agreed to.

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

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

BILLS INTRODUCED.

Mr. SHERMAN (by request) introduced a bill (S. 1032) for the relief of H. P. Willey, on account of injuries received by him on the 9th day of June, 1893; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DOLPH introduced a bill (S. 1033) to reimburse the State of Oregon for moneys expended in the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 1034) for the relief of T. H. Church; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1035) for the relief of Francis L. Abbott, administrator of the late Thomas J. Treadwell, of the United States Army; which was read twice by its title, and referred to the Committee on Claims.

BULLION PURCHASES.

Mr. VOORHEES. Is the morning business concluded, Mr. President?

The VICE-PRESIDENT. The morning business is not yet concluded. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. TELLER September 30, 1893, as follows:

Resolved, That the Secretary of the Treasury be, and he hereby is, directed to furnish the Senate with a statement giving the aggregate amount of silver bullion purchased under the act of July 14, 1890, during the month of September, 1893, together with the cost thereof, the amount, date, and price of each purchase, and the name of the vendor. Also the aggregate amount of silver bullion offered for sale during the said month, the amount, date, and price of each offer, and the name of the person making such offer.

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

The resolution was agreed to.

PURCHASE OF SILVER BULLION.

The VICE-PRESIDENT. The morning business is closed.

Mr. VOORHEES. I move that the Senate proceed to the consideration of House bill No. 1.

Mr. SHERMAN. I should like to occupy a minute or two in regard to a personal matter, if the Senator will yield?

Mr. VOORHEES. Let the regular order be laid before the Senate, and then, of course, I will yield to the Senator from Ohio.

Mr. SHERMAN. All right.

Mr. VOORHEES. Has the motion been put?

The VICE-PRESIDENT. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1) to repeal a part of an act, approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," the pending question being on the amendment proposed by Mr. PEFFER to the substitute reported by the Committee on Finance.

Mr. VOORHEES. I yield to the Senator from Ohio.

Mr. SHERMAN. Mr. President, I find on our tables this morning the CONGRESSIONAL RECORD of yesterday, containing the speech of the Senator from California [Mr. WHITE]. I wish to call his attention and the attention of the Senate to the marked paragraphs in that speech which I ask the Secretary to read.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The presence of Mr. Ernest Seyd has been the subject of considerable comment, and it has been stated that he did not participate, as was supposed, in the demonetization of silver. When the subject was under consideration in the House of Representatives Mr. Hooper said (CONGRESSIONAL RECORD, April 9, 1873, page 2034):

"Ernest Seyd, of London, a distinguished writer and bullionist, who is now here and has given great attention to the subject of mints and coinage, after examining the first draft of this bill, made various sensible suggestions which the committee adopted and embodied in this bill."

In August, 1873, the Bankers' Magazine of New York used the following language:

"In 1872, silver being demonetized in France, Germany, England, and Holland, a capital of £100 000 was raised, and Ernest Seyd, of London, was sent to this country with this fund as the agent of the European bondholders and capitalists to effect the same object, which was successful."

This communication may, of course, have been libelous; and, as it was not established by competent proof, must be assumed to have been so. The difficulty is that there was apparently no denial; and hence suspicion lodges in the minds of many.

Mr. SHERMAN. Mr. President, the speech of the honorable Senator from California was delivered before the exposure made by the Senator from Massachusetts [Mr. HOAR], and therefore he naturally fell into an error in quoting an article which had been frequently quoted. But what I wish to call his attention to is that the last statement, the quotation from the Bankers' Magazine, is also a false and fraudulent statement. No such statement appears anywhere in the Bankers' Magazine of the date referred to. I applied to the Librarian of Congress, and he says that no such statement appears anywhere in the Bankers' Magazine. I have here the number of the Bankers' Magazine referred to, and there is no such statement in it. The whole of that statement is a manufactured lie from beginning to end.

Mr. HAWLEY. As well as the other.

Mr. SHERMAN. As well as the other. I wish to show that in the very number referred to, August, 1873, the Bankers' Magazine, which I obtained from the Library, made comments upon the coinage bill which were extremely favorable. I mark a passage which I ask may be read.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

The New Sterling Exchange and Coinage Acts.—From information obtained from the Director of the Mint it appears that the value of the sovereign or pound sterling and the par of exchange does not become operative until the 1st of January, 1874. The valuation of the pound sterling as expressed in the money of account of the United States will be $4.86⅔ instead of $4.84 as at present, and exchange will be quoted in United States money and not at an assumed premium on the old colonial valuation, the nature of which is not generally understood. In view of these important changes Dr. Linderman thinks it will be well for merchants and exchange dealers to turn their attention to the subject. The London Economist has an interesting article on this subject which it characterizes as of "high importance, inaugurating another revolution now taking place in the coinage systems of the world."

The Economist expresses the opinion that our "trade dollar" is certain to carry a larger premium than the Mexican dollar. The principal advocate of the adoption of the system of coining the standard metal, gold, without charge, and from whom the proposition to issue the trade dollar, containing exactly 378 grains of pure silver, and a reform in the system of computing foreign exchanges emanated, is Dr. H. R. Linderman, the Director of the Mint. Few measures will prove of more substantial benefit than the coinage act. And the law providing that the basis for converting foreign moneys of account into that of the United States shall be the pure metal contained in coins of standard value, instead of coins abraded more or less by circulation, and consequently not representing the value they were intended to denote. The English critics of our law do not like its operation, especially in the fact that it treats their coin as bullion in converting it into our coin.

Mr. SHERMAN. I do not blame the Senator from California at all for putting this alleged quotation in his speech. It is not my purpose to arraign him, because it has been printed several times in the speeches of other Senators; but I wish to show by the record referred to that the statement was an absolute fabri-

cation. Not one word of the alleged extract is contained in the article, but even a year after the passage of the coinage act the magazine favors and supports and praises the act and speaks of the opposition shown to it in England.

This is all I desire to say in order to stamp this fabrication (for it is something worse than a forgery, it is an absolute fabrication) with the brand of infamy. It is no fault of the Senator from California. I do not blame him at all, because it was manufactured and has gone the rounds, and he naturally picked it up as part of the current literature of the day; but it is absolutely false.

Mr. WHITE of California. Mr. President, I used the quotation to which the Senator from Ohio made reference, taking it not from the Bankers' Magazine, but from another work written by a very prominent Republican of this country, upon whom I supposed I could rely. But it seems better to trace such matters to the original citation than to rely upon anyone, however distinguished.

I do not know whether the Bankers' Magazine has passed through more than one edition, nor is it at all important for the continuity or strength of my argument whether the Bankers' Magazine said that Mr. Seyd or Mr. Somebody-else had received this amount of money.

I alluded incidentally to this transaction, which has been provocative of so much discussion and such an abundance of feeling not at all germane to the subject in hand, but it seems that even the incidental allusion has brought discussion.

I am not prepared to say that the Senator from Ohio is incorrect. I do not know that the language quoted is in the Bankers' Magazine, for, as I have stated, I did not trace it. The Senator himself has amended his first declaration, because he there said the statement was false and fabricated, and these words as he first utilized them had a possible personal aspect. However, he has disclaimed any such intention.

I sought in the course of my address, as I have always attempted everywhere and shall ever attempt hereafter, to confine myself to facts. I may sometimes be mistaken; and now that my attention has been called to this affair, if upon further examination I shall ascertain (as I have no reason to suppose I will not) that the words objected to are not in the Bankers' Magazine, I shall omit the reference from the copies of my speech which I intend to publish. As I before remarked, the allusion was purely incidental, and has no connection with the subject-matter of my argument particularly, except in a historical way, and in no manner affects its conclusions.

Mr. SHERMAN. I have no desire, I repeat, to blame the Senator from California for making the quotation, because he might have copied it from many recent papers and also from former publications. I now bring the book before the Senate and the Senator can have it.

Mr. WHITE of California. I understand the Senator now very well.

Mr. SHERMAN. That is all I desire to say.

Mr. TELLER. A few days since, when the Senator from Tennessee [Mr. HARRIS] was addressing the Senate, after some colloquy between him and the Senator from Ohio [Mr. SHERMAN], I suggested that the Senator from Ohio had made certain statements before a Congressional committee. I was in error as to the date; otherwise I was correct. I supposed it had occurred in the preceding winter, but I find that it was in the April following the passage of the Bland-Allison act.

I find in a report of the action of the Committee on Banking and Currency in the House of Representatives, April 1, 1878, what I shall read. Before reading, however, I will say that I only referred to it because the Senator from Ohio said, at the time of the colloquy to which I refer, that he much preferred that I should put in the RECORD his exact language, and so that there may be no mistake about it I will do so.

The Senator from Ohio appeared before a committee of which Mr. Buckner was chairman. There were present with Mr. Ewing, Mr. Hardenbergh, Mr. Hartzell, Mr. Bell, Mr. Eames, Mr. Chittenden, Mr. Fort, and Mr. Phillips, and the honorable Secretary of the Treasury, Mr. JOHN SHERMAN. This is what the Secretary said:

> Secretary SHERMAN. I would a great deal rather, in this conference, give the committee the facts and let the committee draw its own inferences, than attempt to give my own opinions. But I have no objections to answering any of those questions. I think that a certain amount of silver dollars issued will not have the effect which Mr. Chittenden thinks.

Mr. Chittenden appeared to have thought that there was danger that the price of silver would be so raised that the silver dollar would depart from the country. The Secretary continued:

> I believe we can maintain at par in gold a certain amount of silver dollars; precisely what amount I would not like to say, because that is a question of opinion. But I have the idea that we can maintain at par in gold no less than $50,000,000, perhaps more—say from $50,000,000 to $100,000,000; but whenever those silver dollars become so abundant and so burdensome that the people would not have them and would not take them, and that they would not circulate, then undoubtedly they would gradually sink to the value of the bullion in them. That is my opinion, but I do not think it wise for either this committee or myself to discuss this question much, because the silver bill is a law, and, whatever we may think of its effects, the public mind will not be satisfied until that law is fairly tried. The effect of the silver bill is not going to be very rapid, nor will the fall in silver be anything like so rapid as is probably feared, and long before the silver dollar can sink to the value of silver bullion Congress will undoubtedly correct the law if it were to have that effect.
>
> If, on the other hand, it should have the effect, which is anticipated, of raising the mass of silver up to the standard of gold, then Mr. Chittenden need not be afraid. Therefore, I say that I do not think I ought to give my opinion further on that subject, I have not changed my mind about the silver bill, although the newspapers say that I have. I think that (as a matter of policy) the silver bill, which makes silver available to pay bonds issued by the United States either before or after the refunding or resumption acts, is not good policy. I have stated that over and over again, publicly, and I do not deny it. But the silver bill is the law. We are not infallible. It can not operate quickly in that way, and therefore we had better give it the full benefit of an experiment, in the certainty that, if Congress finds that it has the effect which is now anticipated, Congress can at any moment stop the issue of silver dollars. I think that that is as far as I ought to answer these questions.

I have only presented this statement because the Senator said he preferred that I should give his exact language, so that there should be no misunderstanding about it.

Mr. SHERMAN. That is all right.

Mr. KYLE. Mr. President——

Mr. WASHBURN. Mr. President, I rise to a parliamentary inquiry. I ask what is the question before the Senate?

The VICE-PRESIDENT. House bill No. 1.

Mr. WASHBURN. I call for the regular order.

The VICE-PRESIDENT. The title of the pending bill will be again stated.

The SECRETARY. A bill (H. R. 1) to repeal a part of an act, approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."

Mr. DUBOIS. Mr. President——

The VICE-PRESIDENT. The Chair had recognized the Senator from South Dakota [Mr. KYLE] on the pending bill.

Mr. DUBOIS. I was going to ask the Senator from South Dakota if he would kindly yield to me to make a brief statement for a few moments on a matter personal to myself?

Mr. KYLE. I yield for that purpose.

Mr. DUBOIS. Mr. President, a few days ago there was a resolution before the Senate which I had the honor of introducing, and a few minutes before the expiration of the morning hour I requested the Senator from Maryland [Mr. GORMAN], who was speaking, to allow me to make a motion that the resolution go over. He declined to yield, and the resolution went to the Calendar. In consequence, I had no opportunity at that time to make the observations which I now desire to make. The Senator from Maryland [Mr. GORMAN] said:

> Mr. President, this resolution is one of a series which has been introduced in this body which serve the purpose of consuming the two hours of the morning hour. It is perfectly well understood that it is part of the programme of the gentlemen who represent the minority of the Senate, as I believe, those who are opposed to the pending bill, for the purpose of using up the time of the body.

So far as I am concerned I had no consultation with anyone in regard to the resolution which I offered. I am not in any plan to obstruct the business of the Senate. I introduced the resolution in the interests of three great States. It was entirely germane, I will say to the Senator from Maryland; and, besides that, I think the Senate will bear me out in the statement that I have consumed but little of its time. I doubt if there is any Senator who has been a member of the Senate for nearly three years, as I have been, who has not consumed more of the time of the body than I.

It seems utterly beyond the comprehension of almost all the Senators east of the Alleghany Mountains that we have great interests in the western section of our country. They seem to resent it if we stand up here in a legitimate way and undertake to protect those interests. They do not realize, apparently, nor do they care for the interest which these States have in the pending legislation.

The resolution which I introduced is not without precedent. The Republicans on this side of the Chamber contended that no legislation should be had until three vacant seats on this side were filled, and they filibustered—if that is the proper term; and the RECORD shows roll call after roll call—to prevent the majority from filling the committees of the body until those seats were filled. They did it with such effect that the majority on the other side of the Chamber yielded, and waited until the three vacant seats on this side were filled.

This was a matter of mere party politics. They were contending for a petty party advantage. If the committees had been filled when the Senators came here to fill the unoccupied seats, the decision could have been reversed, yet the Senators on this side contended for the principle that even this action should not be had until the seats were filled, and they now call it consuming

time, when we, in matters of such great importance as those which are now pending, contend that three seats shall be filled. Every Republican on this side voted that that business should not proceed until the seats were filled. Senator Conkling led the debate and Senator Ingalls laid down this proposition, to which all of the Republican Senators assented:

Senator Ingalls said:

But my desire has been and my purpose has been to consent to no action on the part of the Senate that would not preserve and maintain fully the equilibrium between the two parties—that is to say, if there were inevitable vacancies, unavoidable vacancies on this side of the Chamber, they should be met by a withdrawal of a similar number from that, unless the present majority were willing that action should be postponed until the seats on this side were filled.

I therefore can only say for myself, without the authority or right to speak for any other member of the body, that it is not my desire or my purpose nor shall I willingly consent to action upon this resolution until either the Senate is filled by the presence of those appointed or elected to fill the vancanies or unless there is a withdrawal that will preserve the equilibrium between the two parties.

Every Republican on this side of the Chamber assented to that doctrine, and voted for it. Roll call after roll call was had, and yet the distinguished Senator from Massachusetts [Mr. HOAR], when my resolution was up the other day, turned to me and said:

Now, I should like to make one suggestion to the Senator from Idaho; and that is that we might compromise the matter of his resolution. It is evident that after the attitude taken by the Senator from Oregon the resolution is not going to have the support of all the gentlemen who agree with him on financial questions, and therefore it is not likely to pass.

To which I replied:

I ask the Senator if I can assume that it will not have the support of any Senator with whom we do not agree?

To this question the Senator from Massachusetts answered:

I think the Senator probably can.

I regret that the Senator from Massachusetts is not in his seat, and I regret also that I seemingly have to criticise him. There is no Senator for whom I have a higher regard than him. I think he is one of the few Senators from the New England States who really have a genuine sympathy for us in this matter. He is actuated by the highest sentiments of patrotism; his course is perfectly clear to him; he believes that the free and unlimited coinage of silver would be disastrous to this country, as much so as we believe that it would be a great blessing; but I contend that the Senator from Massachusetts did not properly state the position of the other Senators. When the Republicans filibustered and prevented action on this petty measure until three vacant seats were filled, the roll was often called, as I have said, and the following Senators, who are named here, always voted to defer action.

Mr. ALLISON—

The Senator from Iowa [Mr. ALLISON] was contending that the seat made vacant by the appointment of his colleague to the Cabinet should be filled, and that the Senate should wait until his successor took his place. Surely the Senator from Iowa would not vote against my resolution now.

Senator CAMERON of Pennsylvania—

Mr. MITCHELL of Oregon. If the Senator from Idaho will permit me, will he please state the precise facts as to the vacancies existing at the time of the discussion to which he refers? Had Senators been selected either by the Legislatures or appointed by the governors of the States to fill the vacancies? I ask what were the precise facts.

Mr. DUBOIS. The facts were that three Senators had been appointed to Cabinet positions, the then Senator from Maine, Mr. Blaine, the Senator from Iowa, Mr. Kirkwood, and the Senator from Minnesota, Mr. Windom. The appointments of Senators, I think, had been made in two of the States, and in Maine, if my recollection serves me aright, the sitting member [Mr. FRYE] had been elected. The question was on the organization of the Senate, and it makes no difference, I submit to my honorable friend from Oregon, whether the filibustering was for two days or three days or three years. If the principle was right then, it is right now.

Mr. MITCHELL of Oregon. I think it would make a very great difference, so far as I am concerned, if the facts were that the vacancies existed here and that Senators had been selected, either by the Legislatures of the respective States or by appointment of the governors and were on their way here, or whether the Senate knew that they were to be here in two or three days. I think it would be quite a different case from that suggested by the Senator from Idaho, where there are vacancies caused by the neglect or failure of the Legislature to elect Senators and the executives of the States absolutely decline, and have declined up to this date, to convene the Legislatures to elect Senators to fill the vacancies.

Mr. DUBOIS. The Senator from Oregon takes a very different view of the question from what the Republicans in the Senate did who were then voting. Their views were laid down by the then Senator from Kansas, Mr. Ingalls, which is precisely the position I take; and it requires a very ingenious argument, it seems to me, to say that you can filibuster in one case and not in another on precisely the same state of facts.

Mr. MITCHELL of Oregon. I do not believe I have ever pursued that course, so far as I am concerned.

Mr. DUBOIS. I am saying what the Republicans who were then here did.

The Senator from Pennsylvania [Mr. CAMERON] and the Senator from Maine [Mr. HALE] took that course and voted in that way. The Senator from Maine was contending that his colleague should be here to participate, and that it was right and proper that he should be, and I do not believe that the Senator from Massachusetts [Mr. HOAR] had a right to class him as one who would oppose my resolution.

Mr. HALE. If the Senator will allow me, I remember very well the circumstances and conditions here. It was simply a question, as the Senator from Oregon has stated, of perhaps a day or two and where there was no question either about the title of the Senators to their seats or as to the authority which had sent them here. It was felt that it was pushing and crowding the other side when the vacancies then existing were not in any way real or permanent vacancies, but were only for a day or two, and that is the fact. My colleague [Mr. FRYE] was one of the Senators elected. The others had been appointed; and they were all here within a day or two afterwards.

While the Senator is upon the floor I wish he would state—because he knows all about it—whether any steps are being taken in the States in which vacancies now exist toward the filling of the vacancies. I am informed—I do not know whether my authority is correct or not—that in Montana the general sentiment is against electing a Senator, and that the governor will not call the Legislature together. I am informed further, from a source which ought to be authentic, that in Wyoming the governor of that State, for reasons which are ample for him, will not call the Legislature together. If this is so in these States, I appeal to the Senator whether it is not really pretty broadly different as a matter of legislative action from the condition years ago, when there was only a day or two to intervene before the appearance of Senators.

Mr. VOORHEES. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Indiana will state his question of order.

Mr. VOORHEES. When I had the floor on the regular order I yielded to the Senator from Ohio [Mr. SHERMAN] for the purpose of correcting the record of the proceedings of this body, which was done between himself and the Senator from California [Mr. WHITE]. I desire to be informed, under those circumstances, how, why, and under what rule a discussion takes place, involving filibustering, the question of vacant seats from States, and anything and everything else, I presume, which may come in hereafter?

I desire to know, Mr. President, whether I can not resume the floor, and have it assigned to those who desire to address the Senate on the pending order?

The VICE PRESIDENT. The Chair will state to the Senator from Indiana that the Chair recognized the Senator from South Dakota [Mr. KYLE] as being entitled to the floor on the pending bill. The Senator from South Dakota yielded to the Senator from Idaho for a personal explanation.

Mr. VOORHEES. I happened to be out of the Chamber at the time and did not hear that.

Mr. DUBOIS. I had the floor by consent of the Senator from South Dakota.

Mr. VOORHEES. I beg to say to the Senator from Idaho that I did not know the Senator from South Dakota had been on his feet. I was called out of the Chamber for a moment.

Mr. DUBOIS. I shall continue to name the Senators who are now here who at the time voted in the way I have indicated. Before doing so, however, I will answer the Senator from Maine [Mr. HALE]. I stated the points very fully the other day. I said then and repeat now that there is a widespread and prevalent opinion throughout the Western country that these States were willfully and maliciously deprived of their representation in the Senate; that immediate measures hostile to their interests were being pushed, and that it was the understanding there that they could not send Senators to this body in time to participate in this discussion or to vote on the pending measure. In Washington, I understand the Legislature will soon be called. I am fully convinced, as much so as I ever was of anything in my life, that if the Senate will pass the resolution I have introduced, the Senators from those States will be here by the 15th of January. I am contending that the Republicans have no right to vote against my resolution. I will continue to call the roll:

Senator CAMERON, of Pennsylvania; Senator HALE, of Maine; Senator HAWLEY, of Connecticut; Senator HOAR, of Massachusetts; Senator JONES,

of Nevada; Senator MORRILL, of Vermont; Senator PLATT, of Connecticut; Senator SHERMAN, of Ohio, and Senator TELLER, of Colorado.

The Senators were all here. As I understand, the Senator from Pennsylvania, the Senator from Colorado, and the Senator from Nevada are entirely consistent. They intend to support the resolution; I think that the other Senators will, and that the Senator from Massachusetts was not warranted in saying that they would not support it. He was quoted in the newspapers as saying they would support it. The RECORD, I trust, has got him wrong.

It certainly can not be that there is nothing left of the Republican party except the Representatives from the silver States. The majority of the party here are contending against legislation passed by their party, and they have repeatedly refused to pass resolutions of inquiry here respecting the Administration, but it is impossible for me to conceive that they will trample down every precedent of their party in order to blindly follow the Administration.

I refer to this record because it is entirely in keeping with the resolution which I proposed, and I do it in order to show that I was not only not consuming time, but that I had abundant precedent for the position I have taken.

Mr. WASHBURN. Will the Senator from South Dakota yield to me for not more than five minutes?

Mr. KYLE. The Senator from Nevada [Mr. STEWART] asked me to yield to him for about three minutes that he might read a few lines apropos to the question raised by the Senator from Ohio [Mr. SHERMAN], and I had agreed to yield to him. After that I will see if there is any time for the Senator from Minnesota.

Mr. WASHBURN. I will not take more than three or four minutes.

The other morning, when the Senator from Idaho [Mr. DUBOIS] introduced the resolution to which he has referred, I did not suppose he introduced it for the killing of time and procrastination, although that was the inevitable effect of it—I did not suppose that he even seriously thought that such a resolution could pass this body; I did not suppose that he seriously thought that the Senate of the United States was to stand still for the next three months to allow Senators to come from States which have persistently failed to perform their constitutional duties. I do not think now the Senator seriously thought of anything so absolutely absurd. I thought at the time his purpose was, in introducing the resolution, that it would offer an occasion to show that the opponents of the repeal of the Sherman law were being put at an unfair disadvantage. I simply want to call the attention of the Senate to these facts, and then it can reach its own conclusions as to whether the silver men are put at a disadvantage by not agreeing to the proposed postponement.

Of the three States in question, two are not silver-producing States; they have no more interest in the coinage of silver than any other State in the Union, and they are supposed to have a very intelligent and patriotic population. Furthermore, those two States are represented by two Senators, both of whom are in favor of the repeal of the Sherman law. I should like to inquire, in view of that fact, what injustice is being done to the silver men on the floor of the Senate?

Mr. WOLCOTT. Will the Senator please name the two States which he says are represented by two Senators who are in favor of the unconditional repeal of the Sherman law?

Mr. WASHBURN. I will with great pleasure. They are the States of Washington and Wyoming.

Mr. DUBOIS. I should like the Senator from Minnesota to state by what authority and by whose authority he makes that assertion.

Mr. WASHBURN. By the authority of the Senators themselves.

Mr. DUBOIS. Very well. I imagine that those Senators will resent that imputation. There never has been a time when the members of Congress from those States have not voted for the free and unlimited coinage of silver, and I state that the Senators from Wyoming and Washington on this floor are not for the unconditional repeal of the Sherman law. The Senator from Washington [Mr. SQUIRE] has offered an amendment in the interest of silver.

Mr. WASHBURN. I can only state, in answer, that the Senator from Washington told me distinctly that he would vote for the unconditional repeal of the purchasing clause of the Sherman act.

Mr. KYLE. I now yield to the Senator from Nevada [Mr. STEWART].

Mr. STEWART. Mr. President, I shall occupy but a moment. I fear that the Senator from Massachusetts [Mr. HOAR] and the Senator from Ohio [Mr. SHERMAN] have further complicated the situation and made the position of Mr. Hooper still more unfortunate. They make the statement still more remarkable. The true statement the Senator from Massachusetts [Mr. HOAR] had read, and which Mr. Hooper made in the House of Representatives, is as follows:

The bill under consideration is believed to contain all that is valuable in existing laws, with such new provisions added as appear necessary to those best acquainted with the subject for the efficiency and economy of the public service in the important Department to which it relates. The bill was prepared two years ago, and has been submitted to careful and deliberate examination. It has the approval of nearly all the mint experts of the country, and the sanction of the Secretary of the Treasury. Mr. Ernest Seyd, of London, a distinguished writer, who has given great attention to the subject of mints and coinage, after examining the first draft of the bill, furnished many valuable suggestions which have been incorporated in this bill.

The Senator from Massachusetts has printed as a document—Miscellaneous Document No. 27, first session Fifty-third Congress—the valuable suggestions to which Mr. Hooper referred. Mr. Hooper declared these valuable suggestions were incorporated in the bill. I call attention to one suggestion which Mr. Ernest Seyd regarded as the most important:

I now come to the most important part of the bill, that of the valuation; which, according to section 15, omits the coinage of the silver dollar and confirms the debased silver coinage of half dollars and below, under the tender limit of $5. I am aware, of course, that through the amendment of 1853 the same debased coinage was already established; but although the actual coinage of the silver dollar had practically ceased, still that piece was not aboished by law. As this new bill presumably repeals all previous enactments, I suppose that the total abolition of the silver dollar is contemplated.

In my book (Suggestions) I enter fully into the discussion of this matter and show the gigantic consequences to international as well as national trade through the demonetization of silver to which the United States would thus lend a helping hand, and for a number of years this subject of the abolition of silver as tender coin has occupied the attention of European economists. It is the question of the age, and takes precedence of every other matter involved in monetary science.

Unfortunately the subject requires not only a thoroughly practical knowledge of exchange matters, the principles of valuation, for which very few people have inclination; and so it happens that even the framers of mint bills do not grasp its importance, as I have found before. You yourself, in your letter to Mr. Latham, referring to my book, make the remark: "As to the theory of the double valuation I do not understand it." I infer from this that you have remained a stranger to the controversy, that you have not as yet formed an opinion as to the merits of it, and that you have framed your bill in favor of the absolute gold valuation according to that which has been of late the practice in the United States if not the law.

Permit me to beg that you will first investigate the question of double versus single valuation. Chapter III of my book, "Suggestions," etc., opens the question; appendix, Notes VIII (page 201) the consequences of the gold valuation, and IX (page 212) the injustice of the gold valuation. Treat the matter in their international and national aspects, and they may furnish you sufficient material for reflection.

Other writers, such as Mr. Wolowski, in France, and several other French, Dutch, and German authorities, defend the double valuation on the same grounds.

Then he goes on further and gives Mr. Wolowski and other authoritities in favor of bimetallism, but these suggestions do not appear to have been adopted, although Mr. Hooper said in his remarks that they had been adopted. If Mr. Hooper had adopted the suggestions of Ernest Seyd, which he informed the House he had done, silver would not have been demonetized. In correcting a misquotation of Mr. Hooper's remarks the Senators have developed the fact that Mr. Hooper misinformed the House as to the real character of his bill.

Mr. KYLE addressed the Senate. After having spoken for some time,

Mr. PETTIGREW said: Mr. President, I suggest that there is not a quorum present.

The PRESIDING OFFICER (Mr. WHITE of California in the chair). The suggestion being made that there is not a quorum present, the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Faulkner,	McMillan,	Sherman,
Berry,	Frye,	McPherson,	Shoup,
Caffery,	Gallinger,	Manderson,	Teller,
Call,	George,	Martin,	Turpie,
Cameron,	Gibson,	Palmer,	Vance,
Carey,	Hale,	Peffer,	Vest,
Chandler,	Harris,	Perkins,	Voorhees,
Cockrell,	Hawley,	Pettigrew,	Walthall,
Cullom,	Jones, Nev.	Platt,	Washburn,
Davis,	Kyle,	Power,	White, Cal.
Dixon,	Lindsay,	Ransom,	Wolcott.
Dolph,	Lodge,	Roach,	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum is present. The Senator from South Dakota will proceed.

[Mr. KYLE resumed and concluded his speech. See Appendix.]

ELEVENTH CENSUS.

Mr. TURPIE. I have the permission of the Senator in charge of the bill to ask the consideration by the Senate of the House bill in relation to the Census, which is upon the table. I ask that it be laid before the Senate.

The PRESIDING OFFICER. If there is no objection the Chair will lay the bill before the Senate.

The bill (H. R. 3607) to extend the time for completing the

work of the Eleventh Census, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. The Senator from Indiana wishes to have the bill considered?

Mr. TURPIE. Yes, sir.

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

Mr. DOLPH. Has the bill been referred in the Senate?

The PRESIDING OFFICER. The Senator from Indiana had probably better state the nature of the measure for the information of the Senate.

Mr. TURPIE. No, the bill has not been referred. In fact there did not seem to be any necessity for a reference. The chairman of the Committee on the Census, however, has taken a poll of the members of that committee, and they are unanimously in favor of the bill. Every head of a Department and head of a bureau interested in the census, every one who wishes the success of the investigation, and the speedy success of it, is in favor of the passage of the bill. There is hardly anything in the bill to justify a reference and a call of the committee in relation to it. It is very simple. There are only two subjects provided for. One is the extension of completing the work of the census until the 1st of July, 1894, instead of December 31, 1893, the present law. The other is the appointment of Mr. Carroll D. Wright, Commissioner of Labor, as superintendent for the remainder of the term.

Mr. DOLPH. I object to the consideration of the bill at the present time. The Senator from Michigan [Mr. MCMILLAN] desires to address the Senate. After he has concluded, which will be within an hour, I will withdraw my objection and the bill may then be considered.

Mr. TURPIE. I did not understand the remark of the Senator from Oregon.

Mr. DOLPH. I say, for the time being I will object to the consideration of the bill. The Senator from Michigan [Mr. MCMILLAN] proposes to address the Senate now, but he will not speak long, and when his speech is concluded I will have no objection to the consideration of the bill.

The PRESIDING OFFICER. After the Senator from Michigan has concluded, the Chair presumes the Senator from Indiana can bring the matter up again.

Mr. TURPIE. Very well.

PURCHASE OF SILVER BULLION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1) to repeal a part of an act approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."

I.

Mr. MCMILLAN. Mr. President, those who now have in charge financial legislation have given assurance that the monetary system of the United States is to be changed in several particulars. The pearel of the silver-purchasing clause of the Sherman law, they say, is to be but the beginning of a monetary reform. Just what is proposed they are careful not to tell. Vague intimations as to legislation favorable to silver and as to the repeal of the tax on State bank circulation are in the air; and the tax repeal is said, on definite authority, to find favor in Administration circles. Doubtless the promises of a change are induced by the knowledge lately forced upon the people that some change is necessary to bring our currency system but of its present condition of unstable equilibrium.

It has been argued with great spirit that the Government can, and, on the other hand, that it can not by mere legislation create value in the form of money. Yet all nations do create value in otherwise valueless paper, merely by giving to that paper the legal-tender quality. On the other hand, experience has shown clearly that when the amount of Government issues exceeds the uses created for them by the Government, that currency declines in value when compared with the universal standard. So, too, mankind has learned that the only way in which any one nation can maintain gold and silver in its currency is by limiting the amount or the availability of that metal which is cheapest in the world's markets.

To-day this nation has essentially the same kind of a mixed currency that is in use in France, Germany, Holland, Belgium, Italy, and Austria. Each of these nations is on a gold basis; each uses silver coins which are legal tender to any amount and which are kept at par with gold by limiting the quantity; and each makes a large use of paper money issued either by the state or by banks chartered by the nation. England alone has both a gold standard and a gold currency. The amount of her bank-note issues is comparatively small and both law and policy tend to make them smaller.

By a process of natural selection this country has reached the point in currency evolution that the great majority of the commercial nations have reached. Our people do not favor a gold currency such as England has; they do favor the use of silver as a currency basis to the utmost extent consistent with the retention of a gold standard. Nor is there any objection raised on any side to the use of the present amount of greenbacks, so long as their convertibility is maintained. It is only to the small and necessarily diminishing issues of national-bank notes that any objection is made; and the sure approach of the day when such issues must cease, for want of a basis, makes the discussion of national-bank notes pertinent only in connection with schemes to broaden the basis of issue, or to give to State banks also the privilege of putting forth notes.

On the whole, therefore, it may be said that the people are content with the nature of their currency. The present discussion is as to the enlargement of one or the other of its elements. It is admitted that the constant increase in business calls for fresh supplies of money. The question is as to which element—the gold, the silver, or the paper—shall be increased; and in what manner this increase shall be brought about.

Perhaps it is not strictly correct to say that there is no objection to the use of gold as a constituent part of our currency. Every person who advocates the free coinage of silver by this nation alone is an opponent, by implication at least, of the use of the gold basis, for the inevitable result of the free coinage of silver must be silver monometallism. It is maintained by some that the power of the United States is so great that were this nation to open its mints to the silver producers other nations would speedily do the same, and that the result would be international bimetallism.

A careful reading of the report of the Brussels conference must satisfy any person that so long as England refuses to use silver as an unlimited legal tender, no European nation will again open its mints to free coinage. And, if by reason of Mr. Balfour's utterances on the currency question in an address delivered by him at the Mansion House, London, August 3, 1893, any are so optimistic as to put their faith in an immediate change of policy on the part of England, such an illusion must be dispelled by the recent reply of the present chancellor of the exchequer to Mr. R. C. Everett, M. P., in which letter he says:

> But it is of the highest importance in the interest both of this country and of other governments that we should not encourage expectations which we are not likely to fulfill. * * * Her Majesty's Government entirely adheres to the declaration made in the House of Commons, that any interference with the single monetary standard now by law established in this country is open to the greatest of objections. (See article in London Economist reprinted in New York Sun, September 17, 1893.)

After such an expression, international bimetallism must be postponed to the indefinite future; and this fact must be regarded in all currency legislation.

Forced to give up, for the present at least, the idea of international bimetallism and the free coinage of both gold and silver, we still have left the refuge of national bimetallism and the use of silver as unlimited legal tender within wide limits. Silver will be used to a greater extent than gold can be in the currency of each individual nation; and after the production of the white metal shall reach a normal basis, the value of silver will again increase, the supply being regulated by the demand, and the value being established by the cost of production.

The use of silver in the arts: the demand for it as the only money used by the nations of the far East; the need of it to replenish the coinage of our own and European countries; all these causes will in time insure its constant production and give it a stable value, whereas the artificial stimulus given by the Bland or the Sherman laws tend to produce such wide fluctuations in value that thereby silver becomes unfitted for a standard.

II.

It is necessary here to note the difference between gold monometallism, such as England has attained, and national bimetallism, which is the condition of the other nations. The distinction is easily made; and the difference is very great. Monometallism, either of silver or gold, requires a currency in which the given metal plays the controlling part. Monometallic England is forced to keep a gold currency; but a nation may be on a gold basis without having any portion of its currency made up of gold, as is the case with Canada.* France is on a gold basis with a currency consisting of one thousand three hundred and sixty millions of silver and paper and only eight hundred and fifty-five millions of gold. Holland is on a gold basis with but twenty-five millions in gold and one hundred and thirty-five millions in silver and paper.

If a gold basis required a gold currency, then there would not be gold enough in the world to allow either France or the United States to replace its silver and paper money with gold money without bringing all other nations to bankruptcy. The essen-

*Report of the Indian Currency Commission, p. 30.

tial condition of a gold basis, however, is that persons having a foreign debt to pay shall be able to convert the national currency, be it gold, silver or paper, into the international currency, which is the commodity gold. The United States should maintain its finances on a gold basis, because, as compared with other nations, it gets gold cheap. Not only is this country one of the great producers of gold, but the normal condition of our trade with other nations is such as to draw gold from them, both by trade balances and by importing capital.

There is a world of wisdom in the summing up made by that experienced and clear-headed financier, Mr. Bertram Currie, in his remarks at the Brussels conference.

The real desideratum for a nation—

Said he—

is to maintain a surplus of revenue over expenditure, and thereby fully establish and extend its credit. When that has been accomplished, it may command as much gold as it can profitably use, and failing such credit its monetary system can never rest on a safe foundation.

The revenues of the United States, until the recent depression set in, have shown a surplus, and doubtless they will do so again when business shall revive. If they do not, then it should be the first duty of Congress to establish such a balance. With a surplus in the Treasury and the authority given to the Secretary of the Treasury to issue bonds to insure the parity of gold and silver and paper, the United States may maintain a gold standard with a comparatively small stock of gold.

III.

As the Senator from Iowa [Mr. ALLISON] has well pointed out, neither of the great parties in this country has called for the free coinage of silver, at the expense of the gold standard. At the same time there is a widespread belief that the struggle of the nations to obtain gold has made the use of that metal expensive to the nations, and that some mitigation should be found for the condition of affairs so aptly stated by Mr. Goschen to the House of Commons, when he said:

I feel a kind of shame that, on the occasion of two or three millions of gold being taken to Brazil or any other country, it should immediately have the effect of causing a monetary alarm throughout the country.

He might well have said, throughout the commercial world.

What is the remedy? The ideal remedy is the free coinage of both gold and silver at such a ratio that either one may be used to pay a debt anywhere in the world. For that remedy we should continue to strive. In the meantime, the best way to reduce the difficulty to a minimum is the plan suggested to the Brussels conference by Mr. Van den Berg, the delegate of the Netherlands, and the head of the great chartered bank of his country.

Is there not a more effective means—

He asks—

for protecting ourselves against "the struggle for gold" which is to be seen to-day in a more intense form than ever, and which, it seems, must assume a far more acute and serious character still if the present conference should lead to no result? For my part, I believe that this means is already discovered. * * * In my opinion, a great step in advance would be taken if all the great central banks which are subject to the "limping standard" were to be guided by the example of the Bank of the Netherlands in the policy which they pursue with reference to the stock of gold they hold.

The Bank of the Netherlands is very miserly with its gold when it is demanded for home circulation, being of opinion that the coins of 1 florin and 2½ florins, together with the state notes for 10 and 50 florins, with the notes of the Bank of the Netherlands for 25 florins and upward are sufficient for internal exchange. Holland, which has not exactly the reputation of being a poor country, accommodates herself well enough to the lack of gold coins in her circulation. * * *

If the Bank of France, the Bank of Belgium, and the other banks could follow our example, they would see their stock of gold grow much larger than it is at present, and they would be able, with no inconvenience, to liberate as much as at any given moment would be asked of them for export, with the certainty of seeing it return to them shortly, as we have so often observed in the case of Holland. If no impediments were put in the way of the free circulation of gold, if it were allowed to come and go at the bidding of the temporary needs of the money market, we should see the course of business assume an entirely different aspect and calm would reign where, too often at present, a feverish and unreasonable agitation turns men's minds and business out of their proper courses.

I have made this lengthy quotation to show that the problem which disturbs us also weighs upon the minds of foreign financiers; for commerce, the great civilizer, has united all nations in a common peril and has brought them all into council for mutual help. Trade means commercial friendship, not warfare. We have friends, not enemies, across the Atlantic.

IV.

The amount of currency in any country depends on the stock of money multiplied by the rapidity of its circulation, which is another way of saying that "A nimble sixpence is better than a slow shilling." If some means can be found by which the rapidity of the gold circulation can be increased, the result will be the same as if the amount were increased.

Adopting Mr. Van den Berg's argument that gold should be reserved for international uses, let us see if some feasible plan can not be suggested for giving wings to gold, as we have given wings to silver, by the use of the certificate and Treasury note. I believe that it is not only possible to issue an international currency based on gold; but that, before many years shall pass, the inventive genius of the world's financiers will overcome the present slow, tedious, and wasteful methods of carting gold about the world. Within the year past over three hundred tons of gold have been transported across the ocean at an absolute waste of hundreds of thousands of dollars.

The cost to the Government in transporting gold from Washington to New York during the gold exodus a few months ago was $500 a day, the amount of the daily shipments being a million dollars. Within our own country it costs 50 cents to transfer $1,000 in gold, whereas the same amount of currency is shipped for 15 cents. The cost of sending a million dollars in gold across the Atlantic, including freight, insurance, interest, etc., is about $900. Add to this $500 for transportation from the Treasuryat Washington to the subtreasury at New York, and the total sum required to deliver $1,000,000 in gold in London is $3,500. Moreover, during the time required for shipment this million dollars is absolutely withdrawn from the currency and locked up.

Mr. Bagehot, in discussing the gold movement between Paris and London, well says:

The expense of sending gold to and fro having been reduced to a minimum between the two cities, the difference can never be very great; but it must not be forgotten that, the interest being taken at a percentage calculated per annum, and the probable profit having (when an operation in three months' bills is contemplated) to be divided by four, whereas the percentage of expenses has to be wholly borne by one transaction, a very slight expense becomes a great impediment. If the cost is only one-half per cent, there must be a profit of 2 per cent in the rate of interest or one-half per cent on three months, before any advantage commences; and thus, supposing that Paris capitalists calculate that they may send their gold over to England for one-half per cent expense, and chance their being so favored by the exchanges as to be able to draw it back without any cost at all, there must nevertheless be an excess of more than 2 per cent in the London rate of interest over that in Paris before the operation of sending gold over from France, merely for the sake of higher interest, will pay.—*Lombard Street*, page 182.

If "a very slight expense becomes a great impediment" in the flow of gold between two cities where "the cost has been reduced to a minimum," how infinitely greater must be the impediment to the transportation of hundreds of tons of gold between New York and London, where for every hour required in transit between the French and English capitals a full day is required for the transportation across the Atlantic, with the ocean risks added.

I have called attention to the waste and the difficulties incident to the transportation of gold between nations for the purpose of suggesting a method by which that cost may be reduced indefinitely, and at the same time gold may be made more quickly and more widely available for the payment of international balances.

Suppose the holder of gold bars were able to deposit them at a subtreasury of the United States and receive therefor a registered certificate of deposit payable at the United States subtreasury in New York (or any other subtreasury) in gold certificates of such denominations as the New York (or other holder) of the certificate of deposit might find most convenient. These gold certificates would at once become part and parcel of the currency of the country, and could take the place of gold coin in bank reserves, while the actual gold remained in the subtreasury in which it was originally deposited.

Extend the operation one step further, and pass from national to international certificates. Suppose the owner of gold or gold certificates were able to deposit his holdings at the subtreasury in New York and receive therefor registered certificates calling for gold or its equivalent at the Bank of England, the Bank of France, the Bank of Amsterdam, or the Reichsbank of Germany. A small charge might be made to compensate for such shipments of gold as might be required to pay annual or biennial balances between the nations. These international registered certificates would at once pass current in every country which participates in the movement of gold, and would form an absolutely safe means of transfer not only among European nations themselves and between those nations and the United States, but also with the politically unsettled nations of South and Central America.

From February 13, 1891, to April 1, 1892, the exports and imports of gold were over $113,000,000; the net loss of gold to the United States was $40,680,137. The minimum amount in shipments saved by the use of certificates would have been $72,346,714. It is not the actual saving in transportation that counts, although this is no inconsiderable item. The main saving would be found in the freedom with which gold representatives would circulate, and the ease with which debts between dations could be paid through an international clearing house, if once an international currency, based on actual deposits of gold, and guaranteed by the issuing nations were to be established.

