3, the Concord, and gunboat No. 4, the Bennington. (Report No. 76.)

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 874) for the relief of Anna Hunt, administratrix of George F. Hunt, late of Jefferson County, Miss., as found due by the Court of Claims under the act of March 3, 1883. (Report No. 77.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

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

By Mr. FITHIAN: A bill (H. R. 3682) to repeal an act entitled "An act to regulate and improve the civil service of the United States"—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 3683) to require certain employés of the Government to pass civil-service examinations—to the Committee on Reform in the Civil Service.

By Mr. CUMMINGS: A bill (H. R. 3684) fixing the rate of duty on all musical instruments—to the Committee on Ways and Means.

Also, a bill (H. R. 3685) fixing the rate of duty on all fans except palm-leaf fans—to the Committee on Ways and Means.

Also, a bill (H. R. 3686) fixing the rate of duty on clocks—to the Committee on Ways and Means.

By Mr. BURROWS: A bill (H. R. 3688) providing for the erection of a public building at the city of Battle Creek, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Texas: A bill (H. R. 3689) authorizing the Gulf, Beaumont and Kansas City Railway Company to bridge the Neches and Sabine Rivers in the States of Texas and Louisiana—to the Committee on Interstate and Foreign Commerce.

By Mr. BLAIR: A resolution calling upon the Secretary of the Navy for information as to premiums paid to contractors building war ships, etc.—to the Committee on Naval Affairs.

By Mr. MERCER: A resolution calling upon the Secretary of the Interior for certain information relative to the Pension Bureau—to the Committee on Invalid Pensions.

By Mr. McCREARY of Kentucky: A resolution calling upon the Committee on Rules to fix a day for the consideration of the bill (H. R. 3687) entitled a bill to amend an act entitled "An act to prohibit the coming of Chinese into the United States," approved May 5, 1892—to the Committee on Rules.

PRIVATE BILLS, ETC.

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

By Mr. BAKER of New Hampshire (by request): A bill (H. R. 3690) for the relief of Jean Louis Legare, of Dominion of Canada—to the Committee on Claims.

By Mr. BROWN: A bill (H. R. 3691) giving to the Court of Claims jurisdiction of the claim of Alice Utz, the heir and legatee of Joshua Wiley, deceased, on account of the loss of the steamer Argo, destroyed by order of Gen. U. S. Grant, while pursuing her lawful business under command of her owner, Joshua Wiley, a Union citizen and loyal man—to the Committee on War Claims.

By Mr. ENLOE: A bill (H. R. 3692) for the relief of Francis M. Kirby and to amend his military record—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 3693) granting a pension to Lucinda B. Hull, widow of James E. Darrow—to the Committee on Invalid Pensions.

By Mr. MEREDITH: A bill (H. R. 3694) for the relief of the trustees of Andrew Chapel, in the county of Stafford, Va.—to the Committee on War Claims.

By Mr. TATE (by request): A bill (H R. 3695) for the relief of Stephen M. Honeycutt—to the Committee on Military Affairs.

Also, a bill (H. R. 3696) for the relief of George W. Hansard—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. DOOLITTLE: Petition for coast defenses on Puget Sound, Washington—to the Committee on Appropriations.

By Mr. MARTIN of Indiana: Petition of certain citizens of Indiana for the repeal of the purchasing clause of the Sherman law—to the Committee on Coinage, Weights, and Measures.

Also, petitions of W. C. Winslow and others, of Fairmount; and of Harry Rowson and others, of Gas City, Ind., for the retention of the duty on glass bottles—to the Committee on Ways and Means.

SENATE.

THURSDAY, *October 5, 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.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the International Typographical Union of North America, with headquarters at Indianapolis, Ind., praying for the erection of a modern and safer building for the Government Printing Office; which was referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. WALTHALL. I am directed by the Committee on Military Affairs, to whom was referred a joint resolution (S. R. 2) authorizing the issue of duplicate medals where the originals have been lost or destroyed, to ask to be discharged from its further consideration and that the joint resolution be referred to the Committee on the Library. A similar joint resolution was reported favorably from that committee in the last Congress.

The report was agreed to.

Mr. WALTHALL. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 264) for the relief of the Citadel Academy, of Charleston, S. C., to report it adversely, the relief provided for in the bill having been already granted by an act of Congress. I move that the bill be postponed indefinitely.

The motion was agreed to.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 738) for the relief of Battelle & Evans and their legal representatives, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

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

A bill (S. 463) to reimburse the State of Nebraska the expenses incurred by that State in repelling a threatened invasion and raid by the Siouxs in 1890 and 1891; and

A bill (S. 464) for the issue of ordnance stores and supplies to the State of Nebraska to replace similar stores destroyed by fire.

BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 1046) for the relief of William Johnson, administrator of Thomas I. Johnson, deceased, of Fayette County, Tenn., as found due by the Court of Claims under the act of March 3, 1883; which was read twice by its title, and referred to the Committee on Claims.

Mr. WALTHALL introduced a bill (S. 1047) for the relief of Anna Hunt, administratrix of George F. Hunt, late of Jefferson County, Miss., as found due by the Court of Claims under the act of March 3, 1883; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 1048) to provide a mode for the consideration of certain awards of the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENT OF THE RULES.

Mr. HILL. I submit a notice, which I send to the desk.

The notice was read and ordered to be printed, as follows:

Senator HILL gives notice that he will at some future day move to amend Rule 5 by adding thereto, at the end thereof, the following:

Upon any roll call (other than one to expressly determine the presence of a quorum) any Senator present who is paired with an absent Senator may announce such pair; and the fact of such presence and announcement shall be entered in the Journal, and the Senator so present and paired, but not voting, shall be counted as present for the purpose of making a quorum on such roll call.

ORDER OF BUSINESS.

The VICE-PRESIDENT. Morning business is closed.

Mr. VOORHEES. I move that the Senate proceed to the consideration of House bill No. 1, on which the Senator from Florida [Mr. CALL] has the floor.

Mr. PEFFER. Mr. President——

The VICE-PRESIDENT. The Chair will state before the announcement of the close of morning business that there is a resolution coming over from a previous day as part of the morning business. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. PEFFER, as follows:

Resolved, That a select committee of three Senators be appointed by the Vice-President, whose duty it shall be to consider and report whether any and what legislation is necessary to improve the banking system of the country, to the end that greater steadiness may be maintained in currency

circulation; that there may be less interruption in the business of exchange, that depositors may have better security against loss, and that savings of the people may be more safely kept.

Said committee shall hold its sessions in the city of Washington, its necessary clerical work shall be performed by a person or persons then in the employ of the Government—a committee clerk not then otherwise necessarily employed, or a person to be detailed by the Secretary of the Senate.

Said committee may sit during sessions and recesses of the Senate, but shall not incur any expense to be provided for by the Senate without express authority first had and obtained.

Mr. VOORHEES. I move that the Senate proceed to the consideration of House bill No. 1, on which the Senator from Florida has the floor, he not having concluded his remarks yesterday evening.

Mr. MORGAN and Mr. PEFFER addressed the Chair.

Mr. VOORHEES. I have the floor, and I ask for the question.

Mr. MORGAN. I rise to a question of order.

Mr. VOORHEES. Very well.

The VICE-PRESIDENT. The Chair will hear the question of order of the Senator from Alabama.

Mr. MORGAN. I understand that to-day has been set apart for the consideration of executive business.

Mr. VOORHEES. I intend to make that motion at the proper time.

Mr. MORGAN. But that is beyond the Senator's power. It is an order of the Senate that that business shall be taken up. The Senator from Indiana has no control over it.

Mr. VOORHEES. I ask that the regular order be laid before the Senate. The Senator from Florida will then take the floor, and thereupon I shall ask him to yield that the agreement of the Senate may be carried out to proceed to the consideration of executive business.

Mr. MORGAN. Before that is done, I raise another question of order. I offered a resolution yesterday which went over until to-day on objection. I ask that that resolution be laid before the Senate as part of the morning business.

The VICE-PRESIDENT. The Chair has laid before the Senate the resolution of the Senator from Kansas [Mr. PEFFER], which has precedence of the resolution submitted by the Senator from Alabama.

Mr. MORGAN. Then I make a parliamentary inquiry.

The VICE-PRESIDENT. The Chair will hear the inquiry.

Mr. MORGAN. Are these resolutions disposed of so that they can not be called again in the morning hour, or shall we have an opportunity to have them brought forward to-morrow? Do they go to the Calendar?

The VICE-PRESIDENT. Each resolution has its day.

Mr. PEFFER. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Chair will hear the Senator from Kansas in a moment, after answering the inquiry of the Senator from Alabama. The resolution of the Senator from Alabama will have consideration in the Senate. The resolution which has just been read, coming over from yesterday, has precedence of the resolution submitted yesterday by the Senator from Alabama.

Mr. MORGAN. That is satisfactory.

The VICE-PRESIDENT. In answer to the Senator from Indiana the Chair will direct the Secretary to read a portion of the seventh rule.

The Secretary read as follows:

RULE VII.

* * * * * * *

2. Until morning business shall have been concluded, and so announced from the chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up.

Mr. VOORHEES. I understood the Chair to announce that morning business was finished, and it was with that understanding that I made a motion which the rule declares to be in order.

Mr. PEFFER. Now, Mr. President——

Mr. VOORHEES. I desire to submit, in all frankness, that this is done with a view of carrying out the agreement, which I know stands, to proceed to the consideration of executive business. I made the motion I did to preclude the consumption of time by the discussion of resolutions or anything else, with an understanding that the Senator from Florida would yield for a motion to proceed to the consideration of executive business as soon as the regular order was brought before the Senate, on which he could take the floor.

Mr. PEFFER. And now, Mr. President——

The VICE-PRESIDENT. The Chair will hear the suggestion of the Senator from Kansas.

Mr. PEFFER. If the Chair, through inadvertence or oversight, should happen to make a mistake and announce the conclusion of the morning business before in fact the morning business has been concluded, that would not deprive any Senator of his right to press morning business upon the attention of the Chair. I have no doubt that would be the rule; and now, as evidence that the Chair did make announcement of the conclusion of the morning business by oversight, I cite the fact that the Chair was informed the morning business had not been concluded, whereupon immediately the Chair very properly laid before the Senate the resolution which I introduced yesterday and which comes over to-day. My inquiry is whether that resolution shall not be disposed of before anything else takes place. In case there were a special order or a unanimous agreement which would displace this morning business, then it would come up again to-morrow morning in the regular order; but I submit that under the circumstances the resolution shall be disposed of before anything else is done. That is the inquiry I make.

Mr. VOORHEES. It was in view of the agreement which the Senate had made to proceed to the consideration of executive business that I took the step I did. I will say to the Senator from Kansas that I have not the slightest disposition to prejudice his resolution, and if it goes over until to-morrow it is because of the agreement which the Senate has made to proceed to other business to-day, and I will not take any advantage of its going over until to-morrow. It may go over, as far as I am concerned, without the slightest prejudice. I have no idea or desire of prejudicing the resolution of the Senator from Kansas.

Mr. PEFFER. Then, if unanimous consent is given that the resolution may go over another day and retain its place, I have no objection.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Kansas? The Chair hears none. The Chair lays before the Senate a resolution coming over from a previous day submitted by the Senator from Alabama [Mr. MORGAN].

The Secretary read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That it be referred to the Committee on the Judiciary to inquire and report what provisions, if any, of the act approved January 18, 1837, entitled "An act supplementary to the act entitled An act establishing a mint, and regulating the coins of the United States,'" are now in force.

Mr. MORGAN. I understand that under the ruling of the Chair I will have a right to have this resolution considered after the resolution of the Senator from Kansas, which has gone over until to-morrow.

The VICE-PRESIDENT. The Senator from Alabama makes that request. Is there objection to the request of the Senator from Alabama?

Mr. FRYE. Let the resolution be agreed to now.

Mr. MORGAN. That is satisfactory.

Mr. VOORHEES. If it were not for the understanding that the Senate would proceed to the consideration of executive business, and for fear it might lead to other things, I would agree to action on the resolution of the Senator from Alabama; but as the resolution of the Senator from Kansas has gone over, perhaps both resolutions had better go over together.

Mr. MORGAN. That is entirely satisfactory.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. VOORHEES. My motion is that the Senate proceed to the consideration of House bill No. 1.

The motion was agreed to.

The VICE-PRESIDENT. The title of the bill will be 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."

The VICE-PRESIDENT. The bill is before the Senate as in Committee of the Whole.

Mr. VOORHEES. I yield to the Senator from Florida [Mr. CALL] to resume the floor.

The VICE-PRESIDENT. The Senator from Florida.

Mr. CALL. Mr. President——

Mr. VOORHEES. Now, with the permission of the Senator from Florida, he being on the floor, I make the motion which has been agreed upon, to proceed to the consideration of executive business.

Mr. CALL. Certainly, I yield for that purpose.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five hours and fifty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, October 6, 1893, at 11 o'clock a. m.

CONFIRMATION.

Executive nomination confirmed by the Senate October 3, 1893.

POSTMASTER.

W. A. McNeil, to be postmaster at Waycross, in the county of Ware and State of Georgia.

HOUSE OF REPRESENTATIVES.

THURSDAY, *October 5, 1893.*

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

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

TREASURY PURCHASES OF SILVER.

The Speaker laid before the House a communication from the Secretary of the Treasury, transmitting, pursuant to House resolution dated September 27, 1893, information as to why silver bullion was not purchased in the months of July and August; which was referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting copies of the findings of the court in the cases of James Reynolds *vs.* The United States and B. R. White *vs.* The United States; which were referred to the Committee on War Claims.

THE HOUSE FOLDING ROOM.

The SPEAKER also laid before the House the following communication from the Doorkeeper; which was read:

OCTOBER 4, 1893.

SIR: I deem it my duty to call the attention of the House to the lack of proper facilities for conducting the business of the folding room.

There are on hand at present about twelve hundred thousand books, maps, and pamphlets, and about four hundred thousand additional copies will probably be delivered from the Public Printer between now and the 1st of January next.

The present storage facilities are very inadequate, and the rooms are, in the main, unfit for the proper care of valuable books. The books are now stored in the basement of the Capitol, near the center of the building, in the rooms under the south terrace, and in the old Adams Express building, on Pennsylvania avenue, between Second and Third streets. Many of the books in the terrace vaults have been damaged by dampness, and every time a pile of them is removed the bottom ones are found to be ruined and unfit to send out. The books in the basement proper are kept in good condition; but the place is poorly ventilated, and employés ought not to be compelled to work in such quarters. The building in use on Pennsylvania avenue was not constructed for the storage of heavy material, and is not strong enough, if fully utilized, to bear the great weight of the books.

The Public Printer has commenced delivering three hundred and fifty thousand copies of the Agricultural Report of 1892. The only place where these books can be even partially stored is in the annex, and I fear that no more can be taken in there now with safety to the employés. Desiring to avoid the risk of further strain upon this building, and having no other place to store these books, I yesterday requested the Public Printer to stop delivering them for the present. This he consented to do for a short time, but will be compelled to resume their delivery soon, as he has no place to store them in the Government Printing Office.

In view of the above facts, I am at a loss to know what to do with these books when their delivery is resumed.

Fearing that the annex is now subjected to too great a weight, I have requested the Architect of the Capitol to cause an examination to be made and advise me if it is safe at present, and also to ascertain if the building can be strengthened, and more books safely stored therein.

In the meantime I desire that the House should have possession of these facts, and would respectfully suggest that the proper committee look into the matter and devise some method for speedy relief.

Yours, very truly,

A. B. HURT,
Doorkeeper House of Representatives.

Hon. CHARLES F. CRISP,
Speaker House of Representatives.

The SPEAKER. The Chair will refer this communication to the Committee on Public Buildings and Grounds with directions to inquire into the matter and to report to the House.

Mr. DINGLEY. And with leave to report at any time.

The SPEAKER. If there be no objection that can be added.

There was no objection and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent Mr. FELLOWS obtained leave of absence, indefinitely, on account of sickness.

DISTRIBUTION OF UNASSIGNED DOCUMENTS.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I ask consideration for a resolution which I send to the desk relating to a matter which I think is privileged—the distribution of certain surplus copies of documents now in the hands of the Doorkeeper and unassigned to members.

The resolution was read, as follows:

Resolved, That the Doorkeeper of the House be, and is hereby, instructed to apportion and assign to the Members and Delegates of the present House 4,300 copies of the Report on Internal Commerce, and about 1,800 copies of the Report of the Commissioner of Eductation, 1881, which are now in the House folding room, and which have never been placed to the credit of members. The apportionment will be made equally as near as may be.

Mr. RICHARDSON of Tennessee. Mr. Speaker, in connection with that resolution I ask to have read a communication which I have received from the Doorkeeper.

The communication was read, as follows:

OFFICE DOORKEEPER, HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., September 27, 1893.

DEAR SIR: The folding room has been carrying for some time a surplus of about 4,300 copies of the Report on Internal Commerce, 1886, and a surplus of about 1,800 copies of the Report of the Commissioner of Education, 1881. I have been unable to ascertain why there is such a large surplus, but presume it is the result of some error in making the distribution. I submit the matter to you, with the suggestion that a resolution be adopted by the House authorizing me to place the surplus of these books to the credit of the members of the present Congress.

Yours truly,

A. B. HURT,
Doorkeeper, House of Representatives.

Hon. JAMES D. RICHARDSON,
Chairman Committee on Printing, House of Representatives.

Mr. RICHARDSON of Tennessee. I think it is obvious that this resolution ought to be adopted. It provides simply for the pro rata distribution of this surplus.

The resolution was adopted.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the last vote was laid on the table.

REVISED STATUTES FOR HOUSE LIBRARY.

Mr. OATES. I ask unanimous consent for the consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of State be requested to furnish the House of Representatives, for the use of the House library, 50 copies of the Revised Statutes of the United States (second edition, 1878), and also 50 copies of the Supplement of the Revised Statutes of the United States (volume I, second edition, 1874–1891).

Mr. OATES. I will state briefly the purpose of this resolution. There are not now enough copies of the Revised Statutes and of the Supplement in our library here for the use of committees and of members. The purpose of this resolution is to supply the deficiency. Of the copies already printed there is a surplus in the State Department; and this resolution requests the Secretary of State to send 50 copies here, to be placed in the library for the use of members and committees.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

On motion of Mr. OATES, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

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

INTERSTATE COMMERCE COMMISSION.

Mr. STORER, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 3207) to amend an act entitled "An act to regulate commerce;" which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PURCHASE OF TIMBER AND STONE LANDS.

Mr. ELLIS of Oregon, from the Committee on Public Lands, reported back with amendment the bill (H. R. 71) for the relief of purchasers of timber and stone lands under the act of June 3, 1878; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of committees being concluded, the morning hour for the consideration of bills begins at seventeen minutes past 12 o'clock.

Mr. DOCKERY. I desire to submit a parlimentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOCKERY. I wish to know whether, under clause 4 of Rule XXIV, it is in order during the second morning hour to call up for consideration any bill or resolution without the specific direction of the committee reporting such bill or resolution? I desire the ruling of the Chair on this question, without reference to the pending bill, but merely for the guidance of the House.

The SPEAKER. The Chair thinks that, under the language of the rule, bills called up in this hour must be called up by the direction of the committee reporting them. That seems to be the requirement of the rule. The Clerk will read from clause 4, Rule XXIV:

The Clerk read as follows:

After the morning hour shall have been devoted to reports from committees (or the call completed), the Speaker shall again call the committees in regular order for one hour, upon which call each committee, on being named, shall have the right to call up for consideration any bill reported by it on a previous day.

The SPEAKER. Under this language the power to call up bills seems to be given to the committees; and, whilst the Chair is not informed as to any specific rulings which may have been made on this language, it appears to be subject to a similar construction to the power granted to committees under the rule providing for what is known as "suspension day."

The rules provide that on the third Monday of each month motions to suspend the rules may be made by committees, and it has always been held that such motions must be authorized by the committee from which the motion comes. In view of the language of Rule XXIV, and the construction heretofore given to similar language, the Chair thinks it fair and reasonable to rule that the calling up of a bill in the second morning hour must be authorized by a committee. This is the construction which, unless further advised, the Chair will give to the rule.

SALE OF PUBLIC BUILDING, LOUISVILLE, KY.

The SPEAKER. Yesterday, during this second morning hour, there was a bill called up by the gentleman from Kentucky [Mr. BERRY], from the Committee on Public Lands, which went over in accordance with an understanding, and which now comes up again. The Clerk will report the bill.

A bill (H. R. 366) providing for the sale of the old custom-house and lot connected therewith in the city of Louisville, Ky., was again read.

Mr. DOCKERY. I desire to withdraw the point of order which I raised yesterday against this bill.

The SPEAKER. The point of order made yesterday by the gentleman from Missouri [Mr. DOCKERY] that this bill must receive its first consideration in Committee of the Whole is withdrawn.

Mr. BANKHEAD. I desire to offer an amendment, which I have submitted to the gentleman from Kentucky [Mr. ELLIS], who has charge of the bill, and as I understand he assents to it.

The Clerk read as follows:

Strike out all after the word "sell," in line 9, down to and including the word "newspapers," in line 11, and insert in lieu thereof the following:

"At public auction, in the city of Louisville, Ky., to the highest bidder, after thirty days' notice in —— of the principal newspapers published in the city of Louisville."

And at the end of line 15 insert the following:

The time and place of said sale in said city to be fixed by the Secretary of the Treasury, with power to reject any or all bids, and to readvertise and offer the said property in like manner as often as may be necessary to secure what in his judgment may be the value thereof, and the cost to be paid from the proceeds of sale.

Mr. HOPKINS of Illinois. Will the gentleman allow a question?

Mr. BANKHEAD. Certainly.

Mr. HOPKINS of Illinois. Would it not be better to amend the bill so as to provide that no bid should be received less than the amount that the property is valued at by some kind of an appraisement?

Mr. BANKHEAD. I do not think that is necessary.

Mr. HOPKINS of Illinois. That follows the practice in many of the States where property is sold under a decree of a court, and where commissioners are appointed to appraise its value. It is almost always provided in such cases that no bid shall be received less than a certain sum fixed by the commissioners. It seems to me it would be a wise amendment to incorporate in this bill.

The SPEAKER. The question is on agreeing to the amendment proposed by the gentleman from Alabama.

Mr. BERRY. The amendment offered by the gentleman from Alabama meets my approval. I have no objection to it.

The SPEAKER. The Clerk will report the bill as it will stand if amended.

The bill was read at length as proposed to be amended.

Mr. HOPKINS of Illinois. Now, Mr. Speaker, if the gentleman in charge of this bill does not desire to make an amendment such as I have named, I would like to have an opportunity to prepare such an amendment, providing that the Government official shall make a fair appraisement of the value of the property, and providing further that no bid shall be received for a less amount than the value so fixed upon the property by this appraisement. I think it is the experience of people in all parts of the country that where such property is sold without some such restriction or guard there is very likely to be collusion.

In this bill there is no provision that the Secretary shall have any knowledge of the value of the property. If there is no limitation placed on it, two or three parties desiring to purchase can enter into collusion and only one of them bid, and that at a very much less amount than the real value of the property. The party to whom the report is made has no knowledge in reference to the matter except that a certain bid was made *pro forma*, and he believes it to be a fair value for the property. To provide against that, it seems to me there ought to be a provision of the character I have suggested adopted by the House, and that the value of the property should be determined specifically, so that if any bid is made below that amount there is no sale and the Government still holds the property.

If there is any person in the city or State who desires to purchase the property at a fair valuation he has notice in advance that he must make provision to present a bid that will represent the fair value of the property. I can see great danger to follow from the adoption of the bill as proposed without such an amendment.

Mr. BURROWS. What is the estimated value of the property; does the gentleman from Alabama know?

Mr. BANKHEAD. I do not.

Mr. BURROWS. Perhaps the gentleman in charge of the bill would know?

Mr. BERRY. About $75,000.

Mr. BANKHEAD. Mr. Speaker, I take it for granted that the Secretary of the Treasury will employ such methods as he is evidently authorized to employ to inform himself as to the relative value of the property. I take it for granted also that, when the property is offered for sale under the provisions of the bill if there are no bidders who are disposed to offer the full value of the property, he will reject all of the bids and resell the property as provided in the law.

Now, we have followed in this bill the language, as indicated by the amendments, that was used when the public property in the city of Philadelphia was sold—the amendment in that case having been prepared by Mr. Randall himself, chairman of the Appropriations Committee, and also the same language that was used in a bill of the same character in regard to the Government property in the city of Boston. I understand that the results in each case were entirely satisfactory, and I can see no necessity whatever for the suggestion offered by my friend from Illinois. I think he understands that the Government is fully guarded under the provisions of the bill as it stands, and I have no doubt that the results will be satisfactory to the House and the country. I hope the amendment he has suggested, if offered, will be rejected.

Mr. HOPKINS of Illinois. I offer the amendment I send to the desk.

The Clerk read as follows:

Amend the pending amendment by adding "*Provided*, That before said property is advertised for sale a Government appraisement, under the direction of the Secretary of the Treasury, shall be made of the value of the property; and that in the advertisement of sale notice shall be given that no bid will be received which is less than the appraised value of said property."

Mr. BERRY. I accept that amendment. There is no objection to it as far as I can see.

Mr. BANKHEAD. Do I understand the gentleman from Kentuck to accept the amendment?

Mr. BERRY. I have no objection to it.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

On motion of Mr. BERRY, a motion to reconsider the last vote was laid upon the table.

BETTER CONTROL OF NATIONAL BANKS.

Mr. COX. Mr. Speaker, on yesterday I called up from the Committee on Banking and Currency the bill (H. R. 2344) for the better control of and to promote the safety of national banks. I desire to give notice that this bill will be called up to-morrow week.

F. Y. RAMSEY.

The SPEAKER. The Committee on Claims have pending a bill which comes over from yesterday, being the bill (H. R. 509) for the relief of F. Y. Ramsey.

Mr. BUNN. I hope the House will indulge me for a moment, to make a statement in reference to this bill.

Mr. SAYERS. I am perfectly willing that the gentleman shall make his statement, provided that the making of the statement shall not cause me to lose my right to make a point of order which I wish to make.

Mr. BUNN. I do not ask that. I desire to say to the House that I believe no more careful committee has ever been organized than the Committee on Claims. It is our purpose to let no bill come before the House of Representatives for its consideration without the fullest and most careful investigation.

Whenever it has been suggested on the floor of the House that the Committee on Claims should investigate any point that has escaped them, that committee have been ready and willing to take the suggestion of the House, and to make that investigation. We are now investigating the Confederate archives, and

I expected to have a report here concerning this bill. The information has come to me within the last few minutes that that investigation can not be completed for some hours.

I want no bill to pass this House, coming from this committee, that has ever been paid by the National or Confederate Government. I therefore ask leave to withdraw the bill until the information can be introduced before the House.

Mr. SAYERS. That is all right.

PROOF OF LOYALTY IN CERTAIN CASES.

The SPEAKER resumed the call of committees in the second morning hour. The Committee on the Judiciary was called.

Mr. OATES. Mr. Speaker, I call up for consideration the bill (H. R. 3130) to repeal in part and to limit sections 3480 and 4716 of the Revised Statutes of the United States.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That sections 4716 and 3480 of the Revised Statutes of the United States be, and the same are hereby, so far, and no further, modified and repealed as to dispense with proof of loyalty during the late war of the rebellion as a prerequisite to being restored or admitted to the pension roll of any person who otherwise would be entitled thereto under existing laws; nor shall proof of loyalty be necessary in any application for bounty land where the proof otherwise shows that the applicant is entitled thereto: *Provided*, That no soldier restored or admitted to the pension roll under this act shall receive any back pay. *And provided further*, That this act shall not extend to or embrace any person under the disability imposed by the fourteenth article of amendment to the Constitution of the United States.

Mr. OATES. Mr. Speaker, I want to say for the information of the House that this bill was favorably reported from the Judiciary Committee in the Fifty-first Congress, and also in the last Congress, and passed this House.

In the last Congress an inquiry was submitted to the Secretary of the Interior and to the Commissioner of Pensions as to the effect of the bill. A reply was returned, which was made a part of the report. It covers cases of this kind. It was recommended both by Gen. Raum and by the Secretary of the Interior. There are very few people now living who were on the pension rolls at the beginning of the war but who were dropped from that roll in consequence of the war. They lived South, and their communication was cut off.

Some of them were Union men, but no distinction could be made, and they were all dropped from the rolls. Those who have been able to affirmatively prove their loyalty have long since been restored to the rolls. There are some not in that category, some who were too old to go into the Confederate army, but who perhaps had sons in it, and who could not prove affirmative acts of loyalty. Now, the Commissioner of Pensions said in his report that those cases were so few that it would amount to but very little if they were restored, with no back pay at all.

The other clause, and the more important thing, is to give bounty lands to those who earned them by service in the Mexican war or in the Indian wars prior to our late civil war. Under these two sections named in the bill they now require in those departments affirmative acts of loyalty. A man who fought, for instance, in the Indian wars or in the Mexican war, and who by act of Congress, passed long before the late war began, was entitled to bounty lands, undertakes to assert his claim now, never having gotten the land before, under these statutes is required to prove affirmative acts of loyalty, such acts as at that time in most localities would have caused him to be arrested and incarcerated in prison.

Now, it is impossible for him to do this and it is unreasonable to require a man to make that measure of proof. Really these men had vested rights. The action of the Government in passing these laws amounted to a gift of so much bounty land to all those who performed faithful service. It was a vested right in them. If they have never obtained the land to which those laws entitle them, I think it is but right now to let them get the land. This is simply to dispense with affirmative proof of loyalty. The President's proclamation of amnesty dispensed with proof of loyalty in the courts; why require it in the Departments? They have to prove everything else to entitle them to the land, and a man may have been loyal to the Union during the war, but unless he performed affirmative acts of loyalty, showed hostility to the Confederate government, he does not come up to the requirement of these sections of the statute. Therefore the bill is intended to relieve him of this, and to allow him to get the land to which he is entitled.

Mr. HOPKINS of Illinois. Would this allow the heirs of such persons as were dropped to get these bounty lands?

Mr. OATES. That would depend upon the practice heretofore prevailing.

Mr. HOPKINS of Illinois. Is the gentleman familiar with the practice, so that he can inform the House?

Mr. OATES. I think it will. It is a vested right.

Mr. HOPKINS of Illinois. Will it allow persons who have purchased the right of those parties to get those land warrants, or their assignees?

Mr. OATES. I think not. They are not assignable until the warrant is granted.

Mr. PICKLER. How much land is involved in those grants?

Mr. OATES. I do not remember the amount that the Secretary of the Interior estimated it would take. It is comparatively small.

Mr. PICKLER. Is there any provision in the bill as to which lands these bills will cover—any of the public lands?

Mr. OATES. Upon any of the public lands subject to entry as homesteads.

Mr. BURROWS. Mr. Speaker, I desire to say a word. Has the gentleman some other business that he could call up from that committee?

Mr. OATES. Oh, yes; I think this ought to be satisfactory. Both in the last House and in this the matter has been fully explained to the Committee on the Judiciary and no member raised any objection after it was explained. It is a unanimous report, and was the last time, and the bill passed the last House.

Mr. BURROWS. This measure is very far-reaching, and for the purpose of saving time I desire to say to the gentleman that he can not pass that bill this morning; and I wish he would withdraw it and call up another bill.

Mr. OATES. As my friend thinks this is very far-reaching, he differs with the last Secretary of the Interior, with the Commissioner of Pensions, and the Committee on the Judiciary; but I will withdraw the bill.

Mr. BURROWS. I simply desire an opportunity to look at the matter.

TO DISQUALIFY JUSTICES, JUDGES, AND COMMISSIONERS FROM SITTING AS COURTS IN CERTAIN CASES.

Mr. OATES. Mr. Speaker, I desire to call up the bill (H. R. 3131) to disqualify justices, judges, and commissioners of the United States from sitting as courts or hearing certain cases.

The bill was read, as follows:

Be it enacted, etc., That no justice, judge, or commissioner of any court, or commissioner of the United States, shall sit in any cause or proceeding in which he is interested, or related to either party within the fourth degree of consanguinity or affinity, or in which he has been of counsel, or in which it is sought to invalidate any judgment or other judicial proceeding in which he was of counsel, or in which it is sought to invalidate any instrument in writing drawn or signed by him as agent, counsel, or attorney, without the consent of the parties, put in writing, signed by them, and entered of record.

Mr. OATES. Mr. Speaker, I presume there will be no opposition to this bill. It is another bill which was unanimously reported, and passed the House in the last session of Congress. It is simply to disqualify judges, justices, etc., from presiding in cases where they are interested or have been of counsel. The matter has never been called to public attention before, and there was no statute of this character. In the Fifty-first Congress, in an investigation made by the Committee on the Judiciary, the fact was ascertained and some abuse of it was discovered. I am glad to say that heretofore there had been no necessity for such a law, and that the judges have felt a proper delicacy about presiding in cases where they were interested; but we found that there are some exceptions to the rule, and there ought not to be. This bill is unanimously reported, and prevents these officers from presiding in cases where they are interested.

