

SENATE.

TUESDAY, December 12, 1893.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
CALVIN S. BRICE, a Senator from the State of Ohio, appeared in his seat to-day.

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

PURCHASES OF SILVER BULLION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of November 1, 1893, a statement of the aggregate amount of silver bullion purchased in October, 1893, the cost thereof, etc.; which was read.

The PRESIDENT *pro tempore*. The communication being an answer to a resolution submitted by the Senator from Colorado [Mr. TELLER], not now present, if there be no objection, will be printed, and, with the accompanying document, lie on the table until the return of that Senator.

Mr. COCKRELL. Would it not be well that the accompanying document be printed? It seems to me that course should be pursued.

The PRESIDENT *pro tempore*. In view of the suggestion of the Senator from Missouri, the communication, with the accompanying document, will be printed, and lie on the table.

Mr. COCKRELL. It is not a very large paper.

REPORT OF SUPERINTENDENT OF COAST SURVEY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting the annual report of the Superintendent of the Coast and Geodetic Survey, stating the progress made in the work by that Survey during the fiscal year ended June 30, 1893; which was read.

The PRESIDENT *pro tempore*. The communication will be printed. The report is accompanied by maps illustrating the general advance in the operations of the Survey. What disposition shall be made of the communication and accompanying document?

Mr. COCKRELL. I move that the letter of transmittal be printed, and that it with the accompanying document, be referred to the Committee on Printing.

The motion was agreed to.

INDIAN DEPREDEATION CLAIMS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Attorney-General, transmitting a statement of all final judgments in claims arising from Indian depredeations under the act approved March 3, 1891; which, with the accompanying papers, was referred to the Committee on Indian Depredations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented a petition of the Philadelphia (Pa.) Maritime Exchange, praying for the enactment of legislation providing for maintaining in active service the life-saving stations upon the sea and gulf coasts of the United States from the 1st day of August in each year until the 1st day June succeeding; which was referred to the Committee on Commerce.

Mr. LODGE presented a petition of Typographical Union, No. 276, of New Bedford, Mass., praying for the governmental control of the telegraph service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE presented a petition of Cyrus J. Long Post, Grand Army of the Republic, of Elizaville, Ind., praying for the enactment of such legislation as will insure the settlement of all claims in the Pension Department prior to December 1, 1894; which was referred to the Committee on Pensions.

Mr. KYLE presented a petition of the South Dakota Annual Conference of the Methodist Episcopal Church, of Brookings, S. Dak., praying for the repeal of the so-called Geary Chinese law; which was ordered to lie on the table.

Mr. SQUIRE. I present a petition of the Port Townsend Chamber of Commerce, of the State of Washington, praying for the employment of labor for the erection of fortifications in that State, setting forth the great need of fortifications on Puget Sound and the condition of things there, and suggesting that laborers might be well employed by the Government now in the erection of such fortifications, thereby giving employment to needy laborers. I move that the petition be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. SQUIRE. I present a petition of the Chamber of Commerce of the city of Seattle, in the State of Washington, praying for the establishment of a national park to be called the Washington National Park, in that State, in a body of land now comprised in what is called the Pacific Forest Reserve, where, as is

represented in the petition, the beautiful native trees are being destroyed and there ought to be protection afforded, a keeper provided, routes laid out, and paths made, and that beautiful body of forest trees preserved: I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 1190) granting an increase of pension to David S. Corser, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on the District of Columbia, to whom was referred the bill (S. 872) to make service connections with the water mains and sewers in the District of Columbia, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. TURPIE introduced a bill (S. 1238) granting a pension to Catharine Dillon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1239) granting an increase of pension to Benjamin W. Marshall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1240) granting a pension to Helen M. Jacob; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1241) for the relief of Frank J. Burrows; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1242) for the relief of the estate of the late William L. Scott; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1243) granting a pension to Mary E. Chamberlin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1244) to amend section 22 of an act to regulate commerce as amended March 2, 1889; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. SHERMAN (by request) introduced a bill (S. 1245) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1246) to amend the charter of the Brightwood Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HUNTON introduced a bill (S. 1247) for the relief of Commodore Oscar C. Badger, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. VOORHEES introduced a bill (S. 1248) granting a pension to John R. Kendall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1249) granting a pension to Jacob Grobb; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SQUIRE introduced a bill (S. 1250) to set apart certain lands, now known as Pacific Forest Reserve, as a public park, to be known as the Washington National Park; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1251) to accept, ratify, and confirm certain agreements heretofore concluded with certain Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1252) to amend an act entitled "An act to provide for the times and places to hold terms of the United States courts in the State of Washington;" which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1253) to promote Lieut. A. B. Wyckoff, United States Navy, retired, to the grade of lieutenant-commander on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. IRBY introduced a bill (S. 1254) to permit Agnes A. Niver

to bring a suit against the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. COKE introduced a bill (S. 1255) to authorize the construction of an additional story to the public building in Fort Worth, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PASCO introduced a bill (S. 1256) to make Anclote, in the State of Florida, a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 1257) granting a pension to John M. Bailey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1258) to revive the grade of lieutenant general in the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS (Mr. JONES of Arkansas in the Chair). I, by request, introduce a bill to amend the act regulating the sale of intoxicating liquor in the District of Columbia.

The bill (S. 1259) to amend section 2 of an act of Congress approved March 3, 1893, entitled "An act regulating the sale of intoxicating liquor in the District of Columbia," was read twice by its title.

Mr. HARRIS. I submit a letter from the Commissioners of the District of Columbia approving the bill, and asking that early action be taken thereon. I move that the bill and accompanying letter be referred to the Committee on the District of Columbia.

The motion was agreed to.

INCREASE OF CAPITOL POLICE FORCE.

Mr. BRICE submitted the following concurrent resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate of the United States (the House of Representatives concurring). That the Board of Capitol Police be, and they are hereby authorized and directed to appoint twelve additional policemen at an annual salary of \$1,100 each, one-half to be paid by the Secretary of the Senate, and the other half by the Clerk of the House of Representatives, out of the appropriations for miscellaneous items of the respective Houses, until otherwise provided for.

ORDER OF BUSINESS.

Mr. CULLOM. If the morning business has concluded, I will ask the attention of the Senate.

The PRESIDENT *pro tempore*. If there be no further concurrent or other resolutions, the morning business is concluded.

Mr. PEPPER. There is a resolution coming over from yesterday.

The PRESIDENT *pro tempore*. The Senator from Illinois was recognized by the Chair.

Mr. CULLOM. There is perhaps a resolution upon the table that comes over from yesterday.

The PRESIDENT *pro tempore*. The Chair will state to the Senator from Illinois that there are two resolutions upon the table that come over from yesterday.

Mr. CULLOM. If it is not important that they be acted upon at this time, as I have an engagement to meet the joint commission in reference to the reorganization of the Departments, I should like to occupy the attention of the Senate for a while.

Mr. PEPPER. I have no objection to passing the resolutions over, provided they will retain their present position and come up to-morrow morning.

The PRESIDENT *pro tempore*. If passed over by consent the resolutions will hold their position on the table, to be presented either to-day or to-morrow.

Mr. HOAR. Will the Chair repeat his announcement?

The PRESIDENT *pro tempore*. If the resolutions are passed over at this time by consent, they will be laid before the Senate either to-day or to-morrow morning, holding their place on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution providing for the printing of 4,000 copies of the document entitled "Imported merchandise entered for consumption in the United States during the years 1890 to 1893; with the rates and amount of duty collected;" in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing for the printing of 8,000 copies of the eulogies delivered in Congress upon the Hon. William Mutchler, late a Representative from the State of Pennsylvania; in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the Presi-

dent had on this day approved and signed the joint resolution (S. R. 42) permitting Anson Mills, colonel of Third Regiment United States Cavalry, to accept and exercise the functions of boundary commissioner on the part of the United States.

REPEAL OF ELECTION LAWS.

Mr. CULLOM. Mr. President, yesterday I gave notice that if agreeable to the Senate I would ask leave to occupy the time of the Senate for a little while to-day, mainly with reference to the question of the repeal of the election laws, so called. I supposed when I determined to ask the attention of the Senate to-day that the Senate bill which was then upon the Calendar or laid on the table I believe, and which is now I think by consent on the table, would remain subject to general discussion without reference, as I understood that to be the desire of a portion at least of the Senate. Since that time the Senator from New York [Mr. HILL], who has charge of the bill now before the Senate, consented that the House bill should be referred.

As the bill now before the Senate is, as stated, substantially the same as the bill which has passed the House of Representatives, and the Senate bill having been before the Judiciary Committee, it is probable, at least, that the same bill or one very much like it will come back from the Committee on Privileges and Elections after it has been considered there. So I feel justified in asking the attention of the Senate upon the question at this time.

Mr. GRAY. May I ask the Senator from Illinois for information what is the matter before the Senate on which he is speaking?

Mr. CULLOM. The bill proposing to repeal the election laws. The PRESIDENT *pro tempore*. The Chair suggests to the Senator from Illinois that the title of the bill now on the table be read.

Mr. CULLOM. Very well.

The SECRETARY. A bill (S. 412) to repeal Title XXVI of the Revised Statutes, known as the Federal election law.

Mr. CULLOM. Mr. President, the subject of the protection of the elective franchise from fraud, having been one which has engaged the attention of the body politic for many years, and having been a matter upon which the power of all branches of the Government has at various times been invoked and exercised in behalf of right, justice, and public decency, it will be well to give a brief consideration to the history and record of such exercise.

Preliminary to this it will be instructive to consider briefly the discussion in the convention of 1787, indulged in by the framers of the Constitution, and to quote the clause of that great instrument which empowers the Congress to enact laws of the kind in question. It reads as follows, viz:

Article I, section 4: "The time, 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."

In the Madison Papers, volume 3, page 1281, the position taken by Mr. Madison, Mr. King, and Mr. Gouverneur Morris, respectively, upon the then pending question is given as follows:

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

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

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

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

Mr. Gouverneur Morris observed that the States might make false returns, and then make no provisions for new elections.

The view of these gentlemen as condensed in the language of the section above quoted, was agreed to by the convention, and is now a part of our fundamental law.

Some may have fallen into the error of supposing that Congressional authority under this section of the Constitution is limited to include merely the time, place, and manner of the election of Representatives; but such supposition is not correct. Congress is given full power to make and alter any State regulation governing the time and manner of electing Senators; and it is a pertinent fact that under this very constitutional provision Congress did enact the law of July 25, 1866, fixing specifically the time and manner of electing Senators. (Revised Statutes of the United States, Title II, chapter 1, sections 14 to 19, inclusive.)

The necessity for this legislation had become apparent by the occurrence of some of the very conditions predicted by Mr. Madison, viz: that the State Legislatures "might fail or refuse to consult the common interest." The necessity for the law of Congress referred to will be found discussed in the debates of the Thirty-ninth Congress, when the law was passed.

It may be observed in passing that, in view of the fact that certain States now have but a partial representation in this Senate, it is a matter worthy of careful consideration whether additional legislation by Congress ought not to be enacted, under this same power, looking to the prevention in future of the occurrence of such an anomaly as that now existing—evidenced by the vacant seats now seen in this Senate, from Washington, Montana, and Wyoming.

There has never been any serious question as to the scope and meaning of this constitutional provision among statesmen and jurists, and if there had been such question, the contemporaneous construction given by the Constitution-makers a century ago, as has been before stated, ought to be sufficiently explicit. But if this construction were not definite and conclusive as determining the true interpretation, the concurrent opinions of great constitutional authorities, followed by repeated decisions of the Supreme Court of the United States, have so emphatically and explicitly sustained the constitutionality of the election laws which are now sought to be repealed, that their continuance upon the statute books is simply a question of necessity or propriety, and not of constitutionality.

An eminent writer upon constitutional questions, Mr. George Ticknor Curtis, in his Constitutional History of the United States, referring to this section of the Constitution, says:

This provision originated with the committee of detail; but as it was reported by them, there was no other authority reserved to Congress itself than that of altering the regulations of the States, and this authority extended as well to the place of choosing the Senators as to all the other circumstances of the election. In the Convention, however, the authority of Congress was extended beyond the alteration of State regulations, so as to embrace a power to make rules as well as to alter those made by the States. But the place of choosing the Senators was excepted altogether from this restraining authority and left to the States. Mr. Madison, in his minutes, adds the explanation that the power of Congress to make regulations was supplied in order to enable them to regulate the elections if the State should fail or refuse to do so. But the text of the Constitution, as finally settled, gives authority to Congress "at any time" to "make or alter such regulations;" and this would seem to confer a power which, when exercised, must be paramount, whether a State regulation exists at the time or not. (Constitutional History of the United States, volume 1, pages 479, 480.)

Observe Mr. Curtis's language, "must be paramount whether a State regulation exists at the time or not." This construction or interpretation accords precisely with that found in the opinion of the Supreme Court of the United States, delivered by Justice Bradley, Justices Clifford and Field dissenting, in the case of Siebold (*Ex parte Siebold*, 100 U. S. R., 371), from which the following extracts are taken:

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

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

So in the case of laws for regulating the elections of Representatives to Congress. The State may make regulations on the subject; Congress may make regulations on the same subject, or may alter or add to those already made. The paramount character of those made by Congress has the effect to supersede those made by the State so far as the two are inconsistent, and no further. There is no such conflict between them as to prevent their forming a harmonious system perfectly capable of being administered and carried out as such. (Page 386.)

The objection that the laws and regulations, the violation of which is made punishable by the acts of Congress, are State laws and have not been adopted

by Congress is no sufficient answer to the power of Congress to impose punishment. It is true that Congress has not deemed it necessary to interfere with the duties of the ordinary officers of election, but has been content to leave them as prescribed by State laws. It has only created additional sanctions for their performance, and provided means of supervision in order more effectually to secure such performance. The imposition of punishment implies a prohibition of the act punished. The State laws which Congress sees no occasion to alter, but which it allows to stand, are in effect adopted by Congress. It simply demands their fulfillment. Content to leave the laws as they are, it is not content with the means provided for their enforcement. It provides additional means for that purpose, and we think it is entirely within its constitutional power to do so. It is simply the exercise of the power to make additional regulation. (Pages 388, 389.)

In the case, *Ex parte Siebold*, the court ruled in regard to the power of Congress to treat State officers, while conducting elections, as officers of the United States. The court says:

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

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

They also decided that it conferred upon Congress the power to appoint officers of its own to act as police at the polls where a member of Congress is being chosen, for the preservation of order, and for the protection of the electors in their right to freely and peaceably cast their ballots.

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

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

In *Ex parte Yarborough* (110 U. S. R., 657), in the opinion of the court, delivered by Justice Miller, without dissent, the power of Congress under this clause of the Constitution was quite fully discussed.

The court says:

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

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

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

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

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

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

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

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

If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage without legal restraint, then, indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which

enshrines it, are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists on the other. (Page 667.)

These quotations from the law of the land (for I apprehend that no Senator will insist that any final decision of the Supreme Court is not the law of the land) would seem to be complete in substance and in terms as to the fact of the constitutionality of the so-called Federal election laws.

What, then, Mr. President, is the cause of the present demand for the repeal of those laws? Has any man suffered any injustice by reason of their existence or because of their enforcement? Has any person been wronged by laws which were intended to prevent wrong? Has any citizen been hindered or prevented from the exercise of any of his constitutional rights or prerogatives by statutes which were intended solely to preserve and maintain those rights? Every Senator will concede and claim that the exercise of the elective franchise should be maintained free from intimidation, fraud, and wrongdoing; should be protected by some adequate and competent authority.

In all elections where officers of State concern alone are being voted for it is no doubt the province and duty of the State to provide such legislative safeguards as may be required. But in elections where the interests of the United States are involved so closely, as in the case of Representatives or Senators, where the person elected is to be charged with the duty of legislating for the United States, who is to be sworn in as a legislator of the United States, and whose oath of office binds him solely to the execution of the office to which he is elected, and to "preserve, protect, and defend the Constitution of the United States," it seems to me to be conclusive as to the power and right, as well as to the duty of the Congress of the United States, to provide by appropriate legislation the proper safeguards for such elections as well as to adequately protect alike the individual citizen and the aggregate body politic of the United States.

The contention of those who urge the repeal of these laws seems to be based mainly upon the theory that the States alone are charged with the matter of police control of elections and that the Federal Government has no call to interfere even for the protection of its own direct and most important interests. They insist that the United States must rely upon the several States for the guaranty that the elections of Representatives and Senators in Congress shall be properly and honestly conducted. If this be the true rule, Mr. President, why does the Constitution give to Congress the right to "make or alter" the prescription of the State Legislatures regarding the "times, places, and manner of holding elections for Senators and Representatives?"

Is it to be presumed that the fundamental law of a government will preclude that government from maintaining itself and leave it subject in its most vital and important part to the possible neglect or unfriendly act of an individual recalcitrant member; in other words, to the dictation or adverse action of a single State?

I apprehend that no Senator will fail to perceive that this discussion brings us back to the identical question which our friends in the South attempted to settle at Sumter on that April day in 1861, and which reached a final settlement in 1865. It is the question of State rights and State sovereignty as against and above the power of the United States. It is the question whether this Government is simply a league between the States, revocable at the will of any State, or a Government having the right to exist and the power to control the means necessary to its existence.

Shall the election of its Representatives and Senators in Congress be subject alike to the frauds and outrages of the judicial ruffians and the ward bullies to be found in imperial States and in metropolitan cities? Shall the mandate of a corrupt judge, or the order of a Maynard, determine the complexion of a Legislature which elects a Senator to this body? Shall the brawn and muscle of a McKane, in defiance of courts and laws, control next year the election of Representatives in Congress, and Congress have no power to protect by law the integrity of its own membership?

In other words, Mr. President, is there to be no power in the hands of Congress, by which it may maintain in a degree the integrity and purity of the determination of its own membership, or must it be ever subject to the frauds and wrongs which State laws have failed to prevent?

I beg to call the attention of the Senate to an instance within my own observation and in my own State where the value and importance of the law creating supervisors of election was fully demonstrated. It may not be so generally known throughout the country as it is in Illinois and in Chicago that, but for one feature of this law, a feature simple and proper, the political complexion of this American Senate would in the year 1885 have been fraudulently changed from Republican to Democratic. I am not sure whether it would have actually changed the majority, but it was very close at that time. This important and far-

reaching result would have unquestionably followed from a theft of a few ballots and the forging of a tally sheet in a single voting precinct of the Eighteenth ward in the city of Chicago had not the personal and record evidence of the two assistant supervisors who officiated in that precinct pointed out the fraud and forgery in the investigation of this important case by the United States authorities in the court presided over by Judge H. W. Blodgett, who is now or has been one of the counsel for the United States in the recent Bering Sea arbitration case.

The facts were developed that a sufficient number of ballots cast for Henry W. Leman for State senator had been abstracted from the sealed package returned to the county canvassers from the second precinct of the Eighteenth ward in Chicago; that a large number of fraudulent, false, and forged ballots had been substituted therefor, bearing the name of Rudolph Brand for State senator, to defeat Leman and carry the senatorial election in favor of Rudolph Brand. Had this fraudulent return been sustained and Brand been seated as State senator, the Illinois Legislature would have had a Democratic majority, and the seat in the Senate of my lamented colleague and friend, Gen. John A. Logan, would have been filled by a Democratic Senator, and, if I remember correctly, this would have made the United States Senate Democratic in politics at that time.

The sworn and honest returns of the two assistant supervisors, one a Democrat and the other a Republican, furnished the proof which pointed out the manner of the fraud, and immediately directed suspicion to the guilty persons. In due time the entire chain of evidence was developed, and after an exhaustive trial in the United States court they were convicted and sentenced to prison. The trial was presided over by United States District Judge H. W. Blodgett, to whom I referred a while ago, and among the counsel for the defendants was a renowned lawyer from an adjacent State, who is now a distinguished Senator in this body.

This noted case, widely known as the "Mackin election fraud," is only a single one of a long list of election outrages committed in many of the large cities of the country, a recital of which would only emphasize the need for more efficient Federal control of such elections as may affect the membership of either of the two Houses of Congress.

It is a matter of indifference which of the great political parties may be charged, for the time being, with the execution of these laws; but it is a matter of the highest importance that somebody, some official authority, of whatever shade in politics, shall be required to enforce laws for the protection of the franchise.

It is idle for the Congress of the United States to sit supinely down, contented with the false theory that the States have full control of the franchise and the protection of the ballot; until by adverse State legislation, or by nonlegislation, the very highest privilege of the sovereign citizen is violated or rendered nugatory and valueless. It is a policy fundamentally wrong and indefensible in that, if carried to its legitimate extent, it falls in line with the arguments once used in justification for the disruption of the Union, the secession of the several States.

I desire to emphasize the statement that a national government which has not the power within itself to protect its own membership, and to have some control over their election, is as weak as water and can not very long endure.

This great country has reached its present high position by its constant jealousy of and impatience with everything which tends to narrow the boundaries or limit the scope of the rights of the peaceful citizen in his exercise of the sovereignty, which is his inalienable prerogative. By implication every voting citizen is not only entitled to cast an honest ballot, but have it honestly counted. If this right is liable to be infringed and interfered with, is it not the duty of the Government to protect it by legislation, using only such statutory machinery as shall seem adapted to effect the purpose?

The necessity for some ample and competent authority, with recognized power behind it, to enforce lawful enactments; an authority dictated by enlightened civilization for the protection of the agency which above all others should be maintained pure and unstained; to see that the paper ballot, from the time it leaves the hands of the voter until it has reached an honest count and an honest announcement, shall be inviolable and unimpeachable, would seem to be imperative and unquestionable. Such necessity is so apparent, as a matter of popular concern and not as a partisan claim, that I am astonished that any serious opposition to the principle should develop here as a partisan measure. I can not believe that any Senator who now listens to me will disagree with me upon the abstract question of the power of the Government to legislate for the protection of that ballot which may affect the election of a Representative in Congress.

If the existing Federal election laws are imperfect, or work injustice, amend or modify them, but do not sweep from the

statutes all legislation which tends to effectuate the honest expression of the will of the people.

An honest American ballot is the strongest, the most Herculean power in the world. That ballot, that great agency which creates an American President and an American Congress, builds a structure which the powers of the earth can not destroy. The American people, endowed with the honest ballot, are omnipotent against emperors and kings. But how weak and puny, how powerless and unrespected is that ballot which bears the taint of fraud or wrong. Those who profit and benefit by it are ashamed of it, and those who lose or suffer by it are outraged and injured. Only one power may properly prevent; only one authority can protect and remedy. Logically and rightfully the Congress of the United States must maintain and protect the integrity of the election of members of the House of Representatives under that constitutional clause which gives to Congress the power to make or alter State regulations prescribing the times, place, and manner of electing Senators and Representatives, except only as to places of choosing Senators.

Let me add that the power given to Congress carries with it the power to use whatever force may be necessary in the protection of the voter and of the vote when it is attempted to be cast.

A very ardent advocate of the repeal of the election laws, in a recent speech in another forum, urges that the "right of suffrage and conditions of suffrage are subject to the laws of the State of the citizen, and must be prescribed and limited by such State." This premise may in itself be correct, but the deduction, that the question of the right to vote being left to the State the determination of such right ought therefore to be exercised *only* by the power that gave it, viz, the State, does not follow.

There are various rights and privileges granted by the State, but it does not follow that the State *alone* shall determine the exercise of such right and privileges. Some State officers are elected solely by the State, and their powers and duties are usually governed and directed by State laws, yet from the year 1787 down to this day, they have been charged with duties and responsibilities by the Federal Government; duties and responsibilities adhering to them by virtue of their qualification as State officers under State laws. By the Constitution of the United States we find that—

This Constitution and the laws of the United States which shall be made in pursuance thereof * * * shall be the supreme law of the land, * * * anything in the Constitution or laws of any State notwithstanding. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and all judicial officers, both of the United States and of the several States, shall be bound by oath and affirmation to support this Constitution.

By Federal statutes, enacted as early as the years 1789 and 1793, offenders against the United States may—

by any justice of the peace or other magistrate of any State where he may be found, and agreeably to the usual mode of process against offenders in such State, and at the expense of the United States, be arrested and imprisoned or bailed, as the case may be, for trial before such court of the United States as has cognizance of the offense.

Here is a case where by direct operation of one of the oldest existing statutes, a State officer is clothed with Federal jurisdiction. Does this work any hardship or detract in any way from the power of the State? So, by analogy, may not and do not the Federal statutes bearing upon the election of Representatives in Congress confer upon the election officers appointed by the State a specific Federal duty? And if so, may not Congress with equal authority appoint specially supervisors and marshals or other agents to protect the interest of the General Government?

In the case of the Chicago election frauds, heretofore referred to, the trial court specifically decided during the progress of the trial that the officers of the election, as well as the county clerk and his subordinates, charged under State law with the custody of the ballots after the election, were amenable to the Federal law, although the frauds committed upon the ballots, and the forgery of the tally sheets as well as the fraudulent return, did not defeat the election of the Representative in Congress who was voted for upon the genuine ballot.

A notary public in a State is a State officer, but he may administer the oath of office to a Federal official, as also may a judge or justice of any State court. So it will be seen that these magistrates are charged with certain Federal functions. So in the election of Senators the act of July 25, 1866, directs the time and manner of such elections, and specifically fixes the duty of the executive of the State and of each legislative house in connection with such election and its certification. For these purposes the governor and State legislator are properly charged with a Federal duty.

In cases of contested elections of members of Congress, the Federal statutes have for many years authorized State and municipal magistrates and notaries public to issue subpoenas, and to

take and verify testimony, for a distinctively Federal purpose, and to prescribe penalties for violation. The Presidential electors of each State are chosen by the voters of the State, but the Congress, by law, directs as to the manner by which they shall perform their duties. The messengers appointed to convey the certificates of their votes to the President of the Senate are compensated by the United States, and for any neglect to perform properly the service required are subject to a penal forfeiture of a thousand dollars to the United States, although upon the theory of those who urge the repeal of the election laws the State alone has the power to direct and control the exercise of the functions of the Presidential elector, because the State controls the election of such officers.

There are various other illustrations of the theory which has recently been set up by those favoring the breaking down of the barriers separating lawlessness and crime from decency and an honest ballot.

It occurs to me that our Democratic friends are not exercising their usual shrewdness, just upon their accession to political control of the country, by overthrowing salutary regulations which will be placed under their own control. As a Republican, I would much rather have such a system of laws, meant and intended solely for the proper protection of the honest and legitimate voter, even if every official agency for their enforcement shall be of the Democratic party. I have not so lost faith in American citizenship as to believe that the sworn officers of any political party will ignore the requirements of wise and just election laws. Better such a system, by whomsoever it may be administered, than to be without law and without hindrance to the criminal acts of the vicious and depraved class. Do not break down and destroy the restraints and barriers which offer some obstruction to the frauds and crimes which seek the ballot as the weak point in the political armor of the American system.

Are our politicians so pure as to walk always in the straight and narrow path of honesty? Is it true that no laws are needed to protect the purity of the ballot, and to punish outrages thereon? To this question it is not necessary to go back to the early days to find the answer. It is not necessary to go to Arkansas, or to Mississippi, or to those other places in the South where the people think they have grievances sufficient to justify them in stifling a free ballot. It is not necessary to go into the black parishes, where it may be supposed that the ignorance and vicious habits of the colored voters require the wholesome restraint of the White Caps to insure that they vote right, or that their votes be counted right.

No, indeed; it is only necessary to go into the enlightened State of New York to find volumes of proof of the inability, of the indisposition of the State to guarantee an honest casting and true counting of honest votes. Does it not bring the blush of shame to the cheek of American Senators to think even of the public fact of the gigantic frauds upon decency, the monstrous outrages upon the elective franchise which have been perpetrated within the last few months in that great Commonwealth whose borders are almost within sight of the statue upon the Capitol? What a disgrace to the American bar and what a humiliation to the judiciary of a noble State has become the name of that judge, the tool and willing agent, who sold his judicial birthright for a mess of miserable political pottage! A high officer of the State of New York, a deputy attorney-general, to effectuate a gigantic outrage, is said to have abstracted from the office of the State comptroller the sacred records or returns of an election which had given a Republican majority in a certain senatorial district, and by this theft, aided by collateral acts similar in character affecting other districts, succeeded in reversing the political status of the State senate.

Mr. HILL. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from Illinois yield to the Senator from New York?

Mr. CULLOM. I do, though not for a speech.

Mr. HILL. Is the Senator aware of the fact that the result of the contested-election case to which he refers could not have controlled the membership of the senate of the State of New York?

Mr. CULLOM. So far as that interrogatory is concerned, if the Senator simply proposes to justify that action by the declaration that that contested election would not have controlled the politics of the State of New York, I regard it as no sufficient question to be asked in this case, because if it was a crime, whether it decided the party majority in the Legislature of that State or not, neither the Senator nor any other man should justify it.

Mr. HILL. Will the Senator indulge me in a further observation?

Mr. CULLOM. Yes.

Mr. HILL. Whether or not there was anything irregular or

criminal in the action in that senatorial district is a question which will be discussed at the proper time, and one as to which the Senator, of course, does not expect me to answer him now; but the point he was trying to make seemed to be that the action in that district had effected the control of the senate of the State of New York; and upon that point I beg to inform the Senator that his statement is not true.

Mr. CULLOM. Whether the statement is exactly true or not—

Mr. HILL. It is neither exactly true nor substantially true.

Mr. CULLOM. I did not say that it was actually true; but it probably required two or three changes in order to get control of that Legislature and secure in one way or another the election of a senator friendly to the Senator from New York.

Mr. HILL. The election of United States Senator had nothing whatever to do with that question, except in a very slight degree. If the district to which the Senator refers had been given to the Republicans, or two of the districts which were contested, the Democratic majority in the assembly was sufficient to elect my distinguished colleague to this body. That question had nothing whatever to do with the control of the Senatorship from the State of New York.

Mr. CULLOM. Mr. President, I understand the facts to be—of course I yield to the Senator so far as familiarity with the facts is concerned—

Mr. HILL. I do not say that the Senator wilfully misstates the facts.

Mr. CULLOM. No.

Mr. HILL. I presume he has simply taken the partial accounts in the partisan newspapers of our State.

Mr. CULLOM. I have not relied especially upon newspaper accounts, but I have understood, and I think the country has understood, that the action of that man, who afterwards became a judge, inaugurated a scheme which resulted in changing the character of that Legislature.

Mr. HILL. I desire to inform the Senator, and the country at the same time, that that is not a correct statement of the situation.

Mr. CULLOM. We shall see.

Mr. HILL. At the proper time I shall reply to the Senator; but I do not wish to further interrupt him now.

Mr. CULLOM. I shall proceed.