The plan outlined is neither new nor original. A plan for international clearing was presented to the London Institute of

Bankers on November 18, 1885, by Mr. Henry Chevassus,* who advanced the proposition that warrants based on gold and silver should be issued, these warrants to be legal tender and capable of transfer by telegraph. Under such conditions, Mr. Chevassus maintained, there need be no greater fluctuations normally than half a centime above or below the metallic par between England and France.

Warrants would flock from all financial centers instantly on any monetary pressure occurring in any one of these. By this means, he maintained, the scramble for gold would come to an end, and the reluctance of France to part with gold for export and the prohibitive measures of Germany would come to an end.

Substantially the same plan was advocated in the London Economist of December 14, 1889, by Mr. Ottomar Haupt, of Paris, who contends that by means of certificates the real par of exchange would at the same time be the gold point and the remitting rate of exchange through a certificate. He says:

The very highest aim of several economists—the continuance of the gold bar, or the value thereof, of one nation in the money of another, without any deduction for coinage expenses, and so on—would then, indeed, have been attained.

Again—

all the charges incidental to the forwarding of gold bars or coins, as freight, insurance, nay, even loss on the standard bars, would henceforth be done away with, and even the postage of the letter would not be increased, seeing that in case of loss an indorsed certificate could not be trifled with. In one word, the procuring and forwarding of the certificate would involve no expenses whatever, and consequently the price paid for it will find its immediate and absolute expression in the rate of exchange itself.

Even though the advantage of the plan should prove much less than is claimed for it, our own experience with paper as a substitute for coin will readily convince an American that the use of international currency based on gold would enable one dollar's worth of gold bullion to do the work of many dollars as at present utilized.

Since the movement of gold across the Atlantic is mainly between New York and London, the present Administration could not do a greater service to the business interests of this nation than would be done by opening negotiations with the British Government for a commission to arrange for cashing, at either the subtreasury at New York or the issue department of the Bank of England, of certificates issued against actual deposits of gold, and for such periodical clearings as might be found necessary. This would be the first step to an international currency, portions of which would, in time, be furnished by all countries having a gold basis.†

V.

It is contended that the appreciation of gold is one of the causes of the general fall of prices which has been going on the world over. Admitting that gold has somewhat advanced in value on account of its increased use among nations, the fall of prices is due mainly to competition brought about through improvements in production and the resort to more productive soils. Congress should never lower the standard of value for the benefit of the comparatively few debtors who years ago incurred debts measured in money of less value, when by so doing the result will be to lower the real wages of labor, and to reduce the standard of living among the great mass of the active and productive people of the nation.

The striking fact brought out in the report of the Senate Finance Committee on Wholesale Prices and Wages (see volume 1, pages 15, 179, 180) is that while there has been a considerable fall in the price of commodities, there has been an advance in the price of labor. Investigations carried on in other countries show that this advance is not confined to the United States, but that in every commercial nation the condition of the wage-worker has steadily improved and that his standard of living has advanced. Moreover, David A. Wells has shown that when measured in commodities, the real wages of the laboring man during what are called the "flush times" that followed the war really suffered a decline as compared with 1860. (Recent Economic Changes, page 417.) It is a sufficient objection to the free coinage of silver that it will raise general prices in this country, since in that rise the laboring man, as experience shows, must suffer.

We should ever strive to keep the standard of value steady and uniform; but better a slight fall in prices than a rapid rise in which the speculator and a comparatively few debtors shall reap the advantage at the expense of the man whose welfare is measured by his daily wage.

VI.

After all is said about the increased value of money, the chief reason for that increase is to be found not in the scarcity of money, but in the improvement of production, in the decline in cost of transportation, and the linking together of the markets of the world. The farmer in the middle United States has experienced a decline in the price of wheat, due to the fact that the Indian and the Russian farmer have become his competitors in the world's markets, while at the same time the resort to new lands in the West has increased home competition.

But the invention of farming machinery and the extension of railroads have decreased his cost of production, and every dollar that he has received has enabled him to command more of both the necessaries and the luxuries of life. He has seen his rate of interest decline from 10 or 12 per cent to 6 or 7 per cent; and at the same time facilities for the education of his children and the means of enjoyment have vastly increased for him. It is only when he comes to pay the principal of his debt, if he happens to be a debtor, that he is somewhat the worse off; and in the long run even the farmer would be the loser by reason of the free coinage of silver or any other method of creating a general rise in prices. It is true that he might get more dollars for his products, but he would also pay more for clothing, groceries, and those other commodities with which he has to supply himself. The only thing that will really benefit the farmer is to have his products rise in price while other commodities decrease. So long as his foreign and home competition in raising wheat increases, no decrease in the value of money will give him real benefit.

The farmer has suffered by reason of the fall in the prices of his products. The manufacturer and the trader have also suffered from the fall of prices of manufactured articles and commodities generally. Every mile of railroad that England has built in India has helped to reduce the price of wheat in America. The Suez Canal has reduced the value of wheat lands in Kansas. The competition of the Pacific ports with those on the Atlantic has become so keen that about one-third of all the wheat sent from the United States to England goes around Cape Horn.

What is the remedy for the farmer? Surely not a rise in general prices which would enhance the cost of everything he buys, while at the same time the value of his products is regulated by the demand and supply in foreign markets. His future prosperity depends, first, on the building up of cities to supply which he can diversify his products and thus in part escape from the effects of competition in wheat; and, secondly, in the fact that according to the best authorities the wheat acreage of the world can not be extended much beyond the present limit. When the ultimate limit shall be reached the value of food products must rise as compared with manufactures, and the farmer will then be able to command a larger share of commodities.

The argument that this country should continue the purchase of silver for the sake of the silver-mining and kindred industries will not stand. Silver has declined in value for the same reason that iron has. Taking the price of best refined bar iron as 100 in 1860, the tables submitted by the Finance Committee show that the price advanced until in 1864 it was represented by the index number 249.3. From that year there has been a pretty steady decline, so that in 1891 the price was 27.6 points below the price in 1860, and 176.9 points below the price in 1864.

With every fall in price the iron manufacturers were sure they could not maintain themselves, and profits have been cut down enormously; but improvements in machinery, the decrease in the cost of transportation, and the discovery of richer mines have all tended to a reduction in the price of iron, just as the same causes have reduced the value of silver. I venture to say that in the whole silver-mining section of the country the repeal of the silver-purchasing clause of the Sherman law will not work so much suffering as the panic of this year has already worked in the iron-mining regions of Michigan, Wisconsin, and Minnesota. One of the most experienced and most successful silver-mine owners in Colorado writes me as follows:

I believe in the repeal of the purchasing clause of the Sherman law. I believe that supply and demand should regulate the price of silver, and that the miners should regulate the supply. I believe that silver should be a legal tender up to $5, and used as a circulating medium. Let it be coined to supply the demand, and when redeemable in silver bullion the demand will regulate the supply.

The result of closing the silver mines has been to start work in the gold mines. The reports which come to the New York Sun from Colorado, Idaho, New Mexico, Oregon, and California show that capital and labor are now fast turning to the production of gold; that instead of men clamoring for work, they are combining to raise the price of their labor, and that during the present year the production of gold will be enormously increased.

VII.

One of the most common objections to the use of gold and silver and one of the arguments most relied on to justify an expan-

* London Economist, December 21, 1889.

† The international certificate presents no greater difficulties than have been overcome already in the case of the international postal money order, whereby money deposited in any money-order office in the United States may be transferred by an order payable in one of twenty-nine foreign countries or colonies at a cost of 1 per cent.

sion of the paper currency is that there is not enough money in existence to pay the debts of the world. This is an argument much in vogue with men who claim to be friends of labor. How fallacious it is may readily be seen by examining the daily routine of business that is carried on through the various clearing houses. On September 1, 1893, the interest-bearing debt of the United States, exclusive of the $64,623,512 of bonds issued in aid of the Pacific railroads, amounted to $585,037,590. The bank clearings in seventy-seven cities for the week ending August 31, 1893, as reported by Bradstreets, amounted to $661,152,209.

In other words, in the leading commercial cities of this country during one week an amount of indebtedness in excess of the bonded debt of the nation was liquidated without the use of one dollar in money of any sort, kind, or description; and this, too, when the exchanges showed a decrease of about one-third of the normal amount. There is no greater fallacy than that which insists that debts are paid in money rather than in credits. And, further, in estimating the amount of currency, it is necessary to take into consideration credits as well as cash.

The Treasury statement shows that the currency of the United States on September 1, 1893, was $25.01 per capita, and that the per capita in France was about $44; but the probability is that the use of banking facilities in this country so far outstrips those of France that doubtless we have in circulation a greater amount of currency per capita than has France or any other country on the globe. Even in London, the clearing house of the world, the sum of the weekly exchanges through the Bankers' Clearing House of that city fall hundreds of millions below the aggregate of those of the clearing houses in the seventy-seven reporting cities of the United States.

Whatever may be the evils of a scarcity of money the evils of an overabundance of money are still greater. When money becomes so plenty that the persons to whose keeping it is temporarily intrusted use it to promote purely speculative schemes; when it is used to bolster up stocks and bonds of little or no intrinsic value; when, in a word, money is so plenty that it can be obtained readily to prepare the materials for a panic, then the evils of an oversupply become destructive beyond all calculation or conception. I believe that this country has suffered a hundred times more from the effects of an oversupply of money than it has suffered from a scarcity in the circulating medium.

VIII.

The chief use of money is as a basis of credits. At the present time 92 per cent of the world's business is conducted on credit, and only about 8 per cent is transacted with money. It needs no argument to prove that the most disastrous thing which can happen to the monetary affairs of a nation is to have its currency impaired. Better by far lose a portion of the money outright than have suspicion cast on the value of the currency as a whole.

While I believe that the money of the country should be maintained at a stable value for the sake of protecting the credits which furnish the lifeblood of commerce, manufactures, and business of every kind, I can not overlook the fact that bank credits are every day being impaired by other means than the impairment of the currency; and that while the banks appeal to Congress to protect them, and through them the people, from the evils of a debased standard, it is equally the duty of Congress to protect people and banks alike from certain vicious practices which some banks have adopted deliberately and others have been drawn into—practices more destructive to credits than the Sherman law has ever been. I refer particularly to the practice of the national banks in parting with the control of their reserves in order to secure interest on deposits made in other banks.

Congress undertakes to control national-bank credits by certain regulations to which every such bank must conform. I propose to show by the testimony of the most experienced bankers that the present regulations must be extended if the national banks are to do the duty which the people have a right to expect of them. I believe that the man of business, the manufacturer, the laborer, and the farmer—in a word, every member of the industrial system—has a right to demand of Congress that it shall legislate with regard to the national banks so as to prevent, or at least greatly mitigate, those sudden collapses of bank credits which with alarming frequency prostrate every kind of business, causing widespread distress and carrying destruction throughout the land.

The safety of banking depends on the size and the nature of the reserve. Unfortunately it is impossible to lay down any exact rule as to how much money it is necessary for the banks to hold in their vaults in order to make their depositors safe. The law does require a minimum reserve of 15 per cent for banks outside of the reserve cities, and of 25 per cent for all other banks, and it provides for closing any bank which allows its reserve to remain below the required amount.

Admitting that the law provides for a sufficient amount of reserve, provided that reserve were actually at the disposal of the bank, it can readily be shown that the law as it now stands permits the banks outside of the central reserve cities to part absolutely with from one-half to three-fifths of that reserve; and that by the payment of interest on the deposits made by other banks the national banks in the reserve and central reserve cities have built up a vicious system of banking, by which system panics are encouraged.

In making these strictures I have no fault to find with the bankers of this country as individuals. They are first of all business men, who give what attention they may to their duties as directors of banks, and in the evils which a bad system precipitates they as men of business are the first and sometimes the only ones to suffer. More than this, the practice of paying interest on deposits finds its most strenuous opponents among the bankers themselves, many of whom resort to it only when their dwindling deposits give warning that their interest-paying competitors are outstripping them in the race for commercial success.

IX.

Under the acts of 1887 and 1877 respectively, New York, Chicago, and St. Louis have become central reserve cities and some twenty-four others have become reserve cities. Of the three central reserve cities, New York far outstrips the other two.

The practical result of interest paying is to draw money to the central reserve cities, and particularly to New York. It has been estimated that as high as $80,000,000 of the reserves of the interior banks is often held by the New York banks. Hence it happens that the whole monetary system of the United States depends for its stability on the solvency of the New York banks. If at any time they are unable to meet their liabilities the whole banking system collapses. They are the link which determines the strength of the monetary chain.

Take for example the state of the reserves on October 2, 1890. The country banks, so-called, then held a reserve equal to 26.2 per cent of their deposits, or nearly twice the amount required by law. This reserve was divided as follows:

	Millions.
Specie and other lawful money	92.0
Due from agents	128.5
Redemption fund	5.2

In other words, the country banks, with an apparent reserve of more than double the amount required by law, really had control of but 10 per cent of their deposits. Manifestly their solvency depended absolutely on the ability of the reserve city banks to pay their debts; for nobody will contend that 10 per cent of cash is a sufficient basis to sustain a bank when even a rumor of trouble is abroad.

On the same date the banks in the reserve cities held reserves equal to 28.3 per cent of their deposits. They were 3.3 per cent above the legal requirements. Their reserves were distributed as follows:

	Millions.
Specie and other lawful money	68.0
Due from agents	61.0
Redemption fund	.7

In actual cash the reserve city banks held an available reserve of but 12.6 per cent of their deposits, and their solvency depended on the repayment of their deposits in the central reserve cities of New York, Chicago, and St. Louis.

On that date the St. Louis banks held in available cash less than 21.3 per cent of their deposits. The Chicago banks were 5 per cent above the limit required by law and the New York banks were 2.8 per cent above the limit.

A month later, on November 12, 1890, the banks of New York confessed their inability to pay their obligations in cash, and resorted to the device of issuing clearing-house loan certificates, which were not retired until February 7, 1891. The collapse of speculations in our own country and the Baring troubles in England precipitated a crisis that was prevented from becoming a panic only by the timely action of the Government, which between July 19 and November 1, 1890, emptied the Treasury of $99,000,000 of surplus spent in the purchase of bonds. During the present year no such surplus was available for the purchase of bonds, and the panic came with full force.

X.

The point to be observed is this: If the national banks, when supplied with the reserves called for by law and distributed as the law provides they may be, are unable to sustain themselves without the intervention of the Secretary of the Treasury, it is an imperative duty, now that the Treasury is no longer able to afford relief, to provide by law for larger reserves and more available ones. That duty is one which Congress owes to the people. The banks protect themselves by the issue of clearing-

house certificates, which are in themselves a confession af temporary insolvency on the part of the banks as a body; but in their struggle for existence loans are curtailed, stocks are sacrificed, and the army of industry is put to rout.

Hon. Edwin S. Lacey, in the report of the Comptroller of the Currency for 1891, says:

The monetary stringency culminated on the 15th of November, 1890, and its effects within thirty days thereafter had to a considerable extent passed away, so far as could be observed in the larger cities. Its effect on the country at large, however, still continued. Inability to place securities and to borrow money had arrested the operations of a great multitude of corporations scattered all over the country, and insolvency and failure had in a large number of cases ensued. Where failure did not take place new work was stopped, all credits were curtailed, and business in its various forms became greatly depressed. The growth of cities and villages was in many cases arrested, and the prices of city property, especially of a suburban character, became greatly reduced.

Mr. Lacey calls attention to the fact that under the present system of banking a general monetary stringency is felt first and most seriously by banks located in the larger of the reserve cities, in part because banking associations in those cities pay interest on bank balances in order to accumulate loanable funds.

Attention has been called to the dangerous condition of the bank reserve, even when they meet large requirements—a condition which demands prompt and effective treatment at the hands of Congress. I say at the hands of Congress, because the banks, while fully conscious of the source of danger, are powerless, in and of themselves, to work a remedy. I believe that the time has come when the New York bankers should maintain a much larger reserve than 25 per cent of their bank deposits, and that legislation should be enacted to put a stop absolutely to the payment of interest on deposits of banks. Occupying a position analogous to that of the Bank of England, and yet being weaker than that institution in times of stress, because both of divided responsibilities and also because of not being able to replenish their reserve by a rise in the rate of discount, the New York banks should not be content with a 25 per cent reserve when the Bank of England needs from 33 to 44 per per cent, and at times even more.

I have shown by figures taken from the reports of the Comptroller of the Currency how small the actual cash reserves of the banks in the country and the reserve cities usually are and how the e banks, sending a large proportion of their reserves to New York, impose upon the banks of that city burdens which the nature of their loans and the character of the demands liable to be made on their deposits ill fit them to bear.

In the light of what has gone before, let me quote from the report of the Committee of Nine, which was prepared by that experienced and conservative banker, Mr. George S. Coe, and adopted by the New York Clearing House Association in 1873. The evils to which I have called attention, although acknowledged by the New York banks, have not been corrected, but rather have become more widespread.*

Mr. Coe's report applies as well to the crises of 1884 and 1891 and to the panic of 1893 as to the panic of 1873.

Banks—

Says the report—

are the natural depositories of the current capital of the nation passing into and out of active industry and commerce. The balances held by them are for the time specially reserved by their owners from permanent investment and kept subject to immediate control. * * * The custodians of such funds are consequently bound by the very nature of their trust to preserve them in their integrity and to apply them only in such ways as will prevent them from falling into inactivity, and also to hold such proportion in ready cash in hand as long experience has proved to be necessary to meet immediate demands in every possible emergency.

How the banks have recently failed to meet these necessary and reasonable requirements needs no discussion.

Mr. Coe continues:

No institution can, in the long run, purchase deposits of money payable on demand of the owners, and at the same time secure to itself a just and proper compensation for the business, without violating some of the conditions indispensable to the public safety. It must either use them in ways that are illegitimate and perilous or use them in excess. This has been abundantly proved by innumerable instances in years past, and the practice of paying interest for such deposits was unanimously condemned by the bank officers in 1857 as one of the principal causes of the panic at that period.

The panics of 1857 and 1873, as the bank officers themselves confess, were caused by the payment of interest on deposits, and yet the banks suffered the practice to continue until this year for the third time it has culminated in a panic.

A sharp and degrading competition has not only prevailed among banks in this city (New York), but has been excited as a necessary consequence in other places, where the far-reaching enterprise of some of our associates has led them in the pursuit of business. * * * Banks throughout the country have been aroused to enlist in the same destructive practices toward each other and in defense of their various localities. A premium has unnecessarily been given for business which, left to itself, would fall without cost into its natural channels, and adjust itself to such localities as the convenience of the people and the best interests of the country require.

Just here the report makes a most important point. It is the complaint of the West and the South that New York drains away their money. In so far as money naturally flows to the place where it is most needed, this complaint is unfounded. But in so far as the central reserve cities or the reserve cities create a dangerous and unnatural demand for money, the complaint is one that deserves not only the negative consideration of bankers, but also the positive operation of restrictive legislation.

Without such rivalry—

Says the report—

the resources of the nation would be so diffused among the banks as to give increased financial strength and stability to every part, and not only remove a great cause of irritation, but add to the comfort, efficiency, and profit of all.

Since the report was written this nation has escaped from an irredeemable currency, but we are still afflicted by the lesser ills which attend an inelastic currency. Like an irredeemable currency, it is superabundant in summer and scarce at the crop-moving season. At times money accumulates in New York. As the report says:

Legitimate commerce does not then demand it. It is still subject to instant call. There is consequently no resource but to loan it in Wall street upon stocks and bonds, in doing which so much of the nation's movable capital passes for the time into fixed and immovable forms of investment, and its essential character is instantly changed. Loans are made with facility upon securities which have no strictly commercial quality, new and unnecessary enterprises are encouraged, wild speculations are stimulated, and the thoughtless and unwary are betrayed into ruinous operations. The autumnal demand finds the resources of the nation unnaturally diverted from their legitimate channels and they can be turned back only with difficulty and public embarrassment.

Such has been our well-known experience year after year. Interest upon money has, as a consequence, fluctuated widely from 3 or 4 per cent per annum in summer to 15 or 20 per cent in the fall and winter upon commercial paper, and upon stock to one-half to even 1 per cent a day. Vicissitudes like these are utterly destructive to all legitimate commerce, and institutions whose operations tend to such results are enemies to the public welfare.

These are strong words to be printed over the signatures of nine of the leading bankers of New York City, but the facts show that they are none too strong. When the panic of 1873 began twelve interest-paying banks held about one-half the total deposits in New York, and the other forty-eight banks held the other half. The active demand for currency came first, as it always does, from that portion of the deposits due country banks, made timid by failures among their New York correspondents.

The deposits were loaned largely in Wall street "on call." The banks, on undertaking to call these loans to fill their depleted reserves, not only shut off the borrowers from every resource, but also made stocks unsalable. In twenty-four days the legal-tender reserve dropped from thirty-four millions to five and eight-tenths millions. The interior banks, whose resources consisted mainly of debts due from other banks, found themselves unable to meet the demands of their depositors. For a time the whole monetary system of the country was in disorder; and it was not until the strong banks of New York came to the aid of their weaker brethren that the finances once more assumed shape.

On asking themselves what reforms are required in the operations of the banks with each other and the public to increase in security of their business, the committee "*first and most prominent recommend that the banks entirely discontinue the payment of interest upon deposits, whether directly or indirectly.*"

Unfortunately, the New York Clearing-House Association, while admitting the evil, took no effective steps to remedy it. So it remained to breed another panic.

Mr. FRYE. Is that limited to deposits made by other banks?

Mr. McMILLAN. Yes, deposits of other banks—country and reserve city banks.

In my judgment, the time has come for Congress to say that no national bank shall pay interest, or procure interest to be paid, on deposits, and the penalties for the violation of the law should be sufficiently stringent and sufficiently simple in their application to insure obedience. In this way each bank would seek uses for its money at home, the reserves would become more widely diffused; rates of interest on local loans would be less and money would be more available for domestic purposes; Chicago and St. Louis would increase in importance as money centers, and probably New Orleans and San Francisco would become central reserve cities. In this way the annual drain of money from New York for crop movements would be lessened, and the exchanges of the country would be put on a more conservative basis.

The objection to a law which should prevent the national banks from paying interest on deposits is that State banks, not being subject to such a provision, would gain enormously at the expense of the national banks, and that there is no hope of securing restrictive legislation in the various States.

The late John Jay Knox, in the report of the Comptroller of the Currency for 1873, recognized the force of this objection and proposed that a tax be imposed on all deposits which either

* See New York Financial Chronicle, November 15, 1873.

directly or indirectly are placed with other banks, whether national, state, or private, with the offer or expectation of receiving interest.

Such legislation—

He says—

if rigidly enforced, would have the effect not only of reducing the rate of interest throughout the country, but at the same time would prevent the illegitimate organization of savings banks, which organizations should be allowed only upon the condition that the savings of the people shall be prudently and carefully invested, and the interest arising therefrom, after deducting reasonable expenses, distibuted from time to time among the depositors and to no other persons whatever.

Mr. MANDERSON. I should like to ask the Senator whether that course in savings banks has not led throughout the country to this remarkable condition: That profits have accumulated; that depositors have passed away, ceased to be depositors either by death or transfer of accounts or what not, and we have a condition such as obtains, we will say, in the saving institution or association of Cleveland, where there is an accumulation, I understand, of $15,000,000 or $20,000,000 that does not seem to belong to anybody.

Mr. MCMILLAN. It is a pretty good security for depositors' any way.

Mr. MANDERSON. Exactly——

Mr. MCMILLAN. I am only quoting John Jay Knox, who is an expert in banking, and who gave it as his opinion that that would be the wisest course. I understand that in New York State there is a law to the effect that the interest and profits of savings banks, after deducting reasonable expenses, shall be distributed among the depositors.

Mr. MANDERSON. There is, but would it not be better than the New York law or the suggestion of Mr. Knox to establish in this country the English system of postal savings banks?

Mr. MCMILLAN. Possibly it would.

XI.

It may be that the simple prohibition of the payment of interest on deposits would not be sufficient to place the reserves on a basis of safety. If experience shall show such to be the case, the next step should be to increase the percentage of reserve to deposits. The average reserve of the New York banks is about 28 per cent. Those banks might be required to keep a reserve of 40 or even 50 per cent of the deposits of other banks. Even then the element of flexibility is absolutely wanting. The New York banks are restrained by the usury laws from adapting the rate of discount to the demands for money, and in this manner drawing cash from abroad or from the market.

In times of panic or crisis we have no method of filling the depleted reserves other than the harsh and dilatory one of forcing a fall of prices and so increasing exports of commodities in exchange for gold. The business community has great need of some means of turning securities into cash at will, and thus quickly and effectively preventing a crisis from developing into a panic. I believe that such a means would be supplied by giving to any holder of United States bonds the option of presenting them at any subtreasury of the United States as a special deposit and receiving for them legal-tender currency redeemable only in bonds.

The only objection to such a plan is to be found in the encouragement it gives to bank officers to throw off a part of this responsibility for prudence; but with proper legal safeguards to protect the reserves, the elasticity in the currency to be secured by the convertible-bond plan seems to me the best that can be devised to secure relief from the financial storm and stress that no amount of human prudence can at all times foresee.

There are other reforms which can be invoked to make banking more serviceable to the people; but by far the greatest part of the journey towards a sound monetary system will have been taken when Congress shall do three things:

First, provide for a currency every part of which shall always be maintained at par with the world's money;

Secondly, provide for adequate banking reserves distributed throughout the country as nearly as may be in accordance with the local business necessities; and,

Thirdly, provide a ready means of converting securities into cash and cash into securities according to the need for a more expanded or a more contracted currency.

These things accomplished, the quantity of money may well be left to natural business causes, which, in the long run, do determine the value of money in spite of all hindrances devised by man.

Mr. TELLER. Mr. President——

Mr. WOLCOTT. Before my colleague proceeds with his remarks, I desire to call the attention of the Senate and the Chair to the fact that there is not a quorum present.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Dubois,	McPherson,	Shoup,
Bate,	Faulkner,	Manderson,	Stewart,
Berry,	Frye,	Martin,	Teller,
Caffery,	Gallinger,	Mitchell, Oregon	Turpie,
Call,	George,	Morgan,	Vance,
Carey,	Gibson,	Palmer,	Voorhees,
Chandler,	Gorman,	Peffer,	Washburn,
Colquitt,	Gray,	Perkins,	White, Cal.
Cullom,	Harris,	Platt,	Wolcott.
Davis,	Hawley,	Ransom,	
Dixon,	Lindsay,	Roach.	
Dolph,	McMillan,	Sherman,	

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is present. The Senator from Colorado will proceed.

Mr. TELLER. I understand that the Senator from Oregon [Mr. DOLPH] desires to take a little time now, and for that purpose I will allow him to go on, if it is agreeable to the Senate, instead of going on myself.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Oregon that the Senator from Indiana [Mr. TURPIE] desired to call up a matter at this time, if the Senator from Oregon will yield.

Mr. DOLPH. I promised the Senator from Indiana that I would withdraw my objection to the consideration of the census bill, and I will give way for that purpose.

ELEVENTH CENSUS.

Mr. TURPIE. I ask for the present consideration of the bill (H. R. 3607) to extend the time for completing the work of the Eleventh Census, and for other purposes.

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

Mr. HARRIS. Let the bill be read.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the time provided in the act making appropriations to supply deficiencies in the appropriations for the fiscal year 1893, and for prior years, and for other purposes, approved March 3, 1893, for closing the work of the Eleventh Census, under the provisions of the act of March 1, 1889, entitled "An act to provide for taking the Eleventh and subsequent Census," and of any subsequent act relating to the Eleventh Census, be, and the same is hereby, extended from the 31st day of December, 1893, to and including the 30th day of June, 1894; that the President of the United States, may, in his discretion, authorize and direct the Commissioner of Labor to perform the duties of Superintendent of Census, under the direction of the Secretary of the Interior until the work of closing the Eleventh Census is completed, at such additional compensation, payable from the appropriations for compiling the results of the Eleventh Census, as the Secretary of the Interior may determine, not exceeding one-half of the compensation now fixed by law for the Superintendent of Census.

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

Mr. HARRIS. There is no objection so far as I am concerned.

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

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

PURCHASE OF SILVER BULLION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1) to repeal a part of an act, approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."

Mr. DOLPH. Mr. President, a few days ago, when the Senator from Colorado [Mr. TELLER] was addressing the Senate on the pending measure, the Senator from New Jersey [Mr. MCPHERSON] interrupted him to ask him a question, which was, If the operation of the Sherman law has not caused our present business depression and financial disturbances, what has? The Senator from Kansas [Mr. PEFFER], in an elaborate speech, recently undertook to give a great many causes for our present business and financial troubles, some of them in my judgment having no existence except in the minds of the Senator from Kansas and others who believe with him, and all of them together not sufficient to cause our present deplorable condition.

Believing it important that the Senate and the country should not lose sight of the real cause of our present disturbances, I have ventured again to occupy the time of the Senate for a few minutes for the purpose of very briefly giving my views as to what is the cause of our present business and financial troubles.

As I have said before in the Senate during the present session, I believe that the cause of our present disturbances is the fear of tariff legislation hostile to our industries. It is the fear of the same cause that, when the colonies had separated themselves from the mother country and declared and won their independence, flooded this country with foreign goods, destroyed our domestic industries, deprived labor of employment, drained the

country of all its specie, and depreciated property so that improved farms would not sell for the amount of taxes.

In the State of Connecticut alone 500 farms were sold in a single year for taxes which the owners could not pay. It is the fear of that which, during that period of free trade in the United States, drove the people to despair and discontent, incited insurrections in half of the States of the confederacy, made it doubtful whether our experiment of free government would be successful, and alarmed the fathers of the Revolution for the safety of the Republic—a condition which continued until the present Constitution was adopted and power was conferred upon Congress to protect domestic industries, and legislation for that purpose was enacted.

It is the fear of hostile legislation like the compromise act of 1833, which, after our country had enjoyed a period of prosperity unexampled in its history, under the tariff of 1824 and 1828, under which great industries were built up, labor given employment at remunerative wages, the country was prosperous and the Treasury overflowing, struck down the protective system, stopped the wheels of progress, closed our great industrial establishments, deprived labor of employment, and brought on the great business and financial crisis of 1837, by which ruin and bankruptcy became universal, and which brought about the political revolution which placed the Whigs in power in 1841 and restored the protective policy by the act of 1842. It is the fear of legislation hostile to American industries, like the act of 1846, which, again, at the behest of the South, struck down the protective system and impoverished our Treasury, deprived labor of employment, and finally brought on the great business and financial depression of 1857 and the condition of the country so graphically portrayed in the last annual message of President Buchanan.

The Republican party took control of the Government in 1861, with an impoverished Treasury and the national credit gone. Our bonds during the Buchanan Administration drawing 12 per cent had sold in the markets of the world at 17 per cent discount. It found not only a depleted Treasury, but the Navy scattered to the four quarters of the globe, the Army demoralized by treason, a great conspiracy on foot to destroy the Union, and hostile armies actually in the field. It took control of the Government, restored its credit, marshalled and maintained in the field millions of men in battle array, and paid the expenses of a great war. In the midst of war, while great contending armies were devastating large sections of the country, it adopted the protective policy and started the country on an era of prosperity such as this country and no other country on the globe has ever witnessed before. For thirty years our industries prospered, our people were employed, our wealth increased.

The whole valuation of our property in 1860, according to the census, I believe was $14,000,000,000, which represented all the savings of the people for two hundred and fifty years; but under the administration of the Republican party and the protective system the wealth of the country increased until in 1880 the census showed that the assessed valuation of property in this country was $44,000,000,000, or an increase of $30,000,000,000 in twenty years. Again, in a period of ten years, from 1880 to 1890, the value of the property of this country had increased to $63,000,000,000, an increase of $23,000,000,000.

Suddenly this magnificent prosperity is checked, the wheels of progress are stopped, our spindles and looms are silent, our forges and furnaces and factories and mills and other great industrial establishments are closed, and all this occurs concurrently with the success of the Democratic party and its coming into control of both branches of Congress and the Executive department of the Government.

Mr. President, most common people would be disposed to connect these two facts to consider that one had some relation to the other, and to attribute our present condition as the effect of the success of the Democratic party. To my mind it is as absurd for Democratic Senators to go searching through history and indulging in speculation to find some cause for the present condition other than the real cause, as it would be if a man had jumped from the dome of the Capitol and been crushed on the solid pavement below, for some one to undertake to prove that he had died of heart disease or some kindred trouble.

The Democratic party is in power in both branches of Congress for the first time in thirty years, and the great apostle of free trade in this country occupies the Presidential chair. It came into power on a platform which declares that protection is robbery and is unconstitutional, and the party stands with a lighted torch in hand, ready to apply it to our great industrial fabric, built up under thirty years of protection, by industry, toil, and enterprise; and Democratic Senators innocently ask if our present troubles are not the result of the Sherman law, what has caused them? If they were not so wedded to free trade as to be unable to comprehend that the destruction of the protective policy would destroy domestic industries, they would not ask such a question.

Mr. President, is it a wonder, with this threat hanging over our industries, that our mills and factories have been closed and that idle men walk the streets and demand work and bread? Is it a wonder that the great captains of industries have paused to see where the blow will fall?

When the junior Senator from Delaware [Mr. HIGGINS] the other day was discussing this question, the Senator from New Jersey [Mr. MCPHERSON] asked him if the threat of hostile tariff legislation is the cause of the present troubles, how is it they did not commence immediately after the result of the Presidential election became known? I interrupted the Senator from Delaware to say that I was informed that the great manufacturers did at once commence to curtail their operations, to dispose of their surplus stock, and to collect their outstanding dues.

The Senator from Delaware made another answer. He said, what was true, that our manufacturing establishments were then running on orders, that they had large orders for goods and continued in operation until they had filled the orders; but I will give that Senator and other Senators a stronger reason why the manufacturers were not affected by the result of the Presidential election at once. They did not know for months what would be the political complexion of the Senate; none of us knew until after the State Legislatures had met and had elected, or had undertaken to elect, United States Senators, what the complexion of the Senate would be, and some of us did not know until after the Senate was actually organized—after the 3d of March, 1893.

The truth is that our business disturbances and financial distress did commence just as soon as it was known that the Democratic party would control both branches of Congress. So long as the political complexion of the Senate was in doubt, the people and the manufacturers did not know but that the Senate would stand as a bulwark against hostile tariff legislation, as it did in the years from 1885 to 1889.

The attitude of the Democratic party on the question of the tariff has never before in our history been so hostile as it is today. At least in recent years, when the Democrats have met in national convention and resolved to reform the tariff, have declared in favor of a reduction of the tariff, or for tariff for revenue only, they have taken pains to assure the country that tariff legislation would not be had so as to seriously interfere with or destroy protected industries. In the Democratic platform of 1884 is contained the following plank:

> Knowing full well, however, that legislation affecting the operations of the people should be cautious and conservative in method, not in advance of public opinion, but reponsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all interests. But, in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of the reform must be subject in the execution to this plain dictate of justice—all taxation shall be limited to the requirements of economical government.

That is sufficient, Mr. President. It shows the attitude of the Democratic party toward our protected industries in 1884 according to their platform. In 1888 the national Democratic platform contained the following:

> Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

It will be seen that in both of the Democratic national platforms of 1884 and 1888 the manufacturers were assured that in any reform of the tariff they would not be destroyed, the fact that there is a difference in wages of labor in the United States and in foreign countries was recognized, and the promise of the party was given that in any tariff legislation this difference should be recognized.

At the Democratic national convention which assembled in Chicago in June, 1892, a committee on resolutions was appointed, I believe, consisting of a delegate from every State and Territory of the Union. That committee performed its labors, and reported to the convention a platform through Col. Jones, who was chairman of the committee, which was read by a distinguished member of this body, the senior Senator from Wisconsin [Mr. VILAS], which contained the following statement:

> We reiterate the oft-repeated doctrine of the Democratic party, that the necessities of the Government are the only justification for taxation and whenever a tax is unnecessary it is unjustifiable. That when custom-house taxation is levied upon articles of any kind produced in this country the difference between the cost of labor here and labor abroad, when such a difference exists, fully measures any possible benefits to labor; and the enormous additional impositions of the existing tariff fall with crushing force

upon our farmers and workingmen. And for the mere advantage of the few whom it enriches exacts from labor a grossly unjust share of the expenses of Government. And we demand such a revision of the tariff laws as will remove every iniquitous unequality, lighten every oppression, and put them on a constitutional and equitable basis.

Now, mark—

But in making a reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected by the custom-houses have been the chief source of Federal revenue. Such they must continue to be. Moreover, many industries have come to rely on legislation for successful continuance, so that any change of law must be at every step regardful of the labor and the capital thus involved. The process of reform must be subject in its execution to this plain dictate of justice.

It will be seen that the platform reported by the committee on resolutions in 1892 repeated substantially the portions of the platforms of 1884 and 1888, which I have quoted. It recognized that there is a difference between wages of laboring men in this country and of laborers in foreign countries. It recognized that vast amounts of money had been invested in building up domestic industries which provided employment for labor, and it was proposed to assure the country that these industries were not to be ruthlessly destroyed, but the Democratic party in convention, controlled by the South with its peculiar views upon the tariff question, determined that that resolution should not be adopted. Mr. Neal, of Ohio, submitted a motion to strike out the portion of the platform relative to the tariff which I have read and to insert as a substitute the following:

We denounce Republican protection as a fraud, a robbery of the great majority of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

The Democratic party in convention assembled was not willing to be committed to a statement that there was a difference between the wages of labor in the United States and in foreign countries; it was not willing to be committed to the statement that it did not propose to change the tariff laws so as to destroy existing industries. That portion of the platform was stricken out by a vote of 564 out of 910 votes.

There were only 344 votes against Mr. Neal's motion, and only 90 of them came from the Southern States. Is it any wonder, when the Democratic party has come into power and controls the legislative and executive branches of the Government, and succeeded on such a platform as that, which, properly construed, is a declaration that our protected industries must be destroyed—is it any wonder that our mills and our forges and our other industrial establishments are silent?

The Senate may pass the House bill now pending before the Senate; it may repeal the provision of the Sherman law providing for the purchase of silver bullion, but it will not restore confidence. The money which has been withdrawn from the banks by depositors may be restored, in fact, much of it has already been restored, but the banks will hold it. The great manufacturing establishments of this country will not want it. They are not going to expend money to manufacture a surplus. Whenever they can get orders to be filled at once, they will run, and upon full time, if necessary, and give employment to labor, but they are not going to manufacture a surplus to compete with free foreign importations.

If Senators on the other side of the Chamber are really desirous of restoring prosperity to this country, let me tell them what to do. Pass a resolution through Congress assuring the country that there will be no hostile tariff legislation for the next two years, give the manufacturers a respite of two years, give them a chance at another election to reverse the verdict of last November and elect a Republican House of Representatives, and it will not be twenty-four hours until confidence will be restored. It will not be ten days until every spindle and loom in all this country is in operation; until every mill, every factory, and every industrial establishment is being operated upon full time, and giving employment to the laborers of this country at full wages.

I submit a statement clipped from a leading paper favoring the protection of American industries as to propositions which have been established by the hearings before the House Committee on Ways and Means. I have not seen the testimony taken before that committee, but whether the statement is correct or not as to what the testimony shows, it is no doubt a fair statement of what the effect of hostile tariff legislation would be.

WHAT THE HEARINGS HAVE ESTABLISHED.

For two weeks the Ways and Means Committee of the House of Representatives has been engaged in hearing testimony regarding the effect of the McKinley tariff on American industries and the wages of American labor. Skilled workingmen, domestic manufacturers, farmers, importers, and foreign producers have appeared before the committee. The conclusions which have been established by the practically unanimous evidence of these men, citizens and foreigners, Democrats as well as Republicans, may be briefly summarized as follows:

The tariff is paid by the foreign producer as toll for admittance into the American market.

Since the enactment of the McKinley law, the price of manufactured products to the consumer has steadily fallen.

The McKinley tariff has established many new and flourishing industries, and has revived many others which were languishing, thus creating an enlarged demand for labor and giving profitable employment to hundreds of thousands of American citizens.

American wages under the present tariff are from 100 to 300 per cent higher than those of European workmen in corresponding industries.

Owing to the prevalent industrial prosperity which followed the enactment of the McKinley law the standard of living and comfort in the homes of America reached a higher point during the year 1892 than ever before.

Specific duties on foreign goods ought to be maintained, since experience has shown that ad valorem duties invariably result in systematic undervaluation and fraud.

The admission of "free raw materials" would not materially benefit the manufacturer while it would deal a death blow to many important American industries.

The present widespread stagnation of industries and suspension of enterprise which have reduced or stopped entirely the wages of more than 1,000,000 men were caused solely and directly by the prospect of the destruction of the tariff in accordance with the declarations of the Democratic platform at Chicago.

A positive pledge from the party in power that the tariff shall remain substantially unaltered for the next four years would open every closed factory, start up every idle wheel, and give employment at good wages to every laborer in America.

The overthrow of the McKinley tariff and the abolition of protection will either destroy American industries or reduce American wages to European figures and degrade American workingmen, their wives and their children, to the European level of wretchedness and want.

These facts have been proved by the expert and nonpartisan testimony before the Committee on Ways and Means. They show that the destruction of protection under prevailing circumstances would be a crime against country and humanity; deliberate treason to the highest interests of the nation; an atrocious assault on American honor, American manhood, womanhood, and childhood; that it would substitute serfdom for independence, and the almshouse for the laborer's cottage! Will the Democratic majority in Congress heed these facts? Will they act the part of friends or enemies of the American people?

The effect of threatened tariff legislation in producing business troubles and financial disturbances was supplemented by the systematic effort of the Democratic newspapers and Democratic politicians to bring about the repeal of the Sherman law. Last winter an attempt was made to bring about a repeal of that law by a Republican Congress, to save the incoming Democratic Administration from the embarrassment it would encounter in attempting to carry out the Democratic platform. We all know that the great papers of the city of New York and other important papers in the East clamored for the repeal of that law, and predicted that its continued operation would be disastrous to the business and finances of the country. Senators know that agents of the incoming Administration came over from New York City to labor with Congress to have the purchasing clause of the Sherman act repealed during the last Administration.

Mr. VEST. May I interrupt the Senator?

Mr. DOLPH. Certainly.

Mr. VEST. Will he kindly inform us by what Senator a proposition was made here to repeal the Sherman act, or the purchasing clause of it?

Mr. DOLPH. That is entirely foreign to what I say.

Mr. VEST. With great respect, it is not foreign. The Senator from Ohio [Mr. SHERMAN] was the first public man to attack the Sherman law, which bears his name. Yet the Senator says the effort was made by the Democratic party.

Mr. DOLPH. I have stated facts, which nobody will deny. The Senator will not deny what I state in regard to the attitude of the great Democratic newspapers of this country and the agents of the incoming Administration. It is entirely immaterial as to who introduced the bill in the Senate. The bill was, I believe, introduced by the Senator from Ohio; and, while I am in favor of repealing the purchasing clause of the Sherman act, I voted at that time against taking it up. I believed that it was a matter which should be left for the Democratic party to undertake, under its platform, and that it was unfair in the last days of the Republican Administration to attempt to relieve the Democratic party of the trouble it had brought upon itself.

I do not care to continue the discussion of this point further. I do not care to elaborate it. It would look to some like obstructing the consideration of the measure before the Senate, however pertinent it may be. I am prepared, as soon as I can do it without appearing to obstruct the pending measure, to take up our tariff legislation from the beginning of our history to the present day, and to endeavor to establish the propositions which I have now made in such a summary way, in such manner that no one can deny the correctness of them.

The Senator from Colorado [Mr. TELLER] the other day, after I had discussed the speech he had made the night before in the Senate, instead of replying to my suggestions, said to me that I begged the question, that free coinage was not an issue. I was discussing the speech of the Senator from Colorado, and if I discussed any question that was not involved in the pending measure it was because the Senator had presented it and forced it upon the attention of the Senate in his speech.

Mr. TELLER. I will say to the Senator from Oregon, with his permission——

The PRESIDING OFFICER (Mr. WHITE of California in

the chair). Does the Senator from Oregon yield to the Senator from Colorado?

Mr. DOLPH. Certainly.