Mr. BURROWS. Is there a report accompanying the bill which will throw any light on it?

The SPEAKER. The gentleman from Michigan states that he would like to have the report read.

Mr. OATES. Let the report be read.

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

The Committee on the Judiciary, having had under consideration the bill (H. R. 3131) to disqualify justices, judges, and commissioners of the United States from sitting as courts or hearing certain cases, adopt the report of the Judiciary Committee thereon made at the first session of the Fifty-second Congress, in the following language:

"The reasons of the committee are apparent on the face of the bill and the substitute.

"It is highly creditable to our Federal judiciary that for one hundred years Congress did not find it necessary to pass any disqualifying statute. Our judges, with a praiseworthy sense of propriety, declined to try causes in which they were interested or related to either of the parties to the litigation; but of late years there have been cases wherein the judge, though related or interested, and objected to for that reason, proceeded to hear and determine such causes.

"According to the stern morality of the common law the judge must be legally indifferent between the parties. The slightest pecuniary interest disqualifies him. Relationship within the fourth degree by the civil law unsettles that equipose which justice demands from the bench; and relationship within that degree of affinity is frequently quite as strong as relationship by consanguinity. No judge ought to act in any case wherein he is thus related or interested, nor even in a case wherein his own skill, learning, or reputation as a lawyer may be in question. He should not sit nor act in any case in which he may reasonably be supposed to be biased in favor of or against either of the parties. The books of the common law are full of this doctrine. So, too, are the decisions of many courts of last resort. It requires this measure of disinterestedness and impartiality in the judge to secure the administration of evenhanded justice and to command the con-

fidence and respect of the litigants and the public; and any judge or court whose perfect integrity and impartiality are seriously questioned had as well be discontinued or abolished, because his usefulness is thereby destroyed.

"The bill provides that the disability may be waived by the parties."

The bill thus reported was passed by the House without amendment, but was never considered by the Senate.

The committee recommend its passage.

Mr. OATES. Mr. Speaker, I presume there is no further objection.

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

On motion of Mr. OATES, a motion to reconsider the vote by which the bill was passed was laid on the table.

INSPECTION OF STEEL FOR BOILER PLATES.

Mr. OATES. Mr. Speaker, I call up the bill (H. R. 1920) to amend section 4430, Title LII, of the Revised Statutes of the United States.

The bill was read, as follows:

Be it enacted, etc., That section 4430 of the Revised Statutes of the United States be amended by adding thereto a paragraph, as follows:

"And the Supervising Inspector-General may, under the direction of the Secretary of the Treasury, detail assistant inspectors from any local inspection district where assistant inspectors are employed, to inspect iron or steel boiler plates at the mills where the same are manufactured; and if the plates are found in accordance with the rules of the supervising inspectors, the assistant inspector shall stamp the same with the initials of his name, followed by the letters and words, 'U. S. Assistant Inspector;' and material so stamped shall be accepted by the local inspectors in the districts where such material is to be manufactured into marine boilers as being in full compliance with the requirements of this section regarding the inspection of boiler plates; it being further provided that any person who affixes any false, forged, fraudulent, spurious, or counterfeit of the stamp herein authorized to be put on by an assistant inspector, shall be deemed guilty of a felony, and shall be fined not less than $1,000, nor more than $5,000, and imprisoned not less than two years nor more than five years."

Mr. OATES. Mr. Speaker, that bill was introduced by the gentleman from Pennsylvania [Mr. DALZELL], and the committee, after a careful consideration of its provisions, made a unanimous report in favor of its passage. If the gentleman wishes to say anything I will yield the floor to him.

Mr. DALZELL. Mr. Speaker, under existing law where tests are to be made of the steel they use in marine boilers the steel has to be carried from the place of manufacture to the place where the boilers are being made, and tested there. A great deal of inconvenience results from the lack of some provision which would permit the test of the steel to be made at the place of manufacture, where there are inspectors generally, and where as a rule they have the most perfect testing machines.

The object of this act is to supply that deficiency in the law and to remedy the inconvenience in practice. The Supervising Inspector-General is the author or drafter of this bill, and it meets with the approval of the Government officials who are immediately interested. I think there ought to be no objection to its passage.

Mr. SIMPSON. I would like to ask the gentleman from Pennsylvania if this will increase the number of inspectors.

Mr. DALZELL. No, sir. The bill will not increase the number of inspectors. It makes no change in that respect at all. It simply changes the place of the inspection to the place where the steel is manufactured instead of the place at which the boiler is built.

Mr. SIMPSON. It will entail no additional expense on the Government?

Mr. DALZELL. It will entail no expense on the Government.

Mr. OATES. It will entail no expense, and will be no detriment, but will be a matter of convenience.

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

On motion of Mr. OATES, a motion to reconsider the vote by which the bill was passed was laid on the table.

VACANCIES IN OFFICE OF PRESIDENT AND VICE-PRESIDENT.

Mr. OATES. Mr. Speaker, I call up the bill (H. R. 2000) to amend the first paragraph of section 1, chapter 4, of the acts of the first session of the Forty-ninth Congress relating to vacancies in the office of President and Vice-President.

The bill was read, as follows:

Be it enacted, etc., That the first paragraph of section 1 of chapter 4 of the acts of the Forty-ninth Congress at its first session, entitled "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability, both of the President and Vice-President," approved January 19, 1886, be amended so as to read as follows:

"That in case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Interior, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of Agriculture shall act as President until the disability of the President or Vice-President is removed or a President shall be elected."

Mr. HOPKINS of Illinois (during the reading). Mr. Speaker, it seems to me that the Judiciary Committee, under the rules of the House, have no jurisdiction of that bill, and I desire to raise that question. I think the subject belongs to the Committee on the Election of President and Vice-President.

Mr. OATES. Mr. Speaker, I think that when the gentleman understands this bill he will not make that point. It was introduced by the gentleman from Vermont [Mr. POWERS], who is a member of the committee, and has received a favorable report, and it is intended to accomplish nothing whatever but to add the new Cabinet officer created since the law was passed.

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

Mr. OATES moved to reconsider the vote by which the bill was passed, and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

PERSONAL PROPERTY OF THE MORMON CHURCH.

Mr. OATES. Mr. Speaker, I call up the joint resolution (H. Res. 34) providing for the disposition of certain personal property and money now in the hands of a receiver of the Church of Jesus Christ of Latter-Day Saints, appointed by the supreme court of Utah, and authorizing its application to the charitable purposes of said church.

The joint resolution was read, as follows:

Whereas the corporation of the Church of Jesus Christ of Latter-Day Saints was dissolved by act of Congress of March 3, 1887; and

Whereas the personal property and money belonging to the said corporation is now in the hands of a receiver appointed by the supreme court of the Territory of Utah; and

Whereas according to a decision of the Supreme Court of the United States the said property, in absence of other disposition by act of Congress, is subject to be applied to such charitable uses, lawful in their nature, as may most nearly correspond to the purposes for which said property was originally destined; and

Whereas said property is the result of contributions and donations made by members of said church, and was designed to be devoted to the charitable uses thereof under the direction and control of the first presidency of the said church; and

Whereas said church has discontinued the practice of polygamy, and no longer encourages or gives countenance in any manner to practices in violation of law, or contrary to good morals or public policy; and if the said personal property is restored to said church it will not be devoted to any such unlawful purpose: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said personal property and money now in the hands of such receiver be, and the same is hereby, restored to the said Church of Jesus Christ of Latter-Day Saints, to be applied under the direction and control of the first presidency of said church to the charitable uses and purposes thereof. And the said receiver, after deducting the expenses of his receivership, under the direction of the said supreme court of the Territory of Utah, is hereby required to deliver the said property and money to the persons now constituting the presidency of said church, or to such person or persons as they may designate, to be held and applied generally to the charitable uses and purposes of said church.

An amendment recommended by the committee was read, as follows:

Page 2, after the word "receiver," insert the words "not arising from the sale or rent of real estate since March 3, 1887."

Mr. BURROWS. Mr. Speaker, I desire to inquire whether this joint resolution is not subject to the point of order that it must be considered in Committee of the Whole. It relates to certain moneys belonging to the United States, which it is proposed to turn over to private individuals.

Mr. OATES. The gentleman is mistaken. This money does not belong to the United States and never did.

Mr. DOCKERY. What is the amount of money?

Mr. OATES. The gentleman from Texas [Mr. BAILEY] made the report upon this bill, but I do not see him here.

The SPEAKER. The gentleman from Texas [Mr. BAILEY] is absent by leave of the House.

Mr. OATES. I am not so farmiliar with the facts of this matter as I was at one time. I will, however, state for the information of the gentleman from Michigan and the House that several years ago, when the Tucker-Edmunds bill was passed relating to the Mormon Church in Utah, dissolving the church as a corporation and disposing of the proceeds of its real estate, that law failed to provide for the disposition of the personal property. The church was a wealthy concern; it had a great deal of realty as well as a considerable portion of personal property, and the proceeds were directed to be devoted to charitable purposes, mainly to education. I supported the bill; I was quite amiliar with it at the time, and advocated it on this floor.

Gentlemen who were then in Congress may remember that the gentleman from North Carolina [Mr. Bennett] opposed it very vigorously for a considerable time. In the administration

of that law it was found, I say, that there was an omission to provide for the disposition of the proceeds of the personalty. In the course of administration that difficulty arose, and it gave rise to a law suit, and after the question had been tried in the courts as to how these proceeds should go under the grant or the will of parties donating the property to the corporation, there was a bill passed by the Senate, which came over here for our consideration, to take the proceeds of the sale of the personal property, amounting then to three or four hundred thousand dollars, and appropriate them to the education of children who were not descendents of Mormon parents.

That bill was considered in the Judiciary Committee, and the gentleman from Texas [Mr. CULBERSON] and myself agreeing about it, we were prepared to speak in opposition to it in the House. I looked into the matter and ascertained that there had been an appeal taken from the decision of the court, which appeal was still pending, and I obtained from the clerk of the court a certificate under seal that the matter was in litigation, and, of course, this House had no right to determine a law suit. That matter has all been adjusted. I am not familiar with the details, because I have not kept up with them, but the purpose of this bill, as I understand it, is to return the proceeds to those who had a right to control them originally under the grant of the property, and who, it has been shown, are largely in debt on account of that corporation. It is deemed just that they should have these proceeds to use in the manner originally intended, first to pay the debts, and, if there is any surplus left, to use it in the direction indicated.

Mr. HOPKINS of Illinois. Does the decision of the Supreme Court of the United States indicate what shall be done with this personal property?

Mr. OATES. I can not say as to the last decision, because I have not been familiar with the details for sometime. I therefore yield the floor for a limited period to the Delegate from Utah [Mr. RAWLINS], who is perfectly familiar with it.

Mr. HOPKINS of Illinois. The point is not waived, Mr. Speaker, as to this bill requiring to be considered in Committee of the Whole.

The SPEAKER. What claim has the United States upon this fund? This property seems to be in the hands of a receiver.

Mr. HOPKINS of Illinois. But the receiver, as I understand, is an officer of the United States.

Mr. OATES. The property has been treated by the United States as belonging to the Territory. There is no claim on the part of the Government except to administer it in virtue of the supreme right of the Government to legislate in the affairs of the Territory. The property never belonged to the Government at all.

Mr. BURROWS. I made my suggestion upon hearing the bill read: I had not the bill before me.

The SPEAKER. The Chair, in the first instance, directed the reference of the bill to the Union Calendar, but upon the statement of the gentleman reporting it that the Government had no claim to the property it went to the House Calendar.

Mr. HOPKINS of Illinois. My suggestion was made upon the theory that this receiver was a representative of the United States Government.

The SPEAKER. Whether, under the action of the receiver, this property might be distributed to the United States, the Chair does not know. The Chair would like to inquire, suppose this act should not pass, what would the receiver do with this money?

Mr. OATES. I am unable to answer that question. I suppose he would hold on to it.

Mr. HOPKINS of Illinois. If after this property is converted into money it is to be transferred to the Treasury of the United States, then I maintain the point made by the gentleman from Michigan [Mr. BURROWS] is correct, that this bill should first be considered in Committee of the Whole, and not in the House.

Mr. OATES. In answer to that suggestion, Mr. Speaker, I will say that the receiver has no interest in the question in the world further than his own fees are concerned.

Mr. HOPKINS of Illinois. The gentleman does not understand me; and it seems to me it is the lack of knowledge on this matter that is troubling all of us. If the personal property mentioned is now in charge of the receiver, with authority to sell it and convert it into money and transfer that money to the Treasury of the United States——

Mr. OATES. It has been converted into money.

Mr. HOPKINS of Illinois. Then what is to become of that money? Is it to be transferred to the Treasury of the United States or to private individuals?

Mr. OATES. I will ask that the Delegate from Utah [Mr. RAWLINS] be allowed to explain this matter, as he is more familiar with the details than I am.

Mr. HOPKINS of Illinois. I desire that the point be reserved until we can learn the facts and upon them obtain a ruling of the Chair.

The SPEAKER. Of course, there is always some objection to discussing the merits of a bill pending a question of order. The simple question here is, What is the receiver to do with this fund? What interest has the United States in the fund if the bill does not pass?

Mr. RAWLINS. He has no interest whatever.

The SPEAKER. Then, what does this bill require the receiver to do with those funds?

Mr. RAWLINS. In 1887 Congress passed what was known as the Edmunds-Tucker act, which dissolved the corporation of the Mormon Church.

Mr. HOPKINS of Illinois. That is all familiar history. The point we want to get at——

Mr. RAWLINS. I trust the gentleman will allow me to state the facts of the matter. The act to which I have referred authorized the Attorney-General of the United States to institute proceedings in the supreme court of the Territory to wind up the affairs of the dissolved corporation. In January, 1888, such a suit was commenced, and the supreme court appointed a receiver to take possession of this property pending the winding up of the corporation's business. The receiver, after his appointment, came into possession of real estate and personal property.

The act of Congress provided that the real estate which might be forfeited or might escheat under the provisions of the statute should be applied for the benefit of the common schools in the Territory, but it made no provision as to what disposition should be made of the personal property. A decree was entered, which was finally taken to the Supreme Court of the United States. That court held that the legislation dissolving the corporation was valid, and that the real estate should go to the benefit of the common schools, as provided in the act, if it should be forfeited to the United States.

The court furthermore held that in the absence of an act of Congress (and the court withheld its decision in the hope that Congress might make some provision as to the disposition of the personal property) this personal property should be applied, according to the doctrine of cypres or charitable uses, to some charitable purpose lawful in its character and most nearly corresponding to that which was originally designed by those who gave it; and the Supreme Court of the United States sent the matter back to the supreme court of the Territory that it might take that question into consideration. I was special counsel for the United States in that matter, and am familiar with the case. Testimony was taken as to whether the church had given up polygamy, because if it had this property would be applied in accordance as nearly as possible with the intention of the men who donated it.

The supreme court found that the practice of polygamy had been given up; and Chief Justice Zane, the ablest jurist we have had in that Territory, and who has done much to enforce the law and bring about a desirable condition of things, delivered the opinion of the court, in which he said that this property in equity and justice ought to be applied to charitable purposes in accordance with the intention of those whose labor had created it. The other two judges held that in the absence of an act of Congress they had no authority to so dispose of the property. But no court, neither the Supreme Court nor any other, has ever intimated that this property, belonging to the members of that church and given by them for a charitable object, could be diverted and applied unconditionally for other purposes.

This money has been in possession of the receiver for about five years, and, barring the reductions and dispersion of it which have taken place by reason of the expenses of administration, is still in his possession. Now, the church is stripped of all of its property; it has given up polygamy, as is found by every Federal official in the Territory and recognized by Mr. Harrison in his proclamation of general amnesty, while this property that ought to go to the individuals is still held in the hands of the receiver, and can not, until action is taken such as proposed here, be distributed.

I submit, when these people have yielded to all the demands of the Government, that this property in justice and right ought to be restored to them. They are individuals, private individuals, who have given notes for this indebtedness and turned the money over to the hands of the receiver. The notes are now due, and they are unable to get the money to pay them, and their private estates are threatened. It is an urgent matter, and I ask this body to pass the bill.

Mr. HOPKINS of Illinois. Mr. Speaker, I am not prepared at this time to argue the merits of this case, nor am I prepared to say that I will not vote in accordance with the gentleman who has just addressed the Chair after I have examined the matter more fully. But that is not the point now presented. The gentleman from Michigan has made the point of order that the bill

should go to the Committee of the Whole and there receive its first consideration.

Now, from the statement of the gentleman from the Territory, it appears that this personal property is in possession or under the control of the Government of the United States. This receiver is the agent of the Government of the United States.

Mr. SPRINGER. Oh, no.

Mr. HOPKINS of Illinois. This bill seeks to take this property from the Government and to give it to the private individuals. That being so, it seems perfectly clear that the principle, that wherever property under the control or in possession of the United States is to be taken from it, the bill making such provision should have its first consideration in Committee of the Whole House on the state of the Union.

Mr. RAWLINS. I would like to ask the gentleman a question. Take this statement of facts, and they are all found and assented to by the members of the Judiciary Committee—first by the subcommittee and subsequently by the whole committee—nobody is prepared to dispute the facts as I have stated them; I say taking these facts then, I ask the gentleman on what ground the United States has any power to control this property or hold possession of it, either directly or indirectly? They have never claimed that right.

Mr. HOPKINS of Illinois. Why the gentleman states that the property is held by the Government of the United States.

Mr. RAWLINS. No; I stated no such thing. I said it was held by a receiver in a case pending before the court, appointed by the court; and the receiver is simply holding the property just as the receiver in any other judicial proceeding would hold it.

Mr. HOPKINS of Illinois. The Government of the United States is the complainant in the case. Was not the suit commenced in the first instance in the name of the United States by the Attorney-General?

Mr. RAWLINS. Simply on information for the purpose of winding up the affairs of the corporation.

Mr. HOPKINS of Illinois. And is the Attorney-General not the representative of the United States?

Mr. RAWLINS. Let me suggest this to the gentleman: Suppose a charter of a national bank had been dissolved by the United States and suit is instituted to wind up its affairs. Now, on the relation of the United States a receiver is appointed. Would the gentleman contend that thereby the Government of the United States may claim the proceeds of the property, or that its receiver should hold the property for the benefit of the United States by virtue of its action in dissolving the corporation? The appointment is only temporary, only made for the purpose of holding the property, waiting some action by the sovereign authority—in this case waiting the action of Congress to direct what disposition is to be made of the property.

Mr. RAY. Mr. Speaker——

Mr. RAWLINS. I yield to the gentleman from New York.

Mr. RAY. I can not see on what principle of honesty or justice any one can oppose the passage of this bill. Here was an existing corporation, and to it was given this money for certain charitable purposes and objects. Before the corporation had carried out these purposes, upon the complaint of the Attorney-General and certain interested persons, which was all proper and right, a suit was brought in the name of the United States Government to wind up the affairs of the corporation. This money by direction of the court was placed in the hands of the receiver and is now held by that receiver. The United States Government has no interest in the money and never had, and if it should take the money and apply it to any governmental purpose, in my judgment it would be no better than a thief or a highway robber.

Now, this bill simply proposes to pass the money back into the hands of these men, this corporation, who are guilty of no crime or offense as matters stand now, with power to apply it to the very purposes for which it was designed by the original contributors. The court has not adjudicated its disposition and an act of Congress is necessary.

I sincerely hope that no objection will be interposed, and that the measure will become law. It is better that this money, generously donated for charitable purposes, be applied as intended than that it lie idle, or that it be eventually returned to the donors, as the court has suggested it may be, some of whom may be dead and some of whom may have changed their minds. Let a worthy charity once commenced be faithfully carried out.

Mr. BRODERICK. Mr. Speaker——

Mr. OATES. Mr. Speaker, I do not think there is any difference of opinion among the members of the committee, but I yield to the gentleman from Kansas, if he desires to be heard.

Mr. BRODERICK. I only want four or five minutes.

The SPEAKER. The morning hour has nearly expired.

Mr. BRODERICK. Mr. Speaker, the gentleman from Illinois [Mr. HOPKINS] is evidently mistaken as to this law. Under the provisions of law the real estate, or the proceeds arising from the sale of real estate, was to go to the common-school fund of the Territory of Utah, but there was no provision as to the disposition of the personal property or proceeds thereof. So far the money arising from sale of personal property has been applied under the direction of the courts of the Territory to charitable purposes. The General Government has no pecuniary interest in any part of this fund. This resolution in no way interferes with the real estate. The only purpose is to turn the money, which does not belong to the school fund, back to the church, where I think it should now go.

The SPEAKER. The morning hour has expired. The Chair can not see that this bill ought to go to the Committee of the Whole.

Mr. RAWLINS. I ask unanimous consent that the House be allowed to take a vote on this question now.

Mr. BLAND. I think we might take a vote on it. There seems to be no objection to it.

Mr. BURROWS. Mr. Speaker, under the rule this goes over until to-morrow morning. The committee will have an hour then.

Mr. RAWLINS. There is a special reason why I desire to have the bill passed at this time. The supreme court of the Territory convenes in a few days, and if this bill is passed now the property can be disposed of.

Mr. BURROWS. I am not opposed to the bill personally.

Mr. OATES. I hope the request of the gentleman from Utah [Mr. RAWLINS], that the vote be taken now, will not be objected to.

Mr. HOPKINS of Illinois. The suggestion I made did not relate to the merits of the bill at all. It was based on the statement of fact made by the gentleman, and it seems on further investigation that there is nothing objectionable about this.

Mr. RAWLINS. I ask unanimous consent that the morning hour be extended, in order that the House may take a vote on this joint resolution.

Mr. BURROWS. I have no objection to a vote being taken.

The SPEAKER. The gentleman from Utah [Mr. RAWLINS] asks unanimous consent to extend the morning hour until the House may vote upon the pending matter. Is there objection?

There was no objection.

The amendment recommended by the committee was agreed to.

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

On motion of Mr. OATES a motion to reconsider the last vote was laid on the table.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FLYNN. Mr. Speaker, I rise to a question of personal privilege. I send to the Clerk's desk and ask to have read an article which appears in this morning's Washington Post.

The SPEAKER. The gentleman from Oklahoma [Mr. FLYNN] states that he rises to a question of personal privilege, and he sends up an article, which the Clerk will report.

The Clerk read as follows:

A new Army sensation developed yesterday by the promulgation of an order by Secretary Lamont for the trial of Capt. Daniel F. Stiles, United States Army, retired. The order is the outcome of a little war being made upon this officer by residents of Oklahoma City through Delegate FLYNN and, incidentally, is connected with the opening up of lands to settlement in Oklahoma Territory.

Mr. FLYNN. Mr. Speaker, I desire to state that Capt. Stiles is a warm personal friend of mine. I never knew that the investigation referred to in that article was thought of, much less ordered. I had nothing whatever to do with the matter, and I simply wish to make that statement.

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 South Carolina [Mr. MURRAY] is entitled to the floor. The gentleman has fifteen minutes remaining.

Mr. MURRAY. Mr. Speaker, while I do not think it becoming in any public man to take notice of all the pusillanimous charges against his ability, integrity, or honesty on the part of irresponsible persons, I do not think that I would either be doing justice to myself or constituents to allow the charge, made by one of my colleagues from my own State during my remarks on yesterday, that I was delivering the productions of another party, remain unanswered.

In reply, I will state that I neither think that another can express my sentiments as well as myself, nor find space to quote very largely from the productions of others.

I do not think that the alleged imputation comes from my friend with good grace, who has so recently suffered from similar misrepresentations, being charged by the local press with quoting in a recent speech in this House from the late Henry W. Grady without giving due credit.

The descriptions given of the wild scrambles and sacrifices made for homes when a Government reservation is opened up to settlement are the only parallels of the scenes around the offices of the supervisors of registration in South Carolina in the year 1882, and I call on angels and men to witness the great outrage upon the boasted citizenship of America when the guardians of liberty, joining in with the enemies of their wards, would strike down the walls of protection instead of strengthening their weak places.

What honest man would knowingly vote to dispense with officers proven so useful and necessary in aiding citizens to become qualified as these Federal supervisors?

Though section 6 of the election laws of South Carolina requires the supervisors of registration to open their offices for the purpose of issuing, renewing, and making transfers of certificates of registration on the first Monday in each month after each election, to and including the first Monday in July preceding the next election, in mine and neighboring counties, and I believe, upon information received, throughout the State, they have failed to follow these directions until since the control of the present Administration.

The practice heretofore has been to open the offices of registration only in election years, beginning with the first Monday in January and ending with the first Monday in July, thereby cheating the electors out of thirteen of the twenty days allowed by law between the periods of election.

As precinct and county chairman of my party during nearly the entire period covered by the present registration and election laws in my State, which required my presence and active participation in all the registrations and elections during the period, which afforded me exceptional opportunities to become acquainted with all the practices, methods, and manners current in them, in the presence of God and this Congress, I declare to you and the people of America, that no gambler nor conjurer has ever planned more or meaner tricks and schemes to beat his competitor or victimize his companion than have been used by the sworn officers of the law to deceive American citizens (if there be any) in the qualification of the right of franchise, or to destroy the effectiveness of their votes on election day.

With nearly four-fifths of the electors disfranchised through such methods as I have outlined in the conduct of registration, and with the wrongdoers derisively jeering and laughing in the faces of the openly and intentionally disfranchised citizens, in plain violation of all constitutional and statutory laws, both local and Federal, the Southern press is wont to answer the question as to why the Southern vote is always so small by a repetition of the old worn-out answer that the negroes are so well pleased with the government that they do not try to vote.

There is a wonderful change for the better in many respects under the present administration in South Carolina; but, actuated as it has shown itself to be by lofty patriotism and a desire to right many of the prevailing wrongs, you shall have destroyed half of its safeguards should you annul the Federal election laws, for with one or two rare exceptions custom has made it an unwritten law during the past twelve years for the governor to appoint only his partisans as commissioners of election, who in turn appoint the same class managers of elections which denies the opposition, of whatever kind or class, the right of any witness within the election booths.

Section 2007, United States Revised Statutes, says that—

> Any citizen offering to fulfill all the conditions required as a prerequisite to qualify or entitle him to vote, such offer to perform the act required to be done, if it fail to be carried out by the omission or wrongful act of the officer charged with the duty of permitting such performance in law of such act, and the person offering and failing to register and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act.

Under the provisions of that section this great Government has, as it should, thrown its strong arms around every individual citizen within its jurisdiction which should cover the entire surface of the Union, and has plainly marked out the way by which he, when wronged or robbed of his suffrage by individuals or local administrations, and without redress under them, can come within the pale of its power, before which, when honestly and fearlessly enforced, his enemies quail, whether traitors, robbers, perjurers, ballot-box stuffers, or foreign powers.

In the conduct of elections the managers have been known to put a number of ballots for the candidates of their partisans into the ballot boxes before the opening of the polls, to make out fraudulent poll lists accounting for the same, to deny persons legally qualified the right to vote, to tamper with the labels on the ballot boxes, to obstruct or allow the obstruction of the way into the election booths, to vote nonqualified partisans, to put false votes into the ballot box intermittently during the entire period of voting, and at the close of the polls on the second count when on the first votes have been found in the box in excess of the names on the poll lists, by putting the votes of their partisans to the bottom and those of their opponents on top, to draw out the legal ballots of their opponents and count the fraudulent ballots of their partisans in their stead, thereby giving their partisans a majority instead of a minority.

I submit that the Federal supervisors act as a check on all such malpractices, but, mark you, only as a check.

Armed with their commissions, instructions, and blank poll lists they enter the election booths.

Before the voting begins they have the ballot boxes opened for inspection, to see that they are clear of everything.

Mark, "the outs" can only do this under Federal, not State, control, notwithstanding the practice of placing bundles of partisan ballots in the boxes previous to voting has been so largely advertised. They secure positions as near to the ballot boxes as possible, and arrange for keeping their poll lists, which fact impairs their scrutiny very much, but which they are forced to do themselves, as they are not allowed to carry assistance into the booths. It may be observed that the managers generally arrange to throw the supervisors of opposing political views as far from the ballot boxes as possible.

The supervisors of opposing political views to the managers, without leaving the polls, unless permitted to substitute a man of their own selection, remain in their places and watch the conduct of the elections during their entire periods.

At their posts of duty, they protest here, correct there, challenge in another place, threaten to report when forced to do so, until the polls are closed, votes counted, and returns made.

Sometimes they report managers for opening the polls too early or too late or closing them during the election, each one of which practices has been regarded by the county and State boards of review as sufficient cause to throw the returns, where they occur, out of the count.

Time fails me to enumerate the many ways in which their presence prevents the violation or evasion of the law, but suffice it to say, humble though they be, armed with the authority of this great Government, for which even erring managers of elections have not quite lost all respect and fear, they exercise a wonderful influence in the interest of fair play and honest elections.

These supervisors, representing both parties, generally perform their duties pleasantly together, at times even aid each other in keeping their poll lists, and at the close of the elections sign each others' returns, when in their judgment the election has been free and fair, and their returns similar.

What honest man can object to the appointment of officers aiding so materially in efforts to have free and fair elections?

Mr. Speaker, this is the most insidious and diabolical bill that has been reported by a committee of this House in thirty years.

It strikes at the very root of popular government, inasmuch as it seeks to destroy the very arms by which the nation can protect its rights and citizenship. [Applause on the Republican side.]

It truly appears that every man who votes for this bill has entered into a conspiracy with ballot-box stuffers, perjurers, and murderers, whom he has promised to shield by destroying the light by which their deeds are exposed.

I appeal to all honest and brave men from the South, to look beyond the dim political present into the buoyant hopeful future, when advancing civilization and Christianity annihilating ignorance and wrong, will cause all men to appear in their true light, and to ponder long and earnestly before voting for this bill, which must have been conceived in sin and born in iniquity.

I appeal especially to my colleagues, all of whom are respectful, generous, and magnanimous men, to give no aid and comfort to this measure. I appeal to Northern Democrats, who are free from some strong influences which force some honest and true men from other sections to support this measure, and who partially acquired their seats by the votes of black men, not to give aid and comfort to this unholy, but yet legitimate offspring of State sovereignty.

I appeal to the Populists from the great West, who claim their mission to be the freedom of the human family, not only from financial but industrial and political slavery, to give no aid in untieing the hands of the ballot-box stuffer and election conjurer, for he will nip in the bud the beautiful plants now budding and blooming in their hopeful fields of the South, where in time they will secure their greatest strength. [Applause on the Republican side.]

I appeal to Republicans from everywhere, standing true to the principles of Sumner, Seward, Lincoln, and Grant, the great saints of the grand old party, to resist this nefarious measure with all their power and resources; and though for the time being the banner of their party—always a bow of promise, leading the advancing columns of civilization and progress from the dark, gloomy, despondent period of the greatest rebellion of authentic history for thirty years to a position that challenges the admiration of the world—may trail in the dust, as sure as God and truth live, the nation witnessing its own stultification, embarrassment, and confusion, brought on by the lowering of that banner, will triumphantly raise it again, and march to its destined haven of freedom, citizenship, prosperity, and victory. [Applause.]

To further illustrate the harm that is being wrought on a majority of the electors in some sections of the country, and incidentally on those of the whole country, as regards the suffrage, let us compare the votes cast in the last Congressional election in three Southern States with those in three Northern or Western States having approximately the same representation on this floor.

I have selected for this illustration the States of South Carolina, Louisiana, and Mississippi in the South, and Minnesota, Kansas, and California in the West.

The three former States, with a nominal voting population of 711,867, in the last Congressional election cast only 213,603 votes; while the latter three, with a nominal voting population of 787,510, cast at the same time 767,265 votes.

In comparing the votes in certain districts of South Carolina or Mississippi with those in certain districts of Kansas or Minnesota, the results are still more startling.

The Seventh district of South Carolina, which I have the honor to represent, has a nominal voting population of 43,300, and cast and had counted in the last election only 9,995 votes; while the First district of Minnesota, with a nominal voting population of only 37,100, cast and had counted 35,774 votes.

Again, the Third district of Mississippi, with a nominal voting population of 36,800, cast and had counted only 2,654 votes, while the Sixth district of Kansas, with a nominal voting population of 35,800, cast and had counted 38,916 votes. When it is asked what caused this state of affairs, in which such a disparity between the votes of different sections could exist, the answer of modest apologists is that the people of the South are so satisfied with the Government that they do not care to vote, while that of the bold annihilator of the elective franchise is that it means white supremacy or a rule of intelligence.

I desire it distinctly understood that I am not here to apologize for the rule of ignorance, but I do claim that when the condition of suffrage is fixed by national and local law, that every citizen, irrespective of race or color, should be held strictly to the gauge of franchise.

Neither of the two reasons stated above is tenable, for it is seen that the total vote cast in the three Southern States in the above comparison is far below the total nominal white voting population.