In the course of events this man very soon became, by appointment, an associate justice of the court of appeals of the State of New York, a court which, by tradition and by the merited high character and reputation of its members, had ranked as high as any judicial tribunal in America, except the Supreme Court of the United States. As a further repayment for the miserable crime to which I have referred, the State convention of a great political party, held at Saratoga on the 15th of September last, by a vote of 398 to 1 nominated Isaac H. Maynard for its candidate, to continue in office as judge of the court of appeals. Six or seven weeks later the people of the State of New York constituted themselves a higher court of appeals, and by a majority approximating a hundred thousand votes they said to Isaac H. Maynard, as Sir Matthew Hale, chief justice of the king's bench, said to a corrupt and dishonest judge: "Take off your judicial robes and come down from that seat which you are in no wise worthy to hold."

Mr. President and Senators, what Joseph Mackin attempted and nearly accomplished in Chicago in 1884 by the theft, fraud, and forgery which I have before alluded to was, as I believe, consummated in New York in 1892 by Maynard and his associates. It is believed that a seat in the American Senate has traced its title to an act upon which the people of New York have fixed the indelible stamp of infamy and wrong and crime. And the seal of lasting condemnation bears the verification, not of Republicans alone, but of high-minded, able, honest, and most respected Democrats. The Bar Association of the State of New York, the highest unofficial fraternity of legal minds in this country, out of respect to their own honor and integrity, took cognizance of this infamy.

That bar association appointed a committee to consider the question not of political propriety, but of professional decency involved in the possible election of such a man to that exalted judgeship. That committee was composed of such men as Frederick R. Coudert, Democrat; James C. Carter, Democrat; John E. Parsons, Democrat; Clifford A. Hand, Democrat; William B. Hornbower, Democrat; Albert Stickney, Democrat; Edmund R. Robinson, Democrat; Elihu Root, Republican.

And after much consideration and care they reported that Maynard and his confrères had tainted an honored profession, and had filled seats in the New York Legislature by infamous outrage and fraud.

This Congress has nothing to do with Maynard's alleged crime, except as it presents a most marked instance of the necessity of

providing all possible safeguards for the ballot, even in our most enlightened States. It gives me great pleasure to say that in this noted case in New York, as well as in the one referred to in Chicago, many of the very best Democratic citizens took earnest and positive part in bringing to justice the perpetrators of the great wrongs. Many of them felt that the reproach which attached to their party on account of it was so great that it was a duty that they owed to an outraged public to do their utmost towards its punishment. And the voice of the November election showed that thousands of conscientious Democrats waived their partisanship to give emphatic earnestness to their votes.

Mr. HILL. Will the Senator allow me to interrupt him?

Mr. CULLOM. Yes, sir.

Mr. HILL. Do I understand the Senator from Illinois to claim that the United States Government ought to regulate the election of members of the Legislatures of the various States because the senators and members of those Legislatures participate in the election of United States Senators?

Mr. CULLOM. I have not claimed any such thing.

Mr. HILL. I thought the drift of the Senator's argument was in that direction.

Mr. CULLOM. I said, upon the contrary, that Congress has nothing to do with Maynard's crime except as it presents a most marked instance of the necessity of providing all possible safeguards for the ballot, even in our most enlightened States.

Mr. HILL. What has that to do with the question of the repeal of the Federal election laws?

Mr. CULLOM. As I have already said, while the Congress of the United States may not have any power to control the election of State legislators, it has the unquestionable power to control the elections for members of the National House of Representatives, and it has under the Constitution also the power, when the Legislature comes to elect a Senator, to control that also, as we have already done by the act of Congress passed in 1866.

Even now, within a week, upon the complaint of a New York Democrat, an honest high court has been found which has rendered a decision bringing the violators of the law and decency nearer and nearer to the penitentiary, as evidenced by the following paragraph cut from a New York newspaper:

SENATE STEAL TO BE PROBED—THE STATE BOARD OF CANVASSERS MUST ANSWER FOR CONTEMPT,

ALBANY, December 6.

The general term has overruled Judge Edwards in the Mylod return cases. Judge Mayham dissenting. Judge Herrick wrote the opinion.

The case was the People, *ex rel.* Platt, against the State board of canvassers, and was for an order to show cause why the board should not be punished for contempt in canvassing the Dutchess County returns in 1891, by which the Democrats were enabled to steal control of the senate.

But wrongdoing and crime run at high speed, while justice follows at a walk. While justice and law are being invoked to punish the perpetrators, what do we see as a result of their crimes? Where do we find the culmination of all this fraud, rascality, thievery, and outrage? What was its ultimate purpose and object? I hesitate to voice the answer; but it is here. I feel shocked to even think of it. I pause at its utterance when it involves a spectacle which almost challenges the credulity of the imagination. I would for the honor of American citizenship, for the respect I have for American manhood, that I might give some other answer, but the fact is plain.

The crystallized result of all this venality and infamy is blazoned upon the roll of membership of the Senate of the United States, and all the frantic zeal of a partisan majority can never efface it. It blots the page of history, and shrouds in shame the proud commonwealth which had honored this Chamber by names like De Witt Clinton, William L. Marcy, Silas Wright, John A. Dix, and William H. Seward. It is no reflection upon the personal or official honor of any member of this body that he may happen to be the innocent beneficiary of his seat because of some wrongdoing by another, for according to law and precedent he may legally and rightfully hold his seat without question. But the offense and the punishment remain subject to the law of the land. President Arthur was the rightful President of the United States, although he became such by a cruel murder. The punishment of Guiteau cast no reflection upon the title to the Presidency. But the offense remained, and it must be dealt with by the legal power.

So I say, all good people everywhere in America, regardless of their political affiliations, should join as one man to perpetuate, to make stronger and more efficient every guard and protection for honest elections. Do not relapse into barbarism, but keep pace with the age in which we live. Break down anarchy and build up society.

And now, Mr. President, to my brother Senators upon the other side of this Chamber I have to present some words of earnestness, not specially bearing upon the election laws alone. I wish calmly and without disrespect to say to you what my fel-

low Senators upon this side believe, what the great majority of the people of many of the States believe, and what I candidly and sincerely believe, in regard to the present situation in the United States.

The present Administration, and the majority party in this Congress are building up a feeling in every neighborhood, hamlet, town, and city in the Northern States, which will, whenever it can find expression, reach every man who by his voice or vote is aiding the direct warfare now being made upon the prosperity of the people of this country. The public indignation, not confined by any means to the members of my own party, has reached an intensity almost unequalled since 1861. The people are alarmed, and, Mr. President, their apprehension and alarm are justified by the unprecedented action of the Executive and the impending reckless legislation which is threatened. The entire country, without regard to locality, and the great mass of the people, without regard to party affiliation, stand aghast at the evidences which are piling higher and higher every day of the total incapacity of the party in power to deal with public questions of the most vital importance to the people of a suffering country.

The proposed repeal of the election laws is an important one of the proposed steps in the mad rush toward barbarism which the irresponsible elements of the Democratic party advocated and adopted at Chicago. But important as this may be, its effect is but a ripple upon the surface of public sentiment, compared with that which has raised the very ocean of public indignation. The public welfare is menaced by an attempt to break down a most wholesome tariff system. Vast interests are frightened into stagnation, and ruin threatens the industries of a great people. Mills are idle, our shops are closed; while the agents of foreign countries, the manufacturers of England and the Continent, and the importers of foreign goods and wares, are jubilant and joyous, in the prospect that the acts which strike terror over our entire country are going to start afresh the looms and spindles and hammers of Manchester, Birmingham, Leeds, and Hamburg.

We have scriptural authority for saying that the man who does not provide for his own "is worse than an infidel," and quite as true must be the statement that the legislator who does not protect the interests of his country is worse than a traitor. This reference to British interests and foreign influence can not be met by sneers and ridicule. Is there no significance in the fact that every British newspaper of consequence, on the day following the delivery of the President's message in Congress indulged in laudation of the President's tariff policy, and rejoiced in the bright prospect of the adoption of the work of the House Ways and Means Committee? And as a counterpart to these expressions from across the Atlantic, I intend upon a proper occasion soon to present to this Senate quotations from some of the letters I am daily receiving from anxious citizens all over the Mississippi Valley, bearing the touching story of the universal fear, which has truly reached the stage of terror, at the future prospect shadowed out in the course outlined by the majority of this Congress.

What else than terror and despair can we expect judging by the policy which could wantonly crush American industry and shipwreck the interwoven interests of American capital and American labor with one hand, while with the other it tears down the American ensign which had spread its protecting folds peacefully over a struggling colony upon an island of the sea?

An act which all the powers of monarchical Europe could not have accomplished was committed by an order of an American President upon the advice and recommendation of a newly baptized Democratic Secretary of State. Should it hereafter appear that the present envoy to Honolulu, Mr. Willis, has duly performed his appointed duty, and caused the reenthronement of the ex-Queen of the Sandwich Islands, the President and the Secretary will wish that the Hawaiian mountains might speedily fall upon them.

To what element of the people of this country has this Administration endeared itself by its pension policy? Where in all the broad domain of this Union will be found the single precinct or district which shall sustain it, unless it be some locality where no soldier of the Union is to be found?

Then, in addition to the tearing down of the election laws, the tearing down of the protective tariff, the tearing down of the American flag, and the tearing down of the pension policy, the national-bank system is to be torn down, and the 10 per cent tax upon State-bank issues is to be torn away.

Mr. HILL. Will the Senator allow me?

Mr. CULLOM. Certainly.

Mr. HILL. Does the Senator expect to prevent the country from realizing the dire effect he has mentioned by a continuance of the Federal election law?

Mr. CULLOM. As I say, that is one of the steps that is taken, the end of which will be the destruction of every single act that

I have referred to, which will break down the industries and the very life of this nation. Does the Senator desire to ask any further questions?

Mr. HILL. If the Senator will permit me, I will avail myself of the opportunity. I understood the Senator a few moments ago to refer to the recent election in the State of New York as a condemnation of certain political methods or results. I understand him now to claim that the election was a vindication of the Republican protective policy.

Mr. CULLOM. Is that all?

Mr. HILL. I should like to have the Senator define specially which it was.

Mr. CULLOM. I do say that the conduct which I have described as having occurred in the State of New York, which, in my judgment, gave a majority to the Democracy in that State and which resulted in the election of a Democratic Senator, has been condemned by the people of the State of New York by nearly a hundred thousand majority in defeating the Democratic candidate for judge of the court of appeals.

Mr. HILL. The Senator has not answered the question.

Mr. CULLOM. I think I have.

Mr. HILL. Had the election anything to do with the question of the tariff?

Mr. CULLOM. The election had nothing to do with the question of the tariff except that the Democratic party declared in convention, and have been ever since declaring, that they intend to carry out what they had proclaimed in their platform at Chicago, and that alarmed the people and helped to give the majorities which have been recently cast in favor of the Republican party and against Democracy.

Mr. HILL. As I understand the Senator, then, he thinks the question of the tariff was only very remotely involved in the recent election in New York. I desire to state to him, what I think the country well knows, that the question of the tariff was directly, substantially, and wholly involved, in connection with the issue of a larger and more extensive election law in the election of 1892, when the State of New York by nearly 50,000 majority cast its vote for tariff reform, and on a full vote, too.

Mr. CULLOM. I have not said at any time, and do not say now, that the election went off upon the question of the repeal of the election laws. I do say, however, that as to the candidate for judge, who seemed to be so much the friend of the honorable Senator from New York, he was defeated by a larger majority because of the belief on the part of those people that he had been corrupt in his office than he would have been if he had not been so regarded.

Mr. HILL. Allow me again—

Mr. CULLOM. But I desire to say furthermore—

The PRESIDENT *pro tempore*. Does the Senator from Illinois yield to the Senator from New York?

Mr. CULLOM. I do not want the Senator to interrupt me all the time.

Mr. HILL. I will not.

Mr. CULLOM. I desire to say, furthermore, that while that is true, the people of New York, as the people of Massachusetts and Iowa, felt that if it was to be the policy of the Democratic party to carry out its platform they would vote against the party, as they did in those States, and also in the State of Ohio, because they wanted to put their seal of condemnation upon the policy that was intended to be carried out by the Democratic party.

Mr. HILL. I desire to inform the Senator—

The PRESIDENT *pro tempore*. Does the Senator from Illinois yield to the Senator from New York?

Mr. CULLOM. Certainly.

Mr. HILL. The Senator need not lie awake nights over any anxiety upon the subject as to whether the Democratic party proposes to carry out its platform upon the question of the tariff. I can assure him that the party does intend to carry it out faithfully, honestly, and impartially. So much for that.

Mr. CULLOM. Well.

Mr. HILL. Mr. President, the Senator has spoken of the recent candidate for judge of the court of appeals in my State as my friend. I do not deny that he was and is my friend, but I say in the changes in political affairs which are incident to politics it does not necessarily follow that because a party is defeated there is a personal condemnation of men. Charles J. Folger was your friend, sir, and the friend of your side, and yet in the incidents of politics he ran for governor of our State against the present Chief Executive of the nation, and the party to which you belong was beaten by the largest majority ever given in the history of the Empire State—192,000 majority. But I never heard anyone say that it was a personal condemnation of the distinguished man who was defeated.

Mr. CULLOM. Neither have I.

Mr. HILL. Then we agree. [Laughter.]

Mr. CULLOM. Now, if the Senator is through I want to assure him that I am not lying awake nights as much as he is on account of what the Democrats are going to do.

Mr. HILL. I thought you were.

Mr. CULLOM. Not at all. I think the Senator himself is a good deal more disturbed by the condition of affairs as it affects the Democratic party.

Mr. HILL. Not the slightest. The worry is all on your side.

Mr. CULLOM. I am glad to know the Senator is so quiet and calm. Now, I repeat that the people, where they had the opportunity of voting in the recent election, voted with the facts staring them in the face, not only in New York as to the election of a judge, but that the tariff laws, the banking laws, the election laws were all to be put in jeopardy if the Democratic party carried out its pledges at its national convention at Chicago, and because they believed that they voted more largely the Republican ticket than they have done for a good many years past.

Mr. HILL. Will the Senator allow me again?

Mr. CULLOM. Yes; if it will please the Senator, I will.

Mr. HILL. I understood the Senator to concede that the question in reference to the election laws, the question of the tariff, and the other questions to which he alluded were all directly involved in the election of 1892.

Mr. CULLOM. I had not said anything about those elections, but I agree to it.

Mr. HILL. I am specially referring to the election of 1892, the Presidential election, upon a full vote. I think there were some national questions involved in that election.

Mr. CULLOM. Certainly.

Mr. HILL. It was not merely a question of personality between candidates.

Mr. CULLOM. Certainly not.

Mr. HILL. Upon those questions which were involved on a full vote throughout the country the people voted with the Democratic party in spite of all your Federal election laws. Is not that true?

Mr. CULLOM. Certainly.

Mr. HILL. Now, does the Senator say that because of the election held this fall in four or five States, most of them Republican, some of whom did not cast their votes for the Democratic candidates, there was any change in the sentiments of the great majority of the people of this country?

Mr. CULLOM. Is the Senator through now?

Mr. HILL. For the present.

Mr. CULLOM. Well, Mr. President, it is true that a majority of the people voted the Democratic ticket in 1892; a plurality, rather, not a majority. But as soon as they woke up the day after the election and found what had happened, they repented, and they have been repenting ever since.

As if the other acts of destruction were not sufficient to satisfy the demon of organized ruin, the currency of the country, the last relic of stable value, is to be demoralized and destroyed. What, in God's name, will be left to make the United States worth living in if, after the other cyclones have done their worst, the country is to be once again put at the mercy of a multitude of State-banking systems, as it was prior to the war of the rebellion? State Legislatures are to be left free to charter unlimited and uncontrolled banks of issue, and the choice securities for their circulating notes will be found to be the bonds of school districts, small municipalities, and other corporations, grading in market value from zero to par. How long will it be till sharp bankers will control the sparse population of some remote section in Arizona or elsewhere and issue bonds upon valueless territory as the basis for the issue of money "to help the farmers to move their crops," as I believe the Populists say.

In the State of Illinois and other States of the West we have gone through all that experience, and we had hoped that the hateful thing known as a "State-bank" system had gone to stay.

Mr. President and Senators, I may speak earnestly upon this subject, but the present unusual state of public affairs demands some proper recognition at the hands of this Congress. If any existing legislation works harshly or unjustly towards the peaceful citizen, change it, modify it, or correct it. But this crusade of general repeal, of general warfare upon systems under which we have been happy and prosperous is not the part of wisdom or of statesmanship. It is true such a policy as is now being pursued in this regard is driving the people by the thousands and hundreds of thousands into the Republican party, yet I am not so much a partisan as to wish success to my party to be built upon the ruin of my country.

I entreat the serious thinking men of the Democracy to call a halt in the wild campaign of error, and cause their reckless following to keep their hands from despoiling the work which has stood the test of time and which bears the stamp of value.

Every word spoken here reaches the open ears of millions of

anxious and earnest Americans. The warm blood of every American heart pulsates in ready response to every vote given in this Congress, which bears upon interests and rights that have grown dear and almost sacred to all.

Let me say, Mr. President, according to the report made by officials in our own State, as I understand it, there are not less than 117,000 men out of employment and without bread in Chicago to-day, and the State is moving in the direction of trying to take care of those people until the industries can be started.

Mr. PALMER. Will my colleague allow me?

The PRESIDENT *pro tempore*. Does the Senator from Illinois yield to his colleague?

Mr. CULLOM. I do, with pleasure.

Mr. PALMER. Will my colleague kindly answer me two questions? The first is whether this speech of his is being made with a view to the Chicago election to occur next week?

Mr. CULLOM. I have not been considering the Chicago election since I have been on the floor.

Mr. PALMER. If it is, I shall have to withdraw the little arrangement between myself and my colleague, and go to Chicago and answer the speech there.

Mr. CULLOM. I will release the Senator if he desires to go.

Mr. PALMER. Still, I wish to ask the Senator if he can indicate what has been done by the Democratic party to produce the results he describes so well.

Mr. CULLOM. I can answer the Senator according to my judgment. The fact that the Democratic party is pledged and is moving in the direction of destroying the protective tariff laws this hour results in the fact that the mills and factories, and mines, if you please, are substantially closed, waiting to see what the action of this Congress is going to be upon that subject, and the result is that tens of thousands of laboring men are out of employment and can not get work.

Mr. McPHERSON. Will the Senator from Illinois yield to me for a question?

The PRESIDENT *pro tempore*. Does the Senator from Illinois yield to the Senator from New Jersey?

Mr. CULLOM. Assuredly, if he will make his question a little shorter than he usually does.

Mr. McPHERSON. I shall make no speech. I shall simply ask a question.

Mr. CULLOM. Very well.

Mr. McPHERSON. Is it not true that a great many people were influenced to go to Chicago during the Fair time in the hope and expectation of getting employment?

Mr. CULLOM. I have no doubt of it.

Mr. McPHERSON. Is that short enough?

Mr. CULLOM. That is very short.

Mr. McPHERSON. Probably a hundred thousand and more of those out of employment, of whom the Senator speaks, went there under such circumstances. Is it possible for the Senator to believe that after the Fair had ended, after the labor and employment which they sought there and did perform and were paid for, places can be supplied for the 117,000 additional people by the industries of Chicago?

Mr. CULLOM. Is that all?

Mr. McPHERSON. That is all.

Mr. CULLOM. Are you through?

Mr. McPHERSON. Yes.

Mr. CULLOM. Mr. President, I want to be entirely candid with the Senator from New Jersey. I have no doubt that there are many men in Chicago who came there when mills and mines in other places were closed, hoping that they might find work because we had the World's Fair there. Probably a good many thousand people who are now out of work there came in that way, as I have stated; but the testimony comes from all directions that mills and mines are closed and laboring men are out of work, and the Senator knows it.

Mr. McPHERSON. Yes; but if the Senator will bear with me, it was due very largely to a financial panic which afflicted this country during the past summer, all of which was owing to the unwise and vicious legislation of the party to which the honorable Senator belongs. If there had been no Sherman law upon the statute books probably we would have had no financial panic, and when the Senator undertakes to charge the Democratic party with this condition of things he is undertaking a very, very big job.

Mr. CULLOM. Now, is the Senator through?

Mr. McPHERSON. There was no panic in 1892 immediately after the vote was counted and canvassed, and President Cleveland was declared elected. No panic occurred until May or June of this year. If it is the tariff policy of the Democratic party which has produced the panic, why did not the panic start in November of last year, after President Cleveland had been declared elected upon the platform of which the Senator complains?

Mr. CULLOM. I am glad the Senator has asked me that ques-

tion. I am aware that the Senator has insisted from the beginning that the law known as the Sherman act was responsible for all the ills that have befallen the country since Mr. Cleveland was elected, and I have no doubt the Senator will continue to repeat that story until Mr. Cleveland goes out of office, which will be in about three years. But, in the beginning, while I voted to repeal that act because many people believed it ought to be done and might be in the way, I said then in the remarks I made in the Senate, and I adhere to it now, that when the American people rose the next morning after the 8th of November a year ago and found that Mr. Cleveland was elected, with a Senate and a House both to support him, and that the President was put upon a platform in favor of repealing the protective tariff laws, in favor of repealing the 10 per cent tax on State banks, in favor of repealing the election laws, and almost every other thing that they could think of that the Republican party had ever done which gave to this country prosperity, right then the panic began slowly until it became a volume that shut up almost every mill and factory and mine in the country.

Mr. PALMER. Will my colleague allow me? We get along very nicely.

Mr. CULLOM. Certainly we do.

Mr. PALMER. I should like to ask my colleague if he thinks it is possible in our State for a State bank to be established?

Mr. CULLOM. We have a constitutional provision in our State that prohibits State banks at present. That constitutional provision might be removed. Of course I do not know what the Legislature of our State may do; neither, I suppose, does my colleague.

Mr. PALMER. We can not tell, but I can say this: I do not like to state to the galleries how long ago I opposed State banks; and the present constitution is one that will not be changed as long as the present generation lasts. When it will be done after that time I can not tell. State banks are not possible in Illinois.

Mr. CULLOM. That is true at present, and I hope the policy will never be changed. My colleague says he is against State banks and has been always against them, and I have no doubt he states exactly what he means. The Representative from my district, Mr. SPRINGER, said he was against them, but I find he is chairman of a committee the majority of which is in favor of repealing the 10 per cent tax and the establishment of some sort of quondam State banks. So whatever may be the position of my colleague or any other individual member, the Democratic party in its convention declared in favor of the repeal of the 10 per cent tax, and the other House, if I may be allowed to refer to it, is taking steps in that direction.

Mr. PALMER. Will my colleague allow me to state another fact?

Mr. CULLOM. Certainly.

Mr. PALMER. He misstates the position of the Democratic party. In certain States the Democratic party favors State banks and the Democratic party in other States does not. The Democratic party in Illinois does not favor State banks. The Democratic party believes that the exercise of the power of taxation as a means of suppressing evils is wrong in principle. The Democratic party believes, if Congress has the power, which I think it has, to suppress State-bank issues, that power should be exercised directly and not indirectly, and that it is an abuse of the taxing power to employ it to suppress that which is intended to be prohibited; that it is dangerous as a precedent. While I am satisfied that the Democratic party opposed the taxation of the issues of State banks, in many of the States it is opposed to State banks.

Mr. CULLOM. I merely referred to this, first, because, as I understand it, it is in the Democratic platform at Chicago that that tax must be repealed; and, secondly, because in the next place a bill, I understand, is partly if not entirely agreed upon for that purpose. While there are doubtless individual Senators in that party who are against the re-establishment of State banks, I suppose as a matter of fact the majority of the party in the Senate on the other side of the aisle are in favor of a repeal of the 10 per cent tax on State-bank issues. I may be mistaken in that, however, and I sincerely hope that I am.

Mr. McPHERSON. Will the Senator now be so kind—

Mr. CULLOM. Certainly.

Mr. McPHERSON. If I am not intruding too much—

Mr. CULLOM. Not at all.

Mr. McPHERSON. To answer the question I put to him some time ago.

Mr. CULLOM. I shall be very happy to answer any question, if I can do so.

Mr. McPHERSON. The question which I asked the Senator was whether the 117,000 new laborers of whom he speaks could hope or expect to find employment among the industries of Chicago, let the tariff be what it may; and the Senator proceeds then to a generalization and evades the question. Will the Sen-

ator please answer that question now for the information of the people of Chicago, and for mine?

Mr. CULLOM. I should be very glad to give the Senator such an answer as he desires if I knew what the exact fact was; but he knows and I know that neither of us can tell exactly how many men could be employed of the 117,000 if all the mills and factories and business establishments there were in full operation. I do not know how many could be employed. I wish to suggest to the Senator that while, as I have said, there may be more there than could be employed with all the industries in operation, the men who are there hear the same story from everywhere else, because it is the same story in almost every manufacturing town, as I understand it. Therefore it is impossible for me to state exactly what the fact would be if the Democratic party had not succeeded last fall and all those mills were running as they used to be running under Republican rule.

Mr. McPHERSON. Then, if I understand the Senator correctly, it was the fear of the striking down of the present tariff that deprived labor of employment. If that be true, and the Senator will bear with me further, with a bill just prepared in another place which represents more completely the protective principle in tariff legislation (which is incidental protection) than any bill which has ever been made by any Congress in this country, a bill which will open a hundred factories where it will close up one—I want to know, then, in the presence of such a bill, how it is that the Senator pretends to say that it frightens the industries of the country?

Mr. CULLOM. The Senator is making a statement with which I take issue. I have no right to say yes or no absolutely; but I say to him that in my judgment the bill he refers to will, instead of giving protection, shut up almost every mill that is not already shut in this country. It is substantially a free-trade bill. And I want to say another thing, that while I have it not in my possession here, I have just received a communication from a gentleman engaged in a special line of manufacturing in which he says he knows nothing about the application of that proposed law to other business, but as to the business in which he is engaged it is a mere run and jump without any sense or reason in it in the tabulation of its rates; and that is what I believe as to most of the proposed changes to be found in the bill.

Now, then, let me read a little here about the laboring people. The Senator is anxious to know about where they are.

THE UNEMPLOYED.

This is from a newspaper, I do not vouch for it, but it is a statement, which I will read:

While WILLIAM L. WILSON regales the readers of the Sunday Press with solemn free-trade platitudes and dilates on the havoc which the scramble for spoils and the Sherman silver law have played with the country, the tariff bill which bears his name is bringing the industrial population of our great cities face to face with starvation. Careful estimates made by capable statisticians and published in yesterday's Sunday Press bring to light the appalling fact that the number out of work in New York is not less than 110,000.

Our people in Chicago can not go there.

In Chicago, over 100,000; in Philadelphia, not less than 90,000; in Boston, probably 40,000; in Cincinnati, over 15,000. Here we have in these five cities at the present moment no less than 360,000 unemployed. These are the great manufacturing cities of the country, and the proposed free-trade legislation will strike the severest blows at the industrial populations of such centers of industry. Including the ordinary increase since 1890, the number engaged in the manufacturing industries of these cities should to-day be as follows:

City.	Hands employed.	Wages paid.
New York.....	320,000	\$250,000,000
Philadelphia.....	250,000	150,000,000
Chicago.....	225,000	130,000,000
Boston.....	100,000	60,000,000
Cincinnati.....	95,000	45,000,000
Total.....	1,040,000	635,000,000

The actual figures published by the census for one hundred and thirty-seven cities give the average amount of yearly earnings per head at \$337, so the above estimate is undoubtedly within the mark for the five leading cities. Nearly one-third of the industrial population of these cities is out of work, which means an annual loss of wages of more than \$200,000,000, or a sum of \$16,600,000 per month. The unhappy condition existing in these cities extends, with hardly an exception, throughout the manufacturing regions of the country.

I see in the proceedings of the labor convention now in session in the city of Chicago the president of that convention, whatever it is called, says that there are not less than 3,000,000 laboring men out of employment to-day in the United States.

Mr. President, there never was such a condition of affairs existing in this country in all its history with reference to the laboring classes as exists at this very hour. What is the matter? The reason of it is that you are threatening the industries of this country so that nobody is willing to spend his money and open the doors of his factory or mill. That is one great reason.

Mr. McPHERSON rose.

Mr. CULLOM. Now, I am nearly done, if the Senator will let me say another word or two.

Mr. McPHERSON. I beg the Senator's pardon.

Mr. CULLOM. I do not complain of the interruption at all.

Mr. President, we are all American citizens, free to approve and free to criticize. We watch closely every act of our public servants, and we feel proud of our country and its institutions. We do not want them disturbed. We revere the country and the flag. Not a man or woman but feels proud of the honor of giving due allegiance to the flag of our country, and any sacrilege done to that glorious symbol will never be condoned.

Mr. President, I beg pardon for having occupied so long the time of the Senate.

DIPLOMATIC RELATIONS WITH HAWAII.

Mr. STEWART. Mr. President, I should like—

The PRESIDENT *pro tempore*. The morning hour not having expired, it is the duty of the Chair to lay before the Senate a resolution coming over from yesterday. By consent the Senator from Illinois [Mr. CULLOM] occupied a portion of the morning hour in addressing the Senate upon the subject-matter discussed by him.

Mr. MANDERSON. My recollection is that at the suggestion of the Senator from Kansas [Mr. PEPPER] those resolutions went over until to-morrow morning and they will then come up.

The PRESIDENT *pro tempore*. The two Senators offering the resolutions consented that they should be withheld at the particular time.

Mr. MANDERSON. I then ask unanimous consent that the resolutions be passed over until to-morrow morning.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the resolutions will go over until to-morrow morning.

Mr. FRYE. To which resolution does the Chair refer?

The PRESIDENT *pro tempore*. The resolution of the Senator from Massachusetts [Mr. HOAR] and the resolution of the Senator from Kansas [Mr. PEPPER]. The Senator from Nevada is recognized by the Chair.

Mr. STEWART. Mr. President—

Mr. HOAR. The suggestion was made to me from the other side of the Chamber this morning that it might be well to let the resolution submitted by me go to the Committee on Foreign Relations. It calls for some matter not called for in the resolution which has heretofore passed the Senate, but it is quite possible that the answer to the resolution which has passed the Senate will bring the answer to this resolution. So I said to the Senator who made the suggestion to me that I should not object to the resolution going to the Committee on Foreign Relations. The matter may, however, go over until to-morrow and then be disposed of as we shall agree.

Mr. CALL. I only wish to say that the Senator from Delaware [Mr. GRAY] was not in the Chamber this morning when consent was given that the Senator from Illinois [Mr. CULLOM] should occupy the morning hour. I think it was understood that the Senator from Delaware desired to submit some remarks.

Mr. HOAR. The Senator from Delaware is the Senator to whom I referred and with whom I had the conversation. Let the matter stand until he comes in then, Mr. President.

Mr. FRYE. Is there objection to the resolution going over until to-morrow morning?

Mr. HOAR. Not the slightest.

Mr. FRYE. I desire to occupy the attention of the Senate for a little while to-morrow morning.

The PRESIDENT *pro tempore*. The Chair understands that there is no objection to both resolutions going over until to-morrow morning, holding their right of then being presented to the Senate.

Mr. CALL. I should object simply for the purpose of allowing the Senator from Delaware to be heard to-day if he desired. I do not, however, see him in the Chamber.