Mr. TELLER. During the present session I have not discussed for a moment the question of free coinage. In answer to the Senator from Connecticut [Mr. HAWLEY], who sits on my right, I stated that it was respectable to be in favor of bimetallism, and that I was a bimetallist to the extent of free coinage. Before the debate is over I intend to take up and discuss the question of free coinage. But what I meant to say upon the question of repeal was, that a man might be in favor of repeal, perhaps, and be a free-coinage man, although I did not know any free-coinage man who was in favor of repeal.

Mr. DOLPH. I quoted from the Senator's speech. It was substantially that the Senator believed, with free coinage of silver by the United States, the price of silver bullion would be increased until the old ratio of 16 to 1 would be restored.

Mr. TELLER. Yes; that is true.

Mr. DOLPH. And if he believed there would be a divergence he himself would not be in favor of free coinage. That is the proposition I was discussing, and I was only discussing the matter he had brought before the Senate. I think, taking his own statement, I showed conclusively (certainly satisfactorily to myself and, I think, to other Senators) that all that was in issue between us was the effect of free coinage, and all that was necessary, in order that the Senator and I might be in complete accord and we might march hand in hand upon the great crusade to restore silver to its old use and value, and undo the mischief which has been done in other countries by legislation hostile to silver, was that the Senator should convince me that with free coinage the price of silver bullion would be increased until the old ratio of 16 to 1 would be restored, or that I should convince the Senator that he was wrong, so that we might unite upon some other proposition in favor of bimetallism.

Mr. TELLER rose.

Mr. DOLPH. I yield to the Senator from Colorado.

Mr. TELLER. The Senator from Oregon seemed to think that was a new enunciation of mine. If the Senator had listened on various occasions he would have heard me repeat it; and then I have added, which I will add again, that whenever I became satisfied we could not maintain the parity between gold and silver I would be in favor of the single silver standard as against the gold standard. That I shall take occasion to discuss, too, before the debate is closed.

Mr. DOLPH. I do not make any issue with the Senator. The Senator said, "If I believed there would be a divergence, as I have stated many times in the Senate," or substantially that, "I would not be in favor of free coinage." The Senator in the very quotation which I made from his speech asserted that he had stated the same thing many times in the Senate.

Mr. TELLER. Will the Senator allow me to say one word further?

Mr. DOLPH. Certainly.

Mr. TELLER. A divergence between silver and gold, if both have access to the mints alike, means the single standard of one metal or the other; and if there is a divergence I have always said that in my judgment it would be wiser to go directly to one standard or the other, rather than to have an uncertain standard of that kind.

Mr. DOLPH. I so understand the position of the Senator. If the Senator from Colorado could convince the advocates of the free coinage of silver by the United States alone that free coinage would have the effect of increasing the price of silver bullion so that the old ratio of 16 to 1 would be restored he would soon be a very lonesome man in the United States Senate. As rats leave a sinking ship the advocates of free coinage would disband and in twenty-four hours they would stop demanding the free coinage of silver and would demand the issue of an irredeemable paper currency or the subtreasury plan and 2 per cent money. They do not want a silver dollar which is the equivalent of a gold dollar. They want a 56-cent dollar. They want a cheap dollar—the cheaper the better—with which to discharge obligations created under the present standard, dollar for dollar.

Mr. STEWART. May I answer the Senator?

Mr. DOLPH. Certainly.

Mr. STEWART. We know that free coinage did keep them together for a thousand years, and how are we going to know that it will not do it again until we try it?

Mr. DOLPH. Oh, Mr. President, we do not know any such thing. Free coinage at a legal ratio which differs from the commercial ratio, never in this country or in any other country secured the concurrent circulation of both metals.

Mr. STEWART rose.

Mr. DOLPH. I can not yield further.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. DOLPH. I will discuss that matter on another proposition before I get through.

Mr. STEWART. All right; that will be satisfactory.

Mr. DOLPH. I do not care to go into it now. I repeat, there is not a nation on the face of the globe with the free coinage of both gold and silver and a legal ratio differing from the commercial ratio, that maintains in its circulation both gold and silver at a parity. There is not a nation under the sun that maintains the concurrent circulation of silver with gold that does not do it by providing for the conversion of the silver into something more valuable than itself, for its redemption in some manner in gold.

But, Mr. President, I was discussing another proposition. Do the advocates of cheap money ever stop to consider that money may be too cheap; that money is but a tool of exchange, a measure of value, and that if we have cheap money we must have everything cheap? Do they ever stop to consider that if we have a 2 per cent dollar it would take five 2 per cent dollars to be equal to one 10 per cent dollar? Do they ever stop to consider that it does not make any difference to a man who sells something by linear measure whether it is measured by a foot or a yard? I put the question the other day to my honored friend [Mr. PEFFER] who sits in front of me, and is doing me the honor to listen to me, when he was discussing this question of 2 per cent money, "How could people pay 3 per cent taxes on 2 per cent money?" It is well known that our taxes in many of the great cities of the country do amount to 3 per cent. The Senator said substantially that legal tenders are not taxed. Money is taxed, mortgages are taxed in his own State, certainly in mine, and taxed at their face.

Mr. PEFFER rose.

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. DOLPH. Certainly. The Senator from Kansas did not answer the other day. I will let him answer now.

Mr. PEFFER. I do not desire to answer now, but I should like to know what the Senator means by 2 per cent money and 10 per cent money. I should like to know also what is his opinion as to the amount of money compared with other property in the country that is taxed to-day.

Mr. DOLPH. I mean by 2 per cent money, money which can be loaned for only 2 per cent, which will bring only 2 per cent per annum. That is the kind of money the Senator advocates. In his speech the other day he said that people who loaned money either should be required, or at least should loan it for 2 per cent per annum.

Mr. PEFFER. I do not believe the Senator from Oregon desires to misrepresent me. What I meant to say and what I say now is that the rate of interest for the use of good money, the best money, ought not to exceed 2 per cent, for then any man or woman in a legitimate business could afford to borrow money, pay the principal, pay the interest, and save the property.

Mr. DOLPH. I do not misrepresent the Senator. That is precisely what I understood him to say, not that the Government alone should loan money at 2 per cent, but that everybody having money to loan should loan it for 2 per cent; that the law should require that money should be loaned at a rate no greater than 2 per cent.

Mr. PEFFER. That is right.

Mr. DOLPH. That is what the Senator contended for. I do not misrepresent him.

Mr. TELLER. I should like to ask the Senator from Oregon a question.

Mr. DOLPH. Certainly.

Mr. TELLER. If I understand him aright he means by cheap money money that brings small interest.

Mr. DOLPH. Certainly.

Mr. TELLER. Is that what the Senator means?

Mr. DOLPH. That is what I am talking about.

Mr. TELLER. Then I suggest to him the cheapest money that is now known to commerce and trade can be found in the city of London to-day.

Mr. DOLPH. Mr. President, that is immaterial. That does not answer the proposition I make. If the law is not to permit more than 2 per cent interest I want to know what use money is going to be to people, and how we are going to pay taxes on money? I said to the Senator from Kansas the other day, if money is a measure of value and you have 2 per cent money you will have 2 per cent property; that is, property measured in that kind of money will only bring 2 per cent per annum for any use you can put it to. The Senator answered me by saying that he hoped the time would come when land and property of all kinds would be worth no more than 2 per cent; but the Senator did not answer the other question that I put to him, which was how people without lands and without security are going to get money even if it is loaned at 2 per cent by the Government or by individuals?

Mr. PEFFER. I did answer that, but the Senator did not happen to be in at the time.

Mr. DOLPH. Then I will read it in the RECORD, rather than have the Senator answer it again for my benefit.

Mr. President, those people who advocate free coinage of silver for the sake of cheap money would be woefully disappointed if free coinage should be authorized. The great bulk of the debts of the country are to-day payable in gold coin. We heard the other day—I think it was stated by the Senator from Connecticut—what we all know to be the fact, that all the $4,500,000,000, or $5,500,000,000 of railroad bonds issued by railroad companies in this country are, by express stipulation, payable in gold coin of the United States, and the practice is now to make them payable in gold coin of the United States at the present standard.

There is not a State, or a city, or a county, or a school district, or a road district in the United States East or West or North or South about to borrow money and to issue bonds, if they expected to sell them, that would not make them payable by express stipulation in gold coin. The present occupant of the chair [Mr. WHITE of California in the chair], in discussing the pending measure the other day, called attention to the fact that for thirty years on the Pacific coast the rule had been to make every written obligation for the payment of money payable in gold coin; and I undertake to say to the Senator that if there is a promissory note, or a bond, or a mortgage, or other legal obligation west of the Rocky Mountains to pay money that is not made payable by express terms in gold coin it is an accident. Even when my distinguished friend from Nevada [Mr. STEWART] takes notes or other obligations for the payment of money he makes them payable in gold coin of the United States.

Then I wish to say to Senators that a very large proportion of written obligations to pay money east of the Rocky Mountains have been made in recent years payable in gold coin of the United States; and if there was any real fear of free coinage in the United States and of our coming to a silver standard there would be scarcely an obligation that would not be forced to immediate collection in view of such a situation; and even the very few debtors who should succeed in paying debts contracted under the present standard in depreciated silver coin would find that the sacrifices necessary to obtain the money and furnish the security and the increased rate of interest would largely offset anything they would gain by scaling down their debts.

Mr. TELLER. I will not interrupt the Senator, but I should like to enter a protest.

Mr. DOLPH. I yield.

Mr. TELLER. The State that I in part represent lies on both sides of the continental divide, and the State that lies north of the State of Colorado also lies on both sides of the continental divide. I wish to say to the Senator that in those two States, which may be considered Pacific States in some sense of the word, it never has been the rule to insert in ordinary transactions a provision for payment in gold.

Mr. DOLPH. Do not all the banking establishments have their notes printed that way?

Mr. TELLER. They do not. I should like to call the Senator's attention to the fact that a great many other securities are issued, for instance, the drainage securities of the city of Chicago were issued, payable in currency and not in gold; and I call the attention of the Senator to the fact that last year they sold practically for the same in New York City as if they had been payable in gold.

Mr. DOLPH. They were payable in legal-tender currency, and of course they would sell for practically the same, because legal tenders are payable in gold on presentation at the Treasury.

Mr. TELLER. They were payable not in legal tender, but payable simply in currency, which, of course, means legal tender, but it does not mean gold. It means silver as well as gold.

Mr. DOLPH. The Senator from Colorado said the other day in substance that if the people of this country had not believed that the platform adopted at the national Republican convention at Minneapolis had contained a declaration in favor of the free coinage of silver we would have been beaten worse than we were.

Mr. TELLER. If the Senator will allow me, this is the second time that he has made that statement. The RECORD will show what I said, and I said nothing of the kind. I said, "If the people of the United States had not understood that we favored the double standard." That was my remark, and it has never been changed.

Mr. DOLPH. The RECORD will show. I had it before me when I discussed the matter on a former occasion. The RECORD will show which of us is nearest correct in regard to the Senator's language, and certainly the remark was made in reference to the platform. I wish to say to the Senator if the people of the United States had believed that the Minneapolis convention had declared in favor of free coinage, the Republican party would not only have been beaten worse than it was, but it would have been dead and buried and damned beyond the hope of resurrection.

Mr. TELLER. It would have been no worse off than it is now.

Mr. DOLPH. The people of the United States are not in favor of the free coinage of silver, and they never, I think, will declare in national convention in favor of the free coinage of silver. Whatever may be the sentiment in the State of Colorado or in other States upon this question, all those who belong to either of the two great political parties who advocate the free coinage of silver are only doing that which tends to demoralize and defeat the party to which they have professed allegiance.

Mr. TELLER. Will the Senator yield?

Mr. DOLPH. Certainly.

Mr. TELLER. I should like to say for the benefit of the Senator from Oregon that we conducted the last Republican campaign in the State of Colorado with the distinct avowal that the platform did not demand free coinage. I made a large number of speeches myself, and I always admitted that it simply meant the double standard. We were ingloriously beaten in that State; and no matter what may be the sentiment in other sections of the country, it is certain that the people there wanted a free-coinage platform, and were not satisfied without it.

Mr. DOLPH. Mr. President, no less disastrous to the Democratic party would have been a declaration in favor of the free coinage of silver. Their candidate for the Presidency would not have accepted the nomination upon such a platform, and the party would have been defeated in New York and in the New England States. That party not only adopted a platform in which it was declared that the silver dollar of mintage should be intrinsically worth a gold dollar, but they nominated a candidate who had already been President of the United States and who during his Administration had approved of a recommendation of the Secretary of the Treasury that the surplus in the Treasury should be used for the purpose of redeeming the legal-tender notes instead of being applied to the redemption of United States bonds—something that would have contracted the currency and brought financial distress upon the country—a candidate who had in three, certainly two, annual messages declared emphatically in favor of repeal of the Bland-Allison act, for the discontinuance of the purchase of silver, and the discontinuance of the coinage of silver dollars; and the success of the Democratic party on such a platform and a candidate with such a record was a declaration not only in favor of the repeal of the purchasing clause of the Sherman act and the discontinuance of the purchase of silver, but for the discontinuance of the coinage of standard silver dollars.

For fear, Mr. President, that it may be said that I am mistaken in regard to this, I propose to quote from the report of Mr. Secretary Manning and from the messages of the President. I quote first, with reference to the first proposition, from the report of the Secretary, under date of December 6, 1886:

> But in order to transfer our present and accruing proceeds of surplus taxation from the Treasury vaults to the pockets of the people; in order, also, to effect the most economical compliance with the sinking-fund law above cited, whilst the bonds not yet due are too far beyond our reach; and in order also to fulfill the law in which "the faith of the United States is solemnly pledged to the payment in coin" (redemption is elsewhere separately promised, and since 1879 has been practiced), to the *payment* in coin or its equivalent, of all the obligations of the United States not bearing interest, known as United States notes" (R. S. 3693, March 18, 1869), a mere reduction of our present surplus taxation is not enough.
>
> Currency reform and taxation reform are both necessary and both unavoidable, if the Forty-ninth Congress, during the remaining three months of its life, shall perceive how powerfully we are constrained by our duty, our interests, and our necessities to enter now upon the open path of safety.
>
> The financial situation, scanned at large and as a whole, plainly indicates our best policy. We should—

I hope Senators will listen to this—

> reduce taxation immediately to an annual revenue sufficing to pay our annual expenditure, including the sinking fund and excluding the silver purchase; pay our unfunded debt of $346,681,016 with the present surplus and the surplus which will accrue before the whole reduction of taxation can be made or take effect, and while no more funded debt can be paid except at a premium during the five years from now until 1891.

Mr. MCPHERSON. From what does the Senator read?

Mr. DOLPH. I read from the report of Mr. Manning, Secretary of the Treasury, under date of the 6th of December, 1886, in which he advocated the payment and withdrawal from circulation of our $346,000,000 of legal-tender currency, instead of applying the surplus in the Treasury to the payment of United States bonds.

Mr. COKE. I ask the Senator from Oregon whether that is from the report of Secretary Manning?

Mr. DOLPH. It is. Secretary Manning made two reports. This report is signed by Daniel Manning, as Secretary of the Treasury, and addressed to the Hon. Speaker of the House of Representatives, under date of the 6th of December, 1886.

Mr. President, on the other proposition I desire first to quote from Mr. Manning, and then I shall quote from the message of

the President, and then let Senators say whether, when the purchase clause of the Sherman act is repealed, any further silver legislation is likely to be had. I will ask the Secretary to read what I send to the desk.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

A POORER DOLLAR REDUCES THE WAGES OF LABOR.

A large proportion of our workingmen of mature years have had an instructive experience that lowering the value of any so-called dollar, legal tender of payment for their wages, is a lowering that is compensated to everybody else before compensation reaches them. It is a lowering that lifts the prices of all commodities before it lifts the rate of their wages. A cheaper dollar for workingmen of the United States means a poorer dollar. The daily wages of our workingmen and workingwomen are by far the largest, by far the most important, aggregate of wealth to be affected by the degradation of the dollar, or of any legal-tender equivalent of the dollar. All other aggregates of wealth, the accumulations of capitalists, which can only obtain profitable use by being turned over daily in the wages of workmen and the employment of the captains of their industry, all other aggregates of wealth which remain unemployed in the payment of wages of the day, the month, the year, are not to be compared in their sum to this gigantic sum.

It is this gigantic sum, the wages of labor, which is assailed by every policy that would make the dollar of the fathers worth less than its worth in gold. The debt of the United States, large as it is, is a wart beside that mountain. If by defrauding our fellow-citizens who, directly or indirectly, through the savings banks, hold those promises to pay a dollar on demand or in due season; if by letting the silver dollar fall below the gold dollar, we could take a third off the burden of the public debt, much less than $10 a head would thus be saved to the people of the United States. How long would $10 apiece pay our working men and women for the loss of a third off every dollar of their wages? How long before they could get their wages raised enough to buy as much as before?

Our 215,000,000 silver dollars are by law full legal tender. Sharing that function with the monetary unit itself, the honor of the country, not less than its interests, is involved in the preservation of their equivalence with that unit wherever our citizens dwell and our laws run. Equivalence in foreign trade, for the reasons above indicated, is for the present quite impracticable. Equivalence in domestic trade is practicable. But that equivalence is now imperiled by the continuing coinage and increasing number of the silver dollars. This is much more than a deliberate judgment of the Secretary of the Treasury. It is attested to him from the centers of trade in all parts of the country, as much from the South as the North, as much from the West as the East. Not alone our able statesmen and instructed economists and financiers advise the stopping of the silver coinage now, but wherever our fellow-citizens are concentrated in commercial cities and towns the business classes engaged in the trade, the enterprises, and manufactures of those centers, and the still larger masses of workingmen employed by them urge the stopping of the silver coinage now.

It is these classes which are always first to perceive such perils to industry and trade and the consequences they entail. To their judgment in such a matter even the acts of Congress touching commerce and currency are finally appealed. For it is their interests first, and afterward the interests of the agricultural classes, which are endangered. Every business man from day to day must form his separate judgment of any medium of exchange which he may be obliged by law to take in his next bargain. Twenty years ago the gold dollar was not kept from a premium, to-morrow the silver dollar can not be kept from a discount, in disregard of their appraisal.

ONE-METALLISM OR TWO-METALLISM OUR ONLY CHOICE.

The choice before Congress is not between silver monometallism and gold monometallism. Both are inadmissable. The choice before Congress is not between bimetallism and either gold or silver monometallism. The latter are not admissable, and bimetallism is only possible with the coöperation of other nations, which is not now to be had. For, although France holds the same friendly attitude, and would be followed by some of her associates of the Latin Union, England now, as in 1878 and 1881, is unwilling to depart from her mintage of gold alone into coins of unlimited legal tender, and Germany now, as in 1881, regards the concurrence of England in an international bimetallic union, as a *sine qua non*. Such being the facts established upon abundant testimony, official and unofficial, gathered by the Department of State, it becomes plain that the choice of Congress is only in fact between stopping the coinage of silver dollars, or risking by further coinage the inequivalence of those dollars with our monetary unit, risking the fall of the value of 215,000,000 silver dollars from their legal domestic rating to their commercial international value, which is 20 per cent less, and involving such a disuse in our domestic trade of 550,000,000 dollars of gold coin, as when gold was ejected by paper during the war.

The only choice before Congress, therefore, is the choice between one-metallism and two-metallism. The silver dollar can not be kept in equivalence with the gold dollar if the coinage of silver continues. The gold dollar can not be kept in full domestic circulation if the silver dollar is suffered to fall. Coining more necessitates its fall. Doubtless some may hope that more silver dollars can be coined, and yet their equivalence with the monetary unit not be lost. It is respectfully submitted that there is no compensation for that risk, and that a judgment so accordant of the great business classes who carry on the exchanges of the country must be accepted as a final estimate of that risk.

Mr. DOLPH. Mr. President, I also quote from the report of Secretary Manning made in December, 1886. I will read a portion of it myself under the head:

SHALL THE UNITED STATES GIVE FREE COINAGE TO SILVER NOW?

I. The free-silver-coinage prescription for the monetary dislocation satisfies but one of the several indispensable conditions which I have set forth above in full detail. While it is an indispensable condition of permanent restoration that the free monetization of silver shall be equally complete as of gold, yet were it now given to silver in this actual moment of dislocation, the practical result would be to withdraw the same from gold. That would be a change without advantage in any respect, and in every respect with disadvantage. In the first place it would bring us to the Asiatic silver basis. This has been commended in some quarters. There is, however, no such public desire. The preponderance of public opinion seems overwhelming in favor of the joint use of both metals. No party and no administration could survive or would deserve to survive the deliberate or the unforeseen and unprevented change to a silver basis.

But the proof is simple that the free coinage of silver now, would at once entail a silver basis. Offered by the open mint to both metals, free coinage of silver for silver-owners into legal-tender dollars would stop the use of the mint for free coinage of gold by gold-owners. It would stop the simultaneous circulation of gold and silver dollars. The gold dollar will be at a premium, and be exported. Throughout the United States it would make the use of silver in legal-tender payments exclusive, apart from the greenbacks, which would first be used if possible to empty the Treasury of gold, and then would cease to signify by "dollar" anything else than the debt of a silver coin—not at all the monetary unit once embodied in equivalent coins of the two metals.

Thus the free coinage of silver now, or, what is the same thing, the Asiatic silver basis, would but shift our lameness to the other foot. It would neither restore nor tend to restore the world-wide use of the two metals in a rated equivalence, which is the cure for the monetary dislocation, as their disjoined use has been its cause. But the change to the other foot would be disadvantageous, not a matter of indifference. Now we make a limping use of both metals, as is possible since the difficulty is with respect to the less precious metal, which we manage, by the legal-tender power and the receipt for taxes, to hold in some general use along with the other. Then, however, we could keep in use but one, not the two—not even by legal-tender laws, or penal laws. Thus the free-silver coinage prescription and the silver-basis prescription are alike—amputation of an uninjured leg to cure temporary lameness in the other.

Avoiding repetition of what I had the honor to say last winter in reply to the inquiries of the House of Representatives, I will add but one suggestion, which should be fatal to the free-silver coinage proposal. As our limited silver coinage paralyzes, so our free-silver coinage at this moment would destroy the power of the United States to promote the restoration of silver to its old and equal place in the monetary order.

I will send up to the desk and have read the remaining portion, which I wish to incorporate in my remarks.

Mr. GRAY. May I ask the Senator from Oregon whether he is quoting these passages from the report of Mr. Manning to controvert the statements or a sa reënforcement of his own argument?

Mr. DOLPH. The recommendations contained in this report of Mr. Manning, except the one for the payment of the legal-tender notes with the surplus, are sound, and I do not hesitate to say so.

I will say here that Senators on this side of the Chamber have been called, in derision, Administration Senators. Mr. President, I am with the Administration when the Administration is right. I can not afford to oppose the Administration for any personal or political reason, but I disagree with the Administration on a great many things, and whenever the Administration recommends to Congress anything with which I disagree I shall be as alert, as vigilant, and as active in opposing the Administration as any Senator upon this floor.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

SHALL THE UNITED STATES BUY MORE THAN $250,000,000 OF SILVER?

III. To go on as we are is the least creditable of all the courses open to our choice.

The Treasury silver purchase is defended by nobody, approved by nobody; even every vote for the free coinage of silver is a vote that the Treasury silver purchase shall cease; an assertion that it ought to cease.

It has thrown away the opportunity to let loose abroad the silver we have kept, stamped and stored, and it has discarded the power to reduce by as much the foreign stocks of gold, two arguments that would have had an intelligible cogency.

It is a policy which, if now prolonged by our hopes, may easily be so protracted thereafter by astute delays and dilatory proceedings and by the time taken for negotiation itself as to force an Asiatic silver basis for America.

It is thus, at least, the remission of all control of the silver question to adverse, if not to hostile interests.

It deprives the United States of perfect equality of position (noncoinage) in negotiation with foreign powers.

It is an expense and a taxation demonstrated by experience to be of no avail for any useful end. Needless as a tax, our silver purchase is also a disturbance in the Treasury, which threatens the currency without relieving the taxpayer. It is heaping up a heavy load of silver coin needing to be kept but increasingly difficult to keep, in domestic commercial equivalence with our monetary unit. Of that unit the silver coins can never be a true embodiment as the gold coins are, by any other means than those which preserve to the gold coin its function as such an embodiment, viz., open mints to the silver of the world and a full legal-tender quality in the payment of debt, imparted by law to any possible output of silver coin, thus insuring to the unminted metal an equal value with the monetized coin. It is, therefore, glutting our currency with depreciated metal, while also impeding the only means of reversing that depreciation and restoring its value.

It has been as futile as costly. It neither gives nor has it a tendency to give an international currency to the silver of these 250,000,000 coins. It increases by one the number of nations burdened with the task of holding a depreciated metal at its old level in their bimetallic monetary units. There is a single difference. When the monetary dislocation began, the people of other nations had large stocks of silver coin subject to depression, we had none. We created one, and are daily adding to it.

To the feebleness of self-defeat in the exercise of our influence abroad, it thus unites the injury of a costly inflation at home. It is not merely the abdication of our actual power to hasten a solution of the international problem which will restore silver to its former use and value; it is the taxation of an otherwise overtaxed people $24,000,000 per annum to delay and defeat that solution, besides being a use of the proceeds of that taxation to disorder our domestic currency, jeopard the stability of our unit of value, and accumulate a surplus which on the one hand presses the Treasury towards a silver basis, and on the other hand tempts Congress beyond a frugal expense. It blocks every avenue, not only to monetary but to fiscal and tax reform.

SHALL THE UNITED STATES PROMOTE CURE OF MONETARY DISLOCATION?

IV. To stop the purchase of silver is our only choice, our duty, and our interest.

It will stop a wasteful and injurious expense, and the taxation which defrays it.

It will commence and promote reform in the sum and the methods of Federal taxation.

It will recover to the United States an equality of position (noncoinage) with foreign powers, which will give us due influence in negotiation.

It will induce negotiation, and negotiation to the end of relief, not for the purpose of delay.

Stopping the purchase and coinage of silver is the first step and the best which the United States can take in doing their great part to repair the monetary dislocation of the world. Its origin was foreign; its remedy is international. The time is ripe for this powerful commonwealth to enter decisively upon that international transaction. The ripe moment must not be let slip. After becoming entangled in negotiation, we should not be free, as now, to act, first for our own advantage, and then for the promoting of our own deliverance and the world's deliverance from this world-wide trouble. Depressing industry and trade, it affects private prosperity everywhere. But its influence upon Government finances is a separable injury, and varies in different States according to the fiscal and currency systems which it disturbs.

In England the depression is serious, but the disordered finances of her largest dependency, India, are the point of trouble which touches the Government of Great Britain. In France and Germany the depression is general, but the fiscal problem is the maintenance of an enormous but not enlarging stock of coined silver lately depreciated nearly 30 per cent, at par with gold while keeping both in use. In the United States the depression of trade is great, caused by the natural unwillingness of those whose savings are little as of those whose capital is large, to risk its loss in falling prices and the hazard of a silver basis, thus contracting everywhere, not money, of which there is a superabundance, but the employment of savings as capital, by means of money, in organizing industry and keeping labor busy. But the trouble meanwhile caused to the Government finances is different. Here, too, as in France and in Germany, there is need of holding an enormous and also enlarging stock (larger now than that of France relatively to our commercial and banking habits) of coined silver, lately depreciated 30 per cent, at par with gold while keeping both in use.

To stop the purchase and coinage of silver is for this, our local trouble, also the first and best step. To increase our stock is to increase the difficulties of the Treasury, illegitimate and abnormal difficulties, which ought never to be imposed upon the Treasury of any democratic government, and which ought not to be increased. Its mission is to coin the two metals into money for the public—as much as everybody asks. It has no fitness for coining for itself and keeping the coinage. Its proper business as a fisc is to receive the people's revenue from taxes in good money which it has coined for them, and to expend that money as Congress bids, keeping no surplus at all beyond what insures punctual payments. A Treasury surplus is standing proof of bad finance—of bad laws, if such have made it necessary.

If to manufacture and store or distribute coin of a depreciated metal could stop its depreciation, or relieve the depression of trade, or improve the money circulation, or call out into use for the employment of labor more of loanable capital, or arrest the drop in prices, then the Treasury trouble and the tax burden would have some offset. But it does the reverse. It inspires the owners, the borrowers, and employers of capital, who organize work for workingmen to do, with an utterly incurable distrust. It is a reasonable distrust, which every man who has earned and saved $5 that he would like to employ or lend as capital, knows as well as those who have saved thousands of dollars from their earnings. Every wage-earner, too, knows as well as they that silver inflation has not stimulated and does not stimulate industry or trade. Silver has never been as low as this year (42 pence), though the Treasury has bought and stamped $250,000,000 of it in the last eight years. Prices of all commodities range lower than in any previous year of the nineteenth century.

CONSEQUENCES OF STOPPING SILVER PURCHASES.

To stop the purchase of silver will enable the Treasury, while the monetary system is restoring to its normal conditions, to maintain with certainty and greater ease the present stock of silver coin at par with gold in all our fiscal and local uses, to the great relief from distrust of the owners and employers of capital, and so to the greater relief and increasing employment of labor—the first fruits of sound finance and the first condition of prosperity.

To stop the purchase of silver of course will cause a new fall in the London market. Speedier and more assured will then be the day of its final restoration to its former place in the money of the world.

Mr. HARRIS. May I ask the Senator from Oregon who is the author of what the Secretary has been reading?

Mr. DOLPH. That is from the report of the late Secretary of the Treasury, Mr. Daniel Manning, of December, 1886.

Now, I am ready to yield to the Senator from Indiana [Mr. VOORHEES.]

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, October 3, 1893, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, September 29, 1893.

CONSULS.

Charles M. Caughey of Baltimore, Md., to be consul of the United States at Messina, Italy.

Joseph Whalen, of Louisville, N. Y., to be consul of the United States at Prescott, Canada.

Sheridan P. Read, of New York, to be consul of the United States at Tien-Tsin, China.

H. Christian Borstel, of New York City, N. Y., to be consul of the United States at St. Helena.

Edwin F. Bishop, of Buffalo, N. Y., to be consul of the United States at Chatham, Canada.

Isaac M. Elliott, of New York City, N. Y., to be consul of the United States at Manila, Philipline Islands.

COLLECTOR OF CUSTOMS.

Benjamin P. Moore, of New York, to be collector of customs for the district of Alaska, in the Territory of Alaska.

POSTMASTERS.

Albert A. Manda, to be postmaster at Short Hills, in the county of Essex and State of New Jersey.

John F. Cruse, to be postmaster at Ridgewood, in the county of Bergen and State of New Jersey.

Jeremiah C. Byrns, to be postmaster at Ware, in the county of Hampshire and State of Massachusetts.

George S. Wilson, to be postmaster at Berlin, in the county of Coos and State of New Hampshire.

Executive nomination confirmed by the Senate October 2, 1893.

UNITED STATES ATTORNEY.

Robert Charles Lee, of Mississippi, to be attorney of the United States for the southern district of Mississippi.

HOUSE OF REPRESENTATIVES.

MONDAY, *October 2, 1893.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. SAMUEL W. HADDAWAY.

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

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SIMPSON, for two days, on account of important business.

To Mr. WISE, indefinitely, on account of sickness.

To Mr. MORSE, for one week, on account of important business.

To Mr. POWERS, indefinitely, on account of important business.

To Mr. HOOKER of Mississippi, for ten days, on account of important business.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will call the committees for reports.

The Clerk proceeded to call the committees, and completed the call, there being no reports.

The SPEAKER. This completes the call of the standing committees of the House. There is no second morning hour to-day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. COX, its Secretary, announced that the Senate had passed the bill (S. 824) granting settlers on certain lands in Oklahoma Territory the right to commute their homestead entries, and for other purposes; in which the concurrence of the House was requested.

It also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 721) to authorize the Commissioners of the District of Columbia to appoint two additional clerks.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 3607) to extend the time for completing the work of the Eleventh Census, and for other purposes.

ELECTION LAWS.

The House then, according to order, resumed the consideration of the bill (H. R. 2331) to repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes.

The SPEAKER. The gentleman from Arkansas [Mr. DINSMORE] is recognized.

Mr. DINSMORE. Mr. Speaker, during the brief time in which I shall ask the indulgence of the House in consideration of the pending measure, I desire to submit a few reflections which seem to me to be pertinent to the question under consideration, and which I hope will so commend themselves to the members of this body. In doing so, sir, I shall refrain from going further into the consideration of sectional issues, or being actuated in what I shall say by sectional feeling to a greater degree than is demanded by a full and fair discussion of the issue before us. I indulge myself in the hope that if what I have to say does not commend itself as logical and conclusive to those who hold different opinions from myself, it may at least be thought by them to be fairly applicable to this debate, and to be prompted by patriotic sentiments.

If I know myself I approach this question not with the feeling of a blind partisan having only a desire to promote the interests of his party, but under a high sense of the responsibility resting upon me as a citizen of this country, and one standing to-day in a representative capacity, speaking in behalf of the district

which has honored him with its trust, and of the whole American people, every citizen of whom is deeply interested in the issue which is about to be determined.

The question presented is one which appears to all of us, on whichever side we may cast our voice and vote, to be fraught with vital interest to the country.

Upon the one hand we who favor the repeal of the law now authorizing Federal interference in elections, believing it to be improper, unauthorized, unwise, and wrong, are impressed with the belief that it stands as an obstruction to the carrying out of great principles of government which were incorporated in the Constitution in the beginning, and by which the government of the States and of the nation was so long conducted, and that it involves peril to republican institutions.

On the other hand, those who believe that the present laws are right and just, I must assume to be actuated by a fear that to deprive the National Government of the powers which are vested in it by this law will deprive it of the ability to perpetuate itself and of maintaining its integrity and preserving the Union of the States.

The Democratic party, as a party, represents distinct ideas of government which have long been incorporated in its creed of political faith. It has ever protested against the enactment of such laws as the one now under consideration, and insisted that the present law should be repealed. Time and again have we in our platforms inveighed against this law and promised the people, if the time ever came when we should be invested with full power in all branches of the Government, enabling us to put into effect the ideas which we believe to be in conformity with the principles of the Constitution and the sentiments of our patriotic fathers, that we would immediately address ourselves to the repeal of this law, which we consider obnoxious, iniquitous, and subversive of the principles of free government.

Now for the first time in more than thirty years we find ourselves possessed of both branches of the legislative department of the Government and of the Executive, and true to our pledge we come to the performance of this our high duty. In doing so we are not surprised that we meet at the threshold of our efforts the stern unyielding opposition of our political opponents, but I confess that I was not prepared to find them resorting to the arguments which have characterized their speeches up to this point in the debate. Almost without an exception the gentlemen who have spoken already have introduced their remarks with an expression of deep concern and regret that we should at this time, when the country is involved in a great financial crisis, when there are great economic questions which demand the attention of this Congress, bring to the consideration of the House a question which they contend is calculated to arouse sectional feeling and to produce bitterness and inharmony in the legislative branch of the Government, as well as amongst the people of the country.

Mr. Speaker, it is not to be denied that there are other great questions which demand the immediate attention and consideration of this House, and which the Democratic party is pledged to consider, involving reforms which they are pledged to carry out; demanding the enactment of laws which they are pledged to enact; calling for the repeal of other laws which they are pledged to wipe from the statute books; and I for one, sir, hope and expect to see the party true to its every pledge, not only upon the great question of taxation, not only upon the question of a healthful and plentiful currency to meet the demands of business, but also I hope to see the consummation of the pledges the party has made upon this question, which, I believe, is vital to the interest of the Government and the happiness of its people.

Why should we be enjoined by Republicans to refrain from the consideration of this question? Do they not know that we have ever opposed the existence of this law? Do they not know that we hold it to be contrary to the spirit and intention of the Constitution itself and to the purposes of the men who made it? Do they not know that we believe it to be in its tendency destructive of local self-government, involving the very basic principles of Democracy as interpreted by its leaders and declared by its platforms? And if we are sincere in these professions is it not a matter of profound importance for us to put in legislation our views upon this great question? Why, sir, we were told in the preliminary discussion prior to entering upon the general debate upon this bill by our friends on the other side of the House that the repeal of the Sherman law had not yet been accomplished, and that to precipitate the House into the consideration of this measure might have a tendency to defeat the will of the Administration upon that.

The gentleman from Ohio [Mr. GROSVENOR], took occasion to remark with a great deal of unction that—

An appeal was made to the Republicans to aid the Administration, to stand by the Administration and uphold it, and save the Administration from overwhelming disaster and defeat at the hands of its own party friends, and—

Said he:

the Republicans in Congress nearly unanimously have done so—

At this particular time when three millions of men unemployed in the United States, with a prospect of an approaching winter, such as we have never witnessed before in this country, with hungry men and hungry women on every hand, and the whole country looking anxiously to Congress for some shadow of relief, we are met here by what I can only characterize as a most remarkable condition of affairs.

An appeal was made, says the honorable gentlemen, to the Republican party to assist in carrying the Wilson bill to repeal the Sherman law in this House. Who appealed, Mr. Speaker, to this same Republican party to enact the Sherman law when it was placed upon the statute books? Was that done at the instance of a Democratic Administration? Was that done at the request of Democratic members of this House? Do not they know on the contrary that it was a Republican measure and put in force only by Republican votes? If they have forgotten we have not, nor do we intend that the country shall forget it.

An appeal to the Republican party, he says, to repeal the Sherman law! Mr. Speaker, who appealed, I repeat, to the Republican party when the Sherman law was passed, and induced them to enact and place it upon the statute books of this country? The gentleman from Ohio says the most extraordinary condition presents itself; that there are three millions of hungry men and women in the land waiting with deep anxiety the result of the legislation of this Congress upon these vital questions, and he says this with reference to the measure to repeal the Sherman law. He invites us to the repeal of the Sherman law.

Does the gentleman maintain before this House that the Sherman law is responsible for the condition of these three millions of people who are out of employment and suffering from hunger and want? He did not contend that. On the contrary, he intimated, and others of his party have insisted, that this anxiety that exists to-day, that this depression of business, this stringency in the monetary affairs of the country grows out of the fear that Congress will lay its iron hand upon the McKinley tariff law that was enacted by a Republican Congress.

These puling "infant industries" of ours lived and thrived and fattened upon the tariff for years before the McKinley law was passed; they have reveled in it since; and now when a Democratic government comes into power pledged to a wise and just reduction, they are so alarmed that the factories are closed, the spindles stopped. Like the sensitive plant they can not even bear the touch of the finger of reform. Mr. Speaker, if I mistake not the temper of the people and this Congress they will have more cause for alarm before an adjournment is had.

These gentlemen have cited to us the evil and disastrous effects of a measure which they are ready with virtuous and patriotic sacrifice to offer their services to repeal, which is of their own creation, and was enacted into law by them without any assistance whatever from the party which they now denounce. Mr. Speaker, we of the Democratic party, while we may have different opinions about the effect of the Sherman law and as to its results and the necessities for its immediate repeal, have ever been agreed upon one proposition, that it was a "cowardly makeshift" enacted by the Republican party, not for the purpose for which it was professedly made, to encourage and bring about an extended use of silver as money, but, as it has been admitted by its author that he never favored it, we can only believe it was done in order to prevent Congress from passing a free silver law in accordance with the demands of the people of the country.

But, he says that three millions of people are out of employment and hungry. If it be true, to what is this to be attributed? If it is to be attributed to bad laws that exist upon the statute books, who are responsible for those bad laws? Is it the Democratic party? Do these gentlemen here, learned and dignified statesmen, come and tell the people, as the newspapers and the journals are in the habit of doing, that it is the incoming of the Democratic Administration that has caused all this trouble throughout the land? They have been telling the people for many years that the Democratic party could not be trusted; and in last November the people rose up in their might and trusted the Democratic party, and placed it in power for the purpose of enabling it to bring relief from bad laws that have been enacted and put in force by the Republican party in this country.

But a warning is given to us by the same gentleman, that if we perform the duty which we feel is incumbent upon us in this question—the Sherman law is not yet repealed; it will take from the Administration the aid the Republicans are so virtuously rendering to effect the repeal of that measure.

Mr. Speaker, there are some of us on this side of the House to whom that threat conveys no terror. There are some of us here, sir, who though we believe the Sherman law to be a bad one—but a poor, lame, and weak provision expensive in its administration—we nevertheless believe that it contains the only hope at this time of those who believe that the people of this

country are entitled, according to the platform of the Democratic party, to the use of both gold and silver as money.

There are those among us who believe that when the Democratic party declared in its platform that it was a "cowardly makeshift," it meant it was a cowardly substitute for the free and unlimited coinage of silver; and that when it declared that "we hold to the use of both gold and silver as money," and declared for the coinage of both, "without cost of mintage" and "without discrimination against either," that it intended thereby to make a demand for the free and unlimited coinage of silver. The people elected their President and Members of this House upon issues set out in that platform; they did it with a clear understanding of the declarations of the platform, and they have a right to expect good faith of the party.

But I have no intention, Mr. Speaker, to open up a debate that has been already closed in this House, and I have only referred to the matters involved in it in answer to what has been said in the course of this discussion. I have already said that there are differences of opinion amongst Democrats upon this important question. I concede to all honesty of purpose and sincerity of action, and I devoutly trust that in the end right may prevail and that be accomplished which is for the best interests of our common country.

For three-quarters of a century from the beginning of our national history there was throughout the whole citizenship, and on the part of all administrations in charge of the General Government, ever observed a healthful and profound respect, not only for the reserved rights of the States, but for all the public and official institutions of the States, the enactment and enforcement of their laws, the adjudications of their courts, and the honesty of purpose and patriotism of their officers and citizens.

To establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, the people of the United States had adopted the Constitution and formed a more perfect Union. From time to time great questions arose out of differences of opinion as to the proper interpretation of the Constitution and the powers of the General Government under it. But local self-government in the States during that happy period was held sacred as life and liberty from any interference of Federal Government.

What partisan so bold in that time as to dare suggest Federal interference in elections? What Administration or Congress had the temerity to insult the sovereign citizens of any State by the establishment of returning boards and the impertinent innovation of marshals, supervisors, and bayonets of Federal power at the elections held in the States under their own laws? What Senator or Congressman arose in his seat in the National Assembly to advocate an interference with the right of the people in the different States to select their own public servants and by the agency of their own election officers?

This was a government of the people administered by the people for the benefit of all, and there was no thought of doing violence to the purpose of the Union of the States, the spirit of our free institutions, or the integrity of individual citizenship. The presumption of honesty was enjoyed by every citizen in the land. But, sir, it is not so now. It was left to the Republican party to dishonor State laws, to belittle statehood, and degrade State citizenship. Left in power at the end of a civil war, flushed with victory and conquest, they availed themselves of the temper of the time to break down old ideas and establish new forms; to set up their notion of a strong National Government, absorbing as far as possible the proper powers of the States.

Whether that party went to greater extremes of violence and stringent, not to say cruel measures, in the reconstruction of the Government after the war than were necessary or humane; whether a just policy was pursued; whether it was wise or necessary to set up over the States in reconstruction strangers and adventurers having no kindred associations or common interests with the people over whom they were placed to rule, is quite apart from my purpose to discuss, and I am willing to leave it to the unbiased judgment of future history. But, Mr. Speaker, can it be justly contended that this generation, twenty-seven years after the settlement of that great conflict, when there are multiplied thousands of voting citizens who were not then born, must still be held under the bonds of war measures? Is the loyalty and devotion to Union and country of the people of the Southern—yes, and of Northern States, still in doubt?

Mr. Speaker, I wish to say in behalf of my native State of Arkansas, which I have the honor in part to represent in this Congress, that no State in this Union has a people more devoted to our beloved country, its flag, and its institutions, than hers. And though they have drunk the cruel cup of war to its bitter dregs; though they can never forget the pitiful pictures of ruin and desolation left by fire and sword in their once beautiful land, peaceful, prosperous, and happy, there is no people in this broad land, in whatever State or section, that would be sooner or more cheerfully afield at the bugle call to defend the honor of the flag or the liberty of the people.

Mr. Speaker, I wish that gentlemen upon that side and upon this could have been present and witnessed the condition of our country at the end of that most unhappy period. Our citizens of this day were in large measure the soldiers of the fortune of the lost cause; and what matters it now whether they were right or wrong. They fought for their convictions of right, and every true-hearted soldier of the victorious side will concede to them this justice. At this day has there not been time for passion to subside; has there not been time for all the feeling of hate and enmity to have passed away?