Again, if the suffrage is based upon intelligence, there is still too great a disparity between the votes cast in the two sections; for deducting the number of votes representing the percentage of illiteracy from the nominal voting population in the three Western States, leaves us a nominal voting population of 740,250, and there were actually cast in the last election 767,265 votes; while, after deducting the number of votes represented by illiteracy in the three Southern States from the nominal voting population, we have still a voting population of 348,782, casting only 213,605 votes in the late election.

In the nominal voting population based upon intelligence, we still have a discrepancy of 145,000 votes in the three Southern States, and an excess of 25,000 votes in the three Western States.

The suffrage is not only denied colored men, but in some sections white men, differing from the Administration party, knowing that their votes will not be counted as cast, remain away from the polls.

I submit that as long as such conditions obtain those laws should remain, so that white as well as black men losing confidence in the fairness and integrity of local governments can invoke the majesty of their chief Government.

In our form of government there can of right be nothing but a manhood suffrage; for, as the voters are the rulers and by their votes they protect their lives and property, persons denied the suffrage are in some respects worse off than slaves, because they are permitted to live and hold property simply by sufferance, while even a slave's master's ballot protects him.

I would commend to the careful consideration of the gentleman from Illinois [Mr. BLACK] the foregoing comparisons of the votes in the different States and districts compared, as he, during his remarks upon this bill, boastfully flaunted the great Democratic majority in the late elections in the face of the minority.

I earnestly beseech him to put his hand on his troubled heart and go to his God in prayer and ask Him what would that majority be if the voters of the South had been allowed the same freedom to vote, and honesty in the count, as those of the North and West. [Applause on the Republican side.]

He said that his party got over "6,611,000 votes in the recent election, a majority of a million and a quarter in favor of the repeal of this bill." Again, he asserted that the Populists united with the Democratic party on this issue, which I respectfully deny, so far as the South is concerned.

While the Populists of the West, without knowledge of the true condition of affairs in the entire country, might have joined in this demand for the repeal of these most important of all laws on the Federal statute books, those of the South did not; for, in the State of Alabama and elsewhere, they asked for the enforcement of these very laws, to enable them to have some friend, at least, at the Federal polls to see what would become of their votes.

Now, it is preposterous to say that these people voted for the destruction of laws which they regarded as their only safeguard at the time of voting.

Before boasting again, I would suggest that he examine the returns of fourteen States counted for his party, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Texas, and Arkansas, which with a nominal voting population of 3,874,017 counted only 2,679,800 votes in the recent election. [Applause on the Republican side.]

Can the gentleman say for whom the 1,200,000 suppressed votes would have been cast?

Now, if the gentleman will add to these 1,200,000 suppressed votes those of the People's party of the South, he will discover that his million and a quarter majority will vanish away into a minority of several thousand less than the majority of the defeated party.

I certainly admire the Democratic party in one respect. It has made the road to the ballot box for all its adherents throughout the length and breadth of this country as free from obstruction as the path to Hades, but the way there for the adherent of any other party in sections of this country is as rugged and dangerous as the road to Heaven. The gentleman from Illinois further said "that these laws were intended to benefit only the most ignorant class of all American citizens." The assertion is erroneous.

A man brought up under the inspiration of American institutions, even devoid of theoretical education, is better prepared and entitled to vote than the alien, ignorant alike of our language and our institutions, fresh from some foreign land, who is hurriedly made a citizen and permitted to vote without question. [Applause on the Republican side.]

There is another important feature involved in the question of suffrage which should find more play in the patriotism and devotion of the American people than any other. The right of those who are taxed to be represented.

According to the late census returns the black men of the State of South Carolina pay taxes on more than $12,000,000 of property, which is about one-thirteenth of the taxable property of the State, and those of the entire country own $265,000,000.

Now, this country, when a mere suckling babe, had a seven years' war with the mother country for taxing the colonies without allowing them representation, at the end of which victory perched upon its banner.

American orators in words that burned said "that taxation without representation is tyranny."

How unjust it is to deny others the right claimed for yourselves.

But, Mr. Speaker, regardless of the fact that we of right have been citizens of the country from its birth; that our forefathers joined with yours in making it what it is; that we have aided in winning every battle celebrated in its song and history; that we are taxed to support this Government, and that in hours of danger we are required to stand between it and the guns of its enemies in obedience to the wish of the friends of this iniquitous measure, ascending the mound beneath which are buried not only the fetters and liberty of more than six million black people, but the heroes and martyrs who died to strike off their shackles, I request you to let those laws remain for the sake of white men in opposition to the local administration parties in the South.

With the picture and history of many brave and true men who have died in defense of right fresh on my memory, I could paint a picture from which all patriots and Christians would turn in sorrow and shame; but, letting the curtain of silence fall over the scene, and the tears of their orphans and widows keep the grass moistened and green on their graves, and turning to

the hopeful future, I beg all true men to forget party and partisanship and right the great wrongs perpetrated upon humble and unoffending American citizens. [Applause on the Republican side.]

With all the local governments in the hands of white men—and black men have scarcely any participation in them in any way—there are those who have the brazen effrontery to request the repeal of these laws in the interest of white supremacy.

What a monstrous proposition! Oh, boasted religion of God, guardian angel of liberty and humanity, that teaches men to do as they would be done by, whither hast thou departed? We need thy presence and wonderful influence.

I declare that no class of people has ever been more misrepresented, slandered, and traduced than the black people of the South.

Judged in the light of the religion of God, which teaches obedience to law, forgiveness of wrongs, and charity to all, you would search in vain to find a class of people more submissive to law, more forgetful of wrong, and more charitable to all men than they.

But whenever robbery, perjury, and murder are sought to be justified the old familiar hymn, sweet to the ears of misanthropists of negro domination, is chanted, and large sections of the press of the country join in the song, and we stand helpless and amazed.

I declare that the patient, long-suffering, generous black man has never attempted to domineer anywhere in this country.

At the very dawn of freedom, when the refusal to act on the part of the master class placed the reigns of Government in his hands with only a handful of white men in his party, he gave nearly every position of honor and emolument to them, and there are numerous instances where, when there was not enough white men belonging to his party to fill the offices, he even elected Democrats rather than to appear to dominate the white race.

Even now, ruthlessly stripped as he is of almost all participation in the government of his State and country, with only the shadow of the party of his choice left in his section, and with still a handfull of white men among hundreds of thousands of black men, many of whom are fitted to fill almost any position in the gift of the nation, he almost uniformly gives the places of honor to that handfull of white men. Yet gentlemen, with these facts staring them in the face, talk to this House of negro domination.

I assert without fear of successful contradiction that the black man is generally the most law-abiding citizen in America. He is required and does obey the laws in the strictest sense, while white men in many parts of this country, regardless of the Constitution and laws, are obeying the only king that has ruled among savages in the history of the world, public opinion. Whenever public opinion is stronger than written law then you have a sign of the weakening of civilization. What more can savages do than make and execute their laws at the same time for every emergency?

I would remind my colleagues of the South of the fact that when their State governments were in the hands of black men, in peace and war their friends, and they were backed by the strong arm of the National Government, not yet forgetful of the services they rendered in saving its life, that they met them everywhere; and in the sweet tongue of a flirting maiden persuaded them to vote for them and to place the governments in their hands, and promised them that their rights should be ever sacredly guarded in their care and keeping. You said that they were your brothers, and that you wanted them to join with you not only in building up the waste places of the South, but in making the governments what they should be.

Many believed and aided you in obtaining control, and how have your promises been kept?

Let the hundreds and thousands of their number disfranchised, and the almost daily occurrence of the savage and diabolical murders in the very hands of the law testify.

Having by foul means driven them from almost all participation in the government of their State and country, and having fooled and flattered them in the States where they could vote, and have their votes counted as cast, to aid you in obtaining control of the Federal Government, some of you are heartless enough to propose and press the passage of this bill, which does not only complete the destruction of their political liberty, but is a real step in the direction of the abrogation of the thirteenth, fourteenth, and fifteenth amendments.

I request my people everywhere to take the roll when it shall have been called on the passage of this bill, mark the name of every man casting an affirmative vote, and regard him as their perpetual enemy.

I further request that precious care be taken of that roll, and after nominating conventions in their localities everywhere to compare it with the ticket nominated, and if it contain the name of any man who shall vote for this bill, use all means to defeat it.

But even if you repeal these laws, I do not despair. The tardy vengeance of God will sooner or later overtake you. The same omnipotent power that heard the prayers and groans of black fathers and mothers away down in the valleys of the cotton and rice fields and brought awful retribution upon you for the wrongs committed upon a helpless people, by arraying one section of this country against the other in a disastrous war, is not asleep, and those suffering people are still praying.

While I can not persuade myself that there can be found here and in the Senate enough cruel and wicked men to make this law effective, still if I am disappointed in that, I still indulge the hope that this bill will will never become law.

I hope that that broad-souled and philanthropic man occupying the Executive chair is too brave and humane to join in this cowardly onslaught to strike down the walls impaling the last vestige of liberty to a helpless class of people.

I know that the Sumners, Logans, Lincolns, Jeffersons, Grants, and Conklings are dead and sleeping beside the liberty of a class of their countrymen in whose behalf they have spoken and labored, but I do not despair.

I have no apology to make for the truth, upon whose adamantine walls I am always willing to live or die.

Truth crushed to earth will rise again,
The eternal years of God are hers.

[Prolonged applause on the Republican side.]

(During the delivery of the foregoing remarks the time of Mr. MURRAY having expired, it was by unanimous consent, on motion of Mr. JOHNSON of Indiana, extended.)

Mr. RUSSELL of Georgia. Mr. Speaker, I have listened with great interest to this debate. I have heard with pleasure the conservative as well as the oily eloquence of the gentleman from Pennsylvania [Mr. BROSIUS]. I have enjoyed, also, the pepper and ginger assault upon the Democratic party by the distinguished gentleman from Indiana [Mr. JOHNSON]. And last, Mr. Speaker, but not least, I have noticed the member from South Carolina [Mr. MURRAY] loaded to the muzzle with the cast-off implements of war and the exploded ammunition of the Republican party, to fire upon the Democratic side of the House upon this question.

Even if I had the ability to do so, I would not undertake to argue the constitutionality of this question. We are told that it has been decided by the Supreme Court of the United States that these Federal election laws are constitutional. It makes no difference whether they are constitutional or not. The question is, are they right, and ought they longer to disgrace the statute books of this nation.

Because a thing is constitutional is no reason why the American people in their might shall not rise and expunge it from the statute books. It has been asserted that the American people did not speak upon this question last November. I say emphatically that the American people did speak, and spoke in thunder tones, against the further keeping on the statute books of this iniquity.

Why do I say that? Because for the last thirty years the Democratic party has inscribed upon its banners and has in every possible way asserted the fact that whenever they came into power this legislation should go. The people of the United States knew exactly what the Democratic party would do when it came into power. The platform which was announced at Chicago was to be carried out, as the people understood, to its very letter. They knew that in trusting the Democratic party with power the Democrats would carry out all those reforms and expunge these laws from the statute books of the United States.

I heard a gentleman upon the Republican side say yesterday that these election laws were a "back number"; that this measure had simply been brought up for the purpose of controlling the election in Virginia. Nothing of the kind. This question was brought before the American Congress, which is Democratic, for the purpose of having these laws repealed, and repealed as soon as possible. If they are a "back number," why should not the Republicans stand with the Democrats and aid them in striking it from our code of laws? Why should they not do it? But they—these election laws—are not a "back number." It is a living issue. It is as living to-day as it was in the days when these laws were passed. It is as living to-day as it was when it struck down liberty in eleven Southern States.

It is just as living an issue to-day as it was, Mr. Speaker, when men of intelligence were denied the ballot and when ignorance, imbecility, and servility took the place of virtue and intelligence. What were the circumstances under which these laws were enacted? Go back, if you please, to the time when the Southern States were under the heel of oppression; when the Republican party dominated every State and every county in that fair land. Go back and appreciate, if you can, the passion

and prejudice that ruled over the South when these laws were enacted, and see whether in the calm, reasonable moments of thirty years afterwards you are not willing to expunge all of these odious and nefarious transactions from the statute books. I will give you an idea of the bitterness of feeling that ruled the lawmakers of the country in those dark and sorrowful days, the record of which I take from the volume I hold in my hand entitled Why the Solid South:

The joint resolution of Congress in 1866, refusing admittance to Southern Representatives and Senators, was not passed without strenuous opposition. It was an open declaration of war upon the Presidential plan. Mr. Raymond, of New York, a distinguished Republican, made a great speech in defense of the President's policy. Mr. Shellabarger, of Ohio, to break the force of Mr. Raymond's argument, talked thus:

"They framed iniquity and universal murder into law—

That is, the Southern people—

"Their pirates burned your unarmed commerce upon every sea. They carved the bones of your dead heroes into ornaments, and drank from goblets made out of their skulls. They poisoned your fountains, put mines under your soldiers' prisons; organized bands whose leaders were concealed in your homes; and commissions ordered the torch and yellow fever to be carried to your cities, and to your women and children. They planned one universal bonfire of the North from Lake Ontario to the Missouri," etc.

That is the kind of sentiment that prevailed in this country when these laws were passed. Is there a man on the Republican side of this House, or is there a sensible man in the United States to-day who believes that there was the slightest scintilla of truth in this charge made by Mr. Shellabarger against the Southern people?

Mr. WILSON of Ohio. Mr. Speaker——

The SPEAKER *pro tempore* (Mr. KILGORE). Does the gentleman from Georgia yield to the gentleman from Ohio?

Mr. RUSSELL of Georgia. Certainly.

Mr. WILSON of Ohio. Mr. Speaker, I have the honor to represent the district which Mr. Shellabarger represented at that time; and I undertake to say that the record and the fact, proven by a commission appointed to ascertain the facts, fully corroborate every statement that Mr. Shellabarger made at that time.

Mr. RUSSELL of Georgia. I emphatically deny the statement of the gentleman from Ohio, or Mr. Shellabarger, or anybody else. There is no truth in it whatever.

We have seen under the operation of these laws the people of the great State of Georgia and all of her southern sisters prostrated; we have seen nearly every county in the South dominated by Republicanism, or by, if you please, negro, carpetbag, and scalawag rule, piling up a load of public debt, State, county, and municipal, a part of the burden of which remains after the lapse of a quarter of a century. And yet gentlemen seem to think that these election laws are the fair and proper thing; something that ought to be continued indefinitely, in order that soldiers, supervisors, marshals—concomitants of despotism—should go to and take charge of the polls and put ignorance and squalor above the intelligence, the wealth, and prosperity of the States.

Well, then, in 1866 the Congress sent a committee of fifteen down to the South to take testimony upon this reconstruction business.

The field from which testimony was to be drawn was the unrepresented South. On the subcommittee which took testimony as to Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Arkansas there was not a Democrat to call or question a witness. The only hope of fair play lay in the magnanimity or sense of justice of men who had already voted to refuse admission to the Southern members and who were placed upon the committee with the expectation, as Mr. Blaine has indicated in his book, that they would take care of the Republican party.

And they did take care of the Republican party. History has never recorded so long a lease of power given to a party in a free and enlightened country whose sole claim to public confidence was sectional hatred and prejudice.

But after the reconstruction laws and election laws had been working for so many years, in 1872, I believe, of the twenty-four Senators from the Southern States only two were Democratic, and of all the members of the House of Representatives from the same section only thirteen were Democrats. The laws were working well for the Republicans. They were weeding out everything except that which corresponded to the one single idea of Republican control in the South through the negro. And well did the negro control in the South with the aid of the carpetbagger and the scalawag. The State of Alabama furnishes a striking proof of how a sovereign commonwealth could be stricken down and her carcass fed to political kites and vultures. The State of South Carolina, from which the gentleman hails who has just taken his seat [Mr. MURRAY], is another instance of this outrageous oppression.

In the State of South Carolina during that beautiful (?) régime there were over two hundred trial justices who had jurisdiction in civil matters extended to actions on contract, for penalties and forfeitures, for injuries to person and property, etc., and there was not one of them who could write his name. They all had to sign with a cross. That is the statement of Mr. Chamberlain, the last Republican governor of the State. And as to the funds for election purposes, in one campaign the governor spent $75,000 for hired spies, constables, and menials for the purpose of controlling the elections. South Carolina surely drank the bitterest cup perhaps of all the States, and it is a wonder to me how she ever contained herself as she did. The fact that she is still a State in the Union, the fact that her citizens submitted and controlled themselves in this despotic period is an evidence that long ago the Southern people had come back to the Union, and came back loyal, law-abiding, upright, patriotic, honorable citizens of our common country.

A great deal has been said about the South in this debate. All of these villainous laws were primarily leveled at her devoted head, although it seems that in later years the "poisoned chalice" has been put to the lips of those who live in a more Northern clime. But, Mr. Speaker, the South has nothing to apologize for—she fought and lost; she did what she conceived to be her duty. The South has never done anything in her connection with this Government but what she believed to be within her constitutional right. The South has nothing to be ashamed of. It is true that for the last thirty years in the city of Washington there are no memorials of Southern manhood, of Southern statesmanship, but we content ourselves with the fact that before 1861 the South shone resplendently in the firmament of this great country.

There is not a Southern man in this House, or in this country, who when he visits the national capital is not proud to see a Southern man's statue facing the east front of this building, the statue of the Father of his Country, the greatest man who ever adorned and illustrated the human race. It is further a matter of pride to him, Mr. Speaker, that when he turns to the west front of this Capitol he sees there the statue of another Southern man, the greatest jurist that ever illumined with his genius the Supreme Bench of the United States—John Marshall. It is true, I repeat, that for the past thirty years the South seems, so far as memorials are concerned, to have dropped out of the history of this country.

But, Mr. Speaker, every Southern man, while he loves Washington, while he loves the country for which he fought, while he loves the Constitution which was established upon the foundations which he built, cherishes in his heart of hearts monuments to the memory of our great section that no marble can illustrate and no bronze perpetuate. But, Mr. Speaker, it does seem to me that men of world-wide reputation and fame, men who are benefactors of the human race, might well have a niche in the memorial annals of this capital. Yet strangers look in vain among our magnificent monuments of brass and marble for the discoverer of anæsthesia and the geographer of the seas.

Mr. Speaker, we are in a state of profound peace, and have been for a quarter of a century. The people of the United States have trusted the Democratic party to do what no other party would do. By over a half million votes they have swept away the débris of Republican power and have placed in its stead the party which founded and which preserved this Government through so many years. The Democratic party is bound to repeal these election laws. It makes no difference what the sneers of the opposition may be. It makes no difference what they may say about our consuming time in debating this question. If it has taken us thirty years to get to a position where we can do something, is it to be wondered at that we should take ten days to discuss and finally settle this great affair?

These laws must be repealed because of their ignominy, because of their villainous record in the past. They must be repealed lest a contingency might arise at some perhaps distant day when some other party, oblivious of the constitutional rights of the people, might take advantage of these laws to oppress them as the people of the South have been oppressed. Therefore they should be repealed; and then if a party should ever come into power in this country with the same intentions and motives that characterized the Republican party in its bloody days, and characterize it to a considerable extent even now, let that party shoulder the crime of reënacting these miserable laws; do not let them stand on the statute book ready to hand, to be used in the oppression of the citizens of this Republic.

Mr. Speaker, there is one thing I have always noticed about the American people. They repudiate wrong more quickly than any other people on the face of the earth. When they see injustice, as soon as they find out that it is injustice, they repudiate it. And even in the dark days of Southern oppression there were examples that shone out of the murky atmosphere that surrounded us, with unwonted brilliancy. When the Republican party had parceled out the South into several satrapies, and had put over each a military despot, there was, Mr. Speaker, at

least one military satrap who understood the laws of his country, who understood exactly what was meant by the civil and what by the military law. He was placed in power for the purpose of oppressing the people of the military district he commanded; but that spotless man stood a very bulwark of civil liberty, and he illustrated, as no other man did during that unconstitutional régime, the glory of the American name; he was a soldier, too, a superb soldier, without fear and without reproach.

Then, again, Mr. Speaker, there was a New Yorker, a great editor—the man who had done more, perhaps, for the abolition of slavery than any other man who lived on this continent—when he saw the grasp of power running as it did into hands that were ready to besmirch and lower it, Horace Greeley stood out the champion of constitutional liberty and human rights, braving all things therefor. And the Democratic party, the party that has had so many anathemas hurled at it, and been the subject of so many accusations of disloyalty to the Government of the United States, followed Mr. Greeley to defeat in 1872. The party that has been during and since the late war charged with sympathy for "rebels" and "traitors" stood solidly behind that illustrious Union general of whom I have just now spoken when he ran for the Presidency in 1880.

Mr. Speaker, these gentlemen on the Republican side have spoken of the fairness of elections; yet they did not scruple, in 1876, when the people of the United States, by a quarter of a million majority of votes, had elected Mr. Tilden to the Presidency of the United States, and when he had a large majority of the electoral vote, these saintly politicians, these "God and morality" gentlemen, who know no guile in their sinless souls—these blessed humanitarians, these men who claim all the love for the colored man—deliberately, quietly, but energetically conspired to rob the people of the fruits of the greatest election that had occurred since the war; and they did it—a regular steal it was, the most colossal in all history.

[Here the hammer fell.]

Mr. TURNER. I ask unanimous consent that my colleague may proceed until he finishes his remarks.

There was no objection.

Mr. RUSSELL of Georgia. I want only a little more time.

But, Mr. Speaker, it comes with very bad grace, it seems to me, for that side of the House to talk about purity of elections when they deliberately stole the greatest office in the gift of the American people. And when I heard the gentleman from Indiana the other day descanting upon the Democratic party and stigmatizing it as the party with the black flag, my mind reverted to the "steal" of 1876; my mind reverted to that time and to all the various other villainies which had been perpetrated in the name of republican liberty.

Take the South from one end to the other in the heyday of Republican power and prosperity. There was no representation in Congress. We sent our Representatives here and they were shut out until Congress could pass laws under which might be sent to Congress the kind of Representatives who should always vote the Republican ticket in and out of season; and they did it.

Mr. Speaker, when the South, having suffered such untold miseries, finally, like Samson, roused from her lethargy and shook off the canaille that was foisted upon her carcass, then it was that Republican malignity seemed to take fire afresh. Then it was, when our own people came back to the Capitol, came back to our father's house, so to speak, they were taunted with being murderers and assassins. Committee after committee were sent to the South for the purpose of investigating the character of the Southern people; and in every instance they found nothing more startling than they would have found in everyday life elsewhere throughout the Union, so far as casualties, murders, and anything of that kind were concerned.

Why, Mr. Speaker, in those days they used to try to get up riots—the Republican party did. If they could get half a dozen negroes killed, that was sufficient to "fire the Northern heart," that was sufficient to carry this State or that State. That thing went on from year to year, until the people of this country began to understand the "true inwardness" of the alleged "murders" and "assassinations" in the South—that they always occurred just previous to and during a national political campaign, and at no other time. It was but a waving of the "bloody shirt," the ensanguined garment, so to speak. But the "ensanguined garment" has been lowered; it no longer waves its bloody folds over this country.

The people now understand it perfectly and thoroughly; and last November they came up and declared that it must be furled, and furled forever. Since that time our Republican friends have had no stock in trade whatever, and I fear they will have to shut up shop and go out of business. They have conducted this debate with a great deal of fairness, I admit. They have seldom waved the "ensanguined garment," because it is a "back number." The greatest attempt they have made to wave it was through the colored gentleman from South Carolina [Mr. MURRAY]. I think the entire party has had a finger in the pie of which he delivered himself yesterday and to-day.

It seems to be the last expiring gasp of the Republican party; and it is eminently fitting, Mr. Speaker, that the requiem gun of a once great but reckless party should have been fired by a son of Ham. [Laughter and applause on the Democratic side.] It is fitting, Mr. Speaker, that these gentlemen should have brought together yesterday and last night all the odds and ends and munitions of war of the reconstruction period, all their fiery pronunciamentoes, all their proclamations relating to the late unpleasantness, and with them load the poor African to the muzzle in order that the last earthly kick of the Republican party might be accompanied with an explosion.

Mr. Speaker, there is one thing about the Republicans I desire to say over their open grave to their credit before I take my seat, and that is, they have never been lacking in "backbone." They have always appeared to me to be like the Jacobins of France; and the Democratic party has, to a considerable degree, played the part of the Girondists. The Republicans have always had the courage of their convictions; when a Republican has the power behind him he never lacks the courage of his convictions.

If the Republican party had won the election of 1876 do you suppose that they would have submitted to being cheated out of it? Never. But the Democratic party is the party of the Constitution. Having fought this Republican majority so long and knowing how unscrupulous it was, they believed that if they insisted on their rights in that election, there would be war in this land. And the Democratic party, with its love for constitutional law and the safety and the welfare of the people of the country, gracefully yielded, and Mr. Hayes was inducted into the Presidential chair.

At the same time Mr. Tilden reigned supreme in the hearts of the people. And then the Republican party has never been known to turn loose its hold on anything. They are like the terrapin, they never turn loose until it thunders. But they heard the rumbling of the thunder of last November, and they have turned loose now. They are a great party; they have great men in their ranks; but, sir, when they come to appreciate fully the Constitution of their country, when they come to appreciate fully, as they do now appreciate, though they do not admit it, the iniquity of these infamous election laws that we are now trying to expunge from the statute books, I hope when that day comes and the great Republican party is a thing of the past, that these gentlemen will be found aligning themselves with the constitutional party of this country.

Ah, Mr. Speaker, let this law go. It has been here long enough a menace to the liberties of the people. It can not go too soon. It is the one black spot remaining on the statute books of this country. It is a vile blot in American history. It is to the best interest of all parties that it should go. The Republicans say it is a back number and a dead letter. The Democrats say they have been trying to expunge it for thirty years, and everybody wishes to see it go. Let it go, and go quick. [Applause on the Democratic side.]

Mr. HEPBURN. Before the gentleman from Georgia takes his seat I hope he will allow me to ask a question. I supposed it was his purpose to teach the House that in some way or other these sections of the law that it is sought to repeal were oppressive to the people of the South. The gentleman apparently has forgotten that portion of his text. Will you explain now, if you please, how, with a Democratic President, a Democratic Congress and Democratic marshals, with many of the judges who would make the appointments, of that persuasion, the operation of the law could be oppressive to the people of the South or the administration of the law injudicious?

Mr. RUSSELL of Georgia. I will say to the gentleman this, that the law is oppressive.

Mr. HEPBURN. How?

Mr. RUSSELL of Georgia. That perhaps under Democratic rule it would not be; but the very fact that it is inherently wrong, that it is inherently rotten, that it was drawn for special purposes and is not for the benefit of the people of the country, these facts are alone sufficient to warrant the Democratic party in expunging such laws from the statute books.

Mr. HEPBURN. The gentleman has again repeated the assertion that these laws are oppressive, that they are rotten, that they are vile, and that the people of the country should not be subjected to them. Now, will he not go on and explain to the House how they are oppressive. He has said that it was a constitutional usurpation to enact them. Waiving that for the present, will the gentleman please explain how they are oppressive under the circumstances I have suggested?

Mr. RUSSELL. I will say to the gentleman that in the beginning of my remarks I told you how they operated. I say

that they are a stench in the nostrils of every honest man, black and white, in the South. I say now, after nearly thirty years has passed since the war, why should such a law remain on the statute books? What purpose can such laws subserve? If the law was iniquitous then, it is iniquitous now. If the law was unworthy then, and without any reason for its enactment, why should it longer disgrace and encumber the statute books of the country?

Mr. HEPBURN. I understood the gentleman to say that it was the misuse of the law; that it was because it was improperly administered, that it did these things. Now, with a proper administration, according to the gentleman's idea, how can the law be harmful?

Mr. RUSSELL of Georgia. It is not right; it is subversive of liberty. It is not right in any case or in any light in which the gentleman may seek to put it. It is wrong because it interferes with domestic matters. It is a constant menace to the liberties of the citizen.

Mr. HEPBURN. The Supreme Court apparently disagrees with the gentleman. The Supreme Court has held that the law is rightly on the statute-books, so far as the Constitution is concerned.

Mr. RUSSELL of Georgia. The Supreme Court has also disagreed with the gentleman on some points. The Supreme Court says that these laws are constitutional, I understand. But the Supreme Court also said that negro slavery was constitutional, did it not? Did that make it right, do you think? Does it make a thing right because the court finds that it is constitutional? Should it not be expunged if wrong, no matter how constitutional it may be? The gentleman will not deny that the two Houses of Congress, with the President, have the right to repeal a law regardless of its constitutionality.

I herewith add to my remarks a paper written by Hon. John J. Hemphill, of South Carolina, which vividly portrays the rascality practiced in that State when it was throttled by these election laws that we are now seeking to have repealed. Mr. Hemphill's article is taken from the volume entitled "Why the Solid South," and the state of things he describes in South Carolina have been duplicated to a more or less degree in every Southern State.

RECONSTRUCTION IN SOUTH CAROLINA.

CHAPTER IV.

When the acts of March 2 and March 23, for the reconstruction of the late Confederate States were passed, the governor of South Carolina was the Hon. James L. Orr, a man of great ability and sagacity, and of well-known conservative views, who afterwards held high position in the Republican party.

The first step by the new citizens in the process of reconstruction was the election of delegates to a convention called to meet in January, 1868, in Charleston, for the purpose of framing a State constitution. It was composed of thirty-four whites and sixty-three blacks. At the time the body was said to be made up of Northern adventurers, Southern renegades, and ignorant negroes.

Many of the members of the convention afterwards became prominent in the Legislature, in State offices, and in Congress, and the reader, as he follows these pages, which give some account of their actings and doings, can form his own opinion as to whether the above description is true of those of whom it was spoken.

The constitution was adopted in April, 1868, by the votes of the negroes upon whom the right to vote had not then been conferred, either by the Constitution of the State or United States; and whose right to vote at all, upon anything, so far as State authority was concerned, was the very question to be settled by the constitution which they themselves voted to adopt. For while the reconstruction acts of Congress assumed to confer the elective franchise upon the negro, the fifteenth amendment to the Constitution, which, in the words of the proclamation of President Grant, "makes at once four millions of people voters," was ratified on March 30, 1870.

The Republicans named as their candidate for governor Gen. R. K. Scott, of Ohio, who was one of the officers of the Freedmen's Bureau in the State, and the Conservatives, as then called, embracing the reputable taxpayers of the State, nominated the Hon. W. D. Porter, of Charleston. Mr. Porter was a gentleman of liberal views, of the highest integrity and ability, and had long been recognized as one of the foremost citizens of the State. If the newly-fledged citizens had desired that public affairs should be honestly and wisely administered, they could have chosen no better man. Instead of that Gen. Scott was elected by a majority of two to one, and he and his associates took office under the new constitution on July 9, 1868.

The General Assembly then elected consisted of seventy-two whites and eighty-five colored members. In the Senate were seven Democrats, in the House fourteen; the remaining one hundred and thirty-six were Republican. F. J. Moses, jr., a white man, a native of the State, whose character is properly delineated in the words of Governor Chamberlain, quoted hereafter, was chosen speaker of the house of representatives.

With the inauguration of Governor Scott and the meeting of the General Assembly elected with him began the reconstruction legislation of South Carolina.

Mr. James S. Pike, late minister of the United States at The Hague, a Republican and an original abolitionist, who visited the State in 1873, after five years' supremacy by Scott and his successor, Moses, and their allies, has published a pungent and instructive account of public affairs during that trying time, under the title of The Prostrate State. The most significant of the striking features of this book is that he undertakes to write a correct history of the State by dividing the principal frauds, already committed or then in process of completion, into eight distinct classes, which he enumerates as follows:

1. Those which relate to the increase of the State debt.
2. The frauds practiced in the purchase of lands for the freedmen.
3. The railroad frauds.
4. The election frauds.
5. The frauds practiced in the redemption of the notes of the Bank of South Carolina.
6. The census fraud.
7. The fraud in furnishing the legislative chamber.
8. General and legislative corruption.

That is one way, and a very good one, to treat the subject to be discussed. I will not do this, however, but will endeavor to give a brief account of some of the more important events as they occurred under each administration, in a somewhat chronological order.

A law providing for the holding of the next general election was naturally among the first things that received legislative attention.

The act passed contained fifty-seven sections, and was well devised for its purpose. Its four chief features were:

1. Providing for the appointment by the governor of the three commissioners of election for each county, who were authorized to appoint all the managers at the various polling precincts.

2. Failure to provide by law either for the number or location of the voting precincts in the State, and leaving with the commissioners of each county the absolute power to designate the number of precincts in their respective counties, at any place and at any time, even on the day of election, and that without any notice to the voters.

3. Failure to provide that the voters should be sworn by the managers when they presented themselves to vote.

4. The omission of any penalty whatever for the violation of the election law by illegal voting or repeating.

As the commissioners were usually candidates themselves; as they fixed the polling precincts most convenient for their own party and most inconvenient for their opponents; as Governor Scott refused upon application to appoint one commissioner from the opposition, and as the Republican general committee refused to permit a committee composed of members of both political parties to watch the ballot boxes until the vote was counted, the prospects of a fair and honest election were necessarily dim and discouraging.