Mr. HOAR. He will be here to-morrow morning undoubtedly.

Mr. CALL. Very well. I have no more to say.

REPEAL OF ELECTION LAWS.

The PRESIDENT *pro tempore*. The Senator from Nevada [Mr. STEWART] is entitled to the floor on the bill (S. 412) to repeal Title XXVI of the Revised Statutes of the United States, known as the Federal election law.

Mr. STEWART. Mr. President, the Federal election law does not involve the question of honest elections, but does involve in what jurisdiction the question of honest elections shall be determined, whether by the States or the General Government. Inasmuch as the power to legislate with regard to the election of members of the House of Representatives is possessed both by the State and the General Government, it is a question of expediency and good government where that power should be exercised.

It is manifest that the power, if exercised by the General Government, should never be exercised to interfere with the election of State officers, but primarily by the Constitution it was intended that the States should regulate all elections. The language of the Constitution is as follows:

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

By an examination of the debates in the convention for the formation of the Constitution, it will be observed that so far as the convention was concerned, the object of the latter clause was a specific object. It was suggested that the States might not pass any laws providing for the election of either Senators or members of the lower House, and that the Union might thus be dissolved by mere negation, by the failure to act; and I believe some cases were cited where such failures had occurred during the existence of the Continental Congress. To place it in the power of the General Government to preserve its own existence this clause was inserted. The primary authority was in the States. It was recognized by the Constitution throughout that the States should have full and ample control of their local elections, and this clause was placed in the Constitution solely for the purpose of meeting the contingency of nonaction, and for no other purpose.

No case exists in the United States where a State has not provided ample laws for the election of Members of the House of Representatives and Senators, particularly the election of members of the other House. The States have ample laws for that purpose.

The Federal election law relates solely to the election of Members of the House of Representatives, but does not apply to the election of Senators. It is provided that the qualifications of voters to elect Members of the House of Representatives shall be the same as those in the States for the most numerous branch of the State Legislature. The whole theory of the Constitution is that the State shall regulate.

The question arises, Does any emergency exist calling for Congressional interference? There certainly does not such an emergency exist as was contemplated in the Constitution, because all the States have election laws on their statute books.

It is said, however, that there are frauds in the States, and therefore Congress ought to interfere to secure pure elections. I am not satisfied that our elections would be improved by Congressional interference. It has a tendency to remove from the people of the States that individual responsibility which the conducting of local elections involves. There undoubtedly have been frauds in every State and irregularities in elections, and there will continue to be irregularities in elections in the future; but the public sentiment of the people in every State is against unfair dealing at the polls. The people desire honest elections, and they must be trusted to procure them. If they can not be trusted, our Government is at an end. The foundation of republican government is local elections, local self-government. That is the foundation of free institutions.

I know that those high in power have always supposed they could govern better than the people; and here comes in the very distinction between monarchy and republicanism. In a republican form of government the theory is that the people can be trusted; in a monarchical form of government the theory is that the people are incapable of governing themselves. We are trying the experiment, and have been more successful than any other people thus far in carrying out government and trusting to the people in their local capacity to govern themselves. If we take that responsibility from them which justly belongs to them in a republican government there is danger of their depending upon the General Government and trusting to it to accomplish results which they alone can accomplish in a republican form of government.

I think the danger to this country comes from Federal power and Federal usurpation and not from local self-government. The bad condition of things which now exists in this country can be traced to the unjust exercise of Federal power as plainly as anything which exists in nature. For twenty years the people have demanded financial reform and protested against the destruction of one of the precious metals and the abandonment of the automatic theory of regulating the quantity of money by the quantity of the two metals.

Mr. CHANDLER. Will the Senator allow me to ask him a question?

Mr. STEWART. Not right here. I do not wish to be broken into at this point.

Mr. CHANDLER. I wish to ask a question.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). The Senator from Nevada declines to yield.

Mr. STEWART. I decline to yield until I get through with this branch of the subject.

During all this time the Federal power has been used to thwart the will of the people and prevent the restoration of silver. The Federal veto and the Federal patronage have been the lion in the path, and the Federal patronage and the Federal veto have finally launched this country upon the single gold standard and sent misery and want to the homes of the great mass of the people. No other substantial reason can be given for want and starvation in this land of plenty, after twenty-five years of peace and abundant harvests, but a vicious monetary system enforced upon this country by Federal power, by the Executive.

The members of Congress are sufficiently dependent upon the Executive for their reelection; the Federal patronage is regarded as a necessity to the successful politician; and whatever his pledges may have been to his constituents, however strong his conviction of right may be, when he comes to Washington he finds himself confronted with the alternative to forego all the rewards of his party or submit to Federal dictation. You place in that same Executive another great power when you give him control of local elections. You say it is done by the judges, the marshals, and the supervisors, but the marshals who form the greatest number of these officials are immediately under the Federal Executive; the judges are appointed by the Chief Executive, and become, I am sorry to say, as a rule strongly tinctured with a sense of the superiority of the Federal over the State governments as soon as they receive their commissions.

Mr. CHANDLER. Will the Senator allow me to ask a question at this point?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. STEWART. I do not like to be interrupted, but I yield.

Mr. CHANDLER. I simply wish to ask the Senator from Nevada, inasmuch as he took a distinguished part in the enactment of the Federal election law, what has led him to change his mind? I wanted to ask him that before he came to the silver question, and that is why I interrupted him at the time I did.

Mr. STEWART. The original Federal election law was placed upon a bill of which I had charge, and I voted for it. Since that time I have watched its operation. It undoubtedly has prevented some fraud, as any law against frauds might do. It may have worked well in certain instances, but I have observed its operation and have observed the operations of the Government for the last twenty-two years since I voted for the law, and am thoroughly convinced that it was a mistake even then, although its enactment was at the close of the war, when the normal condition of the country had not been fully restored. I believe it was a mistake even then, and I am more and more satisfied that Federal interference in local elections is vicious in practice, vicious in principle, and vicious in results. I have arrived at this conclusion by observing the operations of this law, by observing the dependence of States upon the Federal Government to obtain fair elections, and by observing the divided responsibility which it has created.

We have in the last two or three years since the proposed Federal election bill was defeated, ample evidence to show that the people can be trusted. Look at the South. We hear now of frauds in Virginia and Alabama. The people come against each other there face to face. Does anybody doubt that the frauds will be rectified? This contest in the South is no longer between parties; it is not between the Republican party and the Democratic party; it is not a contest to place the colored man in power over the white man, but it is a contest for good government, in which all the whites are interested, and they will again, as they have in the past, secure a pure ballot, and if there are frauds they will expose them.

The Democratic papers of Virginia are criticising the late elections with the greatest severity, whether justly or unjustly I do not know. I am speaking of the fact that the newspapers have taken hold of the complaints which the people make, and that old Virginia will have just and equitable laws to protect the right of suffrage in the near future, as she had in the distant past, I have no doubt. The same will be true in every Southern State, and will be true in Illinois. That great State is abundantly able, without the assistance of the Federal Government, to maintain the law. So is the State of New York. There is complaint in all large cities, it is true. It is a difficult problem, but what jurisdiction is best to deal with it?

The great people of the State of New York, with their interests interwoven in every election, with the local knowledge of frauds, if frauds are committed, with ample power physically, morally, and intellectually, are able to control the question. Does anybody believe that New York will submit to fraudulent elections to the injury of the Republic? If these great States can not protect the ballot box, the Government of the United States is certainly powerless to do so. Does anybody suppose that officers who are strangers to the vicinage, who are not re-

sponsible to their neighbors, who are appointed by Federal authority, will be purer and fairer than those who are held accountable in the locality where they live? I believe that it was never the intention of the Government of the United States to interfere in any local election whatever, and that this power when given was given for a specific purpose, to be used in a certain contingency, to wit, when a State refused or neglected to provide for the election of Senators and Members of the House of Representatives.

If you add to the executive influence another great power—the control of elections—a member of Congress will come here entirely dependent upon the Executive; and if the Executive does not happen to possess all the wisdom or all the patriotism in the country, if he has not a monopoly of everything good, if he is not something more than human, he will wield the power you place in his hands. It is human nature that he should do so. If he wield the veto power and the patronage, and also the control of the Federal elections, what voice can the people have in these Halls?

I am opposed to interfering in any way with local self-government. The more I study the necessity of maintaining it, the more I see that republican government rests alone upon the right of the people to regulate their own local affairs, to regulate their own elections, and without that right a republic cannot exist except in name.

I shall not stop here to discuss this fraud or that fraud. I say that there can be no fraud in any State sufficiently important to affect its prosperity without arousing the indignation of the best people of that State. The newspapers will inevitably call attention to it; good men will condemn it; and when you take the Federal power away and leave the people free, I have absolute confidence in their love of right, their love of fair play, their love of a republican government, which depends upon pure elections.

We must trust them. We cannot assume that we in the General Government are better than the States, because we are composed of representatives of the States, and those whom the people themselves send without Federal interference will be best qualified to represent the will of the people; and it is the will of the people which ought to govern and which must govern if the Republic is to be maintained, not the will of the Chief Executive, not the will of those who manipulate elections, but the will of the people. How can that will be best expressed? Through the representatives of the General Government or by the people themselves in their own local forum, where the witnesses are known and where the great mass of the people have cognizance of the facts?

This Constitution was wise; it left the subject with the States; and because it provided for a certain contingency, in which it would be proper for the General Government to interfere, it was by no means intended that the General Government should usurp the power intended to remain in the States.

The Senator from Illinois has discussed the financial question in connection with the repeal of the Federal election law, and has assumed that alleged frauds in local elections in certain States have produced the universal distress which now exists. Under these circumstances it is proper for me to call attention to the real cause of the want and misery which prevail throughout the land. In order to do that, I will call attention to the real source of all the trouble—vicious financial legislation—the result of cunning on the one side and ignorance on the other.

The word "value" is the stumbling block in monetary science. The advocates of the gold standard contend that "value" is intrinsic and consists of the qualities of a thing which render it useful. The economists who assert that, other things being equal, the quantity of money in circulation determines the purchasing power of each dollar or other unit of money, define the term "value," when used in monetary science, to be the comparative worth of property exchanged as estimated by buyer and seller in the consummation of a contract of purchase and sale.

INTRINSIC VALUE THEORY.

If "value" is intrinsic and adheres in money, the quality of the material of which money is made is all that need be considered. The intrinsic quality of gold is always the same and its value, if intrinsic, must be the same now as it was in the beginning and as it will be to the end of time.

Mr. MCPHERSON. May I ask the Senator a question?

Mr. STEWART. I would prefer not to be interrupted now.

Mr. MCPHERSON. I merely wanted to know whether the Senator was discussing the value of money in elections?

Mr. STEWART. The discussion on the Federal election law has taken a wide range. It has been assumed that the financial depression in the country was in some way connected with this election law, and I am showing how the financial question is connected with the financial embarrassments which have brought the country on the brink of ruin.

The entire argument of the "intrinsic value" school may be stated as follows: The value of gold is the intrinsic quality of gold itself. The quality of gold can never change, therefore the "value" of gold is always the same. If we admit the premises, the conclusion is inevitable.

If all the rocks could be converted into gold, an ounce of gold would be worth just as much as it now is. Under this theory gold is the true and unchangeable measure of value of all other things. A gold dollar would buy no more if there was only one gold dollar in existence than if there were ten thousand millions of such dollars, because the intrinsic quality of gold (which determines its value) would be the same whether the quantity were great or small.

The legislation of the United States and Europe for the last twenty years has been on the intrinsic-value theory. Silver was demonetized and more than one-half of the metallic money of the world rejected on the theory that quality alone determines the "value" of money. If this theory be correct, why sell bonds and buy gold? Is not the quality of gold we now have the same as the quality of the gold which it is proposed to buy? Is not the proposal to buy more gold an admission that quantity is an element in the value of money? How can such an admission be harmonized with the policy of the legislation of the extra session and the mandates of the London and New York syndicate?

The goal of sound money (according to the authority of the President and his advisers) has been reached, and every gold dollar is as good as every other gold dollar of the same weight and fineness. No poor laboring man can now be defrauded because his gold dollar is not just as good as the gold dollar of his rich neighbor. The demand for good money, so urgently pressed by the gold kings in behalf of labor, has been answered by appropriate legislation.

Why should the laboring man complain? Have not the gold press, the Executive, the ex-Executive, and all the gold advocates on both sides of the Atlantic yielded to the demand of labor for good money? Why should not the gold advocates be astonished at the dissatisfaction of the starving millions of the unemployed? What right have the masses to complain of starvation while the money in the banks is dear gold? Why should the advocates of sound money tolerate legislation to increase the supply of money in response to the false and exploded idea that if there were more money more people might get some of it?

An increase of the quantity of money would not improve its quality, but it might enhance the danger of its distribution among the masses.

Why should the gold advocates be annoyed after they have spent so much money and time to secure legislation to make money good and dear? Why should not every good citizen be thankful because no money except good money exists in the coffers of the rich? What a debt of gratitude (in addition to other debts) the wealth producers of this country owe to the money-changers of London and New York for removing all money out of the reach of all producers to prevent loss by shrinkage of the value of money in their pockets! What a consolation it must be to all true patriots to know that there is now no money but good money, and that all good money is in the safe keeping of the gold combine, where the touch of the common herd can not contaminate, defile, nor mar its shining beauty!

The "intrinsic value" theory, if true, is a full justification for the demonetization of silver; for if quantity has nothing to do with the value of money there was no use for the four thousand millions silver coin in the world.

Is this bill reported from the Finance Committee to increase national-bank circulation consistent with the intrinsic value theory? Will the intrinsic value of national-bank notes be any greater than that of gold? What excuse can be given for putting out more national-bank circulation if quality, without regard to quantity, is the only requisite of good money?

The "intrinsic quality" of money has not been impaired by the rejection of silver. Why should the money function of silver be restored? Why mine more gold? New gold will not improve the quality of the gold we have. Why object to the absorption of gold in the arts if the intrinsic value of what remains will not be affected by a reduction in quantity?

THE QUANTITATIVE THEORY.

The school of economists who believe that the quantity of money in circulation, other things being equal, regulates the value of dollars or other units of account, learn from the street corners that the "value" of a thing is what it will fetch. Inasmuch as there must be a buyer and a seller and a contract of purchase and sale before an article can fetch anything, the definition already given fits the case. I repeat, value is the comparative worth of property exchanged, estimated by buyer and seller in the consummation of a contract of purchase and sale.

"Value" neither adheres to nor pertains to any one thing. It is a comparison of the desirability of two or more things. Such comparison is an operation of the mental faculties of the buyer and seller resulting in an exchange of property for property, no matter what the property exchanged is. It may be money, services, or commodities, but an estimation of the relative worth of the things exchanged must be made before the contract is consummated. Every actual transaction forms some basis or guide for estimates of what would probably be the exchangeable value for other articles or services in a contract of barter or in the selling price of commodities in money.

Price is a synonym for "value," and commercial price is also the comparative worth of property exchanged as estimated by buyer and seller in the consummation of a contract of purchase and sale. The difference between "price" and "value" does not arise from any essential difference in the meaning of the terms, but from a difference in their application. "Value" is applied to money and "price" to the exchangeable worth of commodities into money.

There are two conditions precedent to either "price" or "value." There must be a demand and a limitation of quantity. If there is no demand there can be neither commercial value nor market price. If the quantity is unlimited, like the air we breathe, and the thing desired can be obtained in unlimited quantities, without money and without price, then there can be no comparative worth of property exchanged to be estimated by buyer and seller in the consummation of a contract. But when demand and limitation of quantity exist, the value or price is determined by the supply and demand.

All property for sale is a demand for money. The demand for money is, therefore, equal to the demand for all other things, and is always a maximum demand. The aggregate of property for sale is not only the total demand for money, but it is also the supply of property, and all the money in circulation is both the demand for property and the supply of money. A reduction of the volume of circulation diminishes the supply of money and (the demand remaining the same) enhances the value of each dollar or unit of money. An addition to the circulation increases the supply of money and (the demand remaining the same) reduces the value of each dollar or unit of money. Conversely, a reduction of the amount of property for sale (the volume of money remaining stationary) increases the general price of property. An increase in the property for sale (the volume of money remaining the same) reduces general prices.

The demand for everything except money is limited. The demand may be greater or less than the supply. If the demand be greater than the supply, the price of the commodity will rise above the general level of prices; if less than the supply, the price of the article will fall below that level.

A variety of causes affect the relative price of commodities, and also their relative value in money. But fluctuations in the demand and supply of particular articles do not affect the aggregate demand for all property for sale or the aggregate supply of the money in circulation, because, as we have already seen, the property for sale and the money in circulation are reciprocally the demand and supply of each other. When the aggregate of all the property for sale and the volume of money are stationary, the general level of prices will also be stationary.

If the property for sale increases in quantity and the volume of money remains the same, general prices will fall. If the aggregate of property is stationary and the volume of money is increased, general prices will rise. If the increase in quantity of property for sale and the increase in the volume of money are equal, general prices will remain stationary and stability in values will be maintained, which is the end and aim of monetary science. We have already seen that the value in the aggregate of money in circulation is measured by the aggregate of property for sale.

The property for sale remaining stationary, the value of money in circulation will be the same whether the volume of circulation be large or small. It makes no difference what number of dollars or units may be required to make up the volume of money in circulation, the value in the aggregate will be the same so long as the total amount of property offered in exchange is neither increased nor diminished. What part of such aggregate demand one dollar will be depends upon the number of dollars into which the circulation is divided. Hence, the value of each dollar depends upon the number of dollars in circulation. Any increase or decrease in the property for sale (the volume of money remaining the same) will increase or decrease the value of each dollar or unit of money.

Hence, the increase of property for sale and the decrease in the volume of money produced by the demonetization of silver are the cause of the decline of general prices about 50 per cent in the last twenty years.

When money is increasing in value and prices are falling,

everybody seeks investment in money or bonds, or other credits which are money features. When prices are rising everybody seeks the acquisition of or investment in property. In other words, when money is rising and property falling, everybody desires to go long on money and short on property. When prices are rising and the value of money falling, everybody desires to go long on property and short on money. Individuals can not create money, and can only go long on money by the acquisition of money or bonds and credits, which are money features. Individuals can acquire property both by labor and by investments. No wealth can be produced by going long on money. All wealth is produced by going long on property by the use of labor.

Mr. PEPPER. Mr. President, this is a very important discussion that is going on. I think there ought to be a quorum present.

Mr. STEWART. Oh, no; I do not want a quorum. Senators would know the cause of all the trouble outside if they were here.

The PRESIDING OFFICER. The question of a quorum being raised, it becomes the duty of the Chair to direct the Secretary to call the roll.

Mr. STEWART. I regret it very much. I do not want Senators to be compelled to come in.

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

Bate,	Gray,	Manderson,	Stewart,
Berry,	Harris,	Martin,	Stockbridge,
Call,	Hawley,	Murphy,	Turpie,
Camden,	Hill,	Palmer,	Vest,
Chandler,	Hoar,	Pasco,	Vilas,
Cockrell,	Hunton,	Peffer,	Voorhees,
Coke,	Irby,	Perkins,	Walthall,
Cullom,	Jones, Ark.	Platt,	Washburn,
Daniel,	Jones, Nev.	Pugh,	White, La.
Frye,	Kyle,	Roach,	Wilson.
Gallinger,	Lindsay,	Sherman,	
George,	Lodge,	Squire,	
Gorman,	McMillan,		

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, a quorum is present. The Senator from Nevada will proceed.

Mr. STEWART. The value of money depends, as we have already seen, upon the volume in circulation, which is now fixed, as we shall hereafter see, by legislation. If legislation would supply a sufficient volume of money to take away the profit of going long on money, and would thereby encourage the accumulation of property, every willing hand would find employment and wealth and prosperity would increase.

I am aware of the fact that habits of thought, education, and prejudice attach much importance to the precious metals without examining what, if any, necessary functions they perform. The conversion of either metal into money withdraws it from use as a commodity. It can not be employed as money and at the same time used as a commodity. The use of it as money deprives it of use as a commodity, and the use of it as a commodity deprives it of its money function.

The use of gold and silver in the arts does not increase their utility as money. On the contrary, their absorption for non-monetary purposes decreases the supply of money metal, produces contraction, and interferes with the equity of contracts and the stability of general prices. The growing demand for gold in the arts already absorbs about all of the annual output from the mines and threatens serious inroads upon the stock of gold on hand. If gold could be used for no other purpose but coinage into money, the evils of the gold standard would be greatly mitigated.

The only important function which either of the precious metals performs, and which could not be performed equally well by many other commodities, especially paper, is limitation of quantity. Rude nature limited the quantity of metallic money by the precious metals for thousands of years and never during all that time permitted man to obtain too much of either gold or silver, or of both. The accumulations of all the ages up to 1873 amounted to only about \$7,000,000 of gold and silver coin distributed among all the nations of the earth. But this accumulation was sufficiently large to render the output of the mines in any one year a very small percentage of the whole and to prevent violent fluctuations.

The mines in 1873 were and still are reasonably productive, but not sufficiently so to furnish a supply of money which would more than keep pace with the increase of population. If all the gold and all the silver produced from the mines had been coined during the last twenty years, the percentage of increase of metallic money would not have been equal to the growth of population. The gold from California and Australia between 1848 and 1873 about doubled the metallic money of the world; but the increase of general prices was only about 18 per cent. After supplying the arts the total output of gold and silver available for

coinage since silver was demonetized has not exceeded 30 per cent of the coin of the two metals which was on hand in 1873, which is a less per cent than the growth of population.

If both metals had been freely coined, there would have been no expansion of the volume of money as compared with population; there would probably have been some contraction. If the demonetization of silver is consummated, gold must also be demonetized to prevent inevitable disaster. The function of limiting and regulating the volume of standard money which the two metals performed can not be performed by one. The limitation, when both were used, was too narrow and contracted; stagnation, and often barbarism, followed a failure of the output of the mines.

The rejection of silver as a money metal is an abandonment of the automatic theory by which the volume of money was regulated by the quantity of the two metals. The demonetization of one metal by legislation proves that there is nothing sacred either in gold or silver, or in the automatic theory itself. The rejection of silver as a money metal will lead to the disuse of both much sooner than the demonetization of gold would have done; because silver is the more plentiful metal, with a more regular and permanent supply from the mines, and because a large amount of the output of gold (probably one-third) is obtained from silver mines, and also because the arts now consume nearly if not all of the annual output of gold. The limitation of the volume of standard money of the world to gold alone must so enhance the value of gold and reduce the price of property and wages as to produce such disaster as must end either in revolution or financial slavery of the masses.

Since the function of regulating the volume of money by the aggregate of the two metals (which seemed so important) has been destroyed by legislation, it is essential to inquire if both gold and silver may not be discarded as money? The argument was that legislation could not be trusted to regulate the volume of money, but rude nature might safely dole out gold and silver in proper quantities to furnish the requisite supply of money of ultimate payment. The plan of adopting the accumulations of the precious metals, with their annual additions from the output of the mine, has been abandoned.

The legislation rejecting one of the metals, issuing paper money, and establishing national banks is an assumption of absolute control by Congress over the quantity and quality of the circulating medium. Every question relating to money is now a subject of legislation.

We have seen that the volume of circulation as compared with the aggregate of property for sale is the paramount question for consideration. Why may not some limitation be ascertained and adopted which will preserve the equity of time contracts and maintain stability of general prices? Why may not some system be devised, based on principle, which shall control legislation on the most important subject which affects the human race? Why should the money changers be allowed to control, for selfish purposes, the finances of the civilized world, and why should legislators grope in the dark and pass tentative and experimental laws, if a system can be devised which will maintain equity between debtor and creditor and secure general prosperity?

Suppose the United States should stamp upon properly engraved and prepared paper the words "one dollar" and make it the unit of account and a legal tender in payment of all debts and dues, public and private, and should also stamp upon other like pieces of paper words and figures which should be multiples of such dollar of such denominations as might be required, and make all such pieces of paper so prepared and stamped a full legal tender in payment of debts and redeemable in taxes and in all the property for sale in the United States. Would not such dollars be good money? Suppose a hundred millions of such legal-tender money was prepared and covered into the Treasury to meet the present deficiency and avoid an increase of taxation, would not that relieve the present situation and have a tendency to revive business?

Suppose further, that enough of such legal-tender money should be prepared to take the place of every other kind of money, whether paper or gold or silver, which is now in circulation, and that when paper money now outstanding is received in the Treasury it should be destroyed and such legal-tender money issued in lieu thereof, and that when either gold or silver coin should be paid into the Treasury it should be melted up and sold as bullion and such legal tender-money issued in its place.

Suppose further, that such a process should be continued until all the present circulation of the United States should be retired and one kind of money redeemable in debts, taxes, and all exchangeable property should be substituted for it.

Suppose further that a sum of new money equal to 3 per cent of the volume of money existing on the 1st day of July in each year should be issued annually and covered into the Treasury in lieu of taxes, so as to increase the circulation to keep pace with

the increase of population; and suppose further that a board of statisticians should be organized to investigate prices and report from time to time whether such increase of 3 per cent per annum was sufficient to maintain stability of prices; and if not sufficient, suppose more legal-tender money should be covered into the Treasury and more taxation relieved until stability of prices, according to such statistical investigations, should be maintained, would not the United States have a good financial system? If not, why not?

Why would not such money be as good as paper redeemable in gold with the constant fear of want of gold for redemption?

Would not money clothed with the exclusive power of legal tender and the exclusive right of redemption in all debts, taxes, and property in the United States be good money in any part of the world and convertible without loss, except the price of exchange, into the money of any foreign country? Why would not the only money which would pay debts and taxes and buy property in the richest country in the world, buy anything that might be produced in the United States or any other country? Whatever objections might be made to such a financial system, would it not be better than the gold standard, which means perpetual contraction, falling prices, stagnation, hard times, and misery?

If silver can not be remonetized, and the former system of regulating the volume of circulation automatically by the quantity of gold and silver attainable restored, the interests of the human race require the speedy demonetization of gold and the substitution of some other kind of money of sufficient volume to maintain the equity of contracts, supply the necessities of the people for money, and prevent inevitable disaster.

Now, Mr. President, I admit that this was a digression from the election bill; but I think what I have said is quite pertinent when two Senators stand on the floor, one on one side and the other on the other, and claim that the universal ruin that is abroad in the land resulted from the election of A or B or from some trifling irregularity in some local election. When this great question is treated with such trifling nonsense as we have heard it is time we commenced to investigate the money and see what really is the matter. The country is suffering from the gold standard. There is no money to do business with, and what there is is congested in the money centers. No man dare use it. It was formerly invested in bonds, and money futures were formerly sought; but the foundation of so many of those money futures has been removed by bankruptcies of railroads and other corporations that men fear to invest even in bonds.

The example of the ruin of the mass of business by contraction, by falling prices, deters others from entering into enterprises; and here you have \$70,000,000 or \$80,000,000 of idle money that nobody dares use, and the men who have it will not let it go for any legitimate purpose. They demand United States bonds or something of that kind before they will let it go. A man who has any property dare not borrow money to put in enterprises for fear of losing all he has. The man who has money dare not risk it for fear of a further fall in prices.

That is the condition. It is contraction all the time. Prices do not fall in an incline plane, because everybody having property holds on to it to the last moment until the crash comes and then it drops below where the volume of money would maintain it. Prices fall, property is sacrificed, and the country stands appalled at the ruin that has taken place, and that ruin is a warning to others to keep out of business, and nothing is done.

In a few months there will be a seeming prosperity again when the money gets out, but the iron hand of contraction will check enterprises again and again. The history of the last twenty years is a history of slight prosperity and spasms of bankruptcy, and it will so continue as long as we continue to adhere to the gold standard, and falling prices which must follow that standard as certainly as night follows day.

When this appalling condition has been produced by events as logical and certain as mathematics we hear it attributed to a threat to repeal an election law. We hear hard times attributed to the fact that we do not put more power in the Executive. How has he used the power he has had? Let the history of the last twenty years bear testimony. For twenty years, if the majority had been untrammelled in the two Houses, there has been no time when they would not have given relief to the people, but they had confronting them the threat of an Executive veto; they had confronting them a threat to take away the Federal patronage and destroy them at home; and now they say that things would be benefited by placing before them another threat to control local elections and deny to the States the right to send their representatives here.

Mr. President, I do not propose to prolong the discussion at this time. The President of the United States, in his message to the extra session, promised us a comprehensive financial pol-

icy. He now tells us that we must wait for a policy until we see how the gold standard will work; that we shall not be students in history; that we shall abandon our mathematics and let the country suffer, and fill your streets with tramps and your homes with hunger while we have an opportunity to study the object lesson.

Have we not a sufficient object lesson? Unfortunately while he tells us that he has not disclosed the entire sum and substance and full extent of the gold-standard policy, he does not state the case truthfully. At the extra session he demanded and secured the repeal of the only law that recognized silver bullion as a money metal and adopted the gold standard. He now recommends the issuance of bonds, to borrow money to redeem the ten or eleven hundred million dollars of silver and paper in circulation. That is the gold policy. I so stated when the extra session met. They have no policy but the gold standard and further taxation, falling prices, bonds to be used by the national banks, bonds for gilt-edged investments, bonds for money futures to enable those who want to go long on money to have a safe place to put their money, bonds for those who control the money of the world, taxation, falling prices, starvation, and misery for the masses.

That is the policy which is disclosed and set forth, and it is the full extent of the policy of the gold men. They have nothing else to offer. They have made no other suggestion but taxation, falling prices, and hard times, in or out of Congress, but the utter destruction of silver as money, the limitation of the money to gold; and promises to pay gold. Believing that the United States can grind the people enough to comply with almost any promise, they proposed this policy and no other; and here we have misery abroad in the land resulting from a vicious financial system, and no man who speaks by authority for the Administration dare give us a suggestion of any relief but gold and bonds.

Whether it has been the case with the President or not, the people have had sufficient of this object lesson, and his command to them to delay and see what the gold men will work out of it is cold comfort in these cold nights to men who have nowhere to lay their heads and have no food to eat.

I shall at a future day take occasion to make some further remarks on the gloomy aspect foretold in the President's message. The only hope is further misery, further hard times, further falling prices; and that is a sad spectacle to those who have got to meet the coming hard winter.

EULOGIES ON THE LATE REPRESENTATIVE MUTCHLER.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed the eulogies delivered in Congress upon the Hon. William Mutchler, late a Representative from the State of Pennsylvania, 8,000 copies, of which number 2,000 copies shall be delivered to the Senators and Representatives of the State of Pennsylvania, which shall include 50 copies to be bound in full morocco, to be delivered to the family of the deceased, and of those remaining 2,000 shall be for the use of the Senate and 4,000 for the use of the House of Representatives; and the Secretary of the Treasury is directed to have engraved and printed a portrait of the said William Mutchler to accompany the said eulogies.