The close of the war came. The Confederate soldier had staked his all upon the cast of the die and it went down in the dust with the flag he had followed in battle. While the victorious troops of the Union were returning to their homes untouched by war, to the merry strains of victorious music and with banners gaily flying, he, in his deep humiliation—conquered, but not his spirit gone—inspired alone by his faith in God and his own manhood and love for his family, returned to the country that had been his home; the country that he had left smiling with golden harvests and adorned by beautiful homesteads, surrounded by happiness and prosperity. But when with faltering steps, broken in fortune and in health, he came back, the besom of war had swept all in its relentless track, and there was but little of that which had been to him so dear in the past.

The fields that had been white with the fleecy fiber that clothes the world, that had been yellow with the waving corn in the golden harvest time, were grown up with the unrestrained forests of nature; and the home around which his heart had clung throughout all these hard years, that gone, too; the old roof-tree about which hung every dear association of childhood, youth, and young manhood, melted by the flames of hungry war; only a black, crumbling chimney stood as a melancholy headstone at the grave of dead hopes, of buried ambition.

Did they falter? Did they give up? On the contrary, they turned themselves with new purpose to build up a new citizenship under a new condition of things.

I need not speak of what they have accomplished. Every year from their fields come the teeming fruits of harvest that clothe and feed the millions of the world.

Every year they pour into the coffers of the Treasury taxes to support and add to the glory of this Government which we all respect and love. Without a pension, asking none, expecting none, feeling that none is due, each year these old Confederates contribute to the fund that goes to pay the pensions of the honorable Union soldier who fought for the flag and saved the Union. Are they worthy of citizenship? Unmurmuring and uncomplaining, they perform its every duty, and all they ask is that they have equal recognition with the rest of the citizens of this Government and have their rights respected. Gentlemen, of such, and their descendants, are in large part the constituents I represent. Are you willing to honor and to trust them as your fellow-citizens?

Whatever may be your answer, be assured of this: I am prouder to stand here as their chosen servant than I would be to be the leader of a conquering host.

But how long, I say, must the people of this Union be kept under the operation of war measures? To raise the revenues necessary to prosecute the war in suppression of rebellion, and never upon any pretense of protection, the now favorite policy and darling theory of the Republican party, a high tariff, was imposed upon foreign imports, which, the war over, it has taxed even Republican recklessness and prodigality to devise plausible means to dispose of to people hungering for paternal support.

Notwithstanding the fathers of Democracy, before the war had crushed out, it was thought forever, the vicious scheme of national banks, these were set on foot by the Republican party and furnished with the Government's bonds, upon which they receive from the Government their annual payments of interest. In the present financial crisis the bankers and their friends, while the people are being robbed of one-half of the present and future product of their metallic money, which they denounce as the despised and dishonored dollars, "cheap and nasty," desiring to make the coveted gold dearer, and caring not that thus the debt-paying people shall become poorer, are demanding that the Government issue more interest-bearing bonds and purchase more gold.

The beneficent pension system has been abused and extended until the names that once made it a roll of honor are becoming obscured and confounded in a confused list of camp-followers, beach-combers, bounty-jumpers, and impostors.

The present statute authorizing Federal interference in elections in the States, and which it is our present duty to repeal (and the duty shall be well and fully performed), has not been thought to be sufficient to answer the demands of Government

under Republican views. Led on by a partisan President, swayed and biased by sectional bitterness, the Republican party in the Fifty-first Congress enacted a scene in the political drama which will be long remembered by the people of this country. How they struggled, with what unyielding purpose and nervous energy they strove to enact the force bill, a law tenfold more nefarious and disastrous to free elections than the one we are about to repeal. But they failed; their efforts proved abortive. Thank God for the few patriotic Republicans in the other wing of the Capitol, who, defying the party whip, gave their assistance to save the people at the polls from the otherwise inevitable fate of Federal bayonets.

It has always appeared to me, Mr. Speaker, putting aside all consideration of the Constitution itself and the peculiar wisdom which characterizes its provisions, and looking only to the source from which it emanated, that the great and patriotic men of wisdom who created it in the evolution of their thought and discussion, stimulated by high and noble aims, being moved by a sacred desire and determination to lay the foundation stones of a Government which would be the freest and best that all civilization had ever known, and one which they hoped would live in perpetuity to bless its citizens and to honor the men who inspired it, were better prepared to know what was best calculated to promote with success their undertaking, and to give permanency and health and vigor and justice to that Government, than any, however wise, who were to follow them as statesmen having in charge the interest of the people living under the beneficence of the Government which they had formed.

There is no man free from party zeal. It is impossible for the human mind to free itself from party bias. Therefore, I hold, sir, that the safety and welfare of our institutions depend largely upon adhering as closely as may be to the principles and declarations of our organic law. And when we come to consider the instrument itself, we are more impressed with the justice and wisdom of its provisions and the danger of departing from it. It has been said, sir, upon this floor, more in the spirit of reproach than of commendation, that Democrats are ever ready to stand up and defend the Constitution; that Democratic members are ever on the alert to detect in any proposed measure a conflict with constitutional provisions; that they are the champions of the Constitution.

Mr. Speaker, whatever may have been the spirit with which these things were said, I feel, sir, that no higher tribute could be paid to the party of which I am an humble member than to say they are true. We do honor the Constitution of our country; we venerate it as a great and beneficent gift handed down to us from men consecrated to a noble and humane purpose and undertaking, one full of the inestimable blessings of liberty; and that which inspires in me more admiration for the party which I love than aught else, is that in my opinion it is truer than any other party to the principles laid down in this honored instrument which is the organic law of our land, and therefore to the prinples of freedom which are most conducive to the happiness and liberty of the people.

Mr. Speaker, why should we not defend the Constitution? Is it not the very bond of the Union itself? Is it not the golden chain that binds together the States in a great and indissolluble sisterhood? Is it not that, and that alone, which is the evidence of the power given by the people, that has vitalized and given form, indeed, to this blessed Union, this National Government, to which gentlemen on the other side of the House are wont to pay such adoration, regardless of the individual members of the Union itself?

We people of the Southern States—those States which were so unfortunate as to become involved in the causes and results of a great civil war—have cause, Mr. Speaker, to love the Constitution, because after conquest it stood between us and the loss of every civil liberty that we had enjoyed before that unhappy issue had its origin. I have no desire to bring up remembrances of that unhappy time, and the excitement, bitterness, and hate of the reconstruction period; but I desire to assert that it is my firm belief that but for the provisions of the Constitution itself, which could not be palpably broken down without an absolute destruction of all forms of republican government, the people of the South would not to-day be enjoying the inestimable immunities of citizenship in this great Republic that are now their possession.

There is a constitutional phrase to this question, Mr. Speaker; and while it is not my purpose to go into a prolonged discussion of this feature, I shall not be deterred from a brief reference to it by the derision of gentlemen on the other side of the House who say that Democrats are in the habit of resorting to the Constitution to impede progress, advancement, and higher achievements. It matters little to me, sir, if voluble gentlemen speak glibly of "Democratic stupidity," or question the decrees of Providence in allowing a Democratic party to exist, if the great throbbing millions of my fellow-citizens in this great country stand with us and uphold us in the measures which we propose and upon which we act.

Article I, section 4, of the Constitution of the United States to which I may refer, I trust with forbearance on the part of the House, 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 Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

I beg to refer briefly to the phases of the constitutional view of the question that present themselves to our minds. What was the purpose of this provision of the Constitution? It was, and alone, for the purpose of enabling the Government to protect itself against dissolution. You may search the annals of that period, illustrated by the wisdom of the men who laid the foundations of the Union and those who interpreted the Constitution to the States in their conventions, and you can not find any other view of it than that which I have expressed.

Mr. Madison said:

> It was meant to give the National Legislature a power not only to alter the provisions of the State, but to make regulations in case the States should fail or refuse altogether.

And again, in the Virginia convention:

> It was found impossible to fix the time, place, and manner of election of Representatives in the Constitution. It was found necessary to leave these in the first place to the State government as being best acquainted with the situation of the people, subject to the control of the General Government in order to enable it to produce uniformity and prevent its own dissolution.—3 *Elliott's Debates*, page 367.

There was no more zealous, no stronger advocate of centralized power in the National Government than was Mr. Alexander Hamilton of that period. Mr. Hamilton said:

> The case rests upon the evidence of the plain proposition that every government should contain in itself the means of its own preservation.

And again in the Federalist:

> Suppose an article had been introduced in the Constitution empowering the United States to regulate the elections for the particular States. Could any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of the State governments. The violation of principle in this case would have required no comment.

And yet, Mr. Speaker, by the laws which have been enacted with reference to this question an innovation has been made upon our system; assault has been made upon local self-government; an interference has been indulged in in the local affairs, in the elections of the States, equally as great as that pointed out by Mr. Hamilton, against which he said the people of that time would have protested as wrong and destructive of the State governments.

Such were the views of statesmen at the time the Constitution was adopted. Our own Supreme Court have in their decisions upholding this law gone beyond, it seems to me, what was intended by the framers of the Constitution should be its interpretation, and in dissenting from the opinion of a majority of the court in the case of Clarke, *ex parte* (100 U. S., page 418), Justice Field, I think, defines the true meaning of the fourth section of Article I as follows:

> The power vested in Congress is to alter the regulations prescribed by the Legislatures of the States, or to make new ones as to the times, places, and manner of holding the elections. * * * Regulations as to the manner of holding them can not extend beyond the designation of the mode in which the will of the voters shall be expressed and ascertained. The power does not authorize to determine who shall participate in the election or what shall be the qualification of the voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States.

If the Federal Government may, in the exercise of the powers given in this law, send its supervisors and marshals into the polling places at elections and challenge votes, it may also send them into our legislative halls and challenge the right of members of a State Legislature to vote for United States Senators, for it is only the "places of choosing Senators" that is left exclusively to the States. I have no doubt that even this would find plenty of supporters at any time it might suit the purposes of the Republican party to avail itself of such a contention.

In the brief remarks made on last Friday by the gentleman from New Hampshire [Mr. BLAIR], who for so many years represented his State with honor and distinguished ability in the Senate of the United States, and for whom and whose opinions I beg to assure him I have the profoundest respect, he took occasion to deplore the temper manifested upon this side of the House in this discussion as indicating that notwithstanding the war we are adherents to the dangerous and objectionable doctrine of States rights, which indicated to his mind that the war had been fought in vain so far as the suppression of false notions of the Constitution were concerned. He avowed that it was not the question of slavery that caused that war; that the question of slavery could not have caused it; but if I understood him correctly he maintained that the doctrine of States rights as advocated by the Democratic party prior to the war was completely exploded and forever settled and put at rest by the arbitrament of the sword.

Mr. Speaker, I say for myself, and I think I may vouchsafe the statement for all upon this side of the House, that we do not agree with the honorable gentleman in that conclusion. Far be it from me ever, at any time, to give my consent to revive any question settled by that most unfortunate and unhappy contest. The question of slavery was involved and was settled and considered abstractly. I think I can say truthfully for myself and my whole people that we are glad the institution of slavery no longer exists.

The right of the States to secede from the Union, which had been for so many years contended for and maintained in discussions in this body and the other branch of Congress prior to the war, and which had been threatened by States of the North prior to the effort of the States of the South to put it into practice, was forever settled and determined. We who live in the States which were involved in that movement, and who whatever may be said of us by our political enemies, claim to be as loyal and devoted to this Federal Government as any of its citizens, hold that the question can never be reopened; that it is forever at rest and that nothing short of a revolution totally destructive to every form and principle of republican government could ever break the ties that bind us together in the American Union, one and inseparable ,now and forever.

But beyond this, sir, I am not prepared to admit that any principle or feature of the doctrine of State rights, as interpreted by the Democratic party, has been impaired or destroyed by the civil war. What was there in the terms of surrender that has taken from the States any other rights than those specified? What change has there been in the Constitution which we hold is the foundation and the evidence of all power held by the National Government that has destroyed any other claim of ours for the integrity and support of State organizations and the exercise of their legitimate power under their reserved rights, expressly reserved when the Constitution was framed for the governance of the National Union? The administration of our internal affairs, the control of our local self-government according to our own desires, the will of our people in the States, except so far as limitations have been placed upon them by the power and authority conceded to the General Government in the Constitution, remains with us and shall be exercised by us until a majority of the people of this Government, by right or by force, shall deprive us of that valued heritage.

Gentlemen seem to think because the Supreme Court of the United States has declared this law to be constitutional, that this forever closes the gates to all argument upon this question. My friend from Iowa [Mr. LACEY] remarked the other day that Democrats discussed it as though they were wholly unconscious of the decisions of the Supreme Court upon this point. We are told that this matter is *res adjudicata*.

Mr. Speaker, we are not in an inferior court trying a cause with reference to the law that exists and is applicable to the case at bar; we do not stand here as lawyers appealing to the Supreme Court to reverse its decision upon a question already made, but we are here as members of an entirely separate and equally independent branch of the Government, representing the sovereign people of this country, for the purpose of revising and enacting law, and it is entirely proper, sir, that we should discuss the constitutional phases of any question. I know of no restrictions forbidding the expression of our opinions if they happen to differ from those who have authority to pass upon and construe the laws already in existence. Suppose, sir, that our contention is wrong, and that the law is constitutional under a strained construction of that instrument. Even if that be true, we hold, sir, that the law is wrong in its policy and its effects, and is injurious and may become disastrous to the principles of free government under a republican form in a union of States such as ours.

This law is not consonant with that feeling of trust in the people which should characterize the statutes in a popular government. It smacks of espionage, suspicion, distrust, and force, and is more in keeping with the harsh and imperious measures of monarchical government. If such an emergency exists as threatens the dissolution of the Union by a failure of the States to carry out the law with reference to representation in the Federal branch of the Government; if an emergency has arisen which imperils the integrity and existence of the Union, and under the section of the Constitution discussed the Federal Government has the power to control and regulate the time, place, and manner of holding the elections, and under this provision the right to determine the qualifications of voters, to count the votes, to certify the returns, to declare the result—for all this is practically placed in their hands—then, sir, do away with the hollow mockery and pretense of having elections conducted by State authority, take the matter into your own hands, and cease to insult the dignity of the States and the honesty of its citizens and its officers.

The opposition do not disguise their motive for the favoring of this law; they make no effort to conceal their reasons for desiring that it shall remain in force. Indeed, sir, they openly and avowedly declare that without it there can be no fairness of elections in the Southern States and in the State of New York. The burden of their argument has been that there have not been fair elections. They insist that the elections in the Southern States are carried for the Democrats by fraud, bribery, perjury, and intimidation. They assume that all the colored voters are Republicans, and make their estimate as to what should be the result of the election upon this as an accepted and infallible basis.

Mr. Speaker, more and more each year the negroes of the South are leaving the Republican party and voluntarily giving their support to the Democratic party. They are learning by degrees each year that the white people are their friends in political matters as well as in business affairs; and there is a mutual relation of dependence between us, the one upon the other, that is bringing us closer together in politics. I appeal to any man who is at all familiar with the condition of affairs existing in the Southern States, to say to whom the negroes go when affliction comes upon them. I appeal to the only Representative of that race upon the floor of this House if it is not true that, in their matters of business, in trials, in sickness, and in trouble, they turn most naturally to the whites with whom they have been born and reared and associated throughout their lives, and not to their political bosses who have been in the habit of controlling them in election affairs.

I have been born, and reared, and spent my life in my native State—which was a slave State—and I have watched with interest the careful changes which have been going on in the solution of the race problem. I have seen the practical application of all the laws that have been applied to our people, and while I do not pretend to deny that there are frauds committed in elections in our State, as I believe there are in every State of the Union, I believe, sir, that we have as fair, and safe, and just a law of elections as any other State in the Union. I have never seen a negro driven away from the polls. I have never seen him denied the right to deposit his ballot freely and according to his own choice. I have never seen him threatened and bulldozed and treated with violence to influence or prevent his vote.

But, Mr. Speaker, I have had him come to me voluntarily and request me, before the enactment of our recent election law, which is modeled after the Australian system, to prepare his ticket for him, and I have done it under my honor and in accordance always with his request, and he has gone and placed it in the ballot box. I have seen more. After the last November election, when the people of our country were celebrating a grand triumphant victory of our Democratic hosts, when the Democracy swept this country like a cyclone and hurled the Republicans from power in every branch of this Government, the people in their rejoicing had ratification meetings. I attended a number of them in my district, and in every one I saw colored Democrats walking side by side with white men, carrying torches and transparencies, and rejoicing with our people over the result of that election. [Applause.]

Yea, more. Much has been said about the cruel treatment of the blacks in political affairs by the whites of the South. In the town of Van Buren, in the good county of Crawford, in my district, a Democratic county, last fall, in one of those ratification meetings, where there was a procession marching through the streets with banners flying, bands playing, and colored men marching in that procession, there was a venerable old colored man who prior to that time had held office at the hands of the Democratic party of that county, who had been nominated upon its ticket and elected to office, who was marching quietly with this procession through the streets, and some cowardly hand from some dark corner unseen, I will not say of what political complexion, hurled a stone at him and struck him down. I saw him bleeding for being a Democrat and in a Democratic procession; and that same evening another stone was hurled into an open float or carriage filled with ladies and broke the leg of a young woman; and yet these restless, outbreaking, bloodthirsty Democrats sought no personal retribution on that occasion.

It is easy for gentlemen who do not have this difficult problem at their own doors to criticise the action and conduct of those who have; to attribute to them improper motives, and believe all base slanders that have been manufactured for political effect and circulated throughout the States of the North. But I wish to tell you, gentlemen, in behalf of the people in the South, who are endeavoring to deal with this question intelligently and honestly, that you ignore the fact that our people are taxing themselves heavily each year for the purpose of educating and elevating these nontaxpaying colored citizens, who have been invested with the right of franchise before they were ready for its intelligent exercise.

In the views of the minority on the pending bill (which have been printed and placed before this House) we find severe criti-

cisms and reflections upon the election laws which have been recently enacted and put in force in the Southern States, which they insist are arranged for the purpose of confusing and mystifying illiterate voters, thereby depriving them of the right of franchise, to reduce the Republican vote and increase the Democratic majorities in these States.

I will not take the time of the House by calling attention to the references made to all the different States and their respective laws, but will read brief extracts from what is said with reference to one or two. Particular attention is called to Mississippi, which State, they say, "has perhaps the most perfectly operating system for fraud yet devised in the South."

I thought I had the quotations in my notes, but will call attention to the points from memory. The State of Mississippi is cited as an instance. In the laws of that State there is a provision that a voter must be able either to read any section of the Constitution, or to explain it when read to him, and the minority say that that is an effort on the part of the people of Mississippi to deprive the colored voters of their right of franchise, that that provision is enacted for the purpose of fraudulently striking down the liberty of the voter in Mississippi. But, Mr. Speaker, when, in the Northern States, Connecticut for example, you find an exactly similar provision in the constitution, except the alteration requirement of an explanation of the constitution or section thereof; that is presumed to be in the interest of liberty and of securing a fair and intelligent election.

In the State of Arkansas we have a provision of a kindred nature, that before a man can vote he must exhibit his tax receipt showing that he has paid to the collector a poll tax, and Arkansas is held up to odium as trying to beat down a part of her citizens and prevent them from exercising the right of franchise, although in some of the Northern States similar provisions exist, only on a larger and more sweeping scale, for in some of those States the voter is required to own property. But of course such provisions in the North are enacted in the interest of fair elections, and an intelligent exercise of the right of franchise, while in the South the object is the suppression of the liberty of the citizen. Massachusetts, Connecticut, and Rhode Island may prescribe prerequisites, however extreme, without a suspicion of unfairness. A Southern State can provide for none without bringing their motives in question.

I hope it will not be overlooked, Mr. Speaker, that when the people of the Southern States who have this ignorant population invested, as I have already said, before it was proper, with the right of franchise: who are ignorant and have their prejudices fired against the white people of the States by wicked and irresponsible white adventurers in our midst when our people are endeavoring to protect themselves against the predominance of ignorance over intelligence, by creating qualifications of intelligence, the Republican party immediately holds up its hands in virtuous indignation and declares to this Congress and to the people that it is for the purpose of willful and premeditated suppression of the rights of colored voters. Yet different States of the North have for years had upon their statute books electoral qualifications of almost exactly a similar character without inviting the reproach and insulting accusations that have been hurled at us.

But what have you gentlemen created for us by this law? And what kind of agents have you selected and appointed for the purifying of the ballot and the protecting of the interests of the General Government against frauds, which you insist the whole people of the South are determined to perpetrate against it?

I shall not undertake to speak for any of the other States, and shall leave it to those who are best informed to denounce the character and methods of John Davenport in New York and to the Republicans to defend him and hold him up as "one of the purest and most enlightened citizens of the country." But I suppose I may be allowed to say a word with reference to the officials established in the State in which I live myself.

Let it not be forgotten that these officers are appointed for the purpose of preventing fraud and bringing about a fair and pure election. Yet, sir, in the State of Arkansas the Republican party has selected, constituted, and appointed as the chief supervisor for the control and direction of all the other supervisors, as the man best fitted and most suitable for the performance of this sacred work, one John McClure, known throughout the State, and beyond its confines, by the name of "Poker Jack," who, in reconstruction, was made, without the will of the people whose rights he was to take in his hands, chief justice of the supreme court—God save the mark—and who, while holding this position is said to have boasted that he had never yet seen the case in which he could not render as good a decision on one side as on the other.

A man who was in at the birth of rascality in elections, and all other political iniquities in the State of Arkansas, where his name is a synonym for all that is ignoble, immoral, and objectionable. And this man in the performance of his supposed duties has had various and divers good citizens of the country, without any foundation whatever, arrested and brought before the courts and harassed with prosecutions for which there was not the slightest ground and which had to be dismissed by the prosecutor without a trial. He has dragged from different parts of the State peaceful and law-abiding citizens to attend the courts and sacrifice their time and means waiting to appear as witnesses in cases where there was no reason to believe there would ever be any necessity for their presence.

And this man, Mr. Speaker, while he was holding the high and dignified office of chief justice of the State of Arkansas, was at the same time chairman of the Republican executive committee of the State. Not only so, but while chief justice and chairman of the Republican executive committee he was editor-in-chief and had his name at the head of a partisan political paper in the city of Little Rock which was receiving the public printing from the State. In the archives of this Government, in a report made to the House of Representatives, will be found a record where he himself admits under oath these facts which I have stated. Now, is not that a beautiful agent to select to preserve the purity of the ballot?

As a compensation for his supposed services he sent up his accounts to the Federal Government, which are stated in a letter which I have received from the Treasury Department, and which by permission of the House I will read:

TREASURY DEPARTMENT, OFFICE OF THE FIRST AUDITOR,
Washington, D. C., September 20, 1893.

SIR: Replying to your inquiry of to-day, I would state that John McClure, chief supervisor of elections for the eastern district of Arkansas, presented an account for services at the November election, 1890, containing the following items:

1. To drawing and preparing instructions to supervisors, being 31 folios, at 15 cents per folio	$4.65
2. Preparing, furnishing, and forwarding 1,630 copies of instructions to 1,630 supervisors, 31 folios each, at 10 cents per folio	5,053.00
3. Attaching seal of office to 1,630 copies of instruction furnished and forwarded to supervisors, at 20 cents each	326.00
4. Drawing and preparing oaths of office for 1,630 supervisors, 1 folio each, and forwarding same to supervisors, 15 cents each	244.50
5. Filing 1,192 oaths of office of supervisors, which have been returned to the chief supervisor, at 10 cents each	119.20
6. Making record of 1,630 supervisors, appointments, 110 folios, at 15 cents per folio	16.50
7. Indexing record of supervisors, appointments, 90 folios, at 15 cents per folio	13.50
8. Filing 878 returns and reports from supervisors, at 10 cents each	87.80
9. Filing 138 letters from supervisors, at 10 cents each	13.80
10. For attendance on the circuit court of the United States, in the matter of the appointment of 1,630 supervisors, and in furnishing information to said court in relation to appointment of same, 20 days at $5 per day	100.00
11. For cost of printing instructions to supervisors; for cost of printing oaths of office for supervisors; for envelopes used in transmitting same and return of oath of office of supervisors, as per bill of "Press Printing Company" hereto attached	41.50
12. For postage stamps used in forwarding instructions to supervisors, and oaths of office to same, and in correspondence with supervisors	16.50
Total amount due	6,036.95

Items 1, 2, 4, 6, and 10, amounting to $5,418.65 were disallowed or suspended.

He also presented an account for services at the November election, 1892, containing the following items:

1. For receiving and filing 146 petitions for the appointment of supervisors in different counties in Arkansas, 10 cents each	$14.60
2. For preparing and drafting instructions to supervisors, 63 folios, at 15 cents per folio	9.45
3. For attaching seal of office to 2,310 copies of instructions furnished and forwarded to supervisors, 20 cents each	462.00
4. For preparing for mail and forwarding 2,310 copies of instructions to 2,310 supervisors, 10 cents each	231.00
5. For drawing 2,310 oaths of office for 2,310 supervisors, at 15 cents per folio	346.50
6. For filing 2,193 oaths of office of supervisors, 10 cents each	219.30
7. For filing 1,738 reports and letters from supervisors, 10 cents each	173.80
8. For indexing 2,310 appointments of supervisors, 2,310 folios, at 15 cents per folio	346.50
9. For printing instructions to supervisors, and stationery, as per bill of Morton & Mowder, hereto attached	88.50
10. For stationery, as per bill of Wilson & Webb Stationery Company, hereto attached	7.25
11. For postage used in sending oaths of office of supervisors, blanks, etc., letters, etc	49.80
12. For drawing and preparing 24 oaths for supervisors in the city of Little Rock, Ark., for compensation; 24 folios at 15 cents each	3.60
13. For administering oaths to 12 supervisors, city of Little Rock, Ark., 10 cents each	1.20
14. For jurat to 24 affidavits of supervisors, city of Little Rock, Ark.; 24 folios, at 10 cents each	3.60
15. For attaching seal of office to said affidavits and jurats, 24 in number, 20 cents each	4.80
Total amount due	1,961.90

Items 3, 4, 5, 8, $76 of 9, 11, 12, 13, 14, and 15, amounting to $1,525, were disallowed or suspended by the First Comptroller. Three hundred and fifty-nine dollars and seventy cents of the above was disallowed, because, payable from the appropriation from fees of commissioners instead of fees of supervisors of elections.

Respectfully,

E. P. BALDWIN, *First Auditor.*

Hon. HUGH A. DINSMORE,
House of Representatives.

It is true that this is but a small demand in comparison with that which has been shown to have gone up from the State of New York; but of this sum of more than $6,000, which he stated was due him on this account, Republican officials of the Treasury Department, who are not supposed to be niggardly in paying out the money of their country nor oversensitive as to the character of the service rendered, could not find it in their conscience to approve, but reduced the amount $5,418.65, or to $618.30. Is it any wonder, Mr. Speaker, that our people, under these conditions, have grown weary and sick of this law? Is it surprising that they should resent the insult conveyed in its very enactment and existence, when, under a sham and hypocritical pretense of a desire for fair elections, the law has been administered in such a spirit and by such agents?

And, Mr. Speaker, while I am upon this question I want to refer to another phase of it, one which has been spoken of already, the expense of putting this law in force, and the question of the necessity of it. For, mark you, gentlemen, we contend that there is no necessity for the existence of such a law as this. We say that when there is no just ground to authorize it, no conditions to justify it, it is an insult to the free citizens of a State to employ agents to watch and to hound them, as is done under this law. But now, Mr. Speaker, let me call attention to the cost of enforcing this law. First, let us consider the number of convictions that have been had in the whole United States under these election laws for the years 1890, 1891, and 1892, as they are found in the reports of the Attorney-General. In 1890 the number of convictions was ninety. That was the number for that year throughout the whole United States.

In 1891 the number of convictions was forty-six throughout the whole United States. Of these, one was in Florida, one in Maryland, ten in Massachusetts, three in New Hampshire, three in New Jersey, and so on. In 1892 the total number of convictions in the whole country was thirteen. So that we have here in these three years throughout the whole United States, with their thousands of voting precincts, a total of a hundred and forty-nine convictions for violations of this law. And what has been the expense of putting the law in force? To say nothing of the court expenses, witness fees, and matters of that kind, the fees of supervisors alone have been as follows for these three years:

Amounts paid during the fiscal years ending June 30, 1890, 1891, and 1892, for fees of supervisors at Congressional elections (section 3689, Revised Statutes).

1890.

State.	Amount paid.		Repayments.
	District.	State.	
Alabama, middle and southern districts	$450.00	$450.00	
California, northern district	12,605.22	12,605.22	$55.00
Delaware	333.15	333.15	
Florida, northern district			125.00
Illinois, northern district	16,725.60	16,725.60	3,610.00
Louisiana, eastern district	1,061.50	1,061.50	5.00
Maryland	951.28	951.28	
Massachusetts	5,219.21	5,219.21	
New York, northern district	6,387.30	69,732.44	
New York, eastern district			61.55
New York, southern district	63,345.14		320.00
North Carolina, eastern district	170.45	170.45	
Ohio, southern district			55.00
Oregon	1,065.00	1,065.00	
Pennsylvania, eastern district	39,490.00	39,678.80	75.00
Pennsylvania, western district	188.80		
Tennessee, western district			25.00
Texas			140.00
Total	147,992.65	147,992.65	4,471.55

1891.

Alabama, northern district	$78.55		
Alabama, middle and southern districts	1,200.10		
Alabama, southern district	883.10	$2,161.75	
Arkansas, eastern district	618.30	618.30	
California, northern district	44,316.95		$990.00
California, southern district	4,700.00	49,016.95	
Delaware	2,677.50	2,677.50	
Florida, northern district	96.95	96.95	
Illinois, northern district	49,515.00	49,515.00	
Indiana	5,300.00	5,300.00	860.00
Kentucky	6,925.00	6,925.00	95.00
Louisiana, eastern district	9,921.75	9,921.75	
Maryland	21,572.84	21,572.84	585.00
Massachusetts	39,376.97	39,376.97	
Michigan, eastern district	2,428.00	2,428.00	
Mississippi, northern district	78.17		
Mississippi, southern district	142.40	220.57	
Missouri, eastern district	6,880.35	6,880.35	
New Jersey	9,620.00	9,620.00	
New York, northern district	58,169.64		175.00
New York, eastern district	40,575.00		380.00
New York, southern district	72,641.20	171,385.84	515.00
Oregon	64.20	64.20	585.00
Pennsylvania, eastern district	139,273.00		3,865.00
Pennsylvania, western district	40.00	139,313.00	
Rhode Island	333.55	333.55	

Amounts paid during the fiscal years ending June 30, 1890, etc.—Continued.

State.	Amount paid.		Repayments.
	District.	State.	
South Carolina	$1,562.00	$1,562.00	$110.00
Tennessee, western district	198.90	198.90	
Texas, eastern district	503.10		
Texas, western district	1,000.00	1,503.10	550.00
Virginia, eastern district	4,378.35		1,915.00
Virginia, western district	432.90	4,811.25	
Total	525,503.77	525,503.77	10,625.00

1892.

Alabama, southern district	$0.90	$0.90	$40.00
California, northern district	40.00	40.00	95.00
California, southern district			260.00
Colorado			578.52
Illinois, northern district	2,738.15	2,738.15	667.50
Indiana	2,273.76	2,273.76	
Kentucky	1,516.44	1,516.44	
Massachusetts	490.00	490.00	
Michigan, eastern district	185.00	185.00	
New Jersey	7,044.25	7,044.25	45.00
New York, northern district	5,367.75		
New York, eastern district	26,854.59		270.00
New York, southern district	29,690.27	61,912.61	1,770.00
Oregon	382.60	382.60	
Pennsylvania, eastern district	6,948.85	6,948.85	270.00
Tennessee, western district	31.40	31.40	
Texas, eastern district			110.00
Virginia, eastern district	45.55	45.55	
Total	83,609.51	83,609.51	4,106.02

Here in these three years we have a total expenditure for fees of supervisors of $757,105.78. Mr. Speaker, does not this seem to be a farce, such an expenditure for such results? And, sir, if the people of the States, with their feeling of State pride and their local and immediate interest in enforcing the laws upon their statute books designed to secure fair elections, can not be trusted to do it, does any man suppose that these special agents, appointed under Federal authority, can or will do it any better or more honestly?

Mr. RAY. May I interrupt the gentleman?

Mr. DINSMORE. Yes, sir.

Mr. RAY. Would you repeal the laws against murder because, comparatively speaking, there are but few murders, and therefore few convictions under those laws?

Mr. DINSMORE. Are you through?

Mr. RAY. I am through with that question.

Mr. DINSMORE. Then I will answer it. If the Congress of the United States should enact a law to punish murder in the States, in disregard of the State laws and the Constitution, I would vote to repeal it, if that could be thought necessary. We have laws in the several States to secure fair elections, and I insist that that end is better secured in that way than it can possibly be by these Federal officials.

Mr. RAY. I refer to the United States law against murder.

Mr. DINSMORE. As I understand the gentleman's question, there is no such law as he refers to.

Mr. RAY. Do I understand the gentleman to deny that there are United States laws against murder—defining that crime?

Mr. DINSMORE. No, sir; I did not say so.

Mr. RAY. Well, the fact is there is scarcely ever an offense committed under those laws and scarcely ever a conviction; but there are a few. We amended those laws at the last session of Congress; we passed a law defining murder under United States law. Now, would the gentleman argue that we should repeal those laws because there is only now and then an offense against them and only now and then a conviction under them?

Mr. DINSMORE. I think I now understand the gentleman. He says there are United States laws defining what the punishment for murder shall be. So there are, within the jurisdiction of the United States courts. But what I said before is, I think, a fit answer to the gentleman's question; and that is that there is not and should not be a law of the United States to punish murder committed against the laws of the different States on that subject. They have laws for the prevention of murder and for the administration of penalties for that offense, and they put those laws in force and punish offenders against them. They have, too, laws regulating the government of elections in the States, and they adopt measures for properly carrying them out and for putting in force the penalties for the violation of those election laws.

[Here the hammer fell.]

Mr. ROBBINS. I request that the time of the gentleman from Arkansas be extended, so as to allow him to finish his remarks.

There was no objection.

Mr. DINSMORE. I thank my friend and the House for this courtesy. I shall trespass but very little longer upon the patience of the House, but shall draw my remarks to a hasty conclusion.

Mr. COX. Before the gentleman from Arkansas resumes will he allow me to interrupt him a moment? The statute referred to by the gentleman from New York [Mr. RAY] as having been passed at the last session of Congress is a statute defining murder; but it is confined entirely to places where the United States have exclusive jurisdiction.

Mr. BAILEY. Where no State has any jurisdiction at all.

Mr. COX. Where no State has jurisdiction.

Mr. DINSMORE. Exactly. That is what I tried to make myself understood as saying—that the United States Government does not attempt to exercise jurisdiction within the States in cases of murder.

Mr. RAY. The gentleman does not seem to understand my point.

Mr. DINSMORE. I think I do; and I think my answer is satisfactory to the House, if not to the gentleman.

Mr. RAY. What I wanted to inquire was, does the gentleman think it is a reason for the repeal of a law simply because there are few offenses against it and few convictions under it?

Mr. DINSMORE. I answer the gentleman as a general proposition, no. But it is, to my mind, a good reason for the repeal of the law under consideration, among many other good reasons, because, as I have said repeatedly, the States all have laws to protect the security and the purity of free elections, which laws provide for penalties for their infraction, and they have the courts and proper officers to enforce those laws with their penalties; therefore this expensive system under the Federal laws is wholly unnecessary and useless. Besides, and here is the greater objection, it is meddlesome, offensive, and tends to bring into conflict Federal and State authority.

But, Mr. Speaker, a great deal has been said about "a solid South" during past years. Would gentlemen break up "the solid South?" They will never do it by keeping in force such laws as these. Americans resist being watched and spied upon. Americans resent being treated with distrust and suspicion. Take the mailed hand of the Federal Government off our institutions in the States; join with us in enacting laws which recognize the equality of all citizens before the law and that mete out to the whole people of this country, in whatever section they may be, all the benefits to be derived from good government, and distribute equally the burdens of government upon all; and the "solid South" may become soon dissolved; our country will be reunited not only in fraternal spirit, but without reference to section in a common effort to build up our institutions, every interest, every section, and the prosperity of the whole will be promoted. That is an era upon which I would be glad to see our country enter. If gentlemen on the other side will meet us in that spirit, there will be a new glory added to our country's history; there will be new luster added to her brilliant firmament of stars; then will our beautiful flag float out yet more bravely over land and sea, shedding a brighter radiance of hope for liberty and prosperity and happiness for the American people under God's sun. [Applause on the Democratic side.]

Mr. DENSON. Mr. Speaker, the question which we have before us is one which is very far-reaching in a free government. In my opinion—and I believe it is the opinion of those who have gone before us—this question is the foundation stone upon which free representative government rests. It is a question which can be decided by ourselves alone, aided by the light derived from the past and the enunciations which have been made by our contemporaries. The situation has been aggravated because of the discussion in this country for the last twenty years. There has arisen in connection with it jealousy and distrust, which ought never to have entered into the hearts and minds or controlled the actions of people who proclaimed themselves as one people in a common country, working out a common destiny. We ought to consider this matter entirely from a statesmanlike and business standpoint, in view of the constitutional regulations and in view of the necessities that exist in this land for the existence of such laws.

I admit these laws have been decided by the Supreme Court of the United States to be constitutional. As a citizen of these United States, it is my duty as well as my pleasure to obey these laws so long as the supreme power in the country asserts their force and efficacy. But when it comes to discussing the repeal of these statutes, when this body has the right and power of review of the constitutionality as well as the wisdom of their enactment, then I think the question is an integral one, and in its consideration I shall act as a Democratic Representative and from the standpoint of my own convictions upon the subject. This is a question of suffrage. These laws were not the sudden conviction of the people or party that enacted them. They are but the logical sequence of a train of causes which reaches back to the very foundation and organization of the Government itself It is another act in the great tragedy that is to be wrought in these American States by the destruction of free government.

As I stated before, Mr. Speaker, it goes back beyond the present; and, being a question fraught with such results and inaugurated for such purposes, the calmest consideration and the most earnest attention should be given to the discussion of the matter and our inquiry into the subject as to whether or not, under our organic law, according to the fundamental principles of constitutional liberty and free government, these laws are to last until to-morrow, or next week, or next year, or whether or not they shall continue to stand as a menace to the constitutional liberty of the people and a distrust as to the capacity and honest will of the people of each State to continue their self-government. I like all of the people of this broad land. I want to see peace. I want to see prosperity. I want to see brotherly love, and I want to see the destruction of all sectionalism in the United States.

How does my Northern friend expect me to continue to grasp him by the hand and shake it in friendly, brotherly affection, when he impresses laws upon the statute books that question my integrity as a citizen, as well as the dignity and honor of the State which I have the honor in part to represent on this floor? Is it not far better to take the united, brotherly, affectionate white people of the country, stand with them shoulder to shoulder in this battle for freedom in America under the flag of the American Government, rather than to interpose any other race to breathe distrust and create sectionalism? For whom is the Government of the United States administrated, and what is the object of this administration? It is for all of the people of all parts of this great country.

What is the basis on which the perpetuity of republican government stands? Every man of intelligence will admit that it is based on the intelligence of the voter, and it must stand and exist upon that. You are bound to admit that if I am capable of self-government it implies on my part knowledge and judgment, wisdom and character sufficient to work out my destiny and those who depend upon me in a spirit of wisdom and common sense for the benefit of the private and public good. You take away the right of the lunatic to vote. Why do you do so? Because he is not sufficiently capable of exercising that great and far-reaching power. He has not the mental capacity to exercise it. You do not allow the minor for the same reason to exercise the right of suffrage, and the reason is, it is supposed he has not sufficient wisdom, knowledge, or ability to determine with sufficient intelligence what is for the best interests of the country, and how for that reason he should exercise the right of the suffrage.

It was said by the gentleman from Iowa [Mr. LACEY] that the Republican party gave up the South. That is true. You were obliged to give it up; and this being true, why should these laws stand here, and why in the name of brotherly affection and constitutional considerations, as well as expediency, should they not be wiped from the statute books? Why do you insist upon maintaining them upon the statute books as a menace to the peace and good order of the people of the South? I am addressing you as your fellow-citizen, and I trust in God as your friend and brother under one flag and one Constitution. [Applause on the Democratic side.]

Mr. LACEY. Does the gentleman wish an answer to that question?

Mr. DENSON. I will yield to the gentleman.

Mr. LACEY. But it is practically applicable in the great cities, those centers of population, whereit has been found necessary by the experience of the past to provide such safeguards as these laws provide.

Mr. DENSON. It looks so to the man who is up in the tree in South Carolina, referred to by the gentleman the other day. [Laughter.] But why was the burden of your speech and the point of the speeches of your associates directed solely to the administration of the election machinery of the South, when you confess now that this law was for the great cities?

But, Mr. Speaker, the gentleman from Iowa [Mr. HENDERSON] the other day said that if the liberties of the country went down it would be by a crooked ballot. That New York was advocating this repeal for the purpose of turning over the constitutional laws of the country to the rabble. This is in the North.

The next, Mr. Speaker, was a gentleman from New York [Mr. PAYNE], who said: "If you do not keep these laws upon the statute books you turn over the government of the South to the Democratic party, and negro suffrage will be suppressed." So here we have one Republican from Iowa seeking to prevent this government from being turned over to the rabble in the North, when another gentleman from the State of New York makes a speech in favor of turning over the government in the

South to the rabble. Where is the consistency of the proposition contained in their speeches? Where is the reason of such a statement as that? Why not meet the question boldly? It is a part of good administration that all laws should bear uniformly and for the same purpose throughout the Union.

Now, if this is a good law for the South, it ought to be a good law for the North, and if we are a common people, protected under a common Constitution, then the reasons for the law should be as appropriate for the North as well as for the South, and for the same purpose. Now, my friends, we have lived thirty years since the war, since that conflict came, yet to-day we have the bloody shirt waved at the South. Why is this necessary? Your people propose to put money into our country. You trust us there. You trust the white man of the South with the right to inaugurate laws, to control and administrate them properly through their domestic institutions, and by their enforcement of those laws. You will trust your property to them, but when it comes to the question of political ascendency for political and party purposes, you come here and decry the South and say there is no secure government in the South, and that we ignore the laws passed by the General Government to protect the ballot box.

Here is your inconsistency, and inconsistency that shows your denunciations of the Southern customs and Southern government are not honest or based upon any sufficient ground to control the judgment or the reason of a fair-minded and honest man. These are questions that I have listened to from day to day, and that I can not solve in my own mind. Why, if you will take your property and put it under our control in the South, under the administration of our State laws, and our State governments, if you are perfectly willing to risk your property there, and risk the heritage of your children in the South, to be controlled by Southern men and Southern laws and Southern State governments, why is it, and what motive prompts you to come here and hurl at us the statements that we do not enforce the law, that fraud and corruption exist at the ballot box.

My friends, I can only answer it in one way, and that is, that it *is for the purpose of* political and party ascendency. To gain advantage in political issues, to be fought out hereafter in your own States, where you can wave the bloody shirt against the white people of the South; where you can appeal to passions and prejudices that I had hoped, after slumbering for thirty years, might never be kindled again, and aroused at a time and place when your inconsistencies can not be exposed.

But I do not know that I hold you responsible. Man is a creature of circumstances. There are natural laws that control him. There are instincts and forces that operate upon him, that direct his conduct, and that he is powerless to stay in their effect and course.

Mr. Speaker, the people of the North and the people of the South were the first that settled this country. They took up their habitations and occupied a little narrow scope upon the Atlantic coast, and it seemed as though nature had put a barrier to the rapid settlement and quick development of the Western country beyond the Alleghany Mountains. The civilization of the people of these United States and the governmental institutions formerly inaugurated in the States and in the United States sprang from this Atlantic coast, and by the force of climate, by the force of nature itself, and by the force of industries different pursuits operating upon the North and upon the South, the great political line of demarkation and geographical distinctions arose.

Your climate in the North being cold, you have to contend against the conflicting laws of nature and of competing man for your support and advancement. You had to contend against all the attendant difficulties upon a rigorous climate, and rather a barren soil to maintain your individual existence and prosperity. The result was that the influence of these natural laws and your peculiar pursuits and in the economy of your institutions, individualism as to the person and unionism as to the Government became the basis of your social and governmental ideas and advancement. This was free labor. Ours in the South was slave labor. In the warm, generous climate of the South we did not have to contend with the rigor and cold of a merciless climate.