An act was passed in 1869, defining the civil rights of the new citizens, which contained one or more very noticeable features. After defining what the rights and privileges of the colored man should be on railroads, in theatres and other public places, it changed the long-established rule of evidence that all men shall be considered innocent until proved guilty, and expressly enacted that if the person whose rights under the act were alleged to have been denied happened to be colored, then the burden of proof should be on the defendant; so that any person or corporation named in the act, if simply accused by a person of color, was thereby to be presumed to be guilty and was liable to be subjected to heavy penalties upon this mere accusation, without a particle of proof from the plaintiff or any other witness.

The prosecuting officers of the State were specially directed by the statute to "rigorously" enforce the provisions of this law, under pain of heavy fines and forfeitures.

Immediately upon the inauguration of the new officials and the meeting of the General Assembly was begun that system of extravagance, profligacy, and corruption which ruled almost unhindered through the entire eight years of Republican domination in the State, which made South Carolina notorious throughout this whole country and drove the respectable people of the State almost to despair.

There is great difficulty in portraying in an interesting way the true condition of public affairs at this period of the State's history. The whole government and every part of it was so rotten and the corruption so great and all-pervading that the simple recital of the facts soon dulls the sensibilities and wearies the indignation of the reader and he is tempted to turn away in disgust.

Without attempting to give in detail the many acts of corruption that marked the career of the Republican administration, let me mention some of the more prominent by way of examples of the whole.

When the Republicans first met in Legislative Assembly in 1868 they used the same building which the whites had occupied before them and furnished the halls in an inexpensive manner and one best suited to the impoverished condition of the State.

As soon, however, as they were more firmly fixed in power and became more accustomed to making appropriations from public funds they exhibited most luxurious taste. They undertook to furnish anew the halls of legislation in the state house. For clocks that cost $5 two years previous they substituted in 1871 and 1872 clocks at $800; for forty-cent spittoons, eight-dollar cuspidors; for four-dollar benches, two hundred-dollar crimson sofas; for one-dollar chairs, sixty dollar crimson plush gothic chairs; for ten-dollar desks, one hundred and seventy-five dollar desks; for four-dollar looking-glasses, six hundred dollar mirrors, etc.

The entire bill for furnishing the hall of the house of representatives was over $50,000, and the Legislature thinking that entirely too small appropriated $95,000 to pay for it. Within the past year this hall has been nicely furnished anew at an expense of $3,061.

The total amount paid out for furniture alone in four years was over $200,000, and in 1877 when this question was investigated there remained in the state house only $17,715 worth, as appraised at the prices originally charged for it. At least forty bedrooms were furnished at the expense of the State, and some of these as often as three times.

Another item of expense was designated "supplies, sundries, and incidentals," and this amounted in one session of the Legislature to $350,000. Of this sum $125,000 was spent in maintaining a restaurant in one of the committee rooms of the capitol, including liquors and cigars, to which all officials and their friends helped themselves without cost, except to the taxpayers. This restaurant or barroom was kept open every day for six years, from 8 o'clock in the morning till 3 o'clock the following morning.

While legislation was pending in the United States Congress to take the census of 1870 the General Assembly of South Carolina, by way of showing a want of confidence in the ability or fairness of the same party in Washington, provided for a census of the State under State authority. Of course it was not so elaborate as the United States census, but while the total cost of the extensive work done by the latter, except the mere compilation in the Census Office, was $43,203.13, the taxpayers of South Carolina, for a perfectly useless enumeration, had to pay $75,524.

Many years prior to the late war South Carolina established a State bank, whose bills the State was bound to redeem.

In proceedings in court, begun in Charleston against the bank subsequent to the late war, advertisement was made extensively over the country for about eighteen months for all holders of these bills to present them to the court, and less than $500,000 were presented under this order and advertisement.

The Legislature then came forward and appointed a committee to count these bills with a view of having them funded in State bonds.

To the absolute astonishment of everybody, what the court had found to be $500,000 of bank bills, this committee reported to be $1,258,550, and under an act of the General Assembly of September 15, 1868, bonds of the State were issued to the amount of $1,590,000 to redeem these bills. In the words of Mr. Pike, above quoted: "By this one simple operation the State thus appears to have been defrauded of a round million."

It was generally alleged and credited that most of the State officials, as well as members of the Legislature, were holders of these bills, Governor

Scott himself being interested to the extent of $50,000 or $60,000. Joseph Crews, one member of the legislative committee appointed to count the bills, deposited $30,000 of them in a bank in Columbia soon after the bonds were issued, and when the bills ought to have been and the public supposed they had been destroyed.

Among other measures to which attention was given by the General Assembly during Scott's first administration was one of an apparently humane purpose, and if it had been honestly and prudently carried out might have produced some beneficial results. This was the establishment of the land commission, the alleged object of which was to buy homes for the homeless, and for this purpose the Legislature appropriated in March, 1869, $200,000, and in March, 1870, $500,000.

One not thoroughly acquainted with the character of the public officials of the State at that time might suppose that while they would rob the State and fleece the taxpayers they would spare the poor, ignorant, and homeless negroes for whose benefit this money was appropriated and by whose votes these officials obtained the power to plunder the State and insult and override her decent people.

From official sources it appears that $802,137.44 was spent by the land commission, and that with this sum was purchased 112,404 acres of land. There were a few cases in which the land was good and the prices probably fair, but the character of the majority, both as to quality and price, may be gathered from the report of an investigation made by a committee of the Republican Legislature. One sandbed of 6,918 acres, not worth $1 per acre, was bought for $44,418; one tract of 3,200 acres, worth about $1,500, was bought for $19,500, and another large tract, known as Hell-hole Swamp, was bought for $26,100 and charged to the State at $120,000.

These lands as a whole were so utterly worthless that to have supported one able-bodied freedman upon them would have been regarded as the greatest of agricultural achievements. No motive except that of public plunder can be assigned for purchases of this kind unless the then land commissioner thought to settle the negro question in South Carolina by starving him to death.'

During Governor Scott's first term he did not omit to put in operation every engine which ingenuity could suggest to secure his renomination and reëlection as his own immediate successor.

On March 1, 1870, he approved an act of the General Assembly for the government of general elections. Unlike the act of 1868, it required that the voters should be sworn before voting, and provided a penalty for illegal voting. It is remarkable, however, for three things:

1. It failed to make provision for the registration of voters, as expressly required by the Constitution, and as had been done in the act of 1868.

2. It failed, as in the previous act, to fix either the number or places of the election precincts in any county, and left it entirely in the power of the commissioners of election of each county to designate any number and any places as precincts for holding the election, on any day before the election, or even on the very day itself, and without any notice whatever to the voters.

3. It failed to provide for the public counting of the votes at the close of the polls, and expressly gave the managers power to take the boxes and votes and hold them for three days before returning them to the commissioners to be counted, and to these commissioners of elections it gave the power to hold the boxes and ballots for ten days before declaring the result.

In a report made by Judge Poland, a prominent and able Republican of Vermont, as chairman on the part of the House, of a Congressional committee appointed in March, 1871, to investigate the condition of the late Confederate States, is found this comment on the election laws of South Carolina:

"The election law of the State is one which could not be better calculated to produce frauds by affording the facilities to commit and conceal them, and tempted by these facilities we can not doubt that in many instances they were committed."

On March 16, 1869, the governor approved "An act to organize and govern the militia of the State of South Carolina," which made provision for the organization of the militia into regiments, battalions, etc., as the governor might deem expedient. It then provided that there should be no military organizations or formations for the purpose of arming, drilling, exercising the manual of arms, or military maneuvers not authorized by the act and by the commander-in-chief, and subjected any citizen violating this act to punishment in the penitentiary, at hard labor, for not less than one nor more than three years. Under this act the governor refused to receive any but colored companies. The penalties for exercising the manual of arms were intended to, and did, prohibit any but those whom he authorized from enjoying this privilege.

On February 8, 1869, an act was passed authorizing the governor to employ an armed force, who were to be mounted and fully equipped; and on the 16th of the same month he was empowered "to purchase two thousand stand of arms."

In 1870 Governor Scott was renominated by the regular Republican convention, and R. B. Carpenter, himself a Republican, then regarded as among the ablest and most available of the new statesmen, was nominated by the "Reform party," composed of the whites and dissatisfied Republicans.

Governor Scott, becoming apprehensive as to his reëlection, soon made apparent the motives that had prompted the passage of the four acts of the General Assembly above specified.

Ninety-six thousand colored men were enrolled in military companies throughout the State, the simple enrollment costing the State over $200,000; the governor in this way furnishing employment and compensation to his political "strikers" and "heelers" at public expense. The adjutant-general, F. J. Moses, jr., bought 1,000 Winchester rifles for about $38,000, and 1,000,000 "central fire copper cartridges" at a cost of $37,000. On the order of the governor the adjutant-general went to Washington and procured 10,000 Springfield muskets from the General Government, thus anticipating for years in advance the State's quota of arms.

These he had changed to breech-loaders, which, with alterations in the accouterments and the purchase above referred to, cost $180,750; of which Moses, by his own confession, through fraud, was to get $10,000. It was all charged to the State at $250,000.

There were only two or three white companies in the State, and they were ordered by Governor Scott to surrender their arms and disband; and fourteen full regiments of negroes were organized before the election. These were fully armed and equipped and ammunition issued to them as upon the eve of battle.

When called out on duty they were to be paid under the act, and were, in truth, paid the same compensation as officers and soldiers of the same grade in the regular army; and it was held by the authorities of the State at the time that when they were attending political meetings in advocacy of Scott's election, they were "on service" within the meaning of the statute. Before a committee of the Legislature, ex-Governor Moses testified as follows with reference to organizing the militia: "The militia was organized and armed for political purposes by the advice and consent of Governor Scott, and I was commissioned by Governor Scott to proceed to Washington and procure all the arms and accouterments possible from the United States Government, and at the same time purchase ammunition and make the contract referred to. The object was to arm and organize the militia for the campaign in 1870."

The "armed force," or constabulary, was organized and maintained for the same purpose. I quote from two of the reports made by deputies to the chief constable. On June 25, 1870, J. W. Anderson, deputy constable, says: "We can carry the county (York County) if we get constables enough, by encouraging the militia and frightening the poor white men. I am going into the campaign for Scott."

On July 8, 1870, Joseph Crews, deputy constable for Laurens County, says: "We are going to have a hard campaign up here, and we must have more constables. I will carry the election here with the militia if the constables will work with me, I am giving out ammunition all the time. Tell Scott he is all right here now."

John B. Hubbard, the chief constable, testified before a legislative committee, in 1877: "It was understood that by arming the colored militia and keeping some of the most influential officers under pay, a full vote would be brought out for the Republicans, and the Democracy, or many of the weak-kneed Democrats, intimidated. At the time the militia was organized there was but, comparatively speaking, little lawlessness. The militia, being organized and armed, caused an increase of crime and bloodshed in most of the counties in proportion to their numbers and the number of arms and amount of ammunition furnished them." Again, the chief constable says: "Ostensibly the object of the constabulary force was for the preservation of the peace, but in reality it was organized and used for political purposes and ends. Governor Scott would order me to send men to any county where the Republican party most needed encouragement and reorganization. The deputies were authorized and instructed to attend all political meetings and report the political condition of the county to me, and I would report the same to the governor."

Of the constables thus employed, twenty were elected to the Legislature or to county offices. They were paid by the state their mileage and per diem while they overrode the white people of the State and made sure of the election of Scott and themselves to office.

In 1869, of 506 convicts in the State penitentiary 136 were pardoned, and in 1870, the year of the election, of 575 there were 205 pardoned, so that in one year more than one-third of all the criminals in the penitentiary were turned out by the governor to prey again upon the people.

Governor Scott spent $374,000 of the funds of the State in his canvass, and by means of this and the convincing power of armed militia, State constables, and pardoned convicts, he beat his opponent over 30,000 votes, and was thus enabled to inflict himself for a second term upon the State.

In 1870 the appropriations by the General Assembly had reached a very extravagant sum, and Governor Scott vetoed a bill for legislative expenses, in which he uses the following language: "I regard the money already appropriated during this session, and the sum included in this bill, amounting in the aggregate to $400,000, as simply enormous for one session. It is beyond the comprehension of anyone how the general assembly could legitimately expend one-half that amount of money."

This was most unusual conduct on the part of the governor, and, so far as I can remember or have learned, is the only occasion in which he was ever seized with a spasm of virtue or exhibited any indignation at the conduct of the Legislature. Neither before nor after this was there ever the slightest adumbration of such a spirit.

In 1871 it was discovered that the financial board had illegally issued several millions of State bonds, and it was determined by some members of the Legislature that Parker, the treasurer of the State, and Scott, the governor, both of whom were members of this board, should be impeached for high crimes and misdemeanors. When these proceedings were about to be successfully carried through the house of representatives, Scott became very much alarmed, and in order to save himself from the disgrace of being impeached he sent for two of his political associates and issued to them three warrants upon the armed-force fund, leaving the amount blank, to be filled in by any sum the holders deemed necessary.

These three certificates were afterwards filled up so as to aggregate $48,645, and with this amount of money these two associates of the governor, by bribing members of the Legislature, were enabled to prevent the passage of the resolution of impeachment. During the proceedings it became necessary to obtain some rulings from the speaker of the house, and in order to secure these the member who made the motion on which the rulings were based was paid $500 for his services, and to Speaker Moses they paid $15,000. The warrants drawn and signed by the governor were all made out in the names of fictitious persons, and these names were indorsed upon them and the money drawn from the treasury of the State. It was understood, of course, at the time that the names were fictitious and that the money was to be used for the purpose of buying the votes of members of the Legislature to prevent the impeachment.

The policy of South Carolina for some years before the war had been to give State aid to railroad enterprises, and as a consequence she had become directly and financially interested in several of the principal roads of the State.

To rob the State of the most valuable of this property and convert it by "due process of law" into their own pockets, Governor Scott, John J. Patterson, and others of their associates inaugurated some schemes which did not reach their full fruition until Scott's second term. Let me mention two cases.

In 1868 the Legislature passed an act authorizing the issue of $4,000,000 of bonds of the Blue Ridge Railroad Company, then constructed for a distance of about 30 miles, guaranteeing their payment and reserving a lien on the road and its franchises to save the State from loss. At the same session it passed a similar act authorizing the Greenville and Columbia Railroad to issue $2,000,000 of bonds guaranteed by the State, and reserving a statutory lien on the road to save the State harmless.

The stock of the Blue Ridge Railroad was owned principally by the State and the city of Charleston, and was controlled by the governor of the State and the mayor of that city; and shortly after the guaranty by the State of the $2,000,000 of bonds of the Greenville and Columbia Railroad its stock was bought up by John J. Patterson (subsequently United States Senator), Governor Scott, and other State and legislative officers.

Twenty-one thousand six hundred and ninety-eight shares of this stock were owned by the State which, in 1869, was valued by the comptroller at $433,960. A bill was passed through the Legislature by bribery and the procurement of these officials for the sale of the State stock, which was approved March 1, 1870, and the next day, without advertisement or notice to the public, they became the purchasers for $59,669.50, all of which was paid out of funds of the State by an understanding with and the manipulation of H. H. Kimpton, the financial agent of the State in New York. This stock did not cost the purchasers one cent.

After this ring thus became the owners of the Greenville and Columbia Railroad the Legislature released the two roads, the Blue Ridge and the Greenville and Columbia, from all liability on account of the bonds issued under the former acts, and left the State with a debt of $6,000,000 from this source and nothing whatever to show for it.

As the years went by and the management of public affairs for private gain became the settled and acknowledged policy of the State, there grew up three regular combinations amongst the higher officials of the State, designated as the "bond ring," the "legislative ring," and the "printing ring." The

first of these had its foundation in the following legislation: Not long after Governor Scott entered upon his first term as governor, the Legislature provided for the creation of a financial board, and for the appointment of a financial agent in New York. The agent appointed was one H. H. Kimpton. He had no reputation warranting his selection for such a responsible trust; he gave no security, and there appears to have been no contract made with him as to the amount of his compensation. He was intrusted during about two years' operations with $2,700,000 of State bonds, and the interest and other charges, not including his commissions, amounted in one year to $94,777.42, or $7,914.78 per month, which made the funds advanced to the State cost about 17 per cent per annum over and above his commissions.

All the risk and expense of this agency for the first two years of its existence resulted in the sale of $1,000,000 worth of bonds at the moderate figure of 70 cents on the dollar, and the cost of effecting this net result in that time was certainly as much as $159,974.13, and how greatly in excess of that it is impossible to ascertain. In his report of September 30, 1872, which appears to be the last made by him, we find that he sold in September of that year $4,214,500 of South Carolina bonds for $1,238,344, and that on the balance of $1,627,075.63 in his hands October 1, 1871, his interest and commission charges for one year amounted to $382,936.68.

It is impossible to ascertain or state fully the management or manipulation of the finances of the State through the agency of this man Kimpton. Before a legislative committee he acknowledged "the incorrectness of his accounts, and admitted that he was directed by the financial board not to make real but fictitious entries; so frightfully large were the expenses of the transactions of the agency, in negotiations of loans, etc., the board thought it best to keep the true amounts in disguise."

Mr. Pike, in his Prostrate State, speaking of the State finances in 1873, says: "But, as the treasury of South Carolina has been so thoroughly gutted by the thieves who have hitherto had possession of the State government, there is nothing left to steal. The note of any negro in the State is worth as much on the market as a South Carolina bond. It would puzzle even a Yankee carpetbagger to make anything out of the office of state treasurer under the circumstances."

During the six years, from 1868 to 1874, that Scott was the governor of the State, F. J. Moses, jr., was the speaker of the house of representatives.

His chief mode of illegally procuring public funds was by the issue of pay certificates, which under the law the presiding officers of the two houses of the General Assembly were authorized to issue for the payment of the salaries of the members and senators and attachés of the two houses. Out of this power and the constant exercise of it grew up what was familiarly known as the "legislative ring."

This "ring" was composed of the presiding officers and clerks of the house and senate, together with the state treasurer and some minor officials. These certificates could be issued legally only for the payment of members and attachés of the General Assembly, but soon it became the regular means by which the members of this ring kept even with their associates of the other rings in the general plundering of the State. Eight porters were employed in the state house and certificates issued to 238; 10 messengers employed and certificates issued to 140 at one session, and 212 at another; 8 laborers and 5 to 10 pages were actually in service while certificates were issued to 159 laborers and 124 pages. Of one lot of 150 certificates nominally given to clerks not one was legal. During one session pay certificates were issued amounting to $1,168,255. All of which, except $200,000 was pure and untarnished robbery.

Moses admitted under oath that at the request of John J. Patterson, he had issued at one time to the latter, who was not a member of the General Assembly, $30,000 in certificates upon his paying to him $10,000 in money therefor.

If any one of these three chief "rings" that controlled the public purse and managed the State's affairs in those days was more audacious than its cooperative rings it was the "printing ring."

This, like the others, was composed chiefly of State officers, the governor, attorney general, and others being members.

The total cost of printing in South Carolina for the eight years of Republican domination, 1868 to 1876, was $1,326,589. Total for printing for seventy-eight years previous, 1790 to 1868, was $609,000, showing an excess for cost of printing in eight years over seventy-eight years previous of $717,589.

The average cost of the public printing under the Republican administration per year was $165,823; average cost per annum under former administrations, $7,807; cost for one year under Hampton's administration, $6,178.

Amount appropriated in one year, 1872-'73, by Republicans for printing, $450,000; amount appropriated in twenty-five years ending 1866, $278,251; excess of one year's appropriation over twenty-five years, $171,749.

It would be easy to present these startling amounts in other lights and compare them with appropriations for the same purpose in other States, showing for instance, that the cost for printing in South Carolina in one year exceeded by $122,932.13 the cost of like work in Massachusetts, New York, Pennsylvania, Ohio, and Maryland together, but these unadorned figures speak so powerfully that nothing can be added to their force.

Of course all these immense sums did not reach the pockets of the "ring." A large part of them had to be paid to senators and members to smooth the way for their bills through the Legislature.

For the passage of one printing bill for $250,000 they paid to members and senators and others, various sums aggregating $112,550.

During Scott's second administration he maintained his former record by pardoning 247 convicts.

In the autumn of 1871 Gen. Grant, then President of the United States, issued his proclamation suspending the writ of habeas corpus in nine counties of the State, and sent a large military force into these counties to arrest persons charged with crime.

About six hundred citizens of the State were arrested and held in jail for weeks and months; some of them were tried in the United States courts and convicted, and were sentenced to pay fines ranging from $20 to $1,000, and to suffer imprisonment from one month to five years.

Before the suspension of the writ of habeas corpus there had been outbreaks of violence in several counties, the cause of which was fully explained by Judge Carpenter, a prominent Republican official of the State, in his testimony given before the Congressional committee, in 1871.

He says in substance that the pardoning of criminals, the election law and other things of a like character were the sole causes of men taking the law into their own hands. There was a great deal of excitement, a great sense of insecurity and a great feeling of indignation. The appointees to office were not only incompetent, but corrupt. Men were made school commissioners who could neither read nor write.

Salaries were increased, public offices multiplied, while the only business of the officers seemed to be to prey upon the people.

The most peaceable citizens of the State felt that they were without a government to protect them; that, in fact, the Government was inimical to them; that it protected and rewarded the criminals, while it punished the innocent and law-abiding. Under such circumstances it is not to be wondered at that men would try to do something to protect themselves.

Toward the end of Scott's second term the political parties made their nominations for State and other offices. The Republicans named as their candidate for governor F. J. Moses, jr., who had been for the four previous years speaker of the house of representatives. The Conservatives and bolting Republicans supported for the governorship Reuben Tomlinson, who was thought to be the one Republican most likely to bring about some reform. Both parties criticised severely before the public the practices of Scott's administration, and promised a correction of them. Moses was elected by the usual majority. A Republican writer, in October, 1873, gives this opinion of the past and the existing administration:

"The whole of the late administration, which terminated its existence in November, 1872, was a morass of rottenness, and the present administration was born of the corruption of that; but for the exhaustion of the State, there is no good reason to believe it would steal less than its predecessor."

In 1860 the taxable value of property in the State was $490,000,000, and the taxes a little less than $400,000. In 1871 the taxable value had been reduced to $184,000,000, and the taxes increased to $2,000,000. Thus, while the property of the State, between 1860 and 1871, had been reduced to a little over one-third of its former amount, the taxes, in the same period, had been increased 500 per cent. In 1874, the last year of Moses' administration, the property of the State was assessed for taxation, and the assessment fell from $30,000,000 to $40,000,000 below the aggregate of the previous assessment. In 1874, 2,900 pieces of real estate in Charleston County alone were forfeited for taxes. In nineteen counties, taken together, 93,293 acres of land were sold in the same year for unpaid taxes, and 343,971 acres were forfeited to the State for the same reason.

By the beginning of the term of F. J. Moses, jr., and after four years of Republican rule, the debt of the State had increased from $5,407,306 to $18,515,033, including past due and unpaid interest for three years. During three years no public works of any importance were begun or finished. The entire increase of $13,000,000 of debt represented nothing but unnecessary and profligate expenditures and stealing.

The intelligent property-owners of the State, having practically no influence on legislation, realizing the dreadful condition to which they were being reduced, and knowing that no redress could be had through any branch of the State government, organized in 1871 what was known as the Taxpayers' convention. This body, as a whole, was thoroughly representative of the virtue, intelligence, and property of the State. They discussed fully the condition of public affairs and issued an address to the public, in which they set forth the status of the public debt, the financial condition of the State, etc., and hoped in this way to bring to bear the honest sentiment of the country in favor of a change, and thus stay, in a measure, the hand by which they were being ruined. Their effort produced no appreciable results.

In 1874 another convention was held, in which again the dreadful state of affairs was plainly and fully made known, and an appeal issued to the country.

In addition, a large committee was appointed to proceed to Washington to lay before the President a full statement of the condition of our affairs, and to make known to him the position to which we had been reduced, and to invoke his aid toward providing some relief.

With some difficulty a meager sum was raised from the impoverished people to meet the expenses of this committee, but before they could reach the national capital the State officials drew $2,500 of the money of these same taxpayers from the treasury and sent several of their number to see the President and arrange that no heed should be given to the committee of citizens. So completely successful was their mission that when the committee of taxpayers arrived the mind of the President was completely closed to their appeal, and they were not even heard with patience. Thus again the efforts of the taxpayers proved utterly futile.

Upon the Legislature that was elected in 1872 devolved the duty of choosing a United States Senator. There were three candidates, namely: R. B. Elliot, who based his claims on the fact that he was the leading negro politician of the State; R. K. Scott, who had just retired from the governorship, and claimed this further honor on account of his services to his party, and John J. Patterson, who relied solely on his money.

With such arguments and such a constituency, the result was never in any doubt. Before a committee of the Legislature sixty witnesses from every part of the State testified under oath that Patterson had bribed members of the Legislature to vote for him.

Most of these witnesses were either members who had themselves taken the money, or friends of members who were present when this contract was made or the cash paid, or the agents and workers of Patterson, who had been personally engaged in contracting for and settling for the votes.

Votes in that election ranged from $25 to $2,000. This last sum, of which one-half was paid, having been offered in the senate chamber while the election was in progress between the first and second ballots, to the senator who had nominated Scott and who says "that with some hesitation he voted for Patterson."

Two remarks of Patterson, which are on record and preserved, tell the story of this whole transaction in very succinct form.

Early in the canvass he stated to a member of the house that $75,000, if necessary, would be spent in securing his election., and at the end he declared that "the d——d election had cost him more than it was worth." Charges of bribery were made against Patterson, and he became so much alarmed at the prospects of prosecution that he appealed to Governor Moses, and the latter removed the jury commissioner of the county and had a friend of Patterson's appointed for the purpose of having jury lists made up to secure the new Senator's safety, and it was done accordingly.

Patterson occupied a seat in the United States Senate for six years, but he represented nothing whatever in South Carolina. He represented simply his own pocketbook.

During Moses's administration the pardoning of criminals became a simple matter of bargain and sale. Any convict who had strong friends or a long purse was in no danger of having to serve out a sentence in the penitentiary. So common and notorious did the pardoning of criminals become that judges announced from the bench their unwillingness to put the people to the expense and trouble of convicting criminals for the governor to pardon. During his term of two years he issued 457 pardons. On October 31, 1874, there remained in the penitentiary only 188 convicts, and Moses pardoned 46 during the month of November following, which was the last month of his service as governor.

In May, 1875, Governor Chamberlain declared in an interview with a correspondent of the Cincinnati Commercial, that when, at the end of Moses's administration, he entered on his duties as governor, two hundred trial justices were holding office by executive appointment who could neither read nor write the English language.

The jurisdiction of these officers in civil matters extended to actions on contract, for penalties and forfeitures, for injuries to person and property, and generally to all cases where the sum claimed did not exceed $100.

Their criminal jurisdiction embraced practically all offenses where the penalty of fine or forfeiture did not exceed $100 or imprisonment in the jail not exceeding thirty days.

They had power to examine into treason, felonies, grand larcenies, high crimes, and misdemeanors, and to bind over or commit those appearing to be guilty of these offenses.

Every trial justice was empowered to admit to bail all persons except

those charged with an offense the punishment of which was death, and in the latter case he could discharge the prisoner if it clearly appeared that the charge was not founded in probability.

Any two trial justices could grant the writ of habeas corpus as fully and effectually as the highest judges in the State.

In December, 1873, the General Assembly passed an act to reduce the public debt and provide for its payment.

This act recognized as valid of the principal and interest of the debt $11,480,033.91, and provided for the issue of new bonds of the State for 50 per cent of the value of this, and repudiated outright $5,965,000 of bonds known as conversion bonds.

As the term of Governor Moses was coming to a close the nominations for State officers were made. The regular Republicans nominated D. H. Chamberlain for the governorship, who had been the attorney-general during Scott's administration; and the bolting Republicans placed against him John T. Green, a native, a Republican, and a circuit judge, and again the Democrats or Conservatives joined them and supported their candidate.

The administration of State affairs under Moses had become so intolerably rotten and corrupt that the reputable and honest people of the State were outraged beyond all expression, and even the more cautious participants in the schemes of plunder were frightened into a manifestation of opposition to such a course. The election showed over 12,000 more votes than had been cast at any time since 1868, and the majority of the regular Republican ticket was reduced to about one-third of the usual number.

Governor Chamberlain, quite in contrast with his predecessors, talked reform after his election as well as before it. In his inaugural address he exposed unmercifully the extravagance of expenditures under the former administrations and insisted that there must be a change. He pointed out, among other extravagances, that the expenses of the Legislature for six years for mileage, pay of members and employés, etc., had been $2,147,430.97 and for executive contingent expenses $376,832.74.

Some portions of the negro militia organized and armed by Governor Scott were still in existence, and in January, 1875, a serious affray occurred in Edgefield County between men of different races. The usual course before that in all such cases had been for the governor to work up these troubles into insurrections and have some negroes killed and then appeal to the President for troops to suppress them.

Governor Chamberlain took the wiser course of simply issuing his proclamation directing the militia and other military organizations to disarm and cease all military exercises. This was done, and the trouble was allayed at once. It was the first instance since 1868 in which a reasonable and just policy had been adopted toward the white people of the State in such cases, and their astonishment and delight at receiving some kind consideration at the hands of their own State government was too marked to escape notice. The result fully justified the wisdom of the governor's course. During the first sitting of the Legislature of 1874–'75, the governor had a long and severe contest with the baser elements of his own party. They endeavored to have the State treasurer, who was a strong friend of the governor, removed from office, but this was defeated by a combination between the Democrats and some of the Republican friends of the governor.

He vetoed during this session nineteen bills, chiefly on the grounds of extravagance and profligacy, and in every one he was sustained by the same combination of political elements.

In the face of great and unrelenting opposition in his own party, Governor Chamberlain, by the aid of the Democrats and some of his political allies in the Legislature, had been able to accomplish some marked and wholesome reforms in public expenditures, and for this he had won the warm praise of a number of the leading papers and many of the prominent conservative citizens of the State. His course had done much to allay race antagonism, had created a greater sense of security in the public mind, and given the people some ground for the hope of better days in the future.

These feelings were, however, entirely dissipated by one act of the Legislature of 1875, which set at defiance all the efforts at genuine reform in the State, and left no ground for any reasonable man to base a belief on that public affairs would ever permanently improve under the control of the party then in power.

Eight judges were to be chosen that session. It was well known that the governor had expressed himself as being greatly interested in having selected men of ability and especially of personal integrity.

While he was temporarily absent the conspirators went into an election and chose for two of the most important posts in the State F. J. Moses, jr., and W. J. Whipper. Mr. Allen, the author of "Chamberlain's administration in South Carolina," characterizes this action as "an offense against public honor and safety on the part of the legislative body more flagrant than any other which stained the era of reconstruction in South Carolina, and perhaps the most alarming legislative action in any Southern State."

On his return to Columbia, and learning what had been accomplished by the Republicans of the General Assembly, the governor declared, in a published interview, "This clamity is infinitely greater, in my judgment, than any which has yet fallen on this State, or, I might add, upon any part of the South."

A few days subsequent to this Governor Chamberlain, in declining an invitation to the banquet of a New England society, said: "I cannot attend your supper to-night; but if there ever was an hour when the spirit of the Puritans, the spirit of undying, unconquerable enmity and defiance to wrong ought to animate their sons, it is this hour here in South Carolina. The civilization of the Puritan and the Cavalier, of the Roundhead and the Huguenot is in peril. Courage, determination, union, victory, must be our watchwords. The grim Puritans never quailed under threat or blow. Let their sons now imitate their example!"

The election of these men to two of the most important judicial positions in the State, in spite of all opposition, both inside and outside of the party in power, sent a thrill of horror through the entire Commonwealth and aroused the people to an extent unprecedented for years.

Large meetings were held in nearly every county in the State, in which the firm determination was expressed that these men should never be permitted to enter as judges into the courts of justice. Fortunately the use of any forcible means was obviated by the refusal of the governor to commission either Moses or Whipper upon legal grounds, which were afterwards, in another case, approved by the supreme court of the State.

Whipper threatened to take his office by force, but was deterred from such a course by the prompt action of the governor in issuing a proclamation, in which he declared that he would arrest him and every one aiding and abetting him as rioters and disturbers of the peace.

Governor Chamberlain, in a letter to President Grant, again characterizes these men chosen by his party as judges, as follows: "Unless the entirely universal opinion of all who are familiar with his career is mistaken, he [Moses] is as infamous a character as ever in any age disgraced and prostituted public position. The character of W. J. Whipper, according to my belief and the belief of all good men in the State, so far as I am informed, differs from that of Moses only in the extent to which opportunity has allowed him to exhibit it. The election of these two men to judicial offices sends a thrill of horror through the State. It compels men of all parties who respect decency, virtue, or civilization to utter their loudest protests against the outrage of their election."