STATISTICS OF IMPORTED MERCHANDISE.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed the document entitled "Imported merchandise entered for consumption in the United States during the years 1890 to 1893, with the rates and amount of duty collected," prepared by the Bureau of Statistics, Treasury Department, for the Committee on Ways and Means of the House of Representatives, 4,000 copies for the use of the House, 2,000 copies for the use of the Senate, and 2,000 copies for the use of the Bureau of Statistics.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 3239) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey; asked for a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GEARY, Mr. BARTLETT, and Mr. FLETCHER managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 108) to fix the times and places for holding the Federal courts in the State and district of Nebraska;

A bill (H. R. 146) to extend North Capitol street to the Soldiers' Home;

A bill (H. R. 156) for the establishment of a light and fog-signal station near But'er Flats, New Bedford, Mass.;

A bill (H. R. 213) to pay for alley condemned in square numbered 493, in the city of Washington, D. C.;

A bill (H. R. 356) to authorize the Secretary of the Interior to reserve from sale certain land in the abandoned Fort Cummings military reservation, and for other purposes;

A bill (H. R. 411) to require steam vessels of the United States, of 1,000 tons or more, to have one engineer and helper on watch in their engine rooms while under way, and to require all steam vessels of the United States, under steam for more than ten hours, to carry two licensed engineers;

A bill (H. R. 894) for the relief of Robert Travila for loss of carbine in the late war;

A bill (H. R. 3629) to close alleys in square numbered 751, in the city of Washington, D. C.;

A bill (H. R. 4013) to release and turn over to Mrs. Mary O. Augusta certain property in the District of Columbia;

A bill (H. R. 4414) to amend an act approved September 4, 1890, authorizing the New Orleans, Natchez and Fort Scott Railroad Company to construct two bridges across Boeuf River, in Louisiana; and

A bill (H. R. 4571) to make service connections with water mains and sewers in the District of Columbia, and for other purposes.

WILLIAM M'GARRAHAN.

The PRESIDENT *pro tempore*. The Calendar is now in order. The Secretary will announce the first bill on the Calendar not called at the last call of the Calendar.

The SECRETARY. A bill (S. 341) to submit to the court of private land claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes.

The PRESIDENT *pro tempore*. The bill will be read at length as in Committee of the Whole.

Mr. PLATT. The Senator from Colorado [Mr. TELLER], who has not been present this session, reported the bill, and the Senator from Iowa [Mr. WILSON], who does not favor it, requested me, if it should be called up in his absence, to ask that it be passed over until some future time.

The PRESIDENT *pro tempore*. The bill will be passed over if there be no objection. Hearing no objection, the next bill on the Calendar will be announced by the Secretary.

Mr. HUNTON. The case on the Calendar that has just been called is in charge of the Senator from Colorado [Mr. TELLER], and he desired that when reached on the Calendar it should be passed over without prejudice.

The PRESIDENT *pro tempore*. The bill has just been ordered to be passed over without prejudice.

EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate adjourn.

Mr. BERRY. I hope the Senator from New Hampshire will withdraw the motion and let us have an executive session.

Mr. CHANDLER. Certainly; I withdraw the motion in favor of that course.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, December 13, 1893, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 12, 1893.

ASSISTANT SECRETARY OF AGRICULTURE.

Charles W. Dabney, jr., of Tennessee, to be Assistant Secretary of Agriculture, vice Edwin Willits, resigned.

DIRECTOR OF THE MINT.

Robert E. Preston, of the District of Columbia, to be Director of the Mint, to succeed Edward O. Leech, resigned.

ASSISTANT TREASURER.

D. M. Kilpatrick, of Louisiana, to be assistant treasurer of the United States at New Orleans, in the State of Louisiana, to succeed Andrew Hero, removed.

ASSAYER.

Guy Bryan, of Missouri, to be assayer in charge at the United

States assay office at St. Louis, in the State of Missouri, to succeed Eliot C. Jewett, removed.

COLLECTORS OF INTERNAL REVENUE.

O. M. Welburn, of California, to be collector of internal revenue for the first district of California, to succeed John C. Quinn, removed.

William J. Mize, of Illinois, to be collector of internal revenue for the first district of Illinois, to succeed Christopher Mamer, resigned.

Joshua Jump, of Indiana, to be collector of internal revenue for the seventh district of Indiana, to succeed Joseph P. Throop, resigned.

James Phelan, of Michigan, to be collector of internal revenue for the first district of Michigan, to succeed J. H. Stone, resigned.

Charles Speck, of Missouri, to be collector of internal revenue for the first district of Missouri, to succeed C. F. Wenneker, resigned.

Webster Withers, of Missouri, to be collector of internal revenue for the sixth district of Missouri, to succeed H. F. Devol, resigned.

Calvin Page, of New Hampshire, to be collector of internal revenue for the district of New Hampshire, to succeed James E. French, resigned.

Valentine Fleckenstein, of New York, to be collector of internal revenue for the twenty-eighth district of New York, to succeed Charles E. Fitch, resigned.

Kope Elias, of North Carolina, to be collector of internal revenue for the fifth district of North Carolina, to succeed W. W. Rollins, resigned.

Furnifold M. Simmons, of North Carolina, to be collector of internal revenue for the fourth district of North Carolina, to succeed Elihu A. White, resigned.

Louis W. Pratt, of New York, to be collector of internal revenue for the fourteenth district of New York, to succeed Robert W. Hunter, resigned.

S. M. McMillen, of Ohio, to be collector of internal revenue for the eleventh district of Ohio, to succeed Marcus Boggs, resigned.

Louis P. Ohliger, of Ohio, to be collector of internal revenue for the eighteenth district of Ohio, to succeed William H. Gabriel, resigned.

J. Edward Kauffman, of Texas, to be collector of internal revenue for the third district of Texas, to succeed J. W. Burke, resigned.

COMMISSIONER OF NAVIGATION.

Eugene T. Chamberlain, of New York, to be Commissioner of Navigation, to succeed E. C. O'Brien, resigned.

COLLECTORS OF CUSTOMS.

A. M. Dahlgren, of Mississippi, to be collector of customs for the district of Pearl River, in the State of Mississippi, to succeed William G. Henderson, removed.

David G. Browne, of Montana, to be collector of customs for the district of Montana and Idaho, in the State of Montana, to succeed Jeremiah Sullivan, whose term of office has expired by limitation.

True L. Norris, of New Hampshire, to be collector of customs for the district of Portsmouth, in the State of New Hampshire, to succeed James E. Dodge, removed.

William J. Bulger, of New York, to be collector of customs for the district of Oswego, in the State of New York, to succeed Henry H. Lyman, removed.

Peter C. Doyle, of New York, to be collector of customs for the district of Buffalo Creek, in the State of New York, to succeed William J. Morgan, resigned.

George S. Weed, of New York, to be collector of customs for the district of Champlain, in the State of New York, to succeed Stephen Moffatt, removed.

Nelson Baldwin, of Pennsylvania, to be collector of customs for the district of Erie, in the State of Pennsylvania, to succeed John M. Glazier, removed.

Frank B. Earnest, of Texas, to be collector of customs for the district of Corpus Christi, in the State of Texas, to succeed Calvin G. Brewster, removed.

SURVEYORS OF CUSTOMS.

William D. English, of California, to be surveyor of customs for the port of San Francisco, in the State of California, to succeed Paris Kilburn, removed.

John D. Stocker, of Georgia, to be surveyor of customs for the port of Atlanta, in the State of Georgia, to succeed Christopher C. Wimbish, removed.

George G. Tanner, of Indiana, to be surveyor of customs for the

port of Indianapolis, in the State of Indiana, to succeed Philip M. Hildebrand, resigned.

George W. Haynie, of Indiana, to be surveyor of customs for the port of Evansville, in the State of Indiana, to succeed C. E. Scoville, removed.

J. Scott Harrison, of Missouri, to be surveyor of customs for the port of Kansas City, in the State of Missouri, to succeed Ross Guffin, resigned.

APPRAISER OF MERCHANDISE.

Walter H. Bunn, of New York, to be appraiser of merchandise in the district of New York, in the State of New York, to succeed Marville W. Cooper, resigned.

ASSISTANT APPRAISERS OF MERCHANDISE.

James B. Stevens, of California, to be assistant appraiser of merchandise in the district of San Francisco, in the State of California, to succeed James E. Tucker, promoted to appraiser.

James McCaffery, of Missouri, to be assistant appraiser of merchandise at the port of St. Louis, in the State of Missouri, to succeed Lyne S. Metcalf, removed.

Emil Rose, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed J. Stanley Isaacs, removed.

John W. A. Strickland, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, in place of Dennis F. Burke, deceased.

POSTMASTERS.

John A. Hinkle, to be postmaster at Batesville, in the county of Independence and State of Arkansas, in the place of James P. Jones, whose commission expires December 19, 1893.

C. H. Wilmans, to be postmaster at Newport, in the county of Jackson and State of Arkansas, in the place of James C. Grubbs, deceased.

J. A. Jamison, jr., to be postmaster at Ukia, in the county of Mendocino and State of California, in the place of George W. Critchfield, whose commission expires December 20, 1893.

James H. Jordan, to be postmaster at Denver, in the county of Arapahoe and State of Colorado, in the place of John Corcoran, whose commission expires December 19, 1893.

James B. Chapman, to be postmaster at Hartford City, in the county of Blackford and State of Indiana, in the place of Alexander Gable, whose commission expires December 19, 1893.

John M. Jackson, to be postmaster at Peru, in the county of Miami and State of Indiana, in the place of John T. Stevens, whose commission expires December 19, 1893.

Thomas J. Kelleher, to be postmaster at Waukon, in the county of Alamakee and State of Iowa, in the place of Francis H. Robins, whose commission expires December 19, 1893.

Matthew M. McAlpin, to be postmaster at Denison, in the county of Crawford and State of Iowa, in the place of Reuben Heffelfinger, resigned.

Samuel F. McConnell, to be postmaster at Bloomfield, in the county of Davis and State of Iowa, in the place of Albert H. Fortune, whose commission expires December 21, 1893.

W. L. Parker, to be postmaster at Sibley, in the county of Osceola and State of Iowa, in the place of Hezekiah G. Doolittle, whose commission expires December 21, 1893.

John H. Sherman, to be postmaster at Osceola, in the county of Clarke and State of Iowa, in the place of Wallace G. Agnew, whose commission expires December 19, 1893.

W. J. Stonebreaker, to be postmaster at Hampton, in the county of Franklin and State of Iowa, in the place of Levi B. Raymond, resigned.

George W. H. Lucas, to be postmaster at Cherokee, in the county of Crawford and State of Kansas, in the place of Joseph Lucas, resigned.

Amos K. Bradley, to be postmaster at Madisonville, in the county of Hopkins and State of Kentucky, in the place of John B. Earle, whose commission expires December 19, 1893.

Myers C. Shook, to be postmaster at Preston, in the county of Fillmore and State of Minnesota, in the place of Christian Peterson, whose commission expires December 21, 1893.

Dorin G. McConnell, to be postmaster at Holden, in the county of Johnson and State of Missouri, in the place of Peter C. Van Matre, whose commission expires December 21, 1893.

Richard S. Wooldridge, to be postmaster at Harrisonville, in the county of Cass and State of Missouri, in the place of Rachel O. Aiken, whose commission expires December 21, 1893.

Charles C. Collings, to be postmaster at Gloucester City, in the county of Camden and State of New Jersey, in the place of John Gourley, whose commission expires December 20, 1893.

Philip E. Tufts, to be postmaster at Rahway, in the county of Union and State of New Jersey, in the place of Henry B. Rollinson, whose commission expires December 20, 1893.

George A. Elston, to be postmaster at Port Jervis, in the county of Orange and State of New York, in the place of Stephen St. John, whose commission expires December 21, 1893.

James W. Forbis, to be postmaster at Greensboro, in the county of Guilford and State of North Carolina, in the place of Jonathan D. White, whose commission expires December 20, 1893.

George B. Snyder, to be postmaster at Youngstown, in the county of Mahoning and State of Ohio, in the place of Edw. H. Hosmer, whose commission expires December 20, 1893.

Orson A. Carlin, to be postmaster at Greenville, in the county of Mercer and State of Pennsylvania, in the place of Louisa Keck, whose commission expires December 21, 1893.

Benjamin A. Donovan, to be postmaster at Manheim, in the county of Lancaster and State of Pennsylvania, in the place of Samuel M. Long, whose commission expires December 21, 1893.

Thomas J. Eakin, to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania, in the place of Henry A. Hamilton, whose commission expires December 20, 1893.

James Kleckner, to be postmaster at Millinburg, in the county of Union and State of Pennsylvania, in the place of George W. Shock, whose commission expires December 20, 1893.

William H. Peffer, to be postmaster at Carlisle, in the county of Cumberland and State of Pennsylvania, in the place of A. A. Thomson, whose commission expires December 21, 1893.

Maggie M. Moore, to be postmaster at Yorkville, in the county of York and State of South Carolina, in the place of William A. Moore, whose commission expired May 15, 1892.

D. L. Smith, to be postmaster at Sweetwater, in the county of Monroe and State of Tennessee, in the place of Jesse F. Owen, whose commission expires December 20, 1893.

John W. Hogg, to be postmaster at Decatur, in the county of Wise and State of Texas, in the place of William W. Barber, resigned.

John W. Lipscomb, to be postmaster at Luling, in the county of Caldwell and State of Texas, in the place of Jacob D. Leonard, whose commission expires December 20, 1893.

J. L. Phelan, to be postmaster at San Angelo, in the county of Tom Green and State of Texas, in the place of Samuel L. S. Smith, resigned.

James M. Robins, to be postmaster at Mineola, in the county of Wood and State of Texas, in the place of Thomas Breen, whose commission expires December 20, 1893.

George B. Zimpelman, to be postmaster at Austin, in the county of Travis and State of Texas, in the place of J. C. DeGress, whose commission expires December 20, 1893.

Bernard Wilkinson, to be postmaster at North Yakima, in the county of Yakima and State of Washington, in the place of Robert Dunn, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 11, 1893.

CONSUL.

Newton B. Ashby, of Iowa, to be consul of the United States at Dublin, Ireland.

POSTMASTERS.

Joseph A. Beane, to be postmaster at Goshen, in the county of Elkhart and State of Indiana.

Charles I. Haskell, to be postmaster at Virginia, in the county of Cass and State of Illinois.

Edgar B. Tague, to be postmaster at Boise City, in the county of Ada and State of Idaho.

Samuel J. Reynolds, to be postmaster at Smyrna, in the county of Kent and State of Delaware.

George D. Price, to be postmaster at Seymour, in the county of Jackson and State of Indiana.

Patrick C. Donovan, to be postmaster at Jeffersonville, in the county of Clark and State of Indiana.

William Corby, to be postmaster at Notre Dame, in the county of St. Joseph and State of Indiana.

George P. Marvin, to be postmaster at Beatrice, in the county of Gage and State of Nebraska.

John F. Wood, to be postmaster at Logan, in the county of Harrison and State of Iowa.

James Renie, to be postmaster at North Vernon, in the county of Jennings and State of Indiana.

Lizzie G. Hunt, to be postmaster at Greenville, in the county of Washington and State of Mississippi.

John H. Levis, to be postmaster at Black River Falls, in the county of Jackson and State of Wisconsin.

Frank D. McCoy, to be postmaster at Sistersville, in the county of Tyler and State of West Virginia.

Executive nominations confirmed by the Senate December 12, 1893.

PENSION AGENT.

Daniel A. Carpenter, of Knoxville, Tenn., to be pension agent at Knoxville, Tenn.

POSTMASTERS.

John H. Crane, to be postmaster at Bowling Green, in the county of Wood and State of Ohio.

William T. Farley, to be postmaster at Tuscumbia, in the county of Colbert and State of Alabama.

George T. Packer, to be postmaster at Ness City, in the county of Ness and State of Kansas.

Aurelius Steward, to be postmaster at Bridgeport, in the county of Fairfield and State of Connecticut.

Washington Hering, to be postmaster at Chicago, in the county of Cook and State of Illinois.

B. Renkenberger, to be postmaster at Columbiana, in the county of Columbiana and State of Ohio.

Daniel Kirkpatrick, to be postmaster at Plymouth, in the county of Richland and State of Ohio.

Charles H. Leach, to be postmaster at Kokomo, in the county of Howard and State of Indiana.

John F. Fulton, to be postmaster at Huntington, in the county of Huntington and State of Indiana.

Fred. J. Nirider, to be postmaster at Kinmundy, in the county of Marion and State of Illinois.

Walter M. Beidel, to be postmaster at Lenox, in the county of Taylor and State of Iowa.

John M. Turner, to be postmaster at Monticello, in the county of White and State of Indiana.

William T. Phillips, to be postmaster at Oakland City, in the county of Gibson and State of Indiana.

William A. Todd, to be postmaster at Mount Ayr, in the county of Ringgold and State of Iowa.

Henry Moore, to be postmaster at Sioux Rapids, in the county of Buena Vista and State of Iowa.

John L. Comstock, to be postmaster at Sac City, in the county of Sac and State of Iowa.

James B. Elder, to be postmaster at Emmitsburg, in the county of Frederick and State of Maryland.

Thomas Shannon, to be postmaster at Morgan City, in the parish of St. Mary and State of Louisiana.

George H. Richard, to be postmaster at Donaldsonville, in the parish of Ascension and State of Louisiana.

James Curran, to be postmaster at Hoboken, in the county of Hudson and State of New Jersey.

Levant A. Vickery, to be postmaster at Flushing, in the county of Genesee and State of Michigan.

Reuel H. Cooper, to be postmaster at West Branch, in the county of Ogemaw and State of Michigan.

William C. Bush, to be postmaster at Pittsfield, in the county of Pike and State of Illinois.

Patrick J. Birmingham, to be postmaster at Girardville, in the county of Schuylkill and State of Pennsylvania.

Charles L. Elwood, to be postmaster at Middletown, in the county of Orange and State of New York.

Samuel L. Day, to be postmaster at Paxton, in the county of Ford and State of Illinois.

William B. Davis, to be postmaster at Mount Sterling, in the county of Brown and State of Illinois.

Edward S. Bryan, to be postmaster at Maywood, in the county of Cook, and State of Illinois.

William R. Boughn, to be postmaster at Randolph, in the county of Cedar and State of Nebraska.

George C. Agnew, to be postmaster at Central City, in the county of Merrick and State of Nebraska.

M. J. Howley, to be postmaster at Cairo, in the county of Alexander and State of Illinois.

Isaac F. Travis, to be postmaster at Weeping Water, in the county of Cass and State of Nebraska.

Frederick E. Roper, to be postmaster at Hebron, in the county of Thayer and State of Nebraska.

Hugh L. Cooper, to be postmaster at Tecumseh, in the county of Johnson and State of Nebraska.

George W. Porth, to be postmaster at Milwaukee, in the county of Milwaukee and State of Wisconsin.

James M. Keys, to be postmaster at Richland Center, in the county of Richland and State of Wisconsin.

Gustav A. Altenberg, to be postmaster at Tomah, in the county of Monroe and State of Wisconsin.

A. O. Wilson, to be postmaster at Janesville, in the county of Rock and State of Wisconsin.

C. G. Wilcox, to be postmaster at De Pere, in the county of Brown and State of Wisconsin.

John H. Rooney, to be postmaster at Kewaunee, in the county of Kewaunee and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 12, 1893.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

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

FISH COMMISSION.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting estimates of appropriations submitted by the Commissioner of Fish and Fisheries; which was referred to the Committee on Appropriations, and ordered to be printed.

FREEDMEN SAVINGS AND TRUST COMPANY.

The SPEAKER laid before the House a letter from the Commissioner of the Freedmen Savings and Trust Company, submitting report for the year ending December 2, 1893; which was referred to the Committee on Banking and Currency, and ordered to be printed.

REPORT OF SUPERINTENDENT OF COAST AND GEODETIC SURVEY.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting the report of the Superintendent of the Coast and Geodetic Survey for the fiscal year ending June 30, 1893; which was referred to the Committee on Printing.

PYTHIAN CONCLAVE.

The SPEAKER laid before the House Senate joint resolution (S. R. 44) to authorize the Secretary of War to grant permits for the use of the Monument grounds and reservations and public spaces in the city of Washington, and for other purposes.

The SPEAKER. This joint resolution will, without objection, be indefinitely postponed, the House having passed a similar resolution, in which the Senate has concurred.

There was no objection, and it was so ordered.

SENATE BILLS REFERRED.

The SPEAKER laid before the House the following Senate bills, which were severally read a first and second time and referred as indicated below:

A bill (S. 73) for the relief of William J. Cornell and Joseph M. Cornell—to the Committee on Claims.

A bill (S. 75) for the relief of Thomas Guinean—to the Committee on Claims.

A bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of North Dakota and for other purposes—to the Committee on Military Affairs.

A bill (S. 335) for the relief of Margaret Kennedy—to the Committee on War Claims.

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 Sioux in 1890 and 1891—to the Committee on Claims, and

A bill (S. 882) granting a pension to Frances Corse, widow of Gen. John M. Corse—to the Committee on Invalid Pensions.

PERSONAL EXPLANATION.

Mr. BARTHOLDT. Mr. Speaker, the press dispatches sent forth on Friday last announcing the individual vote upon the bankruptcy bill inadvertently did me injustice by omitting my name, and thereby creating the impression that I had dodged the vote upon that measure.

The truth is, I was not only in my seat during the debate on that measure, but I voted every time in Committee of the Whole, and also on the roll call in the House; and the CONGRESSIONAL RECORD of last Saturday bears me out in that by recording my name in the negative on the proposition to kill the bill by striking out its enacting clause. I have always been an advocate of a just bill, such as would protect the honest debtor and creditor alike, a measure providing for a uniform and national system of bankruptcy, and the purpose of my remarks is, I desire it understood that I voted in accordance with those convictions.

POSTAL REVENUE.

Mr. DINGLEY. Mr. Speaker, I am instructed by the Commission to inquire into the status of the Laws Regulating the Departments to present a privileged report, which I send to the desk.

The Clerk read as follows:

A bill (H. R. 4340) to amend section 407 of the Revised Statutes, requiring deposit of receipts with the Auditor of the Treasury for the Post-Office Department.

Mr. DINGLEY. The Clerk will please read the report of the Commission.

The Clerk read as follows:

The Joint Commission of Congress to Inquire into the status of Laws Organizing the Executive Departments, to whom was referred the bill (H. R.

4340) to amend section 407 of the Revised Statutes, having considered the same, report it back herewith and recommend that it do pass, with the title amended so as to read as follows:

"A bill to amend section 407 of the Revised Statutes so as to require original receipts for deposits of postmasters to be sent to the Auditor of the Treasury for the Post-Office Department."

Section 407 of the Revised Statutes now requires that the certificates of deposits by postmasters shall be sent by the depositories, through the office making the deposit, to the Third Assistant Postmaster-General, and from that office to the Auditor.

The accompanying bill changes the law so as to require the certificate to be sent directly to the Auditor's Office, obviating the delay now experienced, which is to no purpose, since the work in the Third Assistant's office is that of merely entering the amount of the certificates of deposit in books arranged by quarters to accord with the alphabetical arrangement of offices making deposits, but which are neither balanced, proved, nor checked against anything else, and which necessarily afford an imperfect guide to the status of any account, being, as will be seen, credits for money only, and does not include credits from other sources or any of the debits.

The certificates are needed to make a complete and final check by the Auditor; and to avoid delay in the adjustment of postal accounts should go direct to that office.

The proposed change will facilitate the settlement of postmasters' accounts by at least one month.

ALEXANDER M. DOCKERY,
JAMES D. RICHARDSON,
NELSON DINGLEY, JR.,

Members on the part of the House of Representatives.

F. M. COCKRELL,
JAMES K. JONES,
S. M. CULLOM,

Members on the part of the Senate.

Mr. DINGLEY. Mr. Speaker, it is recommended by the Postmaster-General, and I will ask the Clerk to read his letter.

The Clerk read as follows:

Hon. A. M. DOCKERY,

Chairman Joint Commission of Congress, etc., Washington, D. C.:

SIR: I have examined the bill (H. R. 4340) to amend section 407 of the Revised Statutes so as to require certificates of deposits by postmasters to be sent direct to the Auditor of the Treasury for the Post-Office Department, and desire to say that its passage will greatly facilitate the settlement of accounts of postmasters, and I therefore earnestly recommend its passage by Congress.

Very respectfully,

W. S. BISSELL,
Postmaster-General.

Mr. DINGLEY. Mr. Speaker, the only change that this bill makes in the statutes is to require the postmasters to send certificates of deposits directly to the Sixth Auditor of the Treasury, in charge of the postal affairs, instead of to the Third Assistant Postmaster-General; and the Commission have ascertained that this will greatly expedite the settlement of postmasters' accounts. The Postmaster-General also recommends it.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

A bill (H. R. 4340) to amend section 407 of the Revised Statutes requiring deposit of receipts with the Auditor of the Treasury for the Post-Office Department.

Be it enacted, etc., That section 407 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

SEC. 407. The postal revenues and all debts due the Post-Office Department shall, when collected, be paid into the Treasury of the United States under the direction of the Postmaster-General, and the Treasurer, Assistant Treasurer, or designated depository receiving such payment shall give the depositor a duplicate receipt therefor, to be retained by him in his office as a voucher, and shall forward the original to the Auditor of the Treasury for the Post-Office Department, to be placed to the credit of the depositor in audit of his accounts.

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

The SPEAKER. Without objection the title will be amended in accordance with the recommendation of the Commission.

There was no objection, and it was ordered.

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

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Upon request of Mr. CUMMINGS, by unanimous consent, leave was granted to the Committee on Naval Affairs to sit during the sessions of the House.

CHANGE OF REFERENCE.

On motion of Mr. OUTHWAITE, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 297) to authorize a retired list for enlisted men and appoint petty officers of the United States Navy; and the bill was referred to the Committee on Naval Affairs.

LEAVE OF ABSENCE.

Mr. GOLDZIER, by unanimous consent, obtained leave of absence, for two weeks, on account of important business.

LEAVE TO PRINT.

Mr. TALBERT of South Carolina, by unanimous consent, obtained leave to print in the RECORD remarks upon House bill 334.

NEW YORK AND NEW JERSEY BRIDGE BILL.

Mr. GEARY. Mr. Speaker, I desire to present a conference

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Committee on Commerce to the bill (H. R. 3289) to authorize the New York and New Jersey Bridge companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey, having met, after full and free conference, have failed to agree.

T. J. GEARY,
FRANKLIN BARTLETT,
LOREN FLETCHER,
Conferees on the part of the House.
G. G. VEST,
A. P. GORMAN,
WILLIAM P. FRYE,
Conferees on the part of the Senate.

Mr. GEARY. Mr. Speaker, I move that the House insist on its disagreement, and ask for a further conference.

The motion was agreed to, and the Speaker appointed as conferees on the part of the House Mr. GEARY, Mr. BARTLETT, and Mr. FLETCHER.

BANKRUPTCY.

The committees being called for reports, Mr. BAILEY, from the Committee on the Judiciary, reported with amendments a bill (H. R. 4609) to establish a uniform system of bankruptcy; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

UNITED STATES DISTRICT AND CIRCUIT COURTS.

Mr. CULBERSON, from the Committee on the Judiciary, reported with amendments a bill (H. R. 1892) to limit the jurisdiction of district and circuit courts of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of committees for reports was completed.

The SPEAKER. The morning hour for consideration begins at twenty-six minutes past 12 o'clock. The call rests with the Committee on Territories.

PERSONNEL OF THE NAVY.

Mr. MEYER (when the Committee on Naval Affairs was called). Mr. Speaker, I call up for present consideration the concurrent resolution in relation to the personnel of the Navy.

The concurrent resolution was read, as follows:

Whereas there are constantly before Congress numerous bills dealing with the question of rank and pay in the Navy, and other matters concerning the personnel of the same; and

Whereas the present laws relating to this subject are in many instances imperfect, inconsistent, unjust, and the result of piecemeal legislation: Therefore, be it

Resolved by the House of Representatives (the Senate concurring), That a special joint committee, consisting of three members of the House and three members of the Senate, be appointed respectively by the Speaker of the House of Representatives and the President of the Senate, whose duty it shall be to fully investigate and consider the entire subject of the rank, pay, and all other matters relating to the personnel of the Navy; to have power to send for persons and papers, sit during the recess, if any, and during the sitting of both Houses, and to report at any time after it convenes as may be convenient what legislation, if any, is necessary in the premises; any bill so reported by them shall simplify, codify, and revise existing laws relating to the personnel of the Navy so far as may be found possible. And said joint committee is hereby authorized to employ a clerk at \$5 per day and a messenger at \$3 per day while employed, and any expenses incurred by said commission in performing the duties herein required shall be defrayed equally from the contingent funds of the two Houses.

The SPEAKER. This resolution is in Committee of the Whole.

Mr. SAYERS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAYERS. I would like to know what is the status of the amendment that was offered by me and, I believe, accepted by the Committee on Naval Affairs in Committee of the Whole.

The SPEAKER. The Chair is informed that the Committee of the Whole agreed to an amendment. Whenever the resolution is reported to the House that amendment will be reported with it.

Mr. SAYERS. The amendment has been adopted by the Committee of the Whole?

The SPEAKER. By the committee, but not by the House. The concurrent resolution is still in Committee of the Whole.

Mr. MEYER. Mr. Speaker, inasmuch as the Committee on Naval Affairs has accepted the amendment offered by the gentleman from Texas [Mr. SAYERS] striking out the provision for the employment of a stenographer and a messenger, I wish to ask whether it would not be in order to consider this resolution in the House instead of going into Committee of the Whole?

The SPEAKER. The resolution has not been reported by the committee to the House.

Mr. MEYER. Then I move that the House resolve itself into Committee of the Whole for the further consideration of this concurrent resolution.

The question being taken, the Speaker declared that the yeas seemed to have it.

Mr. MEYER. I ask for a division.

The House divided, and there were—ayes 45, noes 3.

Mr. KILGORE. No quorum, Mr. Speaker.

The SPEAKER. The gentleman from Texas [Mr. KILGORE] makes the point that no quorum has voted. The Chair will appoint as tellers the gentleman from Louisiana, Mr. MEYER, and the gentleman from Texas, Mr. KILGORE.

The House again divided; and the tellers reported—ayes 177, noes 1; so the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BAILEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole to consider the concurrent resolution, which will now be read.

The amendment reported by the committee was read, as follows:

Strike out the last sentence of the resolution, as follows:

"And said joint committee is hereby authorized to employ a clerk at \$5 per day and a messenger at \$3 per day while employed, and any expenses incurred by said commission in performing the duties herein required shall be defrayed equally from the contingent funds of the two Houses."

The CHAIRMAN. The amendment which the Clerk has just read was agreed to by the Committee of the Whole at a former sitting, and it will be so reported to the House.

Mr. MEYER. Mr. Chairman, I do not wish to consume time during this morning hour in making any extended remarks. There appears to be a mistaken impression on the part of members of the House as to the purpose and scope of this resolution. During the last session of Congress the gentleman who is at present Secretary of the Navy introduced in this House a resolution of similar character to this; and it only failed of passage because of lack of time. In his recent report the Secretary of the Navy alludes again to this subject in language which I will ask the Clerk to read.