Our slave labor gave us wealth, and with it came leisure, and gave time and opportunity for investigating the principles of government and all systems of laws. Large plantations were necessary to employ this slave labor in the production of tobacco, rice, cotton, and sugar cane, and from this was developed the idea in the South of personal independence in the individual and States rights in the community. This was the beginning of it. I had no power to prevent or stay these laws and conditions from operating upon my ancestors, and neither had you. From the very nature of the civilization that impressed itself upon your ancestors and upon mine, and upon the very systems of government wrought out by the independent idea and forces of our ancestors, we are standing here to-day discussing questions which we are as powerless to avoid as we are to stop the shining of the sun on the morrow.

Your system of labor was free and applied to machinery in the workshop, and you grew up a manufacturing and commercial people. The system of labor in the South was slave, and applied to large agricultural enterprises. We became great producers of agricultural products and became a great agricultural people, but of that peculiar personal independence and desire for freedom from any interference from any source upon our conduct and actions only as necessary to preserve the peace, good order, and enforcement of justice between individuals.

As I said before, this slave system of labor gave the opportunity to the men of the South to learn, investigate, and discuss the principles of government and of municipal law. He lived upon the labor of another, and upon the very products of that labor he secured the time and the opportunity for the investigations heretofore referred to. The man of the North having to work for himself, living upon the proceeds of his own toil his interests demand it, quick and immediate returns from such toil, in order for his support and comfort. The intellect from these causes differed. The intellect of the South went to the forum, to the halls of legislation, and especially came to Washington; he had time and he had the means to attend upon the enactment of laws and the administration of government.

The man of the North from different conditions being compelled to have the immediate returns from his labor as before stated, the intellect of the North went to pulpit, to the schoolroom, and to the machine shop. After you commenced your advancement in the procuring and collecting of wealth you discovered the fact that Southern intellect dominated in the Halls of Congress and in the enactment and enforcement of laws. The South commenced to resist your system of taxation as contained in a protective tariff and your system of finance as developed in a United States Bank. You became discontented with yourself. You said to yourselves, "What is it that gives the South her predominance, and what power in this Federal Government is there that forces it upon us?" You discovered that it was a system of slave labor.

That was obnoxious to your conscience, as you claimed, but more to your pocketbook; and then you commenced the inauguration of the means and instrumentality to destroy that system of labor, and to assert your power and your supremacy in the Government. I do not refer to these matters for the purpose of censure or blaming you for it, but I want to state to you that the results in the final operation of the war were very hard and excruciatingly distressing to us. Its results and ravages swept four billions of our property away, the accumulations of our ancestors of one hundred and fifty years. We were reduced almost to abject want. It was a terrible ordeal through which we had to pass. Our labor system destroyed, no financial support upon which to commence business and reorganize our industries and advance avocations and pursuits, of acquiring means with which to maintain and support ourselves and families and with which to commence the reëstablishment of our lost fortunes.

Had you been subjected to the same crucial experiences, the results and possessions of the labor of your ancestors for one hundred and fifty years been swept away from you at one fell blow, as was ours, what would be your condition to-day? To the motives and impulses of selfishness, and the desire of individual success which dominated and controlled all your efforts, and was and is the chief element in your civilization, you were as much a slave as was the African to his master in the South, and my ancestors were the same slaves to our peculiar ideas and development. When you discovered that slavery was the cause of the predominance of the South, what was the first step? You interfered with that institution. What did you do? You secured the establishment of an imaginary line on the 36° 30′ parallel north latitude, except that territory included in the State of Missouri, north of which the institution of slavery should not go, and you called this the Missouri compromise. This was to restrict slavery.

It was a stroke at the labor system of the South, and while I will say that labor is the basis of all national power and national prosperity, it is labor, and the results of labor, that at last builds up the country, advances civilization, and develops the resources of the land directed by that intelligence that always secures prosperity. You cared nothing about slavery. All your interests, all your impulses, all that political philanthropy that you manifested about the poor negro slave was only as sincere as you feel to-day for the wild negro rambling in the jungles of Africa. It was for an economic and political purpose that you looked forward to his interest and his freedom, and that alone. With our consent and believing at the time it was for our interests, we together established the protective tariff system. This was a movement that resulted in the rapid accumulation of

wealth and development of manufacturing interests in the North. It built up manufactories, supported free labor by means of levies laid upon the South in the purchase of the comforts and luxuries that you sold us.

The third scene in the tragedy was a strike made by the South on the labor system of the North to get rid of this heavy and oppressive system of taxation, which was called nullification by South Carolina, against the Federal laws on the tariff question. And just here, that you may understand the end that I propose to reach by this line of argument, I state to you as my countrymen, and I state it to you because you are my countrymen, that the whole contest between the North and South, the struggles between the different political parties in this country has been for the purpose of establishing a financial and revenue system peculiar and beneficial to one section or the other.

Every other question about which we have contended, and for the maintenance of which we have respectively struggled, were but corollaries that arose, and do now arise, from the system of taxation and finance each political party desires to set up for itself. We understand the importance of the power of taxation and the influence of mastery in financial affairs. These are the very soul and power of government itself. A State can not exist without revenue. Revenue is necessary for the existence of any form of government. Not a wheel of governmental power and authority would turn but for revenue. Hence, the man who has money controls the revenue of a country, and therefore he controls the Government as you understand it. Alongside of these propositions—every one of them was undertaken by the North as a stroke at the systems and institutions of the South, and the conduct of the North was resisted.

These assaults were upon her domestic economy. The great West, so powerful, so grand, so mighty, and so hopeful in all its expectations and realizations, we did not have then. We were only a little fringe of States on the Atlantic seaboard. Impelled by the inspirations of your own development and progress, as well as the elements of your civilization predicated upon the competition of your fellow-men, seeing the Southern man standing in your way, as you considered, in the securing of wealth and the grasping of riches, you inaugurated and made these invasions against the source and the power from which he derived his support and his advancement. The South, adhering to the doctrine of State rights, and resting upon that most comfortable feeling of personal independence, was slow to discover the purposes of your attacks.

Now we must not and we should not censure or blame each other for our course in these matters, because they resulted from that civilization and that development of ourselves and our institutions from laws over which we had no control, and which were beyond the reach of mortal, owing to intellectual forces and enactments. During this time you had established your financial instrumentalities and your physical ascendencies in the shape of a United States bank that controlled and dominated and protected the financial matters of this country.

We fought that system of finance as we fight it to-day. We then found in the person of Old Hickory Jackson a President who would put down nullification in South Carolina, enforce obedience to law, and preserve the integrity of the Union, who said, "By the Eternal! I will destroy the national-bank system, which is a menace to the liberties of this people and the perpetuation of free institutions." He did destroy it. Would to God inspiration from his memory, courage from his life, and hope from the result of his will could inspire and direct us in the present and future. The South, then striking back at your tariff system, demanded the annexation of Texas as a State of the Union. That had been acquired by Southern men from Mexico and established as an independent Republic. What did the South do this for? To extend African slavery.

What was the next scene in the tragedy? The war with Mexico and acquisition of California. The question at once entered the Halls of Congress whether or not California should come into the Union as a free or slave State. In the agitation and discussion of this question the very strength and force of our institutions were put to the test. There were then entertained and sentiments expressed looking to the dissolution of the Union. The great commoner Henry Clay, the gallant Harry of the West, appeared upon the scene with his compromise resolutions that in substance became law. The Missouri restriction was repealed and California came into the Union as a free State.

Next, the cause of agitation and of crimination and of recrimination between the two sections arose from the proposed admission of Kansas and Nebraska as States into the Union, the two labor systems of the North and the South meeting here on this battle line. The South contended that the Constitution of the United States carried slavery into the Territories, and it could only be emancipated or prohibited in these Territories by action of the people in the Territories in forming their State governments under an enabling act of Congress. The North contended that the Constitution of the United States did no such thing, and the existence of slavery in either one of these Territories must be determined by the action of the Territorial government.

We see antagonism between the two orders of civilization and the two systems of finance and taxation, as well as the system of labor that supports all, in close contest one with the other. These are the landmarks along the road we have traveled in our advancement as a people. You of the North, you Republicans, putting up here and there a memorial stone showing your views as to the system and power of our Government, and the people of the South placing others to establish their views. We had our different affairs, we had our different parties with their different platforms.

All this was a parlimentary agitation and discussion of the question. There could be no settlement, no compromise, no peace, no quietude. The rumbling noise of conflict, the muttering thunders of war commenced to be sounded on the political horizon, and ere long the booming of cannon and the roar of musketry were heard on the battle lines, and the people of the North and of the South found themselves engaged in a fratricidal war that carried millions of the fairest and of the best of our land to their graves, and billions of treasury were expended. I trust in a wise and merciful God that such a thing will never occur again in this land. We entered upon the struggle. The great war prevailed. But understand, my friends, you did not whip us. The real truth is that we wore ourselves out trying to whip you. [Great laughter.]

Let us be friends. Let us be brethren. Let us be fellow-countrymen in truth and in deed. Let there be no hypocrisy. Let there be no dissimulation. Let us be frank as affectionate brethren about this whole matter. Let us discuss it without crimination or recrimination, and let us reach that conclusion that will be of no harm to our common country or the opening of wounds that are healed, and hope to reach that solution that will cement our affection the one for the other, and bury sectionalism into the tomb of forgetfulness. Remember, the same manhood, the same courage, the same devotion to principle that existed in 1860 in your hearts and in ours exists to-day.

We all concede that certain questions have been settled by the sword, and one is that slavery shall never exist on the soil of these United States again, and from the Federal Union there is no secession. I accept that settlement to the fullest extent and in the fullest meaning of the word. I understand it to be settled that there shall never be another disruption of this Union if it can be avoided, and that we shall work out our destiny, realize our purpose, and secure our own happiness in a common country under a common flag. [Applause.]

A MEMBER. How about white slaves?

Mr. DENSON. We are trying to free them now and hope our Republican brethren will come over and help us. [Laughter.] I never lose hope as long as there is life and the power of reason controls the mind and charity the hearts of my fellow-countrymen.

After the war you established your present national banking system. You kept up your high protective war tariff and stand for financial measures. You have whipped us on these issues. There is no question about that. When I look back over the past forty years, and with admiration and pride contemplate the gigantic intellect and majestic manhood of my section I am sad to realize they exhausted themselves discussing theories of the Constitution, and sometimes proposing sentimental politics, and all this time you were running your hands in the Federal Treasury through the protective tariff bounties, subsidies, and appropriations, securing the enriching of your portion of the country, beautifying your territory, developing your resources, becoming powerful and rich, I lament and soliloquize to what useless purposes sometimes the power and force of man are applied.

But these efforts of the South have not been lost. While it is true they have not brought the wealth of Crœsus, yet they have been the bulwarks and great battle lines that have secured the way for the maintenance, protection, and vindication of constitutional institutions and constitutional liberty and government in this broad land.

After the close of the war and the establishment of your national banks, you adopted your amendments to the Constitution, carrying into the organic law of the land the results of the war. We of the South were invited back into the sisterhood of States and into the enjoyment of the privileges flowing from a national government; but we did not adopt your system of finance, nor your system of taxation so far as our political action and expression was concerned. Then you organized reconstruction, which your great commoner, Thaddy Stevens, said "was all outside the Constitution."

The same old Democratic party was down there at the South ruling the same, wrapped in the panoply of constitutional liberty,

local self-government, and the right of controlling all domestic affairs. This did not suit you. It was outside of the great end that was to be accomplished, and I do not criminate you for the results accomplished. They were and are but part and parcel of that peculiar civilization and the system of government you adopted at the inauguration of this Union, and the logical results of which are what we see, and you are not responsible in any criminal sense. The clanking of sabers was heard in the halls of justice, judges were taken off the bench, and courts adjourned by command of military officers. Your military satraps dethroned governors of free States, and set up through your military forces the administration of civil government. I do not refer to these painful and sad occurrences in any spirit of abuse or reproach, but that the facts of history may be known and sent down to posterity.

With reconstruction came negro suffrage, exercised by a race of men lower in the order of creation than we, not understanding the responsibilities of government, nor the uses and ends to be accomplished by the ballot. You asked us why we did not come back into the Union and submit to all these results of the war without question. Why, gentlemen, the sword may displace for the time being the truths arising from political institutions and domestic systems. We are of your bone, born of your bone; we have the same principles of manhood, the same spirit, and the same self-will that you have yourselves. You love our proud Caucasian race, and for the vindication of its supremacy and its control, criminations are hurled at us unworthy of the proud race to which you belong. You never sent a negro to these halls of legislation from any district in your part of the country, although a great many live among you.

The history of the world makes no record of any instance where any race except the Teutonic came in conflict with the Anglo-Saxon that the Anglo-Saxon has not dominated, controlled, and directed. But wherever these two races, the Anglo-Saxon and the Teutonic, come in conflict with each other, war is the result. There is no such thing as a compromise between them, because they are akin to each other, and from the same storehouse of the families of men. The settlement of their controversies must be made at the cannon's mouth and the bayonet's point. But whenever the Teutonic race comes in contact with any other race except the Anglo-Saxon, the Teutonic will dominate, control, and direct. Now, I appeal to the charity of the distinguished gentlemen who represent the Republican party on this floor, and I ask them why hurl these anathemas and censures at us? Why express such charges as a matter of reproach when we are not responsible for them, but the God who created you and created us, bone of your bone and flesh of your flesh?

The gentleman from Iowa [Mr. LACEY] the other day gave up the South to the Democratic party. That is right. A man ought to give up a thing he can not keep. [Laughter.] But what next?

After you got your reconstruction and your negro suffrage, then you pass laws changing the money to be paid in settlement of the bonds issued to raise means to carry on the war into gold. To secure all this you then pass these election laws in 1870. What were and is their object? To dominate and humiliate the people of the South, and make them submit to your systems of government, whether they be constitutional or not. Then, in 1873, having made your bonds gold bonds, having enacted your election laws to carry out your purposes you are then prepared to commit that crime against civilization and the human family, that is said to be worse than war, famine, or pestilence—you demonetize silver, and said we shall resume specie payments.

How did you resume? You just resumed, that is all [laughter], and that is a good way to resume. But, oh! the woe and the suffering that followed in the wake of that law. This is your system of finance. But let me tell you, my friends, you are not done with this question of the demonetization of silver. It is a vital living question, and will not be settled in your way so long as a free Representative can enter this Hall from the West and from the South to act in reference to this question. This special session of Congress was called. It was called to do what? To undo, to nullify a law that the Republican party enacted. The Republican party agreed with a portion of the Democrats in this House to nullify that law. Did you and your Democratic allies vote to repeal the silver law because you love silver more? No; but because you love gold more. This is the whole question.

Now, I do not want to be offensive to any of my Democratic brethren or any of my Republican friends. I trust I shall do nothing that will cause any heart pangs, any unkind feelings in the breast of any man. My life has been one of frankness. I have always found it best to tell the truth squarely, so that every man might know where I stand. Now, I say to any Republican of this House who voted for free silver, it is not to your interest, it is not consistent with your view of our Government to stay in the Republican party, for its principles of finance are alien to your conceptions of a proper monetary system. If you voted against the Wilson bill you ought to come over to the Democratic party; and to my Democratic friends who voted for the Wilson bill, I say you ought to go over to the Republican party to be consistent [laughter], because the single or gold standard is in conformity to, and a creation of, a Republican Administration of this Government, and at war with the Constitution, Democratic views, Democratic policy, and Democratic Administration.

A MEMBER. We can exchange prisoners.

Mr. DENSON. Yes, let us exchange prisoners. Let our Democratic friends be taken back again. Stop your alliance with the Republicans. But I will tell you, I believe they will give us two for one. [Laughter.] When I go into battle I always stand by my battle flag. I am no deserter. There is no element of Benedict Arnold in me. I shall stand by my platform and my people. My friends, I have been giving you a running history of this country, with something of the present, and you know that the ruling questions have ever been those of taxation and finance. The whole question of slavery, which stirred up such ebullitions of passion in this country, which shook the country to its foundation, that brought on the civil war, was incited and carried on because of its effect upon your system of finance and of taxation.

All the attrition attendant upon our law-making and administration of our Government, arises from and is involved in the opposite and conflicting ideas and modes of the two schools of interpreting and construing the Federal Constitution. These schools originated in the general convention that framed and in the State conventions that ratified and adopted the Federal Constitution. From these two methods of interpreting and construing the Federal Constitution, aided by the climatic, social, and industrial surroundings before mentioned, sprung two political parties, conflicting and opposing, one to the other, as to the fundamental principles from which they were evolved and developed and upon which they have grown, and in the system of government that each has unfolded and administered, as one or the other was in authority and responsible for the administration of government.

These two systems of politics received their nomenclature from two men who were the most advanced, and most skillful organizers of men, and most masterly in working out systems of government that should control the destinies of the Western hemisphere, and the growth, happiness, and advancement of the people.

One of these modes and methods of construing and interpreting the Constitution and building up a system of government on such modes and methods, was led by Alexander Hamilton, the other by Thomas Jefferson. The method of Hamilton was broad and latitudinarian, conferring most extensive and independent powers upon the General Government.

To illustrate, the construction of what is known as the "general welfare" clause of the Constitution was held to be an independent grant of authority to Congress, to legislate as the judgment and wisdom of Congress might conclude was to the interest and welfare of the people upon any question.

His idea was that of a grand, brilliant, and magnificent General Government, partaking to an enlarged extent of the splendor and independent authority of monarchical forms and systems, limiting the dignity of the States and circumscribing their authority—within a contracted compass; they, in their existence and authority, must be held subsidiary and subservient to the General Government in all matters where Congress could secure the same by the results of a most extensive and latitudinarian method of construing and interpreting the powers conferred upon Congress by the Constitution.

The end to be reached by the Hamiltonian system is a powerful and centralized national authority, resulting more from the will of Congress by its system of construing the Constitution than from the language of the Constitution itself, or from any respect for State governments. A grand and powerful, centralized, and paternal National Government, with subsidiary States, subordinate to this centralized and paternal will.

The National Government, a grand solar system, as it were, reflecting light and authority upon the States, that must move about and around the National Government, as the stars move as satellites around the sun.

A system that generated the practice and begot the habit of the people to look to the General Government for interference and aid in all domestic affairs and private enterprise.

The States are to have but few independent powers and but little segregated authority from the General Government.

In the judgment of this system, the existence of the States is a matter more for the existence and expansion of national authority than for any Government or control the States may take over their citizens and to the building up and advancement of their welfare or the vindication of independent local government or domestic control.

The party that advocated this system was called the Federal party—now the Republican.

The other system, led by Jefferson, is and was known as the Democratic party.

The idea in the Jeffersonian system is that the Government of the United States is one of enumerated powers, that it can claim and exercise no power which is not granted it by the Constitution, and the powers actually granted must be such as are expressly given, or are necessarily and logically implied from the powers expressly granted.

The Jeffersonian theory is that the National Government is one of limited authority, and that authority must appear to be expressly granted by the Constitution, or must arise, from necessary implication, from the power already granted by the Constitution.

The idea is that all implied power must be inherent in and arise from necessity from the powers already expressly granted. In other words, there is no such thing as an independent implied power, separate and distinct from the powers expressly granted in the Constitution. To illustrate by the general-welfare clause, the Jeffersonian theory is, that this clause does not grant a separate and independent authority upon Congress to legislate upon any question its wisdom may suggest as will be beneficial to the public at large. This clause refers back and is limited to the powers already expressly granted in the Constitution.

That as to the powers expressly granted, Congress is supreme and under the "general welfare" clause may employ such means and instrumentalities and exercise such power and authority as the wisdom of Congress may suggest to carry out and enforce the powers already expressly granted, and that may redound to the general welfare.

The theory is that Congress is supreme as to all the powers granted to it in the Constitution, that it is as to these sovereign, full and plenary, but its authority and sovereignty are limited to these powers alone; that the Constitution created the National Government and conferred upon it all the authority and power Congress can exercise.

Congress to exercise any power must look to the Constitution to ascertain if such power has been granted to it by that instrument. If the power can not be found in that instrument, has not been granted by it, expressly or by implication, such implication of authority arising from and out of the powers expressly granted, then Congress must pause. For it to go forward under such circumstances would be bald usurpation and be an invasion of the powers reserved to the States, or to the people, as declared by the Constitution itself.

The principle is that the line of demarcation between national and State authority is well defined and fortified by the Constitution itself; that while the National Government is limited in its authority and must look to the Constitution to ascertain if power to act has been conferred on it, the power of the States is full and plenary, and they look to the Constitution not to find power to act, but to ascertain if their power has been inhibited or limited. If no inhibition or limitation is found in that instrument, then their power is full and plenary. The distinction is between a power not before in existence, but granted and conferred, of which the National Government is an example, and a power which before existed, full and plenary, but may be inhibited or limited by the Constitution, of which the States are an example.

The idea of Jefferson was simplicity in government and the greatest rule and largest liberty for the people, the antithesis of all monarchical or imperial government, the unconquerable and everlasting opponent of centralism and consolidation of power in the National Government.

The freedom and independence of the States, their power and authority, where not inhibited by the Federal Constitution, to be supreme, primary, and free from all interference by national authority, is one of the fundamental doctrines, violence to which is never to be tolerated, and is a maxim of Democratic government and a formula of Democratic administration.

Any invasion of this principle has ever been fraught with discord and dissatisfaction among the people, and a threatening menace to the peace and good order of society.

The autonomy of the States in their sphere to administer and control, as well as create and regulate the privileges and rights by which the individual freedom and personal freedom and personal liberty of the citizen is secured, and the principles upon which the authority of government is to be administered, so as to protect local self-government and domestic authority, are matters that must be confined to and regulated by the State governments, if the Federal element in our system is to be preserved and maintained that it may descend to our posterity.

From this federative element sprung the National Government as declared in the Federal Constitution.

Our system of government, then, is of a dual character, Federal and National. Federal in that the National Government has been created by States, States have an independent and free existence, with supreme power in the administration of all matters pertaining to governmental authority, and creating and defining the rights and status of citizenship and the political rights each individual citizen may exercise in the creation and administration of government.

As to these matters the power and authority of the State governments are supreme and independent, except in so far as power over such may be conferred by the Federal Constitution and vested in the National Government. No one disputes but that the legitimate authority and power of the National Government over the matters which are stated in the Constitution are supreme over State authority, and this very supremacy was conferred upon it by the States or people of each State in their adoption and ratification of the Constitution.

A State, in the ordinary sense of the Constitution, is a political community of free citizens occupying a territory of defined boundaries, and organized under a Government sanctioned and limited by a written Constitution, and established by the consent of the governed. It is the union of such States under a common Constitution which forms a distinct and greater political unit, which that constitution designates as the United States.

The people of each State compose a State having its own government, and endowed with all the functions essential to separate an independent existence. The States disunited might continue to exist, but without the States in union there could be no such political body as the United States. To the States nearly the whole charge of interior regulation is committed or left.

The Federal and State governments are in fact but different agents and trustees of the people, constituted with different powers and designated for different purposes.

The perpetuity and indissolubility of the Union by no means implies the loss of distinct and individual existence, or of the right of self-government, by the States.

Not only, therefore, can there be no loss of separate and independent autonomy to the States, through their union under the Constitution, but it may be not unreasonably said that the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution in all its provisions looks to an indestructible Union composed of indestructible States.

This is the Jeffersonian system of our Government. This is the view taken of it by the Supreme Court of the United States. This is the Democratic view of it, and that was observed and practiced for the sixty years the Democratic party administered the Government.

There are incidental or implied powers given to Congress under the Constitution, we all admit, but incidental to and implied from powers expressly granted.

This construction results irresistibly and unavoidably from the meaning of the words "incidental" and "implied."

These words are used by the courts and jurists in construing the Constitution as synonymous.

Incidental means something occurring from the existence of a principal fact or entity, and such occurrence depending upon the existence of such principal fact or entity. Implied means derived from and included in some foregoing facts or entities.

I have employed this argument to show the difference between the systems of government and the formulas of administration advocated by the Republican and Democratic parties, and which each alleges arise from the Federal Constitution.

The laws that the bill proposes to repeal have been decided by the Supreme Court of the United States to be authorized by the Federal Constitution.

The judges who wrote the opinions that made such decisions were Republicans and advocates of the Hamiltonian theory of our Constitutional Government. They were great men, but still they were but men controlled by the same bias, the same predilections, the same passions, and possessed of the same defects and infirmities to which all human kind are heir to. They were no more relieved from influences of political bias than any other honest men, and it is but natural they should entertain those views as to the meaning of the Constitution that belong to the political school in which they were born and reared.

The correctness of their opinions when gauged by the Constitution must be tested by those rules of interpretation and construction that belong to no school of politics and have been established by no political thought or bias, but spring from the power and genius of the human mind in its search after truth, and have commended themselves to all mankind, and are applied in the interpretation and construction of all written instruments. The clauses of the Federal Constitution from which it is alleged the authority to enact these laws by Congress is derived from the fifteenth amendment to the Constitution, and section 4, Article I, of the Constitution.

In the case of United States *vs.* Reese, 92 U. S., 214, 217, 218,

the Supreme Court, speaking through Chief Justice Waite, held that no right or privilege is granted or power conferred by the fifteenth amendment to vote, but the amendment only declares that no one shall be deprived of his right to vote because of race, color, or previous condition of servitude; that this amendment conferred the right of suffrage upon no one.

The Supreme Court decided in Minor *vs.* Happersett, 21 Wall., 162, and in Cruikshanks *vs.* United States, 92 U. S., 555, 556, that the right of suffrage is conferred alone by the States.

Judge Miller, who afterwards held to the contrary, was a member of the court at the time of these decisions, and made no dissent whatever to them.

In the case of *ex parte* Yarbrough, 110 U. S., 666, and *ex parte* McCoy, 127 U. S., Judge Miller held that the right to vote was conferred by the fifteenth amendment.

Judge Field, who is a Democrat, dissented from both these decisions, as also did Judges Clifford and Fields dissent in the case of *ex parte* Siebold and *ex parte* Clarke, 100 U. S., 371–399, both being Democrats.

Article I, section 4, of the Constitution is in the following language:

> 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.

I have shown that the States existed as independent and free sovereigns before they formed the United States. I have shown that the Government of the United States is one of enumerated powers and can exercise no powers unless those expressly granted, or implied from the express powers granted.

Certainly is it true that if the States were separate, free, and independent sovereignties prior to the formation of the National Government, and were free and representative systems, then the privilege of suffrage was conferred by the States, and was of State origin.

Now the question is, Have the States surrendered the power to confer the privilege of suffrage and invested the National Government with it by some provision of the Federal Constitution?

If the States have not made such surrender by the Constitution, then the power is reserved to the States.

The tenth amendment to the Constitution declares:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people.

No rights can be acquired under the Constitution or laws of the United States, except such as the Government of the United States have the authority to grant or secure. All that can not be so granted or secured are left under the protection of the States. (United States *vs.* Cruikshank, 92 U. S., 551.)

In the case of the United States *vs.* Reese *et als.*, 92 U. S., 515, 217–218, the Supreme Court hold:

> The power of Congress to legislate at all upon the subject of voting at State elections rests upon this (fifteenth) amendment.

One of the cardinal rules that control all others in the interpretation and construction of the Constitution is, to give effect to the intent of the people in adopting the Constitution. But this intent must be inherent in, arise from, and be generated by the language employed in the instrument itself.

It is to be presumed that language has been employed with sufficient precision to express the intent.

To ascertain the natural signification of the words employed in the order of grammatical arrangement in which the framers of the Constitution have placed them is the first resort to arrive at the intent and thought of the framers of the Constitution.

If the words employed have a plain although technical meaning, and such meaning is well understood, and it produces no contradiction between different parts of the Constitution, then the meaning conveyed by the words is the only one we are at liberty to say was intended to be conveyed. That which the words declare is the meaning of the Constitution there is no room for construction, and neither courts nor legislatures have the authority to add to or take away from that meaning.

Judge Miller admits, in *ex parte* Yarborough, 110 U. S., that there is no express power in the Constitution aside from the fifteenth amendment to pass such laws; that looking at the express language of the Constitution no such authority is granted, but it must be implied.

No implication of power can be indulged unless it be incidental to the express powers already granted.

The judge adopts the broad latitudinarian rule of construction and Hamiltonian theory of our Government, and holds that an implied power may be invoked, separate and distinct from all express grants of power, and upon such implied authority Congress may legislate as its wisdom and discretion shall suggest.

The judge looks beyond and outside the express language of the Constitution for the purpose of finding a basis upon which to support and maintain the constitutionality of these laws. He was forced to decide the cases upon power he believed should and did exist in the Constitution aside from its language.

And thus it is the Constitution is made to mean one thing by one man, and something else by another man, until in the end State authority has been set at defiance, State dignity insulted, and the majority of the State treated with insolent contempt by a miserable and scurvy class known as supervisors of elections and United States deputy marshals.

This, too, done under a Constitution whose language is so plain and explicit, disallowing such authority, that no one can mistake its meaning; and to sustain this usurpation of authority one must lose sight of the Constitution itself, and allow himself to roam at large in the boundless fields of speculation. The power of construction in courts is a mighty and far-reaching one, and unrestrained by settled rules throws a painful uncertainty over constitutional forms of government, civil liberty, and the freedom and independence of our States.

Written constitutions that are proposed to fix and settle the boundary of power will become powerless and a failure if we are permitted to look outside the Constitution and consult our own views as to the system that, in our judgment, should be established.

In such a contingency ours would not be the Constitution adopted by our fathers, but it would be a judge-made constitution, which is the law of the tyrant.

Democratic rules, Democratic precedents, and Democratic Administration tolerate no such unbridled and licentious interpretation of the organic and fundamental law of the land.

No one can truthfully say that the constitutionality of these laws are not still and always have been a matter of very grave doubt in the minds of many of our people; especially have they always been declared as unconstitutional by Democrats everywhere.

Every Democratic Senator and every Democratic member of the House, and every Democratic member of the Supreme Court have at all times contended these laws were unconstitutional.

The constitutionality of the laws can only be maintained by a certain construction of the Constitution. Their conformity then to constitutional authority alone finds support in constructional interpretation of that instrument; it can not be found in the language of the Constitution.

A power that must arise, if at all, alone from construction is dangerous to liberty and free government.

Construction may be different as it comes from different minds.

Hence it is a conservative rule of construction, that after considering the instrument, and all sources from which light may be obtained as to the intent of the framers of the Constitution in the use of the language employed, the measure is of questionable constitutional authority, then the power should not be exercised. A mind in this condition must be in doubt, and to be in doubt as to the constitutionality of any proposed law is to be resolved against the power to enact the law. Especially is this true when our Constitution contains the following amendment:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

No one will deny but the States had full and complete power over the question of suffrage before the formation of the Federal Constitution: they conferred the right of suffrage, prescribed the qualifications of voters, and prescribed the holding of elections, and regulated all things in relation thereto.

Now, as I said before, if these laws are constitutional—and they have been declared constitutional so far as the Supreme Court is concerned—we must obey them. There is more safety and stability of society and government in giving profound and implicit obedience even to unconstitutional laws than in resisting a constitutional law. Peace and order are the very basis of our prosperity. We should and ought to discuss these questions upon a broad, statesmanlike view, resting upon the idea of each man being the equal of every other.

Now, here are these laws placed upon the statute book for a purpose. What was the purpose? The purpose was to carry out a certain financial theory and a certain taxation theory; to put in force the Alexander Hamilton system of government, of which the Republican party is the lineal descendant and heir. That has been the sole purpose. You enacted these laws, not for the purpose of protecting freedom and independence in the exercise of the right of suffrage, but for the purpose of Republicanizing the South and destroying the Democratic party. The South was and is now solid; and the very reason you did not want it solid was the reason we wanted it solid. We were the members of your race in the South.

But I have said as much as I desire to say upon the race question. What would you have done, my friends, had you been in the South under the same circumstances? Here were vampires fixing their fangs upon the very body politic. The carpetbag-

gers and camp-followers of the Federal Army had stayed in the South, and as soon as reconstruction took place they commenced to occupy the places of trust and responsibility under our Government. Aided by the negroes, they not only bankrupted the State of Alabama, but they robbed and bankrupted every county and municipality of that State. Do you say we ought to have submitted to such a state of things? If so, what would have been our doom; from whence could we hope for the power of redemption?

When a man comes here who is willing to accede to your system of finance and taxation you do not care whether he is a Democrat or a "hoodoo." All you desire is that he shall vote for your views of government, and his party affiliations stand for naught. You know it. It is useless to deny it. The question with you is as to his views upon how the Government shall be administered. You fixed these laws upon us. They have been in force twenty years—long enough ordinarily to establish a prescriptive right.

Twenty years is a good long time in the history of human affairs and certainly you have had plenty of opportunity to cool off in that time. If I went into your domestic affairs at home, if I investigated your hearthstones and inquired how you voted and comported yourself, and what your people did, I could show you violations of the law, too.

Men in the North are not any more perfect than they are elsewhere. There never was a law enacted, either by God or man, that has not been violated by man, and you can not find an instance to the contrary. You can see the mote in our eyes, while perhaps you have the beam in your own. Now, you had better take the beam out of your own eye before you make such violent assaults upon the little mote that you see in our eyes. In other words, according to the good old Scotch proverb, you had better sweep clean before your own door before you begin at ours. And the gentleman from Iowa, I think, took the precept to heart and says that he gives over the fight, as far as the Democratic party is concerned in the South. Thank you for small favors.

Mr. LACEY. Because of your hardness of heart down there. [Laughter.]

Mr. DENSON. Well, now we have the Presidency and the Senate, too. That is something.

Mr. Speaker, I have hurriedly given you a few of the salient epochs in the history of our country to show its bearing upon this question. Some people say they are going to fight again. Well, I am not one of that kind. I had enough of it. I performed my duty as a Confederate soldier honestly and conscientiously before God and man. I believed that I was right, and under the same impulses, and under the same motives, and under the same belief that I was right, I would do the same thing again. But that day is past; I never want to see it return. I trust in God that I have loyalty to the country and to the section of country in which I live. But all of these questions have been happily settled.

But here are two systems of government presented to us. You should remember you can not legislate in a Federal Congress unless you legislate in obedience to the constitutional law. You must observe the Constitution. I say that these laws are questions for our review as legislators. I submit to the law as it is, as a citizen, but the decision of the Supreme Court is not an estoppel upon the conscience and action of a Representative in matters of this character and nature, and especially where no property rights are involved.

I submit to the law, because it has been decided constitutional by the tribunal provided in the Constitution itself to decide that question. But I have the power as a legislator to review it. And if it does not suit me, I have, thank God, the right to vote for its repeal. I vote for its repeal, then, upon two propositions. In my judgment these laws are unconstitutional. There can be no doubt there is a question of doubt in the construction of the Constitution as to these laws. And because of the doubt as to the constitutionality of the laws you ought to have refrained from enacting them in the first instance. Every Democratic member of the Senate—some of the most profound lawyers of the land—and of the House voted against these laws and discussed them on the ground that they were unconstitutional. It was an open question, and you were notified that if the Democratic party ever came into power again these laws would be assailed.

Mr. CHILDS. Will the gentleman allow a question?

Mr. DENSON. Yes, sir.

Mr. CHILDS. Would you consider that a decision by the Supreme Court that a law was constitutional makes the law constitutional?

Mr. DENSON. As a citizen whose duty it is to obey the law I would consider the law constitutional, but as a Representative who has the constitutional authority to review the law the decision of the Supreme Court can not operate as an estoppel on me.

Mr. CHILDS. Why not?

Mr. DENSON. Because as a member of a coördinate branch of the Government, and sworn to support the Constitution, it is my duty to rescue the Constitution from destruction and defend it against all assaults from any source. I am responsible to my conscience alone and not to that of the Supreme Court.

Mr. CHILDS. Do you make any distinction between your duty as a legislator and as a citizen?

Mr. DENSON. As a citizen it is my duty to obey the law. As a legislator it is part of my duty to aid in making laws, and to aid in repealing laws, and there is no limitation upon my power in this respect, save the Constitution, the instrument I am attempting to vindicate and defend.

Mr. CHILDS. But you are here in your representative capacity as a citizen.

Mr. DENSON. Yes, sir; under the Constitution of the United States providing for a House of Representatives, in my representative capacity to vote as my conscience may suggest on the questions that are presented here.

Mr. LIVINGSTON. And to consider questions as to their constitutionality.

Mr. DENSON. In its legislative capacity this body is as potent as the court.

I want to say this, Mr. Speaker. What was the sentiment when the court acted on the Dredd Scott case, and the question that was submitted in connection with it? You know what the decision of the court was. Did not you say that regardless of the Constitution of the United States, or the decision of the Supreme Court, you would be guided by another law; that you would appeal to what you called the higher law of force. Now, didn't you? Now, would you try to deny us the privilege in a constitutional and peaceable way to get rid of an obnoxious law, and to say the most for it. of doubtful constitutional authority? We do not occupy a position of defiance.

We have obeyed the laws, but now we propose that the legislative branch of the Government shall repeal them. You enacted them when you had the power to do so. There is no concealment about it. We are frank in our statements. We believe these laws to be contrary to the Constitution, contrary to the system of government advocated and defended by the Democratic party. Under our system of government as it is we think the supreme power, regardless of States or conventions, rests by the Constitution in the Federal Government. So far as such supreme authority has been granted to it by the language and provisions of the Constitution, I admit that the national authority is supreme within the purview of the Constitution.

I say that the Constitution is the supreme law of the land. I say that the provisions of the Constitution, and all laws and treaties made in pursuance of that Constitution, constitute the supreme authority in this land, which overrides State authority. I do not question that. But your system looks to a Federal Union around which the States must move as the planets around the sun, getting all their light and power from this grand central luminary, to wit, the National Government. The States existed prior in point of time to the Union, that the Constitution of the United States—which creates the United States—is itself a creation of the States and that the people of the separate States, acting through their lawmaking power, to wit, the State conventions, were the power that made that Constitution possible.

I say that the States are older than the Union; that the States had supreme plenary governmental authority and sovereign jurisdiction over these matters of election long before the United States Government existed; and unless you can find some express authority in the Constitution to invade the territory of separate independent State authority, which is satisfactory to my mind as a legislator, I shall vote to repeal these laws.

Mr. RAY. May I interrupt the gentleman?

Mr. DENSON. Yes.

Mr. RAY. Conceding that the States had power over elections before the adoption of the Constitution of the United States, they did not have any power to elect a President or, Vice-President, or Representatives in Congress, did they?

Mr. DENSON. No, sir.

Mr. RAY. Certainly those offices were created by the Constitution?

Mr. DENSON. Yes.

Mr. RAY. Therefore the same powers that created the offices had the power to provide the mode and manner and ways and means for their election, did it not?

Mr. DENSON. Unquestionably they did.

Mr. RAY. But they had the power, had they not?

Mr. DENSON. They had the power, and the manner when and in which such power must be exercised must be derived alone from the Constitution.

Mr. RAY. Very good. Now, conceding that they had the power, then if they did not provide the mode and manner for the election of these officers, there is no way by which they can be elected, is there?

Mr. DENSON. I state in answer to your question, sir, that whenever the preservation of the Union depended upon it, then the Federal Government could elect members of the House. The right of self-preservation is inherent and justifiable in all sovereign governments, as it is in individuals.

Mr. RAY. For the purposes of this discussion we will confine ourselves to the question of the election of Representatives in Congress——

Mr. DENSON. Certainly, that is the question here.

Mr. RAY. The Constitution says, does it not, in express terms, that the Representatives in Congress shall be elected by the people of the States?

Mr. DENSON. Yes.

Mr. RAY. Then it says that the people who are to do that electing shall be the electors in the several States entitled to vote for members of the lower or most numerous branch of the State Legislature?

Mr. DENSON. Yes.

Mr. RAY. Then when the Constitution says that it provides, does it not, in plain terms, who, in the States, are to elect Representatives in Congress?

Mr. DENSON. Certainly; but notwithstanding this provision, it is entirely within the control of the State to confer the right of suffrage and to make the qualifications of the voter. And does not the State first have to make a voter before you shall have any voting or there shall be any votes? The State prescribes who shall be the electors in the State entitled to vote for members of the most numerous branch of the Legislature, and the State has the authority to change the right to vote and qualifications of electors whenever it chooses, and this very clause of the Federal Constitution shows the States have never surrendered this power to the National Government.

Mr. RAY. The voter must have the qualifications of an elector for the most numerous branch of the State Legislature.

Mr. DENSON. But you could not have that most numerous branch of the State Legislature until one was elected, and until the right to vote and the qualifications of the voter were determined by the State.

Mr. BAILEY. The Federal law conforms to the State law.

Mr. RAY. Now, does not the Constitution of the United States go a step further and say that the State may regulate the manner of holding these elections?

Mr. DENSON. No; it does not state that. You misquote the Constitution. It says the Congress may make or alter such regulations made by the States, as to the times, places, and manner of holding an election.

Mr. RAY. No; may change the regulations made by the States.

Mr. DENSON. May make or alter such regulations made by the States, as to the times, places, and manner of holding elections.

Mr. RAY. But the Constitution itself in the first instance confers the power upon the State to provide for the election of Representatives in Congress, does it not?

Mr. DENSON. Yes; but the States still have the power of conferring the right of suffrage and of prescribing the qualifications of voters at such elections.

Mr. RAY. Then it says that Congress may at any time make or alter such regulations?

Mr. DENSON. What regulations? Regulations concerning the time, place, and manner, of holding such elections? Do you say that the election composes and embraces the right to vote and the qualifications of voters? The clause of the Constitution we are considering confers on Congress only the power to make or alter such regulations, that is, regulations referring to the times, places, and manner of holding elections. The clause is in the following words:

> 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 place of choosing Senators.

When the framers of the Constitution employed this language what does its common sense meaning show their minds were dwelling on and considering? Certainly not the authority to confer the privilege of voting, or the qualifications of a voter. The language expresses but one idea, and excludes all others, and that is the times, places, and manner of holding elections. To what does the phrase "make or alter such regulations" refer? Undoubtedly only to elections, because the time, place, and manner of holding elections was the subject matter under consideration, and to which the minds of the framers were directed. And the Constitution declares that the electors for members of the most numerous branch of the State Legislature prescribed by the State shall be voters for Representatives in Congress, and there was no necessity to refer to the right to vote and the qualifications of voters in this section, as the Constitution has made its declaration on that subject in another clause.

That the framers of the Constitution, in the use of this language, were referring alone to elections appears more manifest when we consider the definition of the word "such" in connection with the word "regulations." "Such" means of that kind, of the like kind, the same, noting a person or thing. What is to be prescribed by the Legislature of each State?

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

What can Congress do? Make or alter such regulations except as to the place of choosing Senators.

"Such regulations" can only mean in this connection those that the State Legislature may prescribe as to the times, places, and manner of holding elections. The right to vote and the qualificatiens of voters existed prior to and independent of elections. An election is but the result, the incident arising from the exercise of the privilege to vote by a duly qualified voter.

In this connection, I say that there is not one word in this clause of the Constitution, the natural, ordinary signification and commonsense meaning of which suggests the privilege of of voting or the qualifications of a voter. Verbal criticism and philology would have been exhausted to find words more inapt to express the right and qualifications of suffrage, when any deliverance had to be made upon the expression of the popular will.

Would not such phrases, "time, place, and manner of holding right to vote;" "time, place, and manner of holding, qualifications of voters," be nonsense and conclusive evidence of a want of all knowledge of the English language, and brand the framers of the Constitution and those who adopted it as ignoramuses? Yet such would be the inevitable result if this clause of the Constitution is construed as referring to the right to vote and the qualifications of voters. No interpretation is tolerable or permitted by any canon of construction that would place such a stigma upon those illustrious patriots who framed and adopted the Constitution.

The plain import, simple, single, and unambiguous meaning of the words, confers upon Congress the power to make or alter such regulations as to the time of holding, the place of holding, and the manner of holding elections for Representatives, and does not refer to the right to vote, or to the qualifications of voters.

You must not forget that if a State should become so derelict in her duty, and fail or refuse to prescribe the voters and manner of holding elections for Representatives, and the General Government should be called on to exercise its ultimate power to have such an election, in order to preserve and maintain its own existence, and the State should be forced to perform her duty when she becomes rehabilitated and restored to her duty, it would be to a position and duty under the Constitution, and she would have the same and equal rights under that instrument and entitled to the same dignity and respect as any other State in the Union. She would resume her duty and place in the Union under the Constitution, and this ultimate power in the General Government would withdraw its authority, and rest until other legitimate predicates should arise for it to come forth and exercise its authority.