The election to such places of these two men, not only wholly incompetent, but well-known to be flagrantly dishonest and corrupt, was the beginning of a change in the State.

At nearly every one of the mass meetings held in the different counties to protest against this action of the General Assembly, resolutions were adopted by the people declaring that all hope of securing even a tolerable government under the dominant party had been dissipated and that the sole prospect of reform in public affairs lay in the reorganization of the Democratic party and its induction into power.

Governor Chamberlain quickly apprehended that this would be the result. In his first utterance for the public, after the Moses-Whipper affair, he said: "I look upon their election as a horrible disaster—a disaster equally great to the State and to the Republican party. The gravest consequences of all kinds will follow. One immediate effect will obviously be the reorganization of the Democratic party within the State as the only means left, in the judgment of its members, for opposing a solid and reliable front to this terrible crevasse of misgovernment and public debauchery. I could have wished, as a Republican, to have kept off such an issue."

He rightly appreciated the situation. The negroes seemed to be elated by this defiance of decency upon the part of their chosen representatives in the Legislature, and the whites were thoroughly aroused to a sense of the danger that confronted them. The negro militia in some portions of the State became greatly interested in parading and drilling, and the whites, seeing this, thought that it was prudent to be ready to take care of themselves and their families.

As a result of this condition of things there were several bloody encounters between the blacks and whites, in which a number of persons were killed and wounded.

These troubles, of course, did not conduce to a kindly feeling between the two races, and the sentiment that the intelligent taxpayers of the State must control public affairs or be ruined and driven from their homes continually grew and increased among the people.

For a time there was great difference of opinion among the leading men of the State as to whether it was wisest to try again the plan of compromising on a ticket with the opposition, or make a straightout Democratic nomination. The latter was finally decided upon. The other course had been tried for eight years and no appreciable benefit had been derived from it. And while the efforts of Governor Chamberlain in behalf of economy and decency had resulted in some temporary good, it had been made manifest that he was unable to control his own party.

In 1868 we had nominated for governor an honorable and able citizen of the State; in 1870 we had joined in nominating an able carpetbagger, whom the Republicans had before that placed on the bench; in 1872 we had, in conjunction with some Republicans, supported another carpetbag Republican official who had some claims to honesty; and in 1874 we had again given our votes and influence to a native Republican of fair ability and character who had been named for governor by the dissatisfied Republicans.

In all of these several instances we had also nominated and supported tickets for the Legislature and county offices made up partly of blacks and partly of whites. We had held conventions of the taxpayers and appealed to the country, and had sent a delegation to the capital of the nation for the purpose of acquainting the President of the United States with the true condition of the State, and had protested in every possible way against such inhuman tyranny.

All these efforts had proven to be worse than worthless, and it had become manifest that the real question that confronted the people of the State was one of race supremacy.

The Republicans renominated Governor Chamberlain and the Democrats put in the field a full ticket of white men, with Gen. Wade Hampton at the head of it. The campaign that followed was the most exciting ever known in the State, and resulted in the election of the Democratic ticket.

With the installation of these officers and the meeting of the General Assembly began the first honest and economical administration that the State had known since the beginning of reconstruction, and from that time to the present the affairs of the State have been managed with a regard for the people's welfare. The public schools and the institutions for higher education have been cared for and supported. The interest on the public debt has been paid, and instead of selling 6 per cent bonds of the State at 25 or 30 cents on the dollar, the 4½ per cent bonds of the State are now bringing more than par. Instead of salaries costing $230,800, as in 1872, they were reduced to $106,200 in 1876. In place of paying $712,200 for legislative expenses, as in 1871, this item was reduced to $42,000 in 1880. The public printing, which cost $450,000 in 1872, was reduced to $6,900 in 1878. The State, counties, towns, and school districts have now no floating debt, and all obligations are paid as they mature. Instead of profligacy we have honesty; instead of extravagance, economy; instead of uneasiness, we have contentment, and instead of rioting, peace.

The resources of the State are being greatly developed; the manufacturing enterprises are multiplying wonderfully, and the people are looking to the future for still greater development of its industries and resources.

All we ask is to be let alone, and that, surely, is not so great a request that it can not or ought not be granted.

JOHN J. HEMPHILL.

Mr. MONEY. Mr. Speaker, the views which I have upon the constitutional features of the measu unreder consideration, and which I had intended to express in my feeble way, I have found it unnecessary to mention, because of the able exposition of the constitutional side of this question by the distinguished member from Virginia [Mr. TUCKER], who opened this debate, in an argument worthy of his illustrious sire, and followed by other gentlemen who have made so full and explicit an exposition of the constitutional questions involved, that I would feel I was discharging a superfluous duty if I even adverted to it.

And, Mr. Speaker, as a son of Mississippi and a Representative of that State, honored with her trust and confidence, to repel the foul accusations made against her good name and fame, I could also be excused from that duty, because it was performed with such characteristic ability and energy by my distinguished colleague [Mr. KYLE].

But, sir, that does not absolve me from my duty as a Representative of that State to stand here in my place, to expose to this House not only the fallacy, but the injustice, of that libel and that defamation upon the character of my State which the

minority of the committee have been pleased to denominate their "Views."

Mr. Speaker, the State of Mississippi has been made a shining mark for the arrows of the opposition. She has been attacked from every quarter, and it is but charity to say to the gentlemen who signed the minority report that they did not know what they were talking about. That is the only thing that will excuse the committee for bringing into this House a report which is nothing but a calumny and a libel upon the Southern States of this Union.

Now, Mr. Speaker, I am going to prove what I assert, when I so characterize, in language which I hope is within parliamentary bounds, this wonderful statement made in the minority report, affecting the reputation and the standing of a State of this Union.

Questions have been asked by gentlemen here of those who maintain the affirmative of this proposition, which questions in their character seem to apprehend an evasive answer. I want to say to you gentlemen of the Republican side that I will deal very frankly with this question and with you. I shall answer any question that is put in respectful language to me, either to correct a statement or to ask for information, just as ingenuously and candidly as the spirit of the questioner. I court investigation and I challenge inquiry. I stand here to-day armed with the power to represent my State and to defend her, let the assailants come from whatever quarter they may. If gentlemen want to break a lance, I am in the lists for Mississippi.

Now, Mr. Speaker, it would have been a happy thing for the gentlemen who signed this minority report and who have injected their remarks into the speeches made by gentlemen upon this and the other side derogatory to the State of Mississippi if they had taken the simple trouble to read the constitution of that State, which they have attacked, and if they had taken pains to examine the registration laws which they denounce. I propose to give to these gentlemen the information which they have not themselves sought in its proper place.

Now, I suppose, Mr. Speaker, it will not be denied that the State of Mississippi is, in this Union, the peer of every other State. There is no inequality in this great sisterhood. Any State has, within the limits of constitutional prohibition, the right to frame her constitution in such manner as in the judgment of her people seems best for her interests. She must consult only the good of her own people, their moral and material interests, always within the bounds, I say, of constitutional prohibitions. Outside of those prohibitions and outside of those enumerated powers the Federal Constitution sleeps, and has no existence. I ask you then, gentlemen, has not Mississippi the right to frame a constitution suited to her own interests? And has any man here dared to take up and analyze that constitution and point to the specification, the clause, and number of any part to which he objects?

Was there anything disorderly in the inception of that constitution? Why, gentlemen, the State of Mississippi was canvassed by its leading men, by those two distinguished Senators who sit in the other end of the Capitol, the equals of any there, from the seaboard to the Tennessee line and from Louisiana to Alabama. The question was as to the holding of a constitutional convention, and its purposes were advertised in speeches that were made in every nook and corner of that State. The people were called upon to elect their representatives to that convention, and the ablest and the best, the wisest and the most conservative, of both parties had seats in that convention. Upon the grand committee that framed this elective-franchise clause was an ex-Republican Senator and ex-Republican governor of the State. Upon that committee was an ex-chief justice, a Republican, a man of the most solid legal talent.

From all parts of the State there was a representation not only of Democrats—Democrats favoring the convention and Democrats disfavoring it—but of the best members of the Republican party. These representatives proceeded, within the limits of the Federal Constitution, to frame a State constitution, which they have submitted to the impartial judgment of a candid world, and that is the instrument that has been attacked here in a way that might be excusable if the words had been spoken in the heat of debate, but for which there is no justification as the deliberate written utterance of a minority of a committee.

Now, here is the report of the minority of the committee, to which I wish to direct your attention:

> Mississippi has, perhaps, the most perfectly operating system for fraud yet devised in the South.

Of course, these gentlemen want it to be understood that it was designed to operate as a fraud. Well, in what particular? Because, they say, the reading of a clause of the constitution is demanded as a qualification for voters, and that works disfranchisement. Gentlemen, when Mississippi went into that convention she swept the whole North for examples for a liberal and enlightened constitution. Her gaze naturally went to the old Bay State, where education and the morals of the people were taken care of by the State government.

I want to say to you that she literally adopted, as far as she could, the constitution of the State of Massachusetts now prevailing within the old Commonwealth, except this: while the Massachusetts constitution says that every voter shall read, it also says he shall write and shall hold a certain amount of property. Mississippi stopped at that point. Mississippi said, copying the constitution of Massachusetts, Connecticut, and Wyoming, that the voter shall be able to read the constitution. Then what—as that would draw a line too close and would exclude from the polls men of acknowledged intelligence and capacity, who were unable to read—what further? Then, not in restriction of the franchise, but in enlargement and extension of the franchise, it said if a man can not read, if he can understand it as read to him he shall be entitled to vote; and gentlemen upon that side, one of them a member of the minority of the committee, said that the voter "must not only read but understand the constitution."

There is no such thing in the constitution or the registration laws of the State of Mississippi. Either the gentleman undertook to deceive this House when he said that or his understanding was so dull that he deceived himself. I will leave him to say which horn of that dilemma he takes; but he stood in his place and said, "Not only must you read the constitution but you must understand it, and that it would take a judge to do that." So the committee in their report of this action of the State of Mississippi say that—

> The law is based upon section 244 of the constitution already quoted. The elector who can not read is put to a higher test than the one who can. It is easy to account for the Republican loss, as hereinbefore mentioned. The registrars are very conscientious (?) men—

There is an interrogation point, and I suppose, gentlemen, that was intended as a piece of sarcasm—

> and they see to it that no man, not a constitutional lawyer if a Republican, shall be admitted to the registration lists.

Was that a matter of fact, known to this minority committee, or did they manufacture that fact out of their own imagination? Gentlemen, from what source did you derive the fact upon which you made that defamatory statement against Mississippi? How did you come to the conclusion, on the facts, upon which you based a declaration so derogatory to the State as that? Is there any man here, not even excepting the minority of that committee, who is so simple minded as to believe that this qualification of a voter to ascertain the intelligence of an elector was intended to mean that he should have an exegetical or professional understanding of the constitution?

Was it not the purpose of the committee to prejudice the minds of gentlemen upon this floor against the State of Mississippi? Now, gentlemen, how do you absolve yourselves from that charge? Did you really believe that the Constitution, in this requirement, demanded that a man who could not read the constitution must be able to explain it in its critical and technical character? The managers, clerks, bailiffs, and other officers of election swear to uphold the constitution, and such an understanding of it as they have is that which the illiterate voter may have.

Mr. HEPBURN. Will the gentleman allow me to ask him a question?

Mr. MONEY. Certainly.

Mr. HEPBURN. Is not power placed in the hands of the register by which he estimates that kind of critical interpretation?

Mr. MONEY. No, sir.

Mr. HEPBURN. Has he not got that power?

Mr. MONEY. No, sir.

Mr. HEPBURN. Is he not to be satisfied with the voter's understanding?

Mr. MONEY. He has to understand it.

Mr. HEPBURN. Then it rests entirely with him.

Mr. MONEY. No, sir; no such thing.

Mr. HEPBURN. Well, who does it rest with, if not with him?

Mr. MONEY. I will tell you how this is done. The registrar can say that he does not believe, if the voter can not read the clause, that he understands it from the interpretation he gives of it. Of course he must just simply understand it, as any man would understand what is read to him in a newspaper or anything else; so much in print. But if the registrar concludes that the man is not qualified under this clause, that does not mean the exclusion of the voter, as he has an appeal to the board of election commissioners.

Mr. HEPBURN. Then it rests with them.

Mr. MONEY. No, sir; it does not rest with them. He then has an appeal to the circuit court of the State, and he has four months to do all that, because, under the law, the registration books must be closed four months before the election.

So you see, gentlemen, that instead of cutting off it liberalizes and extends the franchise, whatever the gentlemen of the minority of the committee would have you to believe upon that subject. And yet they tell you that a constitutional lawyer only can understand and be qualified to vote under the understanding clause. Why every man that can read can vote whether he understands the constitution or not. He is not called upon to show enough intelligence to explain or even to understand the constitution, and if the voter can not read, a man of ordinary intelligence can understand the constitution in the sense in which the word is used here.

Another thing: It has been intimated over and over again that this provision was designed to exclude the blacks, and this sarcastic reference of the minority of the committee says that the registrars are very conscientious—with an interrogation point—and "see to it that no man not a constitutional lawyer, if a Republican, shall be admitted to registration." How do you know that to be true, gentlemen? Do not you know that it is a law of ethics just as familiar as A, B, C, that when a man states a thing to be true which he does not know to be true, he is guilty of falsehood? That is a well-known rule of ethics, at least outside of this Chamber. [Laughter.]

Now, as a matter of fact, how does this provision operate? Did the gentlemen of the minority of the committee take the trouble to inquire how it does operate in Mississippi? I will tell you. The effect of it is that more colored voters than white voters have been registered under the understanding clause. That shows whether your statement is true or not. That shows that when you made that statement you were so careless of the truth that you stated a thing that was absolutely untrue.

Mr. BLAIR. Mr. Speaker, will the gentleman permit a question?

Mr. MONEY. In one moment. I want to say now, Mr. Speaker, that in any remarks I may make here, as I have no personal acquaintance with any member of the minority of the committee, I of course do not mean anything personally offensive to them, but I mean to make a fair criticism upon their official utterances and they must stand the consequences.

Mr. BLAIR. I merely wanted to ask the gentleman for some statistics. He has said, and another gentleman from Mississippi [Mr. KYLE] has said, that more negroes than white people are registered under the understanding clause.

Mr. MONEY. Yes, sir.

Mr. BLAIR. I want to ask the gentleman how many voters are registered under that clause, either colored or white?

Mr. MONEY. I have not the figures of either here, but that is my knowledge as to my own district, and it is the knowledge I get from my colleagues in this House and also from my colleagues in the Senate.

Mr. BLAIR. I would like to ask the gentleman what he infers from that fact—that more negroes understand the constitution than white people?

Mr. MONEY. No, sir; but that more negroes apply for registration under this clause, because fewer of them can read; that more of the white people can read, and that the negroes have availed themselves of this liberal "understanding" provision in our constitution, which is not found in the constitutions of Massachusetts, Connecticut, or Wyoming.

Mr. RAY. I would like to ask the gentleman a question and have him explain certain facts. Looking at the vote cast in Mississippi in 1892 for Representatives in Congress, I find that there are seven Congressional districts in that State, that the population of Mississippi is one million two hundred and eighty-nine thousand six hundred——

Mr. MONEY. That is the same question you asked the other day three or four times. [Laughter.]

Mr. RAY. The gentleman seems to be so fair that I would like to have his explanation of this matter.

Mr. MONEY. Go ahead.

Mr. RAY. I find that the Democratic vote cast for those seven Representatives was 37,511, and that all the votes cast in opposition were 13,313; that the total vote cast for Representatives in Congress was 51,024. Now, that is less than one vote for every twenty-five of your inhabitants. Looking at the State of New York, I find that one person in four and one-half voted there, and the proportion is about the same in other Northern States. I have looked at the other Southern States, and I find that in one one in six votes, in others one in nine, in one one in seventeen, but that in your State less than one in twenty-five vote.

Mr. MONEY. How is that?

Mr. RAY. I say that in your State less than one person in every twenty-five of the population voted at the election of 1892, and I compare that with the State of New York, where I find that one in every four and one-half voted. Now, 1892 was a Presidential year, and what I want to ask you is to tell me why so few of your people voted?

Mr. MONEY. You want to know why they did not vote?

Mr. RAY. Yes.

Mr. MONEY. Well, are there any people in your State who did not vote? When you tell us why they did not, I will answer your question.

Mr. RAY. A very small proportion did not vote in my State?

Mr. MONEY. I do not care anything about the proportion. If a single man did not vote and you will tell me why he did not, I will tell you why thousands failed to vote in Mississippi—because they did not choose to vote; that is all.

Mr. RAY. Oh, no; in my State some failed to vote because they did not choose; some were sick; some were unable to go to the polls. But in Mississippi one in every four and a half——

Mr. MONEY. I see the gentleman's point. I will give him the benefit of the point he thinks he is making. It is that because there was not a full vote somebody prevented electors from voting. Is not that the point? The gentleman is pursuing a paraphrastic mode of getting at a very simple thing. Why does he not come to it directly? There is no use of wasting time in this way in reaching a simple question. The question the gentleman wants to ask is: Did we not prevent some persons from voting who wanted to vote, or does not our constitution prevent some persons from voting who ought to vote? Is not that the point the gentleman is making?

Mr. RAY. No.

Mr. MONEY. Well, what is it?

Mr. RAY. What I want to know is this: Are not your constitution and your laws so framed as to prevent a large mass of the colored people in your State from exercising the elective franchise? That is what I want to ask you.

Mr. MONEY. Are you through?

Mr. RAY. Yes, sir.

Mr. MONEY. Our constitution certainly is framed so that they do not vote, if that is any satisfaction to the gentleman.

Mr. RAY. So framed that they do not vote?

Mr. MONEY. So framed that they do not vote—not as you would have it understood, because they are black, but because they can not read and do not understand the constitution correctly. I will ask the gentleman whether the constitution of Massachusetts and the constitution of Connecticut are not so framed that some people can not vote because they can not read?

Mr. RAY. Undoubtedly.

Mr. MONEY. And have not those constitutions been so framed as to cut those people out of the franchise? Was not that the purpose for which those provisions were put in those constitutions? Is that so or not?

Mr. RAY. If you will permit—I do not want to interrupt the gentleman——

Mr. MONEY. Oh, you can interrupt me to answer my questions. I will yield to you that much, at least. If you have not an answer convenient, sit down and reflect upon the question, and when you come to yourself a little give it.

Now, as a matter of fact, in 1888, before this new constitution went into effect, the vote in Mississippi was only 85,000. That was the whole vote of the State when everybody could vote whether he could read or not. How is it the voters did not turn out then? How is it, when there were 270,000 adult males in the State, only 85,000 voted—before we had the new constitution and the registry law?

Why did they not vote? Who can understand why? Man does not live up all the time to his privileges. I can furnish what I think is a good explanation. The gentleman can not understand the reason, because he does not know anything more about the character of the African in Mississippi than about the character of the people living in Soudan to-day. It is because the African race, when they are once defeated, surrender absolutely. They have not that indomitable energy, that continuity of purpose, that dogged courage, that persistent resolution that holds up the Caucasian through years and years of defeat, and at last makes him rise triumphant over all adverse circumstances. That is the reason they did not vote.

What I am attempting to demonstrate is, that Mississippi is guiltless of these charges that have been made against her; because if "imitation is the greatest flattery," we have flattered the States of Massachusetts, Connecticut, and Wyoming to the fullest extent. We have literally copied the provision of the constitution of Massachusetts, except that we have not adopted those harsh provisions that altogether excluded the illiterate—those who can not read and write. We do not exclude those who, though unable to read and write, can understand the provisions of the Constitution when read to them. Nor do we adopt any such property qualification as the great State of Massachusetts has seen fit to put in her constitution.

I want it understood that I do not criticise the State of Massachusetts. When I am comparing to-day the constitution and laws of Mississippi with those of other States, I do not wish to be understood as making adverse criticism on those States. I know they are competent in their wisdom to manage their own affairs. Nobody can manage the affairs of any State so well as the State itself. There is no locality under heaven that can do as well in the matter of government for Mississippi or Massachusetts as those respective States can for themselves. They understand their own wants and necessities; they study the situation with prayerful hope for the best results; they so shape their constitution and laws as most effectually to bring about such results.

So, Mr. Speaker, I say if I am compelled to-day to compare the constitution and laws of other States with those of Mississippi I do not want it to be understood that I am doing it in any critical or offensive spirit, or with any other object or design than simply to meet, as I think they should be met, the aspersions which have been placed upon the good State of Mississippi by gentlemen on this floor and especially in this report, or that I even object to these provisions of the constitutions of such States. On the contrary, I applaud them, and I do honor to the wisdom and the patriotism of the men who had the intelligence to frame such constitutions and such laws.

But, sir, as I have said, the gentlemen of the minority of this committee have failed to tell us how the constitution of Mississippi provides "a perfectly operating system for fraud." They must have had something in view, some fact on which to base the assertion, some suggestion which they could submit to the House before they would undertake to make such a statement about a sovereign State of this Union. These gentlemen would not undertake without some sort of reason to publish such a defamation and such a calumny against the State. Now, if any man can tell of an instance, can cite a single incident in support of the assertion, I will gladly yield him my time for that purpose.

I invite the gentlemen who framed and signed this minority report to stand up here in the face of this House and of the country, and in my time tell the House by what authority of fact or evidence they dared to come here and make this wholesale defamation of the character of a sovereign State of the Union? Let them rise and state a scintilla of fact or evidence in extenuation of their offense. But, Mr. Speaker, that is not all. This precious document is bristling all over with just such insinuations as that; insinuations which, I want to remind these gentlemen, are the most contemptible form of slander, because they would have you believe things they do not themselves dare to say they believe.

Mr. BLAIR. Will the gentleman allow an observation?

Mr. MONEY. Yes, sir.

Mr. BLAIR. I think in justice to the State of Massachusetts, which has the educational qualification in its constitution to which the gentleman refers, which I myself do not believe in—for I am a believer in manhood suffrage—it ought to be stated that there is prevalent, I think, generally throughout the Republican party, perhaps throughout the North, a feeling that Mississippi did adopt the educational qualification as a means of practical and perhaps permanent disfranchisement. Because in order to secure the qualification of her voters in the matter of intelligence (taking this feature in the constitution of Massachusetts of which the gentleman speaks), Mississippi should have also done as Massachusetts did with reference to such a qualification, for a law of that State gives to every child the sufficient opportunity of education. So that the educational qualification or requirement has not been the means of permanent disfranchisement in the State of Massachusetts. Now, I understand that Mississippi is doing something for the education of her people. But while she expends one dollar in that direction Massachusetts will expend nearly twenty for the purpose of the education of each child within her borders.

Mr. MONEY. "I thank thee, Jew, for the word." Now let us get at some of the facts. I am here to give information and I am going to give you some. You submit here that if we copy only one part of the constitution of Massachusetts, which prevents a certain part of our population from taking part in the exercise of the citizen's right in that State, that Mississippi is not to be permitted to do the same, because you tell me that although Massachusetts adopted such a provision in her constitution, yet she has provided means by which illiteracy may be cured in time. The gentleman admits that this provision has been ingrafted into the law of Massachusetts. If it was necessary in that State, where there was comparatively little ignorance, how much more important is it in the great State of Mississippi, where there are so many ignorant persons?

But, Mr. Speaker, the gentleman says, why do not we adopt the liberal provision Massachusetts adopted for the education of the people of that State? Has the gentleman seen the last report of the census upon that subject? I think not; for, if so, he certainly would not have ventured the assertion he has made. Let me tell the gentleman, then, that we spend twice as much, according to the per capita wealth, of Mississippi, as Massachusetts does on free schools. [Applause on the Democratic side.]

More than that, I wish to say that there are only seven of the States in this Union that spend more on free schools, according to per capita wealth, than does Mississippi; and, further, that that money goes out of the pockets of the white people mainly, which nobody will deny, for the education of the white and colored children equally. Further than that, according to our constitution and laws it was also provided that this money should be distributable to the children of the State without regard to race, color, or previous condition. You tell me about the efforts of Massachusetts in the direction of education. What does Massachusetts spend as compared to Mississippi? We spent, according to our latest reports, 7.8 mills per cent of the entire taxable wealth of the State on the education of our children.

In the last five years we have increased 44 per cent our expenditures for schools. The term or period of the schools has been lengthened 10 per cent in the last five years. Again, four-fifths of the childen are taught to-day in country schools in Mississippi, because we have no populous cities or rich towns. Our tax for school purposes is 7.8 mills in Mississippi. The gentleman says they have set us an example in this direction. It is 3.8 mills in Massachusetts, not quite one-half of what Mississippi gives for the purpose of education. [Applause on the Democratic side.] And let me tell the gentleman, moreover, that, taking the whole of the North Atlantic States, the Middle States, and the New England States, the tax for school purposes is only 4.4 mills on the average.

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

Mr. MONEY. Certainly.

Mr. BLAIR. The gentleman has been making a strong argument for the educational bill; and I should be exceedingly glad if he and other Southern gentlemen, or all of them, would enlist in a movement similar to one that I was personally identified with, in order to remedy precisely the condition of things which he has described.

Now, it is true that Massachusetts does not pay out, perhaps, as large a percentage of her taxation, according to her wealth, for the education of her people as Mississippi; but it is, as I recollect it, in round numbers, nearly, and I think I must be correct, to the present day she has expended per capita nearly eight or ten times as much as the State of Mississippi.

Now, that gives intelligence on the part of the great mass of her people, which enables them to vote, under her constitution that contains this educational qualification. It does not disfranchise and never has disfranchised the mass of her people, because under the means which the State has taken for the education of her citizens, Massachusetts has an intelligent population.

Mr. MONEY. Mr. Speaker, I did not yield to the gentleman to make a speech. I am willing to yield for a question, but I can not allow the gentleman to make a speech in my time. My time is too limited.

Mr. BLAIR. I do not wish to intrude upon the time of the gentleman.

Mr. MONEY. I will yield for a question, or to correct any misstatement; and if you simply want me to say that I am for the Blair bill I will accommodate you.

Mr. BLAIR. Let us not criminate and recriminate as to which is the more intelligent section of the Union. Justice to the South demands that there should be a remedy for the existing state of affairs.

Mr. MONEY. If it is any satisfaction to the gentleman from New Hampshire [Mr. BLAIR], for whom I have the very highest respect, as he knows, I will say that we are humbly following in the footsteps of Massachusetts.

Mr. BLAIR. Not quite [laughter]; and not very humbly, I think, either.

Mr. MONEY. Well, I will say, then, that we have outstripped Massachusetts. That is what we have done. It is not our fault that we are not able to expend the vast sums that Massachusetts with her wealth and her liberality has been able to expend on her schools. But consider the condition of our people. When the tocsin of war sounded Mississippi was one of the first States of the Union in point of wealth. After four years, when war's wild blast had blown, she found all her slave property stricken from her, found the black track of war reticulating her whole extent. Thousands of chimneys stood as monuments to the vandalism of war, in some cases perhaps necessary and unavoidable.

But, sir, she had no property, her wealth was confiscated. She had neither gold nor silver nor greenbacks. We have struggled up from that condition to the point where out of the

baldness of our poverty we are doing twice as much as the great State of Massachusetts, and as much as any other State in this Union except seven. That is what we have done, and I want to say to you that we are endeavoring to correct illiteracy in Mississippi, and doing it by such provisions as I will refer to. I have here a report of the National Board of Education for 1890, and a late report of the distinguished superintendent of education of Mississippi, Mr. Preston, to whom I wish to acknowledge my obligations for these figures. The white children enrolled are 154,000. The colored children enrolled are 173,000, in round numbers. The average attendance is 93,000 whites and 104,000 blacks. There is absolutely no discrimination in the application of the school fund in that State. The amount expended last year was $1,169,088. The amount appropriated was $1,304,000.

Now, the total wealth of that State, according to the census of 1890, was $167,000,000. Mississippi is a poor State, gentlemen. We need not stand here, however, and be ashamed of our poverty. We are endeavoring as best we can to correct the evils of the situation. Although producing a staple that brings into this country more money than any other thing produced in America, yet, in order to support the manufacturers, in order to pay the heavy tax of a tariff, in order to pay pensions to 963,000 Union soldiers, there has been a steady drain from the people of Mississippi and of the whole South that flows into the hands of Northern people. We are not complaining of that; but we do want the hand of taxation taken from us as much as is consistent with the obtaining of proper revenues for this Government and an economic administration, and we shall insist upon that later.

I cite these figures to show that Mississippi has at least attempted to do her duty. In addition to these expenditures I will say that we have one white university, one white agricultural and mechanical college, one white industrial institute and college for girls, teaching all the arts. We have also the Alcorn Agricultural and Mechanical College for colored students, as well as Tougaloo University and the State normal school at Holly Springs, all for colored students.

We have thus three great institutions for whites and three great institutions for blacks, all supported by appropriations of the Legislature, by taxes levied upon the white people of that State. Yet we are told here that instead of attempting to make capable voters of the black citizens of that State we have attempted simply to rob them of the franchise. You will see that the "reading clause" is not a "permanent disqualification."

I want to ask gentlemen another thing. Will not any government, any system of laws reflect the sentiment, and character, and intelligence, and virtue of the majority of the electors who frame the laws and execute them? Is not that true? Is not that a political maxim that goes without argument? Then, if that is granted, I want to ask you gentlemen what you would have? Would you have us have a system of laws reflecting the ignorance and vice of the colored race, or would you have us have a system of laws operating in Mississippi which reflect the virtue and intelligence of the white race?

Mr. PICKLER. Will the gentleman allow me a question right there?

Mr. MONEY. Yes.

Mr. PICKLER. Can the gentleman state what the number of the voters was in his State at the time this constitution was adopted, and how many votes there were for the constitution?

Mr. MONEY. There was no popular vote for the constitution. The people elected delegates to the constitutional convention, which framed that instrument, and the constitution itself was not submitted to any popular vote.

Mr. PICKLER. It was not submitted at all?

Mr. MONEY. No, sir; and I want to say now that no constitution of Mississippi ever was. It has been our history from the time of our admission to statehood in 1817, until this time, that no constitution—and we have had several—has ever been submitted to popular suffrage. They have been enacted by constitutional conventions called by the Legislature and elected by the people under the forms of law and the provisions of the constitution; and the only one that was ever submitted to popular vote was the reconstruction constitution that was submitted by the Congress; and I want to say to you that the terms of registration were a thousand times more illiberal, vindictive, and punitive in the constitution submitted by the Federal Congress to that State than anything which can be found in the constitution of Mississippi to-day.

Mr. RAY. May I ask the gentleman a question right there?

Mr. MONEY. Yes.

Mr. RAY. I would like to know whether these men who framed the constitution, or the commissioners, or whatever you call them, were elected by popular vote?

Mr. MONEY. They were elected by popular vote. A canvass was made on the stump, and a hot contest was had all over the State, so far as that is concerned. Now, I want to track the minority committee a little further and run them down in this wonderful performance of theirs. They say:

The commissioners of elections are appointed by the lieutenant-governor and secretary of state.

That is not the fact. If they had only read a copy of the constitution they would have seen that it was not true. As a matter of fact there is no such board as stated. The lieutenant-governor is not a member of the board. The board consists of the governor, the secretary of state, and the attorney-general; and yet these gentlemen inform this House that the board consisted of the lieutenant-governor and the secretary of state. What pure crass ignorance is displayed here by this minority committee. Why, gentlemen, you could not register in Mississippi—you can not understand a clause of the constitution. [Laughter.]

Now, this delectable report here, that is to reflect the wisdom, the temperance, and to illustrate the fairness and justice and the sense of right dealing of the minority of the committee goes on and says:

The new registration was effectual, as we have seen. Under the old shotgun system which prevailed in 1888 the Republican total vote was 30,096.

By what authority do you term any period in the history of Mississippi as a period when it was under any "shotgun system?" They have not produced one single complaint of any violence or any intimidation at any single precinct within the limits of the State. You had the contest here made in the case of my distinguished colleague [Mr. CATCHINGS], who came from a district in Mississippi that has from 12,000 to 15,000 majority of colored male adults. His right to his seat was assailed here, and letters stolen from private correspondence were produced by the thief in your Elections Committee and used by the majority of that comtee, and the thief was appointed by the Administration as consul to Guayaquil, in South America: and yet you were not able to produce a single instance of intimidation or violence in that district, that had such an overwhelming majority of colored people in the period in which you say the elections were conducted under the "old shotgun system."

Was that intended to smirch the escutcheon of my State, to inflame the passions and the prejudices of the people here and elsewhere against that State? Was not your intention to bring that constitution into odium and disrepute everywhere when you used this defamatory language? I ought also to say that this contested-election case of my colleague was before a Republican committee and a Republican House, which decided in favor of Mr. CATCHINGS, and he retained his seat. Yet gentlemen talk about the "shotgun period."