The Clerk read as follows:

PERSONNEL.

I can not too strongly recommend Congressional action in reference to the personnel of the line of the Navy. Its present condition is too serious to be neglected any longer, and unless remedies are adopted looking to some system of promotion which will produce a regular flow from the bottom to the top of the list, the consequences not only to the service, but also to the Government will soon be nothing less than alarming.

The object of any scheme of promotion in the Navy should be to produce efficient commanding officers, the accomplishment of which necessitates that officers of the line be made to bear the responsibilities of actual command by or before the time they have reached the prime of life, while they are still young enough to accommodate themselves to the demands upon intellect and energy which are made by the assumption of control of a modern man-of-war.

A clear understanding of the necessity for immediate action in this matter can only be gained by a statement of the principal causes heretofore existing which have led to the present stagnation in promotion, which statement will also show that neither the evils themselves nor the necessity for removing them are open to dispute. The principal causes which have led to the present condition of affairs are, briefly stated, as follows:

First. In 1855 Congress authorized a scrutiny of the active list which resulted in the removal of a large number of officers, the vacancies thus created being filled from the passed-midshipmen of the Navy. The immediate effect of this was the reduction of the number of officers below the grade of lieutenant from 258 in 1854 to 78 in 1857. This number had only increased to 91 when the outbreak of the civil war occurred, an event which caused a great number of resignations from all grades of the Navy, creating at once many vacancies all through the line, to fill which there existed only the small number of junior officers mentioned above. The resulting embarrassment of the Department for officers in the junior grades forced the Government to supply its wants from the merchant service.

To this lack of officers in a time of sudden need was due the unfortunate policy which prevailed from 1860 to 1867, inclusive, and which has contributed, more than any other cause, to the present stagnation in promotion. During most of this period the numbers in the classes under instruction at the Naval Academy were kept at the highest possible limit, the cadets being pressed to graduation in large numbers and with the utmost rapidity. On the 1st of January, 1865, there were 496 midshipmen in the service, all of whom had entered since the war began. In January, 1866, there were in the Academy 147 midshipmen in the fourth or lowest class alone. Midshipmen were graduated during the years 1866-'67-'68 at an average rate of about 78 per year. In 1862 the demands of the war, and in 1866 a necessary reorganization had each contributed to so increase the numbers as to make promotions to the grade of lieutenant very rapid, but only for a few years to follow. The senior 16 midshipmen of the 78 who were graduated in 1868 became lieutenants in 1872, at an average age of 24. The 12 seniors of this class have been promoted to lieutenant-commanders since the beginning of this year at an average age of 45, and after having served twenty-one years in the grade of lieutenant.

At the same time that this disproportionate number of graduates entered the active service the dates of 1860 and 1861 were further increased by the admission of a number of officers from the volunteer Navy, whose ability and services had entitled them to such recognition on the part of the Government.

Second. The effect of an act passed in 1870 which largely increased the numbers in the lower grades of the line.

Third. The effect of an act passed in August, 1882, which largely decreased the numbers in the higher grades of the line.

The present result of the combined causes mentioned above is shown in the following table, which gives the average ages at which officers of the line now reach the several grades:

Grade.	Age.
Rear-admiral.....	61
Commodore.....	59
Captain.....	50
Commander.....	48
Lieutenant-commander.....	46
Lieutenant.....	36
Junior lieutenant.....	33

I have endeavored to impress you with my deliberate conviction that this most important branch of the public service, which may properly be termed the right arm of the Republic for external defense, now suffers from two great evils, viz:

First, a large proportion of the officers of the line of the Navy, at a time when mind and body ought to be at the best, are serving in the lower ranks without command and the habit it begets.

Second. No method now exists whereby the Government can get the very flower of its personnel into those positions where they can be of the greatest service to the country, in consequence of which a dull mechanical movement takes the place of healthy progression led by merit and fitness.

I am engaged in the preparation of a plan for the reorganization of the line of the Navy which I think will meet the requirements of the service, and I shall have the honor to present it to the Committee on Naval Affairs, and also to the joint committee, to investigate and consider the subject of the rank, pay, and other matters relating to the personnel of the Navy proposed in the concurrent resolution introduced by the Hon. Mr. MEYER, in case said concurrent resolution becomes a law.

Mr. MEYER. I think this subject is pretty well understood by the Committee of the Whole; and, unless some gentleman who is opposed to the resolution desires to speak—

Mr. KILGORE. I would like to submit a few remarks.

Mr. MEYER. How much time does the gentleman desire?

Mr. KILGORE. I will not consume any time needlessly. I do not desire more than ten minutes.

Mr. MEYER. Mr. Chairman, at what time will the morning hour expire?

The CHAIRMAN. At 25 minutes after 1 o'clock; there are still twenty minutes remaining.

Mr. MEYER. I yield five minutes to the gentleman from Texas. I hope that will be sufficient.

Mr. EVERETT. I am anxious to say a very few words on this subject.

Mr. MEYER. I will yield later five minutes to the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Texas [Mr. KILGORE] has the floor for five minutes.

Mr. KILGORE. That does not do me any good.

Mr. MEYER. There are only twenty minutes of the morning hour remaining. I would like to oblige the gentleman from Texas—

Mr. KILGORE. I am not asking any favors.

Mr. MEYER. If the gentleman from Texas will be satisfied to have a vote taken at the proper time, I will yield him ten minutes with very great pleasure.

Mr. KILGORE. I did not understand the gentleman's remarks.

Mr. MEYER. If you will consent that a vote be taken—

Mr. KILGORE. I do not hear the gentleman.

Mr. MEYER. I will yield the gentleman ten minutes.

Mr. KILGORE. I do not know that I shall occupy so much time. I want it understood, however, that in asking ten minutes from my friend from Louisiana I am not making any concession in regard to allowing him to put this matter through without a proper showing on the record.

Mr. Chairman, the purpose of this resolution, as I understand it, is to secure the appointment of a joint committee of members of this House and the Senate to investigate the rank and pay of the Navy, or as my friend from Arkansas said this morning, to codify the personnel of the Navy. Now, I know so little about this business that I am hardly prepared to give a reason for my opposition to it.

I can say, however, that I am always opposed to an investigation by a Congressional joint committee of any subject within the jurisdiction of a regular standing committee of the House or the Senate. If there were any want of authority in the House Committee on Naval Affairs or the corresponding committee of the Senate to deal with this question, to make this investigation and to formulate a measure as the outcome of the investigation, I might be willing to agree to the appointment of a joint committee to do this work. But there is no such want of authority. My experience is that these special investigating committees are a sham, a fraud, a false pretense, a snare, and a delusion.

Mr. MEYER. I would like to ask the gentleman from Texas whether the report of a joint committee, if such committee should be constituted by Congress, giving the result of its careful deliberations, would not be as valuable and ought not to be considered as effective as the report of a standing committee of either House.

Mr. KILGORE. Responding to the inquiry of the gentleman from Louisiana, I will say it is barely possible that the report of this joint committee or commission, or whatever it may be called, would be just as full and satisfactory as a report from a standing committee of the House and Senate on the same subject. But that is no reason why the Committee on Naval Affairs of this House or the Senate should abdicate its authority in favor of such a joint committee or commission.

I am opposed to investigations by select committees unless, as I said before, it be on some questions which are not within the jurisdiction of the committees of the House or Senate. Now, if these gentlemen were anxious to reorganize the Navy, and or-

ganize some people out and organize some others into higher rank, that might be done by a bill. That is the purpose of this legislation. I think the Navy ought to be reorganized from what they say about it—not what I know, for I confess I do not know much about that. On one or two occasions in the years gone by the Navy was reorganized. In 1855 it was done, if I remember aright, on the same plan and for the same purpose now proposed by the pending resolution, and it was done then on a bill introduced to that end. They did not need a special commission to do the work for the Committee on Naval Affairs of the House or Senate.

Mr. CUMMINGS. I want to tell the gentleman that this is not a resolution looking towards a reorganization of the Navy Department at all. It is simply a resolution brought here by the advice of the Secretary of the Navy, a resolution which he himself drew up in the last Congress, asking for a joint committee of both Houses to investigate the personnel of the Navy, an effort to settle troubles connected with the rank, pay, and organization of the Navy. It refers to its personnel—nothing else. The resolution has been brought in here and the gentleman in charge has kindly withdrawn a proposition for a clerk and an attendant, intending to use the force of the committee in the investigation. Therefore the gentleman is misstating the proposition, unintentionally, no doubt.

Mr. KILGORE. Well, the gentleman is consuming my time and running a speech into mine—a very good way to get to the country.

Mr. CUMMINGS. I am only trying to give the gentleman information. He said he knew nothing about the matter.

Mr. KILGORE. I am obliged to the gentleman.

But, Mr. Chairman, I do not disagree with the gentleman from New York. The purpose of the resolution is to investigate the matters and things that I have said, "make an investigation," as they say; and that investigation must have some purpose in it. If not, then it may as well be dropped entirely. If it has any purpose it is to do the very things I have said—that is, to recommend legislation looking to a reorganization of the Navy, a readjustment of the rank of the officers or reassignment of pay, to determine who ought to be promoted, perhaps, and their pay, and who ought to go upon the retired list.

All of this could be accomplished in a direct method by the introduction of a bill in both the House and Senate providing for the very things which they say ought to be done, and let the report be made on it. In that manner let it come before the country and let the country thus be advised as to the intention of Congress in this regard. But the theory is that if they can get a commission, or a joint committee of the House and Senate, to make this investigation and report in favor of a particular scheme or character of legislation—possibly a unanimous report—put it into this House with the sanction of the joint committee of the House and Senate, they can get it through in spite of any opposition which it may encounter in this body.

Now, I say, Mr. Chairman, that these gentlemen can formulate a measure looking to the very purpose embodied in this resolution, and they ought to do it in that way, not in this. The House has shown repeatedly since this matter has been before it an utter indifference to the resolution. I have not antagonized it in any way except to require the presence of a quorum to vote upon it, and the difficulty of securing a quorum shows the indifference of the House. They may not want to directly antagonize it, or antagonize the gentlemen having it in charge, but there has always been a quorum present when the matter was up, though they have not been able to get one to vote upon it.

Mr. CUMMINGS. The gentleman found the same difficulty when he called up the Utah bill the other day.

Mr. KILGORE. Yes, that is true; but you could not get a quorum for this until I had to help you get it to-day.

[Here the hammer fell.]

Mr. MEYER. I yield now five minutes to the gentleman from Massachusetts [Mr. EVERETT].

Mr. EVERETT. Mr. Chairman, I do not know that I shall occupy the time, because the gentleman from Texas [Mr. KILGORE] has practically covered the ground I meant to take—that, in reading the report of the committee, I do not in the least dissent from what they say or what the Secretary of the Navy says in reference to the necessity for a reconstruction of the personnel of the Navy.

I believe that to be the case; and it was the case in 1854 when precisely the same complaints and difficulties, as I happen to know from personal knowledge, young as I was, were raised in the Navy at that time—exactly the same difficulties that we are told now exist. And I find by looking into the proceedings of the second session of the Thirty-third Congress that, this matter having been called to the attention of the Naval committees of the House and Senate by the Secretary of the Navy, Senator Mallory of Florida brought in a bill from the Senate Committee,

and stated then "that the committees of the House and Senate," using the plural number, "had been unable to agree on a large part of the matters submitted to them by the Secretary, but had been able to draw up this bill," for the sole purpose the gentleman now alludes to, namely, to recognize the personnel of the Navy, striking down various naval officers from the rank they were unfitted to carry out and for the promotion of others.

Now, the committee in their report state, in a single sentence, that it is impossible that this matter should be carried out in the ordinary method of proceeding, by a report from the Naval Committee of one House, carrying the bill through one House and then passing it through the other.

I wish to see the personnel of the Navy reconstructed. I wish the recommendations of the Secretary of the Navy carried out; but I have not understood yet from a single word, either in his report or the report of the committee, or in the remarks of the gentleman from New York [Mr. CUMMINGS], or of the gentleman from Louisiana [Mr. MEYER], why the ordinary proceedings of Congress should be departed from, and why this should not follow the strict precedents of the second session of the Thirty-third Congress by bringing in a bill from the Naval Committee, either of the House or the Senate.

If these gentlemen will show why it is impossible to do that in the ordinary way, and why we need a joint commission, then I will cheerfully vote for their recommendation. I earnestly hope that something will be done to remove what I recognize as existing defects in the personnel of the Navy, but I do not see why, after forty years, we should vary from the precedent of the Thirty-third Congress, established before the late unpleasantness.

Mr. COOMBS. Was not there a report made in the Thirty-third Congress that it was impossible for the two committees to agree?

Mr. EVERETT. They could not agree upon many of the recommendations contained in the report of the Secretary of the Navy, but on this particular point, of reconstructing the personnel of the Navy, they were enabled to introduce a bill from the Senate committee and have it carried.

Mr. CUMMINGS. If there had been a joint committee of investigation, would they not have agreed?

Mr. EVERETT. I am sure I do not know. I only know that there was not a joint committee.

Mr. CUMMINGS. Is it not more probable that they would have agreed if there had been a joint investigation?

Mr. EVERETT. I can not say as to that.

Mr. CUMMINGS. Now, the gentleman's argument is just this: He wants the Naval Committee of the House to enter into an investigation of this subject, and then he wants the Naval Committee of the Senate to go through a separate investigation of their own. This would give us two investigations and two separate reports, one in each House. The same object can be accomplished by an investigation by a joint committee of both the Senate and the House. It is proposed that this joint investigation shall not cost the Government one cent, and still the gentleman opposes it.

Mr. EVERETT. I yielded for a question and not for a speech. I beg to state that I have no doubt there are many cases in which a joint committee of the two Houses would carry through a matter much better than we do in the present way; but we have the present way, the regular course of legislation, which we adopt in all our proceedings, and which was adopted for this particular end in 1854; and I am unable to see any reason why we should vary from the regular course of legislation, even if it should be more expeditious.

[Here the hammer fell.]

Mr. MEYER. I yield one minute to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, I want to state the result of the action in 1854, to which the gentleman refers us. It made a settlement which did not settle. Since that settlement the trouble between the line and staff of the Navy has occurred. It has rent the personnel of the Navy in twain. They did not settle the question. On the contrary, they split the thing wide open; and the reason why we ask for this joint committee to-day is to make an effort, after an investigation, to settle this difference between the line and staff of the Navy, and give us a navy that will be far more useful than our present Navy is to-day. The Secretary in his annual report says that such action is vitally material.

Mr. COOMBS. There is no use having ships without officers.

Mr. MEYER. I ask for a vote on the resolution.

The CHAIRMAN. The question is, Shall the committee report the pending resolution to the House with a favorable recommendation?

The question being taken, the Chairman announced that the ayes seemed to have it.

Mr. KILGORE. I think we ought to have a division.

The committee divided; and there were—ayes 96, noes 8.

Mr. KILGORE. Mr. Chairman, a quorum has not voted.

The Chairman appointed as tellers Mr. MEYER and Mr. KILGORE.

The committee divided; and before tellers reported,

The CHAIRMAN said: The morning hour having expired, the committee will rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BAILEY, Chairman of the Committee of the Whole, reported that that committee, having had under consideration concurrent resolution House Mis. Doc. 39, had come to no resolution thereon.

ADMISSION OF UTAH.

The SPEAKER. There is a special order.

Mr. WHEELER of Alabama. Mr. Speaker, I move that the House resolve itself into Committee of the Whole to consider the bill H. R. 352.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 352) to enable the people of Utah to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into Committee of the Whole to consider this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BAILEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill H. R. 352.

Mr. WHEELER of Alabama. Mr. Chairman, if there be no objection, I move to dispense with the first reading of the bill.

Mr. TRACEY. I object.

Mr. HOLMAN. Mr. Chairman, the title of that bill was not understood.

Mr. TRACEY. Let us hear what the bill is.

The CHAIRMAN. The Clerk will report the title of the bill.

The title was again reported.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. TRACEY. I object, Mr. Chairman.

The CHAIRMAN. Objection is made, and the Clerk will read the bill.

The bill was read at length.

Mr. WHEELER of Alabama. Mr. Chairman, I now yield to the gentleman from Texas [Mr. KILGORE].

Mr. KILGORE. Do I understand that the gentleman from Alabama and I are to control the time?

Mr. WHEELER of Alabama. I am willing to divide it with the gentleman from Texas.

The CHAIRMAN. The Chair recognized the gentleman from Alabama, and the Chair now understands the gentleman to yield to the gentleman from Texas.

Mr. WHEELER of Alabama. Yes, sir; and the time on the other side will be controlled by the gentleman from Iowa [Mr. PERKINS].

Mr. KILGORE. I do not want to put myself in the attitude of having to submit to any control about the time, as I am here—

The CHAIRMAN. The Chair understood that the gentleman from Alabama yielded to the gentleman from Texas for one hour.

Mr. WHEELER of Alabama. Yes, sir; or for such time as he may desire.

Mr. KILGORE. I do not understand that the gentleman from Alabama is to control the time in favor of the bill. As I understand—

Mr. WHEELER of Alabama. Unless the gentleman from Texas will take control of the bill.

Mr. KILGORE. The gentleman from Alabama made a minority report and I made the majority report. I do not want any disagreement—

Mr. WHEELER of Alabama. It is true the gentleman from Alabama prepared a minority report upon certain provisions of the bill, but upon the general purpose of the bill we are together.

Mr. KILGORE. Well, sir; it is all right.

Mr. WHEELER of Alabama. I am perfectly willing that the gentleman from Texas should control the time.

The CHAIRMAN. The gentleman from Alabama appears to be under the impression that he controls the entire time. Has there been any such agreement in the House?

Mr. WHEELER of Alabama. The gentleman from Iowa [Mr. PERKINS] will control the time against the bill.

The CHAIRMAN. Has there been any such agreement as that made in the House?

Mr. WHEELER of Alabama. There has not.

The CHAIRMAN. Then such an understanding would hardly be permissible in committee. The Chairman of the committee would have to recognize gentlemen as they rise.

Mr. WHEELER of Alabama. I do not think it is important. The gentleman from Texas takes the floor.

Mr. KILGORE. Then I shall go on with the discussion of the bill, and I shall not consume much time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. WHEELER of Alabama. For such a time as he desires, or to control the bill.

[Mr. KILGORE withholds his remarks for revision. See Appendix.]

Mr. MORSE. Mr. Chairman, if the bill now before the House admitting the Territory of Utah as a State in the Federal Union is to pass and become a law, I certainly hope that the amendment offered by the minority of the committee will be incorporated in it. I refer to the amendment in relation to polygamy, which is as follows:

The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide, by ordinance irrevocable without the consent of the United States and the people of said State—

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship. But said constitution shall prohibit polygamy or dual marriage, and polygamy or dual marriage shall be declared by such a constitution to be felony and punishable by any of the courts of said State of competent jurisdiction by inflicting a fine of not less than \$1,000 or more than \$5,000, and confinement in the penitentiary for not less than one year or more than five years.

The gentleman from Texas [Mr. KILGORE] has addressed this House for an hour, and that hour has been devoted to an attempt to establish the fact that the Mormons in the Territory of Utah have abandoned the practice of polygamy. He has quoted President Harrison as an authority upon that point. Let us see. I have a faint memory of a speech which President Harrison delivered at Salt Lake City in that magnificent tour of the country which he made in which he made a number and variety of addresses perhaps unequalled by any President since John Quincy Adams.

I say I have a faint memory that President Harrison on that tour made a speech at Salt Lake City, in which he said to the assembled Mormons that he believed "in one and only one uncrowned queen in every American home," and I am inclined to think that that remark had some application to the state of things existing in Utah at that time as seen by President Harrison.

I also desire to call attention of the gentleman from Texas [Mr. KILGORE] to the following significant remark in the report of the minority of the committee:

The Delegate from Utah was invited to be present, and amendments were made at his suggestion, and, as the committee understood, he was perfectly satisfied with all parts of the bill except that part which prohibited polygamy.

And I will refer to this subject later on.

But, Mr. Chairman, I desire to stand in my place and say that I am opposed to this bill. I am opposed to admitting the Territory of Utah as a State in the Federal Union. I have a brother (a Gentile) who lived two years in Salt Lake City, and I think I have some inside information about Utah.

To be sure, it has the requisite wealth and population, but in my judgment, and from what I can learn, the character of the population and the character and practices of the Mormon Church, to which a majority of its citizens belong and to which they owe their first allegiance, unfits that Territory and its people to become members of the Federal Union.

The history of Mormonism from the time that Brigham Young made his pilgrimage and located, what he chose to style the Church of the Latter-Day Saints, on the shores of the Great Salt Lake down to a very recent time has been a history of superstition, licentiousness, murder, and crime that is a disgrace to civilization, and one of the foulest, blackest blots on the pages of history.

The Mountain Meadow massacre, the doctrine of "blood atonement," the damnable crimes of the "endowment house," the doctrine of plural marriages, the persecution and wholesale murder of apostates and Gentiles who resisted or denied the authority of the Mormon Church, the crimes of the "Danites" or "destroying angels," a band of bloodthirsty assassins employed to execute the will of the Mormon Church, are all mat-

ters of history and fresh in the memories of the living generation.

But, says the gentleman from Texas and say the supporters of this bill, the Mormon Church has changed, has abandoned polygamy. Well, if they have, I propose for one that they shall "do works meet for repentance" for a term of years longer, and until the Gentile Protestant Christian element in that Territory and the opponents of Mormonism, either by uniting with some other Territory or otherwise, shall become a majority, and be able to control the Legislature of the new State which is to be formed. Otherwise I am fearful that when the State shall be fairly inside the Union, the president of the Mormon Church, the successor of Joe Smith and Brigham Young, will have another revelation, reestablishing the "destroying angels," the "blood atonement," the "endowment house," and polygamy.

Mr. Speaker, I have no confidence in either the honesty or the sincerity of the recent professed change of sentiment on the part of the Mormon leaders in regard to the subject of polygamy. Unless my information is faulty, the damnable crimes of the "endowment house" are still perpetrated in secret, polygamy has only been temporarily abandoned, and the persecution, ostracism, and bad treatment of Gentiles, especially of Christian teachers sent among them, continues.

Unfortunately, I left at my hotel a clipping which I have from the Salt Lake Tribune, and which I will ask permission to incorporate in my remarks, giving an account of the recent outrageous treatment of two female Protestant school teachers in the Mormon kingdom—outrageous and shameful treatment, I say, and apparently justified by the Mormon authorities. At least, the perpetrators of these outrages were never prosecuted.

Then, there is another serious objection to the admission of the Territory as a State. Probably there is not a Territory or State in the country so largely peopled by those who have absolutely no knowledge of our country, of its laws, of its institutions, and what should constitute a free State in the great Republic.

Not an inconsiderable part of the inhabitants of this Territory are the dregs of European governments, gathered in hordes by the Mormon missionaries in Europe and ticketed through from Liverpool, Berlin, Vienna, and Stockholm to what they are led to believe is the modern Zion, the New Jerusalem, and a land flowing with milk and honey.

And while other immigrants to this country become to some extent at least Americanized by their surroundings, no such happy change takes place among the foreign immigrants to this God-forsaken Mormon city.

The Republican party in its earliest conventions denounced the twin barbarisms, slavery and polygamy, and pledged itself to the overthrow of both. The first promise has been redeemed, at the expense of rivers of blood, thousands of lives, and billions of treasure. And, thank God, it is no longer a parody, as it was at the birth of the Republican party, to sing—

The star-spangled banner in triumph shall wave
O'er the land of the free and the home of the brave.

The twin relic of barbarism, polygamy, still lives. And while it does live and is in the ascendancy I can never vote to admit Utah as a State of the Union.

Mr. COGSWELL. All the evidence is against you. The evidence is that it has been exterminated.

Mr. MORSE. What is that?

Mr. COGSWELL. All the record evidence is in favor of the extermination of polygamy in Utah.

Mr. MORSE. Well, Mr. Chairman, my colleague, the distinguished gentleman from Massachusetts, has got more faith in the Mormons and their promises than I have. He has some confidence in their promises, and I have none. I would not give a pinch of snuff for the promises of a whole regiment of Mormons, from my brother's experience for two years amongst the people of that Territory.

Mr. COGSWELL. But you preach repentance, and that it is at all times in order. Now, following your preaching, I believe that there are people who do repent and that there are times of repentance. There is every reason to believe that these people have repented.

Mr. MORSE. My colleague is exactly right on one point; I do believe in repentance. I believe in the good old hymn that says—

While the lamp holds out to burn,
The vilest sinner may return.

But I want evidence of that repentance. I want to know that this Mormon hierarchy has abandoned "blood atonement" for one thing; I want to know that they have abandoned the despicable crimes of the "endowment house," which have been committed by them in times past. I want to know and be sure of the fact that they have abandoned polygamy, and I am not pre-

pared to take their statements unsupported by evidence. Therefore, as I said a little while ago, before I am willing to vote to admit them as a State into the Federal Union, I want these people, with their hands reeking with crime, with fingers red with the blood of the Mountain Meadow massacre, to bring forth fruit meet for repentance.

Mr. BRODERICK. They are all dead; that crowd.

Mr. MORSE. I wish they were. But they are not. The United States Government tried, convicted, and took one man back, John D. Lee, and shot him at the point where the crime was committed; and the only misfortune about the transaction is that they executed only the subaltern. They ought to have brought up his superior officers also, whose orders he obeyed, and executed them in the place where the foul crime was committed.

I am aware, Mr. Speaker, that there is a large Gentile element inhabiting the Territory of Utah, utterly opposed to the Mormon hierarchy, the Mormon Church, the endowment house, and to polygamy. And in their name and in their behalf I oppose the present admission of Utah as a State.

I predict that if this bill shall pass, and the government of that Territory shall pass from the United States to State and Mormon control, that legislation hostile to the missionaries and teachers and to the non-Mormon residents will be among the first acts of the Mormon Legislature.

Once admitted as a State, once let the Federal Government surrender its control and the power of the Federal Government to right the wrongs of the non-Mormon is lost and lost forever.

Mr. COGSWELL. That is in the bill. The bill provides that their constitution shall make provision that no discrimination shall be made. How can they in view of the enabling act?

Mr. MORSE. I see that in the bill; but my distinguished colleague from Massachusetts knows full well that we have certain amendments—the thirteenth, fourteenth, and fifteenth—to the Constitution, that apply especially to certain great sections of the country that are a dead letter, and civil and political rights are denied to millions of our countrymen. He knows that there are members of the House representing constituencies here elected by 1,500 votes when it took 30,000 votes to secure the election of my distinguished colleague. He knows full well how these Mormon people and a Mormon Legislature may paralyze these provisions of the bill, and especially so when the sentiment of a large majority of the people are against it.

Once admit them to statehood and these provisions can be made nugatory, null, and void. I repeat, sir, once admit them as a State, once let the Federal Government surrender the Territory and the power of the Federal Government to right the wrongs committed by the Mormons and protect its citizens in that Territory is lost and lost forever.

Mr. Chairman, I do not see the need for haste about this business. There is time enough in the future to admit Utah as a State. We have already admitted States to the Union for political purposes. And I confess, sir, with shame and mortification that my party is to blame for some of it. Yes, we have admitted States for political purposes, mere mining camps. We have admitted States whose population has decreased within the last decade. There is a State in this Union with two Senators and one Representative on this floor that has less than one-quarter of the population contained in my district alone. I say we have had enough of that business. There is no haste about admitting more States.

Mr. HOOKER of Mississippi. Is it not as big as Delaware?

Mr. MORSE. Not in population, I think.

Mr. HOOKER of Mississippi. I mean in representation. Delaware has but one Representative.

Mr. MORSE. What is the population of Delaware?

Mr. HOOKER of Mississippi. I can not inform the gentleman.

Mr. MORSE. Well it has a population two or three times the size of the State I refer to.

Mr. HOOKER of Mississippi. She was one of the original thirteen, however.

Mr. MORSE. Delaware has a right in the Union as a State; a mining camp has not. Rhode Island, let me say to the distinguished gentleman from Mississippi, has a right in this Union beyond that of a mining camp. Rhode Island and Delaware were in at the birth of the Union; they won their place in the great Federal Union by sacrifice of blood and treasure in the great cause of liberty in the war of the Revolution.

Mr. Chairman, Rhode Island and Delaware are both symbolized in the original stars of the flag that hangs over your head, whose folds, set with blue, signalize the starry firmament of God. I say Delaware and Rhode Island, which were among the original States that fought for the independence of this country, have rights that no mining camp can have.

Mr. WILSON of Washington. We did not have any chance to be in that fight. [Laughter.]

Mr. MORSE. Well, I am not finding fault with the gentleman from Washington because he was not born at that time.

Mr. WILSON of Washington. The gentleman ought not to complain of States west of the Missouri River because we did not take any part in the revolutionary war.

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

Mr. MORSE. Yes.

Mr. PICKLER. After all, is not the objection which the gentleman has to this bill caused by the fact that it allows another Western State in the Union a representation upon the floor of Congress? Is it not that instead of polygamy that he is objecting to?

Mr. MORSE. Mr. Chairman, I believe that the gentleman from South Dakota does me an injustice. I do not really believe he means the insinuation which he makes by that remark.

Mr. PICKLER. Your late argument would indicate that.

Mr. MORSE. No, I beg your pardon. I think I am thoroughly honest and that if it were not for the moral conditions of Utah I would join with the gentleman from South Dakota [Mr. PICKLER] and every other man on this floor in admitting that State.

Mr. WILSON of Washington. Will the gentleman pardon me for another interruption?

Mr. MORSE. Certainly.

Mr. WILSON of Washington. The gentleman has spoken very eloquently and feelingly with reference to Rhode Island and Delaware, and their services in behalf of American freedom. But is it not true that they came into the Union in much the same manner that McGregor took a seat at the table? Was it not with the understanding that the head of the table should be wherever McGregor sat, and that they would not consent to anything until they secured a certain amount of representation? Is it not a fact that they demanded two United States Senators for their little bailiwicks, and that they are now complaining of the representation that we have got in the West, and that they would not consent to the adoption of the Federal Constitution until they secured the representation which they now have? Is not that the history of it, or am I mistaken in regard to it?

Mr. MORSE. Mr. Chairman, I believe Rhode Island was one of the last States to consent to the adoption of the Federal Constitution. I think the gentleman from Washington [Mr. WILSON] is correct.

Mr. WILSON of Washington. They were in at the beginning, and they secured the lion's share while they had the opportunity. We are coming in a little late, and are trying to secure a portion of what is left.

Mr. MORSE. Mr. Chairman, I have already given the reasons why I think Delaware and Rhode Island belong in the Union. There was great difficulty about the adoption of the Constitution, as the gentleman from Washington [Mr. WILSON] knows; and the gentleman well knows that George Washington, the father of his country, said in the Convention which framed the Federal Constitution, when there was great danger that the instrument would be rejected, that if this instrument were rejected he believed the next constitution would be drawn in blood.