By this clause of the Constitution the authority of Congress is expressly limited to making or altering regulations as to holding elections, and there is no room for construction.

Holding an election is the means prescribed by which qualified voters express their choice and will as to any matter submitted to them for such purpose under the laws of the land.

It is the means and way afforded the qualified voter to exercise the privilege of voting; it is but an incident created by law, dependent for its existence and operation upon qualified voters in the exercise of the privilege of voting.

Holding an election at any time, at any place, and in any manner can not add to, take from, change, vary, or alter the right to vote or the legal prerequisites to vote.

It is said, suppose the States confer no privilege to vote, and prescribe no qualifications for voters—in other words, suppose the State has no voters—then, what power would the Federal Government have to preserve its existence, unless it could confer the right to vote, prescribe qualifications for voters, and appoint the holding of elections? Such, under the regular order of things, is not a supposable case. No one supposes a State will commit a political *felo de se*.

According to the genius of all our governmental institutions, and the fact that our whole system, both national and State, is free, representative government, that all power lies in the people, that the popular will expressed according to law is the supreme

law of the land, we can not imagine the existence of a State according to our American definition, unless our minds at once entertain the idea of voting and the qualifications of voters. We think of voting, the expression of the popular will, the very pedestal, the very foundation upon which rests our free and independent States, the citadels of our popular system of government.

It is absolutely idle to imagine or discuss any such emergency. Men have attempted to destroy the Union, but not the States. The interest of the States in having their Senators and Representatives at Washington is too great, too valuable for them to do anything to impair or defeat that representation. Self-interest is too great, too absorbing in this respect to even generate an illusion that such a thing will ever occur.

To suppose such is to suggest a want of capacity in the people for self-government.

The Senators of the United States are elected by the Legislature of each State, and under the clause of the Constitution under consideration the Congress of the United States has authority to "make or alter such regulations" as to the time and manner of electing Senators. If the argument of the advocates of the election laws is true and sound, then Congress could make regulations as to the manner of electing Senators, prescribing who should vote, the legality of the election of each member of such State Legislature; in other words, go behind the election of the members of the Legislature to ascertain if they were legally elected. No one will now contend that Congress has any constitutional power to do any such thing.

The Senate of the United States, then Republican, decided in the Spofford-Kellogg contest case that the Senate had no constitutional authority to go behind the returns of the election of the members of the Legislature to ascertain if any illegal votes were cast.

The election of Senators is put in the same category by the Constitution, except as to place, with that of Representatives. The rule in ascertaining the meaning of words and phrases, and arriving at the intent and purpose of using such, *noscitur a sociis*, sheds great light on this question.

There are no such things as national voters.

Congress can not declare that rights, immunities, and privileges dependent upon State laws, when violated by a State officer, shall be punished by the United States. (United States *vs.* Hudson, 7 Cranch, 32.)

Again, as showing this clause of the Constitution does not refer to the right to vote, nor the qualifications of voters, I refer to Article I, section 2, of the Constitution:

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

Here is a provision of the Constitution that declares what the qualifications of voters shall be in the selection of a member of this House, and it recognizes the right of suffrage to be in the gift of and under the control of the State as well as the qualifications prerequisite to casting a ballot. This might be termed a springing clause; it changes, adjusts, and applies itself to any change that the State may make as to the qualifications of electors. Thus we discover that the Constitution itself not only concedes the right of suffrage to be in the gift of the State and the authority to prescribe the qualifications of voters to be vested in the State, but it is an inhibition upon Congress to grant the right of suffrage or prescribe the qualifications of voters.

The inflexible rule is that all regulations prescribed in the Constitution can not be changed by Congress, and any recognition of a power or authority in a State by the Constitution is an inhibition upon Congress to impair, intrench upon, alter, or disregard such power or authority.

Powers not vested in Congress by the Constitution are reserved to the States respectively or the people. In my judgment the primary power over the right and qualifications of suffrage is vested in the States, and can not be disturbed by Congress.

It is true there is an ultimate power in the Federal Government, and which is inherent in every sovereign government, as it is in every individual, that when its own existence is involved and a pending and imperious necessity arises and in order to save itself and preserve its own existence it may then take such steps and action as may be necessary to save itself. Under such circumstances the Federal Government confers the right to vote, prescribes the qualifications of voters, and appoints an election and regulates the same; but it will be discovered that such power can be exercised and employed, and can only be justified under circumstances of pending and imperious necessity of self-preservation.

It is clear that the authority of the States over elections is primary, and not until they have failed to perform their duty in this regard can Federal authority interfere.

The power in the State is primary, and is ultimate in Congress when the State neglects or refuses to perform its duty.

The power of Congress to act in the matter depends upon such contingency, and only then, to preserve its own existence, which is inherent in every government.

To allow Federal authority to intervene when the State is fully prepared to exercise her authority in this matter, and is able and willing to do so, and is doing so, would be centralization of the worst character, and an insult to State dignity, and an overturning of State authority.

An inopportune and unwise use of lawful authority is detrimental to the general welfare, and aggravating to the people; more so than a wise use of unlawful authority.

In re McCoy, 127 U. S., 734, Miller, Judge, says:

The object to be attained by these acts of Congress is to guard against the danger and the opportunity of tampering with the election returns, as well as against direct and intentional frauds upon the vote for members of that body [Congress].

In Ex parte Yarbrough, 110 U. S., 666, the same judge says:

In a republican government like ours, when political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptation to control these elections by violence and by corruption is a constant source of danger.

The reasons upon which the court grounds the wisdom of the laws is a distrust of the good faith and honor of the States. To say the State is not as much interested in suppressing, and as diligent in ferreting out frauds and corruptions, and all violations of law relating to the elective franchise, is to assert what our history disproves.

The gentleman from Iowa [Mr. LACEY] admits the South is nothing to the Republican party.

Where have the States failed to provide laws and to appoint officers and establish all the machinery necessary to provide against, detect, suppress, and punish such evils?

Will it be said, one who is a citizen of the State and community, as a State officer, is helpless and dishonest, and the next minute clothe him with Federal authority and he becomes all powerful and honest?

The same machinery to investigate, try, and punish for the violations of such laws is the same under both jurisdictions.

To say the same man is unfaithful and dishonest as a State officer and faithful and honest as a Federal officer is an absurdity.

If the National Government is jealous to preserve the autonomy and integrity of the State governments, and they are essential to the existence of the Union, then these laws are contrary to the very genius of our system of government.

Mr. RAY. Oh, no.

Mr. DENSON. I say this demonstrates that these laws are unconstitutional, as they touch upon the right to vote, and the prescribed qualifications of voters, and other matters not embraced in the definition of an election as here used.

Mr. RAY. The Constitution fixed that.

Mr. DENSON. That is where I disagree with you.

Mr. RAY. Do you claim that a State may so alter its constitution as to deprive all of its people of the right to vote?

Mr. DENSON. I do not; most emphatically. That would be revolution, and unconstitutional by passive or direct action.

Mr. RAY. That is exactly what I was going to state; and as no State can deprive all of its people of the right of suffrage by an act constitutional or without being revolutionary in its action, then is it not true, giving this construction to the Constitution, that Representatives in Congress shall be elected by the people of the States, and by those people who are entitled to vote for the members of the most numerous branch of the Legislature of the State, that the Constitution itself confers the right of suffrage and the right to vote for Representatives in Congress upon a certain class of people in the States?

Mr. DENSON. I deny most emphatically that the Constitution confers the right of suffrage, and the clause of the Constitution you refer to certainly does not do it.

Mr. RAY. And does it not follow, then, as a logical conclusion, that the constitution of the United States having said who may vote, and who shall vote for these officers, that Congress may protect such electors in the several States by law in the exercise of their Constitutional right?

Mr. DENSON. I deny your conclusion and that there is any such Constitutional right as your question assumes, and will state if State authority was ineffectual to protect the voter and preserve the peace, the Constitution expressly declares how Federal authority may be exercised in a State under such circumstances.

Mr. RAY. You deny then——

Mr. LIVINGSTON. While you are speaking on that part of this question I wish to make this suggestion: You deny that the Federal Constitution has that power. Suppose the State of Alabama should neglect to hold an election for Representatives in Congress, and should continue to neglect it, then is it within

the power of the United States, under the Constitution, to have such an election held?

Mr. DENSON. I have stated that the Federal Government has the right to do so, as every government has the right to preserve its own existence. If the State of Alabama were to refuse to provide any elective machinery to send Representatives to this House, and should continue in that negligence, which would destroy the Union, it would have the power to do so, because the Union itself rests upon the States. Under that inherent power that rests in every government, the Federal Government could then prescribe and see that the State had representation here.

But the primary duty—that is, not the ultimate authority—the primary duty rests entirely with the State; and until the necessity of exercising that ultimate power by the Federal Government arises you can not pass a law prescribing the rights of voters in the election of a State. Until the State refuses to send Representatives to the Congress of the United States, Congress would have no right to act. The ultimate authority is in Congress, as it is in all sovereign governments, as well as individuals, to preserve its own self-existence, but this is the law of imperious and present pending necessity.

Mr. CHILDS. Will you allow me to ask you one more question?

Mr. DENSON. Certainly.

Mr. CHILDS. Does not the Federal Constitution, as a condition precedent to the admission of any State in the Union, declare that the State shall guarantee to its citizens a republican form of government?

Mr. DENSON. And I have discussed that very idea when I said that it must preserve itself.

Mr. CHILDS. Very well; can a state preserve to its citizens a republican form of government without providing a means by which it can be preserved?

Mr. DENSON. I say no. I agree with you upon that point. Now, upon the interpretation of the Constitution you put that question right where I want it. The State must make that provision. Must, in the first instance, exercise the primary power and perform its duty to the National Government, and intervention of Federal authority can only be predicated and justified upon the failing or refusing to exercise this primary power and thus perform its duty.

Mr. CHILDS. Very well; suppose the State does not do that?

Mr. DENSON. Then it is revolutionary and unconstitutional conduct on the part of the State, and the Federal Government may then intervene, as I have before stated. The contingency has then arisen to justify Federal authority.

Mr. CHILDS. Then the Federal Government has reserved the right to see to it.

Mr. DENSON. The Federal Government has the ultimate power. I stated that frankly. But I say this: I would leave the exercise of that power until the time arrived, when, under that contingency, that power can be exercised by the Federal Government. The time to protect the autonomy of the National Government is when the necessity for it arises; because your Constitution, as decided by the Supreme Court, is just as jealous and solicitous to preserve the autonomy of the State as it is to protect the integrity of the National Government.

Then I say a right to vote being a prior right, existing in the people and in the States before the formation of the Union, unless you can show me an authority in the Constitution that prohibits a State from the exercise of that right, then I shall vote that your law ought to be repealed because it is unconstitutional. You recollect that all the powers not delegated to the United States by the Constitution are reserved to the States respectively, or to the people. What is the delegated power? There is where you and I differ upon our construction of the Constitution of the United States. You say there can be implied power independent of the expressly delegated powers. That is the point upon which Judge Miller decided the constitutionality of this law, and I repeat here, without egotism, and with the most profound respect for that able jurist, that there he is at war with Judge Marshall, Judge Chase, and Judge Taney. Understand, I am not now referring to that inherent and ultimate power of self-preservation in all sovereign governments.

I say there is no such thing as an implied separate and distinct power outside of the express authority in the Constitution. The general-welfare clause of the Constitution is not a conferring of power. It relates only to the express powers that have gone before, that have been expressly granted. The implied powers of the Constitution have for their foundation and basis the powers expressly granted in the Constitution; and there arises the conflict—that conflict which can never be put down in this country as long as our intellects are as they are—the conflict between the Democratic construction and the Republican construction of the Constitution.

Justice Miller had to look outside of the language of the Constitution itself in order to hold these laws constitutional, and he said he found the authority for them in the incidental or implied powers. What does an incidental power mean? It implies the prëexistence of something of which it is a consequence. What does an implied power mean? It means the prëexistence of something going before from which it is logically deduced. Judge Miller decided these laws to be constitutional by thus going outside of the language of the Constitution, but I say that whenever we resort to such means to find authority for the Federal Government doing anything which it is not expressly authorized to do by the Constitution we make ready for the tyrant to take the place of regular constitutional authority.

Mr. RAY. Will the gentleman permit a question?

Mr. DENSON. Yes, sir.

Mr. RAY. Suppose that after our fathers had framed the Constitution, after they had provided for a Government and a Congress, they had said nothing about powers except that the Congress should have power to provide for the common defense and the general welfare of these United States, do you not think the Congress would have ample power to do everything necessary to carry on the machinery of government and to defend and preserve the Union?

Mr. DENSON. Why should you ask me such a question? Do you not see that your question supposes a government of general powers, while I contend that the Constitution of the United States creates a government of enumerated powers. Your question presupposes a government of general authority, like the government of a State in relation to the questions that come legitimately within its purview.

Mr. RAY. But my question is this: Suppose the Constitution was absolutely silent as to the powers of Congress except in the particulars I have mentioned, to wit, the power to provide for the common defense and the general welfare, would not the Congress have power to do everything necessary for the continued existence of the Union, the common defense and the general welfare?

Mr. DENSON. I think that is a question of extreme doubt, so far as the right of suffrage is concerned; but to carry out the purposes for which the National Government was established they might have power. But your question again presupposes a government of general and unlimited powers; and in cases of emergency, where they have the right to exercise this ultimate power given by the Constitution of providing a manner of electing Representatives to this House after the State has failed to perform its Constitutional duty, I agree that the Congress of the United States would have power to pass such laws, but I say the time has never yet arrived in this country when the Government was authorized to pass such laws. The predicate for the exercise of the power has never been laid.

Mr. RAY. I want to see if I understand you. I do not want to be unfair.

Mr. DENSON. Certainly; let us be fair. There is no money involved. [Laughter.]

Mr. RAY. I did not understand the last remark.

Mr. DENSON. I merely remarked that there was no money involved, so we would be fair. I mean silver.

Mr. RAY. I understood from your prior remarks that this was only a question of money anyhow.

Mr. DENSON. Of course it is, when your party are making the laws. [Laughter.]

Mr. RAY. I understand you to claim that the Constitution of the United States confers upon Congress certain enumerated powers only?

Mr. DENSON. That is what the Supreme Court says.

Mr. RAY. And that Congress has no power whatever except the powers explicitly enumerated?

Mr. DENSON. Or such powers as are implied from the expressed powers. There is no such a thing as an implied power, independent of the expressly delegated powers, as I have before explained.

[Here the hammer fell, but by unanimous consent Mr. DENSON'S time was extended indefinitely.]

Mr. DENSON. I thank the gentlemen of the House for their courtesy. I will not take more time than I think a fair and honest discussion requires.

Mr. RAY. I understand you to claim that the general welfare clause of the Constitution has no force or effect whatever, and was not intended to have any force or effect.

Mr. DENSON. Oh, yes; it was.

Mr. RAY. What?

Mr. DENSON. All such general welfare as may be implied from the exercise of the expressly granted powers and generated by them. That is what it means.

Now, the gentleman knows very well, if he is a lawyer—and I presume he is from the nature of his questions, though I have

not the pleasure of a personal acquaintance with him—he knows very well that the interpretation of every instrument must be to reach the intent of the lawmaker. That is the polar star that is to guide us—the intention of the lawmaking power that drafted the instrument. The gentleman knows further as a lawyer that this intent must be derived from or generated by the language used in the instrument itself; and if the language of the Federal Constitution does not generate or produce the idea of conferring power upon the Federal Government to prescribe the right of suffrage, the qualification of voters, and the times and places of the exercise of the right, you can not enforce such an authority by an act of Congress, because such power is not given to Congress by the Constitution.

Mr. RAY. Does not the gentleman think that it was the intent of the framers of the Constitution to make this a nation and to make the Union of the States perpetual?

Mr. DENSON. Of course; but how do you spell "nation"? [Laughter.]

Mr. RAY. Well, never mind about that; but I always spell it with a big N.

Mr. DENSON. Sometimes I spell it with a little n. But I always spell "national banks" with a big N because I have suffered so much from their oppression.

Mr. RAY. You say that the framers of the Constitution intended to make the Union perpetual?

Mr. DENSON. I do.

Mr. RAY. Now, do you not think that the framers of the Constitution, in using the language they did, intended to confer upon the Congress of the United States the power to make all laws necessary to that end?

Mr. DENSON. For the perpetuity of the Union?

Mr. RAY. Yes, sir.

Mr. DENSON. Of course; and they have done it, in providing that when a State fails to exercise its primary power to provide for the election of Representatives the Federal Government has the ultimate power to do it. There is where I stand as firm as the rock of Gibraltar.

Mr. RAY. As regards the election of Representatives in Congress—officers created by the Constitution to legislate for the whole United States—as to their election the General Government is paramount, is it not?

Mr. DENSON. Wherever this contingency takes place—wherever a State fails to perform its primary duty in obedience to the Federal Constitution, then the power of Congress may be exercised. There is a duty resting upon the State—a duty which the State must fail to perform before the Federal power can attempt to exercise it. When the State fails to perform its duty in this respect then I concede the Federal Government can improvise an election.

Mr. RAY. Then you do concede that these laws are constitutional, provided the emergency had arisen which called upon Congress to act.

Mr. DENSON. Yes, sir. That emergency must be a failure of the State governments to make provision for the election of Representatives.

Mr. RAY. Then you argue that these laws are unconstitutional simply because, as you claim, the constitutional emergency had not arisen?

Mr. DENSON. It had not arisen; the States had not failed to perform their duty, and are not now failing or refusing to do so.

Mr. RAY. Let me ask you who is to be the judge as to whether or not the constitutional emergency has arisen? Is not Congress itself the judge?

Mr. DENSON. All judgments of Congress in that matter are of a juridicial character and must be predicated upon facts. In this case the facts do not exist and never have existed.

Mr. RAY. But, taking your theory, the Congress of the United States adjudicated that the constitutional facts calling upon them to act did exist.

Mr. DENSON. And another equal power of this Government, the House of Representatives, says now the fact did not exist, and therefore we repeal those laws.

Mr. RAY. That is your position now?

Mr. DENSON. Certainly.

Mr. RAY. Then, it seems to me, you give away your position——

Mr. DENSON. No, sir.

Mr. RAY. Because you concede that the power to adjudicate as to the existence of the constitutional fact rests in Congress; and, as you must concede, Congress did so adjudicate.

Mr. DENSON. Now, my friend——

Mr. RAY. It did pass the laws; therefore they are constitutional.

Mr. DENSON. You are taking up more of my time than I am myself; you are getting the big end of the pumpkin. [Laughter.]

Mr. RAY. I beg the gentleman's pardon.

Mr. DENSON. It does not offend me for any gentleman to propound any question. I have stated that this adjudication must be based upon facts—not facts created by Congress itself or merely supposed to be in existence by Congress. The action of Congress must be predicated upon such facts as would be required to be proved in a judicial trial in order to pronounce judgment upon a private citizen. The Federal Government has an inherent power of self-preservation. When does that right of self-preservation come into existence? Only when the States have failed to perform their constitutional duty in providing the means for electing Representatives to Congress. And the public history of the country, which all tribunals must take knowledge of, fails to show any such failure or any facts of a character to authorize the bringing into activity this sleeping or ultimate power in the Federal Government.

Mr. COOPER of Wisconsin. Will the gentleman allow me a question?

Mr. DENSON. Certainly.

Mr. COOPER of Wisconsin. I am seeking for information——

Mr. DENSON. So am I.

Mr. COOPER of Wisconsin. As to the law governing the interpretation of statutes; and I am free to say that the gentleman from Alabama is laying down, or attempting to lay down law upon this subject with which I am not familiar. I want to ask him this question as a preliminary: Is interpretation of a statute ever permissible except, first, there be an ambiguity plain upon the face of the statute itself; or second, an ambiguity arising in court because of evidence introduced there?

Mr. DENSON. I say that ambiguity in the law takes place very frequently, ambiguity arising out of matters of fact.

Mr. COOPER of Wisconsin. But there is no interpretation called for unless there is ambiguity upon the face of the instrument, or ambiguity which arises because of some evidence of fact.

Mr. DENSON. Yes, sir.

Mr. COOPER of Wisconsin. Now, you claim there is such ambiguity here as requires interpretation?

Mr. DENSON. Of the statutes?

Mr. COOPER of Wisconsin. Yes.

Mr. DENSON. Oh, no; they have been too plain for my people. We understood them too well. It is the Constitution, my friend, I am talking of, not the statutes.

Mr. COOPER of Wisconsin. I am talking of the Constitution, too, which has the force of a statute. This statute says Congress may at any time make or alter regulations as to the times, places, and manner of holding elections.

Mr. DENSON. Yes.

Mr. COOPER of Wisconsin. Now, the words are "at any time"——

Mr. DENSON. I know.

Mr. COOPER of Wisconsin. But you put an interpretation or you give a statutory construction——

Mr. DENSON. No; I call it constitutional, a constitutional construction.

Mr. COOPER of Wisconsin. Very well, then, a constitutional construction, changing the words "at any time" to mean a part of the time.

Mr. DENSON. You have not gotten the gist of my argument or my answers to the questions of my friend who sits before me.

Mr. COOPER of Wisconsin. Wait awhile. This statute, which Judge Miller says is explicit and plain——

Mr. DENSON. The Constitution you are speaking of.

Mr. COOPER of Wisconsin. Well; the constitutional provision which gives to Congress at any time the power to make or alter these regulations, you say, means a part of the time, to wit, at any time when a State has not made the regulations.

Mr. DENSON. No; you misinterpret or misunderstand my argument. In my argument heretofore I have undertaken to explain what I think is the meaning of the words in the Constitution you refer to.

Mr. COOPER of Wisconsin. But did not you say, in reply to the statement or the question addressed to you by the gentleman from New York [Mr. RAY], that Congress only had the right to make these regulations when the State had not done so.

Mr. DENSON. Certainly. But what regulations? Why, regulations providing who should be voters, and fixing their qualifications. But the gentleman evidently did not catch the point of the argument I have made. It is not the election, but the voter and his qualifications that I contend the language of the Constitution, mentioned by the gentleman, does not embrace.

Mr. COOPER of Wisconsin. But we are talking now of "the time" in the language of the Constitution.

Mr. DENSON. The only time that has been suggested, as I have already answered to the question of the gentleman from New York, is the time when the State fails to provide for an

election. An election is an incident. I suppose the gentleman is a lawyer. A mortgagee has the right to foreclose his mortgage, and the incidental right of redemption follows. But the incidental right of redemption does not give power to destroy the rights under the mortgage.

Mr. COOPER of Wisconsin. I wish to ask the gentleman another question in conclusion, because I confess I am unable to understand the gist of his argument or his answers.

Mr. DENSON. I am in the same way by the gentleman, only a little more so. [Laughter.]

Mr. COOPER of Wisconsin. Do you claim that Congress has the right to say when an election of Representatives shall be held in the State of Wisconsin or in any of the States of this Union?

Mr. DENSON. I say it has that right, and Congress has acted upon it since 1844.

Mr. COOPER of Wisconsin. And that that is a constitutional privilege?

Mr. DENSON. Yes; that is the Constitution.

Mr. COOPER of Wisconsin. And the place where?

Mr. DENSON. Certainly; that is constitutional.

Mr. COOPER of Wisconsin. And the manner in which?

Mr. DENSON. Yes, sir; I state that that is the language of the Constitution.

Mr. COOPER of Wisconsin. Then to what do you object in these laws?

Mr. DENSON. That they have exercised or usurped authority, unwarranted by any principle of local self-government or constitutional authority, and at a time, if the ultimate power exists, when there was no necessity or predicate in the condition of the country to justify it. That is all. [Applause on the Democratic side.] I say to the gentleman if he will just wait until I get through I will try to make that part of the argument plain.

Now what does the Constitution say? What is the language? "The times"—of what? Why the times of election. "Places." Places of what? Why, the places for holding the elections. "Manner;" that is the times, places, and manner of holding elections for members of the House of Representatives, and Senators "shall be prescribed by the Legislatures of the States; but the Congress shall have the power to make or alter"—what? What do you say it has the power to alter, and I will ask the gentleman a question himself now? Why, unquestionably the right to alter such regulations.

Now, sir, as a lawyer you are bound to admit that every word and every sentence employed in any instrument must be so construed, and that construction given to the whole instrument that gives operation and scope to every word employed. Then, what do you do with the word "such" as used in this constitutional provision? "Such regulations?" What does it mean? Of the same kind. Look in your dictionary. That the United States has the right to make or alter the times, places, and manner of holding elections. Now, if you exclude the word "such" you make a great ambiguity; but with the word "such" in there it is as plain as the voting was to a man up a tree in South Carolina, to the gentleman from Iowa, and he said it was plain enough to authorize rebellion and reconstruction.

I say then that the word "such" relates back to such regulations as are prescribed by the States as to the times, places, and manner of holding elections. What inconsistency, what absurdity, and what a travesty upon language it would be if I were to get up and say "time of suffrage," or "time of conferring right of suffrage," "place of conferring right of suffrage," "manner of conferring right of suffrage"! What would it be? "Time of qualifications of voter," "place of qualifications of voter," "manner of holding qualifications of vote"! How absurd such an interpretation would be. Yet the word "such" must relate to something that has gone before, of the same kind and character. So I say if you put such a construction as you contend for upon these words, that then you say what has gone before is nonsense; but when you limit the word "such" to such regulations as to time, place, and manner of holding the elections as are prescribed by the State, then you are within the constitutional authority. But I have heretofore discussed this view of the question.

Mr. RAY. Now, I do not understand anyone on this side of the House to claim that Congress may legislate as to who shall exercise or who shall not exercise the right of suffrage. That is, we can not confer the right of suffrage upon any person. The States do that, and the Constitution of the United States has stepped in and said that certain of such persons shall exercise the right of suffrage in the election of Representatives in Congress. To that extent we have conferred the right of suffrage upon these persons in voting for Representatives in Congress.

Mr. DENSON. I do not say that. You say that.

Mr. RAY. That is our claim.

Mr. DENSON. Yes, I know——

Mr. RAY. Now, I will go a step further. The Constitution speaks not only of the times and places of holding elections, but of the manner of holding elections.

Mr. DENSON. Yes.

Mr. RAY. Now, do you think that the words "manner of holding elections" include the right to say that a man may go to the polls in peace and cast his vote without interruption and without interference?

Mr. DENSON. I say that it does not mean that; but if it did mean it, then you have exercised the power at a time when there was no necessity or predicate for it, as I have heretofore stated. I say it does not mean that.

Mr. RAY. You do not think, then, that Congress has a right to legislate upon that subject?

Mr. DENSON. That is a police regulation, that may exist independent of the election. It is merely an incident to the election.

Mr. RAY. Is it not within the language, "manner of holding elections"?

Mr. DENSON. No, sir.

Mr. RAY. Is it not within the language, "manner of holding," when you prescribe by law that a man may go peacefully, peaceably to the polls and cast his vote without interference?

Mr. DENSON. I say it is not; but if it was, State authority should be exhausted before Federal authority should intervene; and the Constitution specifically points out the way in which under such circumstances Federal authority may enter the State.

Mr. RAY. Then you think Congress at no time and under no possible circumstances would have the right to provide by law that a man might go to the election peaceably and quietly and cast his vote without interruption?

Mr. DENSON. I do not make any such statement as that. I told you awhile ago that whenever the States failed to perform their constitutional obligation and duty to provide a time, place, and manner, and the qualification of voters, to send Representatives to this Congress and to preserve the indissolubility and the perpetuity of this Government, then Congress could make prescriptions; that that was the ultimate power in Congress and the only power, and that Congress could not exercise the ultimate power until the State had failed to perform the primary duty and exercise the primary power.

Mr. RAY. Then you do concede that if a State should fail to exercise its right and power at all, then the Congress of the United States might come in and make and enforce any law necessary for the holding of an election in a State?

Mr. DENSON. I say if the State should fail to do that; but no State will ever fail. Is it within the belief of any man for an instant that a great sovereign State is going to commit a political *felo de se*—going to commit suicide? Why, the minute a State refuses to provide an election for members of the House of Representatives and Senators it is an unconstitutional act on the part of the State, whether by omission or commission. It would be political suicide on the part of the State, and we can trust the States to preserve their integrity and their autonomy, and to perform the governmental functions that were given to them by the immemorial systems of government of the Anglo-Saxon race long prior to the time of the formation of the Federal Government.

I say we can trust a State. She did perform that duty and she is performing it, and I say, with the profoundest respect for Judge Miller's opinion, that he had to look outside the language of the Constitution in order to maintain the constitutionality of these laws.

And you know, my friend, that you can not look beyond the language of an instrument to give it an interpretation. You have got to give the intent, the purpose, and the object sought to be attained by the lawmakers as it appears from the language employed by the lawmakers. There is no room for construction; there is no place for the interpretation of language that is plain and not involved. There must be some ambiguity. There must be some involvement in the language employed by the lawmakers. When there is no involvement, no ambiguity, but plain, common Anglo-Saxon everyday words, I repeat there is no room for construction; but you must take the meaning that the words place upon the instrument whether you like it or do not like it.

Now, you have disturbed my argument somewhat, but we are coming together. We are getting across the bloody chasm. I say that the Constitution of the United States is as jealous, as diligent for the autonomy of the States as are the States to preserve the national authority. I say that convention that framed the Federal Constitution had to send it back for ratification and adoption by the States before it became the Constitution of the United States. It had to be confirmed by the States, or the people of those States. How did those States act? How

did the people act in the creation of this Constitution, by convention or by legislative assemblies?

What were those conventions, and how were those assemblies composed? Of elected members, elected by the State authorities, exercising the franchise of voting under the qualifications of the voter prescribed in the places, times, the manner of holding, and the manner prescribed by the State form of lawmaking. They considered the adoption and the ratification of the Constitution of the United States. Then that was to presuppose the existence of the States themselves. The very Federal Convention that framed the Constitution of the United States presupposed, and, in fact, there did exist States enjoying all the autonomy of free and sovereign government itself. Their jurisdiction and sovereignty as independent States exercising the right to control their specific power, conferring whatever franchises they chose, to vote, or anything else they saw proper.

Now, the great distinction between you and me is in another thing. I say that the Constitution of the United States was a "conferring" of power. You catch the distinction of "conferring." The Federal Government has no power by virtue of the Constitution unless it is such power as was expressly granted or conferred by the Federal Constitution, or such expressed or such implied authority as springs out of or arises from the powers expressly granted. I say that is the distinction—the conferring of power. Before Congress acts upon any question Congress must look to the Constitution of the United States to ascertain if it has got authority to act. You understand me. We have got to do that.

Now, when we come to legislate in the State Legislature what have we got to do? There is no conferring of power to the State Legislature by the State constitution. The power of the Legislature of the State is ample, full, and plenary before the Constitution of the Federal Government ever existed. We look to the constitution of the State, and we look to the Constitution of the United States to see if the laws we propose to pass by the State Legislature are inhibited or limited, and that is all. The difference is between the conferred power of which the National Constitution is an example, or full and plenary power, only as limited by State and Federal Constitutions, of which the State government is an example.

There is the distinction between us. I look to the Federal Constitution for authority to legislate. If I do not find authority in my view or construction of that instrument, either expressed or implied, then I conclude that I have not got the constitutional authority to act. And where there is the existence of any doubt about the exercise of constitutional authority, it is to be resolved against its exercise.

That is the maxim of construction laid down by Mr. Cooley and the great jurists and judges of this land. Then tell me that there is no doubt about the constitutionality of your election laws, against which every Democratic Senator and member of this House voted, and on which my friend who sits in front of me [Mr. SPRINGER] made as fine and eloquent an argument as I have read in the pages of Congressional history. Further, when you come to read the decisions of the Supreme Court, where the constitutionality of these laws is said to have been decided, the matter is treated there by Judge Field and Judge Clifford as matters of doubt and they dissented from the majority opinion of the court. Now, then, you see there has always been doubt in the matter.

And I am not alone in that. I find myself in company with some of the most powerful intellects that this country has ever produced, who have passed upon the constitutionality of these laws on their consciences and their oaths. So I am speaking to-day upon this question, and must act upon it next Tuesday, upon my conscience, under my solemn oath to support the Constitution of the United States, and, believing these laws to be unconstitutional, can I do otherwise than to vote for their repeal? When I took the oath of office here the other day it was an oath to support the Constitution of the United States.

As I have said, I believe there is at least a doubt as to the constitutionality of these laws; and, under the received rules and canons of construction, where there is a doubt as to the existence of authority it is equal to a resolution that the authority does not exist. In this case there was doubt in the Senate. There was doubt in the House of Representatives. There was doubt in the Supreme Court of the United States, and that doubt is equivalent to a resolution that there was no constitutional power to enact these laws. What, then, does that clause of the Constitution mean? To what does it relate? I say it relates to the manner of holding elections.

I see an ex-Senator of the United States before me [Mr. BLAIR] and I will ask him: In the case of Spofford *vs.* Kellogg did not the Senate of the United States, under the control of the Republican party, decide that it had no power to go behind the returns of the Legislature? The Democratic party was trying to upset Kellogg's title by going behind the returns, and the Federal Senate, which was controlled at that time by the Republican party, decided that it had no power to go behind the returns of election made by the State Legislature. That is a legislative construction of the Constitution by the most proud and most intelligent lawmaking body on earth, holding that the construction of the Constitution for which I contend is correct. As to the police power of the State and the preservation of order, do gentlemen tell me that the Congress of the United States can encroach upon that, and would gentlemen, upon a doubtful constitutional authority, invade the sacred precincts of a State government?

Mr. RAY. But suppose that in a State—I do not say a Southern State, because I do not believe these laws were aimed especially at the South—suppose that in the State of New York it should become notorious that some force, fraud, or violence had interposed to prevent the people from voting for Representatives in Congress, so that no Representatives were elected or returned from that State, do you claim that Congress would be usurping authority if it should make a law appointing officers in that State, whose duty it should be to appear at the polls and see to it that citizens desiring to vote for Representatives in Congress enjoyed that privilege?

Mr. DENSON. Does the scope of my friend's question imply that there is public disturbance, tumult, or strife in the State?

Mr. RAY. It does not imply riot.

Mr. DENSON. I said "strife."

Mr. RAY. The scope of my question is this: Supposing there was a condition of things in that State which amounted to a preconceived determination——

Mr. DENSON. A conspiracy, a combination?

Mr. RAY. A conspiracy or combination.

Mr. DENSON. To deprive the people of the right to vote?

Mr. RAY. To deprive the people of the right to vote.

Mr. DENSON. And which the State government could not put down?

Mr. RAY. Which the State government did not put down, whether it could or not.

Mr. DENSON. And your question is, Could the United States Government go there in the first instance?

Mr. RAY. Might the United States pass a law appointing officers to right that wrong?

Mr. DENSON. I say emphatically, no; because the Constitution has provided a means of meeting that difficulty by the governor calling on the Federal authority for troops, or the Legislature, if the Legislature is in session, calling upon the Federal authority for troops to maintain peace and good order.

Mr. RAY. But suppose the State does not do that?

Mr. DENSON. Then it fails to perform its imperative duty, and Congress could exercise its ultimate authority of self-preservation. But has any State ever failed in this respect?

Mr. RAY. I have not said that any State ever has. I am putting the case where a State might do it, and I am putting that case for the purpose of getting at your view of the constitutional powers of Congress.

Mr. DENSON. Well, I told you I did not want to be offensive; but I say you are putting questions on the assumption of a state of things that never existed in the history of this country, and that, I think, never will exist. I am not a prophet; you may be.

Mr. RAY. But this condition might exist.

Mr. DENSON. Ah, but wait until they do. I will put another maxim of government to you. It is sometimes as detrimental to good order and good government to exercise lawful power inopportunely as it is to exercise authority unlawfully. That is exactly what you have done in the South; you have violated those fundamental axioms of free government by the passage of these infamous election laws.

I do not want to make any remark which will be offensive; but those laws have worked terribly for us. Now, there are two things that the Southern people will never submit to; we are just as determined to carry out two propositions as that I stand here on this floor, and that is a matter of physical observation to you. We intend to rule that country, and we intend to lynch any man, white or black, that outrages a woman. [Applause.] Those two things we will never give up, although you may call them barbaric licentiousness. We do not intend to resign the inherent power of a proud, brave people to adopt the means of self-preservation, of the intelligent administration of our domestic government, and that purity and sacredness of our women that no Southern man can maintain his honor and self-esteem and submit to.

Mr. RAY. Now, let me ask you another question. For the purpose of ruling that country (and you say you are determined that the whites shall do it), for the purpose of ruling the South, is it not your determination also to prevent the colored men from voting the Republican ticket in all the districts where you think they might carry the election?

Mr. DENSON. No, sir; the black man in the South has more

judgment in regard to his constitutional privileges and his right to freedom than some men belonging to the Republican party of the North. And therefore he votes the Democratic ticket. [Applause.]

Mr. RAY. Now, I want to ask you—for I am seeking light——

Mr. DENSON. Certainly.

Mr. RAY. I want to ask how you explain the fact that in so large a portion of the South but a very small proportion of the voters go to the polls and exercise the elective franchise?

Mr. DENSON. I deny the fact; I say you can not prove it by respectable witnesses. Let me tell you, my friend——

Mr. RAY. The elections there are conducted by the votes of a very small portion of the voting population.

Mr. DENSON. If voters stay away, they do so of their own volition.

Mr. RAY. Why is it that in many of the districts of the South a majority of the voters do not go to the polls?

Mr. DENSON. That is not true, to my knowledge.

Mr. RAY. Well, a large portion of them.

Mr. DENSON. In my State I have never heard of that thing so devoutly to be looked for as the black man staying away from the polls. And it is all over the South the same way. A gentleman here informs me that the case is the same in Georgia.

Mr. RAY. I am told that in one district of the South the candidate for Representative in Congress received only 1,300 votes; still, he was elected.

Mr. DENSON. What State was that?

Mr. RAY. The State of Georgia.

A MEMBER. What district?

Mr. RAY. Mr. Blount's district.

Mr. MOSES. There was no opposition to Mr. Blount.

Mr. RAY. Why were there not more men voting?

Mr. DENSON. I have been rather patient with you, my friend——

Mr. RAY. I know it.

Mr. DENSON. I have the primary right to the floor; you have only the ultimate power, it seems. [Laughter.]

Mr. RAY. I will sit down the moment you wish me to.

Mr. DENSON. I do not wish to do anything which might be offensive. I will not exercise my primary right and order you to sit down; but I will let you exercise your ultimate right.

Mr. RAY. If it is at all disagreeable——

Mr. DENSON. Not at all; it simply takes up my time. The gentleman may go ahead with one more question.

Mr. RAY. You claim that all through the South nearly all the voters go the polls and exercise the right of suffrage?

Mr. DENSON. The majority of them do—all who want to go do so. You have a wrong idea about this matter. You look at our condition down there through your prejudiced glasses. I do not say this offensively, for you can not help it. No doubt we have similar infirmities. But you look at matters through your prejudiced spectacles; you are affected by the gangrene of political bias. I appeal to you, take us at what we are worth; we are of your blood—your flesh and bone——

Mr. MOSES. I would like to ask the gentleman from New York [Mr. RAY] a question. Does he assume that because a man is colored he votes the Republican ticket?

Mr. RAY. Does the gentleman address that question to me?

Mr. MOSES. I do. I ask, do you assume because a man is colored he must necessarily vote the Republican ticket?

Mr. RAY. Not at all.

Mr. MOSES. I inferred that you did from the questions you have put.

Mr. RAY. Not at all. But I have read the papers; and I have looked at the election returns from many parts of the South; and while I would suppose it should take as many voters to elect a Congressman in the South as in the North, I have found that in the South Congressmen are elected by about one-third as many votes as are cast in the North, in proportion to the voting population. Now, I ask if that does not mean that the voters did not go to the polls and exercise their right of suffrage? If that assumption is incorrect I shall be very glad to be corrected.

Mr. MOSES. And, Mr. Speaker, with the consent of my friend from Alabama, let me state that I live in what is called the negro belt. I am a Democrat, and yet there is not a colored man within five miles of me who did not vote for me and against my political opponent of the People's party in that election.

Mr. RAY. Do you claim that the voters turn out in these elections? If so, how does it happen that so few votes seem to be recorded?

Mr. MOSES. When there is a contest they do turn out; but even the handful of Republicans down there have been disgusted with Republican methods and give up the fight as soon as the nominee is known. [Applause on the Democratic side.]

Mr. CABANISS. Let me say to the gentleman, in answer to his suggestion that a member of Congress from the State of Georgia was elected by the small vote of 2,000 or less, that I presume he refers to the gentleman who formerly represented the district that I have the honor now to represent. The reason that there was so small a vote on the occasion referred to was because my predecessor [Mr. Blount] had no opposition, and the people, not even the Democrats, turned out to the election, only a few people in the towns. Let me say further, that I made the race in the same district last year, when 20,000 votes were cast when I had opposition. If I had not had opposition perhaps not more than 5,000 would have been cast; but there were 20,000 and over, and this was an off year, too.

Mr. RAY. Was it a special election?

Mr. CABANISS. No, it was a regular election; but it was an off year, when there was no general State election.

Mr. RAY. Still, only 1,300 votes, or about that, were cast in that district.

Mr. CABANISS. About 2,000, I think.

Mr. GEAR. Less than 1,400.

Mr. CABANISS. But it must be remembered that our State officers are elected at different times from the members of Congress. The State officers are elected in October and the members of Congress in November.

Mr. DENSON. Mr. Speaker, to show that this is a wide stretch of authority, even admitting that it is of doubtful constitutionality, I will ask my friend here from Iowa if he would sanction a deputy marshal of the United States going into the State Legislature of Iowa and directing the members of the Legislature in the matter of the election of a United States Senator as to how they should vote, for whom they should vote, where they should sit, or execute any order with reference thereto? Of course he would not. He would not sanction such a stretch of authority, and yet the exercise of the power conferred upon deputy marshals at elections for members of the House of Representatives is precisely the same kind and character, the same kith and kin; and no man, no free-born American citizen that loves liberty and the right of self-government would tolerate without protest such an interference.

How have you been injured? Where have you been injured? I tell you to-day that the Federal election laws have not changed a vote in the State of Alabama so far as the district I represent is concerned, and I can be borne out by my predecessor, Mr. Forney, from that district, in saying that the fairest elections ever held on any part of the green earth have been held in that district of Alabama. The man who would mislead or terrorize a voter, or would write a ticket wrongfully, or assist in a fraudulent count of the votes there would be spurned or kicked out of society as a dishonest man. I say, then, that you gain nothing by it. Haven't you got your high protective tariff yet? Haven't you got Democrats enough associated with you to destroy silver in this land, and what more in the name of God do you want? [Laughter.]

After you have got the whole earth do you want the fullness thereof? You have everything that you have demanded. You have everything that man could ask. These laws have done you no good and they are a menace to our liberties. It is only through the bulwarks of the Democratic party, contending for the construction of the Constitution that the fathers put upon it, that such laws, that such mischievous laws, can be erased from the statute books. It is only by the preservation of the right of self-government and the regulation of local affairs of the States that we can hope to preserve the autonomy of the States and thereby preserve self-government in the States and through them the Federal Government.

You know, as a lawyer, that the decision of the Supreme Court was that this nation is composed of free, independent States, exercising local self-government, and that from the union of these States springs the Federal Government. But for the union of these sovereign States—if there had not been States united together for that purpose—the political autonomy we call the Federal Government, that system would never have existed.

On the States and on their autonomy, on their right of local self-government rests the fabric of the National Government, and when you destroy and degrade the States, when you insult the people of the States and undertake to assert the authority of the Federal Government over them in matters not warranted by the Constitution, you make innovations upon the very foundation on which the fabric of the Federal Government rests. Gentlemen, you ought not to do it. You have gained nothing by it. You persist in holding these statutes up as a menace to the people of the States. You have nothing to lose by the passage of this repeal law. You know very well that the free, independent States make the Federal Government.