Do I talk about the "bribery period" in Indiana? I would scorn myself if I should stand here and, even in the heat of debate, hurl insinuations of that character and cast reflections or objurgations against any State of this Union, knowing that in every one of them there is a liberty-loving, intelligent, wise, and patriotic citizenship. I want to say that the man who does it here deserves very little respect from this House or the country. They say under the old shotgun system which prevailed in 1888 the Republican vote was 30,096, when there was not a single complaint made of any violence within the limits of the State.

In 1892 it had fallen off to 1,406, a loss in four years of 29,694 to the Republican party. Of course, the Republican vote of 1888 as returned was absurdly small; but in 1892 it was smaller.

Why was it absurdly small? Has anybody taken a poll of the Republican party of that State? Did any gentleman here know, when he signed this report, what the Republican vote in the State of Mississippi was in 1888? How could he know, except by a poll? Did he assume that every colored man in the State of Mississippi was a Republican? He certainly did not know what he was talking about if he did. I do not believe they explored any record so as to find the truth and ascertain the facts. They say—

The actual vote cast in 1892 was 52,809. Of this vote Harrison received 1,406

I want you gentlemen to understand that the colored people did not register, with the exception of about 9,000. Then I want you to understand that Mr. Harrison did not have a man in Mississippi to hold up the standard of the Republican party throughout the State. There was not a single candidate for Congress on the Republican ticket in the whole State of Mississippi who made a canvass. There was not a single elector who went before the country and dared to say that he was in favor of force bills and a high tariff. There was not a Republican speech made within the limits of the State, and the result was as stated.

Do you expect the negroes to go along and vote the Republican ticket like a flock of sheep without a shepherd? They voted the Populist ticket, and some of them voted for the Democratic party. The bulk of them went over to the third party, and I am informed, and reliably informed, that instructions were sent from Washington to the white postmasters to cooperate

with the third party all they could, because their own case was hopeless.

Now, you perhaps understand why Mr. Harrison got only 1,406 votes in the State of Mississippi last year. He got 1,406 more than he ought to have had, but he did get that many. [Laughter.] But they say that the elector who can understand is put to a higher test than the man who can read, and yet the man who can read is admitted under the "understanding" clause. How do you reconcile those statements, gentlemen? You can not do it.

Now, so far as these election laws are concerned, I assert that they were never intended (as it was claimed in this debate to-day that they were) to protect the purity of the ballot box anywhere. That was not the object or purpose of this infamous system of laws. The intention was to use the machinery intrusted to the hands of the dominant party to such effect and purpose as to perpetuate that party in power. That appeared in every reconstruction constitution that was submitted to the States of the South. They were punitive and vindictive upon the Southern people because they had been engaged in rebellion; but they were also intended to found deep and strong the power of the Republican party.

Now, gentlemen, that is no mere declaration of mine. I can quote to you the utterances of the leaders of your own party on both those propositions, and I can show the amendments that were submitted to us. At the very day when these reconstruction constitutions were imposing negro suffrage on the South, at the very time when the thirteenth and fourteenth amendments had been ratified by a great number of Northern States, you in your national platform stated that you intended that we of the South alone should enjoy the benefit of negro suffrage, but that you in the North would wash your hands of it. That, I say, is a declaration in your own platform. Let me read it to you, for I suppose you have forgotten it. If you are as ignorant of it as you are of our State constitution you do not know anything about it. [Laughter.]

Here is the platform on which that great captain Gen. Grant was elected to the Presidency for the first time. Having imposed this condition on the Southern States as a prerequisite of the resumption of Federal relations; having imposed it upon those people who were suffering all the horrors of a military despotism at the hands of soldiers who knew nothing and cared nothing about the rights of the people over whom they had a temporary but a tyrannical control, at that very moment when you were framing these series of reconstruction acts, at that very time you put this into your platform and went to the people of the country upon it and demanded their suffrage, and you received it because you had a great candidate. This is the second plank of your platform of that year:

The guaranty by Congress of equal suffrage to all loyal men at the South—

That includes the blacks—

was demanded by every consideration of safety, of gratitude, and of justice, and must be maintained.

That is, they must have negro suffrage down there at the South, whether they want it or not. Whatever the people of the States say, we, the great Republican party, say they shall have it.

But the question of suffrage in all the loyal States properly belongs to the people of those States.

"Properly belongs to the people of those States!"

Of course it did, and "properly" belonged to the Southern States also.

That was the deliberate utterance of the Republican party at the very time when it was imposing negro suffrage on the South. They said in substance, "The Northern States will none of it, but the people of the South must have it whether they will or no."

When the fourteenth amendment was submitted to the thirty-seven States that composed the Union at that time, the Northern people would not tolerate negro suffrage. I make the assertion now broadly that at the time when negro suffrage was inflicted on the States of the South, as a punishment for their rebellion and also as a means of establishing the Republican party in power, it was absolutely rejected as a political heresy throughout the whole North, except perhaps in four States in New England. What did Connecticut do? In the year 1876, seven years after the last amendment to the Constitution had been ratified, Connecticut, according to her constitution, would not permit the negro to vote at all. Not until a Democratic majority had swept the country and put a Democratic majority of 74 members in this Hall, in the Forty-fourth Congress, did Connecticut admit by her constitution the right of the negroes to vote. And they were excluded, not because they could not read or write, but simply because their faces were black.

I am not criticising Connecticut. She has a right to do as she pleases in that respect, except as she is inhibited by the fourteenth and fifteenth amendments; but I am telling you what she did. That was after Connecticut had ratified the fourteenth amendment and also the thirteenth. Rhode Island denied suffrage to the negro until after the adoption of the fifteenth amendment. That is to say, the State of Rhode Island never accepted negro suffrage until compelled to do so by the fourteenth and fifteenth amendments; she never did it by her own volition. Pennsylvania denied suffrage to the negro until 1870. After all three of the constitutional amendments which were the fruit of the war had been imbedded in the organic law, then Pennsylvania comes to the front and says, "Yes; we will submit to negro suffrage;" but never until that moment. The great State of New Jersey rejected both the fourteenth and fifteenth amendments, and by her constitution denied the negro the right to vote.

Now, as I have said, I am not making comments here by way of reprehension or adverse criticism with reference to these States. I am simply appealing to history to vindicate the motives of the Southern people which have been assailed and vilified.

I now come to the constitution of Ohio. The gentleman from that State who signs the minority report as a member of the committee is I see now in his seat. I do not know whether it was he, but some gentleman from Ohio the other day rose in his seat and declared that the constitution of 1859 was the work of Democrats—those wicked gentlemen who do sometimes happen, by some turn of fortune, to get possession of the State of Ohio—in off years, I believe.

Mr. GROSVENOR. Will the gentleman allow me to correct him?

Mr. MONEY. I have not alluded to the gentleman; he was not here at that time.

Mr. GROSVENOR. But will you allow me to correct your statement?

Mr. MONEY. What statement?

Mr. GROSVENOR. The statement that there was any constitution of Ohio adopted in 1859. There was no such constitution.

Mr. MONEY. Well, I should have said the law of 1859; it was a statute of that year, passed by the State of Ohio, which denied to the negro the right to vote. When this fact was stated the other day, some gentleman on that side from the State of Ohio immediately rose and said that at that time the Democrats had possession of the State. His attention was immediately called to the act of 1869, and he was asked who had possession of the State then. Not knowing the history of his own State well enough to answer, he ventured to put to the gentleman on the floor the interrogatory "Who was speaker of the Ohio house of representatives at that time?" He thought that would give him a clue and enable him to do some guessing. The name of the speaker was given to him. That set him all right; that let him out into daylight. He immediately said the Legislature was Democratic, because Mr. Follett was speaker of the house. But he forgot that Rutherford B. Hayes, of immortal memory, was governor of that great State at that time.

Mr. GROSVENOR. But Governor Hayes had no influence or power with reference to any legislative act.

Mr. MONEY. Had he not?

Mr. GROSVENOR. None whatever.

Mr. MONEY. Well, you can not say that of the President of the United States. [Laughter and applause.]

Mr. GROSVENOR. No, I do not want to say that of him; I am on his side as to this matter.

Mr. MONEY. Does not the governor of Ohio sign bills passed by the Legislature?

Mr. GROSVENOR. Not at all; no legislative act ever goes near the governor. Let me say further that the Legislature of Ohio elected in 1867 was Democratic in both branches.

Mr. MONEY. Well, I want to say, this subterfuge, as I call it, without disrespect to the gentleman, of undertaking to acquit Ohio of any act hostile to negro suffrage by saying that the Democrats had control of the Legislature—is that the way the gentleman would put it—would he desire me to state it in that way?

Mr. GROSVENOR. Not at all; but I can tell the gentleman something much worse than that, if he wants me to do so.

Mr. MONEY. I am not anxious to damage the character of Ohio or any other State even with the coöperation of a gentleman from the State concerned.

Mr. GROSVENOR. We in 1867 submitted a constitutional amendment to strike out from our constitution the word "white." That lost us the State, and elected Allen G. Thurman to the United States Senate; and Mr. Hayes was barely elected governor by 1,500 majority.

Mr. MONEY. I am very much obliged to the gentleman,

although I did not require his information; I have it here already. The constitution of Ohio refused the negro the right to vote. Now, the Democratic party may have been in possession of the Legislature; but I am talking about what the State did by the act of her people. There must have been some Republicans there in 1868, almost directly after the war. What did the people of that State do? They rejected a proposition to endow the colored man with the right of suffrage. That was done by a vote of the people of the State, not by the Legislature.

Mr. PENDLETON of West Virginia. By 50,000 majority.

Mr. MONEY. I do not know how large the majority was; it was large enough. It may not have been "as deep as a well or as wide as a church door," but it was sufficient. That proposition was rejected, and the negro was left out in the cold. Yet the gentleman from Ohio, who figures as one of the signers of the minority report, stood up here the other day and in two hours of declamation—a sort of rhetorical crazy-quilt or patchwork—he undertook the very large contract of standing here as the "guide, philosopher, and friend" of the Constitution, the exponent of its provisions, and also the mouthpiece of the great Republican party—that gentleman undertook also the occupation of being the mentor of the people of the South, advising them in a fatherly way—he is one of the "conscript fathers," I presume—how they ought to educate their children, what they ought to be taught in the matter of reading, praying, etc. I say, Mr. Speaker, it came with infinitely bad grace from that gentleman, after having indulged in these defamations that I have already read of the character of a great and sovereign State of this Union. If the gentleman will follow another line of business he will probably succeed better.

The SPEAKER *pro tempore* (Mr. KILGORE). The time of the gentleman has expired.

Mr. KYLE. I ask unanimous consent that my colleague may be permitted to continue his remarks.

The SPEAKER *pro tempore*. Is there objection?

There was no objection.

Mr. MONEY. I am very much obliged to my colleague and to the House. I do not want to weary the House, but I feel an obligation resting upon me to stand up here, and, in answer to the defamation of my State, show that the constitution of Mississippi was framed with a purity of purpose equal to that of any other State in the Union, which was made in the interest of the American citizen. It was done to give you the best results we could. And let me say to you who seem, in some directions, to put in a plea for ignorance at the ballot box, as was said by the gentleman from Indiana a few days ago, whom I do not see now in his seat, that, though the ballot should fall as softly as the snowflake to do a freeman's will, yet I tell you that the shock of an ignorant or a vicious ballot cast in Mississippi or elsewhere is felt throughout the whole country from center to circumference.

You are just as much interested as we are in having intelligence behind every ballot. Do you imagine that we stood still, gentlemen, and allowed the procession to go by without concern on our part? Do you imagine that it was our purpose in Mississippi to do nothing for the betterment of our own condition? Do you know that you have made one of the best defenses that could be made for the people of that great State in the assault you make upon it? If I speak with feeling upon this question I must be pardoned, for I am a native of Mississippi, educated and reared there, her people my friends. I have no kin anywhere outside of the State north of Mason and Dixon's line, except, perhaps, in England a few. I love the soil of Mississippi. The remains of all my dead lie within her borders, and in a few short years I myself will sleep with them beneath her soil.

If, then, I speak with feeling on this question it is but the language of a just indignation at the obloquy that you have heaped upon my people. When you strike Mississippi you strike me. Each wound that scars her generous breast is doubly marked upon my own. It follows as a matter of course that when Mississippi, which had been accustomed to deal with the negro as a slave, was put in a new relation after the social and political cataclysm which took place, and when there was such a thing as the apprehension of the former slave dominating the former owners, the ablest and best people of the State sought the example of other communities in order to devise some system of government which, while doing justice to all her people, would avoid disorder, avert danger, and promote the prosperity of all.

We looked anxiously at the example of those people who had been accustomed to deal with the negro as a free man in the Northern States. And, Mr. Speaker, it was but natural that we should, having no other precedents by which to guide us, turn to your example, and see if we could not find something that would suit the altered conditions of things.

The constitution of Ohio refused the negro the right of suffrage, but the people by a majority ratified the fourteenth amendment to the Constitution. Afterwards she withdrew consent to the amendment. She afterwards rejected the fifteenth amendment and subsequently withdrew that rejection. I suppose she had changed hands again! The very year that Ohio rejected negro suffrage by her constitution was the year in which the reconstruction constitution was imposed on the State of Mississippi. And gentlemen ask me, especially my distinguished friend from the State of Iowa [Mr. HEPBURN] and one of the best and ablest men in this body or elsewhere took occasion to ask me, if there is not something indefinite about the registrar who can deny the qualifications of the voter and who is permitted, as he asserts, to make an arbitrary ruling with reference to these qualifications.

But, Mr. Speaker, the answer to that is plain. The ruling of the registrar is not ultimate. It goes for review to a board of appeals composed of three persons. But their decision is not final. It may go still further; it may go to the circuit court, and the judge is required to make a judicial ascertainment of the qualifications of the man. Yet in 1868 the constitution that this Congress placed upon us had in it a provision that did not disqualify a man because he could not read, but it took the flower of that State, those who had survived the shock of war and returned home to peaceful pursuits, and it said that no man who had given aid or countenance to the rebellion, in arms or otherwise, should be entitled to vote. That is the way you treated us, and yet you complain now that we want to purge the ballot of its illiteracy and ignorance.

Not only that, but you talk about indefiniteness! In that constitution submitted in 1868 a registrar appointed by an officer in command of United States troops, who had no more relation in sympathy or interest with the people of that State than he had with the natives of Kamchatka, had the power to determine whether a man had the qualifications to vote or not; and there was no appeal from him. If such an officer should say to a man, no matter what his qualifications were, "I do not think you were loyal during the war, and therefore you can not vote," there was no appeal from that decision.

Mr. LOUD. I would like to ask the gentleman a question.

Mr. MONEY. Very well.

Mr. LOUD. I would like to know how and by what authority your State has a right to enact a law giving a person the right to appeal to a United States court?

Mr. MONEY. They did not do it, that I know of.

Mr. LOUD. You spoke of an appeal to the United States circuit court.

Mr. MONEY. Oh, no; I was talking about the State circuit court. Not only that, Mr. Speaker, but that constitution submitted to us by the wisdom and toleration and kindness of the American Congress provided that before we could resume Federal relations we had to ratify the fourteenth and fifteenth amendments. That was a condition precedent to our resumption of Federal relations. In other words, the consent of four Southern States to ratify that amendment was obtained by dragooning them. They voted under duress, and that amendment to-day stands a fraud in the organic law of our land, although I yield to it the respect that I do to any other part of that sacred instrument. However it got there it is there, and I am not going to dispute it; but I am telling you how it got there.

Now, until 1870 Indiana would not allow a negro to vote, by her constitution, although she ratified the fourteenth and fifteenth amendments; and, by the by, that ratification of Indiana to the fifteenth amendment was a fraud, so far as I can learn.

Mr. JOHNSON of Indiana. Will the gentleman permit me?

Mr. MONEY. Yes; I was looking for you. I am glad to see you. [Laughter on the Democratic side.]

Mr. JOHNSON of Indiana. I will say to the gentleman that in Indiana the ratification of the fifteenth amendment was obtained in spite of the united opposition of the Democratic party.

Mr. MONEY. Exactly. I understand that.

Mr. JOHNSON of Indiana. Indeed, we have never made any enlightened political progress in Indiana that was not made over the dead body of the Democratic party. [Laughter on the Republican side.]

Mr. MONEY. I understand very well that, according to the gentleman's idea, when anything outrageous has been done it has been done by the Democratic party.

Mr. JOHNSON of Indiana. Unquestionably.

Mr. MONEY. I will take it for granted, for the sake of the argument, that if there is anything which has been done which is unconstitutional or unfair in any Northern State, it was done by the Democratic party, no difference what the conditions were, according to the gentleman's idea: but I am stating the fact that Indiana up to 1870 denied the negro the right to vote. I am not attacking Indiana's right to do that, nor am I attacking the wisdom of it. I am simply asserting the fact, and the gentleman can deny it if he chooses.

Mr. JOHNSON of Indiana. Unquestionably it is true, Mr. Speaker; but that provision was put in there by the Democratic party and retained there by them, and wiped out finally by the Republican party.

Mr. MONEY. I supposed the people of Indiana had something to do with making their constitution.

Mr. JOHNSON of Indiana. Unquestionably——

Mr. MONEY. I did not know it was the Democratic party that did it. This is the first time in the history of this country that ever I heard of any political party making a State constitution. We have understood heretofore that it was the work of the people of the State.

Mr. JOHNSON of Indiana. Did the gentleman ever hear of a majority of the people, belonging to one political party, making a constitution?

Mr. MONEY. I was about to state that I do not believe Indiana ever lawfully ratified the fifteenth amendment to the Constitution, and I will tell you why I do not believe it. As I understand it, the constitution of Indiana requires a two-thirds affirmative vote of both branches of the Legislature to ratify an amendment to the Constitution of the United States; but I have heard on good authority that the senate of that State did not have a two-thirds Republican majority, and that the Democrats bodily absented themselves, not only from the hall but from the building, and hid themselves in the city where the sergeant-at-arms could not find them; and yet it was certified here to the Secretary of State of the United States that Indiana had ratified the fifteenth amendment.

Mr. JOHNSON of Indiana. Mr. Speaker, it is a fact that the Democratic party opposed the adoption of that amendment in that State, as they have in every other State, and just as they have opposed every piece of legislation that tended toward enlightenment and a higher civilization.

Mr. MONEY. I am willing to admit that, in the view of the gentleman from Indiana [Mr. JOHNSON], whatever was bad in the history of that State came from the Democratic party; but I am mentioning what the State has done, and I am not censuring the State for what it has done, nor am I finding fault with the State for what it has done. I am merely alluding to a certain fact in history, which, if it does not justify, at least extenuates the heinous offense that Mississippi has committed in proceeding peacefully and in order, under the Federal Constitution, as was her right, to frame a State constitution which her people believed to be for her best interests.

Mr. JOHNSON of Indiana. I have no objection to the gentleman detailing the facts of history; but all I insist upon is that he shall detail all the facts of history.

Mr. MONEY. The gentleman can take all the time he wants, and put in all the facts he wants in his own time, but I would beg him not to try to put them in my speech.

Mr. JOHNSON of Indiana. I beg the gentleman's pardon.

Mr. MONEY. That is all right. I said at the outset that I would yield for the correction of any misstatement or for any question for information, for I understand very well that in this House there is a profound ignorance of the constitution of Mississippi, and I feel it my duty to stand here and give you the true history of it and the true spirit and genius of our institutions.

Mr. JOHNSON of Indiana. I know, Mr. Speaker, the gentleman will pardon me. The gentleman will remember that I represent a sovereign State.

Mr. MONEY. I know you do, and I have no objection to it. I have no fault to find with the gentleman's sovereign State. I rather approve the sovereign State of the gentleman; and I venture to say in a much higher degree than he does——

Mr. PATTERSON. It always goes Democratic.

Mr. MONEY. Especially here of late years. [Laughter.]

Now, the State of Illinois until 1870 denied the colored man the right of suffrage notwithstanding they favored the adoption of the fourteenth and fifteenth amendments. I have no fault to find with that State.

Now I have come to one State that always has acted a leading rôle in front of the footlights, and that is the good State of Kansas. There never has been a time when Kansas was not very prominently in evidence before the people of this country. It is a great State; the Sunflower State; a State with great and fertile prairies, but somehow or other the people there have always managed to keep up an excitement and to focus the eyes of the country upon them. And that is the State where freedom was born in blood and conflict. On January 14, 1867, Kansas adopted a constitution which did not allow the negro to vote, and not until after the fifteenth amendment was adopted, when she could no longer help herself, did she allow suffrage to the negro. And I appeal to the sage of Medicine Lodge if that is not the truth.

Mr. SIMPSON. That was before I went to the State; but that is the truth.

Mr. MONEY. Now, Nevada——

Mr. SIMPSON. If I had been there it should not have been the case.

Mr. MONEY. I have no doubt about that. Nevada was admitted into the Union in 1864, when the conflict between the States was raging, amid the din of arms, and then Nevada adopted a constitution which denied the negro the right to vote. When the North was pouring out its blood in oceans, when everybody knew that the object of the war was not to free the negro, but only as one of the results of the war; when the columns of the Confederacy were daily losing ground and the hosts of the Union were pressing on with renewed courage and confidence in the result, then the great State (on paper) of Nevada [laughter] came into the Union, and was admitted with a constitution that denied the negro the right of suffrage.

Well, now I come down to the State of Nebraska, which came into the Union——

A MEMBER. Where is BRYAN?

Mr. MONEY. Oh, BRYAN was buried yesterday. [Laughter.] Nebraska came into the Union in 1866, under a constitution, and remember that that was a year after the war was over, after the last of the fighting, and after the President had promulgated the declaration of peace—this State came into the Union with a constitution which prescribed "white" as a qualification of every voter. Well, what did Congress do? Congress required her to strike the word "white" out, and what was the reason of it? There were only seventy-nine negroes in that State. [Laughter.] There being in all in the State of Nebraska only seventy-nine colored men, you can afford to take them in. Seventy-nine can not ruin the country, and if you strike "white" out of the constitution we will accept you and receive you into full fellowship.

Mr. HAINER of Nebraska. Will the gentleman allow me to ask him a question?

Mr. MONEY. Certainly.

Mr. HAINER of Nebraska. Is it not a fact that the constitution to which you refer was adopted by a Democratic council?

Mr. MONEY. Oh, yes, of course; my friend, I have just stated that everything wrong that was done in the North was done by the Democrats. That is nothing new. We are always told that.

Mr. HAINER of Nebraska. I simply wished to have the fact put in evidence.

Mr. MONEY. We will have the fact put in evidence for you. You can repeat that every time a man gets up to talk; because we take it for granted if there was anything done wrong in any of these constitutions the Republicans were "not in it." The Republicans had nothing to say in those great States! They had a majority in both Houses of Congress. There was nothing but Republicans in both Houses of Congress. Yet, when it comes to anything wrong being done, like this, it was done by the Democrats! [Laughter.]

These people, who had never had any opposition, and who could pass any constitution they wanted, generally left out the word "black" in those constitutions. Now, I am not finding fault with the State of Nebraska in regard to that. I am just showing you, gentlemen, the overwhelming precedents afforded by the other States of this Union. Mississippi followed in the course they have taken, and she is more liberal than any of them. In truth, we have the best constitution that has ever been framed by any State of the Union—a model for other States.

In 1865 the Legislature of Wisconsin submitted an amendment to the Constitution permitting the negro to vote. What became of that? Did the Democratic party do that? I want some gentleman to get up and speak in defense, for the Democratic party has been guiltless in the matter. Will not some gentleman volunteer for the defense of Wisconsin? Nobody speaks for Wisconsin. I tell you it was the people that voted down that amendment by 9,000 votes. No Democratic Legislature, but the good, sensible, patriotic people of Wisconsin, who knew what they wanted.

Mr. JOHNSON of Indiana. Would it not be well enough to adjourn until the sovereign State of Wisconsin can be heard from. I protest against going on in the absence of a sovereign State.

Mr. MONEY. Just file your protest, and I will go on all the same. [Laughter.]

Michigan also had a constitutional convention in 1867, two years after the war had closed, at a time when we in Mississippi were under the rule of the bayonet, before we had been allowed to even have a constitution as bad as the one that was presented to us, and some parts of which we rejected twice.

What did Michigan do? In May, 1867, after having ratified two amendments to the Constitution, two or three months after Congress had imposed negro suffrage on the Southern States, she refused to strike the word "white" out of the qualifications for electors. Now will somebody tell me that it was the Democratic party that did that? [Laughter.] Was the Democratic

party responsible for the failure in Michigan to strike out the word "white" two years after the war? Why, the sovereign people of the State did it at the polls by a majority of 38,000. I have no fault to find with that either. I am not censorious on this occasion; I am strictly on the defensive. They refused to strike out the word "white," although they had ratified the thirteenth and fourteenth amendments to the Constitution. Oregon prohibited negro suffrage up to 1872 by her constitution.

Mr. HERMANN. My friend from Mississippi will bear testimony that he and I generally agree on almost everything except politics.

Mr. MONEY. I think we will agree on this, too.

Mr. HERMANN. But the gentleman will permit me to say that that constitution was adopted by a very large Democratic vote in Oregon. [Laughter.]

Mr. MONEY. Exactly. I knew my friend from Oregon would not allow this opportunity to pass without making that statement. Nevertheless, whoever was in power, it was the act of the State of Oregon, and of the people thereof, and I say that up to 1872 the doctrine was embedded in your constitution that a negro could not vote in your State.

Mr. HERMANN. But if the Republicans had been in a majority they would not have adopted such a constitution.

Mr. MONEY. Oh, of course not. That is the reason, I suppose, why Oregon rejected the fifteenth amendment to the Constitution. There was something like consistency on the part of Oregon after all. The people of that State did not propose to take negro suffrage themselves, and they refused to put it upon the South.

As to New York, she never did put the negro on the same basis as to voting with the white man.

Now I come to Iowa, a great State, the greatest grain State, I believe, in the world, and probably one of the most enlightened States in the Union. I am not going to quarrel with Iowa, but I am going to tell you what she did, and I am going to say that in forming the laws and constitution of Mississippi we looked to that intelligent people for some sort of guidance, and we received it.

In 1868, three years after the war, Iowa rejected an amendment to strike out the word "white." Now, you have said to my friend from Virginia [Mr. TUCKER], and to other gentlemen, that you were willing for us to take a constitution that purged the ballot of its ignorance, that you wanted the Government to reflect the intelligence of the State, but you wanted "the majority to rule." Now, please tell me why you want the majority to rule, either in Mississippi or anywhere else? Why should the majority rule? I admit that majority rule is a maxim in republican government; but why? What is the philosophy of it? What is the underlying reason for majority rule in Massachusetts, or Mississippi, or anywhere else?

It is the intention in every republican government that the majority of virtue and intelligence shall rule. Then, because intelligence and virtue can find no other way to poll itself or to give effect to its wishes, we say that one man is the equal of any other man. That is the fundamental proposition of our form of government. Take a hundred equals and they outweigh ninety-nine equals; but for what reason? Not because there is one more head there, but simply because of their being assumed to be equals. A hundred necessarily outweigh ninety-nine. Therefore the basis of the philosophy of majority rule is a homogeneous people, exhibiting a real, not a mere theoretical, equality; and whenever you have a heterogenous population, whenever you link together by the ties of government an inferior and a superior race, whether the disparity be in morals, in capacity for government, in intelligence and enlightenment, you destroy the rule I am stating. Yet you gentlemen are willing to destroy the spirit of the rule in order that you may preserve its letter.

Let us see whether the majority rules elsewhere in this Union. I take the good State of Connecticut—"the land of steady habits," of blue laws, etc.—a State that commands the respect of every American citizen because of its enlightenment and enterprise, because of its cultivation, because of the sturdy honesty of its people. I have nothing but good words and good wishes for them. But, gentlemen of the Republican party, how does the majority rule work in that State? Have you, gentlemen of the minority of the committee, overhauled the State of Connecticut to see whether the majority rules there or not? I take it for granted you know the facts; but the shoe does not pinch on that foot; this time it is the Republicans who get the benefit of the minority rule in the State of Connecticut, and therefore you look at the matter with a vast degree of tolerance.

What have you done in the State of Connecticut? And I ought to say that by your rule of apportioning power for the election of your Legislature you have had the benefit of two Republicans in the Senate that you are not entitled to by any rule of right or fairness, because in that State you have not the unequal races; you have a homogenous people; you are not undertaking to link the highest and the lowest in the scale of human beings, but your people are all of a sort; therefore there is no excuse in your State for an apportionment that gives the minority the power to dominate in the State or national council.

What do we find in Connecticut? Eighty Republican towns, with 31,000 voters, elect 111 Republicans to the lower branch of the Legislature, while four Democratic towns, with 44,000 voters and 13,000 majority over the Republicans send—how many representatives? One hundred and eleven? No, eight. The Democrats, with a majority of 13,000, elect 8 representatives to the Legislature of Connecticut, while the Republicans, in a vast minority, elect 111. Thus you capture the governorship every year, if there is not a majority for any candidate on the popular vote; and you continue to be represented by Republicans in the other branch of Congress. Yet, these gentlemen tell us about the minority rule in Mississippi.

I think myself that the device adopted in Connecticut is a very good device where there are two unequal races. That was the plan which I myself would have had adopted in the State of Mississippi; but our State chose to follow the example of the great State of Massachusetts in making her constitution and in dealing with the interests of her citizens.

But we are told that we ought to have "manhood suffrage;" and the gentleman from South Carolina [Mr. MURRAY] the other day asked my colleague [Mr. KYLE], who unfortunately was unable to hear the question at first and did not answer at once, but who afterward answered correctly, whether we in Mississippi believe in manhood suffrage, qualifying the question by saying that as a protection to the poor man the ballot is indispensable, or something of that sort.

I would say to the gentleman from South Carolina that I do not believe in "manhood suffrage" simple and unqualified, nor is there any State in the Union that believes in it—not one. There is not a State in the Union that admits every male inhabitant 21 years of age to vote, without other qualifications. Some States do not admit duellists; some do not admit those who gamble on the results of the election. Some refuse to admit those guilty of infamous crimes. In my State a man can not vote if he is not a naturalized citizen, if he is an untaxed Indian, if he is idiotic or insane, if he is guilty of bribery or corruption, or of grand or petit larceny or burglary or arson. Any of these, and many other offenses, may exclude a man tnere from the elective franchise.

As I have said, we desire to expurgate the ballot not only of its ignorance, but of its vice. Yet you quarrel with us here because we have made an honest attempt to do that thing. You say you want these Federal election laws in order to "purify the ballot." But when we make an effort in our State capacity to accomplish that result you make objection.

Some gentleman said yesterday, I believe, that the Democratic party has brought in this bill repealing the Federal election laws simply for the purpose of assisting the Democratic party in the contest against the Populists in the State of Virginia. I do not know to whose brilliant mind that idea first occurred, but if the gentleman who conceived it had read the platforms of our parties he would have known that by a majority of 1,750,000 voters the people of the United States demanded at the hands of the successful party in the last election the repeal of these laws.

Every Democrat who polled a vote last year did it with the avowed intent that these laws should be repealed. Let me say also that the Populists were committed on this question just as fully as we were. There is not in the Democratic platform of last year, or any other, any broader or more liberal constitutional declaration on this subject than is contained in the platform framed and promulgated by the Populists at Omaha last year. I propose to read it; I propose to show what it is.

Mr. PICKLER. Did Mr. Cleveland call this extra session for the purpose of passing a bill of this kind?

Mr. MONEY. Mr. Cleveland called Congress together in extra session; but when Congress gets here it does not ask Mr. Cleveland what it will do.

Mr. PICKLER. Yes, it does.

Mr. MONEY. No, it does not.

Mr. SIMPSON. But it does what he asks it to do.

The SPEAKER *pro tempore*. Does the gentleman from Mississippi yield for interruption?

Mr. MONEY. I do not mind these interruptions at all. I understand they are intended courteously. Now, I said, Mr. Speaker, that I would read a part of the platform of the third party or Populists. I contend that by their public declarations they are just as much pledged as any Democrat is pledged to the repeal of these laws. The Populist is pledged to his platform in the performance of his duty to his people. I see the distinguished gentleman from Kansas [Mr. SIMPSON] before me, and

I believe I saw the eloquent gentleman from Colorado [Mr. PENCE], whose clarion voice, no doubt, was heard to promise this thing over and over again to the people of his State during the last campaign.

Here is an exceedingly well-written preamble to the nine resolutions passed by the Omaha convention. This we understand to be the enunciation of the political principles of the party, and an enunciation of the pledges of that party to the people, and in the event of the election of the Populists, which they were pledged to carry out, unless it was a "mere glittering generality," which I do not believe. For I will say this much for these gentlemen, that, however much I may differ with them in many respects, with all of their faults, there is one thing that is certain, they are in dead earnest. There is no trifling about what they are doing. They mean just what they say, and I have no doubt at all that what they have declared in this platform is to-day the policy which they will maintain by their votes.