I am not here to argue the question of representation in the other end of this Capitol. Our fathers wisely, as it seemed to them, gave to each State in the Union, without regard to its size, equal representation in the Senate of the United States. I believe the men who made the Constitution were as august, and honorable, and patriotic, and wise a body of men as ever assembled on God's green earth; but I do not think there is any justification in that fact for the admission of a State with 40,000 population, which has the same representation in the other end of this building as the great State of New York, or Pennsylvania, or Massachusetts.

Mr. SMITH of Arizona. Utah has 250,000 population.

Mr. MORSE. I am not making an argument against Utah on the ground of a lack of population.

Mr. SMITH of Arizona. What evidence have you as to the moral condition there, as against the testimony from every source, Mormon or anti-Mormon, in the Territory or in the neighboring Territories?

Mr. MORSE. My argument is based upon my want of confidence in the honesty and integrity of the Mormons. I have no confidence in their professions, and I have already pointed out the danger of the Federal Government losing control of this Territory and turning the non-Mormons and Gentiles over to the tender mercies of that Mormon Legislature.

My information in regard to the affairs of Utah, and especially its past condition and practices, is derived from two sources: First, as already stated, I have a brother, who represented a coal-mining company and was a resident of that city for two years; but my second and fullest source of information is a book published by

Eliza Young, "The Fifteenth Wife of Brigham Young," who apostatized from Mormonism, escaped from Salt Lake City, and, I think, lectured extensively upon Utah and Mormonism, and in the book to which I have referred gave an exhaustive and detailed account of the religion and practices of the Mormons and Mormon Church, with names, dates, and figures, none of which to my knowledge have ever been controverted or denied.

The statements of this book are believed to be veritable facts and veritable history.

The teaching and preaching of the Mormon bishops, apostles, and elders in the Mormon tabernacle are fully described, and some of this preaching is described as unfit for a parlor, and so indecent as to make a stone image blush for shame. The crime of the Mountain Meadow massacre and the responsibility of the Mormon leaders for the same, is fully set forth and proven. The murderous assassinations, with dates and particulars, of those disobedient to the Mormon Church by a band of assassins, otherwise known as the "Danites" or "destroying angels," who invariably cut the throats of their victims, are also fully set forth. The doctrine of the blood atonement, by which numerous women had their throats cut by their husbands as a religious sacrifice, with names, dates, and particulars, is also fully described. The conduct and ceremony of the endowment house and the business of sealing plural wives, of which the writer claimed to be an eyewitness on repeated occasions, are also described. Undoubtedly most of the actors in these terrible scenes have answered for their crimes or superstitions at the court of last resort, which includes the father of this infamy, Brigham Young.

I do not charge the present residents of Utah to any extent with sanctioning or countenancing these crimes. While, as already stated, I have grave doubts as to whether or no the practice of polygamy has been wholly and in good faith abandoned, most undoubtedly a change for the better has taken place since the building of the Pacific Railroad and since the large influx of Gentiles to that Territory, and I am inclined to concede that no such crimes or superstitions could ever again obtain such a foothold among the inhabitants of that Territory as did prevail at the time to which I have referred; but that there is an immense amount of superstition remaining, that there is a blind obedience to the authorities of the church, no matter what commands they may give, I insist is still true, and I contend that it is not yet safe, wise, or politic to remove from that Territory the hand of the Federal Government and transfer to a Mormon Legislature the making and enforcing of the laws which shall govern that people.

The claim is made here that there is no opposition in Utah to the Territory becoming a State. If that claim is true, there exists there now a very different state of things from what has existed when application has heretofore been made for statehood, when a protest loud and long has come up from the Gentile population against being turned over to the tender mercies of the Mormons, and against having the strong arm of the United States Government withdrawn.

Mr. WILSON of Washington. Does not the gentleman know that the non-Mormon people out there are a pretty robust set of fellows, and can take care of themselves?

Mr. MORSE. The gentleman from Washington knows there is a very large population south of here that is not able to take care of itself.

Mr. WILSON of Washington. That is a different condition.

Mr. SMITH of Arizona. That is not an answer to the question.

Mr. MORSE. They are not able to take care of themselves. That is the condition of those people.

Mr. Chairman and gentlemen of the House of Representatives: I will not trespass upon the House further than to conclude with this remark: I stand in my place and say, in the name of civilization, in the name of virtue and morality and education and religion, in the name of American liberty, in the name of the good name and prosperity of the American Republic, I denounce the proposition to admit the Mormon Territory of Utah as a State in the Federal Union.

Mr. POWERS. I desire to make a parliamentary inquiry.

The CHAIRMAN (Mr. GOODNIGHT in the chair). The gentleman will state it.

Mr. POWERS. Is it in order to submit an amendment at this time?

The CHAIRMAN. It is not in order yet, as the bill is still under general discussion, and until general debate has expired amendments are not in order.

Mr. RAWLINS. Mr. Chairman, Congress, under the Constitution, may admit new States and shall guarantee to every State a republican form of government. It is not required to undertake for the intelligence, the morality, the sobriety, the peace, or good order, and much less the religion, of the people of a State. The framers of the Constitution absolved the Congress from any such

responsibility. The Territorial form of government is maintained largely at the national expense. In every case it is intended to be but temporary, and exist only until the Territory attains such population and such wealth that the people are able to conduct their own affairs and defray the expenses which are entailed in the administration of the State government.

The experience, since 1789, in the admission of new States indicates fairly well what population, what wealth, a Territory should possess in order to fit it for admission to the dignity of statehood. The actual, as distinguished from the potential, wealth and population have usually been disregarded. Anything like a religious test has been precluded as contrary to the Constitution and the genius of our institutions. So far Congress has not found it necessary to devise a method by which to measure the intelligence, morality, or generally the quality of the population knocking at the door for admission into the Union. Under some circumstances it may not be unreasonable to suppose that the forty-four States, embracing people who have good opinions of themselves, would display some taste as to the qualities and characteristics of the population whom they would be willing to admit into the select circle constituting the sisterhood of the Republic.

As for the people of Utah, I want to say that they shrink from no test not violative of the fundamental principles upon which our institutions rest, which even the most fastidious or exacting can see fit to apply. I propose to demonstrate in every respect the fitness of the Territory I represent for admission into the Union. In population, in wealth, in resources, in knowledge of our institutions, in standard of education, and in all the qualities that make intelligent and progressive citizens the people of Utah are fit for association with the proudest and best of the members of the Federal Union. And after having investigated the characteristics and quality of the people of Utah, and made comparisons of them with the people living in other States and Territories, aye, in the State of Massachusetts, I rise possessed of a knowledge which fills my heart with a just pride in the people whom I have the honor here to represent.

There have been, I believe, six applications made by the Territory of Utah for admission into the Union. The last of these applications was made in 1888. In every former instance those applying were members, generally, of the Mormon Church; and there came here, opposing the admission of the Territory, non-Mormons of Utah and the non-Mormons residing in the surrounding Territories or States. The objections which have been made in former times to the admission of Utah have not been on account of the lack of population or of wealth or resources.

Two questions have been made: First, the existence of a sentiment in the Territory which predominated, and which tolerated the practice of polygamy—a practice generally regarded as repugnant to the civilization and morality of the age; and second, the alleged interference of the Mormon Church in political and civil affairs; and on these two grounds and on these two grounds alone Congress has been reluctant and hesitated to admit the Territory into the Union. In 1888 the case was tried before the Committee on Territories in a very elaborate hearing. Majority and minority reports were presented. The majority in its report uses this language:

From what has now been stated it is apparent that all the conditions exist in Utah, in a marked degree, necessary to entitle the people of that Territory to have a State government; and it is equally apparent that, by reason of her geographical position, her immense agricultural and mineral resources, her accumulated wealth, and the general intelligence and industrious and energetic character of her people, it is of national importance that Utah should have a State government.

"The objections that are alleged against the admission are:

- First. The existence of polygamy.
- Second. The power and the teachings of the Mormon Church on that subject.

It was found in 1882 there were 2,225 adult male polygamists in the Territory of Utah. This report proceeds to say:

It is not denied by the advocates of admission that polygamy is practiced in that Territory, but they claim that it is not obligatory upon the members of the Mormon Church, that it has been gradually dying out until now there are comparatively few who are living in polygamous relations, and that this few are generally past the meridian of life. They claim that polygamous marriages have ceased to be solemnized, that in the near future polygamy will have ceased to exist altogether, and is even now practically dead, and that it is unjust to deprive the many of political rights because the comparatively few are violating the law in this regard."

Mr. DINGLEY. Was that in 1882?

Mr. RAWLINS. This is the report made in 1888.

Mr. DINGLEY. Is the statement based upon the number that were disqualified from voting?

Mr. RAWLINS. The act of Congress that disqualified polygamists to vote or hold office in Utah was passed in 1882. The Utah Commission was appointed, and they prescribed or recommended a test oath, under the operation of which all polygamists

were excluded from voting. Female suffrage prevailed in the Territory at that time, and it was reported that about 10,000 males and females were disqualified from voting under the operation of the act of 1882. To be a polygamist a man must have two or more wives, and all the wives were disqualified under the act of 1882. These figures were ascertained by a calculation which showed that there were 2,225 adult males in the Territory of Utah who were polygamists in 1882.

The majority report of the committee in 1888 found that the practice of polygamy had been decreasing. It was claimed then by the representatives of the Mormon people that polygamy had been forbidden by the church, and they asserted that it was no longer in existence and would not revive. The majority gave some credit to that statement. The minority report (presented by Mr. Struble of Iowa) states the objections that were made at that time to the admission of the Territory, which were, the existence of polygamy and alleged church interference.

Mr. DINGLEY. Then, as I understand, the number of persons practicing polygamy at that time was determined solely by the number of persons who were disqualified from voting?

Mr. RAWLINS. Yes, sir.

Mr. DINGLEY. Those who declined to take the test oath?

Mr. RAWLINS. Yes, sir.

Mr. DINGLEY. But by that method the whole number may not have been ascertained, because there may have been others who did not apply to vote.

Mr. RAWLINS. The gentleman from Maine will remember that it was made perjury to take the oath falsely, and that a man who had been a polygamist in years past and who had more than one wife and had had children born to him of such marriage, could not well conceal the fact. Polygamists were eliminated from the registration lists.

The relation was such that it could not be concealed. Acts of Congress had put the enforcement of the law in the hands of the United States marshal, and numerous deputies and United States commissioners existed throughout the Territory. All the means of ascertaining who were polygamists were at hand, including ample funds for the arrest, conviction, and punishment of offenders.

Mr. DINGLEY. Has my friend any means of ascertaining from any other statistical source within the Territory the number of polygamists in Utah at that time?

Mr. RAWLINS. Another test, I suppose, would be to ascertain the number arrested and convicted. There were some ten people arrested for polygamy during the years of the active enforcement of these laws. They were men who had married after 1882 and within three years next prior to the finding of the indictments. But the statute did not run as against persons who were guilty of unlawful cohabitation. Unlawful cohabitation consisted in this: Where a man, having previously married more than one wife, still held to the relation by associating with the unlawful wife and holding her out to the world as his wife even though there may have been no sexual intercourse.

Such was the definition of unlawful cohabitation given by the Supreme Court of the United States. Men who had married, years before, two wives, and had had children born to them of the polygamous marriage, would perhaps visit the household of the unlawful wife and family in order to provide them with the necessaries of life, and the proof would be made that the man had visited the woman, and that, being her husband, they had associated as husband and wife, and upon the submission of such proof to the jury the man would be convicted of unlawful cohabitation. If we apply as a test the number of people who were arrested and shown to be guilty of polygamy, then there were only ten such arrests and convictions, and, for unlawful cohabitation, less than five hundred. That was the result after years of prosecution and after the exertion of the utmost diligence and zeal in the arrest, condemnation, and punishment of offenders against those laws. The people who in 1883 said that polygamy was practically dead said the truth. We all know that it is the nature of man to be more willing to yield a fact than to concede an error.

The leaders of the Mormon people had for years said to them that this thing had been commanded by the Almighty, and that they would be protected if only they would conform to this tenet or doctrine of their faith. In spite of all the propagandism of polygamy that was brought to bear among the Mormon people from its establishment in 1853 down to the cessation of its teaching in 1887, it even having been urged that this practice was essential to the salvation of the members of the church, there was never but a small percentage of those people who practiced this doctrine, as is shown by official reports which have been made from time to time to the President or to the Secretary of the Interior.

I say that the former applications for the admission of Utah into the Union have been largely made on the part of the Mar-

mon people or the representatives of the Mormon people. I come not here as the representative of the Mormon Church or any other church. I come not here as an advocate of the practice of polygamy, for I believe it is vicious and ought to have been suppressed, as it has been. But I do come here, I am proud to say, as the representative of the people of Utah, irrespective of religion, creed, or politics, and if there is any opposition in that Territory now to the admission of Utah into the Union I have been unable to discover it.

In 1888, as shown by the minority report of the Committee on Territories, we found here advocating the admission of Utah into the Union Hon. John T. Caine, at that time Delegate from Utah, Mr. F. S. Richards, Hon. Mark A. Smith, Delegate from Arizona, and Mr. WILSON of Washington. Those who opposed admission were Governor West, of Utah, E. P. Perry, of Park City, Judges Baskin and McBride of Utah, Hon. FRED T. DUBOIS, Delegate from Idaho.

As it has been intimated by the gentleman from Massachusetts [Mr. MORSE] that the present Delegate from Utah has some sinister motive in advocating the admission of Utah under the bill favorably reported by the committee, I would like to invite his attention to the fact that it is very cheap and easy to stand up and denounce a thing which all around you condemn, when you are in the popular current, when there is nobody opposed to what you say; but the highest evidence of sincerity is that when the current of popular sympathy is against you, you are outspoken in your convictions. I was born in the Territory of Utah; I have witnessed all the stages of its progress and development. And I did not wait until it became popular to say that polygamy ought to be discontinued and that the church ought to take its hand out of politics.

In 1885, at a public meeting in the theater in Salt Lake City, I said to the Mormon people themselves that polygamy must and should be given up, that it would be suppressed, and that they would save themselves much misfortune and suffering if they would acquiesce in the sentiment which so thoroughly prevailed in the nation that it would not be balked or thwarted. I said to those people then and there that the union of church and state in so far as it had existed must cease to exist. And in 1887, when I was invited to participate in the constitutional convention as the chairman of a Democratic club, I said that that club was in favor of the admission of Utah upon these conditions, that the sentiment of the people of the Territory should become predominant in favor of obedience to the law and the cessation of the practice of polygamy, and that the church cease its interference in political and civil matters. I stated that when I was convinced that this condition existed in the public sentiment of the Territory, I would gladly cooperate and do what I could to procure for the Territory admission into the Union.

Now, when those utterances were made they were made in sincerity. In 1835 many of those with whom I had been associated believed differently. I was subjected to some criticism. I recur to that occasion to make this allusion. When any gentleman intimates or hints to me that I have any covert purpose here in advocating the admission of the Territory of Utah in order that polygamy may be revived, I ask him to read the history on this subject. I will compare records with him or anyone.

Mr. MORSE. Will the gentleman allow me to ask a question right there?

Mr. RAWLINS. Yes, sir.

Mr. MORSE. Is it not a fact that prior to the election of the gentleman, the Territory of Utah sent here as their Representative Mr. Cannon, a man who had six wives?

Mr. RAWLINS. No, sir.

Mr. MORSE. How many wives did he have?

Mr. RAWLINS. You mean George Q. Cannon?

Mr. MORSE. Yes, sir. He was a polygamist, was he not?

Mr. RAWLINS. That is ancient history, my friend. Mr. Caine has represented Utah here; he was my predecessor as the Delegate from the Territory. He served here ten years. Mr. Caine is not a polygamist. In 1882 Mr. Cannon, the polygamist you speak of, was excluded from his seat in Congress on account of his polygamy.

Mr. MORSE. But he represented the sentiment of those people all the same, because they elected and sent him here.

Mr. RAWLINS. They elected him in years gone by. I am not denying, my dear friend, that in 1853 or 1860 or 1870 or 1880 polygamy was practiced in Utah. I am not denying that the people of that Territory elected polygamists to office in those old days. But the gentleman does not seem to know that the world does progress. [Applause.] There is nothing under the sun that is not changeable and subject to alteration. And that being so, the gentleman himself had better be careful.

Who was responsible for the education of the men who established polygamy in Utah? I tell you, Mr. Chairman, the men who are responsible for it originally were born, were bred, were

educated under the system and civilization of New England. [Applause.]

I tell the gentleman now that the moral sentiment which led to its adoption in Utah, which led to that feature which is obnoxious, and, in my opinion, ought never to prevail, was the outgrowth of that puritanical sentiment which in some of its excrescences in the older days burnt witches, persecuted Quakers, drove out from the community Roger Williams, and later produced the gentleman from Massachusetts. [Laughter and applause.]

Mr. MORSE. I would like to say to the gentleman that when he says witches were burned in Massachusetts he falsifies history.

Mr. RAWLINS. But, Mr. Chairman, I shall proceed with my argument to state that all of these gentlemen whom I have named, and who were opposed to the admission of Utah as a State in 1888, every one of them now, so far I know, is in favor of its admission. Governor West in his report, which I have in my hand, one of the chief men who opposed it, perhaps more violently than any other, says:

The practice of polygamy has been abandoned by the church and the people. Polygamous marriages are forbidden by the authorities of the Church. The people or church party has been dissolved, and the conditions existing in the Territory are now in nowise different from those in vogue in the States of the Union.

That is corroborated by the Secretary of the Interior, Mr. Baskin, who for years fought the church, and came here as a representative to oppose the admission of the Territory into the Union, and now is in accord with what has been stated by Governor West. He is now mayor of Salt Lake City, was elected on political lines, just as is done in other parts of the country.

But, Mr. Chairman, the surrounding States, the non-Mormons in the neighboring States, the people who have lived nearest to the Mormon people and are most familiar with the situation there, who constitute the best witnesses because they have a chance to see and know, and because they judge at their own peril when they so speak, say these people now are eligible to statehood, and that they are in favor of the admission of the Territory into the Union. At the time of the admission of the Territory of Idaho, under the law authorized by its constitution unfriendly to the Mormons—and there is a great body of them in that Territory—all these people were disfranchised and disabled to hold office.

At the last session of the Legislature of Idaho the disabilities imposed upon the Mormon people were, by unanimous vote of the members of the Legislature of both parties, all of them Gentiles, because no Mormon had a seat there, removed, and therefore they have expressed their opinion and belief—the people who will be most liable to be affected by it—that the Mormon people were fit to exercise and be intrusted with all the rights and duties of citizenship under State government. The people of Wyoming and the neighboring States are of the same opinion, so far as I have been able to ascertain.

But the gentleman from Massachusetts [Mr. MORSE], dealing largely in ancient history, has asked permission to include a clipping from the Salt Lake Tribune, long published in Salt Lake City, of great circulation, which has been supposed to always give expression to the most violent and hostile sentiments against the Mormon people. I have some editorials here taken from the Salt Lake Tribune myself. When I paid a visit recently to the Territory of Utah I announced in an interview published in the Tribune, first, that I would encounter no opposition from home in reaching the immediate enactment of the statehood bill, and that I proposed to come back here and do what I could as speedily as possible to bring about the early enactment of that bill.

It was stated in this interview, as preliminary to it, that every editor in the Territory of Utah is in accord with my views on this subject. The Salt Lake Tribune, on November 19, 1893, published an editorial in which they said they approved of my conduct here and what I proposed to do. On November 17, in an editorial under the title "Let Statehood Come," the editor uses this language:

On the statehood question, and in urging those in power to continue their efforts and in promising them no opposition that we know of, we are entirely sincere.

Then there is no opposition to statehood from any quarter amongst those who are most interested—who are vitally interested in the question.

Mr. KILGORE. Will the gentleman give the name of the editor of the Salt Lake Tribune?

Mr. RAWLINS. Judge C. C. Goodwin.

Mr. WASHINGTON. Let me ask the gentleman if that paper is not also a Republican journal?

Mr. RAWLINS. It is a Republican paper, and has always been.

Mr. WASHINGTON. And is it not entirely Gentile, that is to say, anti-Mormon?

Mr. RAWLINS. It has always been regarded as a representative of the non-Mormon or Gentile element in the Territory and in the surrounding States and Territories.

Mr. WILSON of Washington. Will the gentleman pardon me if I ask him a question?

Mr. RAWLINS. Yes.

Mr. WILSON of Washington. Is there any reason now existing in the Territory of Utah why there should be an anti-Mormon paper?

Mr. RAWLINS. There is no anti-Mormon paper now. That paper has assumed to speak for the Gentiles of the Territory in the past.

Mr. WILSON of Washington. There is no distinction now in your Territory between Gentile and Mormon papers?

Mr. RAWLINS. There is no distinction. The people of the Territory of Utah, in politics, in convictions, in sentiment, in purpose, are like the people of every other State and Territory in this Union.

Mr. WILSON of Washington. Another question. Is not your Legislature Republican?

Mr. RAWLINS. I am sorry to say that at present the Legislature is Republican.

Mr. WILSON of Washington. I am only assisting the gentleman. [Laughter.]

Mr. RAWLINS. I know, you are trying to convert your friend from Massachusetts [Mr. MORSE], and you have a pretty hard task. [Laughter.]

Mr. WILSON of Washington. No, sir; I deny the soft impeachment. You do me honor overmuch. I can not perform impossibilities. [Laughter.]

Mr. RAWLINS. Now, if I may be permitted to proceed, the average of the population of the thirteen original States was 236,000. The average of the population of the States which have been admitted since, at the date of their admission down to the present time, is 113,000. Utah to-day has 240,000, all white people, with the exception of 2,000. Three-fourths of them are native-born citizens of the United States. All of them, with the exception of about 3 or 4 per cent, can read and write the English language. The standard of intelligence and education is far above the average of the American people. It is on a dead level with that of Connecticut.

Mr. COCKRELL. How about Massachusetts?

Mr. RAWLINS. Utah has a less percentage of foreign-born people than Massachusetts. One-third of the people of Massachusetts are foreign born. Three-fourths of the people of Utah are native born. We have a less percentage of foreign-born people than Massachusetts, New York, Michigan, Wisconsin, Minnesota, the Dakotas, Washington, Idaho, Oregon, California, or Nevada. Do the foreign people come from the dregs? Why, if the gentleman from Massachusetts [Mr. MORSE] would come to Utah and meet some of the men born, educated, and brought up there, he would feel that he had stuck a country in which he was in reality a tenderfoot, and had something to learn. [Applause and laughter.]

Mr. MORSE. I have seen some of these Mormon immigrants on the wharf in New York and Boston.

Mr. RAWLINS. No; somebody fooled you. [Laughter.]

Mr. MORSE. No, they did not.

Mr. BRETZ. That was not hard to do. [Laughter.]

Mr. RAWLINS. I say the foreigners who are there come from England, Switzerland, and from Scandinavia. They are sturdy, independent, progressive, and obstinate, too. They are not a servile race. They are not easily dictated to or controlled. They have all the characteristics of the peoples from whom they come; and to transplant a man from one country to another does not change the blood which flows in his veins.

A large percentage of those people classed as Mormons have for years been at heart opposed to the practice of polygamy. They have not yielded to any ecclesiastical dictation because they liked it. Their solidity has been largely due to the situation and to the conditions in which they found themselves. In the enactment of needed legislation to suppress polygamy, in clothing the marshals with most extraordinary and unusual powers, in the zeal to suppress what was conceived to be an outrage upon civilization, the limitations of the law have not always been duly regarded, and jurors have been selected for the purpose of convicting upon the slightest evidence, which would be regarded elsewhere as but a pretense of evidence.

These things have led those people, many of whom were in favor of the discontinuance of the practice of polygamy, to believe that some of their friends were being persecuted; and so long as that condition existed they banded together to shield themselves and their friends from what they conceived to be injustice. The menace which has threatened what they con-

ceived to be sacred to their consciences, and only a question between themselves and their God, led them to think perhaps that they were being persecuted. They are obstinate. Hence it has been that when any question of that kind arose they have stood together, as the people of the South have stood together, as the people of the North have stood together, as any people would stand together.

Now, when polygamy was yielded—as it was in fact yielded in 1887, when that question was eliminated—there was no reason any longer for the Mormon people to stand together.

Mr. BOATNER. If the gentleman will permit me to interrupt him, he said that the people of the South had been standing together for a thing that was probably wrong. Was he referring to the late silver fight? [Laughter.]

Mr. RAWLINS. I could not have been referring to that, because they did not stand together. [Laughter and applause.]

Mr. HARTMAN. Will the gentleman permit me to ask him a question?

Mr. RAWLINS. Yes.

Mr. HARTMAN. Is it not a fact that the Mormon vote was divided up between yourself and your opponent at the last election, to a great extent?

Mr. RAWLINS. It was.

Mr. PENCE. If the gentleman will permit me, is it not a fact that your competitor for the seat you now hold was the Republican candidate, Mr. Frank Cannon; and is he not the son of the Cannon referred to by the gentleman from Massachusetts [Mr. MORSE] here awhile ago.

Mr. RAWLINS. He is.

Mr. PENCE. The regular Republican candidate?

Mr. RAWLINS. He was.

Mr. WILSON of Washington. Will the gentleman permit another question from the West? If Utah is admitted into the Union as a State, will it dispose of the Ute question and their removal from Colorado?

Mr. RAWLINS. I think we will take the whites and leave Colorado the Indians, if we can get into the Union. [Laughter.]

Now, I am entirely willing to talk over this matter, and I am desirous of answering any question that is pertinent to this issue, that will tend to make plain to the members of this House that Utah is fit to be admitted into the Union.

I was proceeding to state that the population and the education of the people of Utah was such as to entitle them to be admitted into the Union. I desire to say one thing further. Not only is the standard of education high—it is far above the average, as the returns upon that subject will show—but the people of Utah are entitled to more than ordinary credit for that condition, because during the forty years' existence of the Territory not an acre of land, not a dollar in money, has been made by any grant of the Federal Government available for the purposes of supporting education in that Territory.

The schoolhouses have been built, the expenses of maintaining the school system has been borne, wholly by taxes voluntarily imposed by the people upon themselves. For twenty years we have had a university maintained by funds granted by the Legislature out of the Territorial treasury and derived from taxation, under which opportunities were given to obtain the higher branches of learning. Some two thousand or three thousand young men and women have availed themselves of the opportunities afforded by that university, and they have gone out in the Territory and have disseminated the intelligence and knowledge they thus acquired. The man who supposes that there has been no progress in Utah during the last twenty or thirty years certainly does not understand or appreciate the situation. I am not going to defend some of the deeds that were committed in years gone by. Why, outrages have been committed in every community, in every state of civilization.

Mr. HARTMAN. And they did not advocate the burning of people for witchcraft?

Mr. RAWLINS. No. I do not defend the men who participated in the Mountain Meadow massacre. That was an atrocious and cruel butchery.

Mr. WHEELER of Alabama. Which occurred before you were born.

Mr. RAWLINS. No, I was 7 years old then; but I did not participate in it. [Laughter.] Of course the gentleman from Massachusetts, being a Christian gentleman, I suppose, would visit the sins of the parents upon the children to the third and fourth generation. [Laughter.]

Mr. VAN VOORHIS of New York. Because he is not a Mormon.

Mr. RAWLINS. I want to say that those who were at the head of that crime were arraigned; some of them were executed; and they are all dead. Speak of any other outrage committed twenty, thirty, forty, or sixty years ago and who was responsible for it; will any gentleman point to any man in Utah who is amen-

able and responsible for any such outrage? As well say that the Senator from Wyoming is responsible for the massacre of Chinamen at Rock Springs; as well say that the people of Louisiana are responsible for the assault upon the Italians who were helpless and imprisoned; as well say that the people over here in Pennsylvania, at the time of the Carnegie trouble—those civilized and intelligent people of Pennsylvania, endowed with all the opportunities and privileges of citizenship of a State—as well say that they are responsible for the acts of the women there who in a moment were transformed into tigresses, gouging out the eyes of the prisoners as they were marched by; as well say that all the people of Pennsylvania are to be held responsible for that as to say that the people of this day and generation in Utah are responsible for any outrages that may have occurred there years ago.

There is less polygamy, as shown by the records in the last ten years, in Utah, made known and which has come to light in proportion to population than there has been in the same time in the State of Massachusetts. [Great laughter and applause.] Now, I know the gentleman will say this, as he did say, that these marriages are solemnized in secret, where nobody can see and nobody can hear.

Mr. MORSE. That is right.

Mr. RAWLINS. Then how does the gentleman know it. [Great laughter.]

Mr. MORSE. How does the gentleman know that George Washington was the first President of the United States?

Mr. RAWLINS. But the gentleman said that these things took place in secret. As to what takes place in secret, if we should uncover all the misdeeds that are committed in Utah, in Washington, in Massachusetts, what would be disclosed in all its nakedness none but the all-seeing Eye can tell.

Mr. WILSON of Washington. Washington State, or Washington city? [Laughter.]

Mr. RAWLINS. Both. [Laughter.] Mr. Chairman, there is a presumption when a man is arraigned for crime that he is innocent because the rule is in favor of right conduct, of decency, and of morality. A man who charges to the contrary has the burden of proving it. And the rule is a just one. It has come down as a part of the common law and as an incident of our civilization. When an individual is charged with wrongdoing, the Constitution itself rears about him that bulwark which entitles him to be heard in his defense and presumes his innocence until the contrary is shown. When an entire people is arraigned by any gentleman he certainly ought to be prepared with some evidence to justify what he says. And when a gentleman rises upon this floor as the gentleman from Massachusetts [Mr. MORSE] did and makes the assertion with respect to the people of Utah, that they are murderers, polygamists, thieves, vagabonds, and is not able to produce one syllable of evidence to justify his statements—when a man who lives 3,000 miles away from them, who is unwilling to accept the testimony of reputable people who live right there among them, unwilling to accept the testimony of the people of Idaho, of Wyoming, unwilling to accept the testimony of decent people who have been in Utah—when a gentleman takes that attitude and has the effrontery to get up here and make such a speech as did the gentleman from Massachusetts awhile ago, he ought to hang his head in shame. [Applause.] He is not worthy to represent a civilized people. [Applause.]

Mr. MORSE. I would like to say to the gentleman that I have read the book entitled Brigham Young's Wife No. 15; and she ought to know. [Great laughter.]

Mr. RAWLINS. Oh, I suppose you have read some fictitious and fanciful tale.

Mr. MORSE. Not fictitious at all. It is the book of Brigham Young's wife No. 15, and it tells what took place in the endowment house. I guess she knows what was going on there. [Laughter.]

Mr. RAWLINS. Where did you get "Wife No. 15?"

Mr. MORSE. It is a book which has had a circulation of 50,000 or 100,000 copies.