I am no advocate, at this day, at least, of the paramount allegiance of citizens to States independent of the Federal Union; that idea was shot out of me. [Laughter.] I now ignore that idea, but I say first, that when you attempt to invade the great

right of local self-government, which is so necessary to preserve the perpetuity of the Union, and secure the peace of society and contentment of the people, you are imperiling the existence of free institutions and throwing into the scales of party ascendency the most valuable and sacred privileges of an American citizen. I say that you have got no power, unless it is expressly conferred in the language of the Constitution, or by the implied power springing out of the express authority, to invade anything of a domestic character in the States. You know very well that the maxim has come thundering down for thirty years that this is "an indissoluble Union of indestructible States."

If you believe that and subscribe to that doctrine, and it is but the enunciation of the Supreme Court of the United States, if you adhere to that and if you obey it, you certainly ought, whatever may be your opinion upon the constitutionality of this law, inasmuch as you know that it is a threat and a menace to the peace and good order of society, as patriotic gentlemen you ought to repeal and obliterate and wipe out these statutes from the statute books of this Union, not leaving even a vestige to show that they ever existed.

You have nothing to fear from the South. You have no right to expect an invasion, or the destruction of your property or your system of government from southern representation. It is true that men undertook to destroy the Union, but, my friends, have you ever heard of a man undertaking to destroy a State? We did attempt to dissolve this Union, but we failed; you would not let us do it.

Mr. BLAIR. May I ask the gentleman a question?

Mr. DENSON. Certainly.

Mr. BLAIR. I do not wish to draw out the discussion, because I realize the gentleman is desirous of closing soon.

Mr. DENSON. Yes.

Mr. BLAIR. But I would like to call your attention to another aspect of the subject-matter, which I do not think has been adverted to, at least not in my hearing. I would like to call your attention to the fourth article and the fourth section of the Constitution, wherein it is placed upon the General Government the duty of guaranteeing governments republican in form to the States.

Mr. DENSON. Yes, sir.

Mr. BLAIR. As a question which covers the whole ground, I would like to ask the gentleman whether he thinks that the destruction of government, republican in form, in each and all of the States, would or would not leave the General Government in existence with a government republican in form?

Mr. DENSON. No, sir; because, as the question assumes the destruction of all the States, the very foundation of the American Union is destroyed. States united are essential to the existence and perpetuity of the Federal Union. I agree with you that it is the constitutional duty of the Federal Government to secure to each and every State in this Union a government republican in form; but let me ask you this question: What do you mean by republican in form?

Mr. BLAIR. That is a government, as I understand, wherein a majority of the people are represented.

Mr. DENSON. That is not altogether it, either.

Mr. BLAIR. It is a matter of some doubt, perhaps, what it may be. It does include certain things. Of course there is some variety in what may be called a government republican in form. There are some variations in that form. As I said, I do not want to draw out the discussion, but the general ground is taken here, as I understand, that the nation has no voters?

Mr. DENSON. I say that there is no such thing as a national voter.

Mr. BLAIR. No original primary right of suffrage in its citizens, as citizens of this nation?

Mr. DENSON. Yes, I say that there is no power to vote conferred upon the voter by the Federal Constitution—no primary abstract right to vote.

Mr. BLAIR. Now, I wish to develop somewhat the gentleman's idea. I would like to know whether the gentleman thinks that the disappearance of governments republican in form, in each and all of the States would deprive the National Government of its existence as a government republican in form?

Mr. DENSON. The scope of your question, as I understand it, is, if all the States ignore or destroy their republican forms of government, would the National Government have any authority——

Mr. BLAIR. No, I do not ask that.

Mr. DENSON. What is your question?

Mr. BLAIR. Whether the fact of the disappearance of governments republican in form in all the States would carry along with it the destruction of the National Government as a government republican in form?

Mr. DENSON. Most assuredly, as the foundation of the Union would be destroyed, but this would be revolution; and the Federal Government, if it had any basis to continue its existence, has the power to put down revolution. It has the constitutional authority to do so; and if it did not have the constitutional authority, it has the inherent authority that rests in every government to take care of itself.

Mr. BLAIR. Is there any such thing possible as a republican form of government save only as the sovereignty of that republican form of government is vested in the voter?

Mr. DENSON. Yes, sir; there are other things that go to make up a republican form of government outside of the voter.

Mr. BLAIR. Can there be a republican form of government without a Federal Government?

Mr. DENSON. No, sir; speaking in behalf of the existence of the Federal Union. A State may have a republican form of government without the existence of a Federal or National Government.

Mr. BLAIR. Then, in order that the Government may be a government republican in form it must have a voter.

Mr. DENSON. No, sir; not necessarily. I mean the General Government. You forget or ignore the federative element and its powers in our system of government.

Mr. BLAIR. How else can it be expressed?

Mr. DENSON. The General Government may have a prescribed voter under the exercise of the ultimate authority that I have described. When it is exercising that ultimate authority it may have voters; and I do not care whether you call them national or State voters; but that can not be exercised until the State has refused to provide that representation to which it is entitled.

Mr. BLAIR. But the question I am supposing is one which would cause the destruction of government republican in form in a single State and extended to all the States, so that such government has disappeared, then the duty of establishing a government republican in form would rest in the Government at large.

Mr. DENSON. I say if there is a dissolution and destruction of the National Government by revolution, or by the consent of all the States, then there is no General Government, and all power and authority would return to each State, respectively.

Mr. BLAIR. I would like to ask the gentleman one more question, and that is this: in reference to the matter of implied powers and powers actually existing, whether, if the Constitution did simply provide that there shall be a government, a general government, and that it had given powers, as we have, the several departments, executive, legislative, and judicial, and it stopped there, whether in his opinion there would have been implied necessarily, simply from these provisions, the expressed provisions contained in the power of taxation?

Mr. DENSON. Your question supposes the existence of a government of general powers, with no limited or federal element in it, and the establishment of the departments you name might carry the power of taxation. But in a government of enumerated powers, with the federative element in it, as is our National Government, I do not think the power of taxation would exist. In fact, the fabric would fall of its own inherent defects. The power of providing for an election does not interfere with the power of taxation.

Mr. BLAIR. I understand the gentleman to hold that, provided there shall be a government, that does not imply of necessity the power of taxation.

Mr. DENSON. No, the Federal Government has only delegated powers. There is the distinction between the school of politics and construction between the Federalists, with Alexander Hamilton at their head, and the doctrines of Thomas Jefferson.

Mr. BLAIR. This is the express provision: that it shall have all the powers to govern. Does not the gentleman hold that the National Government originated with the people?

Mr. DENSON. The National Government was, of course, created by the adoption of the Constitution of the United States. The people coming together in their respective State assemblies and acting under the forms of their lawmaking power, passed upon the question and ratified and adopted the Federal Constitution.

Mr. BLAIR. Then the people themselves gave this Government the primary powers.

Mr. DENSON. Of course, in the way and manner I have stated. I say that there is a school we never have got away from—the line of demarcation between your ideas of this Government and mine. As I started out in my remarks I pointed that out.

Mr. BLAIR. I do not think there is so much difference between us as my friend imagines. I have for years advised the colored people to vote the Democratic ticket, if they could not vote the Republican ticket; but the first and primary duty of the colored people or any other people is to vote; if not for one ticket, then for the other.

Mr. DENSON. What is a vote?

Mr. BLAIR. It is the expression of a judgment upon a political question by some physical act.

Mr. DENSON. Suppose the voter has not any judgment? [Laughter.] Is that a republican form of government where a man is allowed to vote who has no judgment?

Mr. BLAIR. I am one of those who believe that everyone that God has made of mature mental and physical powers, is a man, and, if he lives under a republican form of government, has a right to vote, regardless of race, color, educational qualifications, or pecuniary qualifications. In other words, it is an inherent right, manhood suffrage.

Mr. DENSON. If you lay that down as a rule what will the gentleman from Iowa [Gen. HENDERSON] say, who told us the other day that if it were not for these Federal election laws the elections in the North would be turned over to the rabble; and I suppose "rabble" means men. Your convictions, sir, as to what a voter is seem to be diametrically opposed to those of your political associate as he has declared them on this floor. I am not disposed to restrict the right to vote. Now, as to this question of government, some people seem to have the idea that no sense is required to run a government: that the voters create the officers of government, and then that the machinery runs itself, although the creators may be absolute fools. I infer this is the doctrine of the gentleman from New Hampshire.

Mr. BLAIR. The gentleman should hardly make so broad an inference, because that might include a great many of us. If the power of self-government exists among men it is fair to conclude that they have reason to guide them in exercising that power.

Mr. DENSON. That is a very violent conclusion, though. Still I am in favor of what is called manhood suffrage, without educational or property qualifications. Has a man a sound mind in law?

Mr. BLAIR. Of course I speak of sane men, not of those who are deprived of reason.

Mr. DENSON. Mr. Speaker, I have detained the House much longer than I had intended. I wrote one speech and I have made another. The exceedingly pointed and incisive questions, yet exceedingly courteous, of the gentlemen have made me pursue a line I had not intended, and extended my remarks on a line not intended.

Mr. BLAIR. Well, you have made a very good one, so that you need not regret the change.

Mr. DENSON. I thank the gentleman. And with that compliment, with a few additional remarks, I will close.

Considering the language of section 4, Article I, of the Constitution, and every part and parcel of it, the States have not delegated by the Constitution to the National Government power and control over the elective franchise and surrendered their ancient authority over it.

Does any clause of that instrument prohibit the States from asserting their ancient authority over this vital privilege, and one upon which rests their freedom and independence as separate sovereignties?

If so, to what extent? When we consider, by the terms of the Constitution and the history of its creation and discussion of its provisions in the general convention that formed it, as well as the discussion of its provisions in the respective State conventions or assemblies that adopted and ratified the Constitution; when we appreciate the fact that the "perpetuity and indissolubility of the Union by no means implies the loss of distinct and individual existence, or of the right of self-government by the States," that by the Union there is no loss of separate and independent autonomy of the States, but that the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union; when we consider that State governments are the great asylums and bulwarks of local self-government, of the individual independence of the citizen, and the security of popular will and power to authorize and justify any intrenchment upon these sacred and inalienable rights of freemen; any invasion upon the authority of these State governments to maintain them in all their integrity and freedom, and this particular right of suffrage, the author and finisher of popular liberty, the shield and buckler as well as the sword and spear by which freemen defend individual liberty and the right of the people of each local government to govern themselves free from all outside interference and authority from any other sovereignty, and by which all encroachments of national authority may be met and driven back and the schemes and devices of centralism thwarted, the authority to do so must be clearly delegated in the Constitution to the United States or prohibited by it to the States.

Such power and such prohibition must arise from and be generated by the very language of the instrument from which such intent is supposed to appear, and it should not be authorized by mere construction of the Constitution of the country whose jealousy is to maintain the autonomy of these States, as well as authorize Federal power.

There has been, there is, and there always will be grave and serious doubt as to the authority of Congress to enact these Federal election laws.

Such doubts are intensified when we reflect that the preservation of the autonomy of the State governments in all their integrity and power is more conservative of liberty and more consonant with the existence and enjoyment of free, representative, and local self-government than the perpetuity of the Union itself.

The Union might go down, yet popular and free government would still remain in its ancient strongholds, the free and independent State governments would still exist, with all their power to maintain and hand down to posterity civil liberty and free institutions unimpaired and disenthralled.

But, on the contrary, if these States should be destroyed, and this National Union should become a consolidated and centralized power, reaching from the boundaries of Canada to the Mexican Gulf and spreading from the Atlantic to the Pacific, liberty and free institutions would then bid us farewell, and the despotic shades and shadows, if not the reality, of imperialism would be the moving spirit of government. [Applause.]

Free and independent States are the great reservoirs where the reserved liberties, rights, and powers of the people are stored, to come forth and place the staying hand upon any intrenchment or invasion of these sacred rights by the furtive and stealthy acts and unconstitutional laws of Federal authority.

Free and independent States are the unweary sentinels that are always on guard, keeping sleepless vigils over liberty and free institutions. [Applause.]

Innovations, invasions, or temporary incursions upon these reserved rights of the States, by Federal laws seeking to control the right of suffrage and regulating elections, the very citadel of popular liberty and free government, are threats and perils to our free institutions and menaces to civil liberty. [Prolonged applause on the Democratic side.]

Mr. COOPER of Florida. Mr. Speaker, I shall not detain the House by any abstract discussion of constitutional principles or of general theories upon the bill now under consideration. Those matters have been discussed ably and at considerable length by gentlemen who have done them full justice. I do desire, however, to state to the House and to put upon its records some facts showing the manner in which these laws have been executed, and why we protest against them. Sir, I have to make a humiliating admission at the commencement of my address to the House. I have to admit that in the State of Florida at a recent period there was perpetrated in connection with these election laws a grave crime, and that it was proven in the court.

To present to this House a brief statement of that crime is my purpose in arising this evening. There was a conspiracy against the laws of the United States in Florida. That conspiracy was put into effect, and the conspirators were caught at it, and those conspirators were United States officials. In connection with these laws there was passed by Congress a provision intended to secure nonpartisan and impartial juries, in order that when men were put upon trial they might have a fair and impartial trial, and not be tried by juries of their opponents. I beg the indulgence of the House while I call attention to that statute in connection with these others. It is the act of June 30, 1879, and some of its provisions are as follows:

> And that all jurors, grand and petit, including those summoned during the session of the court, shall be publicly drawn from a box containing, at the time of each drawing, the names of not less than three hundred persons, possessing the qualifications prescribed in section 800 of the Revised Statutes; which names shall have been placed therein by the clerk of such court, and a commissioner to be appointed by the judge thereof, which commissioner shall be a citizen of good standing, residing in the district in which said court is held, and a well-known member of the principal political party of the district in which the court is held opposing that to which the clerk may belong. The clerk and said commissioner shall place one name in said box alternately, without reference to party affiliation, until the whole number required shall be placed therein.

Now, Mr. Speaker, there was a conspiracy entered into in order to nullify that statute of the United States. The conspirators undertook to do it, and they did it, and we caught them at it. I have heard gentlemen on the other side, for whom I have great respect, speak of the purpose of these laws. I have in mind particularly the gentleman from New York [Mr. RAY], because I was impressed with his honest and judicial view of these statutes, of the duties of officials under them, and of the purity of elections, and the elevation of public life that he claimed they were intended to secure. And when I listened to that argument and recalled the actual operation of the law as I knew it, I wished that for his enlightenment he could have been in the United States court of Florida but a few months ago. I would like to know

how the scene there would have struck him in a court for purifying elections, purifying politics, doing justice, elevated above all political prejudices. I desire to read to the House a letter from the United States marshal for the northern district of Florida, instructing one of his deputies to select and bring to the court "true and tried Republicans" to try Democrats for alleged political offenses.

SIR: You will at once confer with Mr. Bielby and make out a list of fifty or sixty names of true and tried Republicans from your county registration lists for jurors in the United States court, and forward same to Hon. P. Walter, clerk of United States court; and it is necessary to have them at once, as you can see. Please acknowledge this.

I am, yours truly,

JOHN R. MIZELL,
United States Marshal.

Please get the names of parties as near steamboat and railroad stations as possible.

C. C. KIRK, Esq., *Deland, Florida.*

That is the way it works. Now, Mr. Speaker, at the time these elections took place we had in Florida met with a recent deprivation which was a calamity to that State. The gentleman who had been judge of the United States court for many years, a gentleman whose large and clear mind, whose honest, manly heart commended him to the people of Florida—he was a Republican; he came among us unknown, and endeared himself to us because he was a fair and honest man, and his name was Thomas Settle, and I am happy to say that his son sits in this House—by a sudden stroke this man met with an untimely death. The man appointed as his successor, who came into that district and State, has managed by the conduct of his court to bring a court which was left upon a high pinnacle into the very gutter of disrepute.

Now, I want to submit (because it will save my time and the time of the House) a memorandum which was written on that occasion, showing what it was that the people of Florida complained of. It shows why I to-day protest against the continuance of these laws and why I say they are productive of nothing but evil—that they ought to be wiped out with all the speed that can be infused into legislative proceedings.

Here is a memorandum for a protest drawn at the time, which states some of these evils:

The statutes of the United States provide for holding the United States courts for the northern district of Florida at Jacksonville, at Tallahassee, and at Pensacola, and the contention of the residents of the several sections of the State has been and is that under the laws and Constitution of the United States every person accused of crime is entitled to be tried at the court held in the judicial division in which he resides, viz, persons east of the Suwanee River at Jacksonville, between the Suwanee and Appalachicola Rivers at Tallahassee, and west of the Appalachicola River at Pensacola. Such was the evident intention at least of the statutes, and the late Judge Settle made an order in substantial compliance therewith and requiring that each cause be tried in the division in which it arose, which order gave great satisfaction to the people and had been in force for a number of years when the present judge was appointed.

There is also an act of Congress which provides, for the purpose of securing non partisan juries, that the grand and petit jurors shall be drawn from a box, wherein not less than three hundred names shall have been placed by the clerk of the court and a jury commissioner, who shall be "a well-known member of the principal political party in said district opposed to that to which the clerk may belong." Judge Settle had appointed Mr. T. E. Buckman such jury commissioner, and he had acted as such for many years to the satisfaction of all.

Soon after the present judge was appointed he passed through Jacksonville on his way north, and made certain orders, as is supposed at the instance of the United States district attorney, but without consultation with the members of the bar generally, and without their knowledge or the knowledge of the public that such orders were contemplated.

By these orders he revoked the order of Judge Settle that cases should be tried in the division where they arose, and he removed Mr. Buckman as jury commissioner and appointed one Farnell as such commissioner, as the representative member of the Democratic party, whose only political notoriety had been obtained by defeating Democrat nominees in his county by coöperating with Republicans. When these orders came to the knowledge of the public both their character and the manner in which they had been made caused surprise, distrust, and indignation. Then the juries were drawn and, notwithstanding the great numerical preponderance of Democrats among the intelligent citizens of the district and those qualified to serve as jurors, of the twenty-three grand jurors drawn twenty-two were Republicans and only one a Democrat, and of the thirty-six petit jurors nearly all were Republicans.

Effort after effort has been made to get fair, nonpartisan juries—all have been overruled. The grand jury so procured and constituted is in session. It is the experience of all times and countries that with such invitations to political prosecutions informers and prosecutors are never lacking; that courts, under such circumstances, are easily made the agents of personal spites; that the revengeful, the vicious, and the ignorant flock to them, and that none are so destitute of intelligence, character, or credit but that they can swear away men's liberties. We protest that it is an unseemly and indecent thing that men should be indicted and tried for alleged political offenses wholly by their political enemies, and when, further, this is done by disregarding or straining laws which are intended to protect the accused, the administration of the laws is brought into disrepute. We do further protest that taking citizens out of the judicial division in which they live to a place remote from their homes, friends, and witnesses, increasing their expenses, making it difficult for them to get bail and to procure evidence for their defense, is in violation of the rights which we have inherited from our fathers, and which are declared in the Declaration of Independence and in the Constitution of the United States.

Now, Mr. Speaker, that represents but a part of these proceedings. When that protest was drafted we had not obtained the letter of instructions. We spread upon the records of that court a plea setting up that in violation of the statute of the United States, by a conspiracy of the officers of the court, instead of men being put into the jury box without reference to party affiliations they were selected because of their affiliations with the Republican party; and as a result, although there was a large preponderance of Democrats qualified to serve, there were more than ten Republican names to one Democratic name in the box from which the names of jurors were to be drawn: and that in the drawing nearly every name coming out was that of a Republican. There was not a Republican indicted before that court for such offenses.

Every man to be tried was a Democrat The district judge sustained the demurrer to that plea, and the facts being thereby admitted, held that they were of no avail. But the court was about to adjourn. We had the case carried over until Judge Pardee, the circuit judge, got there. Judge Pardee overruled the demurrer, and said that such a sworn charge against the jury box of the court must be investigated; but, unfortunately, he had to leave, and the investigation had to go on before the district judge. In that investigation we put upon the stand the deputy marshal, who received that letter charging him to select "true and tried Republicans" to constitute the jurors. We proved that the list of those sixty "true and tried," as ordered by the marshal, was put into the box from which the jurors were drawn. We offered to prove, in addition (if the House will indulge me with a few samples of these transactions), that in Orange County the first sixty-four names on the list were those of Republicans, and four names were those of Democrats, one of whom was dead.

This list was selected by the chairman of the county Republican executive committee. There were about two Democrsts to one Republican competent as jurors.

Now, gentlemen, with all that, is there a Republican here, is there a Republican lawyer here, a Republican who is an honest man, a good citizen, who will defend, who will palliate, who will excuse such proceedings? Why, language adds nothing to the bare statement of the facts. The jurors selected by the chairman of the Republican executive committee! Jurors selected to try Democrats for alleged political offenses under a statute of the United States which says that the jurors shall be selected without regard to party affiliations by an impartial commission consisting of one member of each of the principal political parties.

As to Nassau County, we offered to prove that there were thirty names of Republicans, many of them who could not read or write; that there were three Democrats to one Republican competent to be drawn as jurors.

And yet they got every Republican, many of them not able to write their own names.

As to Marion County, of the 113 names 103 were Republicans of a certain faction of the Republican party, and 10 Democrats. There were about two Democrats to one Republican competent and qualified in that county for jurors.

Again, Mr. Speaker:

In the county of Alachua, of the 41 names all belonged to one faction of the Republican party.

Now, Mr. Speaker, upon that motion an appeal was made to the court that it might have been supposed would reach any judge who ever sat upon an American bench. And in that connection I will say this, that the same thing was undertaken in that court once before. Once before when there was a political prosecution of a Democrat for an alleged political offense, before the statute of 1879, intended to secure a fair jury, was passed, they brought an entire jury composed exclusively of Republicans to try the Democrat. The late Judge Settle quashed the venire, and said, "Do not bring such a jury to me again." That was called to the attention of the presiding judge and an appeal was made to him to preserve the honor of his own court, to preserve the honor of the United States, to preserve the liberty and the guaranteed rights of its own citizens there charged with crime: but, Mr. Speaker, it all fell on deaf ears.

The Administration here in Washington, Mr. Harrison and Mr. Miller, were pushing him on, as we believe from other developments. He had not yet been confirmed. He had been appointed *ad interim*, and he pushed right forward to a confirmation over the statutes of the United States, over the rights of men who came to that court for trial, and he stamped the court with a seal which will brand it for all time, or as long as the memory of this transaction endures, along with those which history and time have marked as infamous.

And, Mr. Speaker, are we to be reproached for objecting to these laws. A gentleman from Indiana stated here something about the atmosphere of public opinion in some of the States rendering these laws inefficient there and our objecting to them without any reason; that they had proven efficient where public opinion supported them. I do not know much of the legal trials in Indiana, but there was one judicial proceeding there which made itself known over the United States when Mr. Dudley, of "blocks of five" fame, was charged before the United States

court, and these laws proved wholly inefficient to hold him, or at least he was not held. Have methods of Republicans in Indiana been so redolent of the odor of sanctity that they are not able to breathe the tainted atmosphere that is wafted up from the South?

I was elected by as large a vote as the average man in this House, and larger than a great many. I represent a constituency much larger than the average proportion. I had more than 14,000 ballots cast in the box for me, and every one of them went in honestly and was honestly counted; and those that were cast against me went in, as far as I know, honestly and they were honestly counted; and there was never a complaint that there was any unfairness in the election. The elections in the Second district of Florida are as fair as the elections in any district represented on this floor; and when we object and protest against these laws it is not because we want an opportunity to commit fraud at elections, but because we want to smash the Republican political machine, which not only does injustice to the individual, but corrupts the administration of the law and lowers the character of the judiciary. If it were only that the judges should be wholly separated from these election matters that would be reason enough for the repeal of these statutes.

I might give and could give individual instances, and not a few of them, of the actual working of these laws and the actual use of them for purposes of personal spite, but I will not detain the House with them. Such individual instances, however numerous they may be, however heinous they may be, pale into insignificance and into triviality when compared with the spectacle of a judge of a court of the United States preparing the way by his orders for the stuffing of the jury boxes and the packing of juries and maintaining it when it was brought before him and proven in the open face of the court.

Mr. MERCER. Will the gentleman allow me to ask him a question?

Mr. COOPER, of Florida. I will.

Mr. MERCER. The gentleman referred to the fact that he received such a large vote in his district. I would like to ask him why it is that in that district, which it is claimed has 202,792 people, only 19,309 votes were cast?

Mr. COOPER of Florida. I can explain it very readily. The reason of that was that the Republican party had no ticket in the field. The contest was between myself and a former Democrat, who was running as a third party man or Populist. The Republicans had no Presidential, State or Congressional tickets, and generally or largely they did not vote. Some of the best of them voted for me. [Laughter.]

Mr. CLARK of Missouri. Mr. Speaker, lovers of constitutional liberty in general and Americans in particular are to be congratulated on the fact that this imperial excrescence upon the body politic is to be speedily cut off by the surgeon's knife.

ONE CAUSE OF THE REPUBLICAN WATERLOO.

A great many theories have been advanced here and elsewhere as to why the Republican party was hurled from power and cast into that outer darkness where there is weeping and wailing and gnashing of teeth. One of the moving causes of that beneficent revolution was that the people had come to regard it as the inveterate enemy of free elections. The average citizen of this Republic likes fair dealing, and he does not take kindly to the spectacle of deputy United States marshals swaggering around the polling places with bludgeons in their hands and navy pistols at their sides, saying who shall vote and who shall not vote, and ready to shoot down peaceable citizens on the smallest provocation or on no provocation at all.

The bulk of the people mean to remain free, and they spurn with indignation and with horror the proposition that the regular Army shall superintend their exercise of the right of suffrage, which is the right preservative of all rights. They do not intend that our free elections shall be degraded into farcical plebiscites, such as prevailed under the second French Empire. In 1890 and again in 1892 they issued their decree that such enemies of the public weal as John I. Davenport and his *participes criminis* should be discharged from Government employment and divorced from the public pay rolls. By their well-considered verdict the people have determined and made proclamation with an emphasis which can be neither mistaken nor disregarded, that they will not tolerate the force bill, and that they will have nothing to do with the party which concocted that scheme of despotism.

The St. Louis Republic says:

Federal interference with elections is a relic of martial law. The Democratic party opened business in order to protect local and individual liberty. Therefore it is bound to repeal all laws for putting marshals and deputy marshals around polling places. Presidents are elected by States. Every State elects two Senators. Congressional seats are apportioned to States and elected by the people of districts which never cross State lines. Management of elections belongs to the States. The Federal Government is made up of contributions from the States, and its officials are the citizens of States. It has no right to lay a strong hand on its creators.

That brief extract is a succinct and luminous statement of the whole case, and contains texts for many sermons.

"Federal interference in elections is a relic of martial law." Yea, verily. Indeed, it is more. It is worse than martial law, for the officers of the regular Army are responsible men, and if charged with the unpleasant and unpatriotic service of depriving their fellow-citizens of their suffrages would at least remember that they are amenable to public opinion, while the sluggers, heelers, and tatterdemalions who seek and accept the position of deputy marshal on election day for the sole purpose of arresting and terrorizing their neighbors, are the most brutal, conscienceless, and worthless nondescripts in the communities which they curse with their vile presence.

"The Democratic party began business in order to protect local and individual liberty." That was its mission when Thomas Jefferson led it to its first victory. That was its mission when Grover Cleveland led it to its latest victory; and that will be its mission so long as liberty has a devotee or constitutional government an abiding place on the whole face of the earth. [Applause.]

It is the great original party of home rule; and William E. Gladstone, in his glorious struggle across the waters, is but carrying out the plan of campaign for human freedom devised by the sage of Monticello more than a hundred years ago.

Mr. WILSON of Washington. Will the gentleman allow me to ask him a question?

Mr. CLARK of Missouri. Yes.

Mr. WILSON of Washington. Is Grover Cleveland giving us local self-government in the West when he appoints Indian agents from other States?

Mr. CLARK of Missouri. You asked that question the other day. You ought to have intelligence enough to know that the Indian reservations in the Western States belong to the National Government, and not to the States in which they are located. [Applause on the Democratic side.]

Mr. WILSON of Washington. In the platform that was adopted by the Democratic party in Chicago, they placed a plank stating that the appointments should go to the States and Territories in which the offices were located, and Grover Cleveland is violating that plank of the Democratic platform to-day.

Mr. CLARK of Missouri. Upon that point it seems that perhaps the President thought there could not be found men of sufficient intelligence and integrity in some of the Republican Western States to fill those offices.

Mr. WILSON of Washington. The gentleman is making a mistake about that, because there are enough men of intelligence and integrity in those States to fill all those offices, and the only scalawags that we have there are the men who come from your State, from Virginia, and from Kentucky. They are the only scalawags we have in the Western country.

Mr. CLARK of Missouri. All I have to say is that there is not a syllable of truth in that.

Mr. WILSON of Washington. It is the truth. The gentleman may deny it; but it is true, nevertheless, and he knows it.

Mr. CLARK of Missouri. I will state to the gentleman that the State of Missouri has furnished that Northwestern country with nine-tenths of its brains, its education, and its patriotism. Missouri laid the foundations of your greatness.

Mr. WILSON of Washington. Then why does not Mr. Cleveland allow these gentlemen who originally came from Missouri to be appointed to fill those offices?

Mr. CLARK of Missouri. I do not desire to yield for a stump speech, but I will answer any question if the gentleman will ask it so that I can hear it.

Mr. WILSON of Washington. The question I want to ask the gentleman is this: As he states that Missouri has furnished the Western States with so much intelligence, why does not Mr. Cleveland appoint men from those States who are living in the West who have that intelligence, and give us local self-government?

Mr. CLARK of Missouri. I do not know, but I suppose that when Mr. Cleveland wants to find out precisely whom he ought to appoint as Indian agents on the reservations that he will call for my distinguished friend from the State of Washington and take his views on the subject. [Laughter.]

Mr. WILSON of Washington. Oh, no; he *will* call on the Senate of the United States, who will fully discuss it, no doubt to his entire dissatisfaction.

Mr. CLARK of Missouri. I will yield to any question, but I am not willing to yield to a stump speech made in the Jack-in-the-box style that the gentleman employs, because I can not understand it. [Laughter.]

Mr. WILSON of Washington. I am not trying to interject anything into the speech of the gentleman from Missouri.

Mr. CLARK of Missouri. If you have a question to ask, I am willing that you should ask and I will answer it——

Mr. WILSON of Washington. I did ask the gentleman a question.

Mr. CLARK of Missouri. And when it is answered, sit down and hush. [Laughter.]

Mr. WILSON of Washington. I tried to be polite to the gentleman.

Mr. CLARK of Missouri. If you have a question to ask, ask it and then wait until I answer it.

Mr. WILSON of Washington. The gentleman is entirely right. He has the floor, but still I hope the gentleman will treat me with as much courtesy as I treat him.

Mr. CLARK of Missouri. Mr. Speaker, the gentleman talks so much like the whir of a machine that I can not understand what it is he says.

Mr. WILSON of Washington. Mr. Speaker, it seems to me that my friend is whirring more than anybody.

Mr. CLARK of Missouri. Well, if I am whirring, it is in my own time. [Laughter.]

Mr. Speaker, I want to make all the gentlemen on the other side a proposition. I am willing to stand here and answer questions all the evening, but they must be put as questions and not as stump speeches; and then they must not undertake to make a speech while I am answering the question.

Mr. WILSON of Washington. I hope the gentleman is satisfied.

Mr. CLARK of Missouri. Perfectly, Mr. Speaker.

REPUBLICAN PRETENSE.

Here and elsewhere the Republican party poses as the sole champion and guardian of free elections. The party which committed the colossal crime of all the ages in stealing the Presidency of the Republic from Samuel J. Tilden and robbing the American people of their birthright, the party which has never hesitated to commit political burglary in order to hold the Senate of the United States, the party which with ghoulish glee expelled legally elected Representatives from the House without debate and without even considering the reports of committees charged with the investigation of the cases—that party which has always been both a minority and a sectional party—it prates of a free ballot and a fair count! There has not been any such impudence manifested since Satan quit quoting Scripture. [Laughter.] Its actions do not coincide with its professions. In contemplating its career one is forced to exclaim with Madame Roland:

Oh, Liberty! Liberty! how many crimes are committed in thy name!

A great author has said "Let me write the ballads of the people and I care not who make the laws." The Republican party seems to think: "I do not care a baubee who does the voting, provided my supervisors count the ballots." They can be depended upon to "count a quorum" every time. [Laughter and applause on the Democratic side.]

WHY REPEAL?

Mr. Speaker, I am in favor of eradicating the last vestige of these Federal election laws from our political system for several reasons:

1. Because they are utterly useless.

2. Because they are unnecessary for any good purpose and are constantly prostituted for the most unworthy ends.

3. Because they are oppressively expensive and the money paid the deputy marshals and supervisors is in reality a corruption fund, used by party managers for partisan purposes and paid, not out of the party campaign fund, but out of the public treasury.

4. Because these laws contain the germs of the force bill. The agitation of that ominous measure, its passage through the House, and its strength in the Senate must have delighted Julius Cæsar in his grave to think that the despotic ideas for which he died were taking root in this Western world, dedicated to the proposition that all men are created equal. [Applause.] It was enough to cause Napoleon the Great and Napoleon the Small to chuckle in their coffins to think that the theories of tyranny which they inculcated, and for which both of them were driven to perish in exile, were being adopted in what is poetically known as "the land of the free and the home of the brave."

5. I am in favor of repealing these laws because I deem them unconstitutional. I am aware that a decision of the Supreme Court sustains them in this regard. But I can never forget that while we ought to have becoming reverence for the Supreme Court of the United States, it is a matter of tradition that it was once enlarged and then packed for the purpose of securing a decision in the legal-tender cases which should be in harmony with the views of the men who then dominated the country.

It is a historic fact, known of all men, that in many instances opinions of gravest import are rendered by a divided court, five affirming and four dissenting, and that a decision good to-day may, through the death, resignation, or retirement of even one justice, be overruled to morrow.

The results of the eight to seven commission demonstrate beyond all controversy that however just and reliable the decisions of the Supreme Court may be when only property rights are involved, when politics enters into the case at bar, the members of that high tribunal are as much blinded by partisan prejudice and are as liable to have their judgments warped by party necessities as the rest of us.

We all know that Andrew Jackson enunciated the correct, if somewhat startling, doctrine that he would construe the Constitution of his country for himself, the Supreme Court to the contrary notwithstanding; and I would just about as lief risk the opinion of Old Hickory as that of the Supreme Court of the United States. [Laughter.] He was not profoundly versed in black letter law, but he was richly endowed with common sense.

But, whether constitutional or unconstitutional, these laws ought to be repealed, because they are exasperating to the people and a standing menace to civil liberty. We have been commanded by an overwhelming majority of American freemen to repeal them, and we are eager to discharge that pleasant and patriotic duty.

As to their unconstitutionality, I am more than willing to rest our case in favor of repeal on the very able and exhaustive report of the majority of the Committee on Elections.

The proof of the pudding is in chewing the string. In repealing these laws Democrats are proving their faith by their works. We are demonstrating our sincerity by voluntarily giving up advantages which we might now use to perpetuate ourselves in place and power. To complain of a law when its enforcement is in the hands of your opponents and they are the beneficiaries thereof is one thing; but to repeal that law when you are in position to use its machinery against your adversaries and to even up old scores is quite another and a nobler thing. When out of power we condemned these laws; having regained power, we propose to keep faith with ourselves and with the people by repealing them.

REPUBLICAN LOVE FOR THE NEGRO.

Nearly all of the illustrious culprits ever arraigned at either the bar of justice or of public opinion could trump up some sort of pretext for their evil deeds. Eminent lawyers defend them in their lives and learned historians are subsidized to defend them in their graves. Philip of Macedon has found numerous apologists. Catiline could urge excuses for his conspiracy. Sylla, Marius, Cæsar, Napoleon, and all the usurpers and enemies of human freedom who crowd the pages of history, each and every one could urge some gauzy plea in mitigation for his sins.

What is the pretext which Republicans claim for the assaults actually committed as well as for those only meditated against our free institutions?

The poor negro! The Republican heart is always bleeding for the poor negro—at long range. [Laughter.]

Two of the most beautiful lines in all literature are these, from Campbell's Pleasures of Hope:

'Tis distance lends enchantment to the view,
And robes the mountain in its azure hue.

Just so with the colored man and the Republicans. Distance lends enchantment to him in their eyes, and the greater the distance the greater the enchantment. [Laughter.] Up in the regions of the aurora borealis they lie awake of nights, bemoaning his sad fate and shedding copious tears over his fancied wrongs; but down in his habitat, where he really lives, and where, to borrow an astronomical phrase, they are brought into juxtaposition with him, their sympathy ceases, their philanthropy dies, the fountain of their tears dries up, they wipe their weeping eyes, and, like the Levite described in Holy Scripture, pass by on the other side. [Applause on the Democratic side.] Speaking for the people of Kentucky among whom I was born, as well as for those of Missouri among whom I live, and understanding the full import of my language, I say that we who were reared among the negroes, who played with them in childhood, and whose children are nursed by them now, are at heart better friends to the negroes than all the Republicans who ever apotheosized old John Brown or walked beneath the light of the north star. [Laughter and applause on the Democratic side.]

For political reasons they are very particular to speak of him as negro; from force of habit we call him plain "nigger." They feed him taffy; we give him the creature comforts of this life. They build for him magnificent "castles in Spain," which he can never inhabit; we erect for him unpretentious cabins and bid him be happy with his wife and pickaninnies. [Laughter.] They stuff his head with æsthetic philosophy; we furnish schoolhouses for his children and employ teachers for their education. They give him allopathic doses of sympathy in magazines, newspapers, and public speeches; we minister to his wants in

sickness, in distress, and in every time of trouble. They urge him to break into the best society of the South, which he can never do: we give him employment whereby to earn an honest living. They stir up his heart to mutiny and rage by incendiary appeals to his love of political supremacy; we take him kindly by the hand and in words of truth and soberness say to him, "My brother in black, we are in the same boat, inhabitants of the same locality, confronted by the same dangers, surrounded by the same difficulties, menaced by the same perils, traveling to the same destiny. Our fortunes are inextricably bound up with yours; our prosperity is your prosperity; our adversity is your adversity. Come, let us reason together; live in peace; make the best of a bad situation, for which neither of us is responsible, and with malice toward none and charity for all, solve, if solve we may, the most difficult problem ever considered by the children of Adam." And in all these things we are the negro's best friend.

One whole year out of every two, and three hundred and sixty-four days out of the second year, the white Republican has no sort of use for the negro. It is only on the three hundred and sixty-fifth day of the second year, which is the day of the general election, that he falls on Sambo's neck and weeps out his love and gratitude to him. The affection of Damon and Pythias or that of David and Jonathan is not a circumstance to the love of the white Republican for the negro while the ballots are going in; but

When the hurly-burly's done,
When the battle's lost or won.—

when the loaves and fishes are to be divided, the colored brother finds invariably that he "has fallen outside the breastworks," and has no place at the Republican feast. Although in half a dozen Northern States the negro vote has kept the Republican party in power for a quarter of a century, no colored man has ever represented a Northern State in either House of Congress; no colored man has ever been elected governor of a Northern Commonwealth, and only one colored man, McCabe, of Kansas, has ever been elected to a State office. Living, he ought to be exhibited at the World's Fair, and, dead, he ought to be preserved that the world might have the one ocular proof of the white Northern Republican's love for the colored voter. As an historic relic, he would create more excitement than all the mummies ever housed in the Egyptian pyramids. [Laughter.]

North of Mason and Dixon's line, colored county officials are scarce as hen's teeth. According to Republican philosophy and Republican humanitarianism, the negro is good enough to hold office in the South and to vote for white Republicans in the North, but he has not reached that state of sublimated grace and transcendental perfection which fits him to be voted for by white Republicans at the North. To them is peculiarly applicable that Scripture which says: "Thou shalt not muzzle the ox that treadeth out the corn." Assuming a virtue which they do not possess, and which they do not illustrate in their own lives, they lecture us because we do not elect colored Republicans to office, on the same principle by which Josh Billings declared, that the best place to have a boil is on the other fellow.

At the distance of 2,000 miles they can, with perfect ease and utmost precision, discern the infinitesimal mote in the Southern Democratic eye; but they can not discover the beam in their own strabismic optic.

They insist that every negro in the South shall, *nolens volens*, be counted as voting the Republican ticket, whether he goes to the election or not, and whether after he gets there he votes for Republicans, Democrats, or Populists, holding for naught that philosophy which teaches that charity should begin at home, and ignoring the fact that in Massachusetts, Connecticut, and other States usually controlled by Republicans, tens of thousands of white American freemen are disfranchised by qualifications on suffrage.

Consistency is a rare jewel which I commend to gentlemen on the other side.

It seems that a great deal depends on whose ox is gored in politics as well as in law.

When they have set their own political house in order, then and not till then will it be time enough for them to act the role of schoolmaster and instruct us in our political and social duties.

For a quarter of a century the Republican party has regarded and treated the colored voter as its political chattel, and, booted and spurred, has bestridden him as a horse which they could ride into place and power. But their colored steed is hitched with astounding regularity and unseemly ingratitude at the rack on the outside. [Laughter.] But the scales are beginning to fall from the colored man's eyes. He is receiving his second sight. It is beginning to filtrate through his brain, slowly but surely, that Republican sympathy is an exceedingly light diet; puts no bread into his mouth, no clothes upon his back, no money into his pockets, and no comfort into his life. He is manifesting indubitable signs of restiveness and of emancipating himself from the new slavery to which Republicans have condemned him.

Some of these fine mornings it will dawn upon him that he can either control the Republican party or utterly destroy it.

He is becoming a man of property. He is not a migratory character. He loves the sunny land of his nativity; he is learning the plain lesson that his neighbor's interests are his interests; that laws which impoverish his white neighbors impoverish him; and he will not much longer vote with his despoilers.

As certainly as there is a future, just so surely will the white and colored people of the South and West stand together in the coming day on all the great economic questions, because they will be impelled to a union of their political forces by the very necessities of their situation.

Self-preservation is the first law of nature; and the colored man is no fonder of being robbed of his property than is the white man; and the same law which takes the earnings of the one takes likewise the earnings of the other.

The gentleman from Iowa [Mr. HENDERSON] was in the shadow of a great truth the other day when he somewhat vehemently declared that if these election laws were repealed there would not be another Republican Congressman elected in ten years from any of the Southern States, except East Tennessee. He might have made the same statement whether these laws are repealed or not. He might have gone even further in prophesying for his country's good, and have added that very few Republicans will ever be elected to Congress from west of the Great River; for all history teaches, all experience demonstrates that, in the long run, a man's interests will outweigh his sentimentalism, whatever the color of his skin.

The love of old associations may hold him from his proper position for a time. *Vis inertiæ* may continue him in his ancient party relations for a season. Prejudice may blind him awhile as to which path to travel and wherein his highest prosperity lies, but just as certainly as the sparks fly upward, he will at last abandon old affiliations and even sacrifice hoary hatreds to cast his political fortunes with those who advocate measures tending to promote his welfare and increase his happiness.

The force of gravitation is not more certain or more unceasing in its effects than the force of self-interest, and it is the self-interest of the great body of the American people which has forever undone the Republican party.

It is in a pit of its own digging. For it there is no sweet consolatory hope of a to-morrow. Ichabod is written over its habitation.

The breezy call of incense-breathing morn,
The swallow twittering from the straw-built shed,
The cock's shrill clarion or the echoing horn
No more will wake it from its lowly bed.

[Laughter and applause.] In its day it cut a stupendous, an awful figure in the conduct of public affairs; but it has run its course to the end.

The evidences of its approaching dissolution have been patent for a long time. State after State left the Republican column never to return, and when Kansas burst her bonds asunder and rose to a new and better life it was the death knell of the great political Pecksniff, which did once bestride this Western world like a colossus. [Laughter and applause on the Democratic side.] I will not say, "Let the dead and the beautiful rest," because that would not be in harmony with the truth of history; for, even in its best estate, it was not a thing of beauty. [Laughter.] Its epitaph should be, "*Hic jacet* the Republican party."

While it lived, it lived in clover;
But when it died, it died all over.

[Laughter and applause on the Democratic side.]

REPUBLICAN MISRULE IN MISSOURI.