This preamble, after reciting the condition of the country, formulates nine distinct propositions, and the first one, meaning by that the most important one, that addressed itself to the consideration of the convention, was this. Now, I ask your attention to it. Here is a declaration of faith. It reads in this opening proposition as though it were a declaration penned by a sound Democrat:

Resolved, first, That we demand a free ballot and a fair count in all elections, and pledge ourselves to secure it to every legal voter—

How?

without Federal intervention—

Mark that, Mr. SIMPSON. Again, how?

by the States.

And, Mr. Speaker, it goes on to declare that this is to be done under the secret Australian ballot system. They are committed to that.

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

Mr. MONEY. Certainly.

Mr. SIMPSON. I would just supplement what the gentleman has read by saying that we meant what we put into that platform, and we mean to vote in accordance with it. Also, that in our platform in Virginia we declare that we are in favor of the repeal of the Anderson-McCormick law, which has effected the disfranchisement there of a large number of voters. We are in earnest, and we mean to vote in accordance with our public declarations.

Mr. MONEY. As I have already stated, I give you full credit for being in earnest, and for many other good qualities. I do not know anything about the Anderson-McCormick law. It has cut no figure in this debate. But I believe that you were in earnest in the declaration of the principles there enunciated.

Mr. SIMPSON. Yes sir; that is true.

Mr. MONEY. That is correct, I am satisfied.

Now, I will say here are some of the restrictions placed on manhood suffrage in different States of the Union:

Persons who are paupers are excluded from suffrage in Delaware, Maine, Massachusetts, Missouri, Rhode Island, South Carolina, Texas, West Virginia.

Betters on Election—New York and Wyoming.

Duellists—Michigan, South Carolina, Virginia.

Nontaxpayers (who do not pay taxes, or who fail to pay taxes)—Mississippi, Pennsylvania.

Persons under guardians in Massachusetts, Minnesota, Rhode Island, South Dakota, Wisconsin, Wyoming, Florida.

Soldiers of United States Army—Iowa, Massachusetts, Missouri, North Dakota, Oregon, Texas.

Qualifications—Massachusetts—Who has paid tax within two years; can read constitution in English and can write.

Connecticut—Can read constitution or statutes.

Very properly, the Republicans consider that the right of self-government belongs to the States of the North in this regard, and no matter what enactments they make in reference to their elective franchise, no man has a right to quarrel with any State on account of it. Why, gentlemen, is it not perfectly natural that any community, and I speak particularly of my own State, for it is the only one under consideration now, with one and a quarter millions of people, confronted with a problem the most difficult and menacing that was ever presented to any people in any part of the world, should consider it with the greatest care, as well as in a spirit of grave apprehension of the results, and that they should turn for intelligent example and information to every possible field from which that information could be gleaned—was it not natural that they should examine every possible scheme in order to secure the peace, prosperity, and tranquillity of their people?

Do you ask us, then, in order to sustain an offensive theory of majority rule, to destroy a great State? We had five years of colored rule, led and marshaled by carpetbag leaders who seized and despoiled us; we had the plague spreading over our land like that which spread over the great valley of the Nile; not only the lakes and the rivers ran blood, but the firstborn in each and every household in the land lay dead, slain in battle, and then came down the lice and the frogs of the North in the shape of carpetbaggers and camp-followers and devoured our substance.

We were doing the best we could, groping for the light under the circumstances that surrounded us. But gentlemen ask us why we did not frame our constitution so as to give the ballot into the hands not of intelligent people, but into the hands of the ignorant and the vicious. What is the reason of their plea? So that the negroes can return Republicans to these seats. That is the only plea; that is the only argument they present. There is nothing else in your criticism, gentlemen. Are we at liberty to do what you ask us to do? Put yourselves in the place of Mississippi.

Although I am a Mississippian, I can say with modesty that we stand before the world a people equal to any other people on the face of the globe, a people as chivalrous, as brave, as hospitable, as much possessed of all the civic and domestic virtues as can be found in the world. The politest capitals of Europe can not present examples or representatives of manhood and womanhood nobler than those found in the State from which I come. Her common people—and by that expression I mean the plain people—are as independent and honorable and as intelligent as any people on the face of the earth. The isolated condition of their lives makes each one an independent thinker and voter. He is no machine, reared in a manufacturing town where the division of labor strips the work of every trace of intellect and leaves the operative a mere automaton.

The common people of my State are all farmers. They are compelled to think, by the nature of their vocation, and they do think, and they are responsible men. They represent to-day the very highest type of manhood in this country. Yet you tell us that we ought to abdicate the power that we possess, which we have obtained by legal, peaceful, and constitutional means, and that we ought to put our necks beneath the foot of a veneered savage, for the colored man is nothing more than that. I speak without any hard feelings at all for the black race. I was born on a plantation and reared with them. There is not a man who has a kindlier feeling for the colored race than I have, but I speak only the simple, sober truth when I say you have, in the great mass of the colored people of the South, a number of men who are civilized in the exterior, but who rapidly revert to the original type when the opportunity offers.

Does the example of Haiti present no misgivings to the mind of the man who insists upon a constitution which admits every man, however ignorant, to the exercise of the ballot? Why, gentlemen, if we were willing, so far as it behooves us to secure our present temporal ease, to grant all that you ask, and to concede every single demand you make upon us, have we a right to do it, in equity and good conscience? Are we responsible or are the negroes of Mississippi responsible for the education of her children, and for the protection and advancement of all the moral and material interests of the people? Who is responsible to the nineteenth century? Who is responsible to the generation that comes after us, that these institutions of our fathers, which were handed down to us intact, shall also be transmitted to our children undimmed in their luster, and unimpaired in their efficiency? We are the responsible people. The negroes are not responsible. A handful of whites would anywhere be held responsible for the government of a country in which they happened to live.

We may well take the example of Great Britain, which since the days of Rome is the greatest colonizer, the greatest conqueror, the greatest administrative people the world has ever seen. They rule thirty-seven different nationalities of inferior nations, and in no single instance, except in New Zealand, where the Maoris are a fast vanishing race, do they share to any extent the responsibilities of government. But they govern, and they govern wisely and well.

I admit, gentlemen, that when we by our constitution take into our hands the reins of power we assume a weight of responsibility not only to ourselves and our contemporaries, but to those blacks themselves. When we say, "Give us power and we will govern wisely and justly," there is an obligation upon us that we can not deny, and which we must fully and seriously recognize.

Now, gentlemen, I speak candidly about these things. I do not want to disclaim any responsibility. I accept the issue. I am willing to tell you to-day that, constitution or no constitution, no constituency of white people in Mississippi can ever again submit to the domination of the blacks. We are told that the blacks do not want to dominate us, but they did. For five years

we suffered more than we did during the four years of war, more to humiliate, more to degrade, more to destroy.

Why, in five years of black domination the State tax was added to 1,400 per cent until it amounted to confiscation. We had corruption everywhere, ignorance in high places, and the reign became so intolerable that all the moral forces of that people were aroused and numerical majorities fled before them as shadows before the sun. The prosperity and well-being of the blacks themselves depend on white supremacy. We simply occupy the place to which Providence assigns us rulers and guardians of the inferior races. If the future of the negro depended on themselves and not upon us, see in Haiti, in Africa, the condition of their existence in a few generations.

It was impossible to resist the power. It was a fight for self-preservation, for the preservation of free institutions, and it is well for all that we won, and we are willing to be held accountable here, and to live up to the responsibility that has devolved upon us.

Mr. HAINER of Nebraska. Mr. Speaker, will the gentleman allow me to ask him a question?

Mr. MONEY. Certainly.

Mr. HAINER of Nebraska. Does the gentleman admit that it is the deliberate purpose of the whites in the State of Mississippi to exclude the blacks from all share and participation in government?

Mr. MONEY. No, sir; I do not admit any such thing.

Mr. HAINER of Nebraska. Did you not state a moment ago that you were under colored rule six years?

Mr. MONEY. That was a good while ago. We were under negro rule about 1875, but not since.

Mr. HAINER of Nebraska. Then you have shaped your laws in such a way as to do away with all participation of the blacks in the government in your State?

Mr. MONEY. No, sir; not at all.

Mr. HAINER of Nebraska. Then how do you reconcile that with your statement?

Mr. MONEY. You are mistaken there, as usual. [Laughter.] I did not say it, and I do not say it now. I will repeat it if it is any comfort to you, and I do not want to evade anything. I say that conitstution or no constitution, the community that I represent will never be governed again by the black race. Now, make the most of it. [Applause on the Democratic side.]

Mr. HAINER of Nebraska. Then you propose to defy the Constitution of the United States?

Mr. MONEY. I do not propose to do anything of the kind; but under our constitution we legitimately, peacefully, and in accordance with the Constitution of the United States, prescribe the qualifications of the voters, just as Massachusetts and Connecticut do.

Mr. HAINER of Nebraska. And disfranchise a majority of the blacks.

Mr. MONEY. It does not disfranchise them, and does not disfranchise a white man or a black man. I am not responsible for the illiteracy of a colored man, nor his lack of moral perception. Now, gentlemen, it is the tendency of every animal, including the animal man, to revert to the original type.

Mr. HAINER of Nebraska. Now, then, you say you are not responsible for the colored man's ignorance; you also say that you do not disfranchise them; and in the same breath you say you will not allow the colored man to dominate you in the State.

Mr. MONEY. I say that constitution or no constitution, we will never again be governed by the black people.

Mr. HAINER of Nebraska. Now, what difference do you make in your government, when you take from the colored man the right to vote?

Mr. MONEY. I will explain that to you. It did not seem to me that I needed to explain that I am not the constitution of Mississippi.

Mr. HAINER of Nebraska. I do.

Mr. MONEY. I did not make the constitution. I am speaking for myself, but if it will give you personally any comfort, I want to say that in this I do represent all the people of the State of Mississippi, but you gentlemen do not seem to know what the provisions of that constitution are, and you do not find any such declaration in that constitution. It is modeled on yours and confers the same right as yours.

Mr. HAINER of Nebraska. That I deny, but I am willing to accept the gentleman's disclaimer for any responsibility in the framing of the constitution of Mississippi.

Mr. MONEY. It is a matter of supreme indifference to me whether you do or not. [Laughter.] I was proceeding to state that it is the tendency of everything to revert to the original type; and if you isolate a man from female society, put him in the wilderness or aboard ship, he becomes a savage and gradually degenerates. Look at the example which has been furnished in the West India Islands. I would ask those gentlemen who have their misgivings as to the ignorance of the negroes in the Southern States to look at the example of Haiti. I speak out of no unkindly feeling, but I am only repeating history.

There is a land which probably is the most beautiful under the sun; in the most delightful climate in the world; with the richest soil and the most precious woods, full of minerals, and they had it turned over to them absolutely complete. They did not have the work of constructing a government. They had the finest of the civilized languages, that of the French, most prolific in arts and science, literature and speculative philosophy, and exact science. They had roads made after the fashion of the old Roman highways all through their land; they had sugar plantations, rice fields, coffee plantations, and raised indigo and everything of tropical character, and the loveliest spot, perhaps, on the face of the earth. It was turned over to the colored people, and where is it now? What has become of it? It has gone down steadily from one step of degradation to another, until to-day it is a frightful spectacle and a humiliating proof of how easy is the downward descent for at least one segment of the human race. They have reverted to fetich worship, to cannibalism, and to everything that marks men of inferior morals and inferior capacity; a frightful example of negro self-government. "They have no morals, but sin not because they know no law; they are naked and not ashamed."

How is it in the English West Indies? England has, I believe, about two millions of negroes in the West Indies, the most happy and prosperous people under the shining sun. Why? Because the English rule with a strong hand, justly, wisely, and well, and govern these incapable people who have demonstrated at home for ages—for geologists say that Africa is the oldest quarter of the world—who have demonstrated through centuries and cycles, at home, their incapacity for self-government and self-development. There was a time when the negroes in the West Indies were invested with the franchise, but the colonists voluntarily surrendered their local government, and petitioned the imperial government to appoint crown officers and relieve them of the responsibility, because they could not manage to get along with such an overwhelming ignorant population.

It has been only a few years since the British ministry invited the colony of Natal in South Africa to assume responsible government, and the people held a convention, which lasted six weeks, and deliberately came to the conclusion that they would not accept it because the Kaffirs, of whom there were considerable numbers, would be entitled to the franchise. Again, India, with a civilization five thousand years old, as splendid in some respects as any of which we have record, is governed by the English, and enjoys a security for life, property, and human rights which they had never enjoyed under self-government.

Now, Mr. Speaker, I started out by saying that these election laws were not intended originally to purify or protect the ballot, but that they were the offspring, first, of the vindictive passions engendered by the war; and, second, of the desire to perpetuate Republican rule in this country; and I have authority for both statements. In the first place, to show you the political status of the negroes in the North, I have not only the action of the States which I have already cited, but the utterances of leading men of the Republican party pronouncing the same judgment. Mr. SHERMAN said they were unfit. Mr. Oliver P. Morton said it. Mr. Thad. Stevens said it, and he, I suppose, went as far as any man in favor of the negro. He said that no man would permit the negro in the North to vote.

A MEMBER. Lincoln said the same.

Mr. MONEY. Yes, Mr. Lincoln declared that he had no such design; but these men were speaking after Lincoln was dead and when they were confronted with the question of reconstruction. Here is what Thad. Stevens said in a speech delivered in this House, when he was the leader of the Republicans here, when he was undoubtedly *facile princeps*, when in force of intellect and of imperial will he stood proudly preëminent in this Hall. I wish here to acknowledge my obligation for material of history and of thought to that distinguished statesman and profound constitutional lawyer Senator GEORGE. Says Mr. Stevens:

> Now, I hold that the States have the right, and always have had it, to fix the elective franchise, * * * and I hold that it does not take it from them. Ought it to be taken from them? Ought the domestic affairs of the States to be infringed upon by Congress so far as to regulate the restrictions and qualifications of their voters?

And now a most pertinent inquiry—

> How many States would adopt such a proposition? How many would allow Congress to come within their jurisdiction to fix the qualifications of their voters? Would New York? Would Pennsylvania? Would the Northwestern States? I am sure not one of them would.

That was his judgment in the year 1866 as to the opinion of the North upon negro suffrage.

And here is what Mr. Banks, a great Union general, said on the same subject:

> We have in the nature of our Government the power to do it—

That is, to impose negro suffrage—
but the public opinion of the country is such at this precise moment as to make it impossible we should do it.

These gentlemen expressed the sentiment of the Northern States at that time.

Mr. Garfield said on the same question:

I regret that we have not found the situation of affairs in this country such and the public virtue such that we might come out on the plain, unanswerable proposition that every adult intelligent citizen of the United States, unconvicted of crime, shall enjoy the right of suffrage.

Mr. Fessenden said:

I take it no one contends—I think the honorable Senator from Massachusetts himself [Mr. Sumner], who is the great champion of universal suffrage, would hardly contend that now at this time the whole mass of the population of the recent slave States is fit to be admitted to the exercise of the right of suffrage. I presume that no man who looks dispassionately and calmly would contend that the great mass of those who were recently slaves (undoubtedly there may be exceptions), and who have been kept in ignorance all their lives, oppressed more or less, forbidden to acquire information, are fit at this day to exercise the right of suffrage or could be trusted to do it, unless under such good advice as those better able might be prepared to give them.

And Mr. SHERMAN:

Now, what is asked? What was asked in the House of Representatives? That we shall disfranchise the white population and leave only the negroes and the few loyal white people there are in the Southern States to vote. If that is the proposition, let us meet it boldly and manfully. Sir, I know the people of Ohio do not demand such a proposition: all they ask is that the negro shall be protected in all his natural rights, and as the highest means of protection that he should be secured in the ballot; and, sir, no proposition can ever pass this Congress, and no bill can ever be sanctioned by the American people which will disfranchise the white population of the Southern States, with a very few exceptions, and place the power of ten States in the hands of ignorant emancipated freedmen.

Mr. Conkling said of the proposition to prohibit the States from denying civil or political rights to any class of persons that it encountered great objection at the threshold. He said:

It trenches on the principle of local sovereignty. It denies to the people of the several States the right to regulate their own affairs in their own way. It takes away a right which has always been supposed to inhere in the States and transfers it to the General Government. It meddles with a right reserved to the States when the Constitution was adopted, and to which they will long cling before they will surrender it. No matter whether the innovation be attempted in behalf of the negro race or any other race, it is confronted by the genius of our institutions. But more than this, the Northern States, most of them, do not permit negroes to vote; some of them have repeatedly and lately declared against it.

That shows what the North thought of the equal franchise for white and black.

Now, Mr. Speaker, this is exactly what we have done. We have excluded by our constitution whites and blacks who are unfitted by their ignorance for the exercise of the elective franchise. But the times were changing; there was an influx of Democratic voters from the reconstructed States, and in the Northern States also, which seemed to imperil the power of the Republican party, and then we find such expressions as these.

Mr. Garfield said:

It was the right of the victorious Government to indict, try, and convict and hang every rebel traitor in the South for the bloody conspiracy against the Republic, and that they had forfeited every right of citizenship by becoming traitors and public enemies, and that the time had come when we must lay the heavy hand of military authority on the rebel communities.

Is this not vindictive?

Mr. Stevens retracted what he had said before and said this:

Have not loyal blacks quite as good a right to choose rulers and make laws as rebel whites? * * *

Another good reason is, it would insure the ascendency of the Republican party. "Do you avow the party purpose?" exclaims some horror-stricken demagogue? I do; for I believe in my conscience that on the ascendency of that party depends the safety of this great nation. If impartial suffrage is excluded in the rebel States, then every one of them is sure to send a solid rebel representative delegation to Congress and cast a solid rebel electoral vote. * * * They, with their kindred copperheads of the North, would always elect a President and control Congress. * * * I am for negro suffrage in every Southern State. If it be just, it should not be denied; if it be necessary, it should be adopted; if it be a punishment to traitors, they deserve it.

This establishes my position, to wit, that negro suffrage and Federal election laws were not to protect the purity of the ballot, but were to punish the South and keep in power the Republican party. Mr. Stevens is sufficient evidence.

Now, Mr. Speaker, I have not by any means concluded the remarks I would have been glad to submit; but I am conscious I have trespassed too much on the indulgence of the House. If I seem to be earnest in this matter, it is because I feel deeply in regard to it. To my mind there is no occasion for this interference of the Federal power in the affairs of the States. It was never intended that this power should be exercised by Congress except when there was a failure on the part of the States to act.

We reach this conclusion not only from the text of the Constitution, but from the declared intention of the framers of the instrument. We take the declarations of the makers of the Constitution synchronous with the instrument itself to determine its intent. And if it was intended that there should be interference in this matter, is the right to vote any dearer to you than the right of trial by jury or the right of freedom of religion or freedom of the press? Yet these were the subjects of a constitutional amendment which Mr. Madison himself submitted in the first Congress to accompany the other ten amendments which were ratified; but Congress rejected that proposed amendment. They said, "We can leave these great fundamental rights to the States."

If it were proper for the United States Government to invade the domain of the State in order to fix the qualifications of electors or supervise and direct their ballots and interfere to see the vote counted or returned, assuredly the much dearer rights of religious freedom, of trial by jury, and of freedom of the press should be protected by Federal interference, for fear that the States should not provide ample protection for their enjoyment. The fact that such a proposition was rejected demonstrates the intention of the First Congress, many members of which were influential in shaping the Constitution, that this power should sleep, should not be called into life, until invoked by the failure of some State to adopt the means necessary for perpetuating the form of our Government. [Applause on the Democratic side.]

Mr. HAINER of Nebraska obtained the floor.

The SPEAKER *pro tempore* (Mr. KILGORE). The gentleman from Mississippi [Mr. MONEY] desires consent to print certain matters in connection with his speech. Is there objection?

Mr. GROSVENOR. I have not been present during the whole of this debate, but I would like to know whether the rule which was announced the other day by the Speaker is being enforced, so that gentlemen are compelled to read tables of statistics, etc., in order that they may be published with their remarks, unless unanimous consent is obtained to dispense with that formality. I wish to know whether we are asked to make an exception in favor of one gentleman only——

The SPEAKER *pro tempore*. The understanding of the Chair is that a request to extend remarks or to print matter not read as a part of a speech is always submitted to the House, and is generally granted.

Mr. GROSVENOR. It is very convenient sometimes for a member to be allowed to dispense with reading the whole of a paper to which he refers and which he desires to appear in full with his remarks. I wish to concede this privilege to the gentleman from Mississippi if he desires it; but I do not want it to be regarded as a single favor to be extended to one member, with the probability that it will be denied to everybody on this side.

The SPEAKER *pro tempore*. The gentleman from Mississippi stated that he would seek the consent of the House to have certain matters printed in connection with his speech.

Mr. MONEY. I do not ask to extend my remarks; I presume I have the right to print what I have said.

Several REPUBLICAN MEMBERS. There is no objection to the request of the gentleman.

The SPEAKER *pro tempore*. As the Chair understands, there is no objection to the request of the gentleman from Mississippi. The gentleman from Nebraska [Mr. HAINER] has been recognized.

Mr. MEIKLEJOHN. Before my colleague [Mr. HAINER of Nebraska] proceeds I ask him to yield that I may move an adjournment. It is now half past 4 o'clock.

Mr. HAINER of Nebraska. I yield for that motion.

The SPEAKER *pro tempore*. The question is on the motion to adjourn.

Mr. MEIKLEJOHN (after a consultation with other members). I withdraw my motion.

Mr. PICKLER. I renew the motion to adjourn.

Mr. BURROWS. The difficulty about the present situation is this: Eight more hours have been consumed by the friends of this measure than by those who are opposed to it. The last gentleman on the floor spoke about two hours. Of course, no one on this side wanted to object. But there are several gentlemen on our side who desire to be heard; and in order that all may be accommodated, it seems to me we must remain in session a little while to-night. And our side will need to have considerable time to-morrow and next day in order to get even as to time with gentlemen on the other side. I think we might remain in session to-night an hour longer. The gentleman from Nebraska has more members present to hear him now than he may have to-morrow. I suggest, therefore, that he go on now.

Mr. PICKLER. I withdraw my motion to adjourn.

The SPEAKER *pro tempore*. The motion to adjourn is withdrawn. The gentleman from Nebraska [Mr. HAINER] will proceed.

Mr. HAINER of Nebraska. Mr. Speaker, the question now before the House is one of the deepest interest, affecting essentially the foundations of the Federal Government. Nominally the bill under consideration seeks merely to repeal certain sections of Federal law looking to the supervision of Federal elections by supervisors and deputy marshals; practically it goes fur-

ther and seeks to wipe out every possible trace of Federal control and Federal supervision of elections.

In approaching the discussion of this question, I confess I hail from a district which regards this Union not simply as an aggregation of States, but as a great nation, not merely exercising delegated but original powers based upon the fundamental law.

Representing as I do, in part, the people of a State nearly every quarter section of which is occupied by a man who gave evidence of his loyalty to the Union by bearing a musket in the days when many gentlemen who now declaim against these laws were fighting against the Government, I confess that I have some feeling on this question.

I stand for the theory that we can have no nation without a national government; that there can be no such a thing as a representative government unless the representatives are honestly and fairly elected, and that every government must have within and of itself the means for its preservation. We stand here, sir, on this side of the House for a free ballot and a fair count. We stand here for the rule of the majority. We stand here for the protection of the individual. We stand here for protection to American industries, and for everything which has made the nation great and enduring among the nations of the earth. Such being the case we can not but view with apprehension and alarm the significant fact that every act of this Congress has been to assail the cardinal principles upon which rests our prosperity and our national existence itself.

What do you propose to do? You propose first to strike down protection to the ballot. You propose to strike down protection to American industries that has made the country great and prosperous. You seek to reduce the well-paid American artisan and laborer to the low level of the Mexican peon and the lazaroni of Italy, and you propose to strike down that system of finance for which the great majority of our people stand and without which I do not believe our nation can maintain the high degree of prosperity which it has thus far attained. Your entire policy is one of negation and destruction; your watchword, not progress, but repeal and retrogression.

There is a vast difference between the bill nominally considered and the practical question involved. I care little for the present law, but the principle is of the utmost importance. It seems that even the gentleman who framed the bill had some sense of shame when he prepared its title. It includes but a part of what is really proposed and gives no hint of the far-reaching scope of the policy to which it is sought to commit us. What is its title? "A bill to repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes."

The speech of the gentleman who introduced the measure and opened the discussion went no further than the title of the bill. But the bill itself does go further. It goes much further, Mr. Speaker, and the report of the majority shows that the ultimate purpose is to wipe out all the reconstruction measures. This they declare in express terms.

One section which is sought to be repealed is section 2005, which provides:

> When, under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are charged with the duty of furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, every such person and officer shall give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to be qualified to vote.

Is there a gentleman on the other side of the House who has any quarrel with that section of the statute? Does it not state a correct principle? Is not that principle vital to self-government? Why then strike it down?

No gentleman has said here and never can in justice, that this statute is not right in principle. No gentleman has stood here to inveigh against the justice of any section of these laws. Take the succeeding sections which are enumerated. They specify the crimes against the ballot, authorize supervisors, insure order at the polls, and require the returns to the proper authorities.

What can be the objection to such a law, and what possible ground can be assigned for its repeal? Shall crimes against the ballot be no longer punishable? Shall we invite such offenses by placing a premium upon them? Listening to the debate which is taking place, we must conclude that the repeal of these laws, which on their face are salutary, which incorporate principles that everybody admits ought to be in some law on the subject, are sought to be repealed on three grounds. What are they? First, that they are unconstitutional; second, that they are unnecessary and baleful in their practical operations; and third, that a repeal of them would give an increased impetus to the principle of free elections. In other words, that if we repeal these laws, then by other agencies, presumably of the States, we can have the same principles crystallized into law, and they will then be acted upon and lived up to by the people of the several States. Let us examine these grounds in the order of their statement.

Section 4 of Article I is as follows:

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

I might, Mr. Speaker, waive the discussion of the constitutional phases of this question by simply referring to the fact that upon two separate occasions, in the Siebold case and in the Yarborough case, our Supreme Court, which is the final arbiter of the constitutionality of any given law, have expressly declared these laws to be constitutional. But this has no weight with the Democracy. With them every forward step in government, the homestead law, the power to maintain the Union by force, the war measures, the legal-tender acts, the reconstruction acts, including the thirteenth, fourteenth, and fifteenth amendments, the resumption act, were all in turn, in conventions, on the stump, in the courts, and in Congress, denounced as unconstitutional. The same cry, hoary with age, though not respectable in association, is made to do similar service here.

I submit that every reasonable as well as patriotic consideration demands that such questions, once authoritatively settled, should be allowed to remain settled. But, treating it as an open one, it seems to me the more rational construction of this clause is this: First, that the duty is placed upon the State to make rules and regulations to carry into effect the purpose and spirit of this article of the Constitution; but that Congress reserves to itself the power to do these same things, to the end that there shall be fair and free elections of Senators and Representatives. It says that Congress may at any time, by law, make or alter such regulations.

These words are plain. There can be no reasonable cavil over them. The right of Congress is not limited to any specific time. It says that Congress may "at any time." It might have done so on the day that the Constitution was adopted, might have done so on the succeeding day, or on any one of the days which have followed from that olden time down to the present. There is absolutely no limit here.

Again, Congress may make or alter such regulations. Congress may make them, in the first instance; may adopt those which had previously been adopted by the States, may alter them, change them in one particular or more than one. Congress has the absolute, original, and final authority and power in the premises to make or alter regulations as to the times, places, and manner of holding the elections. Now, what do we understand by the "manner"? Certainly it must be the mode, the method, the details, the circumstances of the election—those things which make up the election—the incidents of it, everything which pertains to the carrying on of the election, is included in that word "manner."

Further than that the Constitution provides in its succeeding sections who are citizens. Article XIV, section 1:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Article XV of the Constitution provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude.

Section 2 of the same article provides:

> The Congress shall have power to enforce this article by appropriate legislation.

Let us, in passing upon the constitutionality of these laws, take these several articles and sections which I have read, into consideration. The Supreme Court, in passing upon the first section to which I have referred, held these acts were constitutional. Reinforced as that act is by these succeeding amendments to the Constitution, the fourteenth and fifteenth, I ask can there be any reasonable doubt as to the constitutional power of Congress to pass such legislation? There certainly can not be.

Let it be remembered further that the ratification of these amendments to the Constitution by the very States which are to-day clamoring for the repeal of these laws was made a condition precedent to their again resuming the position which they abandoned when they entered upon their revolt against the Federal Government. I say good faith, if nothing else, demands, when they have been so ratified and in reliance on such action allowed to come back and exercise those privileges which they scouted with contempt in 1860, to-day, in the year of our Lord, 1893, they ought to be bound by those laws and those decisions. There ought to be such a thing as estoppel based upon benefits received in this forum as well as in the forum of the law.

But they tell us prior to the passage of these laws, which they denominate force laws, but which would be better called purity laws, no attempt in that direction had been made by Congress.

Mr. Speaker, I submit the exigency had not arisen. A power is seldom exercised until there is occasion for it. When the Constitution was adopted it was a new and untried experiment. The air at that time was vocal with jealousy of the General Government on the part of the various States, but the framers of that instrument recognized the fact that these United States would, in God's good time, grow from the small beginning until it should have attained to the great institutions we have now, and that the Constitution should be flexible, adapted to the wants of a great as well as of a small nation.

At that time they were but thirteen feeble colonies. There were no questions of immigration pending at that time; no influx of foreign population; no racial questions presented to the American people. There was absolutely no occasion at that time for the adoption of any law of this character; no question as to the freedom or purity in elections. It was only after that time when these conditions became changed, when we had a vast horde of immigrants of all degrees of ignorance as well as intelligence; when the race problem was precipitated in the South, which had lost its battle in the arena of arms, sought by indirect means to accomplish the same purpose, these laws became absolutely essential.

Let us examine on this point some of the items of history which have come down to us. The real condition of affairs after the war, I know, is a tender point, but fidelity to history, especially in the light of the remarks which have just been made by the gentleman who preceded me, requires that I allude to the facts.

Take the black codes, for instance, adopted by the Southern States. What was their purpose and what was their effect? In the State of South Carolina, section 45 of the act to regulate the domestic relations of persons of color, which prescribes, on farms or in outdoor service the hours of labor, except on Sunday, shall be from sunrise to sunset, with a reasonable interval for breakfast and dinner. Servants shall rise at the dawn in the morning, feed, water, and care for the animals on the farm, do the usual and needful work about the premises, prepare their meals for the day if required by the master, and begin the farm work or other work by sunrise.

This was one of the laws which these kind-hearted gentlemen made for the people who they say to-day are their brethren. Not only that; section 46, among other things, prescribes:

The servants shall be quiet and orderly in their quarters, at their work, and on the premises; shall extinguish their lights and fires, and retire to rest at seasonable hours.

Oh! what humanity there is in this?

Section 72 of the same code prescribes that no person of color shall pursue the trade of a mechanic, artisan, or shopkeeper unless he first procures a license from a judge and pays a heavy fee.

And section 10 of the criminal code which South Carolina adopted December 19, 1865, provides that a person of color in the employ of a master engaged in husbandry shall not have the right to sell any farm product, poultry, or any animal without written evidence from such master, or some judge, showing his right to do so; and any person either purchasing or selling without such written evidence is deemed guilty of a misdemeanor.

Section 22 provided that no person of color should migrate into and reside in that State unless he enter into a bond, with two freeholders as sureties, in the penal sum of $1,000, approved by a court or magistrate, conditioned for his good behavior and support if he should become unable to support himself.

These are samples of the laws which were in force at the time these constitutional amendments were adopted.

Allow me to quote from 16 Wallace, 70, where Justice Miller gives the facts of history leading up to the adoption of these amendments and the adoption of these laws. This was in the great Slaughter-house cases. The opinion of the court was not unanimous. I think three of the judges dissented from Justice Miller and his associates.

But I call the attention of the gentlemen who may follow me to the fact that not one of the dissenting judges questioned the absolute truth of the historical recital which was made by Justice Miller. What did he say? After stating that, notwithstanding the formal acknowledgment of the abolition of slavery by the States lately in rebellion, the condition of the blacks was almost as bad as it had been before. The opinion proceeds, and I now quote verbatim from it:

The condition of the slave race would, without further protection from the Federal Government, be almost as bad as it was before. Among the first acts of legislation adopted by several of the States in the legislative bodies which claimed to be in their normal relations with the Federal Government were laws which imposed upon the colored race onerous disabilities and burdens and curtailed their rights in the pursuit of life, liberty, and property to such an extent that their freedom was of little value, while they had lost the protection which they had received from their former owners from motives both of interest and humanity. They were in some States forbidden to appear in town in any other character than menial servants. They were required to reside on and cultivate the soil without the right to purchase or own it. They were excluded from many occupations of gain, and were not permitted to give testimony in the courts in any case where a white man was a party.