Mr. RAWLINS. Oh, my friend, I am not going back to discuss those questions with you. I am not going to deny that Brigham Young had ten wives, or thirteen wives, or fifteen wives.

Mr. MORSE. Then, do not accuse me of falsehood or tell me to hang my head in shame when my statements are truth and history. [Laughter.]

Mr. RAWLINS. That is not the statement you made in your speech. The statement you made applied to the people living in Utah to-day. Brigham Young is dead; did you know that? [Laughter.]

Mr. WILSON of Washington. Did he have to go out of doors to die in the bosom of his family? [Laughter and confusion in the Hall.]

Mr. POWERS. Mr. Chairman, I object to this proceeding. I raise a point of order upon it. Brigham Young was born in Vermont. [Laughter.]

Mr. RAWLINS. Now, Mr. Chairman, if I may be permitted to proceed, I would like to do so for a few moments without interruption. A case was tried in Idaho about 1886 in which a large number of witnesses were called who testified that polygamy in that Territory as early as 1884 had been forbidden by the church. Testimony was given in a case in the spring of 1888 that in Utah the Mormon authorities had in reality forbidden the practice of polygamy or the contraction of polygamous marriages as far back as 1836, and that after that time the practice had not existed. In 1888 the Legislature of the Territory of Utah passed what is entitled "An act regulating marriages." It will be found in 2 Compiled Laws of Utah of 1888, page 92. The second section of that act provides that marriage is prohibited and declared void where there is a husband or wife living from whom the person marrying has not been divorced.

That declares polygamous marriages unlawful. The act provides for the issuing of licenses by the clerk of the court to persons proposing to be married. Such licenses can only be issued to persons who are known; or, in case the persons are unknown, they are required to make affidavits that their status entitles them to marriage, and a false affidavit is made perjury, punishable as such.

The act designates the persons who shall be authorized to solemnize marriages, and then it provides that any such person who knowingly solemnizes a marriage under conditions not authorized by the act shall be punishable by imprisonment not to exceed three years, and by a fine.

That is a law which in effect renders polygamy unlawful, and provides for the punishment of any person who practices it or who participates in the solemnization of a polygamous marriage, and that, be it remembered, is an act passed by the representatives of the people of Utah at that time.

In 1892 a statute was passed, to be found in the session laws of Utah for that year, the first section of which provides as follows:

Every person who has a husband or wife living, who hereafter marries another, whether married or single, and any man who hereafter simultaneously or the same day marries more than one woman, is guilty of polygamy, and shall be punished by a fine of not more than \$500 and by imprisonment for a term of not more than five years. But this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years and is not known to such person to be living and is believed by such person to be dead, nor to any person by reason of any former marriage which shall have been dissolved by a valid decree of a competent court, or any person by reason of any former marriage which shall have been pronounced void by valid decree of a competent court on the ground of nullity of the marriage contract.

The next section provides the punishment for unlawful cohabitation of a man with any other than his lawful wife—makes it a misdemeanor. Those laws are to be continued in force under the provisions of the bill which is favorably reported by the Committee on Territories for the admission of Utah.

The final section provides that all laws in force in the Territory at the time of admission shall be continued in force under the State government.

I understand well enough that there is a sentiment among certain members of the House that there ought to be in the enabling act a provision that the constitution of the State shall make polygamy punishable as a crime. There is no substantial objection to that. In 1888 the people of the Territory of Utah proposed to insert such a provision in their constitution. The only objection that there is to it does not come from the Mormons or from the Mormon people. The Territory has enacted stringent laws for the suppression of polygamy. There are other provisions to which I might refer relating to the methods by which these laws shall be enforced.

Mr. POWERS. I would like to inquire of the gentleman whether he has any objection to the insertion in the enabling act of a clause prohibiting polygamy?

Mr. RAWLINS. None except what I shall state. I was proceeding to say—

Mr. POWERS. If you will assent to that, you can pass your bill before 5 o'clock this evening.

Mr. RAWLINS. I was going to make a suggestion on that subject. The provision which is proposed by the minority to be inserted in the constitution makes polygamy or dual marriage a felony and provides for its punishment; but it does not define the offense or make any exception. If that provision is inserted in the terms in which it is embodied in the minority report, it could not be in any manner changed or modified by the Territorial Legislature. It is not complete in its definition; it is inaccurate; it would work injustice; it would prevent the enactment of laws by the State which would tend more completely to suppress polygamy and to prevent its revival, if any such thing were supposed liable to happen.

[Here the hammer fell.]

Mr. BRETZ. I ask unanimous consent that the gentleman from Utah [Mr. RAWLINS] be allowed to continue his remarks until he has concluded.

There was no objection.

Mr. RAWLINS. I thank the gentleman and the House for their courtesy. I am sorry it has become necessary that I should occupy more than the time allowed under the rule.

(Mr. POWERS advanced to Mr. RAWLINS and showed him a proposed amendment.)

Mr. RAWLINS. I have no objection to that proposition. I was about to suggest that we might insert a clause providing that enactments of the Territorial Legislature for the punishment of polygamy and in relation to marriage should be continued in force; but I am entirely content with the proposition which the gentleman from Vermont [Mr. POWERS] suggests.

Several MEMBERS. Let it be read.

Mr. POWERS. The amendment which I propose is to add after the word "worship" in the nineteenth line, page 4 (which is the clause prohibiting certain things) the following words:

Provided that polygamous marriages shall be forever prohibited.

I understand that the gentleman from Utah assents that this amendment may be made.

The CHAIRMAN. The amendment is not in order now.

Mr. POWERS. I have suggested this provision for the reason that it occurs to me the amendment proposed by the minority of the committee is altogether too cumbersome; there is too much machinery about it.

The CHAIRMAN. At the proper time the amendment can be submitted.

Mr. RAWLINS resumed the floor.

Mr. HUNTER. I would like to ask the gentleman from Utah this question: Is it not a fact that the provisions of this bill, if adopted, will carry into effect the Territorial laws until the Territory becomes a State, which will effectually suppress polygamy until the Legislature can meet?

Mr. RAWLINS. The present enabling act as proposed contains a provision which I was about to read. This provision of the enabling act, as proposed by the committee, is that—

All laws in force made by said Territory at the time of its admission into the Union shall be in force in said State, except as modified and changed by this act or by the constitution of the State.

Now, the laws to which I have referred, enacted by the Territorial Legislature, will by the operation of this provision of the enabling act be continued in force under the State government. It is true that the Legislature of the State might if it saw fit repeal or modify those statutes, but polygamy would be unlawful. Polygamous marriages would be invalid, by force of these Territorial statutes upon the passage of this enabling act, without any provision in the constitution or in the enabling act other than what I have read providing against polygamy.

The objection which I have, as I have already stated, to the definition of the offense of polygamy in the constitution is that if that provision be adopted by Congress it will leave the matter in an unsatisfactory condition, for the reason that it will repeal, for instance, the statutes that I have read enacted by the Legislature of the Territory; because the definition of "polygamy," as contained in the amendment of the minority, is inconsistent with these statutes. It rather tends, in my judgment, to prevent the exercise of the full authority on the part of the State of powers to prevent any revival of this obnoxious practice, and we do not intend—the people of Utah do not intend, in my belief—that it shall be revived.

There is, I think, nobody in the Territory at this time who has any desire whatever to revive it. The leaders of the Mormon Church have solemnly professed and pledged their faith and honor and the faith and honor of the people—the entire people of the Mormon Church—that they will not revive this practice. They did it in the petition for amnesty addressed to the President, and all the leading Federal officials in the Territory joined in a statement that they believed these men were sincere in asking the President to exercise his clemency in their behalf in accordance with the petition.

There have been no Mormon polygamous marriages in Utah, so far as known, within the last eight or ten years, with few exceptions, and the public declaration of the Mormon Church is that there has been a discontinuance of the practice. The Legislature has enacted every law required for the prevention of the revival of the practice, and in view of these facts no provision is necessary, in my judgment, although I am willing to consent that the amendment proposed by the gentleman from Vermont, which has been read, may be adopted.

Mr. BAKER of New Hampshire. Will the gentleman allow me to ask him a question?

Mr. RAWLINS. Certainly.

Mr. BAKER of New Hampshire. Does not the bill now before

the House change the law as to the registration of voters; and if so, please state in what particulars?

Mr. RAWLINS. It only changes it to this extent: The same method of registration as now provided will prevail. Under the existing statute a man to be entitled to register or vote is required to take oath that he will not commit fornication, adultery, and various other crimes. It is an exceedingly obnoxious and offensive test to apply to any man.

It is an insult to any respectable citizen. Everybody, in fact, is now entitled to vote. If there are any polygamists there they are entitled to vote under the amnesty proclamation of the President; and to continue that obnoxious provision of the Edmunds-Tucker act would be of no use whatever to the people who desire to get rid of it, but would be a continuation of an offensive provision which they seek to have repealed. It is a sort of test oath of the most obnoxious character enacted by Congress to meet an extraordinary situation which has passed away, and we seek to eliminate it. That is the only effect of the change.

Mr. BAKER of New Hampshire. Do I understand the gentleman to state that its removal will actually make no difference in the registered vote of the population?

Mr. RAWLINS. Not at all.

Mr. VAN VOORHIS of New York. May I ask the gentleman a question?

Mr. RAWLINS. Certainly.

Mr. VAN VOORHIS of New York. Suppose the amendment of the gentleman from Vermont is put into the bill: could it be enforced without legislation on the part of the Legislature? In other words, would the constitution itself be a penal statute, the violation of which could be punished, without an act of the Legislature?

Mr. RAWLINS. Certainly not.

Mr. VAN VOORHIS of New York. Therefore, any prohibition of that kind would be dependent on the State Legislature and its action afterwards?

Mr. RAWLINS. After all, no matter what you require to be inserted in the constitution respecting polygamy, you have got to depend on the sentiment of the people of the Territory of Utah to prevent the revival of the practice.

Mr. BOWERS of California. Just the same as any other State.

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

Mr. RAWLINS. I yield for that purpose.

Mr. BOEN. I have heard it stated that the opposition to polygamy is more prevalent amongst the women than the men in Utah. Is that true?

Mr. RAWLINS. I have nothing on that question that would be of service to the House.

Upon the suggestion of the gentleman from Vermont [Mr. POWERS], I would like to add this other answer, that his amendment would be irrevocable under the provisions of this enabling act without the consent of the United States and the people of said State.

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

Mr. RAWLINS. Yes.

Mr. WASHINGTON. But is not the statement you made still true, that no matter what clause is put in the enabling act, in regard to the practice of polygamy, its enforcement must depend entirely upon the people in the end, upon the legislation enacted by the Legislature after the Territory shall become a State and the judges elected by the people of that State after it is a State? Is it not true that the enforcement of the law must depend entirely upon the judges and upon the sentiment of the people backing up the administration of the law?

Mr. RAWLINS. Oh, yes; it must depend upon the sentiment of the people.

Mr. WASHINGTON. And therefore this is unnecessary.

Mr. RAWLINS. My contention is that it is unnecessary. I am not going to admit the unfitness of the people I represent to be admitted into the Union by saying that it is necessary. If I believed that it were necessary, I am free to confess that I would not stand here advocating the admission of the Territory into the Union. It is not necessary. The sentiment out there contravenes it.

Now, the people of Utah have more at stake upon this question than gentlemen who represent other constituencies. I have traveled among those people, met them in every locality, discussed questions with them, civil and political. I know them as well as any man can know a people, because I have been with them all my life. I think I understand the sentiment which prevails among those who are uppermost in the councils of the political parties in the Territory, and who would likely dominate its affairs in case it be admitted as a State, and I am prepared to say upon my conscience that I believe those people can be safely

intrusted with the full measure of self-government which would be accorded under statehood.

The people of the East are misinformed as to the character, the education, and the intelligence of the people of Utah. I have in mind more than a hundred young men, born and educated in that Territory, who would grace the administration of any State in this Union on account of their ability, their learning, and their integrity. You will never have occasion to regret this act. By the admission of the Territory of Utah I believe her people—240,000 in number to-day, and probably in three or four years, with statehood, 500,000—will send to these halls men who will not only do credit to the people they represent, but who will be of service in the affairs of this great nation.

For forty-three years I have lived under a Territorial form of government. I have longed for the conditions to come when those people could be admitted within the Union of the States and be permitted to participate in the affairs of the nation.

Generations have passed away under the Territorial form of government. Men who do not live under that form of government little know the disadvantages under which the people labor. Men are sent to them to rule over them who owe them no responsibility, and who little understand their character or their situation; and, however bad may be the conduct of these rulers, it is indeed difficult to make men 3,000 miles away understand or appreciate the situation. How little of self-government is possessed to-day by the people of Utah is disclosed in a memorial, the statements of which, as they are drafted by myself, I know to be accurate. I call attention to some of the statements contained in this memorial:

The governor, the secretary, the members of the judiciary, except justices of the peace, the marshal, the public prosecutor and his assistants, the board of commissioners, who appoint all registration and election officers and control the elections, are selected by a distant appointing power, and are utterly unaccountable to the people for the manner in which they perform the duties of their offices.

The governor nominates the auditor of public accounts, the treasurer, the governing boards of all public institutions, such as the university, agricultural college, reform school, and insane asylum. Thus the people have no voice in the selection of persons to manage the public fund and institutions created and maintained at their expense.

The Territorial school commissioner is selected by the supreme court, and owes no responsibility to the people.

Clerks selected by the district judges and the probate judges appointed by the President, by and with the advice of the Senate, select the regular panels for jurors. The regular panel is supplemented by persons summoned at the discretion of the United States marshal. The determination of rights of life, liberty, and property rests with tribunals, no part of which owe any accountability to those most vitally concerned in the faithful performance of their duties. The marshal and his deputies are clothed with the most far-reaching authority, under which they may usurp the functions of all the local constabulary and police of the Territory. Even the justices of the peace are shorn of their limited jurisdiction by commissioners appointed by the supreme court, and whose jurisdiction is made coextensive with that of such justices.

And so we might go on enumerating the different officers concerned in the administration of the Territorial government, which would disclose the fact that the 240,000 people living in the Territory of Utah have scarcely a vestige of the rights of self government.

Now, I am not going to detain gentlemen longer upon this question. Both of the national conventions, in their platforms, have declared in favor of the admission of the Territory. Both the parties in the Territory of Utah have declared for the same thing. There is no opposition from that source. Everybody most familiar with the facts believe that the time has arrived when the people of the Territory of Utah should be admitted into the Union.

As I stated before, I believe there is absolutely no peril, so far as any apprehension entertained by anybody on the subject of polygamy, that that practice will ever under any circumstances be revived in that Territory.

Mr. WILSON of Ohio. May I ask the gentleman a question?

Mr. RAWLINS. Yes, sir.

Mr. WILSON of Ohio. I have canvassed this bill, and I see in it large appropriations of land, amounting to something like 1,400,000 acres. I desire to ask whether Congress has heretofore, when a new State has been admitted, granted any such donation of land as that disclosed in this bill?

Mr. RAWLINS. I am glad the gentleman has asked that question, because it enables me to state some facts upon that subject that will be of use to this House in voting upon this matter. There are, as stated by the gentleman from Texas [Mr. KILGORE] in the opening argument upon this question, 52,000,000 acres of land in the Territory of Utah. The land office in that Territory was established in 1867. From 1867 down to the present time there has been disposed of 6,000,000 acres of land. The total area of the Territory which has been surveyed is about 12,000,000 acres. The total, covered by grants for railroads and other purposes, of the surveyed and unsurveyed lands which have been appropriated amount to less than 22,000,000 acres of land, leaving 31,000,000 acres of land wholly unappropriated and undisposed of.

These lands have during the past thirty or forty years been offered by the Government of the United States to anybody who was willing to go upon them and appropriate them and pay for them at the rate of \$1.25 per acre. The people of this country have been clamoring for lands, but the fact is that these lands are mountain or desert lands. Some of them are lands which might be useful if they could be irrigated; but there is no water supply. In the Territory of Utah lands are wholly useless without water. These unappropriated lands would not to-day sell for 10 cents an acre. The 6,000,000 acres of land which have been entered under the land laws were settled upon prior to the extension of the public surveys over those lands. Under the law where the settlement is made prior to the extension of survey and the settlement happens to be made upon a school subdivision, when it comes to the selection of the school lands, which only takes place upon the admission of the Territory into the Union, other lands must be selected.

If we take the 6,000,000 acres, very little of these lands is available for school purposes. If we take the 12,000,000 acres the same is also true. My friend from Alabama [Mr. WHEELER] states that there is granted one-ninth of the 52,000,000 acres, which is about 6,000,000 acres for school purposes under the provisions of this act. Now, that is not true. The grant for school purposes only takes effect as to the surveyed land or as the lands are surveyed. One-ninth of 12,000,000 would 1,570,000 acres of the surveyed lands. That is all that could be available at present, and much of these lands is excluded because settled before their survey.

Mr. LIVINGSTON. Do I understand you to say that if you take the relative values of the land proposed to be granted there to the lands granted to the other States, there is not much difference?

Mr. RAWLINS. It will give to Utah less in value than has been given to any State admitted into the Union of States. Objection has been made also that there is in this enabling act a grant of 10 per cent of the proceeds of the sales of lands through the land offices for school purposes of the Territory. There have been 6,000,000 acres, or about \$1,400,000, derived for all the land disposed of during all of the past history of the Territory. If we get 10 per cent of all disposed of, that would only give \$140,000. Under this act we get only 10 per cent of the lands that will be hereafter disposed of through the land offices; that is a mere bagatelle and can be stricken out of the bill with little or no detriment to Utah.

Mr. WILSON of Ohio. I see from the bill that sections No. 2, 16, 32, and 36 in each township are to be appropriated to the State; how many townships are there in Utah containing public lands? In other words, how many acres will the State get under this provision?

Mr. RAWLINS. The gentleman can figure that out. I dislike to detain the committee any longer upon this question.

Mr. WILSON of Ohio. I simply desired to get at that as a business proposition.

Mr. RAWLINS. Well, there are 31,000,000 acres of land undisposed of, which have been offered by the Government of the United States for thirty years past at \$1.25 an acre, but nobody would take them. They are not worth 10 cents an acre, and if the school lands are to be selected out of those, the total grant made to the Territory by this act will amount to very little.

Mr. WILSON of Ohio. I would like to know the amount.

Mr. RAWLINS. Well, one-ninth of 50,000,000 is somewhat less than 6,000,000 acres.

Mr. PICKLER. You are to have four sections out of every township. The new States recently admitted got the sixteenth and the thirty-sixth sections, two sections out of thirty-six, but you are to get four sections out of thirty-six?

Mr. RAWLINS. That is it. But if you look at the substance of the thing—

Mr. PICKLER. Oh, I think you ought to have it. That land is not worth anything to anybody else.

Mr. VAN VOORHIS of New York. Can the gentleman tell us how many incorporated cities there are in Utah?

Mr. RAWLINS. I am glad the gentleman has asked that question. Formerly, under the general pre-emption law of the United States, lands within the corporate limits of a city were not subject to private entry. The cities in Utah covered large areas of land under the original acts of incorporation.

Mr. VAN VOORHIS of New York. How many of them are there?

Mr. RAWLINS. I can not tell you; but that provision of the statute has been corrected, and, by an act of Congress passed in 1877, only so much land is now excluded from entry in any city as is actually settled upon and used for town purposes.

All the other lands within the old original corporate limits have been entered and the titles have passed to individuals. There is no monopoly of land in Utah. The average size of farms

there is 27 acres, according to the census returns. There are perhaps more people own their own homes in Utah than in any other State or Territory in the United States in proportion to population. You can not find a single individual there, as in California and elsewhere, holding thousands of acres of land. I do not know of a single man in Utah who holds to exceed 200 or 300 acres. There is no corporation or syndicate there controlling large blocks of land, except the Union Pacific Railroad, through the land grant made to it by the Congress of the United States.

Now, Mr. Chairman, in conclusion let me say that a change has taken place in Utah. How that change has been brought about may be interesting to gentlemen who are not familiar with its history. The making and the enforcement of laws by Congress has had something to do with it. There is no question about that. But there has also been developing for many years past in the Territory of Utah a sentiment among the people who have been born and brought up there, which has had a great deal to do with this change. The eradication or discontinuance of polygamy is perhaps due first to external pressure, but still more largely to the efforts of people within the Mormon Church itself to bring about the reform of the organization in that respect.

It should be borne in mind that but a very small proportion of the Mormon people have ever practiced polygamy. Those who did not practice it saw the evil consequences which flowed from its practice, the unhappiness which it caused in families, and that it rendered the people of Utah obnoxious to the prevailing sentiment of the age. Its practice disturbed the tranquility, impeded the progress, retarded the growth, darkened the character, and destroyed the prosperity and happiness of the people.

Thousands of non-Mormons have come into Utah and made their homes there. Our schools are free; attendance is required; they are nonsectarian. Education has been freely disseminated. Under such conditions, polygamy having once been suppressed or extirpated, is not likely to be revived.

Mr. VAN VOORHIS of New York. I would like to ask the gentleman whether there has been any revelation on the subject of polygamy recently; or does the head of the church claim there has been?

Mr. RAWLINS. The Mormon people claim that their duty with reference to the practice of polygamy has been defined by a revelation. The present president of the Mormon Church on the 26th of September 1890, issued a manifesto in which he forbade the Mormon people from contracting marriages in violation of law. At a great conference of the Mormon people, ten or fifteen thousand being present, embracing all the various organizations of the church, it was moved that this declaration of the president of the church be regarded by the church as authoritative and binding; and that motion was unanimously adopted by the vote of that great congregation.

The elders of the Mormon Church got up and said that this came to the people with all the force of a revelation, and was binding upon them; and many of the Mormon people have testified in court when occasion has arisen when such testimony would be relevant, that they regard that as a revelation from Almighty God; that they no longer believe polygamy and its practice to be right; and in effect it is not only discontinued as a practice, but so far as the great mass of the Mormon people is concerned it is eradicated as a belief. But the people of Utah—I think I can speak for them on this question—mean, I believe, what they say. They are engaged in no scheme of fraud or treachery by which to deceive the nation. Having made this pledge and on this pledge asked this action by the American Congress, I think I can say for them that they will stand by it though the heavens fall.

Gentiles and Mormons associate so freely that you can not distinguish them. They act together in business transactions and in all the associations of life. You find them mingled in social circles, just as you find people intermingling elsewhere throughout the United States; and measuring man for man you can not tell one from the other. My friend from Tennessee, when he was recently out there, had an opportunity of meeting many of the people of all classes: they came to see him; and for the life of him he could not have pointed out which were Mormons and which Gentiles, although he might perhaps have been able to distinguish the Jews.

We have the most beautiful towns and cities upon the American continent: we have schools, school buildings, and school appliances; we have cultivated school teachers who would do credit to many of the old communities of this country. If there is any reason on earth why Utah should longer be kept out of the Union, I am unable to conceive it. I ask the vote of this House that Utah may be speedily admitted. [Loud applause.]

Mr. HARTER obtained the floor.

Several MEMBERS. Let us adjourn.

Mr. HARTER. If the House prefers to adjourn—

Mr. WHEELER of Alabama. I wish to state that we are compelled to close this debate to-night, because we must finish the bill by half past 3 o'clock to-morrow.

Mr. DINGLEY. The debate can not be closed to-night.

Mr. HARTER. If it is the pleasure of the House to adjourn, I shall certainly not stand in the way. [Cries of "Go on!"]

Mr. WHEELER of Alabama. I do not think we can get through the bill to-morrow if we adjourn now. If we do, several gentlemen will lose their opportunity to speak.

Mr. DINGLEY. There will be no trouble about getting the bill through to-morrow.

Mr. HARTER. Mr. Chairman, I shall certainly accommodate myself to the circumstances and to the humor of the House; and by making my remarks brief, I will leave ample opportunity for those to speak who choose to follow me.

I am very well aware that the temper of this House will finally show itself by a vote in favor of the admission of Utah into the Union. Nevertheless, I do not hesitate to ask a little of the time of the House in order that I may present briefly, and I hope with reasonable clearness, my objections to the measure. They are not based upon the grounds which have been so far urged here to-day against the bill.

I recognize, as every man on this floor must recognize, in the specimen that Utah has sent here as her representative, that her manhood is fully upon a parity with the manhood of the States already in the Union. If there were only enough such men as the gentleman who now sits at my right [Mr. RAWLINS] located on the 52,000,000 acres of land he speaks of, I should not only not object to their admission, but should be the earnest advocate of bringing Utah into statehood.

I believe also that the average population of Utah is of a more than ordinarily high grade; and I do not exclude from this characterization even those men who heretofore have been polygamists. As a rule that population is industrious, economical, thrifty, and sober. And therefore it seems to me, in proportion to numbers, there are possibly few of the older States which can claim for themselves a population of greater enterprise, of more general intelligence, or one more thrifty, more energetic, more industrious, and therefore better fitted for the duties and responsibilities of American citizenship, than are the people of the Territory of Utah.

Nor, sir, do I object either to the peaceable condition of Utah. I believe life is just as safe within the borders of Utah as it is in the State of Ohio. I believe it is much safer than in many of the other States of the Union, and in many portions of the other States that have been in the Union ever since the Federal Constitution was adopted. Therefore, this is not the ground of my objection, for I believe also, there is less danger of anarchy or disorder in the State of Utah, if admitted, than in many of the larger States, and I doubt very much whether Utah would ever elect, if admitted as a State, a governor who would be as much in sympathy with anarchy and disorder as is the governor of one of the principal States of this Union. [Applause on the Republican side.]

Mr. POST. What State?

Mr. HARTER. I refer to the great State from which my esteemed colleague from Illinois comes. I am sure, sir, there will never be a governor of Utah elected who will propose to march to the Capital of the United States with the blood of those who disagree with him reaching to his bridle bits. I am not afraid of such a condition of things ever existing in Utah. Nor do I sympathize with the objection to her admission that some of the people there practice polygamy. I am not a polygamist myself [laughter] neither practically nor theoretically; but at the same time polygamy is not the objection or any part of the ground of my objection to the admission of Utah. I believe that there is no more polygamy practiced in Utah to a square mile than in Chicago, Boston, or Washington; and I say this, furthermore, that I do not believe in Utah there is one man who has ever had five wives contrary to the law where there are ten in Chicago who have had five or more contrary to the law of God. It does not become us to scandalize Utah or to object to its admission on this ground.

Far be it from me, Mr. Chairman, to object to the admission of Utah on such a ground as this, and if I came from Massachusetts I should be equally chary of objecting on this ground. [Laughter.] I will be very careful about objecting on any such grounds so long as Ohio and other States of the Union maintain on their statute books divorce laws which are an outrage on the men and women in the land and an insult to God himself; and since I come from a State disgraced by such laws I am not here on my feet to object to Utah coming into the Union because there are found people within her borders practicing polygamy. In fact, sir, if polygamy is to be practiced at all I prefer the com-

munity which practices it openly to one which practices it secretly and hypocritically. In other words, practically speaking, I would not draw much of a line of distinction between the polygamy of Utah and the monogamy of some of the older States. I repeat, therefore, that this is not the ground of my objection to the admission of Utah.

But, sir, on the other hand it seems to me that there are good grounds of objection. The admission of Utah as a State has objectionable features. This gentleman sitting on my right [Mr. RAWLINS] represents a Territory having 52,000,000 of acres of land and only 240,000 or 250,000 population, and he asks us to bring in this sparsely settled Territory as a State and plant it beside the great States of New York, Pennsylvania, and Illinois.

Mr. SMITH of Arizona. And Rhode Island and Delaware.

Mr. HARTER. Yes, Rhode Island and Delaware. But let me tell my friend they could not come into the Union now. They are entitled to wear the livery of States because they fought their way into the Union during the Revolutionary war.

I do not believe in bringing in any more States having a hopelessly insufficient population. It is not fair to the older States, nor does it give the people of the balance of the country a fair representation in the making of laws or in the election of their Chief Magistrate. I know it has been said that this is a party measure, that Utah will bring us two more Democratic United States Senators. [Laughter.] But this will not justify us, as Democrats, in voting for the admission of Utah. We have seen too much of that sort of partisan action on the part of the Republican party, and always condemned it.

Mr. RAWLINS. Will the gentleman permit me?

Mr. HARTER. Yes.

Mr. RAWLINS. What was the population of Ohio at the time she was admitted?

Mr. HARTER. I am glad the gentleman has asked me the question, and hope the House has heard it. He asks me the population of Ohio when she was admitted into the Union. I can not give him the exact population at this time—

Mr. RAWLINS. I will tell you, then. It was 50,000. [Laughter and applause.]

Mr. HARTER. Well, gentlemen, as you applaud that sentiment I will wait with my remarks to give you a chance to do it again, because I want to use it for an exclamation point in my argument.

Mr. RAWLINS. What was the area?

Mr. HARTER. I do not remember accurately. I wish you would tell the House.

Mr. RAWLINS. Forty thousand square miles. [Laughter.]

Mr. HARTER. Forty thousand square miles. What was the population of the American Union at that time? The gentleman puts into my mouth the argument I wish to use, and he simply helps carry out the theme upon which I have entered. I say that the proportion of the population of Ohio, when it was admitted into the Union, as compared with the total population of the States then in the Union, was more than four times as great as that of Utah to-day. When the population of Utah doubles, if I am here in the House, I shall vote for the admission of Utah to the Union.

Mr. RAWLINS. I suppose you would not give us any room to increase? Now, during the last three years we have added to our population as many people as existed in Ohio at the time of her admission.

Mr. HARTER. That is just what I do not want to do. I am proposing to give you time to increase before you come in. Your admission now, I say, would be unfair, because in the most important affairs of this Government it gives to a sparsely settled population an unreasonable vote and corresponding influence. I appeal to you gentlemen on the Republican side of this House. We have heard you talk much of unfair representation. I know you have not proven it, but the burden of your speeches has been that the Democratic party has opposed fair representation; that one man in the South perhaps has had a vote equivalent to two men in the Northern States.

Mr. BOUTELLE. Four.

Mr. HARTER. See what will result in Utah if she is admitted. The people of that State will have two United States Senators, with just the same vote in the making of laws in the Senate of the United States as the State of New York. Yet New York has a population twenty times as great, and it is proposed to give to this population out there a representation equal to the State of New York. What does it mean? It simply means that by voting for the admission of Utah you vote to give to every citizen of Utah twenty times the power—in making the laws for the people of the United States, in passing upon some of the most important questions which ever came before the National Legislature—as you give to a citizen of the State of New York.

If this was the first case of this kind, the gravity of it would

not be what it is to-day. But unfortunately it is not. Already you have in the Senate, at the other end of this Capitol, fourteen such votes; and you know how often they have been cast—I will not say maliciously—because far be it from me to impugn the motives of any Senator—but you know how often those votes have been cast in a way highly detrimental to the interests of the country at large.

Mr. KILGORE. According to your views.

Mr. HARTER. Yes; according to my views.

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

Mr. HARTER. So far as I am concerned, I am willing to be interrupted without limit; but I do not know the temper of the House. I feel now that I am occupying more time than I should.