I do not want anybody to believe that the assumption is true which is made here by Republicans in this debate that these election laws have not been abused except in the Southern States. Missouri is not a Southern State, although she is sometimes classed with them. She is the great central, imperial Commonwealth of the Union. Her western line is near the geographical center of the country. Her eastern border is not far removed from the center of population. In her southernmost parts she produces cotton of the finest quality. In her northern portions she lies broadside with Iowa and Nebraska. Her people, recruited from the flower of all her sister States and from all civilized countries abroad, are intelligent, law-abiding, patriotic, home-making, and order-loving. Nevertheless, she also has suffered from the cruel deeds of what my friend from New York [Col. FELLOWS] so aptly describes as "commissioned ruffians." The people believe that power such as these laws confer is liable to be abused by any party. Human nature is very much the same in Missouri——

Mr. COUSINS. Do you know a man down there by the name of James?

Mr. CLARK of Missouri. Jesse James is in his grave, put there through the instrumentality of a Democratic governor. Go thou, Representative from Iowa, where more train robberies happened last year than in any other State in the Union, and do likewise. [Laughter and applause on the Democratic side.]

No State in the American Union has been so slandered, so lied about and villified as the great Commonwealth of Missouri. She has broken up train robbery, comparatively, within her borders, and did not have to call on Uncle Sam to help her to do it, either. In no State is there a swifter, surer, fairer execution of the law, and nowhere are there better laws. These Northwestern States are the very last that should wag their tongues against Missouri, for she is the foster mother of them all. Her brave, hardy, and adventurous sons blazed the pathway of civilization to the Pacific, conquered that rich wilderness, and laid the foundations of the lusty and ambitious young Commonwealths of that far-away region.

The reason that she has been so much abused is that she has been for years a Democratic peninsula jutting out into a Republican ocean, which dashed its waves against her shores in vain. But this same Republican ocean has become Democratic, and it is Missouri's waters that made it pure.

I will tell you another thing that some of the other States had better imitate her in. When I was in the Legislature I helped to enact a statute in that State, making it a penitentiary offense for any corporation or individual to import into that Commonwealth any of Pinkerton's thugs and murderers to shoot down peaceable American workmen because they wanted a chance to make an honest living. [Applause.]

But as I was saying when the gentleman interrupted me, human nature is very much the same everywhere. It will not do to intrust it with too much power. Missouri had a taste of Republican misrule once, and she is not likely to forget that carnival of crime in a hundred years. I am not going to say a word about the war—that is barred by the statute of limitations and on principles of common sense.

Mr. BRETZ. Especially the latter.

Mr. CLARK of Missouri. Months after Lee's surrender, in a time of profound peace, when the starry banner of the Republic was waving in triumph over every foot of our vast territory, when the United States Government had not an enemy in arms between the two oceans, the Republicans foisted on the people of Missouri what was known as the Drake constitution, a fit companion piece for the Draconian code of ancient times. Among other things it provided that no person could vote, hold office, preach, teach, practice law, or do anything else he wanted to do very much unless he took an ironclad oath.

Mr. PENDLETON of West Virginia. We had the same in our State.

Mr. CLARK of Missouri. Not only that he had not been in the Confederacy or sympathized with it, which a great many good men could have done, but that he had never sympathized with anybody who was in the Confederacy, which not one honest man in ten in Missouri could have sworn. It was not like it was up North where it was all one way, or down South where it was all the other way; but in Missouri it was neighbor against neighbor, brother against brother, father against son, husband against wife. Missouri sent to the two armies nearly every man in the State of military age.

Under that constitution a maiden 16 years of age could not teach the alphabet or the multiplication table without solemnly swearing that she had never borne arms against the United States Government. [Laughter.] And I do not care how good a Unionist he was, and there were plenty of that kind in Missouri, a father if, through nature asserting her tender claims, he had shed a tear of sympathy over his boy starving in the Confederate army, or dying in a Northern prison, he could not vote, he could not hold office, and could not do anything. Under that provision the real Missourians, the men that had made that magnificent Commonwealth what it was, the men who loved her better than their own lives, were remanded to the rear, were not allowed any participation in public affairs, could not even make a living for their wives and children, while the carpet-baggers and the scalawags fattened upon the unspeakable richness of that State.

A Catholic priest or a Protestant preacher could not proclaim the Gospel of the Prince of Peace, could not celebrate the marriage ceremony, could not offer a prayer for the sick, could not shrive a dying man, could not read the burial service over the dead, without first swearing that he had never sympathized with anybody in the Confederacy. Under that provision, old "Raccoon" John Smith, as he was popularly called in the South and West, a distinguished preacher of the Disciples Church, or, as it is sometimes named, the Campbellite Church, was indicted twelve times. Wiley J. Patrick, an eminent Baptist preacher in the town where I lived, was indicted nine times because he preached the Gospel after the manner of Roger Sherman.

Dr. John G. Vincell, born down here in Dinwiddie County, Va., an eloquent Methodist divine, now grand secretary of the Grand Masonic Lodge of the grand jurisdiction of Missouri, was such a dangerous citizen that he was indicted twenty-four times for preaching the Gospel as John Wesley understood it, and still kept on preaching. Father Cummins, a pious Catholic priest in my county, was indicted and clapped in jail for hearing the confession of one of his flock, and his parishioners camped round about that jail, even as the children of Israel sat down by the rivers of Babylon and wept. The present Catholic bishop of the diocese of Kansas City was driven through the streets of Chillicothe—in full canonicals—

> Bayonets behind him, bayonets in front of him,
> Bayonets to the right of him, bayonets to the left of him—

because he administered to the spiritual wants of the members of his congregation. Do you wonder, my Republican friends—I put it to you on your honor—do you wonder that the people of Missouri never intend, if they can help it, to return to the allegiance of the party that did those things in the name of liberty?

FRANK BLAIR'S CASE.

Frank P. Blair ranks with the foremost soldiers and statesmen who have shed luster upon our free institutions. A hero of two wars; when little more than a boy he risked his life for his country on the plains of Mexico. In the late civil war he won the double stars of a major-general by splendid feats of arms. He served with great distinction in both Houses of Congress. He was the Democratic nominee for Vice-President in 1868. His father was the bosom friend and confidential adviser of Andrew Jackson. His brother was Lincoln's first Postmaster-General. He was himself a prime favorite of the first Republican President.

It was his courage, prescience, and vigilance more than all other causes combined that held Missouri to the Union. He is the only prominent public man who ever died in that State lamented by all men of all parties whose good opinion was worth having.

It is a perpetual pleasure to think of this matchless Missourian, this splendid American, whose citizenship would have honored Rome in Rome's best days. It is a delightful duty to speak of him in this august presence. He deserves to rank with the Black Prince, Richard of the Lion's Heart, and with John Hampden, the foremost champion of civil liberty.

He was fit

> To ride with Spottswood round the land
> And Raleigh round the sea.

Frank Blair walked up to the polls to vote in St. Louis, the city of his residence. The judges of election shoved that test oath at him. He indignantly refused to take it. He said, "I can not, I will not, swear to that. I was as much in favor of sustaining the Union as any man living. I fought for four years to put down the rebellion; but all the while my heart went out in tenderness and sympathy to my kindred and friends in the Confederacy;" and so this battle-scarred hero was not permitted to vote. He sued the election judges, whose names I am happy to say I have forgotten, was beaten in the State courts, took his case on appeal to the Supreme Court of the United States, where the highest tribunal in the land, although Republican in politics, decided—to its honor be it said—that the Drake test oath was unconstitutional, contrary to the genius of our institutions, and a foul blot upon our Christian civilization.

Mr. LACEY. May I ask the gentleman a question right there?

Mr. CLARK of Missouri. Yes.

Mr. LACEY. Does the gentleman approve of that Federal action in thus protecting this man against the unreasonable regulations of a State?

Mr. CLARK of Missouri. Yes; but the Federal court in protecting him was acting in the sphere of its legitimate duty.

Mr. TUCKER. That is it.

Mr. CLARK of Missouri. And that is precisely the distinction which our Republican brethren do not seem ever to be able to make. [Laughter and applause on the Democratic side.]

That decision made Missouri free. A heavy load was lifted from the hearts of her people. At the next election her conquering Democratic legions, with Frank Blair at their head, drove the Republicans from power, which they have never regained, and that magnificent State has ever since prospered like a tree planted by the rivers of water. [Applause on the Democratic side.]

Blair's noble effigy stands in Forest Park as an enduring testimonial of the love and gratitude of his fellow-citizens. Every lover of liberty should make at least one pilgrimage to it in a lifetime to gaze upon the image of a man who could be a soldier without being a hate-ite, a patriot without being a Pharisee, and a partisan without being a malignant. [Applause.]

MARSHALS AT THE POLLS.

I want to give you another specimen. I ask my friend from Iowa [Mr. LACEY] to listen to this, if he thinks these marshals did not have any effect. In 1876 the Republicans thought it was necessary to have three Representatives in Congress elected from the city of St. Louis. There was a United States marshal by the name of Leffingwell, a Republican. I like to embalm his name in the CONGRESSIONAL RECORD, because he had conscience enough to refuse to take charge of the deputy marshals and supervisors to do the dirty work of defrauding American citizens on election day. He would not do it. But one W. D. W. Bernard, a man who claimed that he had made Leffingwell marshal, said, "Well, you need not bother about that, I will do it myself," and he did it with a vengeance and to his lasting infamy. They returned three Representatives as elected. Now, how many deputy marshals do you suppose it took to elect three Republican Congressmen? It took 1,028 deputy marshals besides the supervisors.

Mr. BRETZ. Did any of them get away?

Mr. CLARK of Missouri. When the marshal's report was referred to Attorney-General Taft he said, "Mr. Marshal, how many deputies had you?" The latter answered, "I had 1,028." Mr. Taft inquired in amazement, "Were there no more men in Missouri you could have made marshals also?" [Laughter.] How much do you suppose it cost the taxpayers? Twenty-odd thousand dollars. When that bill was presented to Mr. Taft it sort of stunned him, but finally he O. K.'d it with this suggestive, statesman-like remark, "Well, you bring a great deal of sugar in your spade." [Laughter.] What sugar was it? Three Republican members of Congress.

Thus was accomplished another victory for purity and reform, as those virtues are regarded by the Republican leaders.

In order to secure a majority on the face of the returns for the three Republican Congressional candidates, Mr. Bernard and his minions arrested and held in custody until the polls closed, thereby preventing them from voting the Democratic ticket, several hundred honorable citizens, who were as well known in St. Louis as we are in the towns in which we live. After the polls closed, they were released and no charges of any sort were ever preferred against them. They had been humiliated and insulted by arrest and defrauded of their suffrages, which was the great desideratum of Bernard and his masters.

These outrages against justice, decency, and liberty, were committed under and by virtue of these laws which we are commanded to repeal by an overwhelming majority of the American people.

This is not a hypothetical case of what might happen. It did really occur, and is a matter of record. It is only one act in the astounding drama of violence and fraud which has been upon the boards for twenty-eight years and upon which the curtain is soon to be rung down forever.

Now, one of two things is palpably and absolutely true, either these men who were arrested and held in durance vile for the election day only were guilty of violating the election laws and should have been indicted, convicted, and punished, or they were not guilty of any crime, and the men who arrested them for political reasons only ought to have been sent to the penitentiary.

There is, there can be no escape from that position; for it is impregnable, being bottomed on a proposition of constitutional law which no sane man who has any respect for the Ten Commandments will for one moment controvert.

In 1888, by colonizing illegal voters on a large scale, by unblushing bribery, and by the employment of an army of deputy marshals and supervisors, three Republicans were returned as elected from St. Louis to the Fifty-first Congress. This was accomplished through the machinations and manipulations of one Chauncy Ives Filley, whom so high a Republican authority as the Globe-Democrat has pronounced to be "the grand pastmaster boodler." [Laughter and applause on the Democratic side.]

That trio of St. Louis Republican Congressmen sent hither through fraud, corruption, and intimidation made the Fifty-first Congress Republican by two majority, a calamity from whose baleful effects the country still suffers.

The Republican majority was hastily increased and multiplied by the simple process of ousting several Democrats who were lawfully elected and seating Republicans who were never elected at all.

These are matters of history and need not be dwelt upon at length.

No wonder that the people of Missouri want these laws repealed, to the end that such transactions as those mentioned can not be duplicated in the future.

Once more; because I am going to get through with them. Missouri has what I believe to be the best election law of any State in the Union, based on the Australian system. Now, I think it is substantially agreed in the House among all of us that the Australian system of voting is a good thing. I may be partial, and overpartial, to the Missouri law because I had a great deal to do with placing it on the statute book. Its provisions were intended to reduce fraud, bribery, corruption, and intimidation to a minimum.

It was intended to fix it so that the utmost fairness should be had in the elections; that the utmost secrecy should be given to the ballot; so that every man, great or small, powerful or weak, Democrat or Republican, Populist or Prohibitionist, black or white, could vote as he pleased, without let or hindrance. Its passage was bitterly fought by every evil influence in the State without regard to party shibboleths or party affiliations. On the other hand, it was hailed with joy by all who desired the purity of elections and the prosperity of the State. Among other things, it provides that the judges and clerks of the elections shall be divided equally between the two parties, or among the parties. No party can have a majority. It also provides that nobody shall be inside of the room where the polling booths are except the judges, the clerks, the men who are voting and one challenger for each party.

Now, I will put it to any Republican over there who is a fair-minded man if that provision is not in the interest of peace, fairness, decency, and good government. Is it not? You know it is. Nevertheless, at the last election in 1892, the Republican deputy marshals and supervisors persisted, contrary to that law, contrary to good order, contrary to decency, to force themselves into the rooms where the voting was taking place.

Mr. BRETZ. They did that in our State, too.

Mr. CLARK of Missouri. For the purpose, and the sole purpose of terrorizing their neighbors and friends into voting the Republican ticket and preventing that free exercise of the right of suffrage for which the law was created.

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

Mr. TUCKER. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

The SPEAKER *pro tempore*. The Chair hears no objection. The gentleman from Missouri will proceed.

Mr. CLARK of Missouri. Just a minute. I will not detain the House long. Is it any wonder that the people of Missouri, with these outrages so fresh in their memories, want these infamous laws wiped from the statute books which they disgrace?

There is no pretense that in twenty years of power the Democrats of Missouri have misused it. In no State are the elections freer, and that happy state of affairs was brought about by Democratic legislation, and that alone.

One reason that impelled the Democratic Legislature to enact their Australian system of voting was the high-handed performances of the Republicans in 1888. I will give you one sample. At Crystal City, where a great quantity of plate glass is made, the managers were so thoroughly determined to defeat Martin L. Clardy for Congress because he would not do their bidding here that they prepared the ballots for their employés and, fearing they might change them while en route to the polls, compelled them to march to the voting place holding the prepared ballots above their heads in plain view of the bosses, on pain of being discharged from employment if they refused.

The Democratic Legislature determined to put an end to such infamous proceedings, and they did so far as in them lay, and would have succeeded completely but for the intimidation of voters by deputy marshals and supervisors.

At all of these three elections, in 1876, in 1888, and in 1892—in fact, in all elections, but in these three particularly—the deputy marshals, by preconcerted arrangement, willfully, premeditatedly, and of their malice aforethought, entered upon a systematic course of arresting Democrats and holding them till after the polls closed, and then discharging them without even a semblance of prosecution. Hundreds of prominent business men were thus maltreated—men who were in St. Louis while the Red Indians still paddled their canoes on the Mississippi. Such outrages burned themselves into the minds and hearts of the people.

Mr. CANNON of Illinois. Now, if my friend will allow me.

Mr. CLARK of Missouri. With pleasure.

Mr. CANNON of Illinois. First, I do not know whether they were illegally arrested. Second, after they were arrested, without a cause, as the gentleman says, and discharged without trial in great numbers, did any of them bring action against the officers making the arrest, either civil or criminal; and if so, what was the result?

Mr. CLARK of Missouri. Mr. Speaker, the gentleman ought to know——

Mr. CANNON of Illinois. I am asking for information.

Mr. CLARK of Missouri. I am going to answer your question.

The gentleman ought to know that the class of people, and the only class that would accept the places of deputy marshal or supervisor are so irresponsible that it would be the old thing of "suing a beggar and catching a louse."

Mr. CANNON of Illinois. If they were guilty of oppression, then they were clearly amenable to the criminal laws. Were they indicted, tried, or convicted?

Mr. CLARK of Missouri. There is no penalty against the supervisors. They stand up and say to the deputy marshals, "Arrest that man," and the marshals arrest him and drag him away. And the very thing that I complain of, and that all the Democrats complain of, is that the whole business is illegal, unconstitutional, outrageous, and that there is no adequate remedy for it except the repeal of these laws.

Mr. CANNON of Illinois. If they were guilty of oppression in office they were clearly amenable to the criminal laws, and I ask the gentleman if there was any prosecution of them, or of any of them?

Mr. CLARK of Missouri. They are always "in the hands of their friends." It would be just as sensible to undertake to dam up the majestic flow of the mighty Mississippi with cornstalks as to undertake to get a Republican United States judge to instruct a jury in such a way that you could convict one of these deputy marshals or supervisors. [Laughter.] Thomas Jefferson said—and I commend his language to my friends on the other side—that when the battle between liberty and despotism came on, the Federal judiciary would be found to be the sappers and miners for the destruction of the fortress of American liberty, and he spoke the words of prophecy when he said it.

Mr. CANNON of Illinois. But if these outrages were committed in 1876, 1888, and 1892 in the State of Missouri, and the Federal judges have failed to perform their duty in the matter, there is a Democratic majority of 90 in this House, and a Democratic majority in the Senate, and why has the gentleman been derelict in the performance of his duty which is to propose an impeachment of those judges?

Mr. CLARK of Missouri. Do you really want me to answer that question?

Mr. CANNON of Illinois. Yes.

Mr. CLARK of Missouri. Of all the ineffectual plans that were ever originated since the morning stars first sang together for punishing a man for crime in any country of the world impeachment heads the list. [Laughter.]

Mr. CANNON of Illinois. The gentleman makes serious and grave charges against that portion of the Federal judiciary which exercises jurisdiction in the State of Missouri, and if one-half that he says is true they are worthy of punishment, and there is no other way to reach them than by impeachment.

Either the gentleman's charges on the one hand, or, on the other, his failure to attempt to reach these guilty parties in the only way possible under the law is, it seems to me, subject to criticism.

Mr. CLARK of Missouri. Let me ask the gentleman a question. Did or did not the United States court in Indiana punish Dudley for the "blocks-of-five" scheme, even after he was indicted? [Applause and laughter on the Democratic side.]

Mr. CANNON of Illinois. It is easy to laugh. The gentleman was speaking of the State of Missouri. If he desires now to go to matters in the State of Indiana I can not answer the gentleman's question fully in such time as he would be willing to yield to me, but I can say that the action of the Federal court in that matter in the State of Indiana is known, and is believed to have been correct, and has been indorsed by men eminent in the gentleman's own party. But if the Federal court in the State of Indiana, or any other State, has been guilty of oppression or malfeasance or misfeasance the House of Representatives, when in session, is the proper place to make the charge.

Mr. CLARK of Missouri. Now, Mr. Speaker, I want to repeat what I said awhile ago, in a briefer way, namely, that of all the different schemes human ingenuity has originated for punishing crime, impeachment is the most ridiculous failure. Let us take this very case suggested by the gentleman from Illinois. The Democrats have a majority of 5, as matters now stand, in the Senate. It requires two-thirds of the Senators to convict in an impeachment case. If we were to originate bills of impeachment here against United States judges for oppression in office and take them to the Senate, I can tell the gentleman now precisely how the vote there would stand. [Laughter.] Every Democrat, if the charges were proved, would vote to convict, and every Republican, no matter what the evidence or how clear the guilt, would vote to acquit; or, if any Republican dared to vote to convict, that thing would happen to him which happened to Gen. John B. Henderson, Lyman Trumbull, James R. Doolittle, and others, for having the patriotism, the courage, the generosity, the manliness, and the intelligence to vote against their party for the acquittal of Andrew Johnson [applause on the Democratic side]; they would be unceremoniously read out of the Republican party, and hanged and burned in effigy, as were those men. [Applause on Democratic side.]

Mr. CANNON of Illinois. Then my friend thinks that when the fathers framed the Constitution providing for the impeachment in the House of Representatives of Federal officers, and their trial in the Senate, they did a foolish thing?

Mr. CLARK of Missouri. I will answer the gentleman frankly. I think that the body of men who made the Constitution of the United States form d the most august assembly that ever met beneath the sun. They possessed more wisdom than any other one set of gentlemen that ever undertook to do any one thing. They knew a great deal, but they did not know it all. [Laughter.] They were originators. Of necessity, they were experimenting. They were pioneers in the work of making a paper constitution. They had no models. They wrought wondrous well. We are largely their debtors. We should never cease to revere their memory. But time is the test of all things, and a century's experience has taught us some things which they did not, which they could not know. Some few, remarkably few, defects have been found in this great work. If they were alive to-day they would be the first to suggest remedies for these defects which no human wisdom could foresee.

I say with profoundest respect for them that impeachment is a failure. Why, you could not even impeach Belknap for stealing the money for the soldiers' tombstones which a generous and grateful people had appropriated to mark the last resting place for their heroic dead. [Laughter.] I say that the system of electing President and Vice-President which the framers of the Constitution devised has proved cumbersome, dangerous, and liable to plunge the country in civil war. There are some other things in reference to which the Constitution could be improved. I say this with as much reverence for the men who made the Constitution as it is possible for any American citizen to entertain.

Mr. CANNON of Illinois. One other question——

Mr. CLARK of Missouri. Allow me to finish answering the question already put, and then you may ask another. I will say frankly that it was a perfectly useless expenditure of time and money—a superfluous weariness of the flesh and squandering of energy—to undertake to find indictments in the United States court in the city of St. Louis with Republican prosecuting attorneys, with Republican judges, with packed Republican juries; it was unnecessary and preposterous to undertake to punish Republican deputy marshals and Republican supervisors for swindling three Democrats out of their seats in Congress. I will tell you what I believe about that matter. I have been prosecuting attorney a good deal myself. I know something about the discharge of the duties of that great office. I have convicted a great many people, first and last. If you will take those fellows and give me jurisdiction of them, make me again prosecuting attorney of Pike County, Mo., bring them up there, try them before a good Democratic country judge and with a good country jury, made up half and half of Democrats and Republicans in that county, I will send every devil of them to the penitentiary. [Laughter and applause.]

Now I am willing to answer any question that any gentleman wants to ask.

Mr. COOPER of Wisconsin. Does the gentleman say that those frauds were perpetrated in 1876?

Mr. CLARK of Missouri. Now, listen to the statement——

Mr. COOPER of Wisconsin. I just wanted to know——

Mr. CLARK of Missouri. Some of them were committed in 1876—most of them——

Mr. COOPER of Wisconsin. In the city of St Louis?

Mr. CLARK of Missouri. In the city of St. Louis.

Mr. COOPER of Wisconsin. Where did you reside at that time?

Mr. CLARK of Missouri. I resided in Pike County, the greatest county of the State of Missouri or any other State. [Laughter.]

Mr. COOPER of Wisconsin. How far is that from St. Louis?

Mr. CLARK of Missouri. Precisely 95 miles.

Mr. COOPER of Wisconsin. Were you in St. Louis on election day?

Mr. CLARK of Missouri. I was not in St. Louis on election day.

Mr. COOPER of Wisconsin. Was there ever any investigation of those frauds published?

Mr. CLARK of Missouri. Why, there is a book—it is down in my committee room; I thought I had it here—a book nearly as big as the Bible, but not nearly so good, published by this House—the case of Frost *vs.* Metcalf. That gives an account of the whole business.

Mr. COOPER of Wisconsin. That is the case I supposed you referred to. That is the only one, is it?

Mr. CLARK of Missouri. That is a part of what I refer to.

Mr. COOPER of Wisconsin. The only one for the year 1876?

Mr. CLARK of Missouri. I really have forgotten whether there was ever another election contest in St. Louis or not.

Now, Mr. Speaker, by yielding to these gentlemen and answering their questions I have extended my remarks a great deal further than I intended when I began. I want to say this to my Republican friends: In the heat of debate we are all liable to make a good many violent statements. I believe this is true about Republicans, and Democrats too. Individually, they want to do what is right; that is, the bulk of them. Take the Republicans one at a time and they are very clever sort of gentlemen [laughter], but take them en masse and they will not do to tie to, by a jugful. [Laughter.] I want to say another thing: We honestly believe, gentlemen, that these laws are dangerous, even to say nothing about their constitutionality. A thing is not good simply because it is constitutional; a great many things might be constitutional and at the same time unnecessary or even dangerous; but I believe they are unconstitutional. Leaving out, however, the constitutional question, we believe these laws are mischievous, are outrageous, and are a menace to free institutions. To the gentlemen on the other side, I say that I believe you have just as much interest in settling this question right as we have, because I have no idea in the world that you can regain control of this Government in the next twenty years to come.

Mr. MURRAY rose.

The SPEAKER *pro tempore*. Does the gentleman from Missouri yield?

Mr. CLARK of Missouri. Yes; I will yield for a question.

Mr. MURRAY. I understood the gentleman to say that the United States marshals and supervisors had cheated some candates for Congress out of their offices?

Mr. CLARK of Missouri. That is what I undertook to say.

Mr. MURRAY. I would like to know how they did it. I have been a supervisor and a marshal several times, and I do not understand how that can be done.

Mr. CLARK of Missouri. Well, I will explain how it was done that time. They arrested several hundred citizens in good standing in the city of St. Louis who would have voted the Democratic ticket if they had not been arrested. They kept them locked up on election day, under arrest, until after the polls were closed. Of course, they could not vote. I will not undertake to state the precise number so arrested, but there were several hundred.

I want to say to the gentleman, and to all other gentlemen, that this thing of arresting men is a very serious matter at such a time, and I want to show how the arresting of people on election day works. If a deputy United States marshal were to arrest my friend Gen. BLACK here, or myself, or any other member of this House, it would not scare us a particle, because we understand the law. We would go straightway, give bond, and then go to the election and vote. We can afford to do it. We have either good friends enough or money enough to fight the battle of freedom for ourselves. But nine-tenths of the men in the great cities have not the money, have not the acquaintances, have not the friends or the time to undertake to contest with the election judges. A day or two lost from their work throws them out of employment. It frightens such men. Weak men are bulldozed in this way by the marshals and supervisors, and the arrest of one man at the polls while undertaking to exercise the right of suffrage will intimidate and terrorize perhaps a dozen others, and they will give up the right to vote rather than to take the chances of being prosecuted and dragged around by United States marshals. That is the way it is done.

Mr. MURRAY. Permit me another question. What class of officers have arrested most voters at the polls, United States marshals or State officers?

Mr. CLARK of Missouri. I have never in all the years that I have lived heard of a State officer arresting a single human being at the polls unless it was for a knock-down or drag-out fight, never.

I wish to close what I have to say by repeating one idea that I advanced in the beginning of this discussion. The Democrats are undoubtedly honest in this business and unquestionably earnest in it as well. For whatever our Republicans friends may believe about it, we do not have any doubt about holding possession of the National Government, both branches of Congress, the Presidency, and before very long the Supreme Court for the next twenty-five years with the full consent of a majority of the American people. [Applause on Democratic side.]

We know that our cause is just and we are perfectly willing to rest it on the unbought, untrammeled, and unforced suffrages of the masses.

We are in a position to profit now by the possession and abuse of this power. The very laws which we have condemned the Republicans for enacting and abusing we are in a position to abuse ourselves. The Republicans can not profit by them before the next election, while we are in a position to profit by them; but we refuse to do so. For twenty-eight years we have cried out in the land that these laws were outrageous and oppressive on the citizens of the United States, and we believed every word that we said about it. In the face of organized corporation influences, in spite of deputy marshals, in spite of supervisors, in spite of the Federal judiciary, in spite of bribery, fraud, corruption, and intimidation for thirty years we have fought the battle for good government, for truth, for justice, and for liberty; and now, having triumphed and having secured possession of the Government, we do not propose to stultify ourselves in the face of the world by committing the same sins which the Republican committed and for which we pilloried them, and by leaving it possible under these laws for any man to commit similar crimes in all the stretch of time that lies before us. We intend to kill this monster of iniquity while we can. [Applause on Democratic side.]

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

Mr. CLARK of Missouri. Well, I was about concluding, but I will yield to the gentleman.

Mr. MERCER. I would like to know why it is, that in the States where most complaint is made about these election laws, the longer the laws remain on the statute books the less number of Republicans seem to have a chance for office in these States?

Mr. CLARK of Missouri. Now, if you listen patiently I will answer that more fully than it has been answered at any time in this discussion. I want to say to my Republican friends, and I say it with all earnestness, the false assumption about your whole position is this, that the colored man is inevitably and necessarily a Republican. That is your major premise, is it not? You say that down South there are 7,000,000 of colored people; that means about 1,300,000 colored voters. Then you figure it out that 1,300,000 colored voters ought to elect so many Republican Congressmen. That is your conclusion. You do not get them and you go around the country crying out fraud, fire, and murder, and everything you can lay your tongues to. Now, the false assumption about it, and I wish I could get every Republican on the face of God's earth to listen and believe it——

Mr. MERCER. Believe it is good.

Mr. CLARK of Missouri (continuing). The false assumption you make is this, that the negro is necessarily Republican. That is not so. I want to give you an illustration if you will pardon it. I do not pretend to be a Republican. [Laughter.] I never voted a Republican ticket in my life, and I do not think I ever will. Everybody in my section of the country knows that I am a Democrat of the straitest sect. I did not get very many colored votes in my district, but I did get some. I could have got more colored votes if I had made myself busy about it.

Now, I will tell you how five men in one neighborhood came to vote for me, and it is an object lesson, and shows how this thing goes. Along about 1882, at a town called Ashley, a little village, seven colored Republicans got into trouble in this way: A good-looking mulatto preacher had gone down into that vicinity, played the gay Lothario, and was a little too popular with the sisters. The bretheren grew jealous. Those seven colored Republicans took him out one night, tied him up to a hickory tree, and cowhided him until the blood ran down to his heels. They were all arrested. They sent for me to defend them, and I went down there, defended them, and cleared every one of them. I am always on the side of right. One of them had died in the lapse of time, one had moved away, and it left five of them living in Ashley last fall, and every one of them, out of a sense of gratitude to me, walked up to the polls and voted for me for Congress. Two of the blackest negro boys in Pike County were named for me, because I had befriended their fathers, and their fathers voted for me. And were it not for white Republican bosses, half the negroes in the county would vote for me. The same processes are working all over the South. The negroes are beginning to vote with and for their white Democratic neighbors and friends.

Now, I want to say to the gentleman form Nebraska [Mr. MERCER], all in the world that the colored man needs is to be let alone by Northern Republicans. You do not know anything about him. You can not help him. You do not understand his nature. At heart you really do not like him. You are not half as patient, kind, and long-suffering with him as we are. You can not induce him to go up North and live. It does not suit his taste, it does not agree with his constitution. It does not suit his mode of life. He was born in the South, he lives in the South, he is going to stay in the South.

I will tell you another thing about him which you do not know, but which I can prove by every Southern man in this House, and

that is that the colored man in the South for some reason or other does not have half as much disposition to emigrate as does the white man of the South. Now, I will tell you what the colored man down South needs—and I say it in all kindness—he needs to work more, and he wants less to do with politics; and the quicker Northern Republicans find that out the quicker we will all be in a better condition. In all seriousness, I say to the people of the North, for the Lord's sake either let the negro in the South alone or take him to yourselves. To be eternally finding fault with us, and abusing us, and nagging us, and vilifying us is like striking matches around a powder magazine; for, whether you comprehend it or not, the situation is extremely ticklish at times. You are of the same blood and lineage that we are.

You have no conception of the awfulness of the problem which rests like an incubus on the Southern people night and day. All philosophers have asserted that two races, different in blood and mental endowments, can not coexist as equal citizens in the same country at the same time. They declare that in such case a race conflict is inevitable and that the weaker must go to the wall. De Tocqueville says so. Thomas Jefferson says so. They all say so. That is the very thing the white and colored people of the South are trying to do—to live in peace in the same country at the same time. It will require the greatest patience, forbearance, good sense, and charity on the part of both races for them to succeed. We have load enough to carry without its being increased by the intermeddling of marplots. The white people of the South are constantly and cruelly misjudged by the people of the North. We do not hate the negroes. We entertain no ill will towards them. We are doing the best we can for them and ourselves, and we ask in the name of justice, decency, love of country, love of home, love of wives, love of children, love of all the heart holds dear to be let alone.

The colored people of the South, some of them, vote the Democratic ticket, and I will tell you what is going to happen. I am not a prophet or the son of a prophet; but under the influence of the tariff, if it is continued, if a repeal of it is defeated in any way, the day is coming when all of the colored people of the South will vote the Democratic ticket.

Now let me tell you when the color line is going to disappear from American politics—and I say to you that it will not disappear before. Whenever colored people divide up on political issues as white people do, and vote the Democratic ticket, or the Republican ticket, or the Populist ticket, or the Prohibition ticket, or the Greenback ticket, as white men do, without respect to whether they are native Americans, Irish, Germans, English, Scotch, French, or Scandinavians, or what not—when the colored vote is sought by the two parties, as the white vote is, then the color line will vanish from American politics; you will never hear of it again; and God speed the day!

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

Mr. CLARK of Missouri. Yes.

Mr. MURRAY. Does the gentleman think that such a thing is possible or necessary or beneficial, that is, for the colored men to divide in politics in the South until the white men divide?

Mr. CLARK of Missouri. That is the whole of your question, is it?

Mr. MURRAY. That is not quite all.

Mr. CLARK of Missouri. Then finish your question.

Mr. MURRAY. Is it necessary or beneficial for the colored men to divide in politics until the white men divide? And is it not a fact that as long as the Southern white people are all in one party they have no use for the Southern colored people?

Mr. CLARK of Missouri. I do not believe that is true. I believe one of two things will happen about the division; either the colored voters will divide first, or the colored voters and white voters will divide at the same time. The white men are not going to divide so long as the colored men stand together for the Republican party. Never.

Let me suggest another thing to the Republicans. Some gentleman on their side said the other day that there was no doubt in the world but that the Populist candidate was elected governor of Alabama. I do not know whether that is true or not, and I do not care, for the purposes of this discussion.

I will tell you what did happen in Alabama, and it is the best thing that has happened in American politics in twenty years; and that was that the colored voters of Alabama divided up, and part of them voted the Populist ticket, part of them voted the Democratic ticket, and very few of them voted the Republican ticket. I say to the gentleman from South Carolina [Mr. MURRAY], and I wish I could say it to everyone of his race, that that was a harbinger of peace, a rainbow of promise in the sky, not only to the white people of the South, but to the colored people also; and that they must stand or fall together.

Mr. MURRAY. Will the gentleman permit me to say in respect to that that the colored people did the same thing in South Carolina, and will do it in every place when the white people divide. It is no use for them to divide until you divide.

Mr. CLARK of Missouri. Then I hope, Mr. Speaker, that the colored voters and the white voters will all divide on principle hereafter, because I am as anxious as any man living to see the color line obliterated from politics. And as the gentleman from Tennessee [Mr. PATTERSON] said the other day, you take this bugaboo of negro domination out of the South, and lots of white men who now vote the Democratic ticket will no doubt vote the Republican ticket on economic questions. In fact I know that is the case.

If I was not afraid that it would appear offensive, I could name what I believe is one Southern State, perhaps more, that would go Republican on economic questions if it was not for the fear of negro domination. But so long as they are menaced by that they will stand together like a stone wall and leave economic questions to take care of themselves.

Finally, Mr. Speaker, the Democratic party to-day, in advocating this repeal, occupies the most enviable position ever held by any political party in the history of the world. We are performing an unparalleled act of self-abnegation and self-sacrifice, and we do it cheerfully in the cause of liberty. We could use and abuse these laws for our own aggrandizement if we would. We will not do it. We put away the supreme temptation even from ourselves. We take away the power from all others who may succeed us. We are determined to preserve unimpaired our rich heritage of representative government for ourselves and our posterity.

I desire most devoutly to see these firebrand statutes perish root and branch in the interest of both races, in the interest of that justice which we all should love, and in the interest of our free institutions, which we should prize above all other earthly possessions. [Applause.]

Mr. TUCKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to, and accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned.

BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. JOHNSON of Ohio: A bill (H. R. 3621) to provide for the purchase of a site for an addition to the public building at Cleveland, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BRECKINRIDGE of Kentucky: A bill (H. R. 3622) to establish the eastern judicial district of Kentucky—to the Committee on the Judiciary.

By Mr. HAINER of Nebraska: A bill (H. R. 3623) for the coinage of domestic silver, the issue of certificates thereon, and for other purposes—to the Committee on Coinage, Weights, and Measures.

By Mr. ELLIS of Oregon: A bill (H. R. 3624) to provide for the purchase of a site and the erection of a public building thereon at Baker City, in the State of Oregon—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Kansas: A bill (H. R. 3625) to amend sections 5339, 5340, 5341, 5342, and 5343 of the Revised Statutes of the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. CONN: A bill (H. R. 3626) providing for a public building in Elkhart, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Arizona: A bill (H. R. 3627) granting to Arizona certain lands for use of Territorial prison—to the Committee on the Public Lands.

By Mr. MCALEER (by request): A bill (H. R. 3628) to amend the charter of the Brightwood Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. MCCREARY of Kentucky (by request): A bill (H. R. 3629) to close alleys in square No. 751, in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. CURTIS of Kansas (by request): A joint resolution (H. Res. 64) to commit to the Bureau of Education the alphabet and all its belongings, for the purpose of correcting its numerous faults, its self-contradictions, and its downright absurdities, as now found in all written thought—to the Committee on Education.

By Mr. WARNER: A resolution directing inquiry as to public buildings and grounds at the city of New York—to the Committee on Public Buildings and Grounds.

By Mr. HENDERSON of Iowa: A resolution for the appointment of a special committee to investigate the sugar trust, and for other purposes—to the Committee on the Judiciary.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred:

By Mr. BLAIR: A bill (H. R. 3630) for the relief of Gustavus F. Jocknick—to the Committee on War Claims.

By Mr. BRECKENRIDGE of Kentucky: A bill (H. R. 3631) for the relief of Mary Ellen Atkinson, administratrix of the estate of Richard Atkinson, deceased—to the Committee on War Claims.

By Mr. CURTIS of Kansas: A bill (H. R. 3632) granting a pension to George Reynolds, of Topeka, Kans.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3633) for the relief of Peter D. Staats—to the Committee on Military Affairs.

Also, a bill (H. R. 3634) for the relief of T. H. Church—to the Committee on War Claims.

Also, a bill (H. R. 3635) granting an increase of pension to John A. Johnson—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 3636) for the relief of Oliver P. Coshow and others—to the Committee on the Public Lands.

By Mr. HOUK of Tennessee: A bill (H. R. 3637) for the relief of Jethro Hill, of Jefferson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3638) for the relief of Mary Jane Hubbard, of Jefferson County, Tenn.—to the Committee on War Claims.

By Mr. MEREDITH: A bill (H. R. 3639) for the relief of the heirs of M. D. Newman—to the Committee on Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 3640) to remove the charge of desertion from the record of Joel Embry—to the Committee on Military Affairs.

By Mr. TATE (by request): A bill (H. R. 3641) for the relief of the estate of Frank H. Nichols—to the Committee on War Claims.

Also (by request), a bill (H. R. 3642) to pay Mrs. Mary J. Hix certain money—to the Committee on Claims.

Also (by request), a bill (H. R. 3643) for the relief of Margaret S. Fain—to the Committee on War Claims.

Also (by request), a bill (H. R. 3644) for the relief of Hiram A. Darnell—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3645) for the relief of Walter R. W. Atkins—to the Committee on Invalid Pensions.

By Mr. WHITING: A bill (R. H. 3646) granting a pension to William D. Cook—to the Committee on Invalid Pensions.

By Mr. PASCHAL (by request): A bill (H. R. 3647) for the relief of Ann Barnes—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CRISP (by request): A petition from the Nebraska Annual Conference of the Methodist Church, and another from Southeast Indiana Annual Conference of the Methodist Church, praying for the repeal of the Geary law—to the Committee on Foreign Affairs.

Also, petition from 65 citizens of New Mexico asking the passage of a free-coinage bill—to the Committee on Coinage, Weights, and Measures.

By Mr. DOOLITTLE: Resolution from the Commercial Club of Tacoma, composed of 600 representative business men of this city, petitioning Congress that immediate action be taken in the matter of constructing coast defenses on Puget Sound—to the Committee on Military Affairs.

By Mr. ELLIS of Oregon: Resolutions from the State Grange of Oregon, asking, first, the passage of an antioption bill; second, the speedy construction of the Nicaragua Canal, and that the same be constructed and owned by the United States; third, that the mints be opened to the free coinage of both gold and silver at the ratio of 16 to 1, etc., and opposing the repeal of the Sherman law without a substitute providing for the enlarged use of silver; fourth, the election of United States Senators by the people—to the Committee on Agriculture.

Also, memorial from the Pendleton Commercial Association of Pendleton, Oregon, asking for the unconditional repeal of the purchasing clause of the Sherman act without reference to future monetary legislation—to the Committee on Banking and Currency.

By Mr. FLYNN: Petition of 737 taxpayers of Lincoln County, Okla., praying for relief—to the Committee on the Public Lands.

By Mr. MILBORN: Petition of citizens of Contra Costa County, Cal., favoring the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. SNODGRASS: Petition of Mary McGuire, administratrix, of Hamilton, Tenn., praying that her war claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of James S. Edwards, of Tennessee, praying for the reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILSON of Washington: Petition of 20 citizens of Tilden, of 13 citizens of Washougal, of 14 of Thorp, of 52 of Thornton, of 34 of Loop-Loop, of 22 of Luny, of 9 of Belryman, of 29 of Etna, of 53 of Plaza, of 6 of Welcome, of 64 of Prosser, of 14 of Sherman, of 10 of St. Andrews, of 1 of Toledo, and of 1 of Langley, all in the State of Washington, in opposition to the repeal of the Sherman act unless said repeal shall provide for the continued coinage of silver on terms more favorable to silver—to the Committee on Coinage, Weights, and Measures.

SENATE.

TUESDAY, *October 3, 1893.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. GEORGE ELLIOTT, D. D., of Georgetown, D. C.

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

Mr. CULLOM. There seems to be a lack of a quorum. I ask that the roll be called.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll.

Mr. SHERMAN. There are three members of the Senate in the Committee on Finance engaged in public business. I think it is but fair that their names should be entered as present, because they are absent in obedience to the order of the Senate.

Mr. TELLER. They can not be entered as present unless they are here.

Mr. CULLOM. They can be excused.

Mr. TELLER. It does not make any difference on what they are engaged, they can not be entered as present.

Mr. SHERMAN. The Senator from Arkansas [Mr. JONES], the Senator from North Carolina [Mr. VANCE], and the Senator from Nevada [Mr. JONES] are the members to whom I refer.

After some little delay the following Senators answered to their names:

Allen,	Dixon,	Kyle,	Power,
Allison,	Dolph,	Lindsay,	Ransom,
Berry,	Dubois,	McMillan,	Sherman,
Butler,	Frye,	McPherson,	Shoup,
Caffery,	Gallinger,	Manderson,	Stewart,
Camden,	George,	Mills,	Teller,
Cameron,	Hale,	Morgan,	Voorhees,
Chandler,	Harris,	Palmer,	Washburn,
Colquitt,	Hawley,	Peffer,	White, Cal.
Cullom,	Higgins,	Perkins,	Wolcott.
Davis,	Jones, Nev.	Platt,	

The VICE-PRESIDENT (at 11 o'clock and 11 minutes a. m.). Forty-three Senators have answered to their names. A quorum is present.

SILVER BULLION EXPORTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of September 26, 1893, a statement of the amount of silver bullion exported during the months of July and August, 1893; which was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented petitions of the Southeast Indiana Conference of the Methodist Episcopal Church; of the Nebraska Conference of the Methodist Episcopal Church, and of the Columbia River Annual Conference of the Methodist Episcopal Church, assembled at Moscow, Idaho, praying for the repeal of the so-called Geary Chinese law; which were referred to the Committee on Foreign Relations.

Mr. McMILLAN presented a petition of the Central Labor Union, of Saginaw, Mich., praying that the proposed new Government Printing Office be built by day labor and not by contract; which was referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 684) for the relief of Mrs. Evalyn N. Van Vliet, reported it with an amendment, and submitted a report thereon.

Mr. COLQUITT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 2668) authorizing the Fourth Assistant Postmaster-General to approve postmasters' bonds, reported it without amendment.