It was said that their lives were at the mercy of bad men either because the laws were insufficient for their protection or were not enforced. These circumstances, whatever of falsehood or misconception may have been mingled with their presentation, forced upon the statesmen who had conducted the Federal Government in safety through the crisis of the rebellion and who supposed that by the thirteenth article of amendment they had secured the result of their labors, the conviction that something more was necessary in the way of constitutional protection to the unfortunate race who had suffered so much. They accordingly passed through Congress the proposition for the fourteenth amendment, and they declined to treat or restore to their full participation in the government of the Union the States which had been in insurrection until they ratified that article by a formal vote of their legislative bodies.

Before we examine more critically the provisions of this measure on which the plaintiffs in error rely, let us complete the history of the recent amendments, as that history relates to the general purpose which pervades them all. A few years' experience satisfied the thoughtful men who had been the authors of the other two amendments that, notwithstanding the results of those articles on the States, and the laws passed under the additional powers granted to Congress, these were inadequate for the protection of life, liberty, and property without freedom to the slave was no boon. They were in all those States denied the right of suffrage, and laws were administered by the white man alone.

It was urged that a race of men distinctly marked as was the negro, living in the midst of another and dominant race, could never be fully secured in their person and their property without the right of suffrage. Hence the fifteenth amendment, which declares that the right of a citizen of the United States to vote shall not be denied or abridged by any State on account of race, color, or previous condition of servitude. The negro having by the fourteenth amendment been declared to be a citizen of the United States is then made a voter in every State of the Union.

I place that statement of Justice Miller against the statemen, the echoes of which have not yet died out from this Chamber. I leave this House and the American people to decide whether the gentleman from Mississippi [Mr. MONEY] or Judge Miller correctly stated the condition of things which existed there.

It is hardly necessary for me to refer further to the outrages that were committed at that time, but I desire before leaving that branch of the case to recur to Report No. 16 of the Thirty-ninth Congress, a report which was made upon these outrages in the Southern States.

In it is detailed the incidents and the particulars of that bloody massacre at the Mechanics' Institute in the city of New Orleans on the 30th of July, 1866. The fact has gone into history that two hundred men, at least, on that day, black as well as white, who were assembled for the peaceful purpose of adopting a constitution, were shot down in cold blood, and history does not record the fact that the perpetrators of that outrage, which was committed in open daylight, have ever been punished for their dastardly deed. The murders of Senator Campbell, of John R. Lynch, of the Chisholm family, and Marsh Cook and a multitude of others in Mississippi and other Southern States are matters of familiar history. Murders for political reasons were common. Yet, still gentlemen here tell us that there was no occasion for the adoption of these laws.

But, Mr. Speaker, have times changed so much since then that there is no further occasion for these laws? Did those acts of lawless, wholesale violence which occurred in the days immediately after the war—acts for which in the minds of some charitable persons excuses may be found when we take into consideration the sudden, the violent, and the radical change in the condition of things, and make allowance for the passions and the prejudices of those times—did those acts shortly cease?

Let us look at what came next in the history of that region. A little later than the outrages of which I have spoken we find the institution of the Kuklux Klan, those midnight riders who went abroad in that fair Southland striking terror into the hearts of the black people, who had been suddenly lifted into the atmosphere of freedom. We find that Klan adopting a code and a declaration of principles which, it seems to me, are very similar to those I have heard on this floor during this debate.

I listened to the gentleman from Virginia [Mr. TUCKER] with a great deal of interest, as he pledged here anew his fealty to the Federal Constitution and to the amendments which have been ingrafted upon it, but it would have afforded me, and I think the country, much more satisfaction if that pledge had been made without reservation. Here on this floor he announced his right as a Representative from the State of Virginia to pass upon the constitutionality of those amendments and the laws made in pursuance thereof. When I heard that statement, Mr. Speaker, it recalled to my mind the doctrines which were laid down by this body of midnight riders to whom I have alluded, the Kuklux Klan. The principles of that order were never more clearly announced than in a convention which was held in Nashville, where they made this statement:

We recognize our relations to the United States Government, the supremacy of the Constitution, the constitutionality of the laws thereof, and the union of States thereunder.

Very similar language to that of the gentleman of Virginia. They then proceed to say, among other things, that the objects of their institution are, first, to protect the weak, the innocent, and the defenseless from the outrages, wrongs, and indignities of the lawless, the violent, and the brutal; to relieve the injured and oppressed, to succor the suffering, and especially the widows and orphans of Confederate soldiers.

Mr. Speaker, how about the four millions of blacks at that time, were they not injured and oppressed? Were they not suffering? Were there no indignities, wrongs, and outrages perpetrated upon them? Was there any class of people on God's green globe ever more lost to a sense of justice and mercy than those midnight raiders who stalked through that land?

Further:

To protect and defend the Constitution of the United States and all laws passed in conformity thereto.

They, too, it seems, reserved to themselves the right to determine whether or not the laws were in conformity with the Constitution of the United States:

To protect the State and the people thereof from all invasion from any source whatever, to aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure, and from trial except by their peers in conformity to the laws of the land.

These midnight assassins constituted themselves the final arbiters of the constitutionality of the laws of the State as well as the nation, and the rights of the people thereunder. And yet will the gentleman insist there was no occasion for the promulgation of these laws?

Mr. TUCKER. May I interrupt the gentleman?

Mr. HAINER of Nebraska. Certainly, I yield to the gentleman.

Mr. TUCKER. The gentleman has referred to the position which I took in reference to the constitutionality of these laws, and has undertaken to define the rule by which I should be governed in determining that question. The gentleman has also referred with great unction to the late Justice Miller. I hold in my hand a volume entitled "Miller on the Constitution of the United States," a paragraph from which I would be glad to read to my friend. Judge Miller in his lectures——

Mr. HAINER of Nebraska. Do you propose to read the whole work?

Mr. TUCKER. I would be very glad if my friend would take the whole work; I want to read only one paragraph. Justice Miller in lecturing to his class here in the District of Columbia on the Constitution and the rules which should govern the Executive and members of Congress in relation to decisions of the Supreme Court, uses these words:

It is certainly the special function of the courts to construe it (the Constitution) in a judicial proceeding with parties properly before them, but it is equally the duty of each member of Congress, as well as of the Executive, to make that construction for himself when he is called upon to act, within the sphere of his duty, upon any matter involving a question of constitutional law. It is also true that such member or Executive is bound to consider that in the execution of the law, as between such parties all other branches of the Government must yield to the interpretation declared by the courts; yet when the question is addressed to his conscience as to whether he can vote for a proposed measure, or sign a certain bill which is presented to him, it is for him to decide, with the best light that he can obtain, whether the matter is within the constitutional power of the body of which he is a member.

Mr. HAINER of Nebraska. Mr. Speaker, I do not question in the least that exposition of constitutional law. There, too, as in the other cases—the Siebold case and the Yarborough case—the decision of Justice Miller is eminently sound; no gentleman on this side makes any question on that point. But let me call the attention of the gentlemen from Virginia to the fact that even in that isolated passage which he has read—presumably the most favorable to his position which he has been able to find in the long, weary months which he has devoted to that fruitless search—that paragraph calls attention to the fact that a member of Congress may when he is called upon to vote for a measure at the time of its adoption use his own judgment whether or not it is constitutional; but the gentleman can find no dictum even of Justice Miller or any other constitutional lawyer which holds that a member of the National Legislature, after a law has been legally passed, after it has been signed, after it has received the construction of the courts, can erect himself into a final arbiter of the constitutionality of that law. He can not find such a doctrine anywhere; it is not written in any law book; and I challenge the gentleman, who, it appears, is a member of the legal profession, to show any instance where any lawyer or any judge has so held. Not a single such instance can be found. The citation to which the gentleman refers in express terms negatives any such doctrine and sustains me.

I submit to my friend—and certainly he, as a Democrat, ought not to quarrel with this view—that taking the several coördinate branches of our Government, judicial, legislative, and executive, each is supreme within its appropriate jurisdiction; and he certainly will not question that to the judiciary is given to interpret the laws which have been passed by the legislative branch of our Government. The judiciary is made the final arbiter of the constitutionality of our laws. For that doctrine his party has always contended, and I am sorry to see him to-day when his party is in power repudiate this fundamental principle.

Mr. Speaker, the condition of things which obtained at the time to which I have alluded did not change entirely; but in the course of time, gentlemen in the Southland, those who belong to the same party with my friend from Virginia, themselves revolted at the atrocities which had been committed in their midst. And what did they do? They inaugurated another régime, which also has gone into history. By wholesale fraud, by intimidation, by tissue ballots, they practically disfranchised the black and all others who disagreed with them in the matter of government. As time went on, they became ashamed also of this. But their purpose still remained. What was that purpose? To suppress the colored vote; to deny the black man participation in government. That was their purpose; they had none other. They still adhere to that purpose North as well as South.

I submit it is perfectly fair in determining this issue that I place upon the stand Democratic witnesses, gentlemen who belong to the same party as the gentleman from Virginia. I will not have this case passed upon by members of my party; let your course be justified or condemned out of the mouths of your own associates. The first gentleman whom I will place on the stand is Mr. Dana of New York, the celebrated editor. I trust that he will pass as a fair Democrat in this assembly.

What does Mr. Dana say in an article printed in the New York Sun in commenting on the Chicago nominee?

There is one question depending on the election of the next President, which, in its momentous importance and vital imperativeness, must seem to every philosophic observer to exceed any other question that the people are now called upon to determine. We mean the question whether those Southern States, which inherited a negro population surpassing the number of their white citizens, shall by Federal law and Federal military force be subject to the political dominion of the negroes.

The Republican party is by its nature and traditions under the necessity of enacting and executing an election law whose purpose and effect will be to put the negroes in control of several of the Southern States. On the other hand, and by nature and necessity of the ideas involve the success of the Democracy is death to the force-bill project. Killed in the election it can never be revived. In this view of the contest what conscientious Democrat can hesitate about his duty? Better vote for the liberty and the white government of the Southern States even if the candidate were the devil himself—

A sort of left-handed compliment, I suppose, to the nominee of the Chicago convention—

than consent to the election of respectable Benjamin Harrison—

Here he is placed in contrast, I suppose, with the Chicago nominee—

with the force bill in his pocket.

Mr. PENDLETON of West Virginia. Will the gentleman allow me to ask him a question?

Mr. HAINER of Nebraska. Yes, sir.

Mr. PENDLETON of West Virginia. The gentleman, I suppose, is a Republican?

Mr. HAINER of Nebraska. I make no denial of that, sir.

Mr. PENDLETON of West Virginia. I want to ask you this question: Is it the intention of the Republican party in those Southern States where the majority of the people are colored, that the negroes in those States shall rule the States? Is that the intention and wish of the Republican party?

Mr. HAINER of Nebraska. Mr. Speaker, it affords me much pleasure to answer the gentleman. The Republican party at no time or place seeks to dominate in any other than the legal and authorized way, by a pure and free ballot and a fair count. In that way and that way only. If the negro, those who are entitled to vote, on a fair count and under the laws of these States, if they are in a majority, the Republican party, so far as the laws of the United States give power, demand that the voice of the majority thus expressed shall rule, and the same no matter whether that majority be white or black, Republican or Democrat. [Applause on the Republican side.]

Mr. PENDLETON of West Virginia. Then another question: If with what you call a fair vote in the State of Mississippi, which is supposed to have a large majority of negroes, and with what you call a fair count of the vote, the negroes in that State are allowed to vote as they wish, and should vote in such a way as to give them control of the State, if they can accomplish it by voting, is it the intention of the Republican party to carry that vote of the negroes into effect and give them control?

Mr. HAINER of Nebraska. The Republican party has no sort of intention and have not had, so far as I am advised, to undertake to fix the qualifications of the voters in any of the Southern States. You have a right to fix the qualifications of your own voters. We make no question of that. But when you have done so, we say, as Republicans, that so far as those votes affect the election of Representatives in this Congress, that that vote shall

be given effect. On that we stand. [Applause on the Republican side.]

Mr. PENDLETON of West Virginia. And that if a majority is thereby secured by the negro race that that majority shall give them control of the State of Mississippi, for instance?

Mr. HAINER of Nebraska. It matters not whether the majority thus secured honestly be white or black, Democrat or Republican, we purpose to give it full effect, as under the Consitution in good faith and in justice we ought to do.

Mr. PENDLETON of West Virginia. That is your contention?

Mr. HAINER of Nebraska. That is my contention.

Mr. PENDLETON of West Virginia. I only wanted to see if my friend was in favor of negro rule.

Mr. BURROWS. And I suppose you wanted the information for business purposes in the election in Virginia?

Mr. PENDLETON of West Virginia. Yes, I wanted it for use. I wanted my friend to admit, as he has admitted, that he was in favor of transferring the local affairs of the Southern States into the hands of the negro.

Mr. HAINER of Nebraska. That is not true, and the gentleman well knows it. I have expressly declared it is not our intention to interfere with the local affairs or the fixing of the qualifications of voters in the States. But after the vote is cast we insist that vote shall be counted as it is cast, in the matter of Congressional elections. [Applause on the Republican side.]

Mr. BURROWS. Will the gentleman from Nebraska yield to me to ask a question of the gentleman from West Virginia?

Mr. HAINER of Nebraska. Certainly.

Mr. BURROWS. Is it your intention in the State you represent, that after you have determined the qualifications of the voters in that State under State law, to allow the voters thus qualified to cast their ballots?

Mr. PENDLETON of West Virginia. It is my intention that they shall. But if I lived in Mississippi, where there is a large negro majority, I would adopt any measure that would bring it about that the white race should control that State.

Mr. BURROWS. No matter how the ballots were cast?

Mr. PENDLETON of West Virginia. Yes, sir.

Mr. BURROWS. In other words, if you were living in Mississippi, you would determine to rule; and if the voters in that State cast a majority of the ballots against you, you would not allow those votes to be counted, if they resulted in the domination of the negro race?

Mr. PENDLETON of West Virginia. If it resulted in negro rule, I would not. [Derisive laughter on the Republican side.] Would you? I would like to ask the gentleman from Michigan, with the permission of the gentleman from Nebraska——

Mr. HAINER of Nebraska. Mr. Speaker, I have been very much interested in the colloquy which has just taken place, and it simply shows that there is another gentleman, in addition to the gentleman from Mississippi [Mr. MONEY], who proposes to violate the Constitution, to trample upon it, whenever it suits his party purpose.

Mr. PENDLETON of West Virginia. There is not a Democratic Congressman in the entire South who would favor negro rule in any instance.

Mr. JOHNSON of Indiana. You can not distort the remarks of the gentleman from Nebraska in this way.

Mr. PENDLETON of West Virginia. I ask the gentleman if he will allow me to ask the gentleman from Michigan [Mr. BURROWS] a question?

Mr. HAINER of Nebraska. I will allow the gentleman in his own time to make a speech, in which he may say whatever he pleases. The next witness whom I purpose to place upon the stand is the gentleman who made remarks upon this bill, and very able ones, on September 30, 1893, the honorable gentleman from Tennessee [Mr. PATTERSON]. That gentleman, with a candor which I cannot but respect, used this language, which I find on page 1990 of the RECORD. After having referred to the years immediately following 1870 and 1871, he says:

Then, Mr. Speaker, came the struggle for white supremacy. Let us for a moment survey the field. Here were the people of the Southern States, Unionists and secessionists alike, united as one man in a common purpose to escape from a fate more intolerable than the fate of Poland. These people sprang from the cavaliers of Virginia, the Scotch-Irish of North Carolina, and the Huguenots of South Carolina. They were the descendants of the men who fought at Eutaw Springs, Guilford Court-House, the Cowpens, King's Mountain, and Yorktown. They were proud of their ancestry, generous, brave, self-sacrificing, intelligent, and accustomed to govern. They had just emerged from a war of four years' duration, in which they had made a record for continence, for courage, and for endurance unsurpassed in the annals of warfare.

On the other hand, we behold the negroes, ignorant, superstitious, confiding, and fearful of a return to slavery, without the slightest capacity for government, drilled and organized by designing and corrupt adventurers into a compact political force. Here was the color line distinctly drawn, inevitably drawn, unfortunately drawn, between these two peoples, one belonging to the bravest, the most aggressive, and the dominant race in every part of the globe wherever it has found a footing, the other belonging to a race at once the most helpless, ignorant, thriftless, and least aggressive under the sun.

Mr. Speaker, I submit this fairly epitomizes the condition of things at that time. Here was a race which was the least aggressive on the face of the globe, helpless and ignorant. Certainly this superior race, this white race, which has known no superior since the time the morning stars sang together, needed not to handicap this inferior race in order to maintain its rights. It never occurs, even in sporting circles, to handicap the grass-fed pony when it enters the list against the thoroughbred; yet that is exactly what it is proposed to do here. The gentleman from Tennessee [Mr. PATTERSON], further proceeding, says:

Now, I put it to the House, what was the necessary result to be expected from this condition of affairs? Was it not just as inevitable as the coming and going of the seasons that the superior and dominant race would take charge of those governments? But, it is charged that in accomplishing this result violence was sometimes resorted to, wrongs were sometimes committed, and frauds were sometimes perpetrated. Why, Mr. Speaker, that is historical, and I am not disposed to dodge historical truth.

It seems to me that the gentleman from Tennessee [Mr. PATTERSON] does not agree with the gentleman from Mississippi [Mr. MONEY], who has just concluded his remarks.

On page 1990 the gentleman from Tennessee says:

Put it this way, if you please, that they either had to submit to such government—

That is, a government participated in by the blacks—

or resort to fraud, violence, and intimidation to rescue themselves, their wives and children from such a fate. I say, put it that way, if you choose, and who can doubt that the provocation was a thousandfold greater in wrongdoing than any offense that can be justly attributable to those people.

So, on page 1993, in reply to the gentleman from Iowa [Mr. HENDERSON], the gentleman from Tennessee [Mr. PATTERSON] continues:

I will remind him that civilization takes longer to develop than the century plant. It takes ages and multiplied centuries to develop an Englishman, a German, or a Frenchman of to-day. The negro race is not now in this advanced state of maturity. You can not make it so by education any more than you can make corn mature in July by excessive cultivation in May.

Mr. Speaker, these words, voicing the sentiment of the other side of the Chamber, have a peculiar significance when construed in connection with the laws which they have adopted, and to which I shall hereafter recur.

The gentleman from Tennessee [Mr. PATTERSON] continues:

Ah, no. Civilization comes slowly, and while the colored people in the United States are making rapid strides in that direction, they are not yet prepared to assume the responsibilities of such a Government as ours.

These gentlemen, Mr. Dana from the North and the gentleman from Tennessee [Mr. PATTERSON] from the South, purpose, no matter what may be in the law—and in this they are reenforced by the gentleman from Mississippi [Mr. MONEY] and the gentleman from West Virginia [Mr. PENDLETON]—in saying that no matter what may be the qualifications of the voters, if their skins be black, no matter what may be the laws of the State, they shall not participate in the election of Federal officers in those States.

Acting on this theory, epitomized fairly in the statements of these gentlemen, they have inaugurated a system of laws which have operated beautifully, as the other side say, in the suppression of this detested vote. Let us examine some of them. Take for instance the State of Florida. I have in my hand the election laws of that State. What do those laws provide? What is the election machinery of that State?

This State, in common with nearly all, or in fact all, I believe of the seceding States, with one exception, adopted the system of controlling the elections through some central authority, and not by the people themselves. There is no such thing, then, as rule by the people.

I listened the other day with rapt attention to the rhythmic utterances of the gentleman from Kentucky [Mr. BRECKINRIDGE]. His cadences rose and fell upon the air of this Chamber like the echoes of some magical song. He eloquently declaimed upon the beauties of home rule; but it never occurred to the gentleman that in the States from which hail the advocates of the repeal of these laws home rule has never obtained a lodgement. It is for home rule that we on this side of the Chamber contend; and when I listened to him, and remembered what were the laws of these States, how far they were removed from home rule, I could not help thinking that a man may smile and smile and be a villain, and how mild mannered a man may be and still cut a throat or scuttle a ship.

Let us take the laws of Florida. There we find the Governor appoints first, what? A "competent, discreet, fair-minded man" as supervisor and registrar for each county. That officer is not elected. He superintends the registration. The superintendent of registration is appointed by the governor, the central authority. The county supervisor, who is the appointee of the governor, appoints a deputy for each election district. The county commissioner appoints three "intelligent and discreet inspectors and one clerk." These are all appointed, and the appointing power emanates from the central political authority of the State. The inspectors may order deputy marshals

to be in attendance and place a man in jail who disputes the orders or instructions of the supervisors and inspectors.

These inspectors may refuse a vote. They have full judicial authority and functions. The same inspectors, appointed by the central authority, canvass the vote and make returns to the county authorities. The county judge and county superintendent of registration and of elections canvass the result and determine who is elected. The ballots are not preserved; at least there is no provision made for their preservation. There is no provision made here for any person of a different party upon any of these boards, unless in the discretion of the central authority that is done.

In every instance the appointing power resides in the central authority and in their hands alone; and we find as a matter of fact the entire machinery of the election is in the hands of one party. Boss Tweed in his palmy days arrogantly said:

Give me the inspectors of the election and I don't care a —— how the people vote.

Here in the State of Florida, and in every one of the Southern States, the inspectors and the registers, and in fact the entire machinery of the election, is in the hands of the Democratic party, and there is no escape from it.

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

Mr. MERCER. Mr. Speaker, I ask unanimous consent that the time of my colleague be extended without limit.

There was no objection.

Mr. MERCER. I now move that the House adjourn.

Mr. CRAWFORD. Will the gentleman from Nebraska withdraw that motion for a moment?

Mr. MERCER. I withdraw the motion.

Mr. TUCKER. Mr. Speaker, I move that when the House adjourns to-day it be to meet to-morrow at 11 o'clock.

The motion was agreed to.

W. W. ROLLINS.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent for the present consideratien of the bill which I send to the clerk's desk.

The bill was read, as follows:

A bill (H. R. 2881) for the relief of William W. Rollins, collector of fifth district North Carolina, for value of stamps destroyed by fire at Winston, N. C., on November 13, 1892.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the accounts of W. W. Rollins, collector of internal revenue for the fifth collection district of North Carolina, with the sum of $1,569.15, being value of tobacco stamps destroyed by fire at the stamp office in Winston, N. C., on the night of November 13, 1892.

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

Mr. BURROWS. Mr. Speaker, I desire to ask the gentleman whether this matter has been referred to the Treasury Department?

Mr. CRAWFORD. It has been reported twice by the Committee on Claims. There is no question about it.

Mr. BURROWS. What information was there from the Department?

Mr. CRAWFORD. Let the report be read, Mr. Speaker.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2821) for the relief of W. W. Rollins, having carefully considered the same, report the same back, with the recommendation that the bill do pass.

The accompanying papers are annexed and made a part of this report.

The SPEAKER *pro tempore*. Does the gentleman from Michigan desire to have all the communications read?

Mr. BURROWS. I simply want to have read a letter from the Department, if there is one there.

The SPEAKER *pro tempore*. There seems to be no statement from the Department.

Mr. CRAWFORD. Mr. Speaker, I am satisfied that the committee has investigated this matter thoroughly, and there is no question about its justness. I will ask to have read a letter from a gentleman who knew all the facts, and I ask that the letter of the deputy collector be read.

Mr. BURROWS. Let us have the letter of the deputy collector read.

The Clerk read as follows:

[Internal revenue service, fifth district of North Carolina, Winston, Forsyth County, N. C.]

William J. Ellis, being duly sworn, deposes and says that he is a deputy-collector of internal revenue in the fifth district of North Carolina, and as such deputy collector is in charge of the stamp office at Winston, N. C., and was so in charge on the 14th day of November, 1892; that at the hour of 1 o'clock a. m., on the morning of said November 14, 1892, a fire broke out in an adjoining building to the block in which the office of said stamp office was situated, which said fire was communicated to said building in which said stamp office was contained. That said stamp office was on the third floor of said building, and the partition wall separating the stamp office and the building in which the said fire originated was destroyed; also, the entire roof of said building and the entire inside woodwork of said stamp office, excepting the floor. That in said office there was a considerable amount of stamps, most of which was saved by the exertions of said affiant at the time of the fire, but after a careful count he finds that the following number of stamps and denominations thereof were entirely destroyed by fire:

	Pounds.
1,772 2-ounce tobacco stamps	221½
Of 5-pound tobacco stamps	23
Of 10-pound tobacco stamps	99
Of 20-pound tobacco stamps	23,196
Of 30-pound tobacco stamps	2,337
Of 40-pound tobacco stamps	81
Of 50-pound tabacco stamps	19
Total pound s	26,152½ 6
Total value	$1,569.15

That the safe which had been provided for the safe-keeping of stamps from accidents of this character was filled at the time of the fire, and that the stamps which were destroyed were those which were placed in a locked closet in said office. That said fire originated without any fault on the part of this affiant, and that everything was done by him to protect and save the property of the Government which he had under his charge. Wherefore, he prays that credit may be given to him to the amount of the value of said stamps destroyed by fire as hereinbefore stated.

WILLIAM J. ELLIS,
Deputy Collector.

Sworn and subscribed before me January 23, 1893.

H. L. BECKERDITE,
United States Commissioner, Western District North Carolina.

Mr. SAYERS. I want to ask the gentleman from North Carolina a question if he will yield to me.

Mr. CRAWFORD. Yes, sir.

Mr. SAYERS. Is there any document or paper from the Treasury Department in regard to this matter?

Mr. CRAWFORD. There is not.

Mr. SAYERS. We ought to have information from the Department.

Mr. CRAWFORD. Mr. Speaker, I withdraw the bill.

Mr. MERCER. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. HOUK of Tennessee, from the Committee on War Claims: A bill (H. R. 1491) for the relief of the Cumberland Female College of McMinnville, Tenn. (Report No. 56.)

By Mr. RICHARDS, from the Committee on Claims: A bill (H. R. 684) for the relief of the heirs of the late Mrs. Catherine P. Culver. (Report No. 79.)

By Mr. ELLIS of Oregon, from the Committee on the Public Lands: A bill (H. R. 889) for the relief of William P. Keady. (Report No. 80.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were rereferred as follows:

A bill (H. R. 3354) for the relief of Mrs. Mary B. Hulings; the Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2090) for the relief of Nicholas J. Bigley; the Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, severely read twice, and referred as follows:

By Mr. CHILDS: A bill (H. R. 3697) for the erection of a custom-house and post-office building at Joliet, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. BALDWIN: A bill (H. R. 3698) to amend "An act to amend section 4400 of title 52 of the Revised Statutes of the United States, concerning the regulation of steam vessels," approved August 7, 1882, and to amend section 4414, title 52, of the Revised Statutes, "Regulation of steam vessels"—to the Committee on Interstate and Foreign Commerce.

By Mr. BANKHEAD (by request): A bill (H. R. 3710) to make available the sum of $250,000 appropriated in 1890 and suspended in 1891, to provide accommodation for the Government Printing Office—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Florida: A joint resolution (H. Res. 67)

for a survey of the harbor at Canaveral, Fla.—to the Committee on Rivers and Harbors.

By Mr. COMPTON: A joint resolution (H. Res. 68) authorizing the Commissioners of the District of Columbia to expend for the daily collection of garbage any unexpended balance of the appropriation made for such collection of garbage for the months of May, June, July, August, and September—to the Committee on Appropriations.

By Mr. WILSON of West Virginia: A resolution to print certain hearing had before the Committee on Ways and Means—to the Committee on Printing.

PRIVATE BILLS, ETC.

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

By Mr. ADAMS: A bill (H. R. 3699) for the benefit of Theophalus T. Garrard and others—to the Committee on War Claims.

By Mr. BERRY: A bill (H. R. 3700) granting an honorable discharge to Lieut. Edward Clements, Company H, Fifteenth Kentucky Volunteer Infantry—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 3701) for repayment of purchase money to E. C. Masten on erroneous entry of public lands—to the Committee on the Public Lands.

By Mr. LIVINGSTON: A bill (H. R. 3702) for the relief of Benjamin P. Rogers—to the Committee on War Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 3703) for the relief of A. J. and B. F. Haydon—to the Committee on War Claims.

Also, a bill (H. R. 3704) for the relief of George and Charles Shindler, of Spencer County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 3705) to grant a pension to Ira Manly—to the Committee on Pensions.

Also, a bill (H. R. 3706) for the relief of Abijah B. Gilbert—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: A bill (H. H. 3707) to remove the charge of desertion from the record of John Haug, alias John Hogg—to the Committee on Military Affairs.

By Mr. RAYNER: A bill (H. R. 3708) for the relief of the heirs of Edmund Wolf—to the Committee on War Claims.

By Mr. VAN VOORHIS of Ohio: A bill (H. R. 3709) for the relief of H. P. Willey on account of injuries received by him on the 9th of June, A. D. 1893—to the Committee on Claims.

By Mr. BANKHEAD (by request): A bill (H. R. 3711) for the relief of William S. Grant—to the Committee on War Claims.

Also (by request), a bill (H. R. 3712) for the relief of the assignee of Samuel E. Odgen—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. CUMMINGS: Papers to accompany House bill 3660—to the Committee on War Claims.

By Mr. HERMANN: Petition from Missouri Flat Alliance, Oregon, for forfeiture of land grants—to the Committee on the Public Lands.

Also, resolutions of the Council of Federated Trades of Astoria, urging the enforcement of the Geary law—to the Committee on Foreign Affairs.

By Mr. KIEFER: Petition of the Northern German Annual Conference of the Methodist Episcopal Church for the repeal of the Geary law—to the Committee on Foreign Affairs.

By Mr. McCREARY of Kentucky: Petition of J. E. Huffman, of Kentucky, praying for increase of pension—to the Committee on Invalid Pensions.

By Mr. O'NEIL of Massachusetts: Petitions of wholesale dealers, of Austin, Tex.; of Detroit Board of Trade; of Danbury (Conn.) Board of Trade; of Haverhill and Gloucester (Mass.) Boards of Trade, and others, for the consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Chicago Paint, Oil and Varnish Club; of San Antonio Board of Trade, of Newburyport and Stoneham (Mass.) Boards of Trade, and of the National Paint, Oil, and Varnish Associations, for the consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. WHEELER of Alabama: Petition of Rebecca E. Miller, widow of Riley Miller, deceased, late of Company H, First Alabama Cavalry Volunteers, praying that the charge of desertion be removed from the military record of her late husband—to the Committee on Military Affairs.

SENATE.

FRIDAY, *October 6, 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.

ENFORCEMENT OF CHINESE EXCLUSION ACTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, stating, in further response to a resolution of September 7, 1893, that the steamship companies have increased their rates for the transportation of Chinese from San Francisco to Hongkong from $35 to $51 per capita for steerage passage, etc.; which, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GORMAN. I present a petition signed by Hurst, Purnell & Co., Gill & Fisher, Armstrong, Cator & Co., Woodward, Baldwin & Co., Daniel Miller & Co., Hodges Bros., James S. Gary & Son, and 325 other commercial firms of Baltimore, Md., praying for the repeal of the silver-purchasing clause of the so-called Sherman law and for immediate and favorable action looking to the passage of the Wilson bill. This petition is signed by all the leading merchants of Baltimore, representing, I suppose, two-thirds of the trade and commerce of that city. The petition is quite lengthy, and as the bill to which it refers is now pending before the Senate, I simply move that the petition lie on the table.

The motion was agreed to.

Mr. CALL presented the petition of C. F. Giles, master mechanic, and other citizens of Jacksonville, Fla., praying for the unconditional repeal of the so-called Sherman law; which was ordered to lie on the table.

Mr. ALLEN presented a petition of the city council of Omaha, Nebr., praying that the Secretary of the Treasury be required to award the contract for the construction of a public building in Omaha for which an appropriation of $1,200,000 has been made by Congress; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of citizens of Wausa, Nebr., praying for the unconditional repeal of the silver-purchasing clause of the so-called Sherman law; which was ordered to lie on the table.

Mr. McPHERSON presented the petition of John Everman, late private Company K, Eighth New Jersey Volunteers, praying for the removal of the charge of desertion; which was referred to the Committee on Military Affairs.

BILLS INTRODUCED.

Mr. McPHERSON introduced a bill (S. 1049) for the relief of John Everman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PEFFER. I introduce a bill by request. I wish to state that I do not regard its provisions as practicable or even desirable at this time, but at the request of a number of gentlemen who regard it as very important that the Committee on Finance should consider it, I introduce the bill and ask that it be referred to that committee.

The bill (S. 1050) to provide for the employment of labor and the prosperity of the people of the United States, and for other purposes, was read twice by its title, and referred to the Committee on Finance.

Mr. DAVIS (by request) introduced a bill (S. 1051) for the relief of Jean Louis Legare, of the Dominion of Canada; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1052) extending the benefits of the act of June 27, 1890, to certain persons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 1053) granting an increase of pension to Samuel P. Harris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1054) granting an increase of pension to Joseph R. Nicklin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 1055) to carry into effect the findings of the Court of Claims in the cases of Edward N. Fish and others for supplies furnished the Indian service; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1056) for the relief of John Williams, of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1057) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; which was