Mr. SIMPSON. The temper of the House is all right.

Mr. HARTER. The gentleman from Kansas can ask his question.

Mr. SIMPSON. I would like to ask the gentleman if, in reasoning upon this basis of representation by population, he means to infer that in the system of government under which we are acting our Senate was organized on the idea that it should be representative of population, or do the Senators represent States? Do they not represent States instead of population?

Mr. HARTER. Has the gentleman finished his question?

Mr. SIMPSON. Yes.

Mr. HARTER. Then I will say the gentleman is quite right.

Mr. SIMPSON. Then the gentleman's argument falls.

Mr. HARTER. But the gentleman from Kansas ought to be familiar with the circumstances under which this unfair system of representation in the Senate was granted.

Mr. SIMPSON. Then it is the fault of the system of government, and not the fault of these people who live in Utah.

Mr. HARTER. I am willing to give the gentleman from Kansas all the time he wants.

Mr. SIMPSON. That is all I wish to say.

Mr. HARTER. The gentleman ought to remember the circumstances under which this very unfair principle was put into the Constitution of the United States. He ought to know that the States which demanded it stood in a very different position from Utah. They had rights which we of this day can not claim for Utah. The people of those States had shed their blood for the freedom of the country. They were then States capable of self-existence. As a matter of fact, they all had thoroughly organized governments, some of them so thoroughly organized that they were able to erect tariff walls high enough to prevent the productions of their sister States coming within their borders. They refused to come into the Union unless the rights which they then possessed were crystallized into the very unwise, unequal, and therefore unjust representation which we find in the Senate of the United States, where each State, large or small, has an equal voice.

Mr. WHEELER of Alabama. I think they never had a tariff of more than 10 per cent, though.

Mr. HARTER. Excuse me from dipping into the tariff question. We will get enough of that I am sure in the course of a week or two.

Mr. LOUD. How did they stand on the silver question? [Laughter.]

Mr. HARTER. You asked me how they stood on silver. Some of them even discounted the wildest of your vagaries about silver, for they had money which was cheaper and meaner than even free silver would give us. I recommend you to read the history of Rhode Island in this connection.

My friend from Kansas [Mr. SIMPSON] interrupted me; and I am glad he did, because it reminds me of his own delectable State. [Laughter.] I feel that we have already gone as far into the experiment of admitting States sparsely settled and wholly unentitled to statehood as we should go. I say let us digest, if we can digest, if the stomach of the Union is strong enough to digest, the infantile States we have admitted into the Union. Let us digest our dinner of new States before we go to supper at the same table. Let us, for instance, get through with such enlightened States as Kansas! Let us have Kansas thoroughly civilized before we undertake any more. [Laughter and applause.]

We remember the action of the Legislature of Kansas during its last session. We recall how they broke the doors down, how they called in the police, and had to call for the militia of the State to keep men from each other's throats, a time when an outsider was not safe within a hundred miles of Topeka without two accident policies and double life insurance. Recalling this to the memory of my friend [Mr. SIMPSON] I say, Mr. Chairman, it is time that we should call a halt in this careless, indiscriminate, reckless, and I fear, in the end, very serious comedy of admitting States into the Union while they are wholly unfit for admission.

The fact that we have already admitted States into the Union

without being properly fitted for it is no argument that we should continue to do it. I know this is the argument used on this floor and by members in private conversation. They say that because we have taken in other Territories having an insufficient population that therefore we must admit every Territory upon whose vast and idle acres a small and scattered population lives. If, however, these gentlemen could but reverse the thing and bring us a proposition that we should take Utah into the Union and let Nevada go out, I think our vote would be nearly unanimous.

Mr. HARTMAN. How about Rhode Island?

Mr. HARTER. Rhode Island bought her place in the Union with her blood.

Mr. HARTMAN. And Delaware?

Mr. HARTER. And Delaware, too. Each fought for their places in the Union. No such appeal can be made for Utah.

Mr. SMITH of Arizona. Have you any statistics—

Mr. HARTER. You see my friend from Arizona expects his 6 by 7 Territory to come in next. [Laughter.] I am glad he has arisen as an object lesson. He shows that after the Mormon of Utah we are to have the Gila monsters of Arizona for fellow-citizens and lawmakers. [Laughter.]

Mr. SMITH of Arizona. The gentleman will now submit to an interruption.

Mr. HARTER. Certainly.

Mr. SMITH of Arizona. I want to file this under the same principle of protest against the criticism made of the State of Illinois, by the gentleman for whom I have the greatest feeling of respect personally, when he comes here making an argument based on a naked assumption, based on the question of injury of people entitled to statehood. The whole is a protest against the Constitution of the United States. And then are we going to put it down that no State shall be admitted into the Union until it has as many people as the State of New York has? I ask you where are you going to put the line; and then I will ask you another question. You say Delaware and Rhode Island were admitted into the Union by virtue of the blood they shed for the country?

Mr. HARTER. Yes, sir.

Mr. SMITH of Arizona. Have you any statistics by which you can show that? If that is the question, have you any means by which you can state the number of soldiers furnished by Rhode Island in the Revolutionary war?

Mr. HARTER. No.

Mr. SMITH of Arizona. Have you any statistics of how many men Utah furnished in the Mexican war and which shed the most blood in that cause? Did you have any of those facts?

Mr. HARTER. I rise to admit that I do not have at my finger ends all the statistics that may exist in the public library; but if the gentleman desires to present these statistics I will move an adjournment of the House so that he may bring them in to-morrow.

Mr. SMITH of Arizona. But do not you think it affects your protest against the Constitution?

Mr. HARTER. I am perfectly consistent. I will gladly vote for the admission of Utah to the sisterhood of States when her population comes half as near, in proportion, as the population of my own State did (at the time of its admission) to the population of the Union. Instead of asking more of Utah than the Union asked of Ohio, I am really asking only half as much, and the gentleman stands in a poor light and puts himself in an ungracious position, which is very contrary to his nature, as all know who know him will admit, when he makes such declarations on the floor of this House.

Mr. HARTMAN. Will the gentleman permit a question?

Mr. HARTER. I am willing, but I do not wish to delay the House.

Mr. HARTMAN. A brief question. Are not the 260,000 people in the Territory of Utah entitled to as many rights as the 50,000 people in Ohio were entitled to when Ohio was admitted as a State?

Mr. HARTER. No, sir; not by any proper rule of proportion. Whenever the people of Utah are entitled to half as many rights, by any fair rule of arithmetical proportion, I shall be willing to grant them not half, but all the rights that the people of Ohio received.

Mr. SIMPSON. When did Ohio get a monopoly of rights in this country?

Mr. POWERS. On the 7th day of last November. [Laughter.]

Mr. HARTER. My answer to the gentleman from Kansas is that Ohio never got, and to her honor she never desired, such a monopoly.

Mr. SIMPSON. It was generally understood that under the Republican national administrations she had a monopoly of the offices; she is the home of McKinley, who is the head and front of the tariff monopoly; and now, if she is going to take a monop-

oly of all the other rights, we may as well let her run the whole country. [Laughter.]

Mr. HARTER. But if you do, the whole country will be well run, my good friend from—

Mr. SIMPSON. From Kansas.

Mr. HARTER. I was going to say my good friend from China, because I have discovered that the political views which my friend [Mr. SIMPSON] has so eloquently presented to this House from time to time are those which were entertained in China during the eleventh century. In fact, if the House will permit a little digression from the line of my argument, I will state that in reading the history of China with care I have discovered that the Populist idea of government pure and simple, as it is now held by a very intelligent and able fraction of the Representatives on the floor of this House, was understood and that it prevailed in China on two different occasions during the eleventh century; and it is further worthy of remark that upon both those occasions it brought China down to the verge of destruction, and, I may add, they have never tried a third dose of the same medicine. [Laughter.]

Mr. SIMPSON. I presume, if China—

The CHAIRMAN. Does the gentleman from Ohio yield?

Mr. HARTER. I yield to the gentleman from China. [Laughter.]

Mr. SIMPSON. I presume that if China had followed up that enlightened policy she would not now be lacking civilization. [Laughter.]

Mr. HARTER. Mr. Chairman, talking about civilization, we shall probably soon have an experiment in civilization not far from my friend's district, perhaps within the boundaries of the district which he represents, for I notice that the governor of his State has just invited all the tramps of America to make their home in Kansas. [Laughter.] Now, I am so liberal that if Utah would only invite the tramps of the country, and by that means would swell her population until it reached a respectable proportion to the population of the Union, I should then be willing to vote to bring her in as a State. [Laughter.]

Mr. REED. Under the new tariff law the population of Kansas will be pretty large if that invitation should be accepted. [Laughter.]

Mr. SIMPSON. I apprehend that no danger to Kansas will result from that circular if the Ohio people will stay away from us. [Laughter.]

Mr. HARTER. I am sorry to have to admit that a very large proportion of the political population of Kansas did go from Ohio originally, but the errors into which they have wandered only show how easily men can depart from early and correct teachings when they get far away from a mother's knee and hearthstone.

Mr. SIMPSON. I would suggest to the gentleman from Ohio that Kansas produced one man who is well known to the whole country, John Brown, who scared the whole Democratic party and freed the Democratic slaves.

Mr. HARTER. I do not know exactly what John Brown has to do with this question. However, as "his soul goes marching on," he may interfere possibly and potentially, too, in every question of public policy.

Mr. BOEN. What has China to do with it?

Mr. HARTER. I am entirely conscious that owing to frequent interruptions and to the fact that I rose rather unexpectedly to speak, I have not made a very connected argument on this question; and there are still two or three things I wish to state which are worthy of consideration.

It is claimed that the people of Utah will prosper more, will grow more rapidly under a State government than they have been doing under Territorial government. This is a proposition entitled to investigation. It ought to be fairly considered. If this handful of people in Utah will be very much blessed by admission—if we can create for their benefit a kind of paradise—if we can give them the millennium far in advance of the time they would be likely to get it otherwise, by admitting them into the Union and in doing so deprive the State of New York and other States of their proportionate representation, it is a matter which ought to be considered.

But the question is how much of an advantage it is going to be to the people of Utah if their Territory should become a State of the Union. Although they seem to think that they would grow more rapidly in population under a State government, I say that the facts in regard to the new States which have been recently admitted, will not sustain this assumption. I ask you gentlemen, when you go home, to look at your Tribune Almanac, or some other reliable almanac—the World Almanac, for instance, or the United States census, which is possibly not quite so reliable as either of them—and you will discover that the seven States which have been last admitted to the Union have

been growing in population more slowly since their admission than they did under a Territorial form of government.

I do not know why this is so unless possibly for the reason that government by the United States conducted more to their prosperity, gave them greater security and peace, than government by themselves. But whatever may be the reason, I say that the States to which I have referred, now represented at the other end of the Capitol by fourteen Senators—a representation out of all proportion to their population—have grown less rapidly since they came into the Union than they did while they were Territories. The population of these small States has not increased as much since their admission to statehood as the natural physical increase reasonably to be expected from those who live honorably in the married state.

Mr. WHEELER of Alabama. The gentleman will recollect that they have been under Republican rule. That is the trouble.

Mr. LOUD. How can the census show what the gentleman says when a majority of these States have been admitted to the Union since the last census statistics were collected?

Mr. HARTER. Sometime ago—for a purpose which I can not distinctly recall at this moment, but something in connection with the interests of the silver States, compared with some of the older States of the Union—I carefully prepared a table intending to use it on the floor of the House; but not having occasion to do so I do not know where it is. That table, however, shows the facts as stated—I am familiar with these new States, but I was astonished beyond measure at the results that table revealed. Therefore, in admitting these people into the Union we are not conferring upon them any very great advantage; we are simply injuring ourselves beyond remedy without giving them any compensatory blessing.

I listened with interest to portions of the memorial which my friend from Utah read. I admit that the restrictions there recited upon the people of Utah are unreasonable. They show that the principle of "home rule" is not recognized as it ought to be with reference to this Territory. There is no reason why the governor of Utah should appoint those Territorial officers, or that the courts there, before which the citizens of Utah go for justice, should be constituted in the manner which the gentleman has shown. There is no reason now for such a state of things. But in undertaking to remedy this evil let us not bring about a greater one. The evil complained of can be easily removed. Let the gentleman draw up a bill, if he pleases, to correct the injustice, and we will pass it. He knows as well as I know the circumstances under which the unjust provisions found a place in the statutes. At that time Utah was a polygamous community, and such restrictions were deemed necessary.

Mr. PICKLER. Why, those provisions are applicable alike to all the Territories.

Mr. HARTER. No, sir; I beg the gentleman's pardon.

Mr. PICKLER. I beg your pardon; that is the fact. Those provisions are simply the uniform law of all the Territories. I myself resided in a Territory for six or seven years, and I know that the people do not enjoy the right of governing themselves. I ask the gentleman in all candor whether he does not think it a hardship that an American citizen like the gentleman from Utah should live forty-three years in a Territory and be denied participation in government—be deprived of the ordinary rights of an American citizen?

Mr. HARTER. It has not been my privilege to live in a Territory forty-three years or forty-three days—

Mr. PICKLER. If you ever had lived there you would not be making this speech to-day.

Mr. HARTER. I think I would be making this very speech, but making it much stronger. But while I have not had the pleasure I would like to call his attention to the fact that there is no uniform law on this subject relating to the Territories.

Mr. PICKLER. Indeed there is. I make this as a statement of fact. By a law applicable to all the Territories the President appoints the governor and these other officers.

Mr. HARTER. If the gentleman will collect the facts and present them to the House, I will acknowledge the correctness of his statement.

Mr. PICKLER. I have correctly stated the law.

Mr. HARTER. I believe the gentleman is mistaken; I feel quite sure he is.

The gentleman asked me also whether I think it not too much of a hardship for a man to live in a Territory for awhile? I answer him no, I do not; and if that kind of life develops men like this gentleman who has just spoken [Mr. RAWLINS], I consider it a good argument for relegating many existing States to Territorial government. Another thing, the hardships of a Territorial life are not so very great. Here we live in the District of Columbia, which has a Territorial government.

And yet I find gentlemen very anxious to get here, crazy to break into the territory of the District of Columbia, and when

they get here they are usually anxious to remain eternally. So that can not be much of an objection.

Mr. FLYNN. Will the gentleman allow me a suggestion?

Mr. HARTER. I am always glad to hear from the gentleman from Oklahoma.

Mr. FLYNN. Out of the appointments made in Oklahoma, forty-two are carpetbaggers sent in from the outside. Does the gentleman approve of that?

Mr. SIMPSON. From Ohio most of them, too, are they not?

Mr. FLYNN. No, sir; from Georgia. [Laughter and applause.]

Mr. HARTER. The gentleman need not "shake his gory locks at me; thou canst not say that I did it." I tried to help give you a first-class governor; but the President occasionally makes a mistake, for which he should be readily excused, for we know that he is only human and not infallible. And I would say further to the gentleman that we should await the final returns from these "carpetbagger" appointments, as he calls them. They can not be worse, and they may be vastly better, than some of the incumbents that we have had in the past. After these carpetbaggers make a record, and it is as bad or worse than that of their predecessors, we will help him guillotine a few of them.

Mr. SMITH of Arizona. I wish to ask the gentleman from Ohio this question: How does he reconcile it with a common sense of justice that his State of Ohio, with the number of people she has representing that State on this floor, should undertake to keep out of the House of Representatives the 250,000 people in the Territory of Utah? I ask, how can you say that it is just? Should you not, in other words, reducing the argument to its proper conclusions, say that every State ought to have its representation reduced proportionately here; or else amend the Constitution and provide for a greater number of Senators, and according to population instead of by States? Is it fair to leave Utah unrepresented, while Ohio is so liberally provided for?

Mr. HARTER. That is a fair question, and I shall endeavor to answer it in the same fair spirit. I think I have already stated that it seemed to me the Constitution is entirely wrong on this question, and I think it is the consensus of American opinion as well as that of every expert student of a constitutional government, whether he lives in America or elsewhere, that this is an unfortunate feature in our Government. But I have already explained the origin of it, and under the circumstances the wisdom of the creation of this unjust principle in the Constitution I am not here to defend. At the same time the gentleman introduces into his question a suggestion about the State of Ohio; whether we are proposing to do as justly by Utah as we do by Ohio in the matter of representation.

I have used New York, as a matter of courtesy, for an illustration, holding Ohio back as a matter of humility, and because it is well enough occasionally for a man from Ohio to exhibit a becoming modesty about his great State. But if the gentleman forces me to bring Ohio in I will say that if we admit Utah to the performance of the most important legislation which will occupy the attention of the United States Senate for years and years to come; if we admit Utah now to the election of Presidents of the United States, who control the Executive Departments of the Government, who appoint all the judges and control our diplomatic relations with the balance of the world, then by this act we would give to any one man residing in the State of Utah fifteen times the amount of representation that the citizen of Ohio has.

Mr. HARTMAN. Would you object to admitting Utah if they would vote with you?

Mr. SIMPSON. That would be an inducement for them to remove from Ohio, would it not?

Mr. SMITH of Arizona. I would like to ask the gentleman how he makes that calculation—on what basis?

Mr. HARTER. Why, you would give the two Senators from the little State of Utah the same power that the great State of Ohio exercises in the Senate.

Mr. SMITH of Arizona. But I understood the gentleman to refer to the Presidential election.

Mr. HARTER. The gentleman is quite correct. When I applied the proportion of representation to the election of the Chief Magistrate it was erroneous, unless the election was thrown into the House. I am obliged to him for correcting me. I intended particularly to refer to the power of the State in the Senate and as applied to the making of laws which our Presidents must execute, and the proportion I stated is correct, as the gentleman will find if he takes the pencil I have given him and a piece of paper and figures it out. In Ohio we have a population of about 3,750,000.

In Utah they have a population which is claimed—and I believe it to be correct—of about 240,000. I am sure these gentlemen who knock at the door of the Union would not be guilty of misrepresentation. Giving them, therefore, all they claim, a man

residing in Utah would have about fifteen times as much power in making laws for the balance of the country as he would have if he lived in Ohio.

Now all this is unjust, it is all wrong, it is unnecessary; and looking forward some distance, you can see that it is also very dangerous.

Mr. BOEN. May I ask who is to be endangered by it?

Mr. HARTER. The whole country. Gentlemen of the extreme West, surely you now have a representation ample to the fullest extent. You have indeed a representation so far in excess of any other section of the country in the making of laws and in the election of the President, that it seems to me instead of asking more, you should, with proper modesty and with a reasonable respect for the rights of the people who are not fortunate enough to live in these far Western Territories, of your own accord say that you are content to wait for a more fitting time, and until you have gained larger proportions in population, proportions which will reasonably entitle you to membership in the sisterhood of States.

Mr. Chairman, I am much obliged to the House for the time accorded me.

Mr. WHEELER of Alabama. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BAILEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 352) to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, and had come to no resolution thereon.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. HAINES, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of the heirs of Casparus Coneyn, there being no adverse report thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted:

To Mr. SMITH of Illinois, for this day, on account of sickness. And then, on motion of Mr. WHEELER of Alabama (at 5 o'clock and 34 minutes p. m.), the House adjourned.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

The Committee on Rivers and Harbors was discharged from the consideration of the bill (H. R. 2644) for the relief of Secor & Co., Perine, Secor & Co., and the executors of Zeno Secor—to the Committee on Claims.

The Committee on Pensions was discharged from the consideration of the following bills, and the same were referred to the Committee on Invalid Pensions:

- A bill (H. R. 4559) granting a pension to Mary Collins.
- A bill (H. R. 4582) for the relief of Jane Thomas.
- A bill (H. R. 4561) granting a pension to Harriet T. Vosburgh.
- A bill (H. R. 4560) restoring Julia L. Roberts, late Julia L. Doty, to the pension roll.
- A bill (H. R. 4136) granting a pension to Ellen Connor, widow of Patrick Connor, deceased.
- A bill (H. R. 4315) for the relief of George Thompson.
- A bill (H. R. 3022) to place on the pension roll the name of Capt. James G. Saint.
- A bill (H. R. 3009) granting a pension to Mrs. Eliza Fish.
- A bill (H. R. 2564) to pension Mrs. Eliza T. Palmatier.
- A bill (H. R. 2410) for the relief of Archibald P. Cooper.
- A bill (H. R. 2403) for the relief of Lucy A. Branham.
- A bill (H. R. 637) to pension Mrs. Nancy T. Eastman.
- A bill (H. R. 636) granting a pension to Mary H. Howard.
- A bill (H. R. 1889) to place the name of John T. Fruit upon the pension roll.
- A bill (H. R. 647) granting a pension to Mrs. Hannah Flanders.
- A bill (H. R. 646) granting a pension to Sally G. Alley.

The Committee on Pensions was discharged also from the consideration of the bill (H. R. 1513) for the relief of Thomas Fitzgibbons, and the same was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. MARTIN, from the Committee on Invalid Pensions,

the bill (H. R. 4658) granting a pension to Hiram R. Rhea (Report No. 196).

Also, from the Committee on Invalid Pensions, the bill (H. R. 4659) to pension Elizabeth Portner (Report No. 197).

By Mr. STONE of Kentucky, from the Committee on War Claims, the bill (H. R. 2148) for the relief of James A. Cook (Report No. 198).

Also, from the Committee on War Claims, a bill (H. R. 2314) for the relief of John N. Dorr, sr. (Report No. 199).

Also, from the Committee on War Claims, the bill (H. R. 2280) for the relief of William B. Ennis (Report No. 200).

Also, from the Committee on War Claims, the bill (H. R. 2253) for the relief of J. H. Bugg and others (Report No. 201).

Also, from the Committee on War Claims, the bill (H. R. 2194) for the relief of A. W. Pollard (Report No. 202).

Also, from the Committee on War Claims, the bill (H. R. 2216) for the relief of Hugh F. McNairy, executor of A. C. Thomson, deceased (Report No. 203).

By Mr. COOPER of Texas: From the Committee on War Claims, the bill (H. R. 3553) for the relief of the estate of Lucy A. Barker, deceased (Report No. 204).

By Mr. ENLOE, from the Committee on War Claims, a bill (H. R. 766) for the relief of Randolph Wesson (Report No. 205).

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

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

By Mr. DALZELL: A bill (H. R. 4660) to authorize the construction of a bridge over the Monongahela River, at Glenwood, Pa.—to the Committee on Interstate and Foreign Commerce.

By Mr. HEARD (by request): A bill (H. R. 4661) to authorize the sale of property situated in the city of Georgetown, D. C.—to the Committee on the District of Columbia.

By Mr. BOEN: A bill (H. R. 4662) to advance causes on the calendar of the Supreme Court of the United States wherein States are parties—to the Committee on the Judiciary.

By Mr. RAYNER: A bill (H. R. 4663) to regulate the right of appeal in certain cases—to the Committee on the Judiciary.

By Mr. HARTER: A bill (H. R. 4664) to provide for the free and unlimited coinage of silver and gold at the present ratio and upon equal terms—to the Committee on Coinage, Weights, and Measures.

By Mr. HINES: A bill (H. R. 4665) to equalize bounty in certain cases of soldiers of the late war—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 4666) to regulate the jurisdiction of the United States district judges, and of the courts over which they preside, in the State of Alabama—to the Committee on the Judiciary.

By Mr. MCRAE: A bill (H. R. 4667) to provide for the opening of certain abandoned military reservations, and for other purposes—to the Committee on the Public Lands.

By Mr. TYLER: A bill (H. R. 4689) to direct and authorize the Secretary of War to cause a survey to be made of that branch of the Elizabeth River, Virginia, known as Deep Creek—to the Committee on Rivers and Harbors.

By Mr. BOUTELLE: A bill (H. R. 4692) for the erection of a monument to the late Edwin M. Stanton—to the Committee on the Library.

By Mr. DUNPHY: A resolution to pay out of the contingent fund of the House to the widow of Thom is McKaig, late an employé of the House, a sum equal to his salary for six months; also expenses of his last illness and funeral expenses—to the Committee on Accounts.

By Mr. COBB of Missouri: A resolution to carry out the finding of the Court of Claims for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Valle—to the Committee on War Claims.

PRIVATE BILLS, ETC.

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

By Mr. BANKHEAD: A bill (H. R. 4668) for the relief of the estate of Daniel H. Avery, of Tuscaloosa, Ala.—to the Committee on War Claims.

By Mr. BLAIR: A bill (H. R. 4669) for the relief of Sarah J. Warren—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 4670) for the relief of Lewis H. Niles—to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 4671) to remove the charge of desertion standing against the name of Joseph G. Utter—to the Committee on Military Affairs.

By Mr. ERDMAN: A bill (H. R. 4672) for the relief of John A. Haas—to the Committee on Military Affairs.

Also, a bill (H. R. 4673) for the relief of the Berks County Agricultural Society, of Berks County, Pa.—to the Committee on Claims.

By Mr. HOLMAN: A bill (H. R. 4674) to increase the pension of David T. Stonebraker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4675) to increase the pension of Wells Johnson—to the Committee on Invalid Pensions.

By Mr. HOUK of Tennessee: A bill (H. R. 4676) for the relief of T. J. Wear—to the Committee on War Claims.

Also, a bill (H. R. 4677) for the relief of Alexander L. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 4678) granting a pension to Thomas P. A. Leonard, of Sweetwater, Tenn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4679) for the relief of Mrs. Sarah E. Cox—to the Committee on War Claims.

Also, a bill (H. R. 4680) for the relief of James Currier—to the Committee on Military Affairs.

Also, a bill (H. R. 4681) for the relief of Joseph Lowe—to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 4682) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased—to the Committee on Claims.

By Mr. RANDALL: A bill (H. R. 4683) for the relief of Commodore Oscar C. Badger, United States Navy—to the Committee on Naval Affairs.

By Mr. ROBBINS: A bill (H. R. 4684) for the relief of Flora A. Darling—to the Committee on War Claims.

By Mr. SMITH of Illinois (by request): A bill (H. R. 4685) for the relief of Thomas J. Spencer, late a captain Tenth United States Cavalry—to the Committee on Military Affairs.

By Mr. STRONG: A bill (H. 4686) to correct the military record of Alexander P. Magaan, of Battery H, Fourth United States Artillery—to the Committee on Military Affairs.

By Mr. STORER: A bill (H. R. 4687) granting a pension to Mrs. Catherine Elliott—to the Committee on Pensions.

Also, a bill (H. R. 4688) authorizing the removal of the charge of desertion from the record of Hugh F. Elliott—to the Committee on Military Affairs.

By Mr. WELLS: A bill (H. R. 4690) for the relief of Maurice Moriarty and grant him a pension—to the Committee on Invalid Pensions.

By Mr. DOCKERY: A bill (H. R. 4691) granting a pension to Thomas J. Reid—to the Committee on Invalid Pensions.

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. BRECKINRIDGE of Arkansas: Memorial of William H. Cayce, asking for the passage of a bill relieving him from unlawful treatment of the St. Louis, Iron Mountain and Southern Railway Company—to the Committee on Private Land Claims.

By Mr. BLACK of Georgia (by request): Petition, papers, and summary report in the claim of John M. Boone, of Wilkinson County, Ga., against the United States—to the Committee on War Claims.

By Mr. DALZELL: Petition of plate-glass workers of Charle-roi, Pa., against change of duties on plate glass—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of Pittsburg, Pa., relative to creation of artificial-freshet navigation in the upper Ohio River—to the Committee on Rivers and Harbors.

By Mr. GROSVENOR: Memorial of the session of the Presbyterian Church of Arnesville, Ohio, favoring the repeal of the Geary law; second, to pass the Sabbath-rest bill; third, to pass a law respecting religion in the public schools; fourth, against the admission of Utah as a State; fifth, to pass a law creating a commission to investigate the liquor traffic; sixth, to pass a more stringent law prohibiting pauper and criminal immigration—to the Committee on Foreign Affairs.

By Mr. HARMER: Memorial of workmen and other citizens of Frankford, Philadelphia, Pa., protesting against the passage of the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. RANDALL (by request): Proposal and plan of John C. McGowan for relieving the sewers and for disposing of the sewage of the cities of Washington and Georgetown, D. C.—to the Committee on the District of Columbia.

By Mr. WISE: Certified copy of findings of fact and conclusions of law, Court of Claims, No. 15,607, William B. Isaacs *et al* against the United States—to the Committee on the Judiciary.

SENATE.

WEDNESDAY, December 13, 1893.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
M. C. BUTLER, a Senator from the State of South Carolina, appeared in his seat to-day.

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

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented petitions of soldiers of the late war, citizens of Mount Victory, South Ridgeville, Edinburg, Ross County, Ottawa County, and of J. C. Irwin Post, Grand Army of the Republic, all in the State of Ohio, praying for an investigation of the Pension Bureau; which were referred to the Committee on Pensions.

Mr. CAMERON presented a petition of citizens of Pennsylvania, praying for the enactment of such legislation as will secure the enforcement of laws passed to carry into effect Articles XIV and XV of the Constitution of the United States; which was referred to the Committee on Privileges and Elections.

Mr. COCKRELL. I present the affidavit of Dr. H. W. Latham, of Latham, Mo., in support of Senate bill No. 255, granting a pension to John G. Hanna, private Company A, Forty-third Regiment Enrolled Missouri Militia. I move that the affidavit be referred to the Committee on Pensions, to accompany that bill.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (S. 901) for the relief of the owners of the schooner Henry R. Tilton and of personal effects thereon, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 223) for the relief of Isham T. Owen, of Missouri, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL, from the Joint Commission of Congress to Inquire into the Status of Laws Organizing the Executive Departments, to whom the subject was referred, submitted a report thereon, accompanied by a bill (S. 1260) to improve the methods of accounting in the Post-Office Department, and for other purposes; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. COCKRELL. It is the same as House bill 4610, reported in the other House.

Mr. PALMER, from the Committee on Pensions, to whom was referred the bill (S. 1051) for the relief of Jean Louis Legare, of the Dominion of Canada, asked to be discharged from its further consideration and that it be referred to the Committee on Claims; which was agreed to.

Mr. PROCTOR, from the Committee on the District of Columbia, to whom was referred the bill (S. 444) making the surveyor of the District of Columbia a salaried officer, and to provide for more efficient service in the surveyor's office, reported it with amendments, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 326) for the relief of C. B. Bryan & Co., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 58) for the relief of William Clift, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. STOCKBRIDGE introduced a bill (S. 1261) for the erection of a public building at Menominee, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. POWER introduced a bill (S. 1262) for the relief of Paul McCormick; which was read twice by its title, and referred to the Committee on Claims.

Mr. VILAS introduced a bill (S. 1263) to provide for the further distribution of reports of the Supreme Court; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1264) to provide for the distribution of reports of the United States courts of appeals; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAMERON introduced a bill (S. 1265) for the relief of John Millen; which was read twice by its title, and with the accompanying paper, referred to the Committee on Military Affairs.

Mr. JONES of Arkansas introduced a bill (S. 1266) to extend and amend an act entitled "An act to authorize the Kansas and